

No. 5
STATE OF MICHIGAN
JOURNAL
OF THE
House of Representatives
96th Legislature
REGULAR SESSION OF 2011

House Chamber, Lansing, Thursday, January 20, 2011.

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.

| | | | |
|--------------------|----------------------|-------------------|---------------------|
| Agema—present | Gilbert—present | Lipton—present | Pscholka—present |
| Ananich—present | Glardon—present | Liss—present | Rendon—present |
| Barnett—present | Goike—present | Lori—present | Rogers—present |
| Bauer—present | Haines—present | Lund—present | Rutledge—present |
| Bledsoe—present | Hammel—present | Lyons—present | Santana—present |
| Bolger—present | Haugh—present | MacGregor—present | Schmidt, R.—present |
| Brown—present | Haveman—present | MacMaster—present | Schmidt, W.—present |
| Brunner—present | Heise—present | McBroom—present | Scott—present |
| Bumstead—present | Hobbs—present | McCann—present | Segal—present |
| Byrum—present | Hooker—present | McMillin—present | Shaughnessy—present |
| Callton—present | Horn—present | Meadows—present | Shirkey—present |
| Cavanagh—present | Hovey-Wright—present | Melton—present | Slavens—present |
| Clemente—present | Howze—present | Moss—present | Smiley—present |
| Constan—present | Hughes—present | Muxlow—present | Somerville—present |
| Cotter—present | Huuki—present | Nathan—present | Stallworth—present |
| Crawford—present | Irwin—present | Nesbitt—present | Stamas—present |
| Daley—present | Jackson—excused | O’Brien—present | Stanley—present |
| Damrow—present | Jacobsen—present | Oakes—present | Stapleton—present |
| Darany—present | Jenkins—present | Olson—present | Switalski—present |
| Denby—present | Johnson—present | Olumba—present | Talabi—present |
| Dillon—present | Kandrevas—present | Opsommer—present | Tlaib—present |
| Durhal—present | Knollenberg—present | Ouimet—present | Townsend—present |
| Farrington—present | Kowall—present | Outman—present | Tyler—present |
| Forlini—present | Kurtz—present | Pettalia—present | Walsh—present |
| Foster—present | LaFontaine—present | Poleski—present | Womack—present |
| Franz—present | Lane—present | Potvin—present | Yonker—present |
| Geiss—present | LeBlanc—present | Price—present | Zorn—present |
| Genetski—present | Lindberg—present | | |

e/d/s = entered during session

Rep. Kevin Daley, from the 82nd District, offered the following invocation:

“Heavenly Father,

We come before You today giving You thanks and praise for the new day that is before us; a new dawn that brings promise hope and for Michigan’s people - Michigan’s future.

Guide us as we serve in this Chamber knowing that we have been chosen as leaders. Leadership is not only a public trust of the people of this great State, but a sacred trust.

As such, please help to imbue us with spiritual values, fear You, and govern in a way that is acceptable to You.

In Jesus’ name we pray, Amen.”

Rep. Segal moved that Rep. Jackson be excused from today’s session.

The motion prevailed.

Reports of Standing Committees

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Ouimet, Chair, of the Committee on Local, Intergovernmental, and Regional Affairs, was received and read:

Meeting held on: Thursday, January 20, 2011

Present: Reps. Ouimet, Pettalia, Crawford, Daley, Hughes, LaFontaine, Price, Shaughnessy, Rendon, Stanley, Constan, Townsend, Stapleton, Rutledge and Lane

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Thursday, January 20, 2011

Present: Reps. Walsh, Heise, Gilbert, Horn, Scott, Damrow, Muxlow, Jacobsen, Pettalia, Somerville, Meadows, Constan, Oakes, Brown, Irwin, Cavanagh and Olumba

Notices

January 20, 2011

Mr. Gary L. Randall, Clerk
Michigan House of Representatives
State Capitol Building
Lansing, Michigan 48913

Dear Mr. Clerk:

I hereby make the following changes to the House Standing Committees for the 2011-2012 Legislative Session:

Natural Resources, Tourism and Outdoor Recreation

Rep. Stapleton to replace Rep. Womack

Sincerely,
Jase Bolger, Speaker
Michigan House of Representatives

January 20, 2011

Mr. Gary L. Randall, Clerk
Michigan House of Representatives
State Capitol Building
Lansing, Michigan 48913

Dear Mr. Clerk:

I hereby make the following changes to the membership of the Subcommittees of the Standing Committee on Appropriations for the 2011-2012 Legislative Session:

Community Health

Rep. Genetski to replace Rep. Bumstead

Education

Rep. Bumstead to replace Rep. Genetski

School Aid

Rep. Bumstead to replace Rep. Genetski

Transportation

Rep. LeBlanc to replace Rep. Lipton

Sincerely,
Jase Bolger, Speaker
Michigan House of Representatives

January 20, 2011

Mr. Gary L. Randall, Clerk
Michigan House of Representatives
State Capitol Building
Lansing, Michigan 48913

Dear Mr. Clerk:

I hereby appoint the following Members of the 96th Legislature to the Statutory Standing Committees for the 2011-2012 Legislative Session:

House Fiscal Agency Governing Committee

Reps. Moss (C), Bolger (Maj. VC), Stamas, LeBlanc (Min. VC), Hammel, Segal

Joint Committee on Administrative Rules

Reps. Olson (C), Rendon (Maj. VC), Horn, Constan (Min. VC), Byrum

Legislative Council

Reps. Bolger (C), Stamas (Maj. VC), Walsh, Moss, Meadows (Min. VC), Oakes

Michigan Capitol Committee

Reps. Wayne Schmidt (C), Stamas (Maj. VC), Hughes, Bauer (Min. VC)

Sincerely,
Jase Bolger, Speaker
Michigan House of Representatives

Introduction of Bills

Reps. Daley, Kurtz, Hooker, Glardon, Scott, Outman, Shaughnessy, McBroom, Cotter, McMillin, Heise, Goike, Lori, Somerville, Muxlow, Lyons, MacGregor, Johnson, Zorn, Walsh, Bumstead, Knollenberg, Pscholka, LeBlanc, Huuki, Shirkey, Franz, Rendon, Opsommer, Potvin, Damrow, Yonker, Jenkins, LaFontaine, Agema, Tyler, Denby, Forlini, Haveman, Price, Moss, O'Brien, Crawford, Kowall, MacMaster, Gilbert, Dillon, Darany, Genetski and Brunner introduced

House Bill No. 4109, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," (MCL 750.1 to 750.568) by adding section 90h. The bill was read a first time by its title and referred to the Committee on Families, Children, and Seniors.

Reps. Glardon, Hooker, Cotter, Johnson, Shaughnessy, Scott, Yonker, Bumstead, Daley, LaFontaine, Knollenberg, Poleski, LeBlanc, Huuki, Goike, Somerville, Denby, Shirkey, Lyons, MacGregor, Price, Franz, Walsh, MacMaster, Rendon, Kurtz, Tyler, McMillin, Opsommer, Forlini, Haveman, Moss, O'Brien, Crawford, Kowall, Damrow, Agema, Zorn, Horn, Gilbert, Dillon, Muxlow, Darany, Potvin, Genetski and Brunner introduced

House Bill No. 4110, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 16d of chapter XVII (MCL 777.16d), as amended by 2010 PA 132.

The bill was read a first time by its title and referred to the Committee on Families, Children, and Seniors.

Reps. Rendon, Callton, Cotter, Potvin, Johnson, McBroom, MacMaster, Zorn, Hughes, Yonker, Opsommer and Pettalia introduced

House Bill No. 4111, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 503 (MCL 324.503), as amended by 2004 PA 587.

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

Reps. Heise and Kowall introduced

House Bill No. 4112, entitled

A bill to provide for the establishment of a regional water and sewer authority; to provide for a board of trustees; to provide for an executive committee; to provide for transfer of certain rights in water supply and sewerage facilities; to provide for payment for water supply and sewerage services and facilities through rates, charges, special assessments, and other means; to provide for the issuance and payment of bonds or other obligations; and to provide for the powers and duties of certain governmental officials and entities.

The bill was read a first time by its title and referred to the Committee on Local, Intergovernmental, and Regional Affairs.

Reps. Jenkins, Zorn and Lyons introduced

House Bill No. 4113, entitled

A bill to amend 1980 PA 299, entitled "Occupational code," by amending section 2506 (MCL 339.2506), as amended by 1988 PA 463.

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

Reps. Jenkins, Zorn, Hughes, Shaughnessy and Rendon introduced

House Bill No. 4114, entitled

A bill to amend 2000 PA 92, entitled "Food law of 2000," by amending section 4102 (MCL 289.4102), as added by 2010 PA 112.

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

Reps. Jenkins, Zorn, Hughes and Shaughnessy introduced

House Bill No. 4115, entitled

A bill to amend 1846 RS 16, entitled "Of the powers and duties of townships, the election and duties of township officers, and the division of townships," by amending section 64b (MCL 41.64b), as added by 1989 PA 77.

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

Reps. Opsommer, Knollenberg, Rendon, Genetski, Rogers, Agema, Damrow, Johnson and Daley introduced

House Bill No. 4116, entitled

A bill to amend 1846 RS 12, entitled "Of certain state officers," (MCL 14.28 to 14.35) by adding section 32a.

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

Reps. Haveman, Lund, Daley, Constan, Geiss and Denby introduced

House Bill No. 4117, entitled

A bill to amend 1947 PA 359, entitled "The charter township act," (MCL 42.1 to 42.34) by adding section 1b.

The bill was read a first time by its title and referred to the Committee on Local, Intergovernmental, and Regional Affairs.

Reps. Tlaib, Barnett, Liss, Bauer, Segal, Santana, Geiss, Smiley, Hovey-Wright, Irwin, Howze, Townsend, Brown, Cavanagh, Stapleton, Lane and Slavens introduced

House Bill No. 4118, entitled

A bill to amend 1966 PA 346, entitled "State housing development authority act of 1966," by amending section 49a (MCL 125.1449a), as added by 1981 PA 173, and by adding sections 49w, 49x, 49y, 49z, 49aa, and 49bb; and to repeal acts and parts of acts.

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

Rep. Potvin introduced

House Bill No. 4119, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending sections 2803, 2804, 2834, 2848, and 13807 (MCL 333.2803, 333.2804, 333.2834, 333.2848, and 333.13807), sections 2803, 2834, and 2848 as amended by 2002 PA 562, section 2804 as amended by 1990 PA 149, and section 13807 as added by 1990 PA 21, and by adding sections 2836 and 2854.

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

Rep. Potvin introduced

House Bill No. 4120, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 13k of chapter XVII (MCL 777.13k), as added by 2002 PA 30.

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

Rep. Hammel introduced

House Bill No. 4121, entitled

A bill to amend 1954 PA 116, entitled "Michigan election law," by amending sections 24a, 509q, 558, 659, 699, 863, 960, and 968 (MCL 168.24a, 168.509q, 168.558, 168.659, 168.699, 168.863, 168.960, and 168.968), section 24a as amended by 2010 PA 52, sections 509q and 699 as amended by 2005 PA 71, section 558 as amended by 2002 PA 163, section 659 as amended by 2004 PA 296, section 863 as amended by 2003 PA 302, and sections 960 and 968 as amended by 1989 PA 26, and by adding section 17 and chapter XVIII.

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

Rep. Hammel introduced

House Bill No. 4122, entitled

A bill to amend 1929 PA 312, entitled "The metropolitan district act," by amending sections 3, 4, 7, 9, and 13 (MCL 119.3, 119.4, 119.7, 119.9, and 119.13), section 4 as amended by 2002 PA 410, and by adding section 2a.

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

Rep. Geiss introduced

House Bill No. 4123, entitled

A bill to amend 1965 PA 314, entitled "Public employee retirement system investment act," by amending section 20h (MCL 38.1140h), as amended by 2002 PA 728.

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

Rep. Geiss introduced

House Bill No. 4124, entitled

A bill to amend 1927 PA 372, entitled "An act to regulate and license the selling, purchasing, possessing, and carrying of certain firearms and gas ejecting devices; to prohibit the buying, selling, or carrying of certain firearms and gas ejecting devices without a license or other authorization; to provide for the forfeiture of firearms 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 2008 PA 407.

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

Rep. Geiss introduced

House Bill No. 4125, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending sections 222 and 223 (MCL 750.222 and 750.223), section 222 as amended by 2001 PA 135 and section 223 as amended by 1992 PA 221.

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

Rep. Geiss introduced

House Bill No. 4126, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending section 2951 (MCL 600.2951), as added by 1982 PA 186.

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

Rep. Geiss introduced

House Bill No. 4127, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending sections 12601, 12603, 12606a, and 12905 (MCL 333.12601, 333.12603, 333.12606a, and 333.12905), sections 12601, 12603, and 12905 as amended and section 12606a as added by 2009 PA 188, and by adding section 12603a.

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

Rep. Jacobsen introduced

House Bill No. 4128, entitled

A bill to amend 1974 PA 154, entitled "Michigan occupational safety and health act," (MCL 408.1001 to 408.1094) by adding section 17.

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

Announcements by the Clerk

January 19, 2011

Received from the Auditor General a copy of the following audit report and/or report summary:

Performance audit of the Procurement Card Program, Financial Services, Department of Technology, Management & Budget, January 2011.

Gary L. Randall
Clerk of the House

Rep. Townsend moved that the House adjourn.

The motion prevailed, the time being 12:40 p.m.

The Speaker declared the House adjourned until Tuesday, January 25, at 1:30 p.m.

GARY L. RANDALL
Clerk of the House of Representatives