

No. 7
STATE OF MICHIGAN
JOURNAL
OF THE
House of Representatives
97th Legislature
REGULAR SESSION OF 2014

House Chamber, Lansing, Wednesday, January 22, 2014.

1:30 p.m.

The House was called to order by the Speaker.

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

Abed—present	Glaridon—present	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

Fr. Dwight Ezop, Pastor of St. Johns Evangelist Catholic Church in Fenton, offered the following invocation:

“Lord our God,
 You are the maker of all things, human and divine.
 All times and seasons obey Your laws,
 yet You have created us to be the stewards of Your creation,
 caring for the world and its peoples in all their wonder.
 We come before You this day as Your servants.
 Our time of service to others may seem without end.
 We pray You help us to accept all that is involved in this office
 for which Your servants have been chosen.
 Allow us to offer You devoted service
 as we seek to meet the needs of the brothers and sisters we have in You.
 Keep our hearts open
 to the mystery of Your presence in our lives
 in the midst of the service we offer on behalf of others.
 Unlock to us, we pray,
 the secret of how, in such service,
 we may always give honor, praise and glory to You.
 As Your servants, we bow before You
 and the mystery of Your holy will.
 We pray You bless our efforts, this day and each day.
 We make this prayer through the mystery of Your godhead,
 Father, Son and Holy Spirit.
 Amen.”

Motions and Resolutions

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

House Resolution No. 286.

A resolution of tribute offered as a memorial for William “Bill” Jowett, former member of the House of Representatives.

Whereas, This legislative body was saddened to learn of the passing of William “Bill” Jowett. A tireless advocate for the people he represented, his compassion and good nature inside and outside the halls of this chamber will be missed; and

Whereas, Upon graduation from Port Huron High School, Bill Jowett attended Port Huron Junior College and proudly served our country with the U.S. Army. In 1957, he graduated from the Cincinnati College of Mortuary Science and founded Jowett Funeral Home in Port Huron. From 1958 to 1962, he also served as St. Clair County coroner. He was first elected to the Michigan House of Representatives in 1966; and

Whereas, For fourteen years, Bill Jowett represented the people of Port Huron and St. Clair County in this legislative body, serving on the Appropriations Committee during some of our state’s hardest times. He worked hard to negotiate compromises between the administration and legislative leaders during these years and to secure essential funding for the community college and other public projects in his district; and

Whereas, Bill Jowett would remain a fixture in Lansing for an additional 26 years after leaving the House of Representatives as a multi-client governmental consultant. He represented a variety of organizations and helped legislators understand the complex issues affecting those clients. An avid golfer, he retired in 2006 to spend more time with his family, travel, and enjoy the sport he loved; now, therefore, be it

Resolved by the House of Representatives, That we offer this expression of our highest tribute to honor the memory of William “Bill” Jowett, a member of this legislative body from 1967 to 1980; and be it further

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

The question being on the adoption of the resolution,

The resolution was adopted by unanimous standing vote.

Reps. Slavens, Hovey-Wright, Knezek, Lane, Segal, Brown, Schor, Faris, McCann, Darany, Clemente, Abed, Driskell, Brinks, Dillon, Switalski, Lamonte, Yanez, Townsend, Talabi, Cavanagh, Brunner, Phelps, Roberts, Tlaib, Haugh, Nathan, Barnett, Geiss, Banks, Lipton, Robinson, Kosowski, Cochran, Kivela, Greimel, Crawford, Heise, Hooker, Howrylak, Kelly, Poleski and Singh offered the following resolution:

House Resolution No. 287.

A resolution to declare January 2014 as School Board Recognition Month in the state of Michigan.

Whereas, Article VIII, Section 2 of Michigan’s Constitution of 1963 establishes that maintaining and supporting public education for Michigan’s youth is a basic duty of state government; and

Whereas, Michigan's institutions of public education are the foundations on which we prosper economically, socially and intellectually; and

Whereas, The elected school board members are public servants who lead their school districts and communities and maintain excellence in education and instruction throughout the state; and

Whereas, School board members must be visionaries who are dedicated to our students and our state's future. They must be designers of structures that create achievement and stewards of the public's trust that utilize shared resources in such a way as to maximize each investment; and

Whereas, School board members are some of the strongest advocates for quality education and have established themselves as integral in the creation of public policy targeted at getting positive results; now, therefore, be it

Resolved by the House of Representatives, That the members of this legislative body declare January 2014 as School Board Recognition Month in the state of Michigan. We call this observance to the attention of all our citizens.

The question being on the adoption of the resolution,

The resolution was adopted.

Reps. Leonard, Kurtz, Foster, MacGregor, Lauwers, Lyons, Daley, Graves, Lund, Hooker, Outman, Potvin, Jenkins, Santana, Denby, Haveman, Kesto, Franz, Kowall, Nesbitt, O'Brien, Farrington, Victory, Jacobsen, Johnson, Rendon, Somerville, Shirkey, Heise, Zorn, Howrylak, Bumstead, LaFontaine, Pettalia, Haines, Pscholka, Cotter, McMillin, Rogers and Price offered the following resolution:

House Resolution No. 288.

A resolution to commemorate the 60th anniversary of the addition of the words "under God" to the Pledge of Allegiance.

Whereas, The United States of America will be celebrating the 60th anniversary of adding the words "under God" into the Pledge of Allegiance; and

Whereas, The joint resolution was introduced by Michigan natives Congressman Charles Oakman (R-17th) and U.S. Senator Homer Ferguson (R) before being signed by President Dwight D. Eisenhower on June 14, 1954 (Flag Day); and

Whereas, Reverend George M. Docherty, pastor of New York Avenue Presbyterian Church, delivered the historic sermon on February 7, 1954, before President Eisenhower in Washington, D.C., suggesting the words "under God" be added to the pledge. Congressman Oakman introduced his legislation the following day; and

Whereas, These words were first recited within the Pledge of Allegiance by the Knights of Columbus in 1951 at the opening of each of their meetings; and

Whereas, Michigan Congressman Louis Charles Rabaut (D-14th) submitted a resolution on April 20, 1953, to amend the Pledge of Allegiance with the words "under God." He was the first of many to introduce such similar legislation before it became law in 1954; and

Whereas, President Abraham Lincoln first said the phrase "nation, under God," in the Gettysburg Address on November 19, 1863, at the dedication of the Soldiers' National Cemetery:

; and

"It is rather for us to be here dedicated to the great task remaining before us—that from these honored dead we take increased devotion to that cause for which they gave the last full measure of devotion—that we here highly resolve that these dead shall not have died in vain—that this nation, under God, shall have a new birth of freedom—and that government of the people, by the people, for the people, shall not perish from the earth."

; and

Whereas, When the future of the United States was threatened by communism, we reminded our citizens and the world that our country would prosper because of our nation's fundamental belief in God. President Eisenhower addressed this foundation during his statement at the signing of the amended Pledge of Allegiance:

"From this day forward, the millions of our school children will daily proclaim in every city and town, every village and rural school house, the dedication of our nation and our people to the Almighty. To anyone who truly loves America, nothing could be more inspiring than to contemplate this rededication of our youth, on each school morning, to our country's true meaning .. .In this somber setting, this law and its effects today have profound meaning. In this way we are reaffirming the transcendence of religious faith in America's heritage and future; in this way we shall constantly strengthen."

; now, therefore, be it

Resolved by the House of Representatives, That the members of this legislative body commemorate the 60th anniversary of the addition of the words "under God" to the Pledge of Allegiance. We honor the Michigan members of Congress who put forth the legislation that instilled the importance of these words in our great nation; and be it further

Resolved, That copies of this resolution be transmitted to the members of the Michigan congressional delegation.
The question being on the adoption of the resolution,

Rep. Stamas moved that consideration of the resolution be postponed for the day.
The motion prevailed.

Reps. Dillon, Brown, Driskell, Singh and Slavens offered the following resolution:

House Resolution No. 289.

A resolution to declare January 20-24, 2014, as No Name-Calling Week in the state of Michigan.

Whereas, No Name-Calling Week is an annual week of educational activities aimed at ending name-calling of all kinds and providing schools with the tools and inspiration to launch an on-going dialogue about ways to eliminate name-calling and bullying in their communities; and

Whereas, Sixty organizations, including the National School Boards Association, National Association of Elementary School Principals, National Association of Secondary School Principals, National Education Association, National Association of School Psychologists, Gay, Lesbian and Straight Education Network, and Big Brothers Big Sisters of America, have come together as No Name-Calling Week partner organizations; and

Whereas, Thousands of students have participated in No Name-Calling Week since its inception in 2004; and

Whereas, The Gay, Lesbian and Straight Education Network has conducted and released national studies analyzing the pervasive harassment and victimization faced by elementary students and lesbian, gay, bisexual, and transgender (LGBT) secondary students; and

Whereas, Twenty-six percent of elementary students reported hearing others say hurtful things based on another student's race or ethnic background; and

Whereas, Thirty percent of elementary students reported being bullied or called names at some point while in school; and

Whereas, Over 70 percent of LGBT middle and high school students frequently hear homophobic remarks and over 80 percent of LGBT middle and high school students were verbally harassed in the past year because of their sexual orientation; and

Whereas, Fifty-five percent of LGBT middle and high school students experienced harassment via electronic means in the past year; now, therefore, be it

Resolved by the House of Representatives, That the members of this legislative body declare January 20-24, 2014, as No Name-Calling Week in the state of Michigan. We encourage the citizens of Michigan to observe this occasion with appropriate ceremonies, programs, and activities.

The question being on the adoption of the resolution,

The resolution was adopted.

The Speaker called the Speaker Pro Tempore to the Chair.

Third Reading of Bills

House Bill No. 5158, entitled

A bill to create the human trafficking commission act; to prescribe the membership of the human trafficking commission; and to prescribe the duties and responsibilities of the human trafficking commission.

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

Roll Call No. 5

Yeas—109

Abed	Goike	LaVoy	Roberts
Banks	Graves	Leonard	Robinson
Barnett	Greimel	Lipton	Rogers
Bolger	Haines	Lori	Rutledge
Brinks	Haugh	Lund	Santana
Brown	Haveman	Lyons	Schmidt

Brunner	Heise	MacGregor	Schor
Bumstead	Hobbs	MacMaster	Segal
Callton	Hooker	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
Gardon			

Nays—1

Genetski

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. Abed, Barnett, Brinks, Brunner, Clemente, Cochran, Cotter, Crawford, Daley, Darany, Denby, Dianda, Driskell, Durhal, Faris, Farrington, Forlini, Geiss, Goike, Greimel, Haines, Hobbs, Howrylak, Irwin, Jenkins, Kesto, Knezek, Kurtz, Lauwers, LaVoy, Lipton, Lori, Lund, Lyons, MacGregor, MacMaster, McCann, McCready, Muxlow, Oakes, Outman, Pagel, Phelps, Poleski, Potvin, Pscholka, Rendon, Robinson, Santana, Schmidt, Schor, Segal, Shirkey, Singh, Smiley, Somerville, Stallworth, Stanley, Talabi, Townsend, VerHeulen, Victory, Walsh, Yonker and Zemke were named co-sponsors of the bill.

House Bill No. 4209, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending sections 448 and 451 (MCL 750.448 and 750.451), section 448 as amended by 2002 PA 45 and section 451 as amended by 2002 PA 44.

The bill was read a third time.

The question being on the passage of the bill,

Rep. Zorn moved to amend the bill as follows:

1. Amend page 2, line 14, after "section" by inserting "448,".
2. Amend page 2, line 18, after "section" by inserting "448,".
3. Amend page 2, line 22, after "section" by inserting "448,".
4. Amend page 3, line 17, after "section" by inserting "448,".
5. Amend page 3, line 20, after "section" by inserting "448,".

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

The question being on the passage of the bill,

The bill was then passed, a majority of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 6**Yeas—109**

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	Irwin	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	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
Genetski			

Nays—1

Robinson

In The Chair: Walsh

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 1931 PA 328, entitled "The Michigan penal code," by amending sections 449a, 450, and 451 (MCL 750.449a, 750.450, and 750.451), section 450 as amended by 2002 PA 46 and section 451 as amended by 2002 PA 44.

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. 4210, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 16w of chapter XVII (MCL 777.16w), as amended by 2010 PA 361.

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

Roll Call No. 7**Yeas—109**

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	Irwin	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	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
Genetski			

Nays—1

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.

By unanimous consent the House returned to the order of

Motions and Resolutions

Rep. Abed moved that the Committee on Tax Policy be discharged from further consideration of **House Bill No. 4564**.

(For first notice see House Journal No. 6, p. 41.)

The question being on the motion made by Rep. Abed,

Rep. Stamas moved that consideration of the motion be postponed for the day.

The motion prevailed.

Rep. Rutledge moved to reconsider the vote by which the House postponed the motion for the day.

The question being on the motion made by Rep. Rutledge,

Rep. Rutledge demanded the yeas and nays.

The demand was not supported.

The question being on the motion made by Rep. Rutledge,

The motion did not prevail, a majority of the members present not voting therefor.

Rep. Lamonte moved that the Committee on Tax Policy be discharged from further consideration of **House Bill No. 4565**.

(For first notice see House Journal No. 6, p. 41.)

The question being on the motion made by Rep. Lamonte,

Rep. Stamas moved that consideration of the motion be postponed for the day.

The motion prevailed.

Rep. Rutledge moved to reconsider the vote by which the House postponed the motion for the day.

The motion did not prevail, a majority of the members present not voting therefor.

Rep. Brinks moved that the Committee on Tax Policy be discharged from further consideration of **House Bill No. 4562**.

(For first notice see House Journal No. 6, p. 41.)

The question being on the motion made by Rep. Brinks,

Rep. Stamas moved that consideration of the motion be postponed for the day.

The motion prevailed.

Second Reading of Bills

House Bill No. 4003, entitled

A bill to amend 1941 PA 122, entitled "An act to establish the revenue collection duties of the department of treasury; to prescribe its powers and duties as the revenue collection agency of this state; to prescribe certain powers and duties of the state treasurer; to establish the collection duties of certain other state departments for money or accounts owed to this state; to regulate the importation, stamping, and disposition of certain tobacco products; to provide for the transfer of powers and duties now vested in certain other state boards, commissions, departments, and offices; to prescribe certain duties of and require certain reports from the department of treasury; to provide procedures for the payment, administration, audit, assessment, levy of interests or penalties on, and appeals of taxes and tax liability; to prescribe its powers and duties if an agreement to act as agent for a city to administer, collect, and enforce the city income tax act on behalf of a city is entered into with any city; to provide an appropriation; to abolish the state board of tax administration; to prescribe penalties and provide remedies; and to declare the effect of this act," by amending section 28 (MCL 205.28), as amended by 2010 PA 313, and by adding section 23a.

The bill was read a second time.

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

The motion prevailed.

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 second time.

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

The motion prevailed.

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 second time.

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

The motion prevailed.

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 second time.

Rep. Hovey-Wright moved that the bill be placed on the order of Third Reading of Bills.

The motion prevailed.

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 second time.

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

The motion prevailed.

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 second time.

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

The motion prevailed.

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

The motion prevailed.

By unanimous consent the House returned to the order of

Announcement by the Clerk of Printing and Enrollment

The Clerk announced that the following bills had been printed and placed upon the files of the members on Wednesday, January 22:

House Bill Nos.	5225	5226	5227		
Senate Bill Nos.	738	739	740	741	742

Reports of Standing Committees

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

Senate Bill No. 146, entitled

A bill to amend 1992 PA 147, entitled "Neighborhood enterprise zone act," by amending section 4 (MCL 207.774), as amended by 2010 PA 136.

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, Cotter, Foster, Lyons, Price, Kelly, Barnett, Switalski, Haugh, LaVoy and Townsend

Nays: Rep. Somerville

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

Senate Bill No. 533, entitled

A bill to amend 1996 PA 381, entitled "Brownfield redevelopment financing act," by amending section 15a (MCL 125.2665a), as added by 2008 PA 154.

With the recommendation that the substitute (H-1) be adopted and that the bill then pass.

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

Favorable Roll Call

To Report Out:

Yeas: Reps. Farrington, O'Brien, Genetski, Cotter, Foster, Lyons, Nesbitt, Price, Somerville, 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, January 22, 2014

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

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

House Bill No. 4487, entitled

A bill to amend 1975 PA 197, entitled "An act to provide for the establishment of a downtown development authority; to prescribe its powers and duties; to correct and prevent deterioration in business districts; to encourage historic preservation; to authorize the acquisition and disposal of interests in real and personal property; to authorize the creation and implementation of development plans in the districts; to promote the economic growth of the districts; to create a board; to prescribe its powers and duties; to authorize the levy and collection of taxes; to authorize the issuance of bonds and other evidences of indebtedness; to authorize the use of tax increment financing; to reimburse downtown development authorities for certain losses of tax increment revenues; and to prescribe the powers and duties of certain state officials," by amending section 7 (MCL 125.1657), as amended by 2008 PA 226.

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. Foster, Zorn, Haines, Schmidt, Glardon, Outman, Kelly, Switalski, Barnett, Townsend, Santana, Oakes, Driskell and Yanez

Nays: Reps. Farrington, Johnson, Nesbitt, Somerville and Leonard

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

House Bill No. 5131, entitled

A bill to amend 1996 PA 381, entitled "Brownfield redevelopment financing act," by amending section 5 (MCL 125.2655), as amended by 2000 PA 145.

With the recommendation that the substitute (H-1) be adopted and that the bill then pass.

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

Favorable Roll Call

To Report Out:

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

Nays: None

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

House Bill No. 5132, entitled

A bill to amend 1974 PA 338, entitled "Economic development corporations act," by amending section 4 (MCL 125.1604), as amended by 1987 PA 67.

With the recommendation that the substitute (H-1) be adopted and that the bill then pass.

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

Favorable Roll Call

To Report Out:

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

Nays: None

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Wednesday, January 22, 2014

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

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

House Bill No. 4755, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending sections 49, 50, and 50b (MCL 750.49, 750.50, and 750.50b), section 49 as amended by 2006 PA 129, section 50 as amended by 2007 PA 152, and section 50b as amended by 2008 PA 339.

With the recommendation that the bill be referred to the Committee on Judiciary.

Favorable Roll Call

To Report Out:

Yeas: Reps. Heise, Graves, Kurtz, McBroom, Kesto, Robinson, Kivela and Banks

Nays: None

The recommendation was concurred in and the bill was referred to the Committee on Judiciary.

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

House Bill No. 5025, entitled

A bill to amend 1965 PA 213, entitled "An act to provide for setting aside the conviction in certain criminal cases; to provide for the effect of such action; to provide for the retention of certain nonpublic records and their use; to prescribe the powers and duties of certain public agencies and officers; and to prescribe penalties," by amending sections 1, 2, and 4 (MCL 780.621, 780.622, and 780.624), section 1 as amended by 2011 PA 64, section 2 as amended by 1994 PA 294, and section 4 as added by 1982 PA 495.

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, Kesto, Oakes, Robinson, Kivela and Banks

Nays: None

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

House Bill No. 5061, entitled

A bill to amend 1969 PA 287, entitled "An act to regulate pet shops, animal control shelters, and animal protection shelters; to establish uniform procedures and minimum requirements for adoption of dogs, cats, and ferrets; and to prescribe penalties and civil fines and to provide remedies," by amending section 1 (MCL 287.331), as amended by 1997 PA 7, and by adding section 8c.

With the recommendation that the bill be referred to the Committee on Judiciary.

Favorable Roll Call

To Report Out:

Yeas: Reps. Heise, Graves, Kurtz, McBroom, Kesto, Robinson, Kivela and Banks

Nays: None

The recommendation was concurred in and the bill was referred to the Committee on Judiciary.

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

House Bill No. 5062, entitled

A bill to amend 1935 PA 120, entitled "An act to prescribe a method for the fingerprinting of residents of the state, and to provide for the recording and filing thereof by the central records division of the department of state police," by amending section 3 (MCL 28.273), as amended by 2012 PA 318.

With the recommendation that the bill be referred to the Committee on Judiciary.

Favorable Roll Call

To Report Out:

Yeas: Reps. Heise, Graves, Kurtz, McBroom, Kesto, Robinson, Kivela and Banks

Nays: None

The recommendation was concurred in and the bill was referred to the Committee on Judiciary.

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

House Bill No. 5063, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," (MCL 760.1 to 777.69) by adding section 1 to chapter XVI.

With the recommendation that the bill be referred to the Committee on Judiciary.

Favorable Roll Call

To Report Out:

Yeas: Reps. Heise, Graves, Kurtz, McBroom, Kesto, Robinson, Kivela and Banks

Nays: None

The recommendation was concurred in and the bill was referred to the Committee on Judiciary.

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

House Bill No. 5157, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 37 of chapter XVII (MCL 777.37), as amended by 2002 PA 137.

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, Kesto, Oakes, Robinson, Kivela and Banks

Nays: None

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Heise, Chair, of the Committee on Criminal Justice, was received and read:

Meeting held on: Wednesday, January 22, 2014

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

Absent: Rep. O'Brien

Excused: Rep. O'Brien

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, January 21, 2014

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

Absent: Rep. Foster

Excused: Rep. Foster

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Lyons, Chair, of the Committee on Education, was received and read:
Meeting held on: Wednesday, January 22, 2014

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

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Callton, Chair, of the Committee on Financial Services, was received and read:
Meeting held on: Wednesday, January 22, 2014

Present: Reps. Callton, Somerville, Lyons, Pettalia, Kelly, Johnson, Nathan and Lamonte

Absent: Reps. Farrington, Stanley, Lane and Oakes

Excused: Reps. Farrington, Stanley, Lane and Oakes

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Wednesday, January 22, 2014

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

Messages from the Governor

January 21, 2014

Mr. Gary Randall
Clerk of the House
House of Representatives
Capitol Building
Lansing, Michigan 48909

Dear Mr. Randall:

In accordance with Section 14 of Article V of the Michigan Constitution of 1963, I write to advise the Michigan House of Representatives that no commutations or pardons were granted during 2013.

Sincerely,
Rick D. Snyder
Governor

Introduction of Bills

Rep. Kurtz introduced

House Bill No. 5228, entitled

A bill to amend 1974 PA 258, entitled "Mental health code," by amending sections 261 and 285 (MCL 330.1261 and 330.1285), as added by 2012 PA 500, and by adding section 261a.

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

Rep. Lamonte introduced

House Bill No. 5229, entitled

A bill to amend 1976 PA 451, entitled “The revised school code,” by amending sections 1311 and 1311a (MCL 380.1311 and 380.1311a), section 1311 as amended by 2008 PA 1 and section 1311a as amended by 2007 PA 138.

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

Reps. Cavanagh, Heise, Lamonte, Hovey-Wright, LaVoy, Lauwers, Price, Rogers, Slavens, Darany, Singh, Brinks, Haveman, Kowall, Zorn, O’Brien, Barnett, Driskell, Roberts, Haugh, Brown, Banks, McCready, Lyons, Lane, Tlaib, Irwin and Kivela introduced

House Bill No. 5230, entitled

A bill to amend 1961 PA 236, entitled “Revised judicature act of 1961,” by amending sections 3801, 3805, 3810, 3815, 3820, 3825, and 3835 (MCL 600.3801, 600.3805, 600.3810, 600.3815, 600.3820, 600.3825, and 600.3835), section 3801 as amended by 2012 PA 352.

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

Reps. Graves, Heise, Haines, Lamonte, Hovey-Wright, Lauwers, LaVoy, Price, Rogers, Slavens, Singh, Darany, Brinks, Haveman, Kowall, Zorn, Cavanagh, O’Brien, Barnett, Driskell, Haugh, Brown, Roberts, Banks, Lyons, Lane, Tlaib, McCready, Irwin and Kivela introduced

House Bill No. 5231, entitled

A bill to amend 1931 PA 328, entitled “The Michigan penal code,” by amending sections 449a, 451, 452, 455, 456, 457, 458, 459, and 460 (MCL 750.449a, 750.451, 750.452, 750.455, 750.456, 750.457, 750.458, 750.459, and 750.460), section 451 as amended by 2002 PA 44.

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

Reps. Jenkins, Heise, Haines, Lamonte, Hovey-Wright, Lauwers, LaVoy, Price, Rogers, Slavens, Singh, Darany, Brinks, Haveman, Kowall, Zorn, Cavanagh, O’Brien, Barnett, Driskell, Haugh, Brown, Roberts, Banks, McCready, Lyons, Tlaib, Irwin, Kivela and Lane introduced

House Bill No. 5232, entitled

A bill to amend 1927 PA 175, entitled “The code of criminal procedure,” by amending section 16w of chapter XVII (MCL 777.16w), as amended by 2010 PA 361.

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

Reps. Kesto, Heise, Haines, Lamonte, Hovey-Wright, LaVoy, Lauwers, Price, Rogers, Slavens, Singh, Darany, Brinks, Haveman, Kowall, Zorn, O’Brien, Driskell, Haugh, Roberts, Brown, Tlaib, Banks, McCready, Lyons, Kivela and Lane introduced

House Bill No. 5233, entitled

A bill to amend 1961 PA 236, entitled “Revised judicature act of 1961,” by amending sections 4701, 4702, 4703, 4704, 4705, 4706, 4707, and 4708 (MCL 600.4701, 600.4702, 600.4703, 600.4704, 600.4705, 600.4706, 600.4707, and 600.4708), section 4701 as amended by 2010 PA 363, section 4702 as amended by 2012 PA 350, sections 4703, 4704, 4705, and 4708 as amended by 2006 PA 128, and sections 4706 and 4707 as added by 1988 PA 104.

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

Reps. Jenkins, Heise, Haines, Lamonte, Hovey-Wright, LaVoy, Lauwers, Price, Rogers, Slavens, Darany, Singh, Brinks, Haveman, Kowall, Zorn, Cavanagh, O’Brien, Barnett, Driskell, Haugh, Roberts, Brown, Banks, Lyons, Kivela, Tlaib, McCready, Irwin and Lane introduced

House Bill No. 5234, entitled

A bill to amend 1931 PA 328, entitled “The Michigan penal code,” by amending sections 156, 462a, 462b, 462c, 462d, 462e, 462f, 462g, and 462h (MCL 750.156, 750.462a, 750.462b, 750.462c, 750.462d, 750.462e, 750.462f, 750.462g, and 750.462h), sections 462a, 462b, 462c, 462d, 462e, 462f, 462g, and 462h as added by 2006 PA 162; and to repeal acts and parts of acts.

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

Reps. Hovey-Wright, Heise, Haines, Lamonte, LaVoy, Lauwers, Price, Rogers, Slavens, Darany, Singh, Brinks, Haveman, Kowall, Zorn, Cavanagh, O'Brien, Barnett, Driskell, Haugh, Roberts, Brown, Banks, McCready, Lyons, Lane, Tlaib, Irwin and Kivela introduced

House Bill No. 5235, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 16w of chapter XVII (MCL 777.16w), as amended by 2010 PA 361.

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

Reps. McBroom, Heise, Haines, Lamonte, Hovey-Wright, LaVoy, Lauwers, Price, Rogers, Singh, Darany, Slavens, Brinks, Haveman, Kowall, Zorn, Cavanagh, O'Brien, Barnett, Driskell, Haugh, Roberts, Brown, Banks, McCready, Tlaib, Irwin, Lyons, Kivela and Lane introduced

House Bill No. 5236, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending section 4701 (MCL 600.4701), as amended by 2010 PA 363.

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

Reps. Cavanagh, Heise, Lamonte, Hovey-Wright, LaVoy, Lauwers, Price, Rogers, Darany, Singh, Slavens, Brinks, Haveman, Kowall, Zorn, O'Brien, Faris, Barnett, Driskell, Haugh, Roberts, Brown, Banks, McCready, Lyons, Lane, Tlaib, Irwin and Kivela introduced

House Bill No. 5237, entitled

A bill to amend 1985 PA 87, entitled "William Van Regenmorter crime victim's rights act," by amending section 16b (MCL 780.766b), as added by 2010 PA 364.

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

Reps. Kowall, Heise, Haines, Lamonte, Hovey-Wright, Lauwers, LaVoy, Price, Rogers, Slavens, Darany, Singh, Brinks, Haveman, Zorn, Cavanagh, O'Brien, Barnett, Driskell, Haugh, Brown, Roberts, Tlaib, Howrylak, Banks, McCready, Irwin, Lyons, Kivela and Lane introduced

House Bill No. 5238, entitled

A bill to amend 1965 PA 213, entitled "An act to provide for setting aside the conviction in certain criminal cases; to provide for the effect of such action; to provide for the retention of certain nonpublic records and their use; to prescribe the powers and duties of certain public agencies and officers; and to prescribe penalties," by amending sections 1, 2, and 4 (MCL 780.621, 780.622, and 780.624), section 1 as amended by 2011 PA 64, section 2 as amended by 1994 PA 294, and section 4 as added by 1982 PA 495.

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

Reps. Kurtz, Heise, Haines, Lamonte, Hovey-Wright, Lauwers, LaVoy, Price, Rogers, Slavens, Singh, Darany, Brinks, Haveman, Kowall, Zorn, Cavanagh, O'Brien, Barnett, Driskell, Haugh, Brown, Roberts, Banks, McCready, Lyons, Tlaib, Irwin, Kivela and Lane introduced

House Bill No. 5239, entitled

A bill to amend 1975 PA 238, entitled "Child protection law," by amending section 3 (MCL 722.623), as amended by 2008 PA 510.

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

Reps. Banks, Heise, Haines, Lamonte, Hovey-Wright, LaVoy, Price, Rogers, Slavens, Darany, Singh, Brinks, Haveman, Kowall, Zorn, Cavanagh, O'Brien, Barnett, Driskell, Haugh, Roberts, Brown, Howrylak, McCready, Lyons, Tlaib, Irwin, Kivela and Lane introduced

House Bill No. 5240, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 24 of chapter VII (MCL 767.24), as amended by 2012 PA 363.

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

Reps. Kivela, Hovey-Wright, Brown, Brinks, Darany, Haugh, Banks, Roberts, Slavens, Tlaib, Cavanagh, Lamonte, Dillon, LaVoy, Heise, Lauwers, Daley, Haveman, Lyons, Haines, Rogers, McCreedy, Jenkins, Price, Kowall, O'Brien, Singh, Greimel and Knezek introduced

House Bill No. 5241, entitled

A bill to amend 1994 PA 295, entitled "Sex offenders registration act," by amending section 2 (MCL 28.722), as amended by 2011 PA 17.

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

Reps. O'Brien, Heise, Haines, Lamonte, Hovey-Wright, LaVoy, Lauwers, Price, Rogers, Slavens, Darany, Singh, Brinks, Haveman, Kowall, Zorn, Cavanagh, Driskell, Haugh, Roberts, Brown, Banks, Lyons, Kivela, Tlaib, McCreedy and Lane introduced

House Bill No. 5242, entitled

A bill to amend 1994 PA 295, entitled "Sex offenders registration act," by amending section 2 (MCL 28.722), as amended by 2011 PA 17.

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

Reps. Knezek, Hovey-Wright, Zemke, Slavens, Segal, Driskell, Brinks, Lamonte, Abed, Tlaib, Roberts, Barnett, Faris, Lipton, Lane, Lyons, Haines, Kowall, Schmidt, Brown, Darany, Kivela and Dianda introduced

House Bill No. 5243, entitled

A bill to amend 1976 PA 453, entitled "Elliott-Larsen civil rights act," by amending section 205 (MCL 37.2205).

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

Reps. Somerville and Muxlow introduced

House Bill No. 5244, entitled

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," by amending section 30 (MCL 206.30), as amended by 2012 PA 597.

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

Rep. Yonker moved that the House adjourn.
The motion prevailed, the time being 3:25 p.m.

The Speaker Pro Tempore declared the House adjourned until Thursday, January 23, at 12:00 Noon.

GARY L. RANDALL
Clerk of the House of Representatives