

No. 10
STATE OF MICHIGAN
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OF THE
House of Representatives
97th Legislature
REGULAR SESSION OF 2014

House Chamber, Lansing, Wednesday, January 29, 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

Pastor Jim Liske, Pastor of Ridge Point Community Church in Holland, offered the following invocation:

“Father, I want to thank You first of all, for safe travel and in that Lord, pray for safe travel throughout our state in this cold weather and icy roads. I pray Father, for our first responders and I pray as they go to care for people and for those who are pulling them out of ditches. Would You please guard them and protect them?”

Then Father, I pray over this chamber, wisdom. I thank You for each individual that You have called to this appointment to lead Your people in the state of Michigan — to guard and protect our liberty and our freedom; to provide policy and laws in such a manner that would increase every individuals ability to live helpful and good lives of productivity within their communities; the ability to have healthy families; to have jobs that would support what they do and Father, to live in safe communities safe from fear. Would You bless this chamber with wisdom? Would You give the Speaker the ability to lead with integrity? Would You cause all of the negotiations that take place Lord, to be done in such a manner that would respect the individual, while debating fully the issue that You would bring out of this House — the right, appropriate and best legislation that would advance each individual within our state? I ask You to bless them; to care for them; to be with their families; to build a hedge of protection around them; to give them the support they need and to engage them in the debate that is necessary that Your will be done.

We pray this in Your Son’s name, Amen.”

Motions and Resolutions

Reps. Brown, Faris, Clemente, Segal, LaVoy, Durhal, Geiss, Howrylak, Kelly, Kowall, LaVoy, Roberts, Singh and Slavens offered the following resolution:

House Resolution No. 294.

A resolution to declare February 2, 2014, as Blue Star Mothers Day in the state of Michigan.

Whereas, We acknowledge the women who established the Blue Star Mothers organization in 1942 in Flint, Michigan, which follows the path that Grace Siebold, founder of Gold Star Mothers, began during World War I; and

Whereas, The Blue Star Mothers started with the practice of hanging a flag in a home’s front window bearing a blue star for every loved one serving in the Great War, which, as the conflict progressed and soldiers were killed in combat or later died of wounds or disease, their blue stars were replaced with gold ones; and

Whereas, We recognize and honor the women of Blue Star Mothers who pledged to do everything they could to make life easier for military men and women at home and abroad; and

Whereas, Blue Star Mothers devote their time and talents to working in veterans hospitals as well as extending a hand of kindness and moral support to their peers; and

Whereas, It is appropriate that we recognize all mothers who now have, or have had, children honorably serving in the United States Armed Forces standing in harm’s way in the frontlines in defense of freedom, affording us all the opportunity to hold dear and fully enjoy our inalienable rights of life, liberty and the pursuit of happiness; now, therefore be it

Resolved by the House of Representatives, That the members of this legislative body declare February 2, 2014, as the Blue Star Mothers Day in the state of Michigan.

The question being on the adoption of the resolution,

The resolution was adopted.

Reps. Schor, Santana, Singh, Yanez, Switalski, Durhal, Rendon, Brown, Geiss, Hovey-Wright, LaVoy, Roberts and Slavens offered the following resolution:

House Resolution No. 295.

A resolution to declare February 2-8, 2014, as Chicano History Week in the state of Michigan.

Whereas, The Treaty of Guadalupe Hidalgo, February 2, 1848, is commonly regarded as the birth date of Chicanos; and

Whereas, Mindful that history reveals a host of contradictions regarding the nationality of people whose lands were ceded to other countries by treaty, it is a privilege and a pleasure to declare February 2-8, 2014, Chicano History Week in Michigan. We extend accolades of tribute, high praise, appreciation, and appropriate recognition to these North Americans and their descendants whose citizenship, under the terms of the Treaty of Guadalupe Hidalgo, literally changed overnight from Mexico to the United States of America. They have contributed to the economy, development, and growth of the state of Michigan and the nation, serving the arts, business, media, industry, agriculture, education, and society in myriad ways; and

Whereas, Despite being granted the rights of citizenship, the early Mexican-Americans found themselves subjected to losing their land, homes, and property. Rights were denied, language and culture suppressed, and opportunities for employment, education, and political representation thwarted. As with many national boundary changes resulting from war treaties, historical documentation was destroyed and constitutional rights were abrogated, leaving them stripped of their

identity, unique culture, and recorded contributions to society. The presumed superiority of their conquerors resulted in promoting a disparaging image of a debased, dishonest, cruel, lazy, vengeful, and degenerate society. This self-fulfilling, ethnocentric perception subsequently justified their definition of a Mexican problem in terms of non-assimilation even in the eyes of some Mexican-Americans; and

Whereas, During the cultural revolution of the 1960's and 70's, valiant Chicana/Chicanas adamantly decried such capricious attempts by the dominant Anglo culture to mold them in the Anglo image. The late Rueben Salazar, internationally known Los Angeles Times reporter, considered to be a leading "voice of reason" of the times was "accidentally" killed by the Los Angeles Police in 1970. At the time he was killed, he was covering what started out as a peaceful demonstration by Chicanos against the injustices of a cruel society; and

Whereas, Historian Rodolfo Alvarez has divided the development of this segment of our population into four categories: the creation generation which is pre-1900; the migrant generation which is allied with Mexico by culture, language, and loyalty; the Mexican-American generation which regarded themselves as American citizens of Mexican descent, and the Chicano generation of today, which is a combination of, but distinctly separate from the previous three; and

Whereas, In a complex and diversified cultural society, we must understand, accept, and appreciate all traditions and life-styles in order to eliminate prejudice and other effects of stereotyping which have plagued our nation for centuries. It is truly appropriate to declare February 2-8, 2014, as Chicano History Week in Michigan and to accord recognition to the cultural and intellectual development of a people with a proud past, inclusive of not only American accomplishments but also those of Spanish origin which predated the first English settlement in the United States by over half a century and the Pre-Columbian Indian cultures of the ancient Aztec, Mayan, and other civilizations; now, therefore, be it

Resolved by the House of Representatives, That the members of this legislative body declare February 2-8, 2014, as Chicano History Week in the state of Michigan. We commemorate the signing of the Treaty of Guadalupe Hidalgo on February 2, 1848, and recognize the contributions of Chicanos across the nation and in the state of Michigan; and be it further

Resolved, That copies of this resolution be transmitted to appropriate officials of high standing in the state and to representatives of the coalition of Chicano and Latino organizations in support of this resolution as enduring testimony of the high esteem in which the ancestors and descendants of Chicanos and Chicanas are held by the Michigan Legislature.

The question being on the adoption of the resolution,

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

Substitute for House Resolution No. 295.

A resolution to declare February 2-8, 2014, as Chicano History Week in the state of Michigan.

Whereas, The Treaty of Guadalupe Hidalgo, February 2, 1848, is commonly regarded as the birth date of Chicanos; and

Whereas, Mindful that history reveals a host of contradictions regarding the nationality of people whose lands were ceded to other countries by treaty, it is a privilege and a pleasure to declare February 2-8, 2014, Chicano History Week in Michigan. We extend accolades of tribute, high praise, appreciation, and appropriate recognition to these North Americans and their descendants whose citizenship, under the terms of the Treaty of Guadalupe Hidalgo, literally changed overnight from Mexico to the United States of America. They have contributed to the economy, development, and growth of the state of Michigan and the nation, serving the arts, business, media, industry, agriculture, education, and society in myriad ways; and

Whereas, Despite being promised the rights of citizenship by treaty, the early Mexican-Americans found themselves subjected to losing their land, homes, and property. Basic rights were denied, language and culture suppressed, and opportunities for employment, education, and political representation thwarted. As with many national boundary changes resulting from war treaties, historical documentation was destroyed and constitutional rights were abrogated, leaving them stripped of their identity, unique culture, and recorded contributions to society. The presumed superiority of their conquerors resulted in promoting a disparaging image of those of Mexican descent; and

Whereas, Historian Rodolfo Alvarez has divided the development of this segment of our population into four categories: the creation generation which is pre-1900; the migrant generation which is allied with Mexico by culture, language, and loyalty; the Mexican-American generation which regarded themselves as American citizens of Mexican descent, and the Chicano generation of today, which is a combination of, but distinctly separate from the previous three. Chicanos recognize that they are the result of a unique confluence of histories, cultures, languages, and traditions—the mezcla, which is La Raza. During the Chicano Movement of the 1960's and 1970's, valiant Chicanos and Chicanas adamantly decried capricious attempts by the dominant Anglo culture to mold them into a monocultural, monolingual image; and

Whereas, In a complex and diversified cultural society, we must understand, accept, and appreciate all traditions and life-styles in order to eliminate prejudice and other effects of stereotyping which have plagued our nation for centuries. It is truly appropriate to declare February 2-8, 2014, as Chicano History Week in Michigan and to accord recognition to the cultural and intellectual development of a people with a proud past, inclusive of not only American accomplishments but also those of Spanish origin which predated the first English settlement in the United States by over half a century; now, therefore, be it

Resolved by the House of Representatives, That the members of this legislative body declare February 2-8, 2014, as Chicano History Week in the state of Michigan. We commemorate the signing of the Treaty of Guadalupe Hidalgo on February 2, 1848, and recognize the contributions of Chicanos across the nation and in the state of Michigan; and be it further

Resolved, That copies of this resolution be transmitted to appropriate officials of high standing in the state and to representatives of the coalition of Chicano and Latino organizations in support of this resolution as enduring testimony of the high esteem in which the ancestors and descendants of Chicanos and Chicanas are held by the Michigan Legislature.

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

The question being on the adoption of the resolution,

The resolution was adopted.

Reps. Potvin, Brown, Durhal, Hooker, Hovey-Wright, Howrylak, Kelly, Kowall, LaVoy and Slavens offered the following resolution:

House Resolution No. 296.

A resolution to declare February 2-8, 2014, as Boy Scouts Week in the state of Michigan.

Whereas, The scouting program was founded in 1907 by Robert Baden-Powell in Brownsea Island in Poole Harbour, England, to encourage young men to develop personal goals and actively pursue their personal interests. After American journalist and publisher William Boyce learned of the scouting program on his visit to London, he was inspired to start one in America; and

Whereas, The Boy Scouts of America were incorporated on February 8, 1910, in New York City, received their federal charter as granted by the United States Congress in 1916, and celebrated their 100th anniversary in 2010. Since the Boy Scouts of America awarded the first Eagle Scout in 1912 to Arthur Eldred, over two million scouts have been awarded the Eagle Scout rank. Every year, local packs, troops, and crews celebrate this rich history with Boy Scouts Week; and

Whereas, Today, The scouting program represents the largest voluntary youth movement in the world, with approximately 195 countries having scout programs. The Boy Scouts of America has more than 2.6 million registered scouts, over 1 million leaders, and over 100,000 registered units. Their goal is to train youth in responsible citizenship, character development, and self-reliance through participation in outdoor activities, educational programs, career-oriented programs, and community-service activities. Those scouts and leaders performed over 13.5 million hours of service to their councils and communities, with nearly 1.1 million youth attending a council camp or national high-adventure camp last year; and

Whereas, In 2013, over 40,000 Scouts, leaders, and staff came together for the National Scout Jamboree at the Summit Bechtel Family National Scout Reserve, which will serve as the permanent location for future Jamborees. Over the course of 10 summer days, Scouts participated in whitewater rafting and kayaking, rock climbing and bouldering, mountain biking skateboarding, BMX, shooting sports, scuba diving, merit badge instruction, and zip-line challenge courses as just a few of the activities offered at the 10,600 acre Summit, adjacent to West Virginia's New River Gorge National River area. The Summit is the new home of achievement, adventure, and innovation in Scouting with world-class facilities and a focus on outdoor action sports. This new site showcases everything that is great about Scouting.

Whereas, The councils that make up the scouting community in Michigan are the Bay-Lakes Council and the Michigan Crossroads Council - with four field service councils being Great Lakes, President Gerald R. Ford, Southern Shores, and Water and Woods Field Service Councils. They will celebrate Boy Scouts Week with a number of events, including Scout Sunday and Scout Sabbath at local places of worship, community service projects, Courts of Honor, and flag-raising ceremonies. These endeavors will serve as a reminder of the vital impact the scouting program has on our communities; now, therefore, be it

Resolved by the House of Representatives, That the members of this legislative body declare February 2-8, 2014, as Boy Scouts Week in the state of Michigan. The members of the Michigan Legislature consider it a great privilege to celebrate this occasion and proudly extend tribute to all the leaders, parents, friends, family, and scouts who have made the Boy Scouts of America successful across our state. This organization has had a profound impact on countless lives in our state and nation and we recognize the great accomplishments and contributions that the Scouting movement has had upon the character and development of Michigan's youth; and be it further

Resolved, That a copy of this resolution be transmitted to the Bay-Lakes Council, the Michigan Crossroads Council, and the national office of the Boy Scouts of America as evidence of the highest esteem given by the members of the Michigan Legislature.

The question being on the adoption of the resolution,

The resolution was adopted.

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 29:

House Bill Nos. 5256 5257 5258

The Clerk announced that the following Senate bill had been received on Wednesday, January 29:

Senate Bill No. 711

Reports of Standing Committees

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

Senate Bill No. 396, entitled

A bill to amend 1893 PA 206, entitled "The general property tax act," by amending section 34d (MCL 211.34d), as amended by 2012 PA 185.

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

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

Favorable Roll Call

To Report Out:

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

Nays: Reps. Barnett, Switalski, Haugh, LaVoy and Townsend

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Wednesday, January 29, 2014

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

The Committee on Military and Veterans Affairs, by Rep. Stamas, Chair, reported

Senate Bill No. 428, entitled

A bill to amend 1915 PA 63, entitled "An act to provide for the furnishing of suitable flag holders and United States flags for the graves of veterans who served in the armed forces of the United States for the marking and designation of the graves for memorial purposes; and to provide a penalty for the removal or destruction of the flag holders and United States flags when placed," by amending sections 1 and 1a (MCL 35.831 and 35.831a), as amended by 2006 PA 627.

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

Nays: None

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Wednesday, January 29, 2014

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

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Wednesday, January 29, 2014

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

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 29, 2014

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

Absent: Rep. Stallworth

Excused: Rep. Stallworth

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Wednesday, January 29, 2014

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

Absent: Reps. Franz, Townsend and Segal

Excused: Reps. Franz, Townsend and Segal

Messages from the Governor

Date: January 28, 2014

Time: 2:58 p.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 4866 (Public Act No. 1, I.E.), being

An act to amend 1949 PA 300, entitled “An act to provide for the registration, titling, sale, transfer, and regulation of certain vehicles operated upon the public highways of this state or any other place open to the general public or generally accessible to motor vehicles and distressed vehicles; to provide for the licensing of dealers; to provide for the examination, licensing, and control of operators and chauffeurs; to provide for the giving of proof of financial responsibility and security by owners and operators of vehicles; to provide for the imposition, levy, and collection of specific taxes on vehicles, and the levy and collection of sales and use taxes, license fees, and permit fees; to provide for the regulation and use of streets and highways; to create certain funds; to provide penalties and sanctions for a violation of this act; to provide for civil liability of owners and operators of vehicles and service of process on residents and nonresidents; to regulate the introduction and use of certain evidence; to provide for the levy of certain assessments; to provide for the enforcement of this act; to provide for the creation of and to prescribe the powers and duties of certain state and local agencies; to impose liability upon the state or local agencies; to provide appropriations for certain purposes; to repeal all other acts or parts of acts inconsistent with this act or contrary to this act; and to repeal certain parts of this act on a specific date,” by amending section 648 (MCL 257.648).

(Filed with the Secretary of State January 28, 2014, at 4:11 p.m.)

Communications from State Officers

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

Notices of Filing
Administrative Rules

January 9, 2014

In accordance with the provisions of Section 46(1) of Act 306, Public Acts of 1969, as amended, and Executive Order 1995-6, this is to advise you that the Michigan Department of Licensing and Regulatory Affairs and the State Office of Regulatory Reinvention filed Administrative Rule #2013-079-MA (Secretary of State Filing #14-01-01) on this date at 3:18 P.M. for the Department of Military and Veterans Affairs, entitled “Military Appeals Tribunal Procedures.”

These rules become effective immediately upon filing with the Secretary of State unless adopted under sections 33, 44 or 45a(6), or 48 of 1969 PA 306. Rules adopted under these sections become effective 7 days after filing with the Secretary of State.

January 9, 2014

In accordance with the provisions of Section 46(1) of Act 306, Public Acts of 1969, as amended, and Executive Order 1995-6, this is to advise you that the Michigan Department of Licensing and Regulatory Affairs and the State Office of Regulatory Reinvention filed Administrative Rule #2013-080-MA (Secretary of State Filing #14-01-02) on this date at 3:20 P.M. for the Department of Military and Veterans Affairs, entitled "Administration of Oaths and Affirmations".

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

January 9, 2014

In accordance with the provisions of Section 46(1) of Act 306, Public Acts of 1969, as amended, and Executive Order 1995-6, this is to advise you that the Michigan Department of Licensing and Regulatory Affairs and the State Office of Regulatory Reinvention filed Administrative Rule #2013-081-MA (Secretary of State Filing #14-01-03) on this date at 3:22 P.M. for the Department of Military and Veterans Affairs, entitled "Interim Bond Procedures".

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

January 9, 2014

In accordance with the provisions of Section 46(1) of Act 306, Public Acts of 1969, as amended, and Executive Order 1995-6, this is to advise you that the Michigan Department of Licensing and Regulatory Affairs and the State Office of Regulatory Reinvention filed Administrative Rule #2013-082-MA (Secretary of State Filing #14-01-04) on this date at 3:24 P.M. for the Department of Military and Veterans Affairs, entitled "Rental of Armories and Grounds".

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

January 10, 2014

In accordance with the provisions of Section 46(1) of Act 306, Public Acts of 1969, as amended, and Executive Order 1995-6, this is to advise you that the Michigan Department of Licensing and Regulatory Affairs and the State Office of Regulatory Reinvention filed Administrative Rule #2013-034-LR (Secretary of State Filing #14-01-05) on this date at 4:08 P.M. for the Department of Licensing and Regulatory Affairs, entitled "GI Part 76 Spray Finishing Using Flammable & Combustible Materials".

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

January 10, 2014

In accordance with the provisions of Section 46(1) of Act 306, Public Acts of 1969, as amended, and Executive Order 1995-6, this is to advise you that the Michigan Department of Licensing and Regulatory Affairs and the State Office of Regulatory Reinvention filed Administrative Rule #2013-072-LR (Secretary of State Filing #14-01-06) on this date at 4:10 P.M. for the Department of Licensing and Regulatory Affairs, entitled "GI Part 49 Slings".

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

January 10, 2014

In accordance with the provisions of Section 46(1) of Act 306, Public Acts of 1969, as amended, and Executive Order 1995-6, this is to advise you that the Michigan Department of Licensing and Regulatory Affairs and the State Office of Regulatory Reinvention filed Administrative Rule #2013-049-LR (Secretary of State Filing #14-01-07) on this date at 4:12 P.M. for the Department of Licensing and Regulatory Affairs, entitled "Part 43 Hazardous Work in Laboratories".

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

January 10, 2014

In accordance with the provisions of Section 46(1) of Act 306, Public Acts of 1969, as amended, and Executive Order 1995-6, this is to advise you that the Michigan Department of Licensing and Regulatory Affairs and the State Office of Regulatory Reinvention filed Administrative Rule #2013-076-LR (Secretary of State Filing #14-01-08) on this date at 4:14 P.M. for the Department of Licensing and Regulatory Affairs, entitled "Part 470. Employee Medical Records and Trade Secrets".

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

January 13, 2014

In accordance with the provisions of Section 46(1) of Act 306, Public Acts of 1969, as amended, and Executive Order 1995-6, this is to advise you that the Michigan Department of Licensing and Regulatory Affairs and the State Office of Regulatory Reinvention filed Administrative Rule #2012-065-LR (Secretary of State Filing #14-01-09) on this date at 3:32 P.M. for the Department of Licensing and Regulatory Affairs, entitled “CS Part 22 Signals, Signs, Tags, and Barricades”.

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

January 13, 2014

In accordance with the provisions of Section 46(1) of Act 306, Public Acts of 1969, as amended, and Executive Order 1995-6, this is to advise you that the Michigan Department of Licensing and Regulatory Affairs and the State Office of Regulatory Reinvention filed Administrative Rule #2013-047-LR (Secretary of State Filing #14-01-10) on this date at 3:34 P.M. for the Department of Licensing and Regulatory Affairs, entitled “Part 451 Respiratory Protection”.

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

January 13, 2014

In accordance with the provisions of Section 46(1) of Act 306, Public Acts of 1969, as amended, and Executive Order 1995-6, this is to advise you that the Michigan Department of Licensing and Regulatory Affairs and the State Office of Regulatory Reinvention filed Administrative Rule #2013-073-LR (Secretary of State Filing #14-01-11) on this date at 3:36 P.M. for the Department of Licensing and Regulatory Affairs, entitled “OH Part 312 1,3 Butadiene”.

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

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

The communications were referred to the Clerk.

Introduction of Bills

Rep. Shirkey introduced

House Bill No. 5259, entitled

A bill to amend 1976 PA 451, entitled “The revised school code,” (MCL 380.1 to 380.1852) by adding section 1531j. The bill was read a first time by its title and referred to the Committee on Military and Veterans Affairs.

Rep. Shirkey introduced

House Bill No. 5260, entitled

A bill to amend 1939 PA 3, entitled “An act to provide for the regulation and control of public and certain private utilities and other services affected with a public interest within this state; to provide for alternative energy suppliers; to provide for licensing; to include municipally owned utilities and other providers of energy under certain provisions of this act; to create a public service commission and to prescribe and define its powers and duties; to abolish the Michigan public utilities commission and to confer the powers and duties vested by law on the public service commission; to provide for the continuance, transfer, and completion of certain matters and proceedings; to abolish automatic adjustment clauses; to prohibit certain rate increases without notice and hearing; to qualify residential energy conservation programs permitted under state law for certain federal exemption; to create a fund; to provide for a restructuring of the manner in which energy is provided in this state; to encourage the utilization of resource recovery facilities; to prohibit certain acts and practices of providers of energy; to allow for the securitization of stranded costs; to reduce rates; to provide for appeals; to provide appropriations; to declare the effect and purpose of this act; to prescribe remedies and penalties; and to repeal acts and parts of acts,” by amending sections 9 and 10a (MCL 460.9 and 460.10a), section 9 as added by 2002 PA 634 and section 10a as amended by 2008 PA 286.

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

Reps. Cotter, Franz and Santana introduced

House Bill No. 5261, entitled

A bill to amend 1937 PA 94, entitled "Use tax act," (MCL 205.91 to 205.111) by adding section 4bb. The bill was read a first time by its title and referred to the Committee on Tax Policy.

Reps. Schmidt, O'Brien and Kesto introduced

House Bill No. 5262, entitled

A bill to amend 1985 PA 87, entitled "William Van Regenmorter crime victim's rights act," by amending section 31 (MCL 780.781), as amended by 2009 PA 28.

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

Reps. O'Brien, Schmidt and Kesto introduced

House Bill No. 5263, entitled

A bill to amend 1985 PA 87, entitled "William Van Regenmorter crime victim's rights act," by amending section 61 (MCL 780.811), as amended by 2009 PA 28.

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

Reps. Genetski, Franz, Kelly, Somerville, MacMaster, Daley, Nesbitt, Glardon, Haines, Pscholka, Lauwers, LaFontaine, O'Brien, McBroom, Haveman, Kurtz, Lyons, Price, Heise, Hooker, MacGregor, Foster, Lori, Lipton, Robinson and Bumstead introduced

House Bill No. 5264, entitled

A bill to amend 1980 PA 300, entitled "The public school employees retirement act of 1979," by amending section 61 (MCL 38.1361), as amended by 2012 PA 464.

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

Rep. Somerville introduced

House Bill No. 5265, entitled

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," by amending section 51 (MCL 206.51), as amended by 2012 PA 223.

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

Rep. Kelly introduced

House Bill No. 5266, entitled

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," by amending section 51 (MCL 206.51), as amended by 2012 PA 223.

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

Rep. Farrington introduced

House Bill No. 5267, entitled

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," by amending section 51 (MCL 206.51), as amended by 2012 PA 223.

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

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

By unanimous consent the House returned to the order of

Messages from the Senate

House Bill No. 4629, entitled

A bill to amend 1972 PA 106, entitled "An act to provide for the licensing, regulation, control, and prohibition of outdoor advertising adjacent to certain roads and highways; to prescribe powers and duties of certain state agencies and officials;

to promulgate rules; to provide remedies and prescribe penalties for violations; and to repeal acts and parts of acts,” by amending sections 2, 4, 6, 7, 7a, 11, 11a, 15, 17, and 18 (MCL 252.302, 252.304, 252.306, 252.307, 252.307a, 252.311, 252.311a, 252.315, 252.317, and 252.318), sections 2, 7, 11a, and 18 as amended by 2009 PA 86, section 4 as amended by 2008 PA 93, sections 6, 11, and 15 as amended by 2006 PA 448, and sections 7a and 17 as amended by 2011 PA 13, and by adding sections 7b, 17a, 17b, 18b, 18c, and 22a.

The Senate has amended the House amendments to the Senate substitute (S-3) as follows:

1. Amend House Amendment No. 3, page 45, line 1, after “ENDING” by striking out “6 MONTHS” and inserting “1 YEAR”.

The Senate has concurred in the House amendments to the Senate substitute (S-3) as amended.

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

Rep. Stamas moved that Rule 42 be suspended.

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

The question being on concurring in the amendment to the House amendments to the Senate substitute (S-3) made to the bill by the Senate,

The amendment was concurred in, a majority of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 20

Yeas—104

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

Nays—6

Barnett	Irwin	Roberts	Talabi
Driskell	Kesto		

In The Chair: Cotter

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

Third Reading of Bills**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.

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

Roll Call No. 21**Yeas—108**

Abed	Genetski	Lauwers	Rendon
Banks	Glardon	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	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

Nays—2

Howrylak

Robinson

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. 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.

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

Roll Call No. 22**Yeas—108**

Abed	Genetski	Lauwers	Rendon
Banks	Glardon	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	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

Nays—2

Howrylak Robinson

In The Chair: Cotter

The House agreed to the title of the bill.
Rep. Stamas moved that the bill be given immediate effect.
The motion prevailed, 2/3 of the members serving voting therefor.

Rep. 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 29:

Senate Bill Nos. 745 746 747

Reports of Standing Committees

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

House Bill No. 5198, entitled

A bill to amend 1975 PA 238, entitled "Child protection law," by amending section 7 (MCL 722.627), as amended by 2011 PA 70.

Without amendment and with the recommendation that the bill pass.

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

Favorable Roll Call

To Report Out:

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

Nays: None

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Wednesday, January 29, 2014

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

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

House Concurrent Resolution No. 19.

A concurrent resolution to urge the Congress of the United States to repeal section 1502 of the Dodd-Frank Wall Street Reform and Consumer Protection Act.

(For text of concurrent resolution, see House Journal No. 106 of 2013, p. 2056.)

With the recommendation that the concurrent resolution be adopted.

Favorable Roll Call

To Report Out:

Yeas: Reps. Callton, Somerville, Farrington, Lyons, Pettalia, Kelly, Johnson, Nathan and Lane

Nays: None

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Callton, Chair, of the Committee on Financial Services, was received and read:

Meeting held on: Wednesday, January 29, 2014

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

Absent: Reps. Stanley and Oakes

Excused: Reps. Stanley and Oakes

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

House Bill No. 5108, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending section 465 (MCL 750.465).

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, McBroom, O'Brien, Kesto, Robinson, Kivela and Banks
Nays: None

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

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.

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

1. Amend page 15, following line 9, by inserting:

"Enacting section 1. This amendatory act takes effect April 1, 2014."

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

Favorable Roll Call

To Report Out:

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

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

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.

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

1. Amend page 7, following line 23, by inserting:

"Enacting section 1. This amendatory act takes effect April 1, 2014." and renumbering the remaining enacting section.

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

Favorable Roll Call

To Report Out:

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

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

Senate Bill No. 409, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending section 316 (MCL 750.316), as amended by 2013 PA 39.

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

1. Amend page 3, line 7, after "effect" by striking out the balance of the enacting section and inserting "April 1, 2014."

The bill and amendment 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 and Kivela
Nays: None

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

Senate Bill No. 581, entitled

A bill to amend 1962 PA 60, entitled "An act to provide for the day parole of prisoners in county jails to permit them to be gainfully employed outside the jail or pursue other activities; to provide for the granting of reductions in terms

of imprisonment and the regulation thereof; and to provide for the disposition of earnings from such employment,” by amending section 1 (MCL 801.251), as amended by 2012 PA 613.

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 and Kivela

Nays: None

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Wednesday, January 29, 2014

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

Messages from the Senate

Senate Bill No. 711, entitled

A bill to amend 1933 PA 167, entitled “General sales tax act,” by amending section 4d (MCL 205.54d), as amended by 2008 PA 556.

The Senate has passed the bill.

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

Rep. VerHeulen moved that the House adjourn.

The motion prevailed, the time being 4:20 p.m.

Associate Speaker Pro Tempore Cotter declared the House adjourned until Thursday, January 30, at 12:00 Noon.

GARY L. RANDALL
Clerk of the House of Representatives

