

No. 89  
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**House of Representatives**  
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REGULAR SESSION OF 2013

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House Chamber, Lansing, Tuesday, October 22, 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	Gardon—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—present	Tlaib—present
Driskell—present	Kivela—present	Outman—present	Townsend—present
Durhal—present	Knezek—present	Pagel—present	VerHeulen—present
Faris—present	Kosowski—present	Pettalia—present	Victory—present
Farrington—present	Kowall—present	Poleski—present	Walsh—present
Forlini—present	Kurtz—present	Potvin—present	Yanez—present
Foster—present	LaFontaine—present	Price—present	Yonker—present
Franz—present	Lamonte—present	Pscholka—present	Zemke—excused
Geiss—present	Lane—present	Rendon—present	Zorn—present
Genetski—present			

e/d/s = entered during session

Rev. David Jolman, Pastor of 1st Hudsonville Christian Reformed Church in Hudsonville, offered the following invocation:

“Lord God Almighty,

We recognize that You are the Creator of all that has been made and will be made. You are the eternal God, holy and strong; and yet Your eye is on the sparrow. You are compassionate to orphans and widows, You are the friend to rulers and kings. You are gracious to all who call on Your name. And so, God, make Your name and Your renown the desire of our hearts. Cause us to walk in Your ways, in the paths You have established from the beginning. Give us the courage to act justly, love mercy, and walk humbly with You.

Lord You have set us in this free land. For generations You have shed Your grace in such abundance on this great state of Michigan and the United States of America. We bless You for the gifts of liberty and opportunity, for democracy and the rule of law. We thank You for faithful leaders who have gone before us, sacrificing much for our benefit. Lord, make us each worthy of the heritage we own. We praise You for fields ripe for harvest; for trees hanging heavy with fruit; for Michigan farmers who till the soil to feed the world.

Merciful God, we marvel at the blessings from Your hand, yet we cannot ignore the needs that break our hearts and Yours. Many still go hungry, many seek employment, many families are falling apart, many people are caught in the horror of addiction, many live with the realities of mental illness or violence. And so we cry out with the prophet Amos: *Let justice roll down like a mighty river, let righteousness flow like a never ending stream!* For God, we know, it is righteousness that will exalt a nation.

To that end we pray for those gathered here in Lansing who make, administer and judge our laws. We thank You, and we pray for, the elected Representatives of our state and their staffs. Cause them to be men and women of integrity. Help them to manage time and responsibilities well. Bless their families who often pay a heavy price for their service. Enable them to listen, to discern rightly, to love what is true and good and to turn from what is false and evil.

Lord, may we all serve faithfully in our generation and honor Your holy Name. For Yours is the Kingdom, O God, and You are exalted as Lord of all. In Jesus name we pray, AMEN.”

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

### Motions and Resolutions

Reps. Kurtz, Brown, Darany, Denby, Durhal, Howrylak, Lamonte and Slavens offered the following resolution:  
**House Resolution No. 249.**

A resolution to declare November 21, 2013, as Great American Smoke-Out Day in the state of Michigan.

Whereas, The state of Michigan has long been concerned with the health of its citizens; and

Whereas, More than 45 million Americans smoke cigarettes and more than 15 million people smoke tobacco in cigars or pipes; and

Whereas, The United States Surgeon General has said that smoking remains the single most preventable cause of premature death in our society; and

Whereas, Lung cancer is the leading type of cancer death in America as 87% of lung cancer cases result from smoking; and

Whereas, For thirty years, millions of smokers have participated in the American Cancer Society’s Great American Smoke-Out, a day on which they give up cigarettes for 24 hours in the hope they may quit permanently; and

Whereas, A significant number of those who gave up cigarettes for the day were able to give up the habit entirely; and

Whereas, This demonstration of success suggests that the Great American Smoke-Out has potential for improving the health of the citizens of Michigan; now, therefore, be it

Resolved by the House of Representatives, That the members of this legislative body declare November 21, 2013, as Great American Smoke-Out Day in the state of Michigan; and be it further

Resolved, That we recognize that the citizens of Michigan deserve the opportunity to grow, thrive, be healthy, informed, and aware of their health and of the factors that affect that health.

The resolution was referred to the Committee on Health Policy.

Reps. Kurtz, Brown, Darany, Denby, Durhal, Heise, Howrylak, Lamonte and Slavens offered the following resolution:  
**House Resolution No. 250.**

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

Whereas, Chronic Obstructive Pulmonary Disease (COPD) is a term used to describe airflow obstruction that is associated mainly with emphysema and chronic bronchitis; and

Whereas, There is indication of COPD being underdiagnosed as an estimated 24 million people have evidence of impaired lung function. COPD kills more than 120,000 Americans every year. On average, one person dies from COPD every 4 minutes; and

Whereas, According to a 2011 National Center for Health Statistics report, COPD has become the third leading cause of death in the United States; and

Whereas, Pulmonary experts predict that by the year 2020, COPD will become the third leading cause of death worldwide; and

Whereas, COPD currently accounts for 1.5 million emergency room visits, 715,000 hospitalizations, and 8 million physician office and hospital outpatient visits. COPD costs the nation an estimated \$49.9 billion in direct and indirect medical costs annually; and

Whereas, Smoking is the primary risk factor for COPD as approximately 85 to 90 percent of COPD deaths are caused by smoking; and

Whereas, COPD affects almost 450,000 citizens of Michigan and in 2010 it was the third leading cause of death in the state; and

Whereas, Research has identified a hereditary protein deficiency called Alpha-1 Antitrypsin. People with this deficiency tend to develop COPD even without exposure to smoking or environmental triggers; and

Whereas, While there is currently no cure for COPD, spirometry testing and medical treatments exist to address symptom relief and possibly slow the progression of the disease; and

Whereas, Coordinated community efforts, such as the Michigan COPD Coalition, a public-private partnership of individuals and organizations that created the Michigan COPD Action Plan, can result in dramatic improvements to public health and reduced healthcare costs; and

Whereas, Until there is a cure, the best approach to prevent COPD and its considerable health, societal, and mortality impacts lie with education, awareness, and expanded delivery of detection and management protocols; now, therefore, be it

Resolved by the House of Representatives, That members of this legislative body declare November 2013 as COPD Awareness Month in the state of Michigan; and be it further

Resolved by the House of Representatives, That members of this legislative body recognize the founding of the Michigan COPD Coalition; and be it further

Resolved, That copies of this resolution be transmitted to Governor Rick Snyder, the Michigan Department of Community Health, and the Michigan COPD Coalition.

The resolution was referred to the Committee on Health Policy.

Reps. Hovey-Wright, Slavens, Faris, Smiley, McCann, Haugh, Kivela, Brunner, Singh, Zemke, Yanez, Stanley, Brown, Brinks, Lamonte, Abed, Driskell, Segal, Geiss, Cochran, LaVoy, Price, Walsh, Schmidt, Haines, LaFontaine, Jenkins, Denby, Tlaib, Santana, Knezek, Darany, Durhal, Heise, Howrylak, Lipton and Roberts offered the following resolution:

**House Resolution No. 251.**

A resolution to recognize and honor the eleven women who served as delegates to the 1961-1962 Michigan Constitutional Convention.

Whereas, One hundred forty-seven delegates, gathered at Lansing to re-write Michigan's Constitution; and

Whereas, Of the one hundred forty-seven delegates only eleven were women; and

Whereas, The women were Vera Andrus, Ruth Gibson Butler, Anne M. Conklin, Katherine Moore Cushman, Marjorie Frances McGowan, Daisy Elizabeth Elliott, Adelaide Julia Hart, Lillian Hatcher, Dorothy Leonard Judd, Ella Demmink Koeze, and Ann Elizabeth Donnelly; and

Whereas, The women, five Democrats and six Republicans, were elected from districts across the state; and

Whereas, Identified in the official record by occupation, they included: five homemakers, four teachers, two attorneys, one realtor, and one union representative; and

Whereas, All had distinguished themselves with extensive participation in civic and political organizations and the leadership positions they attained within those groups; and

Whereas, Women were appointed to eleven of the fourteen convention committees, but as was typical of the times, none was appointed to chair a committee, and only three served as vice "chairmen"; and

Whereas, After the convention, several of the women delegates served in other political offices, such as the state legislature and gubernatorial commissions, or received statewide recognition from notable organizations; and

Whereas, The success of the "Con-Con Eleven" encouraged more women to run for statewide public office, making women a greater and more powerful voice in the governance of our state; and

Whereas, 2013 marks the 50th anniversary of Michigan's current state constitution, approved by voters in 1963; now, therefore, be it

Resolved by the House of Representatives, That the members of this legislative body recognize and honor the eleven women who served as delegates to the 1961-1962 Michigan Constitutional Convention. We offer this expression of our gratitude and admiration, in honor and in memory, to the eleven women of the 1961-1962 Constitutional Convention; and, be it further

Resolved, That a copy of this resolution be transmitted to the only surviving member of the "Con-Con Eleven," Daisy Elizabeth Elliott, as evidence of our highest esteem.

The question being on the adoption of the resolution,

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

**Substitute for House Resolution No. 251.**

A resolution to recognize and honor the eleven women who served as delegates to the 1961-1962 Michigan Constitutional Convention.

Whereas, One hundred forty-four delegates gathered at Lansing to re-write Michigan's Constitution; and

Whereas, Of the one hundred forty-four delegates, only eleven were women; and

Whereas, The women were Vera Andrus, Ruth Gibson Butler, Anne M. Conklin, Katherine Moore Cushman, Marjorie Frances McGowan, Daisy Elizabeth Elliott, Adelaide Julia Hart, Lillian Hatcher, Dorothy Leonard Judd, Ella Demmink Koeze, and Ann Elizabeth Donnelly; and

Whereas, The women, five Democrats and six Republicans, were elected from districts across the state; and

Whereas, Identified in the official record by occupation, they included: five homemakers, four teachers, two attorneys, one realtor, and one union representative; and

Whereas, All had distinguished themselves with extensive participation in civic and political organizations and the leadership positions they attained within those groups; and

Whereas, Women were appointed to eleven of the fourteen convention committees, but as was typical of the times, none was appointed to chair a committee, and only three served as vice "chairmen"; and

Whereas, After the convention, several of the women delegates served in other political offices, such as the state legislature and gubernatorial commissions, or received statewide recognition from notable organizations; and

Whereas, The success of the "Con-Con Eleven" encouraged more women to run for statewide public office, making women a greater and more powerful voice in the governance of our state; and

Whereas, 2013 marks the 50th anniversary of Michigan's current state constitution, approved by voters in 1963; now, therefore, be it

Resolved by the House of Representatives, That the members of this legislative body recognize and honor the eleven women who served as delegates to the 1961-1962 Michigan Constitutional Convention. We offer this expression of our gratitude and admiration, in honor and in memory, to the eleven women of the 1961-1962 Constitutional Convention; and, be it further

Resolved, That a copy of this resolution be transmitted to the only surviving member of the "Con-Con Eleven," Daisy Elizabeth Elliott, as evidence of our highest esteem.

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

The question being on the adoption of the resolution,

The resolution was adopted.

Reps. Kurtz and Denby offered the following concurrent resolution:

**House Concurrent Resolution No. 13.**

A concurrent resolution to memorialize the Congress of the United States to adopt and present to the states for ratification an amendment to the United States Constitution that would establish a fundamental parental right.

Whereas, The right of parents to direct the upbringing and education of their children is a fundamental right that must be protected by the United States Constitution and the Michigan Constitution. The interests of children are best served when parents are free to make childrearing decisions about education, religion, and other areas of a child's life without government interference; and

Whereas, Our nation has historically relied first and foremost on parents to meet the real and constant needs of children. The United States Supreme Court in *Wisconsin v. Yoder* (1972) has held, "This primary role of the parents in the upbringing of their children is now established beyond debate as an enduring American tradition."; and

Whereas, However, the United States Supreme Court in *Troxel v. Granville* (2000) produced six different opinions on the nature and enforceability of parental rights under the United States Constitution. This decision has created confusion and ambiguity about the fundamental nature of parental rights in the laws and society of several states; and

Whereas, A proposed amendment to the United States Constitution (House Joint Resolution 50) has been introduced in the 113th Congress that would prevent erosion of the enduring American tradition of treating parental rights as a fundamental right. It states:

Section 1. The liberty of parents to direct the upbringing, education, and care of their children is a fundamental right.

Section 2. The parental right to direct education includes the right to choose public, private, religious, or home schools, and the right to make reasonable choices within public schools for one's child.

Section 3. Neither the United States nor any State shall infringe these rights without demonstrating that its governmental interest as applied to the person is of the highest order and not otherwise served.

Section 4. This article shall not be construed to apply to a parental action or decision that would end life.

Section 5. No treaty may be adopted nor shall any source of international law be employed to supersede, modify, interpret, or apply to the rights guaranteed by this article.

; and

Whereas, This amendment would add explicit text to the United States Constitution to protect in perpetuity the right of parents as it is now enjoyed, without substantive change to current state or federal laws respecting this right. The enumeration of this right in the text of our nation’s constitution would preserve it from being infringed upon by the shifting ideologies and interpretations of the United States Supreme Court; now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That we memorialize the Congress of the United States to adopt and present to the states for ratification an amendment to the United States Constitution that would establish a fundamental parental right; 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 Judiciary.



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

**Messages from the Senate**

The Speaker laid before the House

**House Bill No. 4289, entitled**

A bill to amend 1995 PA 29, entitled “Uniform unclaimed property act,” by amending section 31 (MCL 567.251), as amended by 1997 PA 195.

(The bill was received from the Senate on October 15, with substitute (S-2), full title inserted and immediate effect given by the Senate, consideration of which, under the rules, was postponed until October 16, see House Journal No. 86, p. 1591.)

The question being on concurring in the substitute (S-2) made to the bill by the Senate,

The substitute (S-2) was concurred in, a majority of the members serving voting therefor, by yeas and nays, as follows:

**Roll Call No. 338**

**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	Olumba	Tlaib

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

**Nays—0**

In The Chair: Cotter

The House agreed to the full title.

The bill was referred to the Clerk for enrollment printing and presentation to the Governor.

The Speaker laid before the House

**House Bill No. 4949, entitled**

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

(The bill was received from the Senate on October 17, with substitute (S-1), full title inserted and immediate effect given by the Senate, consideration of which, under the rules, was postponed until today, see House Journal No. 88, p. 1622.)

The question being on concurring in the substitute (S-1) made to the bill by the Senate,

The substitute (S-1) was concurred in, a majority of the members serving voting therefor, by yeas and nays, as follows:

**Roll Call No. 339****Yeas—102**

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

**Nays—6**

Faris	Irwin	Olumba	Robinson
Geiss	Kandrevas		

In The Chair: Cotter

The House agreed to the full title.  
 The bill was referred to the Clerk for enrollment printing and presentation to the Governor.

The Speaker Pro Tempore assumed the Chair.

The Speaker laid before the House  
**House Bill No. 4952, entitled**

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

(The bill was received from the Senate on October 17, with substitute (S-1), full title inserted and immediate effect given by the Senate, consideration of which, under the rules, was postponed until today, see House Journal No. 88, p. 1622.)

The question being on concurring in the substitute (S-1) made to the bill by the Senate,

The substitute (S-1) was concurred in, a majority of the members serving voting therefor, by yeas and nays, as follows:

**Roll Call No. 340**

**Yeas—83**

Abed	Glardon	Lane	Pettalia
Bolger	Goike	Lauwers	Poleski
Brinks	Graves	LaVoy	Potvin
Brown	Greimel	Leonard	Price
Brunner	Haines	Lori	Pscholka
Bumstead	Haugh	Lund	Rendon
Callton	Haveman	Lyons	Rogers
Clemente	Heise	MacGregor	Schmidt
Cochran	Hooker	MacMaster	Segal
Cotter	Howrylak	McBroom	Shirkey
Crawford	Jacobsen	McCann	Slavens
Daley	Jenkins	McCready	Smiley
Darany	Johnson	McMillin	Somerville
Denby	Kelly	Muxlow	Stamas
Dianda	Kesto	Nathan	VerHeulen
Driskell	Kivela	Nesbitt	Victory
Farrington	Kosowski	O’Brien	Walsh
Forlini	Kowall	Oakes	Yanez
Foster	Kurtz	Olumba	Yonker
Franz	LaFontaine	Outman	Zorn
Genetski	Lamonte	Pagel	

**Nays—25**

Banks	Hobbs	Roberts	Stallworth
Barnett	Hovey-Wright	Robinson	Stanley
Cavanagh	Irwin	Rutledge	Switalski

Dillon	Kandrevas	Santana	Talabi
Durhal	Knezek	Schor	Tlaib
Faris	Lipton	Singh	Townsend
Geiss			

In The Chair: Walsh

The House agreed to the full title.

The bill was referred to the Clerk for enrollment printing and presentation to the Governor.

The Speaker laid before the House

**House Bill No. 4953, entitled**

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

(The bill was received from the Senate on October 17, with substitute (S-1), full title inserted and immediate effect given by the Senate, consideration of which, under the rules, was postponed until today, see House Journal No. 88, p. 1622.)

The question being on concurring in the substitute (S-1) made to the bill by the Senate,

The substitute (S-1) was concurred in, a majority of the members serving voting therefor, by yeas and nays, as follows:

**Roll Call No. 341**

**Yeas—105**

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

**Nays—3**

Geiss	Irwin	Robinson
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In The Chair: Walsh



The House agreed to the full title.  
 The bill was referred to the Clerk for enrollment printing and presentation to the Governor.

**Third Reading of Bills**

**Senate Bill No. 221, entitled**

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

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

**Roll Call No. 342**

**Yeas—103**

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

**Nays—5**

Durhal	Irwin	Robinson	Talabi
Hovey-Wright			

In The Chair: Walsh

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

“An act to require persons convicted of certain offenses to register; to prohibit certain individuals from engaging in certain activities within a student safety zone; to prescribe the powers and duties of certain departments and agencies in connection with that registration; and to prescribe fees, penalties, and sanctions,”

The House agreed to the full title.

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

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

**House Bill No. 4889, entitled**

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

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

**Roll Call No. 343****Yeas—100**

Abed	Genetski	Lane	Price
Banks	Glardon	Lauwers	Pscholka
Barnett	Goike	LaVoy	Rendon
Bolger	Graves	Leonard	Roberts
Brinks	Greimel	Lipton	Rogers
Brown	Haines	Lori	Rutledge
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	Jacobsen	McCready	Smiley
Crawford	Jenkins	McMillin	Somerville
Daley	Johnson	Muxlow	Stamas
Darany	Kandrevas	Nathan	Stanley
Denby	Kelly	Nesbitt	Switalski
Dianda	Kesto	O’Brien	Tlaib
Dillon	Kivela	Oakes	Townsend
Driskell	Knezek	Olumba	VerHeulen
Farrington	Kosowski	Outman	Victory
Forlini	Kowall	Pagel	Walsh
Foster	Kurtz	Pettalia	Yanez
Franz	LaFontaine	Poleski	Yonker
Geiss	Lamonte	Potvin	Zorn

**Nays—8**

Durhal	Howrylak	Robinson	Stallworth
Faris	Irwin	Santana	Talabi

In The Chair: Walsh

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. Howrylak, having reserved the right to explain his protest against the passage of the bill, made the following statement:

“Mr. Speaker and members of the House:

The trafficking of drugs across state lines is already a federal crime. Prosecution under the federal statute would be sufficient and adequate to address the perceived problem. Furthermore, judges are already afforded the ability to depart from sentencing guidelines based on the specific factors and circumstances of the crime or crimes committed.”

By unanimous consent the House returned to the order of  
**Messages from the Senate**

**House Bill No. 4234, entitled**

A bill to amend 1933 PA 167, entitled "General sales tax act," by amending section 1 (MCL 205.51), as amended by 2008 PA 438.

The Senate has substituted (S-5) the bill.

The Senate has passed the bill as substituted (S-5), ordered that it be given immediate effect and pursuant to Joint Rule 20, inserted the full title.

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

Rep. Stamas moved that Rule 42 be suspended.

The motion prevailed, 3/5 of the members present voting therefor.

The question being on concurring in the (S-5) made to the bill by the Senate,

The substitute (S-5) was concurred in, a majority of the members serving voting therefor, by yeas and nays, as follows:

**Roll Call No. 344**

**Yeas—101**

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

**Nays—7**

Faris	Kivela	Olumba	Schor
Howrylak	Lipton	Robinson	

In The Chair: Walsh

The House agreed to the full title.

The bill was referred to the Clerk for enrollment printing and presentation to the Governor.

### Second Reading of Bills

#### Senate Bill No. 89, entitled

A bill to amend 1933 PA 167, entitled “General sales tax act,” by amending section 1 (MCL 205.51), as amended by 2008 PA 438.

The bill was read a second time.

Rep. LaFontaine moved to substitute (H-7) the bill.

The motion prevailed and the substitute (H-7) was adopted, a majority of the members serving voting therefor.

Rep. LaFontaine moved to amend the bill as follows:

1. Amend page 4, line 23, after “**BEGINNING**” by striking out “**NOVEMBER**” and inserting “**DECEMBER**”.
2. Amend page 5, line 4, after “**BEGINNING**” by striking out “**NOVEMBER**” and inserting “**DECEMBER**”.

The motion prevailed and the amendments were adopted, a majority of the members serving voting therefor.

Rep. Switalski moved to amend the bill as follows:

1. Amend page 6, following line 23, by inserting:

“Enacting section 1. The legislature shall annually appropriate sufficient funds from the state general fund to the state school aid fund created in section 11 of article IX of the state constitution of 1963 to fully compensate for any loss of revenue to the state school aid fund resulting from the enactment of this amendatory act.

Enacting section 2. The legislature shall annually appropriate sufficient funds from the state general fund to all townships, cities, and villages in this state to fully compensate all townships, cities, and villages in this state for any loss of revenue under section 10 of article IX of the state constitution of 1963 resulting from the enactment of this amendatory act.”

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

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

The motion prevailed.

Rep. Stamas moved that the bill be placed on its immediate passage.

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

By unanimous consent the House returned to the order of

### Third Reading of Bills

#### Senate Bill No. 89, entitled

A bill to amend 1933 PA 167, entitled “General sales tax act,” by amending section 1 (MCL 205.51), as amended by 2008 PA 438.

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

#### Roll Call No. 345

#### Yeas—99

Abed	Geiss	Lane	Roberts
Banks	Glardon	Lauwers	Rogers
Barnett	Goike	LaVoy	Rutledge
Bolger	Graves	Leonard	Santana
Brinks	Greimel	Lori	Schmidt
Brown	Haines	Lund	Segal
Brunner	Haugh	Lyons	Shirkey
Bumstead	Haveman	MacGregor	Singh
Callton	Heise	McBroom	Slavens
Cavanagh	Hobbs	McCann	Smiley
Clemente	Hooker	McCready	Somerville
Cochran	Hovey-Wright	Muxlow	Stallworth
Cotter	Irwin	Nathan	Stamas
Crawford	Jacobsen	Nesbitt	Stanley
Daley	Jenkins	O'Brien	Switalski

Darany	Johnson	Oakes	Talabi
Denby	Kandrevas	Olumba	Tlaib
Dianda	Kelly	Outman	Townsend
Dillon	Kesto	Pagel	VerHeulen
Driskell	Knezek	Pettalia	Victory
Durhal	Kosowski	Poleski	Walsh
Farrington	Kowall	Potvin	Yanez
Forlini	Kurtz	Price	Yonker
Foster	LaFontaine	Pscholka	Zorn
Franz	Lamonte	Rendon	

### Nays—9

Faris	Kivela	MacMaster	Robinson
Genetski	Lipton	McMillin	Schor
Howrylak			

In The Chair: Walsh

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

“An act to provide for the raising of additional public revenue by prescribing certain specific taxes, fees, and charges to be paid to the state for the privilege of engaging in certain business activities; to provide, incident to the enforcement thereof, for the issuance of licenses to engage in such occupations; to provide for the ascertainment, assessment and collection thereof; to appropriate the proceeds thereof; and to prescribe penalties for violations of the provisions of this act,”

The House agreed to the full title.

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

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

Rep. MacMaster, having reserved the right to explain his protest against the passage of the bill, made the following statement:

“Mr. Speaker and members of the House:

Attaching a provision leveraging possible repeal of Healthy Michigan (Affordable Healthcare Act, Obamacare) shouldn't be in this bill. This bill should be voted on it's own merits.”

Rep. McMillin, having reserved the right to explain his protest against the passage of the bill, made the following statement:

“Mr. Speaker and members of the House:

I disagree with putting the connection with Medicaid expansion repeal into this bill. In my opinion, by doing this, it effectively makes it more difficult to repeal a completely unrelated Act.”

Rep. Howrylak, having reserved the right to explain his protest against the passage of the bill, made the following statement:

“Mr. Speaker and members of the House:

The issue should not be whether or not trade-ins reduce the tax due on a dealership purchase, but rather should used vehicles be taxed at all. Indeed, this bill will have the effect of driving up the cost of used vehicles. It creates incentives to sell used vehicles to dealers rather than private parties. Indeed, it picks one group of people as the winner and everyone else is a loser in this policy change. Finally, there is a large burden that this bill places on school aid funds. In order to adjust, the State needs to replenish this lost revenue by reducing other areas of the budget. This is not a likely outcome. The more likely outcome is that therest of the state (those not purchasing a vehicle at a dealership with a trade-in allowance sales tax reduction) will pay higher taxes or not receive the benefit of a tax reduction that would otherwise occur (had this legislation not been adopted).”

Rep. Genetski, having reserved the right to explain his protest against the passage of the bill, made the following statement:  
“Mr. Speaker and members of the House:

I voted NO on Senate Bill 89 because very late in the process language was added that ties increases in the amount allowable for sales tax exemption trade in on a vehicle to the Legislature retaining Medicaid Expansion. The two are not related at all and the language was added on very short notice.”

### Second Reading of Bills

#### Senate Bill No. 352, entitled

A bill to amend 1893 PA 206, entitled “The general property tax act,” by amending section 7b (MCL 211.7b).  
The bill was read a second time.

Rep. Foster moved to amend the bill as follows:

1. Amend page 3, following line 11, by inserting:

“(C) **HAS BEEN RATED BY THE UNITED STATES DEPARTMENT OF VETERANS AFFAIRS AS INDIVIDUALLY UNEMPLOYABLE.**”

The motion prevailed and the amendment 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. 4259, entitled

A bill to amend 2000 PA 146, entitled “Obsolete property rehabilitation act,” by amending section 8 (MCL 125.2788), as amended by 2008 PA 504.

The bill was read a second time.

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

The motion prevailed.

#### House Bill No. 4327, entitled

A bill to amend 2005 PA 280, entitled “Corridor improvement authority act,” by amending section 2 (MCL 125.2872), as amended by 2012 PA 229.

The bill was read a second time.

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

The motion prevailed.

#### House Bill No. 4352, entitled

A bill to amend 1978 PA 368, entitled “Public health code,” by amending sections 17745, 17751, 17754, and 17757 (MCL 333.17745, 333.17751, 333.17754, and 333.17757), sections 17745 and 17757 as amended by 2011 PA 210 and sections 17751 and 17754 as amended by 2012 PA 209, and by adding section 17744a.

The bill was read a second time.

Rep. Lipton moved to amend the bill as follows:

1. Amend page 2, line 9, by striking out all of subsection (2) and inserting:

“(2) **A PRESCRIBER WHO ISSUES A PRESCRIPTION FOR OR A DISPENSING PRESCRIBER OR PHARMACIST WHO DISPENSES AUTO-INJECTABLE EPINEPHRINE TO A SCHOOL BOARD AS AUTHORIZED UNDER THIS SECTION IS NOT LIABLE IN A CIVIL ACTION FOR A PROPERLY STORED AND DISPENSED EPINEPHRINE AUTO-INJECTOR THAT WAS A PROXIMATE CAUSE OF INJURY OR DEATH TO AN INDIVIDUAL DUE TO THE ADMINISTRATION OF OR FAILURE TO ADMINISTER THE EPINEPHRINE AUTO-INJECTOR.**”

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

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

The motion prevailed.

**House Bill No. 4353, entitled**

A bill to amend 1976 PA 451, entitled "The revised school code," by amending sections 1178 and 1179 (MCL 380.1178 and 380.1179), section 1178 as amended by 2006 PA 48 and section 1179 as amended by 2004 PA 73, and by adding section 1179a.

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

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

Rep. Pagel moved to amend the bill as follows:

1. Amend page 2, following line 9, by inserting:

**"(3) A SCHOOL DISTRICT, NONPUBLIC SCHOOL, MEMBER OF A SCHOOL BOARD, OR DIRECTOR OR OFFICER OF A NONPUBLIC SCHOOL IS NOT LIABLE FOR DAMAGES IN A CIVIL ACTION FOR INJURY, DEATH, OR LOSS TO PERSON OR PROPERTY ALLEGEDLY ARISING FROM A PERSON ACTING UNDER THIS SECTION."**

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

Rep. Lyons moved to amend the bill as follows:

1. Amend page 4, line 21, after "(1)" by inserting **"BEGINNING WITH THE 2014-2015 SCHOOL YEAR,"**.

2. Amend page 5, line 5, after "(2)" by inserting **"NOT LATER THAN THE BEGINNING OF THE 2014-2015 SCHOOL YEAR,"**.

The motion prevailed and the amendments were adopted, a majority of the members serving voting therefor.

Rep. Lyons moved to amend the bill as follows:

1. Amend page 7, following line 5, by inserting:

**"(6) A SCHOOL BOARD SHALL ATTEMPT TO OBTAIN FUNDING OR RESOURCES FROM PRIVATE SOURCES, OR FROM ANOTHER SOURCE OTHER THAN THIS STATE, FOR FULFILLING THE REQUIREMENTS OF THIS SECTION. IF A SCHOOL BOARD IS UNABLE TO OBTAIN THIS ALTERNATIVE FUNDING FOR ALL OR PART OF ITS COSTS OF COMPLYING WITH THIS SECTION, THE SCHOOL BOARD MAY APPLY TO THE DEPARTMENT FOR REIMBURSEMENT FOR THE UNFUNDED COSTS OF COMPLYING WITH THIS SECTION, IN THE FORM AND MANNER PRESCRIBED BY THE DEPARTMENT. THE LEGISLATURE SHALL APPROPRIATE FUNDS FOR MAKING THIS REIMBURSEMENT. THE DEPARTMENT SHALL MAKE THE REIMBURSEMENT ACCORDING TO THE APPROPRIATION THAT IS MADE FOR THIS PURPOSE. THE DEPARTMENT ANNUALLY SHALL SUBMIT A REPORT TO THE LEGISLATURE DETAILING THE NUMBER OF SCHOOL BOARDS THAT APPLY FOR REIMBURSEMENT AND THE NUMBER OF SCHOOL BOARDS THAT ARE ABLE TO SECURE ALTERNATIVE FUNDING."**

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

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

The motion prevailed.

**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.

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

The substitute (H-1) 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.

**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.

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.

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

Rep. Stamas moved that **House Bill No. 4259** be placed on its immediate passage.  
 The motion prevailed, a majority of the members serving voting therefor.

**House Bill No. 4259, entitled**

A bill to amend 2000 PA 146, entitled "Obsolete property rehabilitation act," by amending section 8 (MCL 125.2788), as amended by 2008 PA 504.

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

**Roll Call No. 346**

**Yeas—97**

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

**Nays—11**

Cotter	Hooker	MacMaster	Shirkey
Franz	Howrylak	McMillin	Somerville
Goike	Leonard	Robinson	

In The Chair: Walsh

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. Geiss, Haugh, Irwin, LaVoy, Switalski and Yanez were named co-sponsors of the bill.



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

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

The Clerk announced the enrollment printing and presentation to the Governor on Thursday, October 17, for his approval of the following bill:

**Enrolled House Bill No. 4636 at 1:28 p.m.**

The Clerk announced that the following bills had been printed and placed upon the files of the members on Friday, October 18:

<b>House Bill Nos.</b>	<b>5084</b>	<b>5085</b>	<b>5086</b>		
<b>Senate Bill Nos.</b>	<b>627</b>	<b>628</b>	<b>629</b>	<b>630</b>	<b>631</b>

The Clerk announced that the following Senate bills had been received on Tuesday, October 22:

<b>Senate Bill Nos.</b>	<b>434</b>	<b>435</b>	<b>436</b>	<b>554</b>	<b>555</b>	<b>556</b>
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### Reports of Standing Committees

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

**House Bill No. 4936, entitled**

A bill to amend 2001 PA 142, entitled "Michigan memorial highway act," (MCL 250.1001 to 250.2080) by adding section 83.

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

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

**Senate Bill No. 390, entitled**

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending sections 208b, 312a, and 312b (MCL 257.208b, 257.312a, and 257.312b), section 208b as amended by 2011 PA 159 and section 312b as amended by 2004 PA 362.

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. 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: Tuesday, October 22, 2013

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

## COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Crawford, Chair, of the Committee on Regulatory Reform, was received and read:

Meeting held on: Tuesday, October 22, 2013

Present: Reps. Crawford, McBroom, Denby, McMillin, LaFontaine, Rendon, Yonker, Kelly, Kesto, Haugh, Abed, Stanley, Dianda, Nathan and Schor

## COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Tuesday, October 22, 2013

Present: Reps. Haines, Callton, Crawford, Genetski, Shirkey, Foster, Hooker, Yonker, Zorn, Graves, Kesto, Darany, Knezek, Segal, Stallworth, Brinks and Cavanagh

## COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Tuesday, October 22, 2013

Present: Reps. Lyons, Cotter, Heise, Callton, Outman, Haugh, Lane and Schor

Absent: Rep. Yonker

Excused: Rep. Yonker

## COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Nesbitt, Chair, of the Committee on Energy and Technology, was received and read:

Meeting held on: Tuesday, October 22, 2013

Present: Reps. Nesbitt, Shirkey, Farrington, Franz, Jacobsen, Outman, Pettalia, Price, Schmidt, Zorn, Graves, Lauwers, Stallworth, Hobbs, Nathan, LaVoy, Lane, Brunner, Yanez and Lamonte

**Messages from the Senate****Senate Bill No. 332, entitled**

A bill to amend 1994 PA 451, entitled "An act to protect the environment and natural resources of the state; to codify, revise, consolidate, and classify laws relating to the environment and natural resources of the state; to regulate the discharge of certain substances into the environment; to regulate the use of certain lands, waters, and other natural resources of the state; to protect the people's right to hunt and fish; to prescribe the powers and duties of certain state and local agencies and officials; to provide for certain charges, fees, assessments, and donations; to provide certain appropriations; to prescribe penalties and provide remedies; and to repeal acts and parts of acts," 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.

The Senate has substituted (S-1) the House substitute (H-2).

The Senate has concurred in the House substitute (H-2) as substituted (S-1), ordered that the bill be given immediate effect and agreed to the full title.

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

**Senate Bill No. 434, entitled**

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

The Senate has passed the bill.

The bill was read a first time by its title and referred to the Committee on Families, Children, and Seniors.

**Senate Bill No. 435, entitled**

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

The Senate has passed the bill.

The bill was read a first time by its title and referred to the Committee on Families, Children, and Seniors.

**Senate Bill No. 436, entitled**

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

The Senate has passed the bill.

The bill was read a first time by its title and referred to the Committee on Families, Children, and Seniors.

**Senate Bill No. 554, entitled**

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

The Senate has passed the bill.

The bill was read a first time by its title and referred to the Committee on Families, Children, and Seniors.

**Senate Bill No. 555, entitled**

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

The Senate has passed the bill.

The bill was read a first time by its title and referred to the Committee on Families, Children, and Seniors.

**Senate Bill No. 556, entitled**

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

The Senate has passed the bill.

The bill was read a first time by its title and referred to the Committee on Families, Children, and Seniors.

**Communications from State Officers**

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

Notices of Filing  
Administrative Rules

September 26, 2013

In accordance with the provisions of Section 46(1) of Act 306, Public Acts of 1969, as amended, and Executive Order 1995-6, this is to advise you that the Michigan Department of Licensing and Regulatory Affairs and the State Office of Regulatory Reinvention filed Administrative Rule #2012-106-ED (Secretary of State Filing #13-09-17) on this date at 4:03 P.M. for the Department of Education, entitled "Special Education".

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

October 3, 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 #2013-020-LR(Secretary of State Filing #13-10-01) on this date at 11:50 A.M. for the Department of Licensing and Regulatory Affairs, entitled "Board of Psychology – General Rules".

These rules become effective 7 days after filing with the Secretary of State.

October 3, 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 #2013-045-LR(Secretary of State Filing #13-10-02) on this date at 11:52 A.M. for the Department of Licensing and Regulatory Affairs, entitled "Medical Marihuana".

These rules become effective 7 days after filing with the Secretary of State.

October 7, 2013

In accordance with the provisions of Section 46(1) of Act 306, Public Acts of 1969, as amended, and Executive Order 1995-6, this is to advise you that the Michigan Department of Licensing and Regulatory Affairs and the State Office of Regulatory Reinvention filed Administrative Rule #2012-024-LR (Secretary of State Filing #13-10-03) on this date at 3:53 P.M. for the Department of Licensing and Regulatory Affairs, entitled "Electrical Supply and Communication Lines and Associated Equipment".

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

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

The communications were referred to the Clerk.

The following communication from the Department of Technology, Management and Budget was received and read:

October 17, 2013

Section 298c of Public Act 431 of 1984 requires the Department of Technology, Management and Budget to report annually regarding the progress of the Michigan Capitol Park. This park encompasses the Veterans Memorial Park and is the future site of the Michigan Law Enforcement Officers Memorial Monument.

Since October of 2012, there have been no changes in the development or operation of the Michigan Capitol Park, or to the master plan.

In 2013, the State executed a contract for \$161,400 to provide maintenance/repair of the concrete, pavers, benches and lighting.

If you have any further questions regarding the Michigan Capitol Park, please contact me at (517) 373-4978.

Sincerely,  
John E. Nixon, CPA  
Director

The communication was referred to the Clerk.

### Introduction of Bills

Reps. Brunner and Smiley introduced

**House Bill No. 5087, entitled**

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," (MCL 257.1 to 257.923) by adding section 617b. The bill was read a first time by its title and referred to the Committee on Criminal Justice.

Reps. Kivela, Knezek, Dianda, Driskell, Schor, LaVoy, Roberts, Cochran, Heise, McBroom, Bumstead, LaFontaine, Pettalia, Kelly, O'Brien, Lori, Graves, Schmidt, Yanez, Brunner, Kurtz, Rendon, Geiss, Haugh, Kandrevas, Durhal, Brown, Kesto, Foster, Victory, Dillon, MacGregor, MacMaster, Pscholka, Kosowski, Somerville, Haveman, Haines, Glardon, Callton, Yonker, Johnson, Greimel and Santana introduced

**House Bill No. 5088, entitled**

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 7340a (MCL 333.7340a), as added by 2011 PA 84, and by adding section 7340b.

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

Reps. Genetski, Kivela, Knezek, Dianda, Driskell, Zemke, Schor, LaVoy, Roberts, Cochran, Heise, McBroom, Bumstead, LaFontaine, Pettalia, Kelly, O'Brien, Lori, Graves, Schmidt, Yanez, Brunner, Kurtz, Rendon, Geiss, Haugh, Brown, Kesto, Foster, Victory, MacGregor, MacMaster, Durhal, Kosowski, Dillon, Pscholka, Somerville, Haveman, Greimel, Haines, Glardon, Callton, Yonker, Johnson, Santana and Kandrevas introduced

**House Bill No. 5089, entitled**

A bill to amend 1978 PA 368, entitled "Public health code," (MCL 333.1101 to 333.25211) by adding section 7340c. The bill was read a first time by its title and referred to the Committee on Criminal Justice.

Reps. Nesbitt, Kivela, Knezek, Dianda, Driskell, Zemke, Schor, LaVoy, Roberts, Cochran, Heise, McBroom, Bumstead, LaFontaine, Pettalia, Kelly, O'Brien, Lori, Graves, Schmidt, Yanez, Brunner, Kurtz, Rendon, Geiss, Haugh, Kesto, Foster, Victory, Dillon, Brown, MacGregor, MacMaster, Kosowski, Pscholka, Somerville, Haveman, Greimel, Haines, Glardon, Callton, Yonker, Johnson, Durhal, Santana and Kandrevas introduced

**House Bill No. 5090, entitled**

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 13m of chapter XVII (MCL 777.13m), as amended by 2010 PA 355.

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

Reps. Johnson, Dillon, Outman, VerHeulen, Brown, Dianda, McMillin, Kivela, LaVoy, Lamonte and Yonker introduced

**House Bill No. 5091, entitled**

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending section 234e (MCL 750.234e), as added by 1990 PA 321.

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

Reps. Dillon, Brunner, Smiley, Johnson, Outman, VerHeulen, Brown, Dianda, McMillin, Kivela, LaVoy, Lamonte and Yonker introduced

**House Bill No. 5092, entitled**

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending section 222 (MCL 750.222), as amended by 2012 PA 242.

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

Reps. Cavanagh, Santana, Robinson, Faris, Hobbs, Smiley, Brown, Dillon, Potvin, Bumstead, Singh, Lori, Geiss, Slavens, Hovey-Wright and Knezek introduced

**House Bill No. 5093, entitled**

A bill to amend 1954 PA 116, entitled "Michigan election law," by amending section 163 (MCL 168.163), as amended by 2012 PA 276.

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

**Announcements by the Clerk**

October 16, 2013

Received from the Bureau of State Lottery the licensing report for Fiscal Year 2013, in accordance with Section 432.23(4) of the McCauley-Traxler-Law-Bowman-McNeely Lottery Act, Act 239 of 1972 as amended.

Gary L. Randall  
Clerk of the House

October 17, 2013

Received from the Auditor General a copy of the following audit report and/or report summary:  
Performance audit of Community Health Automated Medicaid Processing System General Controls, Department of Community Health and Department of Technology, Management, and Budget, October 2013.

Gary L. Randall  
Clerk of the House

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Rep. Faris moved that the House adjourn.  
The motion prevailed, the time being 3:35 p.m.

The Speaker Pro Tempore declared the House adjourned until Wednesday, October 23, at 1:30 p.m.

GARY L. RANDALL  
Clerk of the House of Representatives

