

No. 39
STATE OF MICHIGAN
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House of Representatives
97th Legislature
REGULAR SESSION OF 2014

House Chamber, Lansing, Wednesday, April 30, 2014.

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	Glaridon—present	LaVoy—present	Roberts—present
Banks—present	Goike—present	Leonard—present	Robinson—present
Barnett—present	Graves—present	Lipton—present	Rogers—present
Bolger—excused	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 R.B. Ouellette, Pastor of First Baptist Church in Saginaw, offered the following invocation:

“Dear Heavenly Father thank You for the privilege of living in the United States of America and in the great state of Michigan. We thank You for these public servants who have devoted themselves to making our state a better place to live and to work. We pray that You would give them wisdom and discernment as they deal with the needs of our state and its communities. We pray that You would give them a commitment to truth and righteousness. We ask that You would give them courage to act in accordance with Your principals and compassion to deal with those they serve and those with whom they work. We ask this in Jesus name Amen!”

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

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

Motions and Resolutions

Reps. Howrylak, Brown, Heise, Kowall, Singh and Zorn offered the following resolution:

House Resolution No. 344.

A resolution to declare April 27-May 3, 2014, as Black April Memorial Week in the state of Michigan.

Whereas, April 30, 2014, marks the 39th anniversary of the end of the Vietnam War and the start of the eventual exodus of several million Vietnamese out of Vietnam after South Vietnam’s capital of Saigon fell to the communists on April 30, 1975; and

Whereas, For many Vietnam and Vietnam-era veterans who were directly involved in the war and Vietnamese-Americans who have settled in the United States, the Vietnam War was a tragedy full of great suffering and the loss of American, Vietnamese, and Southeast Asian lives; and

Whereas, Over 58,000 people were killed and 304,000 were wounded out of the 2.59 million Americans who served in the Vietnam War. One out of every ten Americans who served in Vietnam became a casualty of war; and

Whereas, South Vietnamese armed forces lost 275,000 soldiers, many more wounded along with an unknown number of Vietnamese civilian casualties; and

Whereas, During the American evacuation of Saigon, the first wave of Vietnamese refugees, 135,000 strong, mostly military officers and their families, took temporary shelter through several international refugee camps, at Camp Pendleton in San Diego, Fort Chaffee in Arkansas, and Indiantown Gap in Pennsylvania; and

Whereas, Starting in 1977, and lasting through the mid-1980s, a second wave of Vietnamese refugees comprised mostly of “boat people” began leaving Vietnam; and

Whereas, Seeing no future under communism, nearly 800,000 boat people risked their lives in small, dangerous boats to travel to resettlement camps in Hong Kong, Malaysia, Indonesia, Thailand, and the Philippines before eventually being resettled in the United States; and

Whereas, The Red Cross estimated that during that time, at least 300,000 Vietnamese died on the high seas while trying to escape communism; and

Whereas, After 1985, a third wave of Vietnamese refugees came to the United States under the Orderly Departure Program; and

Whereas, In 1988, Congress passed the Operation Homecoming Act, a program allowing approximately 80,000 Amerasian children (offspring of GI fathers and Vietnamese mothers) to come to America; and

Whereas, By 1990, the fourth wave of Vietnamese refugees began arriving in the United States under the Humanitarian Operation and today, more than 1.7 million Vietnamese immigrants reside in the United States; and

Whereas, Studies using census data show that foreign-born Vietnamese entering the United States in the 1980s, 1990s, and 2000s, have seen an increase in terms of English proficiency, proportion of college graduates, the number of owner-occupied housing, family median income, and naturalization; and

Whereas, Over the years, Vietnamese immigrants have overcome social, economic, and language barriers of unforeseen magnitude to grow and become the most assimilated along civic dimensions of any large group in America; and

Whereas, Through emphasis on intense study, Vietnamese-Americans have reached the pinnacles of American success in a variety of fields including business and entrepreneurship, science and technology, space travel, medicine, the executive branch of the United States government, politics, the United States military, the United States judicial system, professional sports, and most recently, cultural icon status in cooking, modeling, acting, and comedy; and

Whereas, In order to serve their community and prosper in America, Vietnamese Americans formed well-established and thriving Vietnamese-American commercial districts throughout the United States, including an enclave in southeast Oakland County and in west Michigan; and

Whereas, More than 17,000 Vietnamese now live in Michigan; and

Whereas, We must teach our children and future generations important lessons from the Vietnam War, including how the plight of the Vietnamese refugees following the end of war serves as a powerful example of the values of freedom and democracy; and

Whereas, Refugees and immigrants from the former Republic of Vietnam who came to the United States and settled as free Vietnamese-Americans are honored and remembered for their sacrifices for freedom and human rights and for their ongoing contributions to our democratic society; and

Whereas, The Vietnamese Heritage and Freedom flag, which is yellow with three horizontal red stripes, is the only symbol that can unite most Vietnamese around the world and bring them together under the banner that symbolizes the aspiration for freedom and democracy in their homeland; and

Whereas, Although united in sorrow as they commemorate April 30, 2014, as Black April, an occasion to reflect on the sacrifices of the past, Vietnamese-American communities throughout Michigan consider Black April a memorial and remembrance of the resilience of the Vietnamese people; now, therefore, be it

Resolved by the House of Representatives, That the members of this legislative body declare April 27-May 3, 2014, as Black April Memorial Week in the state of Michigan. We recognize this as a special time for Michiganians to honor the tragedy of the suffering and countless lives lost during the Vietnam War era and to pay tribute to those lives lost by affecting human rights and freedom to the people of Vietnam.

The question being on the adoption of the resolution,

The resolution was adopted.

Reps. Tlaib, Brown, Singh, Stanley and Zorn offered the following resolution:

House Resolution No. 345.

A resolution to declare May 2014 as Community Action Agency Month in the state of Michigan.

Whereas, Citizens with limited income continue to need opportunities to improve their lives and their living conditions, thus ensuring that all citizens are able to live in dignity; and

Whereas, Michigan and the entire United States must continue to promote economic security by providing support and opportunities for all citizens in need of assistance; and

Whereas, Community action agencies were signed into law in 1964 under President Lyndon Johnson in effort to aid in the War on Poverty, making 2014 the 50th anniversary of community action in the United States; and

Whereas, The month of May has been designated by the United States Congress as National Community Action Month; and

Whereas, Michigan's 29 community action agencies are the only community-based organizations providing full wrap-around and locally-directed services in all 83 counties in the state; and

Whereas, Community action agencies in Michigan provide services or links to services to more than 182,000 Michigan residents every year; and

Whereas, Michigan's community action agencies assist nearly 90,000 families statewide by providing a variety of services such as early childhood education, Head Start, senior services, affordable housing, food assistance, energy assistance, financial literacy classes, and job training programs among others; and

Whereas, Community action agencies, in cooperation with the Michigan Department of Human Services, have successfully administered weatherization assistance program funds which have supported energy efficiency improvements in more than 10,778 Michigan homes in the 2012 fiscal year; and

Whereas, Community action agencies in Michigan serve as catalysts for innovative partnerships with such examples as the agencies in Wayne, Oakland, Macomb and Monroe Counties. These county agencies have assisted over 42,776 residents in areas focusing in community and economic development, homeless and housing services, youth and family educational services, stability and life skills services, and basic needs in 2013; and

Whereas, Michigan's community action agencies have leveraged their federal allocation of the Community Services Block Grant and other federal, state, local, and private sources of funding to create more than \$332,626,707 in economic activity statewide in 2013; now, therefore, be it

Resolved by the House of Representatives, That the members of this legislative body declare May 2014 as Community Action Agency Day in the state of Michigan; and be it further

Resolved, That a copy of this resolution be transmitted to the Michigan Community Action Agency Association.

The question being on the adoption of the resolution,

The resolution was adopted.

Reps. Lyons, Brown, Heise, Kowall, Singh and Zorn offered the following resolution:

House Resolution No. 346.

A resolution to declare May 5-9, 2014, as InfantSee Week in the state of Michigan.

Whereas, The most critical stages of vision development occur in the first year of a child's life; and

Whereas, Undetected eye and vision problems can lead to permanent vision impairment or loss of life; and

Whereas, One in 10 children is at risk from undiagnosed eye and vision problems; and

Whereas, One in 30 children will be affected by amblyopia, a leading cause of vision loss in people younger than 45 years; and

Whereas, Undetected vision problems can contribute to a decrease in a child's quality of life and may lead to developmental and behavioral difficulties which impede classroom learning, as well as increase the costs to society; and

Whereas, Early detection of vision problems is the best way to treat and prevent permanent vision impairment; and

Whereas, Member Optometrists of the American Optometric Association and The Vision Care Institute of Johnson & Johnson Vision Care, Inc. have partnered to create InfantSee, a public health program to provide a one-time, no cost eye assessment for infants six to twelve months; now, therefore, be it

Resolved by the House of Representatives, That the members of this legislative body declare May 5-9, 2014, as InfantSee Week in the state of Michigan. We commend the members of the Michigan Optometric Association and the profession of Optometry on the sixth anniversary of the InfantSee program for voluntarily dedicating their expertise and services to the infants of Michigan; and be it further

Resolved, That we encourage parents to schedule an InfantSee assessment for their infants.

The question being on the adoption of the resolution,

The resolution was adopted.

Reps. O'Brien, Victory, Goike, Daley, Lori, Outman, Kosowski, Schor, Denby, Walsh, Santana, Brown, Howrylak, Kowall and Zorn offered the following concurrent resolution:

House Concurrent Resolution No. 27.

A concurrent resolution to urge the President of the United States and the United States Department of Agriculture (USDA) to reverse their decision to exclude fresh white potatoes from Women, Infants, and Children (WIC) program eligibility.

Whereas, On March 4, 2014, the USDA officially excluded fresh white potatoes from the WIC program, a decision based on outdated 2005 Dietary Guidelines for Americans (DGA) established by the U.S. Department of Health and Human Services and USDA. It was only in 2010 that new DGA recommendations were developed by the U.S. Department of Health and Human Services and USDA that called for an increase of starchy vegetable consumption for women and children including fresh white potatoes; and

Whereas, Since 1996, vegetable consumption levels have dropped for all Americans, including a 29 percent decline in consumption of fresh white potatoes between 1996 and 2010. In their own statement, the USDA recognizes the contribution of white potatoes to a healthy diet by stating that white potatoes can be a healthful part of one's diet and that "nutrition education provided to WIC participants will continue to include white potatoes as a healthy source of nutrients and an important part of a healthful diet"; and

Whereas, WIC program participants consume fewer vegetables than non-participants while overall, U.S. women and children are under-consuming starchy vegetables according to intake recommendations. Consumption data do not support the notion that WIC participants are over consuming potatoes. According to the Center for Disease Control and the CDC's National Center for Health Statistics, women participating in the WIC program consumed only 2.1 percent of their total calories from fresh white potatoes while non-WIC participants took in 2.4 percent of their calories from fresh white potatoes; and

Whereas, The WIC guidelines create purchasing disparity by excluding the purchase of fresh white potatoes at retail grocery stores, but, allowing WIC participants to purchase them at farmer's markets. White potatoes are the only fresh vegetable excluded from the WIC program even though Congress has provided clear direction for their inclusion; and

Whereas, Nutritional data support the value of white potatoes in providing key nutrients, including potassium, vitamin C, fiber and folate to WIC mothers and their young children. Potatoes are cholesterol-free, fat-free, and sodium-free, and can be served in countless healthy ways; and

Whereas, Participants of WIC and U.S. taxpayers deserve federal nutrition policy that is science-based and has the potential to improve the health of participants. Fresh white potatoes are one of the most cost effective sources of providing nutrients and WIC participants should be allowed to nourish themselves and their young children in a manner that maximizes their WIC vouchers; now, therefore, be it

Resolved by the Michigan House of Representatives (the Senate concurring), That we urge the President and the United States Department of Agriculture to reverse their decision to exclude fresh white potatoes from the Women, Infants, and Children (WIC) program eligibility and to focus on encouraging the consumption of all fresh fruits and vegetables for WIC participants to help meet nutritional intake recommendations; and be it further

Resolved, That copies of this resolution be transmitted to the President of the United States, the Secretary of the United States Department of Agriculture, and members of the Michigan Congressional Delegation.

The concurrent resolution was referred to the Committee on Families, Children, and Seniors.

Second Reading of Bills**Senate Bill No. 671, entitled**

A bill to amend 1979 PA 152, entitled "State license fee act," (MCL 338.2201 to 338.2277) by adding section 4.

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

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

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

The motion prevailed.

Senate Bill No. 672, entitled

A bill to amend 1968 PA 330, entitled "Private security business and security alarm act," by amending sections 6 and 9 (MCL 338.1056 and 338.1059), section 6 as amended by 2012 PA 419 and section 9 as amended by 2010 PA 68.

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

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

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

The motion prevailed.

Senate Bill No. 562, entitled

A bill to amend 1893 PA 206, entitled "The general property tax act," by amending section 87b (MCL 211.87b), as amended by 2002 PA 198.

Was read a second time, and the question being on the adoption of the proposed substitute (H-4) previously recommended by the Committee on Tax Policy,

The substitute (H-4) was adopted, a majority of the members serving voting therefor.

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

The motion prevailed.

House Bill No. 5400, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 8504, 8505, 11502, 11503, 11504, 11505, 11506, 11542, 20101, 20114e, and 20115 (MCL 324.8504, 324.8505, 324.11502, 324.11503, 324.11504, 324.11505, 324.11506, 324.11542, 324.20101, 324.20114e, and 324.20115), sections 8504 and 11542 as amended by 2004 PA 325, section 8505 as amended by 2006 PA 503, sections 11502, 11503, and 11505 as amended by 2007 PA 212, section 11504 as amended by 2013 PA 250, sections 11506 and 20114e as amended by 2012 PA 446, section 20101 as amended by 2013 PA 141, and section 20115 as amended by 1995 PA 117, and by adding sections 3112e, 11551, 11551a, 11552, 11553, and 11554.

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

The substitute (H-2) was not adopted, a majority of the members serving not voting therefor.

Rep. LaFontaine moved to substitute (H-3) the bill.

The motion prevailed and the substitute (H-3) was adopted, a majority of the members serving voting therefor.

Rep. Tlaib moved to amend the bill as follows:

1. Amend page 78, line 23, by striking out all of enacting section 3 and inserting:

"Enacting section 3. This amendatory act does not take effect unless all of the following bills of the 97th Legislature are enacted into law:

(a) House Bill No. 4820.

(b) House Bill No. 5401."

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

Rep. Irwin moved to amend the bill as follows:

1. Amend page 11, line 14, after the second "ASH" by striking out the balance of the subsection and inserting a period.

The question being on the adoption of the amendment offered by Rep. Irwin,

Rep. Rutledge moved that consideration of the amendment be postponed temporarily.

The motion prevailed.

Rep. Smiley moved to amend the bill as follows:

1. Amend page 49, line 20, after “**KNOWN.**” by striking out the balance of the line through “2,” on line 24 and inserting “**A PERSON OTHER THAN THE PROPERTY OWNER SHALL NOT USE A BENEFICIAL USE BY-PRODUCT ON PROPERTY UNLESS THE PERSON HAS OBTAINED WRITTEN PERMISSION FROM THE PROPERTY OWNER,**”.

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

The question being on the adoption of the amendment offered previously by Rep. Irwin, The amendment was not adopted, a majority of the members serving not voting therefor. Rep. Schmidt moved that the bill be placed on the order of Third Reading of Bills. The motion prevailed.

House Bill No. 5401, entitled

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” by amending section 20126 (MCL 324.20126), as amended by 2012 PA 446.

The bill was read a second time.

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

The motion prevailed.

House Bill No. 5402, entitled

A bill to amend 1955 PA 162, entitled “An act to provide for the licensing and inspection of agricultural liming material and to regulate the sale thereof; and to prescribe penalties for the violations of the provisions of this act,” by amending section 2 (MCL 290.532).

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

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

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

The motion prevailed.

Rep. Shirkey 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, April 30:

House Bill Nos.	5478	5479	5480	5481	5482	5483	5484	5485	5486	5487	5488	5489	5490	5491
	5492	5493												
Senate Bill Nos.	912	913	914	915	916	917	918							

The Clerk announced that the following Senate bills had been received on Wednesday, April 30:

Senate Bill Nos.	678	766	773	774
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Reports of Standing Committees

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

House Resolution No. 319.

A resolution to memorialize the Congress of the United States to oppose the U.S. Department of Defense’s budget proposal that would potentially close commissaries at U.S. military bases and to ensure that replacement aircraft are assigned to Selfridge Air National Guard Base to compensate for the proposed elimination of the A-10 fleet.

(For text of resolution, see House Journal No. 30, p. 414.)

With the recommendation that the resolution be adopted.

Favorable Roll Call

To Report Out:

Yeas: Reps. Stamas, Franz, Kurtz, Hooker, Zorn, Graves, Darany, Slavens, Banks, Yanez and Kosowski
 Nays: None

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Wednesday, April 30, 2014

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

Absent: Reps. Haines and Santana

Excused: Reps. Haines and Santana

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

House Bill No. 5261, entitled

A bill to amend 1937 PA 94, entitled "Use tax act," (MCL 205.91 to 205.111) by adding section 4bb.

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, Price, 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, April 30, 2014

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

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

Senate Bill No. 648, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending sections 2701, 2705, and 2711 (MCL 333.2701, 333.2705, and 333.2711), as added by 1990 PA 16.

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, Walsh, 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. 649, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending sections 2707 and 2723 (MCL 333.2707 and 333.2723), as added by 1990 PA 16.

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, Walsh, 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

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Haveman, Chair, of the Committee on Appropriations, was received and read:
Meeting held on: Wednesday, April 30, 2014

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

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

House Bill No. 5273, entitled

A bill to amend 2008 PA 551, entitled "Uniform securities act (2002)," by amending the title and section 501 (MCL 451.2501) and by adding article 4A.

With the recommendation that the substitute (H-2) be adopted and that the bill then pass.

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

Favorable Roll Call

To Report Out:

Yeas: Reps. Foster, Zorn, Haines, Schmidt, Farrington, Glardon, Johnson, Nesbitt, Somerville, Outman, Kelly and Leonard

Nays: None

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Wednesday, April 30, 2014

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

Absent: Rep. Santana

Excused: Rep. Santana

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

House Bill No. 5081, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," (MCL 600.101 to 600.9947) by adding section 4710.

With the recommendation that the bill be referred to the Committee on Oversight.

Favorable Roll Call

To Report Out:

Yeas: Reps. Heise, Graves, Kurtz, McBroom, Kesto, Oakes, Robinson, Kivela and Banks

Nays: None

The recommendation was concurred in and the bill was referred to the Committee on Oversight.

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

House Bill No. 5250, entitled

A bill to create the uniform forfeiture reporting act; to require certain reports by reporting agencies regarding seized and forfeited property; to prescribe the powers and duties of certain local and state officials; to provide for certain fees and the expenditure of those fees; to require certain audits; to require certain reports by the department of state police; to provide for the withholding of law enforcement funds under certain circumstances; and to repeal acts and parts of acts.

With the recommendation that the bill be referred to the Committee on Oversight.

Favorable Roll Call

To Report Out:

Yeas: Reps. Heise, Graves, Kurtz, Callton, McBroom, Kesto, Oakes, Robinson, Kivela and Banks

Nays: None

The recommendation was concurred in and the bill was referred to the Committee on Oversight.

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

House Bill No. 5251, entitled

A bill to amend 1978 PA 368, entitled "Public health code," (MCL 333.1101 to 333.25211) by adding section 7524b.

With the recommendation that the bill be referred to the Committee on Oversight.

Favorable Roll Call

To Report Out:

Yeas: Reps. Heise, Graves, Kurtz, Callton, McBroom, Kesto, Oakes, Robinson, Kivela and Banks

Nays: None

The recommendation was concurred in and the bill was referred to the Committee on Oversight.

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

House Bill No. 5252, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," (MCL 600.101 to 600.9947) by adding section 3841.

With the recommendation that the bill be referred to the Committee on Oversight.

Favorable Roll Call

To Report Out:

Yeas: Reps. Heise, Graves, Kurtz, Callton, McBroom, Kesto, Oakes, Robinson, Kivela and Banks

Nays: None

The recommendation was concurred in and the bill was referred to the Committee on Oversight.

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, April 30, 2014

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

Absent: Rep. O'Brien

Excused: Rep. O'Brien

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Wednesday, April 30, 2014

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

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Callton, Chair, of the Committee on Financial Services, was received and read:
Meeting held on: Wednesday, April 30, 2014

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

Absent: Reps. Farrington and Stanley

Excused: Reps. Farrington and Stanley

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Wednesday, April 30, 2014

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

Messages from the Senate**Senate Bill No. 678, entitled**

A bill to amend 1993 PA 327, entitled "Tobacco products tax act," by amending section 12 (MCL 205.432), as amended by 2012 PA 188.

The Senate has passed the bill.

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

Senate Bill No. 766, entitled

A bill to make appropriations for the department of environmental quality for the fiscal year ending September 30, 2015; and to provide for the expenditure of the appropriations.

The Senate has passed the bill.

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

Senate Bill No. 773, entitled

A bill to make appropriations for the department of military and veterans affairs for the fiscal year ending September 30, 2015; and to provide for the expenditure of the appropriations.

The Senate has passed the bill.

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

Senate Bill No. 774, entitled

A bill to make appropriations for the department of natural resources for the fiscal year ending September 30, 2015; and to provide for the expenditure of the appropriations.

The Senate has passed the bill.

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

Explanation of "No" Votes

Rep. Lamonte, having reserved the right to explain her protest against the passage of **House Bill No. 5217**, made the following statement:

"Mr. Speaker and members of the House:

I voted against House Bill 5217 because as passed the bill would allow the employer to create risky situations with no fear that the company would be held liable. The limited liability for employers has the potential to create a slippery slope for the state of Michigan. While I encourage people to become productive citizens and have the opportunity to find gainful employment, we need to make sure that businesses are held accountable for their hiring practices."

Communications from State Officers

The following communication from the Department of Treasury was received and read:

April 29, 2014

Please find attached one copy of the Personal Property Audit Annual Report for the period January 1, 2013 through December 31, 2013. The report is required by Public Act 63 of 2011, the General Government Appropriations Act. Article VIII, Section 927 of the Act provides, in part, as follows:

Sec. 927. The department of treasury shall submit annual progress reports to the senate and house of representatives standing committees on appropriations subcommittees on general government and the senate and house fiscal agencies, regarding personal property tax audits. The report shall include the number of audits, revenue generated, and number of complaints received by the department related to the audits.

If you have any questions regarding this report, you may contact David A. Buick, Administrator, Assessment and Certification Division at (517) 373-3305.

David A. Buick, Administrator
Assessment and Certification Division
Bureau of Local Government Services

The communication was referred to the Clerk.

Introduction of Bills

Rep. Oakes introduced

House Bill No. 5494, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending section 8135 (MCL 600.8135), as amended by 2014 PA 60.

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

Rep. Schor introduced

House Bill No. 5495, entitled

A bill to amend 1893 PA 206, entitled "The general property tax act," (MCL 211.1 to 211.155) by adding section 7tt. The bill was read a first time by its title and referred to the Committee on Tax Policy.

Rep. Schor introduced

House Bill No. 5496, entitled

A bill to provide for the exemption of certain property from certain taxes; to levy and collect a specific tax upon the owners of certain property; to provide for the disposition of the tax; to prescribe the powers and duties of certain local government officials; and to provide penalties.

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

Rep. Kosowski introduced

House Bill No. 5497, entitled

A bill to amend 1956 PA 217, entitled "Electrical administrative act," by amending sections 3 and 3d (MCL 338.883 and 338.883d), section 3 as amended by 2012 PA 313 and section 3d as amended by 2012 PA 379.

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

Rep. Lori introduced

House Bill No. 5498, entitled

A bill to amend 1982 PA 162, entitled "Nonprofit corporation act," by amending section 1060 (MCL 450.3060), as amended by 2012 PA 309.

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

Reps. Oakes, Tlaib, LaVoy, Dianda, Talabi, Lipton, Abed and Segal introduced

House Bill No. 5499, entitled

A bill to amend 1991 PA 179, entitled "Michigan telecommunications act," by amending sections 103, 304, 310, 313, 317, 320, and 502 (MCL 484.2103, 484.2304, 484.2310, 484.2313, 484.2317, 484.2320, and 484.2502), as amended by 2014 PA 52.

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

Reps. McMillin, Lyons, Shirkey, Genetski, Crawford, Hooker, Rogers, Johnson, VerHeulen, Yonker, Dianda, LaFontaine, MacMaster, Callton, Goike, Kesto and McBroom introduced

House Bill No. 5500, entitled

A bill to amend 1990 PA 319, entitled "An act to prohibit local units of government from imposing certain restrictions on the ownership, registration, purchase, sale, transfer, transportation, or possession of pistols or other firearms, ammunition for pistols or other firearms, or components of pistols or other firearms," (MCL 123.1101 to 123.1105) by amending the title and by adding sections 4a, 4b, and 4c.

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

Reps. Talabi, Haveman, Durhal, Zemke, Brown, Stallworth, Smiley, Cavanagh, Banks, Slavens, Stanley, Callton, Kesto, Price, Barnett, Abed, Lipton and Robinson introduced

House Bill No. 5501, entitled

A bill to amend 2008 PA 23, entitled "Enhanced driver license and enhanced official state personal identification card act," by amending section 4 (MCL 28.304).

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

Reps. Kowall and Walsh introduced

House Bill No. 5502, entitled

A bill to amend 1969 PA 306, entitled "Administrative procedures act of 1969," by amending sections 3, 5, 7a, 40, 44, 45, 45a, and 45b (MCL 24.203, 24.205, 24.207a, 24.240, 24.244, 24.245, 24.245a, and 24.245b), section 3 as amended by 2011 PA 239, section 5 as amended by 2006 PA 460, section 7a as amended by 1999 PA 262, section 40 as amended by 2011 PA 243, section 44 as amended by 2004 PA 23, section 45 as amended by 2011 PA 242, section 45a as amended by 2011 PA 245, and section 45b as added by 2011 PA 247, and by adding section 9.

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

Reps. Kowall and Walsh introduced

House Bill No. 5503, entitled

A bill to implement section 29 of article IX of the state constitution of 1963; to provide a process for state compliance with its obligation to finance the costs incurred by local units of government to provide, administer, and implement certain activities or services required by this state; to prescribe the powers and duties of certain state agencies and public officers; to prescribe certain powers and duties of the legislative branch; to provide for the administration of this act; and to repeal acts and parts of acts.

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

Reps. Walsh and Kowall introduced

House Bill No. 5504, entitled

A bill to amend 1986 PA 268, entitled "Legislative council act," (MCL 4.1101 to 4.1901) by adding chapter 7C.

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

Reps. Walsh and Kowall introduced

House Bill No. 5505, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending section 308a (MCL 600.308a), as added by 1980 PA 110, and by adding sections 308b, 308c, 308d, 308e, 308f, and 308g.

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

Reps. Santana, Knezek and Kosowski introduced

House Bill No. 5506, entitled

A bill to amend 1984 PA 192, entitled "Forbes mechanical contractors act," by amending section 10 (MCL 338.980), as amended by 2012 PA 312.

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

Rep. Pagel moved that the House adjourn.

The motion prevailed, the time being 2:40 p.m.

Associate Speaker Pro Tempore O'Brien declared the House adjourned until Thursday, May 1, at 12:00 Noon.

GARY L. RANDALL
Clerk of the House of Representatives

