

**No. 87**  
**STATE OF MICHIGAN**  
**JOURNAL**  
**OF THE**  
**House of Representatives**  
**97th Legislature**  
**REGULAR SESSION OF 2013**

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House Chamber, Lansing, Wednesday, October 16, 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	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—present	Stamas—present
Darany—present	Johnson—present	Nesbitt—present	Stanley—present
Denby—present	Kandrevas—present	O'Brien—present	Switalski—present
Dianda—present	Kelly—present	Oakes—present	Talabi—present
Dillon—present	Kesto—present	Olumba—e/d/s	Tlaib—present
Driskell—present	Kivela—present	Outman—present	Townsend—present
Durhal—present	Knezek—present	Pagel—present	VerHeulen—present
Faris—present	Kosowski—present	Pettalia—present	Victory—present
Farrington—present	Kowall—present	Poleski—present	Walsh—present
Forlini—present	Kurtz—present	Potvin—present	Yanez—present
Foster—present	LaFontaine—present	Price—present	Yonker—present
Franz—present	Lamonte—present	Pscholka—present	Zemke—present
Geiss—present	Lane—present	Rendon—present	Zorn—present
Genetski—present			

e/d/s = entered during session

Rev. John H. Hice, Pastor of Royal Oak First United Methodist Church in Royal Oak, offered the following invocation:

“O God of us all: this room is enriched by those who stepped forward. They imagined an opportunity to serve. They envisioned a Michigan rebounding from great challenge and advancing in prosperity, and justice. So they threw their hats into the ring; and their neighbors chose them. It was not to be popularity contest. It was a public discussion for direction – an exercise in discernment. Now the state of Michigan’s trust is in their hands.

This is their time.

O God, they know that trust invested in their leadership is ever-accompanied by scrutiny. Each decision made will sometimes be second-guessed and criticized. We accept that this is part of the territory, a condition of an on-going public conversation for the work of policy and administration. So we pray that their struggles be gentle; that voices raised in these chambers and in the streets will maintain respect; and if and when they don’t, that this Legislature will be filled with grace to rise above indignation.

We pray that they hold onto leadership and not simply react.

Grant that sorting through necessary detail will not distract them from higher vision. Grant that they work to build true community: fostering a sense of neighbor-ness among co-residents, encouraging servanthood among all who hold the office of *citizen*. We seek to live as a true and beloved community.

Lead us to greater perfection through these who have stepped forward. So, with this prayer we call upon Your abiding presence to lead our leaders. Grant that their courage and dedication will not fall away from the character and ideals they aspire to hold. Amen.”

### **Messages from the Senate**

#### **Senate Concurrent Resolution No. 11.**

A concurrent resolution of tribute offered as a memorial for Robert D. Young, former member of the House of Representatives and the Senate.

Whereas, The members of this legislative body were saddened to learn of the passing of our former colleague, Robert D. Young. A devoted public servant, he will be remembered for his lifelong commitment to family, friends, community, and the entire state of Michigan; and

Whereas, A native of Michigan, Robert Young attended Saginaw High School and Michigan State University. A farmer and home builder, he would dedicate his life to serving people and helping improve his community. During the 1960s, he served as Spaulding Township Supervisor, as a Saginaw County Commissioner, and as chairman of the Saginaw County Parks and Recreation Commission. In 1970, he was elected to the House of Representatives, and he would join the Senate in 1975; and

Whereas, For twelve years, Robert Young served faithfully the people of Michigan, and particularly his constituents in Saginaw and other areas of the Great Lakes Bay Region, in the House of Representatives and the Senate. During his tenure, he served on several committees covering a wide variety of issues, ranging from agriculture to commerce to local government to veterans affairs. With earnestness and distinction, he worked tirelessly to solve the challenges facing our state; and

Whereas, Upon completing his legislative services, Robert Young would spend the next 13 years representing growers in Lansing and Washington, D.C., as executive director of the Great Lakes Sugar Beet Growers Association. In retirement, he would remain active in local organizations during his summers in Michigan and winters in Florida until his death; now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That we offer this expression of our highest tribute to honor the memory of Robert D. Young, a member of the House of Representatives from 1971 to 1974 and a member of the Senate from 1975 to 1982; and be it further

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

The Senate has adopted the concurrent resolution.

The Speaker and the entire membership of the House of Representatives were named co-sponsors of the concurrent resolution.

The question being on the adoption of the concurrent resolution,

The concurrent resolution was adopted by unanimous standing vote.

By unanimous consent the House returned to the order of

### **Motions and Resolutions**

Reps. Tlaib, Barnett, Brown, Durhal, Heise, Irwin, Jenkins, Kowall, O’Brien, Roberts, Segal, Singh, Slavens and Zemke offered the following resolution:

#### **House Resolution No. 244.**

A resolution to memorialize the Congress of the United States to amend the Communications Decency Act of 1996 to allow the prosecution by state and local governments of individuals who promote prostitution and child sex trafficking through online advertisements.

Whereas, As many as 2 million children are subjected to prostitution in the global commercial sex trade. Websites that promote prostitution and sex trafficking through classified ads have become more commonplace, facilitating the organized prostitution of children and providing a facade for sex traffickers to hide behind; and

Whereas, Websites involved in posting ads for prostitution, involving both adults and children, claim protection under the federal Communications Decency Act of 1996 to avoid prosecution. However, the Communications Decency Act was passed to protect Internet Service Providers from defamatory statements made by online users. It was not intended to protect websites involved in criminal activity; and

Whereas, State and local governments are currently unable to take enforcement action against these sites. The state of Washington enacted legislation that criminalizes aiding the sale of sex with a child to force online prostitution sites to verify ages or shut down their adult sections entirely. A preliminary injunction has been issued against the law stating, in part, that potential First Amendment issues may be involved; and

Whereas, Action at the federal level is needed. The National Association of Attorneys General has lobbied Congress to amend the Communications Decency Act of 1996 to allow regulation by state and local governments; now, therefore, be it

Resolved by the House of Representatives, That we memorialize the Congress of the United States to amend the Communications Decency Act of 1996 to allow the prosecution by state and local governments of individuals who promote prostitution and child sex trafficking through online advertisements; 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.

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

### Third Reading of Bills

#### House Bill No. 4394, entitled

A bill to amend 1846 RS 16, entitled “Of the powers and duties of townships, the election and duties of township officers, and the division of townships,” by amending section 8 (MCL 41.8), as amended by 1990 PA 101.

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

#### Roll Call No. 327

#### Yeas—108

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

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

**Nays—0**

In The Chair: 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.

Rep. Olumba entered the House Chambers.

**Senate Bill No. 235, entitled**

A bill to amend 1986 PA 54, entitled "Building officials and inspectors registration act," by amending sections 2 and 11 (MCL 338.2302 and 338.2311).

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

**Roll Call No. 328****Yeas—107**

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

**Nays—2**

Olumba

Robinson

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 1986 PA 54, entitled “An act to regulate and register building officials, plan reviewers, building inspectors, electrical inspectors, mechanical inspectors, and plumbing inspectors; to prescribe the powers and duties of the state construction code commission; to create a building officials advisory board; to require the approval of educational and training programs for building officials, plan reviewers, and inspectors; to provide for the establishment and disposition of fees; to provide for the promulgation of rules; and to prescribe penalties,” by amending sections 2, 9, and 11 (MCL 338.2302, 338.2309, and 338.2311).

The motion prevailed.

The House agreed to the title as amended.

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

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

By unanimous consent the House returned to the order of

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

The Clerk announced that the following bills had been printed and placed upon the files of the members on Wednesday, October 16:

<b>House Bill Nos.</b>	<b>5078</b>	<b>5079</b>	<b>5080</b>				
<b>Senate Bill Nos.</b>	<b>616</b>	<b>617</b>	<b>618</b>	<b>619</b>	<b>620</b>	<b>621</b>	<b>622</b>

The Clerk announced that the following Senate bills had been received on Wednesday, October 16:

<b>Senate Bill Nos.</b>	<b>174</b>	<b>307</b>	<b>387</b>	<b>475</b>	<b>492</b>	<b>546</b>
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**Reports of Standing Committees**

The Committee on Commerce, by Rep. Foster, Chair, reported

**House Bill No. 4958, entitled**

A bill to amend 1936 (Ex Sess) PA 1, entitled “Michigan employment security act,” by amending section 43 (MCL 421.43), as amended by 2004 PA 243.

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. Foster, Zorn, Haines, Farrington, Glardon, Johnson, Nesbitt, Somerville, Kelly, Leonard, Switalski, Barnett, Townsend, Santana, Driskell and Yanez

Nays: None

**COMMITTEE ATTENDANCE REPORT**

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

Meeting held on: Wednesday, October 16, 2013

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

Absent: Rep. Oakes

Excused: Rep. Oakes

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

**House Bill No. 4792, entitled**

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 12e of chapter XVII (MCL 777.12e), as amended by 2011 PA 59.

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

Nays: None

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

**House Bill No. 5080, entitled**

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 601c (MCL 257.601c), as added by 2001 PA 103.

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

1. Amend page 2, following line 22, by inserting:

"Enacting section 1. This amendatory act takes effect 90 days after the date it is enacted into law."

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

Favorable Roll Call

To Report Out:

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

Nays: None

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

**Senate Bill No. 471, entitled**

A bill to amend 1925 PA 289, entitled "An act to create and maintain a fingerprint identification and criminal history records division within the department of state police; to require peace officers, persons in charge of certain institutions, and others to make reports respecting juvenile offenses, crimes, and criminals to the state police; to require the fingerprinting of an accused by certain persons; and to provide penalties and remedies for a violation of this act," by amending section 2a (MCL 28.242a), as amended by 2012 PA 374.

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, Kivela and Banks

Nays: Rep. Robinson

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, October 16, 2013

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

The Committee on Michigan Competitiveness, by Rep. Shirkey, Chair, reported

**House Resolution No. 108.**

A resolution to urge Congress to raise permanently the cap on new H1-B temporary work visas available to immigrant professionals and to eliminate the cap for those holding a master's degree or higher from U.S. universities.

(For text of resolution, see House Journal No. 37, p. 526.)

With the recommendation that the following substitute (H-2) be adopted and that the resolution then be adopted.

**Substitute for House Resolution No. 108.**

A resolution to urge Congress to raise permanently the cap on new H-1B temporary work visas available to immigrant professionals and to eliminate the cap for those holding a master's degree or higher from U.S. universities.

Whereas, The United States has risen to preeminence in the world by cultivating the talents of its own residents while, at the same time, welcoming the most talented people from around the world. Many of our nation's leading companies, such as Dow Chemical and Masco, were founded by immigrants. In Michigan, one-third of high-tech businesses over the last decade were started by immigrants; and

Whereas, Our nation remains a leader in developing foreign talent. U.S. universities and colleges educate hundreds of thousands of international students each year. In Michigan, more than 25,000 international students attend Michigan's higher education institutions, ninth most in the nation. Over 37 percent of individual's receiving doctorate degrees in science, technology, engineering, and mathematics nationwide are international students; and

Whereas, We are failing as a nation to retain foreigners educated in the United States and to welcome talented professionals from other nations. Under the H-1B temporary work visa program, highly educated scientists, engineers, computer programmers, and other technical experts may immigrate to the United States for employment. However, the federal government severely limits the number of visas available. Only 65,000 new H-1B visas are available each year to individuals with a bachelor's degree or higher, with an additional 20,000 visas available to individuals with a U.S. master's degree or higher; and

Whereas, The federal cap on H-1B visas is not meeting the demand of U.S. businesses. The 2013 caps were reached in just over two months. These arbitrary caps are holding back economic growth in Michigan and the rest of the United States. These caps should be based on a data-driven approach that, along with the availability of qualified American workers, factors in the positive impact of immigrant professionals to jobs and entrepreneurialism in our economy. In a highly competitive global environment, the United States cannot afford to turn back the brightest and most talented people. Our nation's loss will inevitably be another nation's gain; now, therefore, be it

Resolved by the House of Representatives, That we urge Congress to raise permanently the cap on new H-1B temporary work visas available to immigrant professionals and to eliminate the cap for those holding a master's degree or higher from U.S. universities; 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.

## Favorable Roll Call

To Report Out:

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

Nays: None

## 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, October 16, 2013

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

## COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Tuesday, October 15, 2013

Present: Reps. McMillin, Kelly, O'Brien, Leonard, Townsend and Robinson

## COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Wednesday, October 16, 2013

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

## 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, October 16, 2013

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

## COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Lyons, Chair, of the Committee on Education, was received and read:  
Meeting held on: Wednesday, October 16, 2013

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

## 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, October 16, 2013

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

**Messages from the Senate****Senate Bill No. 174, entitled**

A bill to require certain consumer reporting agencies to place security freezes for consumers under certain circumstances; to provide for the removal of those security freezes; to authorize and limit fees; to prescribe the powers and duties of certain state agencies and officials; and to provide remedies.

The Senate has passed the bill.

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

**Senate Bill No. 307, entitled**

A bill to amend 1951 PA 33, entitled "An act to provide police and fire protection for townships and for certain areas in townships, certain incorporated villages, and certain cities; to authorize contracting for fire and police protection; to authorize the purchase of fire and police equipment, and the maintenance and operation of the equipment; to provide for defraying the cost of the equipment; to authorize the creation of special assessment districts and the levying and collecting of special assessments; to authorize the issuance of special assessment bonds in anticipation of the collection of special assessments and the advancement of the amount necessary to pay such bonds, and to provide for reimbursement for such advances by reassessment if necessary; to authorize the collection of fees for certain emergency services in townships and other municipalities; to authorize the creation of administrative boards and to prescribe their powers and duties; to provide for the appointment of traffic officers and to prescribe their powers and duties; and to repeal acts and parts of acts," by amending section 10 (MCL 41.810), as amended by 2004 PA 463.

The Senate has passed the bill.

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

**Senate Bill No. 387, entitled**

A bill to amend 1969 PA 317, entitled "Worker's disability compensation act of 1969," by amending section 161 (MCL 418.161), as amended by 2012 PA 83.

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. 475, entitled**

A bill to enact the trampoline court safety act; to prescribe the duties and liabilities of trampoline court operators and persons who use trampoline courts; and to provide for the acceptance of certain risks by persons who use trampoline courts.

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. 492, entitled**

A bill to amend 1976 PA 451, entitled "The revised school code," by amending section 1147 (MCL 380.1147), as amended by 2012 PA 198.

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. 546, entitled**

A bill to amend 1877 PA 164, entitled "An act to authorize cities, incorporated villages, and townships to establish and maintain, or contract for the use of, free public libraries and reading rooms; and to prescribe penalties and provide remedies," by amending sections 2, 3, 4, 5, 7, 9, 10, 10a, 10c, 11, 14, 15, and 16 (MCL 397.202, 397.203, 397.204, 397.205, 397.207, 397.209, 397.210, 397.210a, 397.210c, 397.211, 397.214, 397.215, and 397.216), section 2 as amended by 2000 PA 99, sections 10, 10a, and 10c as amended by 1994 PA 81, section 11 as amended by 2002 PA 160, and sections 14 and 16 as amended and section 15 as added by 1984 PA 128.

The Senate has passed the bill.

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

**Messages from the Governor**

Date: October 15, 2013

Time: 12:20 p.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

**Enrolled House Bill No. 4334 (Public Act No. 131, I.E.), being**

An act to amend 1993 PA 23, entitled "An act to provide for the organization and regulation of limited liability companies; to prescribe their duties, rights, powers, immunities, and liabilities; to prescribe the powers and duties of certain state departments and agencies; and to provide for penalties and remedies," by amending section 904 (MCL 450.4904), as amended by 2010 PA 126.

(Filed with the Secretary of State October 15, 2013, at 4:10 p.m.)

Date: October 15, 2013

Time: 12:22 p.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

**Enrolled House Bill No. 4654 (Public Act No. 132, I.E.), being**

An act to amend 1972 PA 284, entitled "An act to provide for the organization and regulation of corporations; to prescribe their duties, rights, powers, immunities and liabilities; to provide for the authorization of foreign corporations within this state; to prescribe the functions of the administrator of this act; to prescribe penalties for violations of this act; and to repeal certain acts and parts of acts," by amending section 284 (MCL 450.1284), as added by 2012 PA 569.

(Filed with the Secretary of State October 15, 2013, at 4:12 p.m.)

Date: October 15, 2013

Time: 12:26 p.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

**Enrolled House Bill No. 4002 (Public Act No. 133, I.E.), being**

An act 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.

(Filed with the Secretary of State October 15, 2013, at 4:14 p.m.)

Date: October 15, 2013  
Time: 3:05 p.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

**Enrolled House Bill No. 4355 (Public Act No. 134, I.E.), being**

An act to amend 1978 PA 59, entitled “An act relative to condominiums and condominium projects; to prescribe powers and duties of the administrator; to provide certain protections for certain tenants, senior citizens, and persons with disabilities relating to conversion condominium projects; to provide for escrow arrangements; to provide an exemption from certain property tax increases; to impose duties on certain state departments; to prescribe remedies and penalties; and to repeal acts and parts of acts,” by amending section 57 (MCL 559.157).

(Filed with the Secretary of State October 15, 2013, at 4:16 p.m.)

Date: October 15, 2013  
Time: 12:24 p.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

**Enrolled House Bill No. 4586 (Public Act No. 135, I.E.), being**

An act 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 30c (MCL 205.30c), as amended by 2007 PA 194.

(Filed with the Secretary of State October 15, 2013, at 4:18 p.m.)

Date: October 15, 2013  
Time: 12:14 p.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

**Enrolled House Bill No. 4786 (Public Act No. 136, I.E.), being**

An act to amend 1978 PA 368, entitled “An act to protect and promote the public health; to codify, revise, consolidate, classify, and add to the laws relating to public health; to provide for the prevention and control of diseases and disabilities; to provide for the classification, administration, regulation, financing, and maintenance of personal, environmental, and other health services and activities; to create or continue, and prescribe the powers and duties of, departments, boards, commissions, councils, committees, task forces, and other agencies; to prescribe the powers and duties of governmental entities and officials; to regulate occupations, facilities, and agencies affecting the public health; to regulate health maintenance organizations and certain third party administrators and insurers; to provide for the imposition of a regulatory fee; to provide for the levy of taxes against certain health facilities or agencies; to promote the efficient and economical delivery of health care services, to provide for the appropriate utilization of health care facilities and services, and to provide for the closure of hospitals or consolidation of hospitals or services; to provide for the collection and use of data and information; to provide for the transfer of property; to provide certain immunity from liability; to regulate and prohibit the sale and offering for sale of drug paraphernalia under certain circumstances; to provide for the implementation of federal law; to provide for penalties and remedies; to provide for sanctions for violations of this act and local ordinances; to provide for an appropriation and supplements; to repeal certain acts and parts of acts; to repeal certain parts of this act; and to repeal certain parts of this act on specific dates,” by amending section 2891 (MCL 333.2891), as amended by 2004 PA 467, and by adding section 2892.

(Filed with the Secretary of State October 15, 2013, at 4:20 p.m.)

Date: October 15, 2013  
Time: 12:16 p.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

**Enrolled House Bill No. 4787 (Public Act No. 137, I.E.), being**

An act to amend 1978 PA 368, entitled “An act to protect and promote the public health; to codify, revise, consolidate, classify, and add to the laws relating to public health; to provide for the prevention and control of diseases and disabilities;

to provide for the classification, administration, regulation, financing, and maintenance of personal, environmental, and other health services and activities; to create or continue, and prescribe the powers and duties of, departments, boards, commissions, councils, committees, task forces, and other agencies; to prescribe the powers and duties of governmental entities and officials; to regulate occupations, facilities, and agencies affecting the public health; to regulate health maintenance organizations and certain third party administrators and insurers; to provide for the imposition of a regulatory fee; to provide for the levy of taxes against certain health facilities or agencies; to promote the efficient and economical delivery of health care services, to provide for the appropriate utilization of health care facilities and services, and to provide for the closure of hospitals or consolidation of hospitals or services; to provide for the collection and use of data and information; to provide for the transfer of property; to provide certain immunity from liability; to regulate and prohibit the sale and offering for sale of drug paraphernalia under certain circumstances; to provide for the implementation of federal law; to provide for penalties and remedies; to provide for sanctions for violations of this act and local ordinances; to provide for an appropriation and supplements; to repeal certain acts and parts of acts; to repeal certain parts of this act; and to repeal certain parts of this act on specific dates,” by amending section 20161 (MCL 333.20161), as amended by 2011 PA 144.

(Filed with the Secretary of State October 15, 2013, at 4:22 p.m.)

Date: October 15, 2013

Time: 12:18 p.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

**Enrolled House Bill No. 4961 (Public Act No. 138, I.E.), being**

An act to amend 1939 PA 280, entitled “An act to protect the welfare of the people of this state; to provide general assistance, hospitalization, infirmary and medical care to poor or unfortunate persons; to provide for compliance by this state with the social security act; to provide protection, welfare and services to aged persons, dependent children, the blind, and the permanently and totally disabled; to administer programs and services for the prevention and treatment of delinquency, dependency and neglect of children; to create a state department of social services; to prescribe the powers and duties of the department; to provide for the interstate and intercounty transfer of dependents; to create county and district departments of social services; to create within certain county departments, bureaus of social aid and certain divisions and offices thereunder; to prescribe the powers and duties of the departments, bureaus and officers; to provide for appeals in certain cases; to prescribe the powers and duties of the state department with respect to county and district departments; to prescribe certain duties of certain other state departments, officers, and agencies; to make an appropriation; to prescribe penalties for the violation of the provisions of this act; and to repeal certain parts of this act on specific dates,” by amending section 117a (MCL 400.117a), as amended by 1998 PA 516.

(Filed with the Secretary of State October 15, 2013, at 4:24 p.m.)

By unanimous consent the House returned to the order of

**Second Reading of Bills**

**House Bill No. 4966, entitled**

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

The bill was read a second time.

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

The motion prevailed.

**House Bill No. 4967, entitled**

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

The bill was read a second time.

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

The motion prevailed.

**House Bill No. 4968, entitled**

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

The bill was read a second time.

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

The motion prevailed.

**House Bill No. 4969, entitled**

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

The bill was read a second time.

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

The motion prevailed.

**House Bill No. 5048, entitled**

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

The bill was read a second time.

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

The motion prevailed.

**House Bill No. 5049, entitled**

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

The bill was read a second time.

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

The motion prevailed.

**Senate Bill No. 489, entitled**

A bill to amend 1893 PA 206, entitled "The general property tax act," by amending sections 9o, 19, 21, 22, 30, and 53b (MCL 211.9o, 211.19, 211.21, 211.22, 211.30, and 211.53b), section 9o as added by 2012 PA 402, section 19 as amended by 2002 PA 267, sections 21 and 22 as amended by 1996 PA 126, section 30 as amended by 2003 PA 194, and section 53b as amended by 2010 PA 24.

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

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

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

The motion prevailed.

**Senate Bill No. 490, entitled**

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

Was read a 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. Stamas moved that the bill be placed on the order of Third Reading of Bills.

The motion prevailed.

**Senate Bill No. 332, entitled**

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

Was read a 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. Stamas moved that the bill be placed on the order of Third Reading of Bills.

The motion prevailed.

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

The motion prevailed.

**Communications from State Officers**

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

Notices of Filing  
Administrative Rules

September 19, 2013

In accordance with the provisions of Section 46(1) of Act 306, Public Acts of 1969, as amended, and Executive Order 1995-6, this is to advise you that the Michigan Department of Licensing and Regulatory Affairs and the State Office of Regulatory Reinvention filed Administrative Rule #2013-035-LR (Secretary of State Filing #13-09-09) on this date at 4:17 P.M. for the Department of Licensing and Regulatory Affairs, entitled "GI Part 91 Process Safety Management of Highly Hazardous Chemicals".

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.

September 19, 2013

In accordance with the provisions of Section 46(1) of Act 306, Public Acts of 1969, as amended, and Executive Order 1995-6, this is to advise you that the Michigan Department of Licensing and Regulatory Affairs and the State Office of Regulatory Reinvention filed Administrative Rule #2013-036-LR (Secretary of State Filing #13-09-10) on this date at 4:19 P.M. for the Department of Licensing and Regulatory Affairs, entitled "OH Part 591 Process Safety Management of Highly Hazardous Chemicals".

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.

September 19, 2013

In accordance with the provisions of Section 46(1) of Act 306, Public Acts of 1969, as amended, and Executive Order 1995-6, this is to advise you that the Michigan Department of Licensing and Regulatory Affairs and the State Office of Regulatory Reinvention filed Administrative Rule #2013-037-LR (Secretary of State Filing #13-09-11) on this date at 4:21 P.M. for the Department of Licensing and Regulatory Affairs, entitled "OH Part 313 Methylene Chloride".

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.

September 19, 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 #2007-020-EQ (Secretary of State Filing #13-09-12) on this date at 4:23 P.M. for the Department of Environmental Quality, entitled "Small Business Pollution Prevention Assistance Loan Fund".

These rules take effect immediately upon filing with the Secretary of State.

September 19, 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 #2010-026-NR (Secretary of State Filing #13-09-13) on this date at 4:25 P.M. for the Department of Natural Resources, entitled "Natural River Zoning (13 Rivers)".

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.

September 19, 2013

In accordance with the provisions of Section 46(1) of Act 306, Public Acts of 1969, as amended, and Executive Order 1995-6, this is to advise you that the Michigan Department of Licensing and Regulatory Affairs and the State Office of Regulatory Reinvention filed Administrative Rule #2011-039-NR (Secretary of State Filing #13-09-14) on this date at 4:27 P.M. for the Department of Licensing and Regulatory Affairs, entitled "Construction Codes Part 7 Plumbing Code".

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

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

The communications were referred to the Clerk.

**Introduction of Bills**

Reps. McMillin, Robinson, Geiss, Santana, Irwin, Howrylak, Johnson, Callton and Foster introduced

**House Bill No. 5081, entitled**

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," (MCL 600.101 to 600.9947) by adding section 4710.

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

Rep. Heise introduced

**House Bill No. 5082, entitled**

A bill to amend 1970 PA 91, entitled "Child custody act of 1970," (MCL 722.21 to 722.31) by adding section 7c.

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

Rep. Rutledge introduced

**House Bill No. 5083, entitled**

A bill to amend 1893 PA 206, entitled "The general property tax act," by amending section 78m (MCL 211.78m), as amended by 2006 PA 498.

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

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Rep. Forlini moved that the House adjourn.

The motion prevailed, the time being 3:10 p.m.

Associate Speaker Pro Tempore Cotter declared the House adjourned until Thursday, October 17, at 12:00 Noon.

GARY L. RANDALL

Clerk of the House of Representatives