

No. 16
STATE OF MICHIGAN
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House of Representatives
97th Legislature
REGULAR SESSION OF 2014

House Chamber, Lansing, Wednesday, February 12, 2014.

1:30 p.m.

The House was called to order by Associate Speaker Pro Tempore O'Brien.

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—excused
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

Rev. Kelvin Lott, Lead Pastor of House of His Presence in Oxford, offered the following invocation:

“Our Heavenly Father, I thank You for this day and for the opportunity to invoke Your favor and Your blessing on this group of public servants and on the deliberations of this legislative body. I thank You that You are concerned about and desire to be invited into the decision making process of the great state of Michigan for Your Word declares, ‘Blessed is the nation who’s God is the Lord.’ I thank You, that by divine providence, You have called each of us to this moment in time and that You have raised up each person ‘for just such a time as this.’

I thank You for these elected officials and those that serve with them. I thank You for their service, their sacrifice and their desire to see Michigan become a better place, not just for today, but for generations to come. I give them honor and respect for giving of their lives to govern and lead in this day that we live. I thank You for the sacrifice of time and attention that their families endure, so that all of the families of Michigan can be blessed. I pray for their protection, their provision and that You would shower them with divine favor.

Father, I pray that You would give to each one the wisdom that they need to make right decisions. Decisions not based on personal viewpoint, party affiliation or personal benefit. But on what is best not just for the present, but for the kind of future that You desire for this state.

Finally Lord, I pray that Your hand of blessing will be upon this state. That as these public servants seek You, they will make the kind of decisions that will once again bring Michigan back into prominence in this country. I pray that the day will come when, as Your word declares, ‘we will be the head and not the tail,’ and that other states will see the turnaround that has taken place here and will come to learn how it has been accomplished. Then humbly, we will be able to say, ‘hitherto, has the Lord helped us.’

I ask these things today in the wonderful and awesome name of Your son, Jesus.
Amen.”

The Speaker assumed the Chair.

Rep. Stamas moved that Rep. Walsh be excused from today’s session.
The motion prevailed.

Motions and Resolutions

Reps. Banks, Schor, Irwin, Zemke, Stanley, Brown, Kosowski, Slavens, Kandrevas, Brunner, Smiley, Phelps, Talabi, Durhal, Faris, Greimel, Rutledge, Tlaib, Singh, Hovey-Wright, Knezek, Abed, Darany, Lipton, Robinson, Stallworth, Oakes and Barnett offered the following resolution:

House Resolution No. 302.

A resolution to urge the Governor to reinvest in local communities and commit to restoring full statutory revenue sharing.

Whereas, The state of Michigan has failed in its commitment to local communities over the last decade. Over \$6 billion in state revenue sharing has been redirected to support state government operations at the expense of local communities and the vital services they provide. At the same time the state budget was increasing by 26 percent, local governments have had no choice but to cut police and fire, snow plowing, and other services; and

Whereas, Cuts to state revenue sharing exacerbated the stress placed on local communities by the recent recession. Municipalities throughout Michigan now face fiscal crises because, in hard times, we chose to balance the state budget on the back of local governments. With limited capability of generating local revenue, they were forced to make impossible decisions between maintaining vital services or balancing their budgets; and

Whereas, The state of Michigan now has a stable budget and a significant budget surplus. The time has come for Michigan to reinvest in local communities so they can restore essential services to adequate levels and so they may invest in neglected critical infrastructure. Reinvestment in local communities has a direct benefit to the everyday life of Michigan’s residents and creates a stronger Michigan for all. However, this reinvestment will only occur with the full support of both the legislative and executive branches of state government; now, therefore, be it

Resolved by the House of Representatives, That we urge the Governor to reinvest in local communities and commit to restoring full statutory revenue sharing; and be it further

Resolved, That copies of this resolution be transmitted to the Governor.

The resolution was referred to the Committee on Appropriations.

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

Third Reading of Bills

House Bill No. 5025, entitled

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

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

Roll Call No. 38

Yeas—109

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

Nays—0

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. 5231, entitled

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

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

Roll Call No. 39

Yeas—109

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

Nays—0

In The Chair: O’Brien

The question being on agreeing to the title of the bill,
Rep. Stamas moved to amend the title to read as follows:
A bill to amend 1931 PA 328, entitled “The Michigan penal code,” by amending sections 452, 455, 456, 457, 458, 459, and 460 (MCL 750.452, 750.455, 750.456, 750.457, 750.458, 750.459, and 750.460).
The motion prevailed.
The House agreed to the title as amended.
Rep. Stamas moved that the bill be given immediate effect.
The motion prevailed, 2/3 of the members serving voting therefor.

House Bill No. 5232, entitled

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

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

Roll Call No. 40**Yeas—107**

Abed	Genetski	Lauwers	Rendon
Banks	Gardon	LaVoy	Roberts
Barnett	Goike	Leonard	Rogers
Bolger	Graves	Lipton	Rutledge
Brinks	Greimel	Lori	Santana
Brown	Haines	Lund	Schmidt
Brunner	Haugh	Lyons	Schor
Bumstead	Haveman	MacGregor	Segal
Callton	Heise	MacMaster	Shirkey
Cavanagh	Hobbs	McBroom	Singh
Clemente	Hooker	McCann	Slavens
Cochran	Hovey-Wright	McCready	Smiley
Cotter	Howrylak	McMillin	Somerville
Crawford	Jacobsen	Muxlow	Stallworth
Daley	Jenkins	Nathan	Stamas
Darany	Johnson	Nesbitt	Stanley
Denby	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	Yanez
Forlini	Kurtz	Poleski	Yonker
Foster	LaFontaine	Potvin	Zemke
Franz	Lamonte	Price	Zorn
Geiss	Lane	Pscholka	

Nays—2

Irwin Robinson

In The Chair: O’Brien

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.

Second Reading of Bills**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.

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

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

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

The motion prevailed.

House Bill No. 4885, entitled

A bill to amend 1929 PA 48, entitled "An act levying a specific tax to be known as the severance tax upon all producers engaged in the business of severing oil and gas from the soil; prescribing the method of collecting the tax; requiring all producers of such products or purchasers thereof to make reports; to provide penalties; to provide exemptions and refunds; to prescribe the disposition of the funds so collected; and to exempt those paying such specific tax from certain other taxes," by amending section 3 (MCL 205.303), as amended by 1996 PA 135, and by adding section 11a.

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

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

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

The motion prevailed.

House Bill No. 5254, entitled

A bill to amend 1929 PA 16, entitled "An act to regulate the business of carrying or transporting, buying, selling or dealing in crude oil or petroleum or its products, through pipe lines; to authorize the use of public highways and the condemnation of private property; to regulate the purchase and storage of crude oil or petroleum; to provide for the control and regulation of all corporations, associations and persons engaged in such business, by the Michigan public utilities commission; to define the powers and duties of the commission in relation thereto; and to prescribe penalties for violations of the provisions hereof," by amending section 2a (MCL 483.2a), as added by 1997 PA 125.

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

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

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

The motion prevailed.

House Bill No. 5255, entitled

A bill to amend 1929 PA 16, entitled "An act to regulate the business of carrying or transporting, buying, selling or dealing in crude oil or petroleum or its products, through pipe lines; to authorize the use of public highways and the condemnation of private property; to regulate the purchase and storage of crude oil or petroleum; to provide for the control and regulation of all corporations, associations and persons engaged in such business, by the Michigan public utilities commission; to define the powers and duties of the commission in relation thereto; and to prescribe penalties for violations of the provisions hereof," by amending section 2 (MCL 483.2).

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

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

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

The motion prevailed.

House Bill No. 5274, entitled

A bill to amend 1929 PA 16, entitled "An act to regulate the business of carrying or transporting, buying, selling or dealing in crude oil or petroleum or its products, through pipe lines; to authorize the use of public highways and the condemnation of private property; to regulate the purchase and storage of crude oil or petroleum; to provide for the control and regulation of all corporations, associations and persons engaged in such business, by the Michigan public utilities commission; to define the powers and duties of the commission in relation thereto; and to prescribe penalties for violations of the provisions hereof," by amending the title and sections 1, 3, 4, and 5 (MCL 483.1, 483.3, 483.4, and 483.5).

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

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

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

The motion prevailed.

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

By unanimous consent the House returned to the order of

Announcement by the Clerk of Printing and Enrollment

The Clerk announced that the following bills had been printed and placed upon the files of the members on Wednesday, February 12:

House Bill Nos.	5286	5287	5288	5289	5290	5291	5292	5293	5294	5295	5296	5297	5298	5299
	5300	5301	5302	5303	5304	5305	5306	5307	5308	5309	5310	5311	5312	5313
	5314													
Senate Bill Nos.	757	758	759	760	761	762	763	764	765	766	767	768	769	770
	771	772	773	774	775	776	777	778	779	780	781	782		

The Clerk announced that the following Senate bills had been received on Wednesday, February 12:

Senate Bill Nos.	446	719	749	750
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Reports of Standing Committees

The Committee on Military and Veterans Affairs, by Rep. Franz, Vice-Chair, reported

House Resolution No. 300.

A resolution to memorialize the Congress of the United States and the U.S. Department of Veterans Affairs to take a stronger role in investigating and eliminating delays in veterans’ health care.

(For text of resolution, see House Journal No. 15, p. 150.)

With the recommendation that the resolution be adopted.

Favorable Roll Call

To Report Out:

Yeas: Reps. Franz, Kurtz, Hooker, Zorn, Graves, Santana, Darany, Banks, Yanez and Kosowski

Nays: None

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Wednesday, February 12, 2014

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

Absent: Reps. Stamas and Haines

Excused: Reps. Stamas and Haines

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

Senate Bill No. 629, entitled

A bill to amend 1948 (1st Ex Sess) PA 31, entitled “An act to provide for the incorporation of authorities to acquire, furnish, equip, own, improve, enlarge, operate, and maintain buildings, automobile parking lots or structures, transit-oriented developments, transit-oriented facilities, recreational facilities, stadiums, and the necessary site or sites therefor, together with appurtenant properties and facilities necessary or convenient for the effective use thereof, for the use of any county, city, village, or township, or for the use of any combination of 2 or more counties, cities, villages, or townships, or for the use of any school district and any city, village, or township wholly or partially within the district’s boundaries, or for the use of any school district and any combination of 2 or more cities, villages, or townships wholly or partially within the district’s boundaries, or for the use of any intermediate school district and any constituent school district or any city, village, or township, wholly or partially within the intermediate school district’s boundaries; to provide for compensation of authority commissioners; to permit transfers of property to authorities; to authorize the execution of contracts, leases,

and subleases pertaining to authority property and the use of authority property; to authorize incorporating units to impose taxes without limitation as to rate or amount and to pledge their full faith and credit for the payment of contract of lease obligations in anticipation of which bonds are issued by an authority; to provide for the issuance of bonds by such authorities; to validate action taken and bonds issued; to provide other powers, rights, and duties of authorities and incorporating units, including those for the disposal of authority property; and to prescribe penalties and provide remedies," by amending section 11 (MCL 123.961), as amended by 2008 PA 452.

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, Nesbitt, Price, Somerville, Kelly, Switalski, Haugh and Townsend

Nays: None

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

Senate Bill No. 630, entitled

A bill to amend 1980 PA 450, entitled "The tax increment finance authority act," by amending section 1 (MCL 125.1801), as amended by 2013 PA 61.

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, Nesbitt, Price, Somerville, Kelly, Switalski, Haugh and Townsend

Nays: None

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Wednesday, February 12, 2014

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

Absent: Reps. Foster and Lyons

Excused: Reps. Foster and Lyons

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

House Bill No. 4998, entitled

A bill to establish a pilot project to accelerate entrepreneurship and innovation by establishing entrepreneur-in-residence positions in the strategic fund.

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. Foster, Zorn, Haines, Glardon, Nesbitt, Outman, Switalski, Barnett, Townsend, Oakes, Driskell and Yanez

Nays: Reps. Kelly, Leonard and Santana

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Wednesday, February 12, 2014

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

Absent: Rep. Schmidt

Excused: Rep. Schmidt

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Tuesday, February 11, 2014

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

Absent: Rep. Robinson

Excused: Rep. Robinson

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Wednesday, February 12, 2014

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

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Wednesday, February 12, 2014

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

Absent: Rep. Lyons

Excused: Rep. Lyons

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, February 12, 2014

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

Absent: Rep. Foster

Excused: Rep. Foster

Messages from the Senate**House Bill No. 4808, entitled**

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending sections 16, 18, 200i, 204, 207, 209, 210, 211a, 316, 436, 520b, and 543f (MCL 750.16, 750.18, 750.200i, 750.204, 750.207, 750.209, 750.210, 750.211a, 750.316, 750.436, 750.520b, and 750.543f), sections 16 and 18 as amended by 2004 PA 213, sections 200i, 204, 207, 209, and 210 as amended by 2003 PA 257, section 211a as amended by 2004 PA 523, section 316 as amended by 2013 PA 39, section 436 as amended by 2002 PA 135, section 520b as amended by 2012 PA 372, and section 543f as added by 2002 PA 113.

The Senate has amended the bill as follows:

1. Amend page 20, line 8, by striking out all of enacting section 1 and inserting:

"Enacting section 1. This amendatory act does not take effect unless Senate Bill No. 319 of the 97th Legislature is enacted into law."

The Senate has passed the bill as amended, 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. 446, entitled

A bill to amend 1978 PA 368, entitled “Public health code,” by amending section 22210 (MCL 333.22210), as amended by 2011 PA 51.

The Senate has passed the bill.

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

Senate Bill No. 719, entitled

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” by amending section 19612 (MCL 324.19612), as amended by 2012 PA 446.

The Senate has passed the bill.

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

Senate Bill No. 749, 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 Senate has passed the bill.

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

Senate Bill No. 750, 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 Senate has passed the bill.

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

Messages from the Governor

Date: February 11, 2014

Time: 12:18 p.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 4715 (Public Act No. 4, I.E.), being

An act to amend 1931 PA 328, entitled “An act to revise, consolidate, codify, and add to the statutes relating to crimes; to define crimes and prescribe the penalties and remedies; to provide for restitution under certain circumstances; to provide for the competency of evidence at the trial of persons accused of crime; to provide immunity from prosecution for certain witnesses appearing at criminal trials; to provide for liability for damages; and to repeal certain acts and parts of acts inconsistent with or contravening any of the provisions of this act,” by amending section 224f (MCL 750.224f), as added by 1992 PA 217.

(Filed with the Secretary of State February 11, 2014, at 3:25 p.m.)

Date: February 11, 2014

Time: 12:20 p.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 4716 (Public Act No. 5, I.E.), being

An act to amend 1927 PA 175, entitled “An act to revise, consolidate, and codify the laws relating to criminal procedure and to define the jurisdiction, powers, and duties of courts, judges, and other officers of the court under the provisions of this act; to provide laws relative to the rights of persons accused of criminal offenses and ordinance violations; to provide for the arrest of persons charged with or suspected of criminal offenses and ordinance violations; to provide for

bail of persons arrested for or accused of criminal offenses and ordinance violations; to provide for the examination of persons accused of criminal offenses; to regulate the procedure relative to grand juries, indictments, informations, and proceedings before trial; to provide for trials of persons complained of or indicted for criminal offenses and ordinance violations and to provide for the procedure in those trials; to provide for judgments and sentences of persons convicted of criminal offenses and ordinance violations; to establish a sentencing commission and to prescribe its powers and duties; to provide for procedure relating to new trials and appeals in criminal and ordinance violation cases; to provide a uniform system of probation throughout this state and the appointment of probation officers; to prescribe the powers, duties, and compensation of probation officers; to provide penalties for the violation of the duties of probation officers; to provide for procedure governing proceedings to prevent crime and proceedings for the discovery of crime; to provide for fees of officers, witnesses, and others in criminal and ordinance violation cases; to set forth miscellaneous provisions as to criminal procedure in certain cases; to provide penalties for the violation of certain provisions of this act; and to repeal all acts and parts of acts inconsistent with or contravening any of the provisions of this act,” by amending section 16m of chapter XVII (MCL 777.16m), as amended by 2012 PA 124.

(Filed with the Secretary of State February 11, 2014, at 3:27 p.m.)

Date: February 11, 2014

Time: 12:22 p.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 4717 (Public Act No. 6, I.E.), being

An act 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.

(Filed with the Secretary of State February 11, 2014, at 3:29 p.m.)

The following message from the Governor was received February 11, 2014 and read:

**EXECUTIVE ORDER
No. 2014 – 4**

**AMENDMENT OF EXECUTIVE ORDER No. 2014-1 and
EXECUTIVE ORDER No. 2014-3**

WHEREAS, Section 1 of Article V of the Michigan Constitution of 1963 vests the executive power of the state of Michigan in the Governor; and

WHEREAS, under Section 4 of 1982 PA 191, MCL 10.84, during a declared State of Energy Emergency the Governor may by executive order suspend a statute, order, rule of a state agency, or specific provision of a statute, order, or rule if strict compliance with the statute, order, rule, or a specific provision of the statute, order, or rule will prevent, hinder, or delay necessary action in coping with an energy emergency; and

WHEREAS, based on the effects of the regional propane shortage and the polar vortex, Executive Order 2014-1 declared a State of Energy Emergency in this state beginning on January 10, 2014 and amended by Executive Order 2014-3 to extend the deadline to February 11, 2014; and

WHEREAS, the United States Department of Transportation Federal Motor Carrier Safety Administration has declared that a regional transportation emergency continues to exist in the highway transportation of propane and other home heating fuels throughout the Midwest Region of the United States (Illinois, Indiana, Iowa, Kansas, Michigan, Minnesota, Missouri, Nebraska, Ohio, and Wisconsin); and

WHEREAS, as a result of an Extension of the Declaration of Regional Emergency, the Federal Motor Carrier Safety Administration, acting pursuant to 49 CFR 390.23 and 390.25, has exempted motor carriers and drivers transporting propane, and other heating oil to and from the Midwest Region from 49 CFR Parts 390-399 to address emergency needs arising from the effects of the polar vortex and propane shortage. The exemption was effective from January 19, 2014 until February 11, 2014. On February 5, 2014 the Federal Motor Carrier Safety Administration extended the exemption to 11:59 p.m., CST, March 1, 2014; and

WHEREAS, appropriate measures must be taken in Michigan to ensure that fuel supplies will remain sufficient and to assure the health, safety, and welfare of Michigan residents and visitors;

NOW, THEREFORE, I, Richard D. Snyder, Governor of the state of Michigan, by virtue of the power and authority vested in the Governor by the Michigan Constitution of 1963 and Michigan law, order the following:

Executive Order 2014-3 is amended to extend the duration of the energy emergency and the waiver of regulations relating to motor carriers and drivers transporting propane and heating oil and remains in effect for the duration of the emergency or 11:59 p.m. EDT, Saturday, March 1, 2014, whichever is less.

[SEAL]

Given under my hand and the Great Seal of the State of Michigan this 11th day of February in the Year of Our Lord, Two Thousand and Fourteen

RICHARD D. SNYDER

GOVERNOR

BY THE GOVERNOR:

RUTH A. JOHNSON

SECRETARY OF STATE

The message was referred to the Clerk.

Introduction of Bills

Reps. Knezek and Abed introduced

House Bill No. 5315, entitled

A bill to amend 1979 PA 94, entitled "The state school aid act of 1979," (MCL 388.1601 to 388.1896) by adding section 260.

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

Reps. Schor, Haugh, LaVoy, Geiss, Slavens, Lane, Driskell, Abed and Hobbs introduced

House Bill No. 5316, entitled

A bill to amend 1954 PA 116, entitled "Michigan election law," by amending sections 758 and 759 (MCL 168.758 and 168.759), section 758 as amended by 1996 PA 207 and section 759 as amended by 2012 PA 523.

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

Reps. McCready, Callton, MacGregor, Glardon, Denby, Rogers, Pagel, Dianda, Kivela, O'Brien, Kowall and Schmidt introduced

House Bill No. 5317, entitled

A bill to amend 1976 PA 399, entitled "Safe drinking water act," by amending section 5 (MCL 325.1005), as amended by 1998 PA 56.

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

Reps. McCready, Callton, MacGregor, Glardon, Denby, Rogers, Pagel, Dianda, O'Brien, Kowall and Schmidt introduced

House Bill No. 5318, entitled

A bill to amend 1972 PA 230, entitled "Stille-DeRossett-Hale single state construction code act," (MCL 125.1501 to 125.1531) by adding section 13g.

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

Reps. McCready, Callton, Glardon, Denby, Rogers, Dianda, O'Brien, Kowall, Schmidt and Kosowski introduced

House Bill No. 5319, entitled

A bill to amend 1978 PA 59, entitled "Condominium act," by amending section 52 (MCL 559.152), as amended by 2000 PA 379.

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

Rep. Jacobsen introduced

House Bill No. 5320, entitled

A bill to amend 1980 PA 299, entitled "Occupational code," by amending sections 303a, 401, and 601 (MCL 339.303a, 339.401, and 339.601), section 303a as amended by 2006 PA 489, section 401 as amended by 1988 PA 463, and section 601 as amended by 2008 PA 319, and by adding article 14.

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

Rep. Stallworth moved that the House adjourn.
The motion prevailed, the time being 3:00 p.m.

Associate Speaker Pro Tempore O'Brien declared the House adjourned until Thursday, February 13, at 12:00 Noon.

GARY L. RANDALL
Clerk of the House of Representatives

