

No. 17  
STATE OF MICHIGAN  
JOURNAL  
OF THE  
**House of Representatives**  
97th Legislature  
REGULAR SESSION OF 2014

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House Chamber, Lansing, Thursday, February 13, 2014.

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

e/d/s = entered during session

Pastor Ken Nichols, Pastor of Rollin Friends Church in Rollin Township, offered the following invocation:

“Our Heavenly Father, I thank You for this day that we are able to come together to honor Your name by asking for Your strength and wisdom to do the work that You have placed before us.

Father, You know what is weighing on our hearts and minds. You understand the struggles that some of us are carrying today; either our own struggles or those of our friends and families. So, I ask You to work in these situations and to resolve them for Your Glory and for our leaders’ sakes. Lord, grant these men and women the peace that is needed to ease their minds so that they may focus on their tasks at hand.

I would also ask this for their staff as well as for those who are part of this body, but are not here today. Father, may they recognize that it is Your hand moving in their lives, beckoning them to trust in You in a more deeply and personal way.

Again, Father, I ask for the strength, wisdom, and grace necessary for these men and women to do their work for Your glory and for our benefit. Thank You.

In Jesus’ name I pray. Amen.”

### Motions and Resolutions

Reps. Zorn, Rendon, Dianda, Kivela, McBroom, MacGregor, Daley, Callton, Jenkins, Graves, Barnett and Geiss offered the following resolution:

#### **House Resolution No. 303.**

A resolution to urge the United States Department of Energy to prohibit the export of domestic propane into the world market until inventories meeting national needs are secured.

Whereas, In one of the coldest winters in recent times, many people who use propane as a heating fuel are shivering in their homes unable to locate a supply of propane. When propane supplies are available, the fuel’s current exorbitant price prevents households from fully filling their tanks. Thirty-six percent of homes in the Midwest depend on propane for heating fuel. Many of these households are in rural areas and consist of elderly persons. They are being pushed to their limits, faced with subzero temperatures amidst a severe propane shortage; and

Whereas, Data from the United States Energy Information Administration (EIA) and the National Weather Service (NWS) illustrate the dire situation confronting people who depend on propane. According to the EIA, national propane stocks were 45 percent lower and the average national retail price per gallon was 75 percent higher in January 2014 compared to January 2013. Meanwhile, according to the NWS’s weather station in Marquette, Michigan, the average temperature in January 2014 was 5.8 degrees; almost three times lower than it was during January 2013; and

Whereas, While Americans are struggling, domestically produced propane is being exported out of the country at an alarming rate. Domestic propane production has been steadily rising: production in 2013 was about 40 percent higher than in 2010. Meanwhile, exports of propane in 2013 were triple the amount from 2010. While there may be many reasons for the skyrocketing prices and the short propane supply, increased propane exports is unarguably a contributing factor; and

Whereas, Government officials have recognized the crisis situation facing Americans who depend on propane for warmth. Michigan’s Governor Snyder has declared a state of emergency for propane, as have Governors in Ohio, Wisconsin, Minnesota, Illinois, and other states. The United States Department of Transportation has issued emergency orders that exempt propane transporters from a number of safety regulations. Clearly, the Department of Energy should act. Exports should be stopped until Americans have access to propane at reasonable rates; now therefore, be it

Resolved by the House of Representatives, That we urge the United States Department of Energy to prohibit the export of domestic propane into the world market until inventories meeting national needs are secured; and be it further

Resolved, That copies of this resolution be transmitted to Office of the United States Secretary of Energy, the Office of the Governor of Michigan, and the Chairman of the Michigan Public Service Commission.

The resolution was referred to the Committee on Energy and Technology.

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

### Second Reading of Bills

#### **Senate Bill No. 553, entitled**

A bill to amend 1996 PA 376, entitled “Michigan renaissance zone act,” by amending section 4 (MCL 125.2684), as amended by 2008 PA 116.

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. 4487, entitled**

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

The bill was read a second time.

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

The motion prevailed.

**House Bill No. 5191, entitled**

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” by amending sections 81133 and 81147 (MCL 324.81133 and 324.81147), as amended by 2013 PA 119.

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

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

Rep. Pettalia moved to amend the bill as follows:

1. Amend page 7, line 26, after “**OPERATING**” by inserting a comma and “**IS A FAMILY MEMBER OF THE OWNER AND RESIDES AT THAT PROPERTY, OR IS AN INVITED GUEST OF AN INDIVIDUAL WHO OWNS THE PROPERTY**”.

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

Rep. Rendon 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

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

**Roll Call No. 41**

**Yeas—101**

Abed	Goike	Lauwers	Roberts
Banks	Graves	LaVoy	Robinson
Barnett	Greimel	Leonard	Rogers
Bolger	Haines	Lipton	Rutledge
Brinks	Haugh	Lori	Santana
Brown	Haveman	Lund	Schmidt
Brunner	Heise	Lyons	Schor
Callton	Hobbs	MacGregor	Segal
Cavanagh	Hooker	MacMaster	Singh
Clemente	Hovey-Wright	McCann	Slavens

Cochran	Howrylak	McCready	Smiley
Cotter	Irwin	McMillin	Somerville
Crawford	Jenkins	Muxlow	Stallworth
Daley	Johnson	Nathan	Stamas
Darany	Kandrevas	Nesbitt	Stanley
Denby	Kelly	O'Brien	Switalski
Dianda	Kesto	Oakes	Talabi
Dillon	Kivela	Olumba	Tlaib
Driskell	Knezek	Outman	Townsend
Durhal	Kosowski	Pagel	VerHeulen
Faris	Kowall	Phelps	Victory
Forlini	Kurtz	Potvin	Walsh
Foster	LaFontaine	Price	Yanez
Franz	Lamonte	Pscholka	Zemke
Geiss	Lane	Rendon	Zorn
Gardon			

**Nays—9**

Bumstead	Jacobsen	Pettalia	Shirkey
Farrington	McBroom	Poleski	Yonker
Genetski			

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.

Rep. Poleski, having reserved the right to explain his protest against the passage of the bill, made the following statement:  
 "Mr. Speaker and members of the House:

Thank you for the opportunity to explain my No vote on SB 428. I think the goal of having American-made flags used for this purpose is laudable, but I think the decision of whether to use American-made flags is better left to those who maintain cemeteries. I prefer not to see legislation compel the use of American-made flags. I appreciate this opportunity to explain my vote."

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

**Roll Call No. 42**

**Yeas—85**

Bolger	Haines	LaVoy	Price
Brown	Haugh	Leonard	Pscholka
Brunner	Haveman	Lori	Rendon

Bumstead	Heise	Lund	Rogers
Callton	Hooker	Lyons	Rutledge
Cavanagh	Howrylak	MacGregor	Santana
Clemente	Jacobsen	MacMaster	Schmidt
Cochran	Jenkins	McBroom	Segal
Cotter	Johnson	McCann	Shirkey
Crawford	Kandrevas	McCready	Slavens
Daley	Kelly	Muxlow	Somerville
Denby	Kesto	Nesbitt	Stallworth
Dianda	Kivela	O'Brien	Stamas
Durhal	Knezek	Oakes	Stanley
Farrington	Kosowski	Olumba	VerHeulen
Forlini	Kowall	Outman	Victory
Foster	Kurtz	Pagel	Walsh
Franz	LaFontaine	Pettalia	Yanez
Genetski	Lamonte	Phelps	Yonker
Gardon	Lane	Poleski	Zemke
Goike	Lauwers	Potvin	Zorn
Graves			

#### Nays—25

Abed	Faris	Lipton	Singh
Banks	Geiss	McMillin	Smiley
Barnett	Greimel	Nathan	Switalski
Brinks	Hobbs	Roberts	Talabi
Darany	Hovey-Wright	Robinson	Tlaib
Dillon	Irwin	Schor	Townsend
Driskell			

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.

Rep. McMillin, having reserved the right to explain his protest against the passage of the bill, made the following statement:  
 “Mr. Speaker and members of the House:

I voted ‘no’ in part because I don’t think we should be deciding which extraction processes get a tax break and which shouldn’t. If we want to tax wells based on profitability, then let’s have that debate. But I disagree that we should reduce severance tax on a kind of well because the owner decides to spend more money per unit to extract it, unless we have that broad policy debate.”

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

**Roll Call No. 43****Yeas—93**

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

**Nays—17**

Banks	Hobbs	Roberts	Switalski
Brinks	Hovey-Wright	Robinson	Talabi
Darany	Irwin	Singh	Tlaib
Dillon	Lipton	Smiley	Townsend
Faris			

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.

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

**Roll Call No. 44****Yeas—69**

Bolger	Graves	Lyons	Rendon
Brown	Haines	MacGregor	Rogers

Brunner	Haugh	MacMaster	Rutledge
Callton	Haveman	McCann	Santana
Cavanagh	Heise	McCready	Schmidt
Clemente	Jacobsen	Muxlow	Segal
Cotter	Johnson	Nesbitt	Shirkey
Crawford	Kelly	O'Brien	Slavens
Daley	Kesto	Oakes	Somerville
Denby	Kowall	Olumba	Stallworth
Durhal	LaFontaine	Outman	Stamas
Farrington	Lane	Pagel	Stanley
Forlini	Lauwers	Pettalia	Victory
Foster	LaVoy	Phelps	Walsh
Franz	Leonard	Poleski	Yanez
Genetski	Lori	Price	Yonker
Glardon	Lund	Pscholka	Zorn
Goike			

**Nays—41**

Abed	Geiss	Knezek	Robinson
Banks	Greimel	Kosowski	Schor
Barnett	Hobbs	Kurtz	Singh
Brinks	Hooker	Lamonte	Smiley
Bumstead	Hovey-Wright	Lipton	Switalski
Cochran	Howrylak	McBroom	Talabi
Darany	Irwin	McMillin	Tlaib
Dianda	Jenkins	Nathan	Townsend
Dillon	Kandrevas	Potvin	VerHeulen
Driskell	Kivela	Roberts	Zemke
Faris			

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.

**House Bill No. 4486, entitled**

A bill to amend 1974 PA 258, entitled "Mental health code," by amending sections 100b, 276, 277, 281, and 286 (MCL 330.1100b, 330.1276, 330.1277, 330.1281, and 330.1286), section 100b as amended and sections 276, 277, 281, and 286 as added by 2012 PA 500, and by adding section 276a.

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

**Roll Call No. 45****Yeas—102**

Abed	Glardon	Lauwers	Rogers
Banks	Goike	LaVoy	Rutledge
Barnett	Graves	Leonard	Santana
Bolger	Greimel	Lipton	Schmidt
Brinks	Haines	Lori	Schor
Brown	Haugh	Lund	Segal
Brunner	Haveman	Lyons	Shirkey
Callton	Heise	MacGregor	Singh

Cavanagh	Hobbs	McBroom	Slavens
Clemente	Hooker	McCann	Smiley
Cochran	Hovey-Wright	McCready	Somerville
Cotter	Irwin	Muxlow	Stallworth
Crawford	Jacobsen	Nesbitt	Stamas
Daley	Jenkins	O'Brien	Stanley
Darany	Johnson	Oakes	Switalski
Denby	Kandrevas	Olumba	Talabi
Dianda	Kelly	Outman	Tlaib
Dillon	Kesto	Pagel	Townsend
Driskell	Kivela	Pettalia	VerHeulen
Durhal	Knezek	Phelps	Victory
Faris	Kosowski	Poleski	Walsh
Farrington	Kowall	Potvin	Yanez
Forlini	Kurtz	Pscholka	Yonker
Foster	LaFontaine	Rendon	Zemke
Franz	Lamonte	Roberts	Zorn
Geiss	Lane		

#### Nays—8

Bumstead	Howrylak	McMillin	Price
Genetski	MacMaster	Nathan	Robinson

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 1974 PA 258, entitled "Mental health code," by amending the title and sections 100b, 100c, 100d, 260, 276, 277, 278, 279, 281, 282, 283, 286, and 464a (MCL 330.1100b, 330.1100c, 330.1100d, 330.1260, 330.1276, 330.1277, 330.1278, 330.1279, 330.1281, 330.1282, 330.1283, 330.1286, and 330.1464a), the title as amended by 1995 PA 290, sections 100b, 100c, and 100d as amended and sections 260, 276, 277, 278, 279, 281, 282, 283, and 286 as added by 2012 PA 500, and section 464a as added by 1994 PA 339, and by adding sections 281a, 281b, and 281c.

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

#### Roll Call No. 46

#### Yeas—99

Abed	Franz	Lamonte	Price
Banks	Geiss	Lane	Pscholka
Barnett	Genetski	Lauwers	Rendon
Bolger	Glardon	LaVoy	Rogers



Brinks	Goike	Leonard	Rutledge
Brown	Graves	Lori	Santana
Brunner	Greimel	Lund	Schmidt
Bumstead	Haines	Lyons	Schor
Callton	Haugh	MacGregor	Segal
Cavanagh	Haveman	MacMaster	Shirkey
Clemente	Heise	McBroom	Slavens
Cochran	Hobbs	McCann	Somerville
Cotter	Hooker	McCready	Stallworth
Crawford	Jacobsen	Muxlow	Stamas
Daley	Jenkins	Nathan	Stanley
Darany	Johnson	Nesbitt	Switalski
Denby	Kandrevas	O'Brien	Talabi
Dianda	Kelly	Oakes	VerHeulen
Dillon	Kesto	Olumba	Victory
Driskell	Kivela	Outman	Walsh
Durhal	Knezek	Pagel	Yanez
Faris	Kosowski	Pettalia	Yonker
Farrington	Kowall	Phelps	Zemke
Forlini	Kurtz	Poleski	Zorn
Foster	LaFontaine	Potvin	

**Nays—11**

Hovey-Wright	Lipton	Robinson	Tlaib
Howrylak	McMillin	Singh	Townsend
Irwin	Roberts	Smiley	

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.

By unanimous consent the House returned to the order of

**Messages from the Senate**

The Speaker laid before the House

**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 bill was received from the Senate on February 12, with an amendment, full title inserted and immediate effect given by the Senate, consideration of which, under the rules, was postponed until today, see House Journal No. 16, p. 171.)

The question being on concurring in the amendment made to the bill by the Senate,

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

**Roll Call No. 47****Yeas—60**

Bolger	Haines	Lori	Potvin
Bumstead	Haveman	Lund	Price
Callton	Heise	Lyons	Pscholka

Cotter	Hooker	MacGregor	Rendon
Crawford	Howrylak	MacMaster	Rogers
Daley	Jacobsen	McBroom	Schmidt
Denby	Jenkins	McCready	Schor
Farrington	Johnson	McMillin	Shirkey
Forlini	Kelly	Muxlow	Somerville
Foster	Kesto	Nesbitt	Stamas
Franz	Kowall	O'Brien	VerHeulen
Genetski	Kurtz	Outman	Victory
Gardon	LaFontaine	Pagel	Walsh
Goike	Lauwers	Pettalia	Yonker
Graves	Leonard	Poleski	Zorn

### Nays—50

Abed	Durhal	Lane	Segal
Banks	Faris	LaVoy	Singh
Barnett	Geiss	Lipton	Slavens
Brinks	Greimel	McCann	Smiley
Brown	Haugh	Nathan	Stallworth
Brunner	Hobbs	Oakes	Stanley
Cavanagh	Hovey-Wright	Olumba	Switalski
Clemente	Irwin	Phelps	Talabi
Cochran	Kandrevas	Roberts	Tlaib
Darany	Kivela	Robinson	Townsend
Dianda	Knezek	Rutledge	Yanez
Dillon	Kosowski	Santana	Zemke
Driskell	Lamonte		

In The Chair: O'Brien

The House agreed to the full title.

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

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 Thursday, February 13:

<b>House Bill Nos.</b>	<b>5315</b>	<b>5316</b>	<b>5317</b>	<b>5318</b>	<b>5319</b>	<b>5320</b>
<b>Senate Bill Nos.</b>	<b>783</b>	<b>784</b>				

### Reports of Standing Committees

The Committee on Appropriations, by Rep. Haveman, Chair, reported

#### House Bill No. 5141, entitled

A bill to authorize the department of natural resources to convey property in Kent county; to prescribe conditions for the conveyance; and to provide for disposition of the revenue from the conveyance.

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. Haveman, Pscholka, Kowall, Lori, Rogers, Stamas, Bumstead, Forlini, MacGregor, MacMaster, Jenkins, Muxlow, Poleski, Potvin, McCready, VerHeulen, Shirkey, Tlaib, Brown, Durhal, McCann, Dillon, Roberts, Kandrevas, Faris, Zemke, Singh and Olumba

Nays: None

The Committee on Appropriations, by Rep. Haveman, Chair, reported

**Senate Bill No. 557, entitled**

A bill to amend 1974 PA 258, entitled "Mental health code," (MCL 330.1001 to 330.2106) by adding section 207b.

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. Haveman, Pscholka, Kowall, Lori, Rogers, Stamas, Bumstead, MacGregor, MacMaster, Jenkins, Muxlow, Poleski, Potvin, McCready, VerHeulen, Shirkey, Tlaib, Brown, Durhal, McCann, Dillon, Roberts, Kandrevas, Faris, Zemke, Singh and Olumba

Nays: None

The Committee on Appropriations, by Rep. Haveman, Chair, reported

**Senate Bill No. 558, entitled**

A bill to amend 1974 PA 258, entitled "Mental health code," (MCL 330.1001 to 330.2106) by adding section 207a.

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. Haveman, Pscholka, Kowall, Lori, Rogers, Stamas, Bumstead, MacGregor, MacMaster, Jenkins, Muxlow, Poleski, Potvin, McCready, VerHeulen, Shirkey, Tlaib, Brown, Durhal, McCann, Dillon, Roberts, Kandrevas, Faris, Zemke, Singh and Olumba

Nays: None

## COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Haveman, Chair, of the Committee on Appropriations, was received and read:  
Meeting held on: Wednesday, February 12, 2014

Present: Reps. Haveman, Pscholka, Kowall, Lori, Rogers, Stamas, Bumstead, Forlini, MacGregor, MacMaster, Jenkins, Muxlow, Poleski, Potvin, McCready, VerHeulen, Shirkey, Tlaib, Brown, Durhal, McCann, Dillon, Roberts, Kandrevas, Faris, Zemke, Singh and Olumba

Absent: Rep. Walsh

Excused: Rep. Walsh

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

**House Bill No. 5154, entitled**

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending sections 4, 7, 11a, 11b, and 13 of chapter VI (MCL 766.4, 766.7, 766.11a, 766.11b, and 766.13), section 4 as amended by 1994 PA 167, section 11a as added by 2004 PA 20, and section 11b as added by 2007 PA 89.

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. Cotter, Kesto, Heise, Johnson, LaFontaine, Leonard, Howrylak, Cavanagh, Lipton, Irwin and Clemente  
Nays: None

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

**House Bill No. 5155, entitled**

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending sections 8311 and 8511 (MCL 600.8311 and 600.8511), section 8511 as amended by 2008 PA 95; 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. Cotter, Kesto, Heise, Johnson, LaFontaine, Leonard, Howrylak, Cavanagh, Lipton, Irwin and Clemente  
Nays: None

## COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Thursday, February 13, 2014

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

The Committee on Financial Liability Reform, by Rep. Poleski, Chair, reported

**House Joint Resolution CC, 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.

With the recommendation that the substitute (H-2) be adopted and that the joint resolution then be adopted.

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

## Favorable Roll Call

## To Report Out:

Yeas: Reps. Poleski, Victory, Denby, McMillin, Schmidt and Jacobsen  
Nays: Reps. Cavanagh, Irwin, Robinson and Barnett

The Committee on Financial Liability Reform, by Rep. Poleski, Chair, reported

**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.

With the recommendation that the substitute (H-1) be adopted and that the joint resolution then be adopted.

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

## Favorable Roll Call

## To Report Out:

Yeas: Reps. Poleski, Victory, Denby, McMillin, Schmidt and Jacobsen  
Nays: Reps. Cavanagh, Irwin, Robinson and Barnett

## 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, February 13, 2014

Present: Reps. Poleski, Victory, Denby, McMillin, Schmidt, Callton, Jacobsen, Cavanagh, Irwin, Robinson and Barnett

**Messages from the Senate****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.

The Senate has passed the bill, ordered that it be given immediate effect and pursuant to Joint Rule 20, inserted the full title.

The House agreed to the full title.

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

**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.

The Senate has passed the bill, ordered that it be given immediate effect and pursuant to Joint Rule 20, inserted the full title.

The House agreed to the full title.

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

**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.

The Senate has passed the bill, ordered that it be given immediate effect and pursuant to Joint Rule 20, inserted the full title.

The House agreed to the full title.

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

**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.

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 amended the title to read as follows:

A bill to amend 1967 PA 281, entitled "An act to meet deficiencies in state funds by providing for the imposition, levy, computation, collection, assessment, reporting, payment, and enforcement by lien and otherwise of taxes on or measured by net income and on certain commercial, business, and financial activities; to prescribe the manner and time of making reports and paying the taxes, and the functions of public officers and others as to the taxes; to permit the inspection of the records of taxpayers; to provide for interest and penalties on unpaid taxes; to provide exemptions, credits and refunds of the taxes; to prescribe penalties for the violation of this act; to provide an appropriation; and to repeal acts and parts of acts," by amending section 691 (MCL 206.691), as amended by 2013 PA 266.

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

**Introduction of Bills**

Reps. Franz, MacMaster, Rendon, Somerville, Genetski, Kelly and Yonker introduced

**House Bill No. 5321, entitled**

A bill to amend 1996 PA 101, entitled "Property rights preservation act," by amending section 4 (MCL 24.424).

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

Reps. Rendon, MacMaster, Franz, Somerville, Kelly, Yonker and Genetski introduced  
**House Bill No. 5322, entitled**

A bill to amend 1996 PA 101, entitled "Property rights preservation act," (MCL 24.421 to 24.425) by amending the title and by adding section 6.

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

Reps. MacMaster, Rendon, Franz, Somerville, Genetski, Kelly and Yonker introduced  
**House Bill No. 5323, entitled**

A bill to amend 1996 PA 101, entitled "Property rights preservation act," by amending section 2 (MCL 24.422).

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

Reps. Jenkins, Nesbitt, McBroom, Rendon, Pettalia, Cotter, Crawford, LaVoy, MacGregor, Lauwers, Pscholka, MacMaster, Heise, Schmidt, Dianda and Kivela introduced

**House Bill No. 5324, 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 2b (MCL 28.422b), as amended by 2001 PA 199.

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

Reps. Crawford, Nesbitt, McBroom, Rendon, Jenkins, Pettalia, Cotter, LaVoy, MacGregor, Lauwers, Heise, Schmidt, Dianda and Kivela introduced

**House Bill No. 5325, 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 1 (MCL 28.421), as amended by 2012 PA 243.

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

Reps. McBroom, Nesbitt, Rendon, Jenkins, Pettalia, Cotter, Crawford, LaVoy, MacGregor, Lauwers, Pscholka, MacMaster, Heise, Schmidt, Dianda and Kivela introduced

**House Bill No. 5326, 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.

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

Reps. Rendon, Nesbitt, McBroom, Jenkins, Pettalia, Cotter, Crawford, LaVoy, MacGregor, Lauwers, Pscholka, MacMaster, Heise, Schmidt, Dianda and Kivela introduced

**House Bill No. 5327, 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,” (MCL 28.421 to 28.435) by adding section 1b.

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

Reps. Cotter, Nesbitt, McBroom, Rendon, Jenkins, Pettalia, Crawford, LaVoy, MacGregor, Lauwers, Pscholka, MacMaster, Heise, Schmidt, Dianda and Kivela introduced

**House Bill No. 5328, 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 5b (MCL 28.425b), as amended by 2008 PA 406.

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

Reps. Pettalia, Nesbitt, McBroom, Rendon, Jenkins, Cotter, Crawford, LaVoy, Lauwers, Pscholka, Heise, Schmidt, Dianda and Kivela introduced

**House Bill No. 5329, entitled**

A bill to amend 1927 PA 175, entitled “The code of criminal procedure,” by amending section 11b of chapter XVII (MCL 777.11b), as amended by 2012 PA 124.

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

Reps. Irwin, LaVoy, Schor, Lamonte, Zemke, Kandrevas, Driskell, Howrylak, Tlaib, Roberts, Yanez, Barnett, Hovey-Wright, Durhal and Oakes introduced

**House Bill No. 5330, entitled**

A bill to amend 1967 PA 281, entitled “Income tax act of 1967,” (MCL 206.1 to 206.713) by adding sections 260, 261, and 269.

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

By unanimous consent the House returned to the order of

**Reports of Standing Committees**

The Committee on Local Government, by Rep. Price, Chair, reported

**House Bill No. 4638, entitled**

A bill to amend 1937 PA 103, entitled “An act to prescribe certain conditions relative to the execution of instruments entitled to be recorded in the office of the register of deeds,” by amending section 1 (MCL 565.201), as amended by 2007 PA 56.

With the recommendation that the substitute (H-3) 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. Price, Pagel, Daley, Franz, Pettalia, Somerville, Rendon, Graves, Stanley, Banks, Talabi and Kosowski

Nays: None

The Committee on Local Government, by Rep. Price, Chair, reported

**House Bill No. 4639, entitled**

A bill to amend 1846 RS 65, entitled “Of alienation by deed, and the proof and recording of conveyances, and the canceling of mortgages,” by amending section 28 (MCL 565.28), as amended by 2008 PA 358.

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. Price, Pagel, Daley, Franz, Pettalia, Somerville, Rendon, Graves, Stanley, Banks, Talabi and Kosowski  
 Nays: None

The Committee on Local Government, by Rep. Price, Chair, reported

**House Bill No. 4640, entitled**

A bill to amend 1915 PA 123, entitled "An act to provide for the recording and use in evidence of affidavits affecting real property; and to provide a penalty for the making of false affidavits," by amending section 1a (MCL 565.451a).

With the recommendation that the substitute (H-4) 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. Price, Pagel, Daley, Franz, Pettalia, Somerville, Rendon, Graves, Stanley, Banks, Talabi and Kosowski  
 Nays: None

The Committee on Local Government, by Rep. Price, Chair, reported

**Senate Bill No. 574, entitled**

A bill to amend 1893 PA 206, entitled "The general property tax act," by amending section 78 (MCL 211.78), as amended by 2008 PA 512.

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. Price, Pagel, Daley, Pettalia, Somerville, Rendon, Graves, Stanley, Banks, Talabi and Kosowski  
 Nays: None

## 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, February 13, 2014

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

## COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Thursday, February 13, 2014

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

Rep. Somerville moved that the House adjourn.  
 The motion prevailed, the time being 1:55 p.m.

Associate Speaker Pro Tempore O'Brien declared the House adjourned until Tuesday, February 18, at 1:30 p.m.

GARY L. RANDALL  
 Clerk of the House of Representatives