

**No. 6**  
**STATE OF MICHIGAN**  
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**OF THE**  
**House of Representatives**  
**96th Legislature**  
**REGULAR SESSION OF 2012**

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House Chamber, Lansing, Wednesday, January 25, 2012.

1:30 p.m.

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

e/d/s = entered during session

Pastor James Pettit, Senior Pastor of Griswold Street Baptist Church in Port Huron, offered the following invocation:

“My Lord, we are grateful for this moment to focus our attention on You in the midst of the legislative activity going on all through this building. Help each of us to understand that all of our moments are under Your watchful eye and because of this we can cast our cares upon You for You care for us.

I pray for the men and women in this room that have dedicated all that they are to serving the great state of Michigan. Help them in their moments of being mommy or daddy or grandma or grandpa. May these moments be filled with opportunity to love and care for their kids as the precious gifts that they are. Help those in this room that have moments filled with trying to make decisions about the best way to care for their aging parents. May these moments be filled with honor for their parents. Help those in this room that wear a wedding band to cherish their spouse by remaining loyal to the vows that united them as man and wife. Please protect them from infidelity in its many deceptive forms.

Finally, I pray that You grant great wisdom to the men and women of this chamber as they consider legislation that will be best for the state of Michigan. May their decisions protect the dignity of human life from conception to final natural breath, create an economic environment in which entrepreneurship thrives, provide protection for our citizens, and promote freedom to enjoy living the American dream throughout the beautiful land of Michigan.

In the name of the Lord Jesus Christ I humbly ask that You grant Your favor in every moment that the men and women of this chamber experience. We as the citizens of Michigan are grateful for them and ask that You guide them in the session now to come. Amen.”

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The Speaker called the Speaker Pro Tempore to the Chair.

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Rep. Segal moved that Rep. Lindberg be excused from today’s session.  
The motion prevailed.

### **Motions and Resolutions**

Reps. Brown, Barnett, Constan, Darany, Liss, Lori and Slavens offered the following resolution:

**House Resolution No. 179.**

A resolution to declare January 2012 as Radon Action Month in the state of Michigan.

Whereas, Radon is a colorless, odorless, naturally occurring radioactive gas that threatens the health of our citizens; and

Whereas, Radon is the second leading cause of lung cancer deaths in the United States and the number one cause among non-smokers; and

Whereas, One in 15 homes across the U.S. has an elevated radon level; and

Whereas, Any home in Michigan may have an elevated level of radon, even if other homes in the same neighborhood do not; and

Whereas, Testing for radon is simple and inexpensive; and

Whereas, Identified radon problems can be fixed; and

Whereas, The Michigan House of Representatives and the U.S. Environmental Protection Agency are supporting efforts to encourage Americans to test their homes for radon, mitigate elevated levels of radon, and build new homes with radon-resistant materials and features; now, therefore, be it

Resolved by the House of Representatives, That the members of this legislative body declare January 2012 as Radon Action Month in the state of Michigan.

The question being on the adoption of the resolution,

The resolution was adopted.

### **Third Reading of Bills**

**House Bill No. 4653, entitled**

A bill to amend 1954 PA 116, entitled “Michigan election law,” by amending section 744 (MCL 168.744), as amended by 1995 PA 261, and by adding section 744a.

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

**Roll Call No. 6****Yeas—106**

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

**Nays—0**

In The Chair: Walsh

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. 4656, entitled**

A bill to amend 1954 PA 116, entitled "Michigan election law," (MCL 168.1 to 168.992) by adding section 931a.  
Was read a third time and passed, a majority of the members serving voting therefor, by yeas and nays, as follows:

**Roll Call No. 7****Yeas—106**

Agema	Genetski	LeBlanc	Pscholka
Ananich	Gilbert	Lipton	Rendon
Barnett	Glardon	Liss	Rogers
Bauer	Goike	Lori	Rutledge
Bledsoe	Haines	Lund	Santana
Bolger	Hammel	Lyons	Schmidt, R.
Brown	Haugh	MacGregor	Schmidt, W.
Brunner	Haveman	MacMaster	Segal

Bumstead	Heise	McBroom	Shaughnessy
Byrum	Hobbs	McCann	Shirkey
Callton	Hooker	McMillin	Slavens
Cavanagh	Horn	Meadows	Smiley
Clemente	Hovey-Wright	Moss	Somerville
Constan	Howze	Muxlow	Stallworth
Cotter	Hughes	Nathan	Stamas
Crawford	Huuki	Nesbitt	Stanley
Daley	Irwin	O'Brien	Stapleton
Damrow	Jackson	Oakes	Switalski
Darany	Jacobsen	Olson	Talabi
Denby	Jenkins	Opsommer	Tlaib
Dillon	Johnson	Ouimet	Townsend
Durhal	Kandrevas	Outman	Tyler
Farrington	Knollenberg	Pettalia	Walsh
Forlini	Kowall	Poleski	Womack
Foster	Kurtz	Potvin	Yonker
Franz	LaFontaine	Price	Zorn
Geiss	Lane		

**Nays—0**

In The Chair: Walsh

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. 4346, entitled**

A bill to amend 1937 PA 94, entitled "Use tax act," by amending section 6 (MCL 205.96), as amended by 2004 PA 172.  
Was read a third time and passed, a majority of the members serving voting therefor, by yeas and nays, as follows:

**Roll Call No. 8****Yeas—106**

Agema	Genetski	LeBlanc	Pscholka
Ananich	Gilbert	Lipton	Rendon
Barnett	Glardon	Liss	Rogers
Bauer	Goike	Lori	Rutledge
Bledsoe	Haines	Lund	Santana
Bolger	Hammel	Lyons	Schmidt, R.
Brown	Haugh	MacGregor	Schmidt, W.
Brunner	Haveman	MacMaster	Segal
Bumstead	Heise	McBroom	Shaughnessy
Byrum	Hobbs	McCann	Shirkey
Callton	Hooker	McMillin	Slavens
Cavanagh	Horn	Meadows	Smiley
Clemente	Hovey-Wright	Moss	Somerville
Constan	Howze	Muxlow	Stallworth
Cotter	Hughes	Nathan	Stamas
Crawford	Huuki	Nesbitt	Stanley
Daley	Irwin	O'Brien	Stapleton
Damrow	Jackson	Oakes	Switalski

Darany	Jacobsen	Olson	Talabi
Denby	Jenkins	Opsommer	Tlaib
Dillon	Johnson	Ouimet	Townsend
Durhal	Kandrevas	Outman	Tyler
Farrington	Knollenberg	Pettalia	Walsh
Forlini	Kowall	Poleski	Womack
Foster	Kurtz	Potvin	Yonker
Franz	LaFontaine	Price	Zorn
Geiss	Lane		

**Nays—0**

In The Chair: Walsh

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. 4804, entitled**

A bill to amend 1933 PA 167, entitled "General sales tax act," by amending section 6 (MCL 205.56), as amended by 2004 PA 173.

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

**Roll Call No. 9****Yeas—106**

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

**Nays—0**

In The Chair: Walsh

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 1933 PA 167, entitled “General sales tax act,” by amending section 6 (MCL 205.56), as amended by 2011 PA 71.

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.

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Rep. Olumba entered the House Chambers.

**House Bill No. 5081, entitled**

A bill to amend 1962 PA 174, entitled “Uniform commercial code,” by amending the heading for part 1 and sections 1101, 1102, 1103, 1106, 1201, 1202, 1203, 1204, 1205, 1206, 2103, 2202, 2A103, 2A501, 2A518, 2A519, 2A527, 2A528, 3103, 4104, 4A105, 4A106, 4A204, 5103, 8102, and 9102 (MCL 440.1101, 440.1102, 440.1103, 440.1106, 440.1201, 440.1202, 440.1203, 440.1204, 440.1205, 440.1206, 440.2103, 440.2202, 440.2803, 440.2951, 440.2968, 440.2969, 440.2977, 440.2978, 440.3103, 440.4104, 440.4605, 440.4606, 440.4704, 440.5103, 440.8102, and 440.9102), sections 1201, 2103, 2A103, and 9102 as amended by 2000 PA 348, sections 1206, 4104, and 8102 as amended by 1998 PA 278, sections 2A501, 2A518, 2A519, 2A527, and 2A528 as added by 1992 PA 101, section 3103 as amended by 1993 PA 130, sections 4A105, 4A106, and 4A204 as added by 1992 PA 100, and section 5103 as amended by 1998 PA 488, and by adding a heading for part 3 and sections 1108, 1301, 1302, 1303, 1304, 1305, 1306, 1307, 1308, 1309, and 1310; and to repeal acts and parts of acts.

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

**Roll Call No. 10****Yeas—107**

Agema	Genetski	LeBlanc	Pscholka
Ananich	Gilbert	Lipton	Rendon
Barnett	Glardon	Liss	Rogers
Bauer	Goike	Lori	Rutledge
Bledsoe	Haines	Lund	Santana
Bolger	Hammel	Lyons	Schmidt, R.
Brown	Haugh	MacGregor	Schmidt, W.
Brunner	Haveman	MacMaster	Segal
Bumstead	Heise	McBroom	Shaughnessy
Byrum	Hobbs	McCann	Shirkey
Callton	Hooker	McMillin	Slavens
Cavanagh	Horn	Meadows	Smiley
Clemente	Hovey-Wright	Moss	Somerville
Constan	Howze	Muxlow	Stallworth
Cotter	Hughes	Nathan	Stamas
Crawford	Huuki	Nesbitt	Stanley
Daley	Irwin	O’Brien	Stapleton
Damrow	Jackson	Oakes	Switalski
Darany	Jacobsen	Olson	Talabi
Denby	Jenkins	Olumba	Tlaib

Dillon	Johnson	Opsommer	Townsend
Durhal	Kandrevas	Ouimet	Tyler
Farrington	Knollenberg	Outman	Walsh
Forlini	Kowall	Pettalia	Womack
Foster	Kurtz	Poleski	Yonker
Franz	LaFontaine	Potvin	Zorn
Geiss	Lane	Price	

### Nays—0

In The Chair: Walsh

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 1962 PA 174, entitled “Uniform commercial code,” by amending the heading for part 1 and sections 1101, 1102, 1103, 1106, 1202, 1203, 1204, 1205, 1206, 2202, 2A501, 2A518, 2A519, 2A527, 2A528, 3103, 4A105, 4A106, 4A204, 5103, and 8102 (MCL 440.1101, 440.1102, 440.1103, 440.1106, 440.1202, 440.1203, 440.1204, 440.1205, 440.1206, 440.2202, 440.2951, 440.2968, 440.2969, 440.2977, 440.2978, 440.3103, 440.4605, 440.4606, 440.4704, 440.5103, and 440.8102), sections 1206 and 8102 as amended by 1998 PA 278, sections 2A501, 2A518, 2A519, 2A527, and 2A528 as added by 1992 PA 101, section 3103 as amended by 1993 PA 130, sections 4A105, 4A106, and 4A204 as added by 1992 PA 100, and section 5103 as amended by 1998 PA 488, and by adding a heading for part 3 and sections 1108, 1301, 1302, 1303, 1304, 1305, 1306, 1307, 1308, 1309, and 1310; and to repeal acts and parts of acts.

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. 5082, entitled

A bill to amend 1962 PA 174, entitled “Uniform commercial code,” by amending sections 1201, 2103, 2104, 2310, 2323, 2401, 2503, 2505, 2506, 2509, 2605, 2705, 2A103, 2A514, 2A526, 4104, 4210, 7101, 7102, 7103, 7104, 7105, 7201, 7202, 7203, 7204, 7205, 7206, 7207, 7208, 7209, 7210, 7301, 7302, 7303, 7304, 7305, 7307, 7308, 7309, 7401, 7402, 7403, 7404, 7501, 7502, 7503, 7504, 7505, 7506, 7507, 7508, 7509, 7601, 7602, 7603, 8103, 9102, 9203, 9207, 9208, 9301, 9310, 9312, 9313, 9314, 9317, 9338, and 9601 (MCL 440.1201, 440.2103, 440.2104, 440.2310, 440.2323, 440.2401, 440.2503, 440.2505, 440.2506, 440.2509, 440.2605, 440.2705, 440.2803, 440.2964, 440.2976, 440.4104, 440.4210, 440.7101, 440.7102, 440.7103, 440.7104, 440.7105, 440.7201, 440.7202, 440.7203, 440.7204, 440.7205, 440.7206, 440.7207, 440.7208, 440.7209, 440.7210, 440.7301, 440.7302, 440.7303, 440.7304, 440.7305, 440.7307, 440.7308, 440.7309, 440.7401, 440.7402, 440.7403, 440.7404, 440.7501, 440.7502, 440.7503, 440.7504, 440.7505, 440.7506, 440.7507, 440.7508, 440.7509, 440.7601, 440.7602, 440.7603, 440.8103, 440.9102, 440.9203, 440.9207, 440.9208, 440.9301, 440.9310, 440.9312, 440.9313, 440.9314, 440.9317, 440.9338, and 440.9601), sections 1201, 2103, 2A103, 4210, 7503, 8103, 9102, 9203, 9207, 9208, 9301, 9310, 9312, 9313, 9314, and 9317 as amended and sections 9338 and 9601 as added by 2000 PA 348, sections 2A514 and 2A526 as added by 1992 PA 101, and section 4104 as amended by 1998 PA 278, and by adding section 7106 and part 7.

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

### Roll Call No. 11

### Yeas—107

Agema	Genetski	LeBlanc	Pscholka
Ananich	Gilbert	Lipton	Rendon
Barnett	Glardon	Liss	Rogers
Bauer	Goike	Lori	Rutledge
Bledsoe	Haines	Lund	Santana
Bolger	Hammel	Lyons	Schmidt, R.
Brown	Haugh	MacGregor	Schmidt, W.
Brunner	Haveman	MacMaster	Segal

Bumstead	Heise	McBroom	Shaughnessy
Byrum	Hobbs	McCann	Shirkey
Callton	Hooker	McMillin	Slavens
Cavanagh	Horn	Meadows	Smiley
Clemente	Hovey-Wright	Moss	Somerville
Constan	Howze	Muxlow	Stallworth
Cotter	Hughes	Nathan	Stamas
Crawford	Huuki	Nesbitt	Stanley
Daley	Irwin	O'Brien	Stapleton
Damrow	Jackson	Oakes	Switalski
Darany	Jacobsen	Olson	Talabi
Denby	Jenkins	Olumba	Tlaib
Dillon	Johnson	Opsommer	Townsend
Durhal	Kandrevas	Ouimet	Tyler
Farrington	Knollenberg	Outman	Walsh
Forlini	Kowall	Pettalia	Womack
Foster	Kurtz	Poleski	Yonker
Franz	LaFontaine	Potvin	Zorn
Geiss	Lane	Price	

**Nays—0**

In The Chair: Walsh

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. 5083, entitled**

A bill to amend 1962 PA 174, entitled "Uniform commercial code," by amending sections 2A103, 9102, 9105, 9307, 9311, 9316, 9317, 9326, 9406, 9408, 9502, 9503, 9507, 9515, 9516, 9518, 9521, and 9607 (MCL 440.2803, 440.9102, 440.9105, 440.9307, 440.9311, 440.9316, 440.9317, 440.9326, 440.9406, 440.9408, 440.9502, 440.9503, 440.9507, 440.9515, 440.9516, 440.9518, 440.9521, and 440.9607), sections 2A103, 9102, 9105, 9307, 9316, 9317, 9406, 9408, 9502, 9503, and 9507 as amended and sections 9326, 9518, and 9607 as added by 2000 PA 348, section 9311 as amended by 2005 PA 25, and sections 9515, 9516, and 9521 as amended by 2008 PA 383, and by adding part 8 to article 9; and to repeal acts and parts of acts.

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

**Roll Call No. 12****Yeas—107**

Agema	Genetski	LeBlanc	Pscholka
Ananich	Gilbert	Lipton	Rendon
Barnett	Glardon	Liss	Rogers
Bauer	Goike	Lori	Rutledge
Bledsoe	Haines	Lund	Santana
Bolger	Hammel	Lyons	Schmidt, R.
Brown	Haugh	MacGregor	Schmidt, W.
Brunner	Haveman	MacMaster	Segal
Bumstead	Heise	McBroom	Shaughnessy
Byrum	Hobbs	McCann	Shirkey
Callton	Hooker	McMillin	Slavens
Cavanagh	Horn	Meadows	Smiley
Clemente	Hovey-Wright	Moss	Somerville



Constan	Howze	Muxlow	Stallworth
Cotter	Hughes	Nathan	Stamas
Crawford	Huuki	Nesbitt	Stanley
Daley	Irwin	O'Brien	Stapleton
Damrow	Jackson	Oakes	Switalski
Darany	Jacobsen	Olson	Talabi
Denby	Jenkins	Olumba	Tlaib
Dillon	Johnson	Opsommer	Townsend
Durhal	Kandrevas	Ouimet	Tyler
Farrington	Knollenberg	Outman	Walsh
Forlini	Kowall	Pettalia	Womack
Foster	Kurtz	Poleski	Yonker
Franz	LaFontaine	Potvin	Zorn
Geiss	Lane	Price	

### Nays—0

In The Chair: Walsh

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 1962 PA 174, entitled "Uniform commercial code," by amending sections 9105, 9307, 9311, 9316, 9326, 9406, 9408, 9502, 9503, 9507, 9515, 9516, 9518, 9521, and 9607 (MCL 440.9105, 440.9307, 440.9311, 440.9316, 440.9326, 440.9406, 440.9408, 440.9502, 440.9503, 440.9507, 440.9515, 440.9516, 440.9518, 440.9521, and 440.9607), sections 9105, 9307, 9316, 9406, 9408, 9502, 9503, and 9507 as amended and sections 9326, 9518, and 9607 as added by 2000 PA 348, section 9311 as amended by 2005 PA 25, and sections 9515, 9516, and 9521 as amended by 2008 PA 383, and by adding part 8 to article 9; and to repeal acts and parts of acts.

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.

### Second Reading of Bills

#### Senate Bill No. 130, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 321a (MCL 257.321a), as amended by 2004 PA 362.

The bill was read a second time.

Rep. Stamas moved to amend the bill as follows:

1. Amend page 6, line 2, after "parking" by inserting "**OR, BEGINNING JANUARY 1, 2018, FAILED TO ANSWER 6 OR MORE PARKING VIOLATION NOTICES OR CITATIONS REGARDING ILLEGAL PARKING**".

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

Rep. Nathan moved to amend the bill as follows:

1. Amend page 6, line 1, after "(b)" by striking out "Failed" and inserting "**EXCEPT AS OTHERWISE PROVIDED IN THIS SUBDIVISION, FAILED**".

2. Amend page 6, line 2, after "parking," by inserting "**HOWEVER, IF ON JANUARY 1, 2012 THE DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS DETERMINES THAT A CITY, TOWNSHIP, OR VILLAGE HAS AN UNEMPLOYMENT RATE OF 25% OR MORE, THEN THE NUMBER OF PARKING VIOLATION NOTICES OR CITATIONS UNDER THIS SUBDIVISION SHALL BE AS FOLLOWS:**

(i) **BEGINNING JANUARY 1, 2013, 5 OR MORE.**

(ii) **BEGINNING JANUARY 1, 2014, 4 OR MORE.**

(iii) **BEGINNING JANUARY 1, 2015, 3 OR MORE.**"

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

Rep. Nathan moved to amend the bill as follows:

1. Amend page 6, line 1, after “answer” by striking out “3 or more” and inserting “**THE FOLLOWING NUMBER OF**”.
2. Amend page 6, line 2, after “parking” by striking out the period and inserting a colon and:
  - “(i) **EXCEPT AS OTHERWISE PROVIDED IN THIS SUBDIVISION, 5 OR MORE.**
  - “(ii) **BEGINNING 2 YEARS AFTER THE EFFECTIVE DATE OF THE AMENDATORY ACT THAT ADDED THIS SUBPARAGRAPH, 4 OR MORE.**
  - “(iii) **BEGINNING 3 YEARS AFTER THE EFFECTIVE DATE OF THE AMENDATORY ACT THAT ADDED THIS SUBPARAGRAPH, 3 OR MORE.**”.

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

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

The motion prevailed.

#### **House Bill No. 4838, entitled**

A bill to authorize interstate mutual aid for certain emergency responses; to provide for the recognition of certain credentials of emergency responders from other states; and to provide for certain civil immunity.

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

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

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

The motion prevailed.

#### **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.

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

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

Rep. Opsommer moved to substitute (H-6) the bill.

The motion prevailed and the substitute (H-6) was adopted, a majority of the members serving voting therefor.

Rep. Brown moved to amend the bill as follows:

1. Amend page 2, line 18, after “**SHALL**” by inserting “**POST THE MEMORANDUM OF AGREEMENT ON THE GOVERNMENTAL UNIT’S WEBSITE AND**”.

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

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

The motion prevailed.

#### **House Bill No. 4658, entitled**

A bill to amend 1933 PA 167, entitled “General sales tax act,” by amending section 4a (MCL 205.54a), as amended by 2008 PA 415.

The bill was read a second time.

Rep. Forlini moved to amend the bill as follows:

1. Amend page 5, line 17, after “**BEFORE**” by striking out “**OCTOBER 1, 2011**” and inserting “**OCTOBER 1, 2012**”.

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

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

The motion prevailed.

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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 the enrollment printing and presentation to the Governor on Tuesday, January 24, for his approval of the following bills:

**Enrolled House Bill No. 4403 at 3:40 p.m.**

**Enrolled House Bill No. 4893 at 3:42 p.m.**

**Enrolled House Bill No. 5194 at 3:44 p.m.**

**Enrolled House Bill No. 5195 at 3:46 p.m.**

The Clerk announced that the following bills had been printed and placed upon the files of the members on Wednesday, January 25:

<b>House Bill Nos.</b>	<b>5263</b>	<b>5264</b>	<b>5265</b>	<b>5266</b>	<b>5267</b>	<b>5268</b>	<b>5269</b>	<b>5270</b>	<b>5271</b>	<b>5272</b>	<b>5273</b>	<b>5274</b>	<b>5275</b>	<b>5276</b>
	<b>5277</b>	<b>5278</b>	<b>5279</b>	<b>5280</b>	<b>5281</b>	<b>5282</b>								
<b>Senate Bill Nos.</b>	<b>898</b>	<b>899</b>	<b>900</b>	<b>901</b>	<b>902</b>	<b>903</b>	<b>904</b>	<b>905</b>	<b>906</b>	<b>907</b>	<b>908</b>			

The Clerk announced that the following Senate bills had been received on Wednesday, January 25:

**Senate Bill Nos. 204 630 631 632 633**

### Reports of Standing Committees

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

**House Bill No. 4618, entitled**

A bill to amend 1893 PA 206, entitled "The general property tax act," by amending section 7d (MCL 211.7d), as amended by 2010 PA 8.

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. Gilbert, Walsh, Horn, Farrington, Foster, Lyons, Nesbitt, O'Brien, Olson, Ouimet, Constan, Barnett, Kandrevas, Meadows, Townsend, Cavanagh and Hobbs

Nays: None

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

**House Bill No. 5178, entitled**

A bill to amend 1893 PA 206, entitled "The general property tax act," by amending section 7u (MCL 211.7u), as amended by 2003 PA 140.

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. Gilbert, Walsh, Horn, Farrington, Foster, Lyons, Nesbitt, O'Brien, Olson, Ouimet, Constan, Barnett, Kandrevas, Meadows, Townsend, Cavanagh and Hobbs

Nays: None

### COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Wednesday, January 25, 2012

Present: Reps. Gilbert, Walsh, Horn, Farrington, Foster, Lyons, Nesbitt, O'Brien, Olson, Ouimet, Constan, Barnett, Kandrevas, Meadows, Townsend, Cavanagh and Hobbs

The Committee on Transportation, by Rep. Opsommer, Chair, reported

**Senate Bill No. 534, entitled**

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," (MCL 257.1 to 257.923) by adding section 811t.

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. Opsommer, Glardon, Daley, Wayne Schmidt, Huuki, Jacobsen, Muxlow, Ouimet, Somerville, Geiss, Nathan, Liss, Byrum, Smiley and Roy Schmidt

Nays: None

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Wednesday, January 25, 2012

Present: Reps. Opsommer, Glardon, Daley, Wayne Schmidt, Huuki, Jacobsen, Muxlow, Ouimet, Somerville, Geiss, Talabi, Nathan, Liss, Byrum, Smiley and Roy Schmidt

Absent: Rep. Olson

Excused: Rep. Olson

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Wednesday, January 25, 2012

Present: Reps. Daley, Denby, Kurtz, Tyler, Glardon, Johnson, LaFontaine, McBroom, Outman, Rendon, Muxlow, Brunner, Oakes, Talabi, Hovey-Wright, Segal and Smiley

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Wednesday, January 25, 2012

Present: Reps. McMillin, Hooker, Crawford, Franz, Heise, Nesbitt, O'Brien, Price, Shaughnessy, Yonker, Lyons, Bumstead, Brown, Darany, Howze, Hobbs, Rutledge, Stallworth and Geiss

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Crawford, Chair, of the Committee on Regulatory Reform, was received and read:

Meeting held on: Wednesday, January 25, 2012

Present: Reps. Crawford, Yonker, Opsommer, Daley, McMillin, Stamas, Shirkey, Franz, McBroom, Rendon, Haugh, Byrum, Slavens and Rutledge

Absent: Rep. Womack

Excused: Rep. Womack

**Messages from the Senate**

**House Bill No. 5192, entitled**

A bill to amend 1947 PA 336, entitled "An act to prohibit strikes by certain public employees; to provide review from disciplinary action with respect thereto; to provide for the mediation of grievances and the holding of elections; to declare and protect the rights and privileges of public employees; to require certain provisions in collective bargaining agreements; and to prescribe means of enforcement and penalties for the violation of the provisions of this act," by amending section 15 (MCL 423.215), as amended by 2011 PA 103.

The Senate has substituted (S-3) the bill.

The Senate has passed the bill as substituted (S-3), ordered that it be given immediate effect and amended the title to read as follows:

A bill to amend 1947 PA 336, entitled "An act to prohibit strikes by certain public employees; to provide review from disciplinary action with respect thereto; to provide for the mediation of grievances and the holding of elections; to declare

and protect the rights and privileges of public employees; to require certain provisions in collective bargaining agreements; and to prescribe means of enforcement and penalties for the violation of the provisions of this act," by amending section 15 (MCL 423.215), as amended by 2011 PA 260.

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

**Senate Bill No. 204, entitled**

A bill to amend 1966 PA 261, entitled "An act to provide for the apportionment of county boards of commissioners; to prescribe the size of the board; to provide for appeals; to prescribe the manner of election of the members of the county board of commissioners; to provide for compensation of members; to prescribe penalties and provide remedies; and to repeal acts and parts of acts," by amending section 12 (MCL 46.412), as amended by 1982 PA 504.

The Senate has passed the bill.

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

**Senate Bill No. 630, entitled**

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending section 1070 (MCL 600.1070), as added by 2004 PA 224.

The Senate has passed the bill.

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

**Senate Bill No. 631, entitled**

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending section 350a (MCL 750.350a), as amended by 2004 PA 223.

The Senate has passed the bill.

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

**Senate Bill No. 632, entitled**

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 7411 (MCL 333.7411), as amended by 2004 PA 225.

The Senate has passed the bill.

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

**Senate Bill No. 633, entitled**

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 4a of chapter IX (MCL 769.4a), as amended by 2006 PA 663.

The Senate has passed the bill.

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

**Notices**

January 25, 2012

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

Dear Mr. Clerk:

Pursuant to Section 214 of PA 62 of 2011, I am appointing the following member of the House to the Common Cut Score Committee:

Representative Ken Goike

Sincerely,  
Jase Bolger, Speaker  
Michigan House of Representatives

January 25, 2012

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

Dear Mr. Clerk:

Pursuant to Section 210a of PA 62 of 2011, I am appointing the following member of the House to the Credit Transfer Committee:

Representative Kevin Cotter

Sincerely,  
Jase Bolger, Speaker  
Michigan House of Representatives

### Introduction of Bills

Reps. Stapleton, Liss, Talabi, Lipton, Stanley, Geiss, Howze, Cavanagh, Stallworth, Dillon, Smiley, Brunner, Hobbs, Darany, Roy Schmidt, Barnett, Bledsoe, Hovey-Wright, Nathan, Ananich, Rutledge, Irwin, Tlaib, Lane, Womack, Olumba and Oakes introduced

**House Bill No. 5283, entitled**

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 732a (MCL 257.732a), as amended by 2011 PA 255.

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

Rep. Walsh introduced

**House Bill No. 5284, entitled**

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending section 145d (MCL 750.145d), as amended by 2000 PA 185.

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

Reps. Walsh, Nesbitt, Tyler and Hughes introduced

**House Bill No. 5285, entitled**

A bill to establish the liability of possessors of land for injuries to trespassers on the land and property of the trespassers.

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

Reps. Byrum, Haveman, Heise and Huuki introduced

**House Bill No. 5286, entitled**

A bill to amend 2008 IL 1, entitled "Michigan medical marihuana act," by amending section 6 (MCL 333.26426).

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

### Announcements by the Clerk

January 24, 2012

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

Performance audit of the Office of Aeronautics, Michigan Department of Transportation, January 2012.

Gary L. Randall  
Clerk of the House

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Rep. Barnett moved that the House adjourn.  
The motion prevailed, the time being 3:00 p.m.

The Speaker Pro Tempore declared the House adjourned until Thursday, January 26, at 12:00 Noon.

GARY L. RANDALL  
Clerk of the House of Representatives

