

**No. 1**  
**STATE OF MICHIGAN**  
**JOURNAL**  
**OF THE**  
**House of Representatives**  
**96th Legislature**  
**REGULAR SESSION OF 2012**

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House Chamber, Lansing, Wednesday, January 11, 2012.

12:00 Noon.

Pursuant to the requirements of the Constitution, the Representatives assembled in Representative Hall in the Capitol at Lansing on the second Wednesday in January, the 11th of January, 2012 at 12:00 o'clock noon, and in accordance with law, were called to order by the Honorable James Bolger, Speaker of the House of Representatives.

By the direction of the Speaker, the Clerk called the roll of the House of Representatives and announced that a quorum was present.

<b>District</b>	<b>Name</b>	<b>District</b>	<b>Name</b>
1st	Timothy Bledsoe—excused	57th	Nancy E. Jenkins
2nd	Lisa L Howze	58th	Kenneth L. Kurtz
3rd	Alberta Tinsley Talabi	59th	Matt Lori
4th	Maureen L. Stapleton	60th	Sean McCann
5th	John Olumba	61st	Margaret E. O'Brien
6th	Fred Durhal, Jr.	62nd	Kate Segal
7th	Jimmy Womack—excused	63rd	James Bolger
8th	Thomas F. Stallworth III	64th	Earl Poleski
9th	Shanelle Jackson	65th	Mike Shirkey
10th	Harvey Santana	66th	Bill Rogers
11th	David E. Nathan	67th	Barb Byrum
12th	Rashida Tlaib	68th	Joan Bauer
13th	Andrew J. Kandrevas	69th	Mark S. Meadows—excused
14th	Paul Clemente	70th	Rick Outman
15th	George T. Darany	71st	Deb Shaughnessy
16th	Bob Constan	72nd	Ken Yonker
17th	Phil Cavanagh	73rd	Peter MacGregor
18th	Richard LeBlanc	74th	Dave Agema
19th	John J. Walsh	75th	Brandon Dillon
20th	Kurt Heise	76th	Roy Schmidt
21st	Dian Slavens	77th	Thomas B. Hooker
22nd	Douglas A. Geiss	78th	Sharon Tyler
23rd	Pat Somerville	79th	Al Pscholka
24th	Anthony G. Forlini	80th	Aric Nesbitt
25th	Jon M. Switalski	81st	Jud Gilbert—excused
26th	Jim Townsend	82nd	Kevin Daley
27th	Ellen Cogen Lipton	83rd	Paul Muxlow
28th	Lesia Liss	84th	Kurt E. Damrow

30th	Jeff Farrington	85th	Ben Glardon
31st	Marilyn Lane	86th	Lisa Posthumus Lyons
32nd	Andrea LaFontaine	87th	Mike Callton
33rd	Ken Goike	88th	Bob Genetski
34th	Woodrow Stanley	89th	Amanda Price
35th	Rudy Hobbs	90th	Joe Haveman
36th	Pete Lund	91st	Holly Hughes—excused
37th	Vicki Barnett	92nd	Marcia Hovey-Wright
38th	Hugh D. Crawford	93rd	Paul E. Opsommer
39th	Lisa Brown	94th	Ken Horn
40th	Chuck Moss	95th	Stacy Erwin Oakes
41st	Marty Knollenberg	96th	Charles M. Brunner
42nd	Harold L. Haugh	97th	Joel Johnson
43rd	Gail Haines	98th	Jim Stamas
44th	Eileen Kowall—excused	99th	Kevin Cotter
45th	Tom McMillin	100th	Jon Bumstead
46th	Bradford C. Jacobsen	101st	Ray A. Franz
47th	Cindy Denby	102nd	Philip N. Potvin
48th	Richard E. Hammel	103rd	Bruce R. Rendon
49th	Jim Ananich	104th	Wayne A. Schmidt
50th	Charles Smiley	105th	Greg MacMaster
52nd	Mark Ouimet	106th	Peter Pettalia
53rd	Jeff Irwin	107th	Frank Foster
54th	David E. Rutledge	108th	Ed McBroom—excused
55th	Rick Olson	109th	Steven W. Lindberg—excused
56th	Dale W. Zorn	110th	Matt E. Huuki

e/d/s = entered during session

Rep. Gail Haines, from the 43rd District, offered the following invocation:

“Heavenly Father, thank You for this wonderful new day in this wonderful new year. Thank You for all the blessings You have bestowed upon us; for the opportunities You give us and the challenges You put in front of us that help us to be better servants.

As we begin this new year, let us truly begin it with new promises of working together for this place we call home.

Place Your spirit with those currently serving our state and nation, both here and abroad. Let us know You are with us to help guide our decision-making in times that are good and in times that are bad.

We ask You to renew our spirits, faith and hope. We are thankful for this opportunity to begin anew. Acknowledging that the challenges we face are greater than ever. We shall overcome them by looking to You for answers and finding strength in our fellow man.

Be with those among us who feel their faith wavering and need You more than ever.

Father, please continue to bless us and impart Your wisdom to us daily. Remain ever faithful to us, as we remain faithful to You.

All this we ask in the name of Your son, Jesus Christ. Amen.”

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Rep. Stamas moved that Reps. Kowall, McBroom, Gilbert and Hughes be excused from today’s session.  
The motion prevailed.

Rep. Segal moved that Reps. Bledsoe, Lindberg, Meadows and Womack be excused from today’s session.  
The motion prevailed.

### Motions and Resolutions

Reps. Segal, Constan, Heise and LeBlanc offered the following resolution:

**House Resolution No. 175.**

A resolution to urge the United States Department of Defense to maintain its plan to deliver no fewer than four C-27J aircraft to the 110th Airlift Wing of the Air National Guard in Battle Creek.

Whereas, The C-27J was selected by the United States Department of Defense in 2007 to fulfill Army and Air Force requirements for a medium-lift, intra-theater airlift aircraft; and

Whereas, The C-27J is unmatched in its ability to support the homeland defense, disaster response, and recovery missions of the Air National Guard. This aircraft is perfectly suited to deliver cargo and supplies to forward tactical units in remote, austere locations and land or take off from short, unimproved runways that are not accessible by other means in a quick and efficient manner; and

Whereas, The C-27J will allow the Michigan Air National Guard to deliver mission critical personnel and emergency supplies in a far more economical manner than fixed-wing or rotary-wing counterparts, which are more costly to operate and maintain; and

Whereas, It is prudent to utilize the C-27J to take full advantage of the opportunities that Michigan brings to northern border security; and

Whereas, The existing infrastructure, trained personnel, and investment at the Battle Creek Air National Guard base is second to no other location in the nation for C-27J mission support, as well as being adjacent to the extensive Michigan Army Reserve and National Guard Fort Custer Training Center; and

Whereas, The Battle Creek Air National Guard base is an integral part of the Calhoun County community - contributing \$22.2 million in total wages and salaries, a total of \$26 million in gross regional product to Calhoun County, and firefighters who act as first responders for crash and rescue to the WK Kellogg Airport and the city of Battle Creek; and

Whereas, Failing to secure the C-27J aircraft could immeasurably damage Battle Creek and Michigan's economy and remove important disaster response readiness — from either natural or terrorist causes — in Michigan; and

Whereas, Michigan is next in line among the states slated to receive no fewer than four C-27J aircraft; and

Whereas, C-27Js based in Southwest Michigan, due to its central location, will provide superior response capabilities in FEMA Region 5 and the region served by the 51st Civil Support Team; now, therefore, be it

Resolved by the House of Representatives, That we urge the United States Department of Defense to maintain its plan to deliver no fewer than four C-27J aircraft to the 110th Airlift Wing of the Air National Guard in Battle Creek, prior to other potential locations throughout the United States; and be it further

Resolved, That copies of this resolution be transmitted to the United States Secretary of Defense.

The resolution was referred to the Committee on Military and Veterans Affairs and Homeland Security.

Reps. Talabi, Durhal, Townsend, Irwin, Stallworth, Rutledge, Howze, Liss, Barnett, Santana, Ananich, Nathan, Smiley, Stapleton, Lane, Hovey-Wright, Tlaib, Hobbs, Bledsoe, Stanley, Geiss, Segal, Hammel, Meadows, LeBlanc, Bauer, Potvin, Roy Schmidt, Womack, Cavanagh, Darany, Oakes, Constan and Slavens offered the following concurrent resolution:

**House Concurrent Resolution No. 43.**

A concurrent resolution to memorialize Congress to expand the use of Food Assistance Program dollars to include personal hygiene products and home cleaning supplies.

Whereas, The Supplemental Food and Nutrition Program (SNAP) provides low-income households throughout the country with access to nutritious food. However, these households also have a great need for personal hygiene products and home cleaning supplies that are prohibited from being purchased with the food assistance program's Electronic Benefits Transfer Card (EBT); and

Whereas, Personal hygiene products and cleaning supplies are important staples in every household. They are a necessary part of the preparation for attending school, going to work, and looking for work. Such items are basic necessities for daily living and should be regarded as an allowable purchase with food assistance benefits; and

Whereas, As Michigan closes thousands of cases for cash assistance recipients, these families can add yet another challenge to their already precarious lives. Many will lose the purchasing power for such basic and personal needs that most of us take for granted. Expansion of SNAP benefits to include such purchases would provide much needed help. Without these products, health problems may occur that could cause additional costs and hardships for the family; now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That we memorialized Congress to expand the Supplemental Food Assistance Program (SNAP) to include personal hygiene products and home cleaning supplies; and be it further

Resolved, That copies of this resolution be transmitted to the President of the United States Senate, the Speaker of the United States House of Representatives, and the members of the Michigan congressional delegation

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

### Messages from the Governor

The following veto message from the Governor was received and read:

Executive Office, Lansing, December 22, 2011

Michigan House of Representatives  
State Capitol Building  
Lansing, Michigan 48913

Ladies and Gentlemen:

Today I am returning to you **Enrolled House Bill 4771** without signature.

I signed Senate Bill 493, now P.A. 260 of 2011, on December 14, 2011. That bill amends section 15 of P.A. 336 of 1947. Enrolled House Bill 4771 amends the same section of law but does not include the amendatory language in Senate Bill 493. Therefore, enacting enrolled House Bill 4771 would supplant the language in Senate Bill 493. The policy of Senate Bill 493 is an important piece of my local government reform package, and I therefore cannot sign House Bill 4771.

Sincerely,  
Rick Snyder  
Governor

The question being on the passage of the bill, the objections of the Governor to the contrary notwithstanding, Rep. Stamas moved that the bill be referred to the Committee on Government Operations. The motion prevailed.

By unanimous consent the House returned to the order of  
**Motions and Resolutions**

Rep. Stamas moved that when the House adjourns today it stand adjourned until Tuesday, January 17, at 1:30 p.m. The motion prevailed.

### Messages from the Senate

January 11, 2012

The Honorable Jase Bolger  
Speaker of the House of Representatives  
Capitol Building  
Lansing, Michigan 48913

Dear Mr. Speaker:

By direction of the Senate, I hereby notify you that a quorum of the Senate has assembled and is ready to proceed with the business of the session.

Very respectfully,  
Carol Morey Viventi, J.D.  
Secretary of the Senate

### Introduction of Bills

Reps. Agema, MacMaster, Genetski, McMillin, Somerville, Callton, Olson, Franz, Horn, Rendon, Opsommer, Pettalia, Huuki, Crawford, Johnson, Rogers, Denby, Jenkins, Heise, Goike, Hooker, Haveman and Daley introduced

#### **House Bill No. 5240, entitled**

A bill to amend 1976 PA 451, entitled "The revised school code," by amending sections 1278, 1279g, and 1347 (MCL 380.1278, 380.1279g, and 380.1347), section 1278 as amended by 2004 PA 596 and section 1279g as amended by 2008 PA 349, and by adding sections 1167 and 1259.

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

Reps. Genetski, McBroom, Hooker, Yonker, Pscholka, Heise, LeBlanc, MacGregor, Somerville, Cotter, Wayne Schmidt, Moss, Rogers, Damrow, Clemente, Roy Schmidt, Liss, Muxlow, Shaughnessy, LaFontaine, Walsh, Kowall, Olson, Forlini, Kurtz, Rendon, Opsommer and Glardon introduced

**House Bill No. 5241, entitled**

A bill to amend 1976 PA 451, entitled "The revised school code," (MCL 380.1 to 380.1852) by adding section 1531j. The bill was read a first time by its title and referred to the Committee on Education.

Reps. Hooker, Kurtz, Opsommer, Crawford, Kowall, MacGregor, Lyons, Daley, Haveman, Yonker, Johnson, Potvin, Gilbert, LaFontaine, McMillin, Shirkey, Agema, Lori and Goike introduced

**House Bill No. 5242, entitled**

A bill to amend 2002 PA 360, entitled "An act to revise the priority of allocation of funds for certain programs and services administered by the department of community health; and to prescribe the powers and duties of certain state agencies and departments," (MCL 333.1091 to 333.1091) by adding section 2.

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

Reps. Talabi, Jackson, Durhal, Liss, Rutledge, Nathan, Tlaib, Darany, Roy Schmidt, Smiley, Opsommer, Ananich, Cavanagh, Howze, Stallworth, Stapleton, Lipton and Oakes introduced

**House Bill No. 5243, entitled**

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending section 3204 (MCL 600.3204), as amended by 2011 PA 72, and by adding sections 3104 and 3204a.

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

Reps. Stanley, Geiss, Womack, Dillon, Townsend, Rutledge and Oakes introduced

**House Bill No. 5244, entitled**

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," by amending section 2027 (MCL 500.2027), as amended by 1998 PA 26, and by adding section 2027a.

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

Reps. Brown, Rutledge, Darany, Geiss, Howze, Slavens, Switalski, Lipton, Hammel and Nathan introduced

**House Joint Resolution KK, entitled**

A joint resolution proposing an amendment to the state constitution of 1963, by amending section 2 of article VIII, to prohibit public schools from being operated on a for-profit basis or by a for-profit entity.

The joint resolution was read a first time by its title and referred to the Committee on Education.

By unanimous consent the House returned to the order of

**Notices**

January 11, 2012

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

Dear Mr. Clerk:

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

**Agriculture**

Rep. Santana removed from the committee

Rep. Brunner to be Minority Vice Chair

Sincerely,  
Jase Bolger, Speaker  
Michigan House of Representatives

Rep. Bumstead moved that the House adjourn.  
The motion prevailed, the time being 12:50 p.m.

The Speaker declared the House adjourned until Tuesday, January 17, at 1:30 p.m.

GARY L. RANDALL  
Clerk of the House of Representatives