

**No. 43**  
**STATE OF MICHIGAN**  
**JOURNAL**  
**OF THE**  
**House of Representatives**  
**97th Legislature**  
**REGULAR SESSION OF 2013**

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House Chamber, Lansing, Wednesday, May 8, 2013.

1:30 p.m.

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

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

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

e/d/s = entered during session

Sfg. Bishop DL Bradley, Pastor of Bethlehem Temple Apostolic Faith Church in Clinton Township, offered the following invocation:

**“O LORD, Your words have thunders out from the pages of scripture, saying, ‘Blessed is the nation, whose God is the LORD; and the people whom He hath chosen for His inheritance.’ So noble that declaration, and, now, today, so rarified the practice of inviting You, by prayer, to enter the chambers of government before the peoples’ business is conducted, that I call for this chamber to be blessed because this chamber has called for this prayer to be made.**

**Therefore, bless this Michigan House of Representatives, Representatives sent here by the people to represent the people who themselves cannot individually be here. As Your prophet Amos wrote, ‘Let judgment run down like water, and righteousness as a mighty stream,’ so let those twins, judgment and righteousness, fill this chamber for the entirety of this session of the legislature.**

**Through times of debate, and at the debate’s conclusion, let judgment run down like water; in the midst of rancorous contentions, when the heat of the moment is ended, let righteousness overflow ‘til it smooth the rough edges.**

**And finally O LORD, at the end of each day, and before the beginning of a new day, after the chamber is empty and the floors have been swept clean nightly; let Thy Spirit ever remain present, in these chambers, throughout the night, conducting Your blessed night business, ‘til Representatives return again to conduct the business of the state.**

**A song to thee, fair State of mine,  
Michigan, my Michigan;  
But greater song than this is thine,  
Michigan, my Michigan;  
The whisper of the forest tree,  
The thunder of the inland sea;  
Unite in one grand symphony  
Of Michigan, my Michigan.**

**I sing a State of all the best,  
Michigan, my Michigan;  
I sing a State with riches blest,  
Michigan, my Michigan;  
Thy mines unmask a hidden store,  
But richer thy historic lore,  
More great the love thy builders bore,  
Oh, Michigan, my Michigan.**

**How fair the bosom of thy lakes,  
Michigan, my Michigan;  
What melody each river makes;  
Michigan, my Michigan;  
As to thy lakes the rivers tend,  
Thy exiled children to thee send  
Devotion that shall never end,  
Oh, Michigan, my Michigan.**

**Thou rich in wealth makes a State,  
Michigan, my Michigan;  
Thou great in things that make us great,  
Michigan, my Michigan;  
Out loyal voices sound thy claim  
Upon the golden roll of fame  
Our loyal hands shall write the name  
Of Michigan, my Michigan.**

**We ask all these blessings in Jesus name, Amen.”**

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Rep. Stamas moved that Reps. Daley, Bolger, Genetski, Haveman, McBroom, Price and Olumba be excused from today’s session.

The motion prevailed.

Rep. Hobbs moved that Reps. Nathan and Kivela be excused from today's session.  
The motion prevailed.

### Motions and Resolutions

Reps. Slavens, Brown, Crawford, Darany, Durhal, Heise, Howrylak, Kelly, Lori, Roberts and Segal offered the following resolution:

**House Resolution No. 128.**

A resolution to declare September 2013 as Alzheimer's Month in the state of Michigan.

Whereas, The Alzheimer's Association is observing World Alzheimer's Month this September; and

Whereas, Due to the soaring global prevalence and costs of Alzheimer's disease worldwide, Michigan is recognizing the entire month of September as Alzheimer's Month; and

Whereas, Alzheimer's disease, the sixth-leading cause of death in the United States, and the only cause of death among the top 10 in the country that cannot be prevented, cured, or even slowed, is a public health crisis causing hardship and heartbreak to many people, families, caregivers, and communities; and

Whereas, 5.4 million Americans are now living with Alzheimer's disease with one additional person diagnosed every 68 seconds; and

Whereas, Alzheimer's disease tragically robs individuals of their memories and leads to progressive mental and physical impairments; and

Whereas, This fatal disease represents a serious and growing threat to the health of our state; and

Whereas, We recommit to improving its detection and treatment, finding a cure, and standing with all whose lives are affected by this terrible disease; now, therefore, be it

Resolved by the House of Representatives, That the members of this legislative body declare September 2013 as Alzheimer's Month in the state of Michigan.

The resolution was referred to the Committee on Health Policy.

Reps. Slavens, Brown, Crawford, Darany, Durhal, Heise, Kelly, Lori, Roberts and Segal offered the following resolution:

**House Resolution No. 129.**

A resolution to declare September 21, 2013, as Alzheimer's Action Day in the state of Michigan.

Whereas, Alzheimer's Action Day is an opportunity to raise awareness about Alzheimer's disease and the need for more education, support and research; and

Whereas, Tens of thousands of families across Michigan are affected by this disease; and

Whereas, Today, there are more than 35 million people living with dementia worldwide; and

Whereas, Alzheimer's disease is the only cause of death among the top 10 in America without a way to prevent, cure or even slow its progression; and

Whereas, It is going to take all of us to end this disease, but together, we can move toward a world without Alzheimer's; now, therefore, be it

Resolved by the House of Representatives, That the members of this legislative body declare September 21, 2013, as Alzheimer's Action Day in the state of Michigan. We join with organizations and individuals around the globe to recognize this occasion.

The resolution was referred to the Committee on Health Policy.

Reps. Heise, Brown, Crawford, Darany, Denby, Durhal, Howrylak, Jacobsen, Kelly, Lori, Roberts, Segal and Slavens offered the following resolution:

**House Resolution No. 130.**

A resolution to commemorate the 100th anniversary of the Michigan Historical Commission.

Whereas, The Michigan Historical Commission was created on May 8, 1913, with passage by the Michigan Legislature of House Bill No. 327 and signing by Governor Woodbridge Ferris. This began for the purposes of collecting and preserving material, including records, archives, paintings, and statuary illustrative of and relating to the history of Michigan, the old Northwest Territory, the early pioneers, and the Indian tribes in Michigan, displaying it in the Michigan Historical Museum, and publishing source materials and historical studies on the history of the state; and

Whereas, The succeeding years have resulted in additions to the Commission's responsibilities. These additions have included: enactment in 1955 of Public Act 10 giving it authority over the Michigan Historical Marker program now encompassing some 1,700 sites and stories, and in 2007 under Executive Order 52 directing it to lead Michigan's commemoration of the Sesquicentennial of the American Civil War. After various executive reorganizations it today provides counsel to the Department of Natural Resources on the state's history programs; and

Whereas, Since 1913 the Commission has continuously championed Michigan's unique, rich heritage, most recently seeking to aid the City of Detroit with renovation and promotion of Capitol Park, seat of Michigan's territorial government and its first Capitol, and of the Ulysses S. and Julia D. Grant Home, the state's only publicly owned presidential residence; and

Whereas, The Commission has long been characterized by diversity, its longest serving member being Elizabeth S. Adams, appointed in 1941 and served until 1995. It has received contributions of such celebrated African-Americans as Esther Edwards and Samuel Logan, Jr., as well as distinguished public servants such as John B. Swainson, in whose name the Commission created an award to honor those who make significant contributions to preserving Michigan history, and currently being served by the largest number of female members in its history; and

Whereas, The Commission's leadership has been and will continue to be essential in preserving and promoting Michigan's history, connecting it to tourism initiatives that aid the economy and quality of life, and educating our youth on their state's heritage; now, therefore, be it

Resolved by the House of Representatives, That the members of this legislative body commemorate the 100th anniversary of the Michigan Historical Commission; and be it further

Resolved, That a copy of this resolution be transmitted to John M. Dempsey, president of the Michigan Historical Commission, to Keith Creagh, director of the Department of Natural Resources, and to the members of this greatly respected commission as evidence of the high regard and esteem held for them by the Michigan Legislature and the people they serve.

The question being on the adoption of the resolution,

The resolution was adopted.

Reps. Barnett, Brown, Crawford, Darany, Denby, Durhal, Heise, Howrylak, Jacobsen, Kelly, Lori, Roberts, Segal and Slavens offered the following resolution:

**House Resolution No. 131.**

A resolution to declare May 2013 as Crohn's and Colitis Awareness Month in the state of Michigan.

Whereas, Crohn's disease and ulcerative colitis are serious, chronic inflammatory diseases of the gastrointestinal tract; and

Whereas, Crohn's disease and ulcerative colitis, collectively known as inflammatory bowel disease, afflict approximately 1,400,000 people in the United States, 30 percent of whom are diagnosed as children; and

Whereas, The cause of Crohn's disease and ulcerative colitis are unknown and no medical cure exists; and

Whereas, Crohn's disease and ulcerative colitis can affect anyone, at any age, and is being diagnosed with increased frequency in children;

Whereas, Crohn's disease and ulcerative colitis patients are at high risk for developing colorectal cancer; and

Whereas, The annual direct cost of Crohn's disease and ulcerative colitis in the United States is estimated to be \$1,700,000,000; and

Whereas, The goals of Crohn's and Colitis Awareness Month are to invite and encourage all people in Michigan to join the effort to find a cure for Crohn's disease and ulcerative colitis, to engage in activities aimed at raising awareness of Crohn's disease and ulcerative colitis among the general public and health care providers, and to promote and support biomedical research needed to find better treatments and a cure for Crohn's disease and ulcerative colitis; now, therefore, be it

Resolved by the House of Representatives, That the members of this legislative body declare May 2013 as Crohn's and Colitis Awareness Month in the state of Michigan. We salute the goals and ideals of Crohn's and Colitis Awareness Month by helping to educate the general public about Crohn's disease and ulcerative colitis; and be it further

Resolved, That we recognize all people in the United States living with Crohn's disease and ulcerative colitis and expresses appreciation to the family members and caregivers who support them. We commend the dedication of health care professionals and biomedical researchers who care for Crohn's disease and ulcerative colitis patients and work to advance basic, genetic, and clinical research aimed at developing new treatments and a cure for Crohn's disease and ulcerative colitis.

The question being on the adoption of the resolution,

The resolution was adopted.

Reps. Townsend, Brown, Crawford, Darany, Denby, Durhal, Heise, Howrylak, Jacobsen, Kelly, Lori, Roberts, Segal and Slavens offered the following resolution:

**House Resolution No. 132.**

A resolution to declare May 2013 as Melanoma and Skin Cancer Detection and Prevention Month in the state of Michigan.

Whereas, Most people do not realize that the skin is the largest and most visible organ of the body and performs many essential protective functions.

Whereas, Skin cancer is the most common form of cancer in the United States; and

Whereas, Current estimates are that one in five Americans will develop skin cancer in their lifetime; and

Whereas, Melanoma is the most dangerous type of skin cancer and it is the leading cause of death from skin disease; and  
Whereas, When detected early, the survival rate for individuals with melanoma is greater than 98%, and the survival rate falls to 15% for those with advanced disease; and

Whereas, In 2013 the American Cancer Society estimated that 76,250 new cases of melanoma would be diagnosed and that 9,180 deaths would occur from melanoma; and

Whereas, There are more new cases of malignant melanoma diagnosed in Grand Traverse County than 97% of all other counties nationwide; and

Whereas, Melanoma is the most common form of cancer for young adults between 25 and 29 years of age and the second most common form of cancer for adolescents and young adults between 15 and 19 years of age; and

Whereas, The National Cancer Institute reports that the cost to treat skin cancers in the United States is \$2 billion annually; and

Whereas, The Food & Drug Administration's (FDA) most recent recommendations to promote sun safety awareness should be shared with consumers, including limiting the time in the sun when rays are most intense between 10:00 a.m. and 2:00 p.m., wearing protective clothing, and applying a sunscreen with a sun protection factor (SPF) of at least a 15 or higher 20 minutes before sun exposure and reapplication every 2 hours or earlier if sweating or water exposure occurs; and

Whereas, The Centers for Disease Control (CDC) reports that frequent exposure to ultraviolet (UV) radiation for individuals under the age of 35 increases the risk of developing melanoma by 75%; and

Whereas, The ABCDE mnemonic for pigmented skin lesions continues to be an important early detection educational tool for patients and health care professionals and includes asymmetry, border irregularity, color variation, diameter greater than 6 mm (about the size of a pencil eraser), evolving or changing mole; and

Whereas, Melanoma and Skin Cancer Detection and Prevention Month is a public education service designated to promote the prevention and early detection of melanoma and other skin cancers; now, therefore, be it

Resolved by the House of Representatives, That the members of this legislative body declare May 2013 as Melanoma and Skin Cancer Detection and Prevention Month in the state of Michigan.

The question being on the adoption of the resolution,

The resolution was adopted.

### Second Reading of Bills

#### Senate Bill No. 16, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 43559 (MCL 324.43559), as amended by 1998 PA 95, and by adding section 1616.

The bill was read a second time.

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

The motion prevailed.

#### House Bill No. 4586, entitled

A bill to amend 1941 PA 122, entitled "An act to establish the revenue collection duties of the department of treasury; to prescribe its powers and duties as the revenue collection agency of this state; to prescribe certain powers and duties of the state treasurer; to establish the collection duties of certain other state departments for money or accounts owed to this state; to regulate the importation, stamping, and disposition of certain tobacco products; to provide for the transfer of powers and duties now vested in certain other state boards, commissions, departments, and offices; to prescribe certain duties of and require certain reports from the department of treasury; to provide procedures for the payment, administration, audit, assessment, levy of interests or penalties on, and appeals of taxes and tax liability; to prescribe its powers and duties if an agreement to act as agent for a city to administer, collect, and enforce the city income tax act on behalf of a city is entered into with any city; to provide an appropriation; to abolish the state board of tax administration; to prescribe penalties and provide remedies; and to declare the effect of this act," by amending section 30c (MCL 205.30c), as amended by 2007 PA 194.

The bill was read a second time.

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

The motion prevailed.

#### House Bill No. 4454, entitled

A bill to amend 1976 PA 451, entitled "The revised school code," (MCL 380.1 to 380.1852) by adding section 1566. The bill was read a second time.

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

The motion prevailed.

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, May 8:

**House Bill Nos. 4694 4695 4696 4697 4698 4699 4700 4701 4702 4703 4704 4705**  
**Senate Bill No. 354**

**Reports of Standing Committees**

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

**House Bill No. 4363, entitled**

A bill to amend 1976 PA 267, entitled "Open meetings act," by amending section 3 (MCL 15.263), as amended by 1988 PA 278.

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

1. Amend page 2, line 5, after "public" by striking out the balance of the line through "**PRESENT,**" on line 6.
2. Amend page 4, following line 23, by inserting:

"Enacting section 1. This amendatory act takes effect upon the expiration of 90 days after the date it is enacted into law."

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

Favorable Roll Call

To Report Out:

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

Nays: None

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Tuesday, May 7, 2013

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

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

**House Bill No. 4540, entitled**

A bill to amend 1974 PA 198, entitled "An act to provide for the establishment of plant rehabilitation districts and industrial development districts in local governmental units; to provide for the exemption from certain taxes; to levy and collect a specific tax upon the owners of certain facilities; to impose and provide for the disposition of an administrative fee; to provide for the disposition of the tax; to provide for the obtaining and transferring of an exemption certificate and to prescribe the contents of those certificates; to prescribe the powers and duties of the state tax commission and certain officers of local governmental units; and to provide penalties," by amending sections 6 and 7 (MCL 207.556 and 207.557), section 6 as amended by 1996 PA 323 and section 7 as amended by 2008 PA 457.

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

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

Favorable Roll Call

To Report Out:

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

Nays: None

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

**House Bill No. 4541, entitled**

A bill to amend 2000 PA 146, entitled "Obsolete property rehabilitation act," by amending section 6 (MCL 125.2786), as amended by 2011 PA 272.

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

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

Favorable Roll Call

To Report Out:

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

Nays: None

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

**House Bill No. 4705, entitled**

A bill to amend 1993 PA 331, entitled "State education tax act," (MCL 211.901 to 211.906) by adding section 5c.

Without amendment and with the recommendation that the bill pass.

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

Favorable Roll Call

To Report Out:

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

Nays: None

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Wednesday, May 8, 2013

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

Absent: Rep. Price

Excused: Rep. Price

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

**House Bill No. 4083, entitled**

A bill to create the Michigan crime stoppers act; to provide for the designation of crime stoppers organizations within counties for purposes of the act; to provide for the imposition and expenditure of certain assessments; and to provide for certain powers and duties of certain public and private officials and entities.

Without amendment and with the recommendation that the bill pass.

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

Favorable Roll Call

To Report Out:

Yeas: Reps. Heise, Graves, Kurtz, Callton, O'Brien, Kesto, Robinson and Banks

Nays: None

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

**House Bill No. 4441, entitled**

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 80101, 80102, 80104, 80171, 80176, 80177, 80178, 80180, 80183, 80184, 80186, 80187, and 80190 (MCL 324.80101, 324.80102,

324.80104, 324.80171, 324.80176, 324.80177, 324.80178, 324.80180, 324.80183, 324.80184, 324.80186, 324.80187, and 324.80190), section 80101 as amended by 2012 PA 120, sections 80102, 80171, 80186, and 80190 as added by 1995 PA 58, section 80104 as amended by 2012 PA 58, sections 80176, 80177, and 80178 as amended by 2001 PA 12, section 80180 as amended by 2007 PA 8, and sections 80183, 80184, and 80187 as amended by 1996 PA 174, and by adding sections 80178a and 80178b.

Without amendment and with the recommendation that the bill pass.

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

#### Favorable Roll Call

To Report Out:

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

Nays: None

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

#### **House Bill No. 4442, entitled**

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 13g of chapter XVII (MCL 777.13g), as amended by 2003 PA 232.

Without amendment and with the recommendation that the bill pass.

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

#### Favorable Roll Call

To Report Out:

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

Nays: None

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

#### **House Bill No. 4443, entitled**

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 82101, 82127, 82128, 82129, 82130, 82136, 82139, 82140, 82142, 82143, 82144, 82146, and 82148 (MCL 324.82101, 324.82127, 324.82128, 324.82129, 324.82130, 324.82136, 324.82139, 324.82140, 324.82142, 324.82143, 324.82144, 324.82146, and 324.82148), section 82101 as amended by 2010 PA 371, section 82127 as amended by 2001 PA 12, sections 82128 and 82129 as amended by 1999 PA 22, sections 82130, 82136, 82142, and 82146 as added by 1995 PA 58, sections 82139, 82140, 82143, and 82144 as amended by 1996 PA 183, and section 82148 as amended by 2005 PA 175, and by adding sections 82129a and 82129b.

Without amendment and with the recommendation that the bill pass.

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

#### Favorable Roll Call

To Report Out:

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

Nays: None

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

#### **House Bill No. 4444, entitled**

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 13g of chapter XVII (MCL 777.13g), as amended by 2003 PA 232.

Without amendment and with the recommendation that the bill pass.

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



## Favorable Roll Call

## To Report Out:

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

Nays: None

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

**House Bill No. 4445, entitled**

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 81101, 81134, 81136, 81137, 81140, 81141, and 81144 (MCL 324.81101, 324.81134, 324.81136, 324.81137, 324.81140, 324.81141, and 324.81144), section 81101 as amended by 2012 PA 246, section 81134 as amended by 2001 PA 12, sections 81136 and 81141 as amended by 1996 PA 175, and sections 81137, 81140, and 81144 as added by 1995 PA 58, and by adding section 81140b; and to repeal acts and parts of acts.

Without amendment and with the recommendation that the bill pass.

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

## Favorable Roll Call

## To Report Out:

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

Nays: None

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

**House Bill No. 4446, entitled**

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 13g of chapter XVII (MCL 777.13g), as amended by 2003 PA 232.

Without amendment and with the recommendation that the bill pass.

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

## Favorable Roll Call

## To Report Out:

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

Nays: None

## COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Wednesday, May 8, 2013

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

Absent: Reps. McBroom and Kivela

Excused: Reps. McBroom and Kivela

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

**Senate Bill No. 257, entitled**

A bill to amend 1961 PA 120, entitled "An act to authorize the development or redevelopment of principal shopping districts and business improvement districts; to permit the creation of certain boards; to provide for the operation of principal shopping districts and business improvement districts; to provide for the creation, operation, and dissolution of business improvement zones; and to authorize the collection of revenue and the bonding of certain local governmental units for the development or redevelopment projects," by amending sections 10, 10a, 10b, 10c, 10e, 10f, 10g, 10h, 10i, 10k, and 10l (MCL 125.990, 125.990a, 125.990b, 125.990c, 125.990e, 125.990f, 125.990g, 125.990h, 125.990i, 125.990k, and 125.990l), as added by 2001 PA 260, and by adding section 10n; and to repeal acts and parts of acts.

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

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

## Favorable Roll Call

## To Report Out:

Yeas: Reps. Foster, Zorn, Haines, Schmidt, Farrington, Glardon, Johnson, Nesbitt, Kelly, Barnett, Townsend, Santana and Driskell

Nays: Reps. Somerville, Outman, Leonard and Yanez

## COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Wednesday, May 8, 2013

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

Absent: Rep. Oakes

Excused: Rep. Oakes

## COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Wednesday, May 8, 2013

Present: Reps. Daley, Denby, Kurtz, Glardon, Johnson, Outman, Rendon, Victory, Lauwers, Pagel, Brunner, Smiley, Hovey-Wright, Ananich, LaVoy and Geiss

Absent: Rep. McBroom

Excused: Rep. McBroom

## COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Wednesday, May 8, 2013

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

Absent: Reps. Genetski and Price

Excused: Reps. Genetski and Price

## 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, May 8, 2013

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

Absent: Rep. Pagel

Excused: Rep. Pagel

## Notices

I hereby give notice that on the next legislative session day I will move to discharge the Committee on Appropriations from further consideration of **Senate Bill No. 182**.

Rep. Haveman

I hereby give notice that on the next legislative session day I will move to discharge the Committee on Appropriations from further consideration of **Senate Bill No. 184**.

Rep. Haveman

I hereby give notice that on the next legislative session day I will move to discharge the Committee on Appropriations from further consideration of **Senate Bill No. 185**.

Rep. Haveman

I hereby give notice that on the next legislative session day I will move to discharge the Committee on Appropriations from further consideration of **Senate Bill No. 187**.

Rep. Haveman

I hereby give notice that on the next legislative session day I will move to discharge the Committee on Appropriations from further consideration of **Senate Bill No. 188**.

Rep. Haveman

I hereby give notice that on the next legislative session day I will move to discharge the Committee on Appropriations from further consideration of **Senate Bill No. 189**.

Rep. Haveman

I hereby give notice that on the next legislative session day I will move to discharge the Committee on Appropriations from further consideration of **Senate Bill No. 190**.

Rep. Haveman

I hereby give notice that on the next legislative session day I will move to discharge the Committee on Appropriations from further consideration of **Senate Bill No. 191**.

Rep. Haveman

I hereby give notice that on the next legislative session day I will move to discharge the Committee on Appropriations from further consideration of **Senate Bill No. 192**.

Rep. Haveman

I hereby give notice that on the next legislative session day I will move to discharge the Committee on Appropriations from further consideration of **Senate Bill No. 193**.

Rep. Haveman

I hereby give notice that on the next legislative session day I will move to discharge the Committee on Appropriations from further consideration of **Senate Bill No. 194**.

Rep. Haveman

I hereby give notice that on the next legislative session day I will move to discharge the Committee on Appropriations from further consideration of **Senate Bill No. 195**.

Rep. Haveman

I hereby give notice that on the next legislative session day I will move to discharge the Committee on Appropriations from further consideration of **Senate Bill No. 196**.

Rep. Haveman

I hereby give notice that on the next legislative session day I will move to discharge the Committee on Appropriations from further consideration of **Senate Bill No. 197**.

Rep. Haveman

I hereby give notice that on the next legislative session day I will move to discharge the Committee on Appropriations from further consideration of **Senate Bill No. 199**.

Rep. Haveman

I hereby give notice that on the next legislative session day I will move to discharge the Committee on Appropriations from further consideration of **Senate Bill No. 201**.

Rep. Haveman

**Communications from State Officers**

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

Notices of Filing  
Administrative Rules

March 26, 2013

In accordance with the provisions of Section 46(1) of Act 306, Public Acts of 1969, as amended, and Executive Order 1995-6, this is to advise you that the Michigan Department of Licensing and Regulatory Affairs and the State Office of Regulatory Reinvention filed Administrative Rule #2012-022-LR (Secretary of State Filing #13-03-28) on this date at 4:45 P.M. for the Department of Licensing and Regulatory Affairs, entitled "Unbundled Network Element and Local Interconnection Services".

These rules become effective on May 25, 2013.

April 2, 2013

In accordance with the provisions of Section 46(1) of Act 306, Public Acts of 1969, as amended, and Executive Order 1995-6, this is to advise you that the Michigan Department of Licensing and Regulatory Affairs and the State Office of Regulatory Reinvention filed Administrative Rule #2012-041-LR (Secretary of State Filing #13-04-01) on this date at 3:28 P.M. for the Department of Licensing and Regulatory Affairs, entitled "Part 8. Handling and Storage of Materials".

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

April 2, 2013

In accordance with the provisions of Section 46(1) of Act 306, Public Acts of 1969, as amended, and Executive Order 1995-6, this is to advise you that the Michigan Department of Licensing and Regulatory Affairs and the State Office of Regulatory Reinvention filed Administrative Rule #2012-080-LR (Secretary of State Filing #13-04-02) on this date at 3:30 P.M. for the Department of Licensing and Regulatory Affairs, entitled "GI Part 38 Hand and Portable Powered Tools".

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

April 4, 2013

In accordance with the provisions of Section 46(1) of Act 306, Public Acts of 1969, as amended, and Executive Order 1995-6, this is to advise you that the Michigan Department of Licensing and Regulatory Affairs and the State Office of Regulatory Reinvention filed Administrative Rule #2012-048-LR (Secretary of State Filing #13-04-03) on this date at 3:16 P.M. for the Department of Licensing and Regulatory Affairs, entitled "CS Part 11 Fixed & Portable Ladders".

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

April 4, 2013

In accordance with the provisions of Section 46(1) of Act 306, Public Acts of 1969, as amended, and Executive Order 1995-6, this is to advise you that the Michigan Department of Licensing and Regulatory Affairs and the State Office of Regulatory Reinvention filed Administrative Rule #2012-051-LR (Secretary of State Filing #13-04-04) on this date at 3:18 P.M. for the Department of Licensing and Regulatory Affairs, entitled "CS Part 18 Fire Protection & Prevention".

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

April 4, 2013

In accordance with the provisions of Section 46(1) of Act 306, Public Acts of 1969, as amended, and Executive Order 1995-6, this is to advise you that the Michigan Department of Licensing and Regulatory Affairs and the State Office of Regulatory Reinvention filed Administrative Rule #2012-052-LR (Secretary of State Filing #13-04-05) on this date at 3:20 P.M. for the Department of Licensing and Regulatory Affairs, entitled "CS Part 19 Tools".

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

April 4, 2013

In accordance with the provisions of Section 46(1) of Act 306, Public Acts of 1969, as amended, and Executive Order 1995-6, this is to advise you that the Michigan Department of Licensing and Regulatory Affairs and the State Office

of Regulatory Reinvention filed Administrative Rule #2012-064-LR (Secretary of State Filing #13-04-06) on this date at 3:22 P.M. for the Department of Licensing and Regulatory Affairs, entitled "CS Part 12 Scaffolds and Scaffold Platforms".

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

April 5, 2013

In accordance with the provisions of Section 46(1) of Act 306, Public Acts of 1969, as amended, and Executive Order 1995-6, this is to advise you that the Michigan Department of Licensing and Regulatory Affairs and the State Office of Regulatory Reinvention filed Administrative Rule #2012-076-LR (Secretary of State Filing #13-04-07) on this date at 3:44 P.M. for the Department of Licensing and Regulatory Affairs, entitled "CS Part 27 Blasting and Use of Explosives".

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

April 5, 2013

In accordance with the provisions of Section 46(1) of Act 306, Public Acts of 1969, as amended, and Executive Order 1995-6, this is to advise you that the Michigan Department of Licensing and Regulatory Affairs and the State Office of Regulatory Reinvention filed Administrative Rule #2012-077-LR (Secretary of State Filing #13-04-08) on this date at 3:46 P.M. for the Department of Licensing and Regulatory Affairs, entitled "OH Part 511 Temporary Labor Camps".

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

April 5, 2013

In accordance with the provisions of Section 46(1) of Act 306, Public Acts of 1969, as amended, and Executive Order 1995-6, this is to advise you that the Michigan Department of Licensing and Regulatory Affairs and the State Office of Regulatory Reinvention filed Administrative Rule #2012-078-LR (Secretary of State Filing #13-04-09) on this date at 3:48 P.M. for the Department of Licensing and Regulatory Affairs, entitled "GI Part 27 Woodworking Machinery".

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

April 5, 2013

In accordance with the provisions of Section 46(1) of Act 306, Public Acts of 1969, as amended, and Executive Order 1995-6, this is to advise you that the Michigan Department of Licensing and Regulatory Affairs and the State Office of Regulatory Reinvention filed Administrative Rule #2012-079-LR (Secretary of State Filing #13-04-10) on this date at 3:50 P.M. for the Department of Licensing and Regulatory Affairs, entitled "GI Part 22 Tractors".

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

April 12, 2013

In accordance with the provisions of Section 46(1) of Act 306, Public Acts of 1969, as amended, and Executive Order 1995-6, this is to advise you that the Michigan Department of Licensing and Regulatory Affairs and the State Office of Regulatory Reinvention filed Administrative Rule #2012-055-LR (Secretary of State Filing #13-04-11) on this date at 3:49 P.M. for the Department of Licensing and Regulatory Affairs, entitled "Occupational Health Part 504 Diving Operations".

These rules take effect 7 days after filing with the Secretary of State.

April 12, 2013

In accordance with the provisions of Section 46(1) of Act 306, Public Acts of 1969, as amended, and Executive Order 1995-6, this is to advise you that the Michigan Department of Licensing and Regulatory Affairs and the State Office of Regulatory Reinvention filed Administrative Rule #2012-056-LR (Secretary of State Filing #13-04-12) on this date at 3:51 P.M. for the Department of Licensing and Regulatory Affairs, entitled "General Industry Safety Part 79 Diving Operations".

These rules take effect 7 days after filing with the Secretary of State.

April 12, 2013

In accordance with the provisions of Section 46(1) of Act 306, Public Acts of 1969, as amended, and Executive Order 1995-6, this is to advise you that the Michigan Department of Licensing and Regulatory Affairs and the State Office of Regulatory Reinvention filed Administrative Rule #2012-057-LR (Secretary of State Filing #13-04-13) on this date at 3:53 P.M. for the Department of Licensing and Regulatory Affairs, entitled "Construction Safety Part 31 Diving Operations".

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

April 17, 2013

In accordance with the provisions of Section 46(1) of Act 306, Public Acts of 1969, as amended, and Executive Order 1995-6, this is to advise you that the Michigan Department of Licensing and Regulatory Affairs and the State Office of Regulatory Reinvention filed Administrative Rule #2011-006-LR (Secretary of State Filing #13-04-14) on this date at 3:47 P.M. for the Department of Licensing and Regulatory Affairs, entitled "General Industry Safety Standard Part 74. Fire Fighting".

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

April 17, 2013

In accordance with the provisions of Section 46(1) of Act 306, Public Acts of 1969, as amended, and Executive Order 1995-6, this is to advise you that the Michigan Department of Licensing and Regulatory Affairs and the State Office of Regulatory Reinvention filed Administrative Rule #2011-010-LR (Secretary of State Filing #13-04-15) on this date at 3:49 P.M. for the Department of Licensing and Regulatory Affairs, entitled "Part 14. Mammography".

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

April 17, 2013

In accordance with the provisions of Section 46(1) of Act 306, Public Acts of 1969, as amended, and Executive Order 1995-6, this is to advise you that the Michigan Department of Licensing and Regulatory Affairs and the State Office of Regulatory Reinvention filed Administrative Rule #2012-068-LR (Secretary of State Filing #13-04-16) on this date at 3:51 P.M. for the Department of Licensing and Regulatory Affairs, entitled "Basic Local Exchange Customer Migration".

These rules become effective June 17, 2013.

April 22, 2013

In accordance with the provisions of Section 46(1) of Act 306, Public Acts of 1969, as amended, and Executive Order 1995-6, this is to advise you that the Michigan Department of Licensing and Regulatory Affairs and the State Office of Regulatory Reinvention filed Administrative Rule #2012-049-LR (Secretary of State Filing #13-04-17) on this date at 2:42 P.M. for the Department of Licensing and Regulatory Affairs, entitled "CS Part 14 Tunnels, Shafts, Caissons, & Cofferdams".

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

April 22, 2013

In accordance with the provisions of Section 46(1) of Act 306, Public Acts of 1969, as amended, and Executive Order 1995-6, this is to advise you that the Michigan Department of Licensing and Regulatory Affairs and the State Office of Regulatory Reinvention filed Administrative Rule #2012-122-LR (Secretary of State Filing #13-04-18) on this date at 2:44 P.M. for the Department of Licensing and Regulatory Affairs, entitled "GI Part 44 Foundries".

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

April 22, 2013

In accordance with the provisions of Section 46(1) of Act 306, Public Acts of 1969, as amended, and Executive Order 1995-6, this is to advise you that the Michigan Department of Licensing and Regulatory Affairs and the State Office of Regulatory Reinvention filed Administrative Rule #2012-123-LR (Secretary of State Filing #13-04-19) on this date at 2:46 P.M. for the Department of Licensing and Regulatory Affairs, entitled "GI Part 57 Oil & Gas Drilling and Servicing Operations".

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

April 22, 2013

In accordance with the provisions of Section 46(1) of Act 306, Public Acts of 1969, as amended, and Executive Order 1995-6, this is to advise you that the Michigan Department of Licensing and Regulatory Affairs and the State Office of Regulatory Reinvention filed Administrative Rule #2012-126-LR (Secretary of State Filing #13-04-20) on this date at 2:48 P.M. for the Department of Licensing and Regulatory Affairs, entitled "GI Part 73 Fire Brigades".

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

April 29, 2013

In accordance with the provisions of Section 46(1) of Act 306, Public Acts of 1969, as amended, and Executive Order 1995-6, this is to advise you that the Michigan Department of Licensing and Regulatory Affairs and the State Office of Regulatory Reinvention filed Administrative Rule #2010-012-TY (Secretary of State Filing #13-04-21) on this date at 4:48 P.M. for the Department of Treasury, entitled "General Sales and Use Tax Rules".

These rules take effect 7 days after filing with the Secretary of State.

April 29, 2013

In accordance with the provisions of Section 46(1) of Act 306, Public Acts of 1969, as amended, and Executive Order 1995-6, this is to advise you that the Michigan Department of Licensing and Regulatory Affairs and the State Office of Regulatory Reinvention filed Administrative Rule #2012-045-LR (Secretary of State Filing #13-04-22) on this date at 4:50 P.M. for the Department of Licensing and Regulatory Affairs, entitled "CS Part 22 Signals, Signs Tags, & Barricades".

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

April 29, 2013

In accordance with the provisions of Section 46(1) of Act 306, Public Acts of 1969, as amended, and Executive Order 1995-6, this is to advise you that the Michigan Department of Licensing and Regulatory Affairs and the State Office of Regulatory Reinvention filed Administrative Rule #2012-046-LR (Secretary of State Filing #13-04-23) on this date at 4:52 P.M. for the Department of Licensing and Regulatory Affairs, entitled "CS Part 32 Aerial Work Platforms".

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

April 29, 2013

In accordance with the provisions of Section 46(1) of Act 306, Public Acts of 1969, as amended, and Executive Order 1995-6, this is to advise you that the Michigan Department of Licensing and Regulatory Affairs and the State Office of Regulatory Reinvention filed Administrative Rule #2012-047-LR (Secretary of State Filing #13-04-24) on this date at 4:54 P.M. for the Department of Licensing and Regulatory Affairs, entitled "GI Part 58 Aerial Work Platforms".

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

Sincerely,

Ruth Johnson

Secretary of State

Robin L. Houston, Departmental Supervisor  
Office of the Great Seal

The communications were referred to the Clerk.

### Introduction of Bills

Reps. Hobbs, Tlaib, Ananich and Roberts introduced

#### **House Bill No. 4706, entitled**

A bill to require employers to provide paid sick leave to certain employees; to specify the conditions for accruing and using paid sick leave; to prohibit retaliation against an employee for requesting, exercising, or enforcing rights granted in this act; to prescribe powers and duties of certain state departments, agencies, and officers; to provide for promulgation of rules; and to provide remedies and sanctions.

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

Rep. McCann moved that the House adjourn.

The motion prevailed, the time being 2:30 p.m.

The Speaker Pro Tempore declared the House adjourned until Thursday, May 9, at 12:00 Noon.

GARY L. RANDALL

Clerk of the House of Representatives

