

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

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House Chamber, Lansing, Thursday, November 7, 2013.

12:00 Noon.

The House was called to order by the Speaker.

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

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

e/d/s = entered during session

Rev. Mark Erbes, Pastor of Lake Harbor United Methodist Church in Norton Shores, offered the following invocation:

“O God, what a privilege it is to gather in this beautiful and historic place to serve the people of our great state of Michigan. I ask that You hold these leaders in Your love and care so that they might be true servant leaders and examples for those of us who have chosen them to represent us. In that spirit, give them the gift of discernment to sense Your will even in the day-to-day work that they do. Give them the gift of courage to make decisions that may seem unpopular to our human sensibilities. Give them the gift of empathy to hear the voices of those who struggle to be heard, so that our state might become a small glimpse of Your Kingdom—a place where all are valued as Your children. And in all things, may they not be overwhelmed by the responsibilities entrusted to them, but empowered by the gifts You have given them, always using them for the benefit of all the people of our state in a spirit of grace and humility.

Lord, I ask that Your spirit of unity rest on this place and in the hearts of all who serve the people of Michigan so that together we can continue the journey toward Your vision for us and our state. Set aside within each of us the small things that get in the way of seeing the greater good that You make possible as our creating, forgiving, and redeeming God. And may all that is accomplished here be to Your glory rather than ours. I pray these things in a spirit of thankfulness for these leaders who have answered Your call to serve. Amen.”

### Motions and Resolutions

Reps. Knezek, Crawford, Brown, Driskell, Durhal, Geiss, Heise, Howrylak, Kelly, LaVoy, Poleski, Roberts, Segal, Singh, Slavens and Stanley offered the following resolution:

#### **House Resolution No. 263.**

A resolution to commemorate the 238th anniversary of the founding of the United States Marine Corps.

Whereas, On November 10, 1775, the Continental Congress passed a resolution to raise two battalions of American Marines, thereby establishing that date as the official birthday of the United States Marine Corps; and

Whereas, Since its creation, the United States Marine Corps has served our country with honor, courage, and commitment while protecting our borders and securing our freedoms through their overwhelming skill and ability in carrying out combat operations on land, sea, and air; and

Whereas, Since our country has established a position of world leadership, the Marines have proven to be dedicated professionals willing to defend lives of American citizens while protecting the values that define our country; and

Whereas, The United States Marine Corps, true to its motto of “Semper Fidelis”, has served our country faithfully and with profound distinction for 238 years; and

Whereas, A Marine stands prepared to defend the interests of these United States, to hold their ground against any enemy, foreign or domestic, and is prepared to be located anywhere in the world within 72 hours to serve at the will of the President or when Congress shall designate; and

Whereas, An enlistment in the United States Marine Corps is like no other. The United States Marine Corps is the only branch of the military that offer no incentives for enlistment and there remains no end date, just a discharge date, to one’s time as a United States Marine; and

Whereas, The oath taken by a United States Marine is for eternity: “Once a Marine, Always a Marine.” This sacred bond of brotherhood and sisterhood remains deeply engrained in Marine culture, resulting in one of the tightest knit communities of active duty, reserve, and veteran service members; and

Whereas, Marines will never yield to oppression, never bow to the enemy, never surrender, and will defend our Constitution, our country, and its citizens to the last drop of blood and will never leave a man behind; and

Whereas, Many Michiganders have earned the title Marine, have fought in campaigns across the world, and continue to serve and fight in Iraq, Afghanistan, and other locations across the world today; now, therefore, be it

Resolved by the House of Representatives, That the members of this legislative body commemorate the 238th anniversary of the founding of the United States Marine Corps. We encourage all Michigan residents to join in celebrating this occasion on November 10, 2013.

The question being on the adoption of the resolution,

The resolution was adopted.

Reps. Haines, Brown, Driskell, Durhal, Geiss, Heise, Poleski, Segal and Slavens offered the following resolution:

#### **House Resolution No. 264.**

A resolution to declare November 7, 2013, as Prematurity Day in the state of Michigan.

Whereas, Prematurity has been increasing steadily and alarmingly over the past two decades. One out of eight babies is born prematurely in the United States. Every year, an estimated 13 million babies worldwide are born too soon and too small. More than a million of these tiny babies do not survive; and

Whereas, Half of all neurological disabilities in children are related to premature birth. Premature babies face an increased risk of serious medical complications and death, including lasting disabilities such as cerebral palsy, intellectual and developmental disabilities, chronic lung disease, and vision and hearing problems; and

Whereas, Doctors have made marvelous advances in caring for babies born too soon and too small. We need to find ways to prevent preterm birth from happening in the first place; and

Whereas, Women who have had a previous preterm birth, who are pregnant with twins, triplets or more, or women with certain uterine or cervical abnormalities are more at risk for having premature births. Preterm labor and delivery can happen to any pregnant woman; and

Whereas, Organizations such as the March of Dimes have worked tirelessly to raise public awareness of the problems of prematurity and to decrease the rate of preterm birth in the United States; now, therefore, be it

Resolved by the House of Representatives, That the members of this legislative body declare November 7, 2013, as Prematurity Day in the state of Michigan; and be it further

Resolved, That a copy of this resolution be transmitted to the March of Dimes with our highest esteem.

The question being on the adoption of the resolution,

The resolution was adopted.

Reps. Brown, Driskell, Durhal, Geiss, Heise, Howrylak, Kelly, LaVoy, Poleski, Segal, Singh, Slavens and Stanley offered the following resolution:

**House Resolution No. 265.**

A resolution to commemorate the 100th anniversary of the Great Lakes Storm of 1913.

Whereas, Surrounded by four of the five Great Lakes and blessed with over 3,000 miles of freshwater shoreline, the Great Lakes are regarded as having a unique metrological impact on weather statewide; and

Whereas, Michigan regularly attracts recreational divers, as well as scholars and historians to research the thousands of ships beneath the surface of her waters; and

Whereas, From the 8th through the 10th of November 1913, the weather phenomenon better known as the “White Hurricane” laid waste to much of the state’s shipping economy; and

Whereas, The 9th of November 1913 was the heaviest day of the storm resulting in the destruction to ships throughout the state, but most notably in Lake Huron; and

Whereas, A remembrance of the storm and its aftermath are part of a featured exhibit of the Port Huron Museum known as “The Centennial Of the Worst Great Lakes Maritime Disaster in History”; and

Whereas, The Port Huron Museum will host a panel of scholars, authors, musicians and other Great Lakes enthusiasts known as the Blue Water Chautauqua to further explore the events of November 1913; now, therefore, be it

Resolved by the House of Representatives, That the members of this legislative body commemorate the 100th anniversary of the Great Lakes Storm of 1913. We honor the memories of the 300 mariners lost, the 40 ships affected, and the dozen vessels that were foundered by this powerful weather event.

The question being on the adoption of the resolution,

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

**Substitute for House Resolution No. 265.**

A resolution commemorating November 7-10, 2013, as the centennial anniversary of the Great Storm of 1913 in the state of Michigan.

Whereas, The purpose of this resolution is to honor the memories of the nearly 300 mariners lost, the 40 ships affected and the 19 vessels that were foundered by the Great Lakes Storm of 1913; and

Whereas, Surrounded by four of the five Great Lakes and blessed with over 3,000 miles of freshwater shoreline, the Lakes are regarded as having a unique metrological impact on weather statewide, and

Whereas, Michigan regularly attracts recreational divers, as well as scholars and historians to research the thousands of ships beneath the surface of her waters, and

Whereas, From the 7th through the 10th of November 1913, the weather phenomenon better known as the “White Hurricane” laid waste to much of the state’s shipping economy, and

Whereas, The 9th of November 1913 was the heaviest day of the storm resulting in the destruction to ships throughout the state but most notably in Lake Huron, and

Whereas, A remembrance of the storm and its aftermath are part of a featured exhibit of the Port Huron Museum known as The Centennial Of the Worst Great Lakes Maritime Disaster in History, and

Whereas, The Port Huron Museum will host a panel of scholars, authors, musicians and other Great Lakes enthusiasts known as the Blue Water Chautauqua to further explore the events of November 1913, and

Resolved by the House of Representatives, That the members of this legislative body commemorate November 7-10, 2013, as the centennial anniversary of the Great Storm of 1913 in the state of Michigan.

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.

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The Speaker called the Speaker Pro Tempore to the Chair.

### Reports of Standing Committees

The Speaker laid before the House

#### **House Resolution No. 256.**

A resolution to urge the U.S. Army to continue the Army Reserve Officers' Training Corps (ROTC) program at Northern Michigan University.

(For text of resolution, see House Journal No. 92, p. 1678.)

(The resolution was reported by the Committee on Military and Veterans Affairs on November 6.)

The question being on the adoption of the resolution,

The resolution was adopted.

Rep. Stamas was named co-sponsor of the resolution.

### Third Reading of Bills

#### **House Bill No. 5008, entitled**

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," by amending sections 623, 665, and 671 (MCL 206.623, 206.665, and 206.671), section 623 as amended by 2012 PA 414, section 665 as added by 2011 PA 38, and section 671 as amended by 2011 PA 313.

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

#### **Roll Call No. 375**

#### **Yeas—109**

Abed	Glardon	Lauwers	Roberts
Banks	Goike	LaVoy	Robinson
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	Poleski	Walsh
Forlini	Kurtz	Potvin	Yanez
Foster	LaFontaine	Price	Yonker
Franz	Lamonte	Pscholka	Zemke
Geiss	Lane	Rendon	Zorn
Genetski			

**Nays—0**

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.

**House Bill No. 5009, entitled**

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," by amending section 691 (MCL 206.691), as amended by 2012 PA 70.

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

**Roll Call No. 376****Yeas—108**

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

**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.

**House Bill No. 5010, entitled**

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," by amending sections 625 and 663 (MCL 206.625 and 206.663), section 625 as amended by 2011 PA 175 and section 663 as amended by 2011 PA 308.

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

**Roll Call No. 377****Yeas—108**

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

**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.

**House Bill No. 5011, entitled**

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," by amending section 673 (MCL 206.673), as added by 2011 PA 181.

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

**Roll Call No. 378**

**Yeas—108**

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

**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.

**House Bill No. 5041, entitled**

A bill to amend 2007 PA 36, entitled "Michigan business tax act," by amending section 500 (MCL 208.1500), as amended by 2011 PA 292.

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

**Roll Call No. 379****Yeas—108**

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

**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.

**House Bill No. 4858, entitled**

A bill to amend 1999 PA 276, entitled "Banking code of 1999," (MCL 487.11101 to 487.15105) by adding section 4110.  
Was read a third time and passed, 2/3 of the members serving voting therefor, by yeas and nays, as follows:

**Roll Call No. 380****Yeas—108**

Abed	Genetski	Lane	Rendon
Banks	Glardon	Lauwers	Roberts
Barnett	Goike	LaVoy	Rogers
Bolger	Graves	Leonard	Rutledge
Brinks	Greimel	Lipton	Santana



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

**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.

**House Bill No. 4859, entitled**

A bill to amend 1996 PA 354, entitled "Savings bank act," (MCL 487.3101 to 487.3804) by adding section 436.  
Was read a third time and passed, 2/3 of the members serving voting therefor, by yeas and nays, as follows:

**Roll Call No. 381****Yeas—108**

Abed	Genetski	Lane	Rendon
Banks	Gardon	Lauwers	Roberts
Barnett	Goike	LaVoy	Rogers
Bolger	Graves	Leonard	Rutledge
Brinks	Greimel	Lipton	Santana
Brown	Haines	Lori	Schmidt
Brunner	Haugh	Lund	Schor
Bumstead	Haveman	Lyons	Segal
Callton	Heise	MacGregor	Shirkey
Cavanagh	Hobbs	MacMaster	Singh
Clemente	Hooker	McBroom	Slavens
Cochran	Hovey-Wright	McCann	Smiley
Cotter	Howrylak	McCready	Somerville

Crawford	Irwin	McMillin	Stallworth
Daley	Jacobsen	Muxlow	Stamas
Darany	Jenkins	Nathan	Stanley
Denby	Johnson	Nesbitt	Switalski
Dianda	Kandrevas	O'Brien	Talabi
Dillon	Kelly	Oakes	Tlaib
Driskell	Kesto	Olumba	Townsend
Durhal	Kivela	Outman	VerHeulen
Faris	Knezek	Pagel	Victory
Farrington	Kosowski	Pettalia	Walsh
Forlini	Kowall	Poleski	Yanez
Foster	Kurtz	Potvin	Yonker
Franz	LaFontaine	Price	Zemke
Geiss	Lamonte	Pscholka	Zorn

**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.

**House Bill No. 5014, entitled**

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

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

**Roll Call No. 382****Yeas—106**

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

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

**Nays—3**

Banks	Robinson	Talabi
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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.

**House Bill No. 5015, entitled**

A bill to amend 1995 PA 279, entitled "Horse racing law of 1995," (MCL 431.301 to 431.336) by adding section 9b. Was read a third time and passed, a majority of the members serving voting therefor, by yeas and nays, as follows:

**Roll Call No. 383****Yeas—108**

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

**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.

**House Bill No. 4484, entitled**

A bill to amend 1985 PA 148, entitled "Self-service storage facility act," by amending sections 3 and 5 (MCL 570.523 and 570.525), as amended by 2009 PA 177.

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

**Roll Call No. 384****Yeas—89**

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

**Nays—20**

Abed	Durhal	Roberts	Talabi
Banks	Faris	Robinson	Tlaib
Barnett	Geiss	Singh	Townsend
Cochran	Hobbs	Stallworth	Yanez
Driskell	Irwin	Switalski	Zemke

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.

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

**Senate Bill No. 539, entitled**

A bill to amend 1964 PA 170, entitled "An act to make uniform the liability of municipal corporations, political subdivisions, and the state, its agencies and departments, officers, employees, and volunteers thereof, and members of certain boards, councils, and task forces when engaged in the exercise or discharge of a governmental function, for injuries to property and persons; to define and limit this liability; to define and limit the liability of the state when engaged in a proprietary function; to authorize the purchase of liability insurance to protect against loss arising out of this liability; to provide for defending certain claims made against public officers, employees, and volunteers and for paying damages sought or awarded against them; to provide for the legal defense of public officers, employees, and volunteers; to provide for reimbursement of public officers and employees for certain legal expenses; and to repeal acts and parts of acts," by amending section 7 (MCL 691.1407), as amended by 2005 PA 318.

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

**Roll Call No. 385**

**Yeas—109**

Abed	Glardon	Lauwers	Roberts
Banks	Goike	LaVoy	Robinson
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	Poleski	Walsh
Forlini	Kurtz	Potvin	Yanez
Foster	LaFontaine	Price	Yonker
Franz	Lamonte	Pscholka	Zemke
Geiss	Lane	Rendon	Zorn
Genetski			

**Nays—0**

In The Chair: Cotter

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

**Senate Bill No. 540, entitled**

A bill to enhance public safety, protect the environment, and prevent the disruption of vital public services by reducing the incidences of damage to underground facilities caused by excavation or blasting activity by providing notices to facility owners and facility operators before excavation or blasting; to provide for certain notices to affected parties when underground facilities are damaged; to provide for the powers and duties of certain state governmental officers and entities; to allow the promulgation of rules; to prescribe penalties; to allow the imposition of a fee; to provide for immunity for certain individuals; to allow claims for damages against certain governmental entities in certain circumstances; and to repeal acts and parts of acts.

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

**Roll Call No. 386**

**Yeas—109**

Abed	Gardon	Lauwers	Roberts
Banks	Goike	LaVoy	Robinson
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	Poleski	Walsh
Forlini	Kurtz	Potvin	Yanez
Foster	LaFontaine	Price	Yonker
Franz	Lamonte	Pscholka	Zemke
Geiss	Lane	Rendon	Zorn
Genetski			

**Nays—0**

In The Chair: Cotter

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

**House Bill No. 4485, entitled**

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," by amending section 1202 (MCL 500.1202), as amended by 2012 PA 552.

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

**Roll Call No. 387****Yeas—58**

Bolger	Haugh	Lauwers	Pettalia
Callton	Haveman	Leonard	Poleski
Cotter	Heise	Lori	Potvin
Crawford	Hooker	Lund	Price
Daley	Howrylak	Lyons	Pscholka
Denby	Irwin	McBroom	Rendon
Dianda	Jacobsen	McCready	Rogers
Durhal	Jenkins	McMillin	Schmidt
Farrington	Johnson	Muxlow	Schor
Foster	Kelly	Nathan	Shirkey
Franz	Kesto	Nesbitt	Somerville
Genetski	Kowall	Oakes	Stamas
Goike	Kurtz	Outman	Victory
Graves	LaFontaine	Pagel	Walsh
Haines	Lane		

**Nays—51**

Abed	Faris	Lipton	Smiley
Banks	Forlini	MacGregor	Stallworth
Barnett	Geiss	MacMaster	Stanley
Brinks	Gardon	McCann	Switalski
Brown	Greimel	O'Brien	Talabi
Brunner	Hobbs	Olumba	Tlaib
Bumstead	Hovey-Wright	Roberts	Townsend
Cavanagh	Kandrevas	Robinson	VerHeulen
Clemente	Kivela	Rutledge	Yanez
Cochran	Knezek	Santana	Yonker
Darany	Kosowski	Segal	Zemke
Dillon	Lamonte	Singh	Zorn
Driskell	LaVoy	Slavens	

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. 5050, entitled**

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending section 411w (MCL 750.411w), as added by 2012 PA 146.

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

**Roll Call No. 388****Yeas—109**

Abed	Glardon	Lauwers	Roberts
Banks	Goike	LaVoy	Robinson
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	Poleski	Walsh
Forlini	Kurtz	Potvin	Yanez
Foster	LaFontaine	Price	Yonker
Franz	Lamonte	Pscholka	Zemke
Geiss	Lane	Rendon	Zorn
Genetski			

**Nays—0**

In The Chair: Cotter

The House agreed to the title of the bill.

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

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

**House Bill No. 5051, entitled**

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending section 539k (MCL 750.539k), as added by 2004 PA 460.

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

**Roll Call No. 389****Yeas—109**

Abed	Glardon	Lauwers	Roberts
Banks	Goike	LaVoy	Robinson
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	Poleski	Walsh
Forlini	Kurtz	Potvin	Yanez
Foster	LaFontaine	Price	Yonker
Franz	Lamonte	Pscholka	Zemke
Geiss	Lane	Rendon	Zorn
Genetski			

**Nays—0**

In The Chair: Cotter

The House agreed to the title of the bill.

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

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

**House Bill No. 5052, entitled**

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

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

**Roll Call No. 390****Yeas—109**

Abed	Glardon	Lauwers	Roberts
Banks	Goike	LaVoy	Robinson
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	Poleski	Walsh
Forlini	Kurtz	Potvin	Yanez
Foster	LaFontaine	Price	Yonker
Franz	Lamonte	Pscholka	Zemke
Geiss	Lane	Rendon	Zorn
Genetski			

**Nays—0**

In The Chair: Cotter

The House agreed to the title of the bill.

**House Bill No. 5053, entitled**

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 10c of chapter II (MCL 762.10c), as amended by 2010 PA 316.

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

**Roll Call No. 391****Yeas—109**

Abed	Glardon	Lauwers	Roberts
Banks	Goike	LaVoy	Robinson
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	Poleski	Walsh
Forlini	Kurtz	Potvin	Yanez
Foster	LaFontaine	Price	Yonker

Franz  
Geiss  
Genetski

Lamonte  
Lane

Pscholka  
Rendon

Zemke  
Zorn

**Nays—0**

In The Chair: Cotter

The House agreed to the title of the bill.

**House Bill No. 5054, entitled**

A bill to amend 1927 PA 175, entitled “The code of criminal procedure,” by amending section 16t of chapter XVII (MCL 777.16t), as amended by 2012 PA 332.

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

**Roll Call No. 392**

**Yeas—109**

Abed	Glardon	Lauwers	Roberts
Banks	Goike	LaVoy	Robinson
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	Poleski	Walsh
Forlini	Kurtz	Potvin	Yanez
Foster	LaFontaine	Price	Yonker
Franz	Lamonte	Pscholka	Zemke
Geiss	Lane	Rendon	Zorn
Genetski			

**Nays—0**

In The Chair: Cotter

The House agreed to the title of the bill.

**House Bill No. 4939, entitled**

A bill to amend 1978 PA 566, entitled “An act to encourage the faithful performance of official duties by certain public officers and public employees; to prescribe standards of conduct for certain public officers and public employees; to prohibit the holding of incompatible public offices; and to provide certain judicial remedies,” by amending section 3 (MCL 15.183), as amended by 2011 PA 196.

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

**Roll Call No. 393****Yeas—107**

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

**Nays—2**

Kandrevas

Kosowski

In The Chair: Cotter

The House agreed to the title of the bill.

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

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

**Second Reading of Bills****House Bill No. 4878, entitled**

A bill to amend 1954 PA 116, entitled “Michigan election law,” by amending section 509o (MCL 168.509o), as added by 1994 PA 441, and by adding sections 645a, 659a, and 661a.

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

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

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

The motion prevailed.

**House Bill No. 4941, entitled**

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 16181 (MCL 333.16181), as amended by 2006 PA 643.

The bill was read a second time.

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

The motion prevailed.

**House Bill No. 4920, entitled**

A bill to amend 1933 PA 167, entitled "General sales tax act," by amending section 6 (MCL 205.56), as amended by 2012 PA 458.

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. 4921, entitled**

A bill to amend 1937 PA 94, entitled "Use tax act," by amending section 6 (MCL 205.96), as amended by 2012 PA 585.

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.

**Senate Bill No. 174, entitled**

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

The bill was read a second time.

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

The motion prevailed.

**House Bill No. 4907, entitled**

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending sections 78 and 79 (MCL 750.78 and 750.79), as amended by 2012 PA 533.

The bill was read a second time.

Rep. Walsh moved to amend the bill as follows:

1. Amend page 2, line 14, after "damaged" by inserting "**OR DESTROYED**".

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

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

The motion prevailed.

**House Bill No. 4908, entitled**

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 16c of chapter XVII (MCL 777.16c), as amended by 2012 PA 534; and to repeal acts and parts of acts.

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

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

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

The motion prevailed.

**House Bill No. 4133, entitled**

A bill to amend 1927 PA 372, entitled "An act to regulate and license the selling, purchasing, possessing, and carrying of certain firearms, gas ejecting devices, and electro-muscular disruption devices; to prohibit the buying, selling, or carrying of certain firearms, gas ejecting devices, and electro-muscular disruption devices without a license or other authorization; to provide for the forfeiture of firearms and electro-muscular disruption devices under certain circumstances; to provide for penalties and remedies; to provide immunity from civil liability under certain circumstances; to prescribe the powers and duties of certain state and local agencies; to prohibit certain conduct against individuals who apply for or receive a license to carry a concealed pistol; to make appropriations; to prescribe certain conditions for the appropriations; and to repeal all acts and parts of acts inconsistent with this act," by amending section 5o (MCL 28.425o), as amended by 2012 PA 123.

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

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

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

The motion prevailed.

**House Bill No. 4350, entitled**

A bill to amend 1927 PA 372, entitled "An act to regulate and license the selling, purchasing, possessing, and carrying of certain firearms, gas ejecting devices, and electro-muscular disruption devices; to prohibit the buying, selling, or carrying of certain firearms, gas ejecting devices, and electro-muscular disruption devices without a license or other authorization; to provide for the forfeiture of firearms and electro-muscular disruption devices under certain circumstances; to provide for penalties and remedies; to provide immunity from civil liability under certain circumstances; to prescribe the powers and duties of certain state and local agencies; to prohibit certain conduct against individuals who apply for or receive a license to carry a concealed pistol; to make appropriations; to prescribe certain conditions for the appropriations; and to repeal all acts and parts of acts inconsistent with this act," by amending section 5o (MCL 28.425o), as amended by 2012 PA 123.

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

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

Rep. Townsend moved to amend the bill as follows:

1. Amend page 6, following line 8, by inserting:

"Enacting section 1. This amendatory act does not take effect unless House Bill No. 4774 of the 97th Legislature is enacted into law."

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

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

The motion prevailed.

**House Bill No. 4715, entitled**

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending section 224f (MCL 750.224f), as added by 1992 PA 217.

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

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

Rep. Nesbitt moved to amend the bill as follows:

1. Amend page 4, line 4, after "section" by striking out the comma and "'felony'" and inserting a colon and:

**"(A) "AMMUNITION" MEANS ANY PROJECTILE THAT, IN ITS CURRENT STATE, MAY BE EXPELLED FROM A FIREARM BY AN EXPLOSIVE.**

**(B) "FELONY"**.

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

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

The motion prevailed.

**House Bill No. 4716, entitled**

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 16m of chapter XVII (MCL 777.16m), as amended by 2012 PA 124.

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

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

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

The motion prevailed.

#### **House Bill No. 4717, entitled**

A bill to amend 1927 PA 372, entitled "An act to regulate and license the selling, purchasing, possessing, and carrying of certain firearms, gas ejecting devices, and electro-muscular disruption devices; to prohibit the buying, selling, or carrying of certain firearms, gas ejecting devices, and electro-muscular disruption devices without a license or other authorization; to provide for the forfeiture of firearms and electro-muscular disruption devices under certain circumstances; to provide for penalties and remedies; to provide immunity from civil liability under certain circumstances; to prescribe the powers and duties of certain state and local agencies; to prohibit certain conduct against individuals who apply for or receive a license to carry a concealed pistol; to make appropriations; to prescribe certain conditions for the appropriations; and to repeal all acts and parts of acts inconsistent with this act," by amending section 4 (MCL 28.424), as added by 1992 PA 219.

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

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

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

The motion prevailed.

By unanimous consent the House returned to the order of

#### **Reports of Standing Committees**

The Committee on Judiciary, by Rep. Cotter, Chair, reported

#### **House Bill No. 4134, entitled**

A bill to amend 1927 PA 372, entitled "An act to regulate and license the selling, purchasing, possessing, and carrying of certain firearms, gas ejecting devices, and electro-muscular disruption devices; to prohibit the buying, selling, or carrying of certain firearms, gas ejecting devices, and electro-muscular disruption devices without a license or other authorization; to provide for the forfeiture of firearms and electro-muscular disruption devices under certain circumstances; to provide for penalties and remedies; to provide immunity from civil liability under certain circumstances; to prescribe the powers and duties of certain state and local agencies; to prohibit certain conduct against individuals who apply for or receive a license to carry a concealed pistol; to make appropriations; to prescribe certain conditions for the appropriations; and to repeal all acts and parts of acts inconsistent with this act," by amending sections 5l and 5o (MCL 28.425l and 28.425o), section 5l as amended by 2012 PA 32 and section 5o as amended by 2012 PA 123.

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

1. Amend page 4, line 1, after the first "officer," by inserting "or".
2. Amend page 4, line 1, after the second "officer" by striking out the balance of the subsection and inserting a period.
3. Amend page 4, following line 23, by inserting:

**"(10) THE PORTION OF THE EDUCATIONAL REQUIREMENTS UNDER SECTION 5B(7)(C) DESCRIBED IN SECTION 5J(1)(B) ARE WAIVED FOR AN APPLICANT WHO IS A PERSON ON ACTIVE DUTY STATUS WITH THE UNITED STATES ARMED FORCES, OR A PERSON WHO RECEIVED AN HONORABLE DISCHARGE FROM THE UNITED STATES ARMED FORCES AT THE TIME OF HIS OR HER SEPARATION."**

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

#### Favorable Roll Call

To Report Out:

Yeas: Reps. Cotter, Kesto, Heise, Jacobsen, Johnson, LaFontaine, Leonard, Cavanagh, Lipton and Clemente

Nays: Rep. Irwin

#### COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Thursday, November 7, 2013

Present: Reps. Cotter, Kesto, Heise, Jacobsen, Johnson, LaFontaine, Leonard, Cavanagh, Lipton, Irwin and Clemente

### Second Reading of Bills

#### House Bill No. 4134, entitled

A bill to amend 1927 PA 372, entitled "An act to regulate and license the selling, purchasing, possessing, and carrying of certain firearms, gas ejecting devices, and electro-muscular disruption devices; to prohibit the buying, selling, or carrying of certain firearms, gas ejecting devices, and electro-muscular disruption devices without a license or other authorization; to provide for the forfeiture of firearms and electro-muscular disruption devices under certain circumstances; to provide for penalties and remedies; to provide immunity from civil liability under certain circumstances; to prescribe the powers and duties of certain state and local agencies; to prohibit certain conduct against individuals who apply for or receive a license to carry a concealed pistol; to make appropriations; to prescribe certain conditions for the appropriations; and to repeal all acts and parts of acts inconsistent with this act," by amending sections 5l and 5o (MCL 28.425l and 28.425o), section 5l as amended by 2012 PA 32 and section 5o as amended by 2012 PA 123.

Was read a second time, and the question being on the adoption of the proposed amendments previously recommended by the Committee on Judiciary (for amendments, see today's Journal, p. 1789),

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

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

The motion prevailed.

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Rep. Lyons 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 Thursday, November 7:

**House Bill Nos. 5135 5136 5137 5138 5139**

The Clerk announced that the following Senate bills and joint resolution had been received on Thursday, November 7:

**Senate Bill Nos. 504 505 506 507 575 576 577 578 650 651**

**Senate Joint Resolution V**

### Reports of Standing Committees

The Committee on Tourism, by Rep. Pettalia, Chair, reported

#### House Bill No. 5103, entitled

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

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. Pettalia, Goike, Crawford, Genetski, Rendon, Pagel, Kosowski, Brunner and Kivela

Nays: None

### COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Thursday, November 7, 2013

Present: Reps. Pettalia, Goike, Crawford, Genetski, Rendon, Pagel, Kosowski, Brunner and Kivela



## COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Poleski, Chair, of the Committee on Financial Liability Reform, was received and read:

Meeting held on: Thursday, November 7, 2013

Present: Reps. Poleski, Victory, Denby, McMillin, Schmidt, Shirkey, Callton, Cavanagh, Talabi, Irwin and Robinson

## COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Price, Chair, of the Committee on Local Government, was received and read:

Meeting held on: Thursday, November 7, 2013

Present: Reps. Price, Pagel, Daley, Franz, Pettalia, Somerville, Rendon, Graves, Rutledge, Stanley, Banks and Talabi

## COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Thursday, November 7, 2013

Present: Reps. Lund, Leonard, Denby, Cotter, Glardon, Goike, LaFontaine, Lyons, Nesbitt, O'Brien, Segal, Lipton, Abed, Cochran and Hovey-Wright

**Messages from the Senate****House Bill No. 4277, entitled**

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

The Senate has substituted (S-1) the bill.

The Senate has passed the bill as substituted (S-1), ordered that it be given immediate effect and pursuant to Joint Rule 20, inserted the full title.

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

**Senate Bill No. 504, entitled**

A bill to amend 1998 PA 58, entitled "Michigan liquor control code of 1998," by amending section 925 (MCL 436.1925).

The Senate has passed the bill.

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

**Senate Bill No. 505, entitled**

A bill to amend 1998 PA 58, entitled "Michigan liquor control code of 1998," by amending section 609 (MCL 436.1609), as amended by 2010 PA 175.

The Senate has passed the bill.

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

**Senate Bill No. 506, entitled**

A bill to amend 1998 PA 58, entitled "Michigan liquor control code of 1998," by amending section 409 (MCL 436.1409), as amended by 2000 PA 395.

The Senate has passed the bill.

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

**Senate Bill No. 507, entitled**

A bill to amend 1998 PA 58, entitled "Michigan liquor control code of 1998," by amending section 301 (MCL 436.1301).

The Senate has passed the bill.

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

**Senate Bill No. 575, entitled**

A bill to amend 1978 PA 368, entitled "Public health code," by amending sections 16231 and 16232 (MCL 333.16231 and 333.16232), section 16231 as amended by 2010 PA 382 and section 16232 as amended by 1993 PA 79, and by adding section 16216a.

The Senate has passed the bill.

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

**Senate Bill No. 576, entitled**

A bill to establish supplemental conflict of interest standards for members of regulatory bodies in the department of licensing and regulatory affairs; to require disclosure of certain interests; to provide grounds for removal of members of regulatory bodies; to provide a process for raising and determining possible conflicts of interest; and to provide for voiding certain actions taken in violation of this act.

The Senate has passed the bill.

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

**Senate Bill No. 577, entitled**

A bill to amend 1978 PA 368, entitled "Public health code," by amending sections 16221, 16222, 16226, and 16227 (MCL 333.16221, 333.16222, 333.16226, and 333.16227), section 16221 as amended by 2012 PA 501, section 16222 as added and section 16227 as amended by 1993 PA 79, and section 16226 as amended by 2012 PA 499.

The Senate has passed the bill.

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

**Senate Bill No. 578, entitled**

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 16216 (MCL 333.16216), as added by 1993 PA 87.

The Senate has passed the bill.

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

**Senate Bill No. 650, entitled**

A bill to amend 1998 PA 58, entitled "Michigan liquor control code of 1998," by amending section 203 (MCL 436.1203), as amended by 2008 PA 474.

The Senate has passed the bill.

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

**Senate Bill No. 651, entitled**

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

The Senate has passed the bill.

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

**Senate Joint Resolution V, entitled**

A joint resolution to petition the congress of the United States to call a convention to propose amendments to the constitution of the United States to require a balanced federal budget.

The Senate has passed the bill.

The joint resolution was read a first time by its title and referred to the Committee on Financial Liability Reform.

**Explanation of "No" Votes**

Rep. Lipton, having reserved the right to explain her protest against the passage of **Senate Bill No. 652**, made the following statement:

"Mr. Speaker and members of the House:

I voted no on Senate Bill 652 in protest of the House Republicans desire to change the rules in the middle of the game to benefit their own party. It also puts undue burdens on people filing Freedom of Information Act or Open Meetings Act

claims against the state. Those cases are currently heard in the local circuit court where an alleged violation occurred. SB 652 instead puts all of those claims under the jurisdiction of the Court of Claims. Therefore, a person who files a FOIA claim in the Upper Peninsula might have to drive nine or more hours to testify in court.

It's no coincidence that Republicans are doing this at a time when they hold the governor's office, dominate both houses of the state Legislature and hold a 5-2 majority in the Michigan Supreme Court. I'm disgusted that SB 652 stacks the Court of Claims in the Republican Party's favor. It makes it likely that controversial new laws will be rushed through the legislative process, signed by the governor and put into law without necessary legislative deliberation or a day in court. SB 652 makes a mockery of our constitutionally designated separation of powers by allowing the Legislature to meddle in the affairs of the court. Republicans claims of saving taxpayers money are disingenuous at best. What is happening here is nothing more than Republicans changing rules and making it harder for citizens to hold their government accountable.

Finally I have a great deal of concern over the impact of applying immediate effect to this bill by gaveling through the vote without a proper count. By doing so, Republicans are disenfranchising hundreds of citizens who currently have cases within the Court of Claims.”

### Introduction of Bills

Rep. Walsh introduced

**House Bill No. 5140, entitled**

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

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

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Rep. Crawford moved that the House adjourn.  
The motion prevailed, the time being 2:45 p.m.

Associate Speaker Pro Tempore Cotter declared the House adjourned until Tuesday, November 12, at 1:30 p.m.

GARY L. RANDALL  
Clerk of the House of Representatives

