

No. 99
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House Chamber, Lansing, Wednesday, November 13, 2013.

1:30 p.m.

The House was called to order by the Speaker Pro Tempore.

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

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

e/d/s = entered during session

Pastor David Alexander Bullock, Pastor of Greater St. Matthew Baptist Church in Detroit, offered the following invocation:

“God of our weary ears and silent tears; God that has brought us thus far on the way; God Who is by Thy might, let us into the light; keep us forever in Your path; we pray. O God, we pray now for the leadership of the state of Michigan. We pray for those who are in this House of Representatives, that the meeting might be fruitful, the thinking might be clear, that the intention might be right and that the great state of Michigan might continue to go forward. Bless us now in Your name we pray, Amen.”

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

Motions and Resolutions

Reps. Stamas and Rutledge offered the following concurrent resolution:

House Concurrent Resolution No. 14.

A concurrent resolution prescribing the legislative schedule.

Resolved by the House of Representatives (the Senate concurring), That when the House of Representatives adjourns on Thursday, November 14, 2013, it stands adjourned until Tuesday, December 3, 2013, at 1:30 p.m.; and be it further

Resolved, That when the Senate adjourns on Thursday, November 14, 2013, it stands adjourned until Tuesday, December 3, 2013, at 10:00 a.m.

The question being on the adoption of the concurrent resolution,

The concurrent resolution was adopted.

Reports of Standing Committees

The Speaker laid before the House

House Resolution No. 249.

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

(For text of resolution, see House Journal No. 89, p. 1628.)

(The resolution was reported by the Committee on Health Policy on November 12.)

The question being on the adoption of the resolution,

The resolution was adopted.

The Speaker laid before the House

House Resolution No. 250.

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

(For text of resolution, see House Journal No. 89, p. 1628.)

(The resolution was reported by the Committee on Health Policy on November 12.)

The question being on the adoption of the resolution,

The resolution was adopted.

Messages from the Senate

The Speaker laid before the House

House Bill No. 4277, entitled

A bill to amend 1998 PA 58, entitled “Michigan liquor control code of 1998,” by amending section 525 (MCL 436.1525), as amended by 2010 PA 279.

(The bill was received from the Senate on November 7, with substitute (S-1), full title inserted and immediate effect given by the Senate, consideration of which, under the rules, was postponed until November 12, see House Journal No. 97, p. 1791.)

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

Rep. Franz moved to amend the Senate substitute (S-1) as follows:

1. Amend page 10, line 3, by striking out all of enacting section 2.

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

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

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

Roll Call No. 407

Yeas—109

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

Nays—1

Hooker

In The Chair: Cotter

The House agreed to the full title.

The Speaker laid before the House

House Bill No. 4768, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," (MCL 324.101 to 324.90106) by adding section 3109e.

(The bill was received from the Senate on November 12, with substitute (S-4), full title inserted and immediate effect given by the Senate, consideration of which, under the rules, was postponed until today, see House Journal No. 98, p. 1816.)

The question being on concurring in the substitute (S-4) made to the bill by the Senate,

The substitute (S-4) was concurred in, a majority of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 408**Yeas—65**

Bolger	Haugh	Lori	Potvin
Bumstead	Haveman	Lund	Price
Callton	Heise	Lyons	Pscholka
Cotter	Hooker	MacGregor	Rendon
Crawford	Howrylak	MacMaster	Rogers
Daley	Jacobsen	McBroom	Santana
Denby	Jenkins	McCready	Schmidt
Dianda	Johnson	McMillin	Shirkey
Farrington	Kelly	Muxlow	Somerville
Forlini	Kesto	Nesbitt	Stamas
Foster	Kowall	O'Brien	VerHeulen
Franz	Kurtz	Olumba	Victory
Genetski	LaFontaine	Outman	Walsh
Glardon	Lane	Pagel	Yanez
Goike	Lauwers	Pettalia	Yonker
Graves	Leonard	Poleski	Zorn
Haines			

Nays—45

Abed	Durhal	Lamonte	Segal
Banks	Faris	LaVoy	Singh
Barnett	Geiss	Lipton	Slavens
Brinks	Greimel	McCann	Smiley
Brown	Hobbs	Nathan	Stallworth
Brunner	Hovey-Wright	Oakes	Stanley
Cavanagh	Irwin	Phelps	Switalski
Clemente	Kandrevas	Roberts	Talabi
Cochran	Kivela	Robinson	Tlaib
Darany	Knezek	Rutledge	Townsend
Dillon	Kosowski	Schor	Zemke
Driskell			

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.

Third Reading of Bills**House Bill No. 5073, entitled**

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 675 (MCL 257.675), as amended by 2004 PA 151.

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

Roll Call No. 409**Yeas—110**

Abed	Glardon	LaVoy	Roberts
Banks	Goike	Leonard	Robinson
Barnett	Graves	Lipton	Rogers

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

Nays—0

In The Chair: Cotter

The House agreed to the title of the bill.

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

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

House Bill No. 4688, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by repealing sections 16346, 18351, 18353, 18355, 18357, 18358, 18359, 18361, and 18363 (MCL 333.16346, 333.18351, 333.18353, 333.18355, 333.18357, 333.18358, 333.18359, 333.18361, and 333.18363).

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

Roll Call No. 410**Yeas—71**

Bolger	Graves	Lauwers	Poleski
Brinks	Haveman	Leonard	Potvin
Bumstead	Heise	Lori	Price
Callton	Hooker	Lund	Pscholka
Cotter	Howrylak	Lyons	Rendon
Crawford	Irwin	MacGregor	Rogers
Daley	Jacobsen	MacMaster	Schmidt
Denby	Jenkins	McBroom	Shirkey
Dianda	Johnson	McCready	Somerville
Dillon	Kandrevas	McMillin	Stamas
Driskell	Kelly	Muxlow	Switalski

Farrington	Kesto	Nathan	VerHeulen
Forlini	Kivela	Nesbitt	Victory
Foster	Knezek	O'Brien	Walsh
Franz	Kowall	Olumba	Yonker
Genetski	Kurtz	Outman	Zemke
Gardon	LaFontaine	Pagel	Zorn
Goike	Lamonte	Pettalia	

Nays—39

Abed	Faris	Lipton	Singh
Banks	Geiss	McCann	Slavens
Barnett	Greimel	Oakes	Smiley
Brown	Haines	Phelps	Stallworth
Brunner	Haugh	Roberts	Stanley
Cavanagh	Hobbs	Robinson	Talabi
Clemente	Hovey-Wright	Rutledge	Tlaib
Cochran	Kosowski	Santana	Townsend
Darany	Lane	Schor	Yanez
Durhal	LaVoy	Segal	

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.

Senate Bill No. 171, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 40119 (MCL 324.40119), as amended by 2004 PA 587.

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

Roll Call No. 411**Yeas—108**

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	Hovey-Wright	McCready	Smiley
Cotter	Howrylak	McMillin	Somerville
Crawford	Jacobsen	Muxlow	Stallworth
Daley	Jenkins	Nathan	Stamas
Darany	Johnson	Nesbitt	Stanley
Denby	Kandreas	O'Brien	Switalski
Dianda	Kelly	Oakes	Talabi
Dillon	Kesto	Olumba	Tlaib

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

Nays—2

Irwin Robinson

In The Chair: Cotter

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

“An act to 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,”

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.

Senate Bill No. 172, entitled

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” by amending sections 73109 and 73110 (MCL 324.73109 and 324.73110), as amended by 1998 PA 546.

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

Roll Call No. 412**Yeas—106**

Abed	Genetski	Lauwers	Pscholka
Banks	Gardon	LaVoy	Rendon
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	Hovey-Wright	McCready	Smiley
Cotter	Howrylak	McMillin	Somerville
Crawford	Jacobsen	Muxlow	Stallworth
Daley	Jenkins	Nathan	Stamas
Darany	Johnson	Nesbitt	Stanley
Denby	Kandrevas	O’Brien	Switalski
Dianda	Kelly	Oakes	Talabi
Dillon	Kesto	Olumba	Townsend
Driskell	Kivela	Outman	VerHeulen
Durhal	Knezek	Pagel	Victory

Faris	Kosowski	Pettalia	Walsh
Farrington	Kowall	Phelps	Yanez
Forlini	Kurtz	Poleski	Yonker
Foster	LaFontaine	Potvin	Zemke
Franz	Lamonte	Price	Zorn
Geiss	Lane		

Nays—4

Irwin	Roberts	Robinson	Tlaib
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In The Chair: Cotter

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

“An act to 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.”

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. 4893, entitled

A bill to amend 1975 PA 238, entitled “Child protection law,” by amending sections 2, 7, and 8d (MCL 722.622, 722.627, and 722.628d), section 2 as amended by 2004 PA 563, section 7 as amended by 2011 PA 70, and section 8d as amended by 2006 PA 618.

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

Roll Call No. 413**Yeas—110**

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

Farrington	Kowall	Poleski	Walsh
Forlini	Kurtz	Potvin	Yanez
Foster	LaFontaine	Price	Yonker
Franz	Lamonte	Pscholka	Zemke
Geiss	Lane	Rendon	Zorn
Genetski	Lauwers		

Nays—0

In The Chair: Cotter

The House agreed to the title of the bill.

House Bill No. 5005, entitled

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” by amending sections 11503 and 11506 (MCL 324.11503 and 324.11506), section 11503 as amended by 2007 PA 212 and section 11506 as amended by 2012 PA 446, and by adding section 11521b.

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

Roll Call No. 414**Yeas—110**

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

Nays—0

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 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 11503, 11505, and 11506 (MCL 324.11503, 324.11505, and 324.11506), sections 11503 and 11505 as amended by 2007 PA 212 and section 11506 as amended by 2012 PA 446, and by adding section 11521b.

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.

House Bill No. 5017, entitled

A bill to amend 1893 PA 206, entitled "The general property tax act," by amending section 7ss (MCL 211.7ss), as added by 2012 PA 494.

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

Roll Call No. 415

Yeas—86

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

Nays—24

Banks	Hovey-Wright	Robinson	Switalski
Brunner	Irwin	Santana	Talabi
Cavanagh	Lipton	Singh	Tlaib
Durhal	Olumba	Slavens	Townsend
Faris	Phelps	Smiley	Yanez
Geiss	Roberts	Stallworth	Zemke

In The Chair: Cotter

The House agreed to the title of the bill.

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

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

House Bill No. 5103, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 72110 (MCL 324.72110), as amended by 2010 PA 46.

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

Roll Call No. 416**Yeas—110**

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

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.

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

Second Reading of Bills**House Bill No. 4642, entitled**

A bill to amend 1962 PA 150, entitled "An act relating to solicitations for employment; to prohibit recruitment of or advertising for employees to take the place of employees engaged in a labor dispute without stating that the employment

offered is in place of employees involved in a labor dispute; to prohibit the importation of strikebreakers; and to provide penalties for violations of this act," (MCL 423.251 to 423.254) by amending the title; and to repeal acts and parts of acts.

The bill was read a second time.

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

The motion prevailed.

House Bill No. 4624, entitled

A bill to amend 1947 PA 336, entitled "An act to prohibit strikes by certain public employees; to provide review from disciplinary action with respect thereto; to provide for the mediation of grievances and the holding of elections; to declare and protect the rights and privileges of public employees; to require certain provisions in collective bargaining agreements; to prescribe means of enforcement and penalties for the violation of the provisions of this act; and to make appropriations," (MCL 423.201 to 423.217) by adding section 15a.

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

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

Rep. Lund moved to amend the bill as follows:

1. Amend page 1, line 5, after "**EMPLOYER.**" by inserting "**THIS SECTION DOES NOT CREATE A RIGHT FOR A FULL-TIME EMPLOYEE OF A PUBLIC FIRE DEPARTMENT TO ACCEPT FULL-TIME EMPLOYMENT WITH ANOTHER FIRE DEPARTMENT.**"

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

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

The motion prevailed.

House Bill No. 4513, entitled

A bill to amend 1933 (Ex Sess) PA 18, entitled "An act to authorize any city, village, township, or county to purchase, acquire, construct, maintain, operate, improve, extend, and repair housing facilities; to eliminate housing conditions which are detrimental to the public peace, health, safety, morals, or welfare; and for any such purposes to authorize any such city, village, township, or county to create a commission with power to effectuate said purposes, and to prescribe the powers and duties of such commission and of such city, village, township, or county; and for any such purposes to authorize any such commission, city, village, township, or county to issue notes and revenue bonds; to regulate the issuance, sale, retirement, and refunding of such notes and bonds; to regulate the rentals of such projects and the use of the revenues of the projects; to prescribe the manner of selecting tenants for such projects; to provide for condemnation of private property for such projects; to confer certain powers upon such commissions, cities, villages, townships, and counties in relation to such projects, including the power to receive aid and cooperation of the federal government; to provide for a referendum thereon; to provide for cooperative financing by 2 or more commissions, cities, villages, townships, or counties or any combination thereof; to provide for the issuance, sale, and retirement of revenue bonds and special obligation notes for such purposes; to provide for financing agreements between cooperating borrowers; to provide for other matters relative to the bonds and notes and methods of cooperative financing; for other purposes; and to prescribe penalties and provide remedies," by amending section 44 (MCL 125.694).

The bill was read a second time.

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

The motion prevailed.

House Bill No. 4918, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 675d (MCL 257.675d), as amended by 2010 PA 211.

The bill was read a second time.

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

The motion prevailed.

House Bill No. 5069, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending sections 2918, 5711, and 5714 (MCL 600.2918, 600.5711, and 600.5714), section 5714 as amended by 2012 PA 139.

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

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

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

The motion prevailed.

House Bill No. 5070, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," (MCL 750.1 to 750.568) by adding section 553.

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

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

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

The motion prevailed.

House Bill No. 5071, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 16bb of chapter XVII (MCL 777.16bb), as added by 2007 PA 20.

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

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

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

The motion prevailed.

Senate Bill No. 35, entitled

A bill to amend 1909 PA 279, entitled "The home rule city act," by amending section 4q (MCL 117.4q), as amended by 2008 PA 51.

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

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

Rep. Banks moved to amend the bill as follows:

1. Amend page 11, line 2, after "(21)" by inserting "OR (22)".

2. Amend page 12, following line 7, by inserting:

"(22) SUBSECTION (20) DOES NOT APPLY TO THE OWNER OF A PROPERTY IF, AT THE TIME THE CIVIL FINE AND COSTS ARE IMPOSED AGAINST THE OWNER, THE OWNER HAD FILED A PRINCIPAL RESIDENCE EXEMPTION AFFIDAVIT AS PROVIDED UNDER SECTION 7CC OF THE GENERAL PROPERTY TAX ACT, 1893 PA 206, MCL 211.7CC, CERTIFYING THAT THE PROPERTY IS OWNED AND OCCUPIED AS A PRINCIPAL RESIDENCE BY THAT OWNER." and renumbering the remaining subsections.

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

Rep. Tlaib moved to amend the bill as follows:

1. Amend page 11, line 2, after "(20)" by striking out "EXCEPT AS OTHERWISE PROVIDED IN SUBSECTION (21), IF" and inserting "IF".

2. Amend page 11, line 17, by striking out all of subsections (21) and (22) and renumbering the remaining subsection.

The motion did not prevail and the amendments were 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.

Senate Bill No. 36, entitled

A bill to amend 2006 PA 110, entitled "Michigan zoning enabling act," by amending section 406 (MCL 125.3406).

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

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

Rep. Tlaib moved to amend the bill as follows:

1. Amend page 2, line 2, by striking out all of subsection (3) and renumbering the remaining subsection.

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.

Senate Bill No. 37, entitled

A bill to amend 1972 PA 230, entitled "Stille-DeRossett-Hale single state construction code act," (MCL 125.1501 to 125.1531) by adding section 9c.

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

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

Rep. Tlaib moved to amend the bill as follows:

1. Amend page 2, line 1, by striking out all of subsection (2) and renumbering the remaining subsection.

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.

Senate Bill No. 38, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," (MCL 600.101 to 600.9947) by adding section 4027.

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.

Senate Bill No. 39, entitled

A bill to amend 1909 PA 279, entitled "The home rule city act," by amending section 4r (MCL 117.4r), as amended by 2008 PA 51.

The bill was read a second time.

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

The motion prevailed.

House Bill No. 4782, entitled

A bill to amend 2010 PA 275, entitled "Next Michigan development act," by amending section 4 (MCL 125.2954).

The bill was read a second time.

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

The motion prevailed.

House Bill No. 4709, entitled

A bill to amend 1998 PA 58, entitled "Michigan liquor control code of 1998," by amending section 109 (MCL 436.1109), as amended by 2010 PA 213.

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. 4710, entitled

A bill to amend 1998 PA 58, entitled "Michigan liquor control code of 1998," by amending section 603 (MCL 436.1603), as amended by 2011 PA 298.

The bill was read a second time.

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

The motion prevailed.

House Bill No. 4711, entitled

A bill to amend 1998 PA 58, entitled "Michigan liquor control code of 1998," by amending section 411 (MCL 436.1411), as amended by 2011 PA 298.

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

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

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

The motion prevailed.

House Bill No. 5046, entitled

A bill to amend 1998 PA 58, entitled "Michigan liquor control code of 1998," by amending section 1021 (MCL 436.2021), as amended by 2005 PA 21.

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

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

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

The motion prevailed.

House Bill No. 5140, entitled

A bill to amend 1998 PA 58, entitled "Michigan liquor control code of 1998," by amending section 531 (MCL 436.1531), as amended by 2012 PA 212.

The bill was read a second time.

Rep. Walsh moved to amend the bill as follows:

1. Amend page 10, line 11, after "(18)" by striking out the balance of the line through "A" on line 12 and inserting "NOTWITHSTANDING R 436.1135(8) OF THE MICHIGAN ADMINISTRATIVE CODE, AN ESCROWED".

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

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

The motion prevailed.

House Bill No. 4257, entitled

A bill to amend 1998 PA 58, entitled "Michigan liquor control code of 1998," by amending section 521a (MCL 436.1521a), as amended by 2010 PA 369.

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

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

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

The motion prevailed.

House Bill No. 5134, entitled

A bill to amend 2004 PA 177, entitled "Michigan law enforcement officers memorial act," by amending section 5 (MCL 28.785).

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.

House Bill No. 5135, entitled

A bill to amend 1984 PA 431, entitled "The management and budget act," by amending sections 219 and 298b (MCL 18.1219 and 18.1298b), section 219 as amended by 2001 PA 61 and section 298b as amended by 1992 PA 132; and to repeal acts and parts of acts.

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

Reports of Standing Committees

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

House Bill No. 5086, entitled

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," by amending section 522 (MCL 206.522), as amended by 2011 PA 180.

Without amendment and with the recommendation that the bill pass.

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

Favorable Roll Call

To Report Out:

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

Nays: None

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Wednesday, November 13, 2013

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

Second Reading of Bills

House Bill No. 5086, entitled

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," by amending section 522 (MCL 206.522), as amended by 2011 PA 180.

The bill was read a second time.

Rep. Abed moved to amend the bill as follows:

1. Amend page 6, following line 24, by inserting:

"Enacting section 1. This amendatory act does not take effect unless House Bill No. 4564 of the 97th Legislature is enacted into law."

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

Rep. Lamonte moved to amend the bill as follows:

1. Amend page 1, following "**THE PEOPLE OF THE STATE OF MICHIGAN ENACT:**" by inserting:

"Sec. 520. (1) Subject to the limitations and the definitions in this chapter, a claimant may claim against the tax due under this part for the tax year a credit for the property taxes on the taxpayer's homestead deductible for federal income tax purposes pursuant to section 164 of the internal revenue code, or that would have been deductible if the claimant had not elected the zero bracket amount or if the claimant had been subject to the federal income tax. The property taxes used for the credit computation shall not be greater than the amount levied for 1 tax year. ~~An owner is not eligible for a credit under this section if the taxable value of his or her homestead excluding the portion of a parcel of real property that is unoccupied and classified as agricultural for ad valorem tax purposes in the year for which the credit is claimed is greater than \$135,000.00. As used in this subsection, "taxable value" means that value determined under section 27a of the general property tax act, 1893 PA 206, MCL 211.27a.~~

(2) A person who rents or leases a homestead may claim a similar credit computed under this section and section 522 based upon 17% of the gross rent paid for tax years before the 1994 tax year, or 20% of the gross rent paid for tax years after the 1993 tax year. A person who rents or leases a homestead subject to a service charge in lieu of ad valorem taxes as provided by section 15a of the state housing development authority act of 1966, 1966 PA 346, MCL 125.1415a, may claim a similar credit computed under this section and section 522 based upon 10% of the gross rent paid.

(3) If the credit claimed under this section and section 522 exceeds the tax liability for the tax year or if there is no tax liability for the tax year, the amount of the claim not used as an offset against the tax liability shall, after examination and review, be approved for payment, without interest, to the claimant. In determining the amount of the payment under this subsection, withholdings and other credits shall be used first to offset any tax liabilities.

(4) If the homestead is an integral part of a multipurpose or multidwelling building that is federally aided housing or state aided housing, a claimant who is a senior citizen entitled to a payment under subsection (2) may assign the right to that payment to a mortgagor if the mortgagor reduces the rent charged and collected on the claimant's homestead in an amount equal to the tax credit payment provided in this chapter. The assignment of the claim is valid only if the Michigan state housing development authority, by affidavit, verifies that the claimant's rent has been so reduced.

(5) Only the renter or lessee shall claim a credit on property that is rented or leased as a homestead.

(6) A person who discriminates in the charging or collection of rent on a homestead by increasing the rent charged or collected because the renter or lessee claims and receives a credit or payment under this chapter is guilty of a misdemeanor. Discrimination against a renter who claims and receives the credit under this section and section 522

by a reduction of the rent on the homestead of a person who does not claim and receive the credit is a misdemeanor. If discriminatory rents are charged or collected, each charge or collection of the higher or lower payment is a separate offense. Each acceptance of a payment of rent is a separate offense.

(7) A person who received aid to families with dependent children, state family assistance, or state disability assistance pursuant to the social welfare act, 1939 PA 280, MCL 400.1 to 400.119b, in the tax year for which the person is filing a return shall have a credit that is authorized and computed under this section and section 522 reduced by an amount equal to the product of the claimant's credit multiplied by the quotient of the sum of the claimant's aid to families with dependent children, state family assistance, and state disability assistance for the tax year divided by the claimant's total household resources. The reduction of credit shall not exceed the sum of the aid to families with dependent children, state family assistance, and state disability assistance for the tax year. For the purposes of this subsection, aid to families with dependent children does not include child support payments that offset or reduce payments made to the claimant.

(8) A credit under subsection (1) or (2) shall be reduced by 10% for each claimant whose total household resources exceed ~~\$41,000.00~~ **\$73,650.00** and by an additional 10% for each increment of \$1,000.00 of total household resources in excess of ~~\$41,000.00~~ **\$73,650.00**.

(9) If the credit authorized and calculated under this section and section 522 and adjusted under subsection (7) or (8) does not provide to a senior citizen who rents or leases a homestead that amount attributable to rent that constitutes more than 40% of the total household resources of the senior citizen, the senior citizen may claim a credit based upon the amount of total household resources attributable to rent as provided by this section.

(10) A senior citizen whose gross rent paid for the tax year is more than the percentage of total household resources specified in subsection (9) for the respective tax year may claim a credit for the amount of rent paid that constitutes more than the percentage of the total household resources of the senior citizen specified in subsection (9) and that was not provided to the senior citizen by the credit computed pursuant to this section and section 522 and adjusted pursuant to subsection (7) or (8).

(11) The department may promulgate rules to implement subsections (9) to (15) and may prescribe a table to allow a claimant to determine the credit provided under this section and section 522 in the instruction booklet that accompanies the respective income tax or property tax credit forms used by claimants.

(12) A senior citizen may claim the credit under subsections (9) to (15) on the same form as the property tax credit permitted by subsection (2). The department shall adjust the forms accordingly.

(13) A senior citizen who moves to a different rented or leased homestead shall determine, for 2 tax years after the move, both his or her qualification to claim a credit under subsections (9) to (15) and the amount of a credit under subsections (9) to (15) on the basis of the annualized final monthly rental payment at his or her previous homestead, if this annualized rental is less than the senior citizen's actual annual rental payments.

(14) For a return of less than 12 months, the claim for a credit under subsections (9) to (15) shall be reduced proportionately.

(15) The total credit allowed by this section and section 522 shall not exceed \$1,200.00 per year.”.

2. Amend page 1, line 3, after “claimant” by striking out “who is not a senior citizen”.

3. Amend page 1, line 9, by striking out all of subdivision (b) and relettering the remaining subdivisions.

4. Amend page 4, line 2, after “citizen” by striking out “with total household resources of \$21,000.00 or less”.

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

Rep. Switalski moved to amend the bill as follows:

1. Amend page 1, following “**THE PEOPLE OF THE STATE OF MICHIGAN ENACT:**” by inserting:

“Sec. 520. (1) Subject to the limitations and the definitions in this chapter, a claimant may claim against the tax due under this part for the tax year a credit for the property taxes on the taxpayer's homestead deductible for federal income tax purposes pursuant to section 164 of the internal revenue code, or that would have been deductible if the claimant had not elected the zero bracket amount or if the claimant had been subject to the federal income tax. The property taxes used for the credit computation shall not be greater than the amount levied for 1 tax year. An owner is not eligible for a credit under this section if the taxable value of his or her homestead excluding the portion of a parcel of real property that is unoccupied and classified as agricultural for ad valorem tax purposes in the year for which the credit is claimed is greater than \$135,000.00. As used in this subsection, “taxable value” means that value determined under section 27a of the general property tax act, 1893 PA 206, MCL 211.27a.

(2) A person who rents or leases a homestead may claim a similar credit computed under this section and section 522 based upon 17% of the gross rent paid for tax years before the 1994 tax year, or 20% of the gross rent paid for tax years after the 1993 tax year. A person who rents or leases a homestead subject to a service charge in lieu of ad valorem taxes as provided by section 15a of the state housing development authority act of 1966, 1966 PA 346, MCL 125.1415a, may claim a similar credit computed under this section and section 522 based upon 10% of the gross rent paid.

(3) If the credit claimed under this section and section 522 exceeds the tax liability for the tax year or if there is no tax liability for the tax year, the amount of the claim not used as an offset against the tax liability shall, after examination and review, be approved for payment, without interest, to the claimant. In determining the amount of the payment under this subsection, withholdings and other credits shall be used first to offset any tax liabilities.

(4) If the homestead is an integral part of a multipurpose or multidwelling building that is federally aided housing or state aided housing, a claimant who is a senior citizen entitled to a payment under subsection (2) may assign the right to that payment to a mortgagor if the mortgagor reduces the rent charged and collected on the claimant's homestead in an amount equal to the tax credit payment provided in this chapter. The assignment of the claim is valid only if the Michigan state housing development authority, by affidavit, verifies that the claimant's rent has been so reduced.

(5) Only the renter or lessee shall claim a credit on property that is rented or leased as a homestead.

(6) A person who discriminates in the charging or collection of rent on a homestead by increasing the rent charged or collected because the renter or lessee claims and receives a credit or payment under this chapter is guilty of a misdemeanor. Discrimination against a renter who claims and receives the credit under this section and section 522 by a reduction of the rent on the homestead of a person who does not claim and receive the credit is a misdemeanor. If discriminatory rents are charged or collected, each charge or collection of the higher or lower payment is a separate offense. Each acceptance of a payment of rent is a separate offense.

(7) A person who received aid to families with dependent children, state family assistance, or state disability assistance pursuant to the social welfare act, 1939 PA 280, MCL 400.1 to 400.119b, in the tax year for which the person is filing a return shall have a credit that is authorized and computed under this section and section 522 reduced by an amount equal to the product of the claimant's credit multiplied by the quotient of the sum of the claimant's aid to families with dependent children, state family assistance, and state disability assistance for the tax year divided by the claimant's total household resources. The reduction of credit shall not exceed the sum of the aid to families with dependent children, state family assistance, and state disability assistance for the tax year. For the purposes of this subsection, aid to families with dependent children does not include child support payments that offset or reduce payments made to the claimant.

(8) A credit under subsection (1) or (2) shall be reduced by 10% for each claimant whose total household resources exceed \$41,000.00 and by an additional 10% for each increment of \$1,000.00 of total household resources in excess of \$41,000.00.

(9) If the credit authorized and calculated under this section and section 522 and adjusted under subsection (7) or (8) does not provide to a senior citizen who rents or leases a homestead that amount attributable to rent that constitutes more than 40% of the total household resources of the senior citizen, the senior citizen may claim a credit based upon the amount of total household resources attributable to rent as provided by this section.

(10) A senior citizen whose gross rent paid for the tax year is more than the percentage of total household resources specified in subsection (9) for the respective tax year may claim a credit for the amount of rent paid that constitutes more than the percentage of the total household resources of the senior citizen specified in subsection (9) and that was not provided to the senior citizen by the credit computed pursuant to this section and section 522 and adjusted pursuant to subsection (7) or (8).

(11) The department may promulgate rules to implement subsections (9) to (15) and may prescribe a table to allow a claimant to determine the credit provided under this section and section 522 in the instruction booklet that accompanies the respective income tax or property tax credit forms used by claimants.

(12) A senior citizen may claim the credit under subsections (9) to (15) on the same form as the property tax credit permitted by subsection (2). The department shall adjust the forms accordingly.

(13) A senior citizen who moves to a different rented or leased homestead shall determine, for 2 tax years after the move, both his or her qualification to claim a credit under subsections (9) to (15) and the amount of a credit under subsections (9) to (15) on the basis of the annualized final monthly rental payment at his or her previous homestead, if this annualized rental is less than the senior citizen's actual annual rental payments.

(14) For a return of less than 12 months, the claim for a credit under subsections (9) to (15) shall be reduced proportionately.

(15) The total credit allowed by this section and section 522 shall not exceed ~~\$1,200.00 per year.~~ **THE AMOUNT DETERMINED UNDER SECTION 522.**

2. Amend page 6, line 16, after "\$1,200.00" by striking out "per year." and inserting "**FOR TAX YEARS THAT BEGIN BEFORE JANUARY 1, 2014. FOR THE 2014 TAX YEAR, THE TOTAL CREDIT ALLOWED BY THIS SECTION AND SECTION 520 SHALL NOT EXCEED \$1,300.00. FOR THE TAX YEARS THAT BEGIN AFTER DECEMBER 31, 2014, THE MAXIMUM AMOUNT ALLOWED UNDER THIS SUBSECTION SHALL BE ADJUSTED BY THE PERCENTAGE INCREASE IN THE UNITED STATES CONSUMER PRICE INDEX FOR THE IMMEDIATELY PRECEDING CALENDAR YEAR. THE DEPARTMENT SHALL ANNUALIZE THE AMOUNTS PROVIDED IN THIS SUBSECTION AS NECESSARY. AS USED IN THIS SUBSECTION, "UNITED STATES CONSUMER PRICE INDEX" MEANS THE UNITED STATES CONSUMER PRICE INDEX FOR ALL URBAN CONSUMERS AS DEFINED AND REPORTED BY THE UNITED STATES DEPARTMENT OF LABOR, BUREAU OF LABOR STATISTICS.**"

The motion did not prevail and the amendments were not adopted, a majority of the members serving not voting therefor. Rep. Denby moved that the bill be placed on the order of Third Reading of Bills.

The motion prevailed.

House Bill No. 4788, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," (MCL 257.1 to 257.923) by adding section 811x.

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

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

Rep. Yanez moved to amend the bill as follows:

1. Amend page 2, line 13, after "**ACTIVITIES**" by inserting a comma and "**INCLUDING, BUT NOT LIMITED TO, EDUCATION ON THE MENTAL EFFECTS OF WAR, POST-TRAUMATIC STRESS DISORDER, AND OTHER SERVICE-RELATED DISABILITIES,**".

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.

Pending the Second Reading of

Senate Bill No. 90, entitled

A bill to amend 1937 PA 94, entitled "Use tax act," by amending section 2 (MCL 205.92), as amended by 2008 PA 439.

Rep. Stamas moved that the bill be re-referred to the Committee on Tax Policy.

The motion prevailed.

Pending the Second Reading of

House Bill No. 4110, entitled

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

Rep. Stamas moved that the bill be re-referred to the Committee on Tax Policy.

The motion prevailed.

Pending the Second Reading of

House Bill No. 4698, entitled

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

Rep. Stamas moved that the bill be re-referred to the Committee on Tax Policy.

The motion prevailed.

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

The motion prevailed.

By unanimous consent the House returned to the order of

Announcement by the Clerk of Printing and Enrollment

The Clerk announced the enrollment printing and presentation to the Governor on Wednesday, November 13, for his approval of the following bills:

Enrolled House Bill No. 4585 at 10:15 a.m.

Enrolled House Bill No. 4704 at 10:17 a.m.

The Clerk announced that the following bills had been printed and placed upon the files of the members on Wednesday, November 13:

House Bill Nos. 5141 5142 5143 5144

The Clerk announced that the following Senate bills had been received on Wednesday, November 13:

Senate Bill Nos. 2 285 286 329 660

Reports of Standing Committees

The Committee on Oversight, by Rep. McMillin, Chair, reported

House Bill No. 4001, entitled

A bill to amend 1976 PA 442, entitled "Freedom of information act," by amending sections 4, 5, and 10 (MCL 15.234, 15.235, and 15.240), as amended by 1996 PA 553.

With the recommendation that the substitute (H-4) 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. McMillin, Kelly, O'Brien, Leonard, Townsend and Robinson

Nays: None

The Committee on Oversight, by Rep. McMillin, Chair, reported

Senate Bill No. 94, entitled

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

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. McMillin, Kelly, O'Brien, Leonard, Townsend and Robinson

Nays: None

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Tuesday, November 12, 2013

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

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

House Bill No. 4021, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending section 349 (MCL 750.349), as amended by 2006 PA 159.

With the recommendation that the substitute (H-2) be adopted and that the bill then pass.

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

Favorable Roll Call

To Report Out:

Yeas: Reps. Heise, Graves, 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. 4867, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 40 of chapter XVII (MCL 777.40), as added by 1998 PA 317.

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

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

House Bill No. 5012, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending section 451 (MCL 750.451), as amended by 2002 PA 44.

With the recommendation that the substitute (H-2) be adopted and that the bill then pass.

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

Favorable Roll Call

To Report Out:

Yeas: Reps. Heise, Graves, 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. 5026, entitled

A bill to amend 1939 PA 288, entitled "Probate code of 1939," by amending section 2 of chapter XIII (MCL 712A.2), as amended by 2001 PA 211.

Without amendment and with the recommendation that the bill pass.

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

Favorable Roll Call

To Report Out:

Yeas: Reps. Heise, Graves, Kurtz, Callton, McBroom, O'Brien, Kesto, Oakes, Robinson, Kivela and Banks
Nays: None

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

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.

(For text of resolution, see House Journal No. 87, p. 1594.)

With the recommendation that the resolution be adopted.

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, November 13, 2013

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

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Haveman, Chair, of the Committee on Appropriations, was received and read:
Meeting held on: Wednesday, November 13, 2013

Present: Reps. Haveman, Pscholka, Kowall, Lori, Rogers, Stamas, Bumstead, Forlini, MacGregor, MacMaster, Jenkins, Muxlow, Poleski, Potvin, McCready, Howrylak, VerHeulen, Tlaib, Brown, Durhal, McCann, Dillon, Roberts, Kandrevas, Faris, Zemke, Singh and Olumba

Absent: Rep. Walsh

Excused: Rep. Walsh

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Lyons, Chair, of the Committee on Education, was received and read:
Meeting held on: Wednesday, November 13, 2013

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

Messages from the Senate**Senate Bill No. 2, entitled**

A bill to amend 1978 PA 368, entitled "Public health code," by amending sections 2701, 5119, 16125, 16161, 16163, 16216, 16231, 16231a, 16327, 17201, 17210, 17211, 17212, 17221, 17607, 17708, 17745, 17820, 17822, 18301, and 20201 (MCL 333.2701, 333.5119, 333.16125, 333.16161, 333.16163, 333.16216, 333.16231, 333.16231a, 333.16327, 333.17201, 333.17210, 333.17211, 333.17212, 333.17221, 333.17607, 333.17708, 333.17745, 333.17820, 333.17822, 333.18301, and 333.20201), section 2701 as added by 1990 PA 16, section 5119 as amended by 2000 PA 209, sections 16125 and 16161 as amended by 1989 PA 202, section 16163 as amended by 2002 PA 643, section 16216 as added by 1993 PA 87, section 16231 as amended by 2010 PA 382, section 16231a as added by 1993 PA 79, section 16327 as amended by 2009 PA 216, sections 17211 and 17221 as amended by 2006 PA 409, section 17212 as added by 1996 PA 355, section 17607 as added by 2008 PA 524, section 17708 as amended by 2012 PA 209, sections 17745 and 20201 as amended by 2011 PA 210, section 17820 as amended by 2009 PA 55, section 17822 as amended by 2005 PA 281, and section 18301 as amended by 2008 PA 523, and by adding sections 17202, 17210a, 17211a, 17214, and 17221a.

The Senate has passed the bill.

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

Senate Bill No. 285, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending sections 50 and 50b (MCL 750.50 and 750.50b), section 50 as amended by 2007 PA 152 and section 50b as amended by 2008 PA 339.

The Senate has passed the bill.

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

Senate Bill No. 286, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending sections 16b, 34, 40, 46, and 49 of chapter XVII (MCL 777.16b, 777.34, 777.40, 777.46, and 777.49), section 16b as amended by 2008 PA 562, sections 34 and 40 as added by 1998 PA 317, section 46 as amended by 1999 PA 227, and section 49 as amended by 2002 PA 137.

The Senate has passed the bill.

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

Senate Bill No. 329, entitled

A bill to amend 1998 PA 58, entitled "Michigan liquor control code of 1998," by amending section 605 (MCL 436.1605).

The Senate has passed the bill.

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

Senate Bill No. 660, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending sections 7212, 7214, 7301a, 7303, 16169, 16170a, 16174, 16192, 16216, 16221, 16222, 16226, 16231, 16231a, 16232, 16233, 16237, 16241, 16245, 16315, 17754, 17768, 17775, and 20176a (MCL 333.7212, 333.7214, 333.7301a, 333.7303, 333.16169, 333.16170a, 333.16174, 333.16192, 333.16216, 333.16221, 333.16222, 333.16226, 333.16231, 333.16231a, 333.16232, 333.16233, 333.16237, 333.16241, 333.16245, 333.16315, 333.17754, 333.17768, 333.17775, and 333.20176a), section 7212 as amended by 2012 PA 183, section 7214 as amended by 1982 PA 352, section 7301a as amended by 2006 PA 392, section 7303 as amended by 1988 PA 60, sections 16169 and 16170a as added and section 16192 as amended by 1993 PA 80, section 16174 as amended by 2012 PA 49, sections 16216 and 16237 as added and section 16241 as amended by 1993 PA 87, section 16221 as amended by 2012 PA 501, sections 16222 and 16231a as added and sections 16232 and 17768 as amended by 1993 PA 79, section 16226 as amended by 2012 PA 499, sections 16231 and 16233 as amended by 2010 PA 382, section 16245 as amended by 2011 PA 223, section 16315 as amended by 2009 PA 216, section 17754 as amended by 2012 PA 209, section 17775 as added by 2012 PA 383, and section 20176a as amended by 1994 PA 52, and by adding article 8; and to repeal acts and parts of acts.

The Senate has passed the bill.

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

Messages from the Governor

Date: November 12, 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. 4937 (Public Act No. 163, I.E.), being

An act to amend 2000 PA 322, entitled "An act to create certain committees; to create certain funds from certain sources and to provide for the disposition of money from the funds; to provide for the creation of certain funds by certain private entities; to create incentives and to locate and maintain value-added agricultural processing, commercialization of agriculture, and production ventures within this state; to provide for grants, loans, and loan guarantees to certain private and governmental entities for certain purposes; to provide for certain powers and duties for certain private entities, state agencies, commissions, and departments; to authorize loans, loan guarantees, expenditures, and grants from the funds; and to finance the development of certain programs," by amending the title and section 3 (MCL 285.303); and to repeal acts and parts of acts.

(Filed with the Secretary of State November 12, 2013, at 4:09 p.m.)

Date: November 13, 2013

Time: 9:12 a.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 4605 (Public Act No. 165, 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 20950 (MCL 333.20950), as amended by 2006 PA 568.

(Filed with the Secretary of State November 13, 2013, at 11:38 a.m.)

Date: November 12, 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. 4731 (Public Act No. 166, I.E.), being

An act to amend 1966 PA 291, entitled “An act to create the firefighters training council; to prescribe the powers and duties of the council, the state fire marshal, and certain fire departments and other organizations; to create the firefighters training council fund and to provide for allocations from the fund to local agencies of government participating in a firefighters training program; and to make an appropriation,” by amending section 9 (MCL 29.369), as amended by 2006 PA 213.

(Filed with the Secretary of State November 13, 2013, at 11:40 a.m.)

Date: November 12, 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. 4752 (Public Act No. 167, I.E.), being

An act to amend 1965 PA 290, entitled “An act to regulate the use, construction, installation, and repair of certain boilers; to create a board of boiler rules; to prescribe uniform rules and regulations for certain boilers; to provide for the licensing of certain boiler inspectors, installers, and repairers and registration of certain boiler operators and stationary engineers; to provide for powers and duties for certain state agencies and officers; to provide fees for registrations, licenses, permits, inspections, and certificates; to provide penalties and remedies for the violation of this act; and to repeal acts and parts of acts,” by amending sections 2, 4a, and 13d (MCL 408.752, 408.754a, and 408.763d), sections 2 and 4a as amended and section 13d as added by 2008 PA 159.

(Filed with the Secretary of State November 13, 2013, at 11:42 a.m.)

Date: November 12, 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. 4754 (Public Act No. 168, I.E.), being

An act to amend 1984 PA 192, entitled “An act to regulate the use, installation, alteration, and servicing of specified heating, cooling, ventilating, and refrigerating equipment and systems; to create a board of mechanical rules; to provide for the licensing of installing contractors and of servicing contractors of heating, cooling, ventilating, and refrigerating equipment and systems; to prescribe fees; to provide for the promulgation of rules; and to prescribe penalties,” by amending section 6 (MCL 338.976), as amended by 2010 PA 149.

(Filed with the Secretary of State November 13, 2013, at 11:44 a.m.)

Date: November 12, 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. 4756 (Public Act No. 169, I.E.), being

An act to amend 1980 PA 299, entitled “An act to revise, consolidate, and classify the laws of this state regarding the regulation of certain occupations and to regulate certain persons and activities relative to those occupations; to create a board for each of those occupations; to establish the powers and duties of certain departments and agencies and the boards of each occupation; to provide for the promulgation of rules; to provide for certain fees; to provide for penalties and civil fines; to establish rights, relationships, and remedies of certain persons under certain circumstances; to provide immunity from certain civil liability for certain entities and certain related occupations under certain circumstances; to repeal certain parts of this act on a specific date; and to repeal certain acts and parts of acts,” by amending section 2404b (MCL 339.2404b), as added by 2007 PA 157.

(Filed with the Secretary of State November 13, 2013, at 11:46 a.m.)

Introduction of Bills

Rep. Forlini introduced

House Bill No. 5145, entitled

A bill to amend 1936 (Ex Sess) PA 1, entitled "Michigan employment security act," by amending section 13m (MCL 421.13m), as amended by 2012 PA 219.

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

Reps. Segal, Leonard, Glardon, Goike, Cochran and Hovey-Wright introduced

House Bill No. 5146, entitled

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," by amending sections 4404, 4420, 4424, 4426, 4434, 4438, 4442, and 4446 (MCL 500.4404, 500.4420, 500.4424, 500.4426, 500.4434, 500.4438, 500.4442, and 500.4446), section 4404 as amended by 2006 PA 511 and section 4424 as amended by 2008 PA 497.

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

Reps. Goike, Leonard, Glardon, Hovey-Wright, Segal and Cochran introduced

House Bill No. 5147, entitled

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," by amending section 2236 (MCL 500.2236), as amended by 2002 PA 664; and to repeal acts and parts of acts.

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

Reps. Hovey-Wright, Leonard, Glardon, Goike, Segal and Cochran introduced

House Bill No. 5148, entitled

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," by amending sections 912 and 924 (MCL 500.912 and 500.924), as amended by 2002 PA 462.

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

Reps. Cochran, Leonard, Glardon, Goike, Segal and Hovey-Wright introduced

House Bill No. 5149, entitled

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," by amending section 603 (MCL 500.603), as added by 2003 PA 208.

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

Reps. Glardon, Leonard, Goike, Hovey-Wright, Segal and Cochran introduced

House Bill No. 5150, entitled

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," by amending sections 4016 and 4073 (MCL 500.4016 and 500.4073), section 4073 as added by 1980 PA 58.

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

Reps. Leonard, Goike, Glardon, Hovey-Wright, Segal and Cochran introduced

House Bill No. 5151, entitled

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," by amending section 2006 (MCL 500.2006), as amended by 2004 PA 28.

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

Announcements by the Clerk

November 8, 2013

Received from the Auditor General a copy of the following audit report and/or report summary:
Performance audit of Parole and Probation Services, Department of Corrections, November 2013.

November 8, 2013

Received from the Auditor General a copy of the following audit report and/or report summary:
Follow-up report on the Accessible Web-Based Activity and Reporting Environment, Department of Human Services and Department of Technology, Management, and Budget, November 2013.

Gary L. Randall
Clerk of the House

Rep. Cochran moved that the House adjourn.
The motion prevailed, the time being 4:35 p.m.

Associate Speaker Pro Tempore O'Brien declared the House adjourned until Thursday, November 14, at 12:00 Noon.

GARY L. RANDALL
Clerk of the House of Representatives