

No. 12  
STATE OF MICHIGAN  
JOURNAL  
OF THE  
**House of Representatives**  
96th Legislature  
REGULAR SESSION OF 2012

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House Chamber, Lansing, Wednesday, February 8, 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—excused	Stamas—present
Daley—present	Irwin—present	Nesbitt—present	Stanley—e/d/s
Damrow—present	Jackson—present	O'Brien—present	Stapleton—present
Darany—present	Jacobsen—present	Oakes—present	Switalski—present
Denby—present	Jenkins—excused	Olson—present	Talabi—present
Dillon—present	Johnson—present	Olumba—present	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—excused
Franz—present	LaFontaine—present	Poleski—present	Yonker—present
Geiss—present	Lane—present	Potvin—present	Zorn—present

e/d/s = entered during session

Rep. Kenneth L. Kurtz, from the 58th District, offered the following invocation:

“Dear God,

For the opportunity to serve we are grateful. For the gift of life we are humbled. For the joy of friendships we are blest. Today may our service be honorable, may our lives be meaningful and may our friendships grow more precious.

We pray for not only the members of this chamber, but also for the staff who cares for the many details we often take for granted. For our Sergeants who keep a careful eye upon this chamber, we are thankful.

O God, each one of us have certain cares and concerns that are often known only to You. No matter our station here in the house, may You grant to each one a sense of Your peace, Your healing, Your protection and Your comfort in our time of trials and hurts that are common to all.

We ask for Your continued guidance and direction in all we do.

In Jesus name I pray,

Amen.”

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Rep. Stamas moved that Rep. Jenkins be excused from today’s session.

The motion prevailed.

Rep. Segal moved that Reps. Lindberg, Nathan and Womack be excused from today’s session.

The motion prevailed.

### Motions and Resolutions

THIS RESOLUTION IS OFFERED TO COMPLY WITH MCL 830.415 and MCL 830.417 AND REQUIRES A RECORD ROLL CALL VOTE.

Reps. Brunner and Kowall offered the following concurrent resolution:

**House Concurrent Resolution No. 49.**

A concurrent resolution approving the conveyance of property to the State Building Authority and approving a lease between the State of Michigan and the State Building Authority relative to the Department of State Police Bay City State Police Post.

Whereas, Section 5 of 1964 PA 183, as amended, being MCL 830.415, requires the approval of the State Administrative Board, the Attorney General, and the Michigan Legislature by concurrent resolution concurred in by a majority of the members elected to and serving in each house, with the votes and names of the members voting thereon entered in the journal, before land owned by the State of Michigan (the “State”) may be conveyed to the State Building Authority (the “Authority”); and

Whereas, The site for the Department of State Police Bay City State Police Post located in Bay County (the “Facility”) is currently owned by the State; and

Whereas, Section 7 of 1964 PA 183, as amended, being MCL 830.417, requires the approval of the State Administrative Board and the Michigan Legislature by concurrent resolution concurred in by a majority of the members elected to and serving in each house, with the votes and names of the members voting thereon entered in the journal, before the State may enter into a lease with the Authority upon a showing of a public purpose; and

Whereas, Providing additional space to be used by the State pursuant to the lease for the Facility is a recognized public purpose; and

Whereas, A lease between the Authority and the State has been prepared providing for the leasing of the Facility by the Authority to the State (the “Lease”); and

Whereas, The Executive Director of the Authority has furnished the Joint Capital Outlay Subcommittee of the Legislature with information and documents relative to the Lease; now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That the Total Facility Cost for the Department of State Police Bay City State Police Post shall not exceed \$3,700,000 (the Authority share is \$3,699,900 and the State General Fund/General Purpose share is \$100), plus interest charges on monies advanced by the State to meet the construction cash flow requirements of the Facility, if any, of which not more than \$3,699,900, plus interest charges on monies advanced by the State to meet the construction cash flow requirements of the Facility, if any, shall be financed from bonds issued by the Authority, exclusive of amounts necessary for reserves, interest, or other nonconstruction costs; and be it further

Resolved, That the Legislature hereby approves the necessary conveyances of property to the Authority as more particularly described in the Lease and attachments thereto; and be it further

Resolved, That the Legislature hereby approves the Authority acquiring the Facility and leasing it to the State and hereby determines that the leasing of the Facility from the Authority is for a public purpose as authorized by 1964 PA 183, as amended; and be it further

Resolved, That the annual amounts of “True Rental” for the Facility shall be within or below the range of \$254,000 and \$332,000, as shall reflect variations that may occur in the components upon which the appraisal of True Rental was based, which amounts shall be certified by the appraiser and thereafter approved by the State Administrative Board and the Authority as authorized by 1964 PA 183, as amended; and be it further

Resolved, That the Lease is hereby approved by this concurrent resolution, and the Governor and the Secretary of State are authorized and directed to execute the Lease for and on behalf of the State; and be it further

Resolved, That, by hereby approving the Lease between the State and the Authority, the Legislature agrees to appropriate annually sufficient amounts to pay the rent as obligated pursuant to the Lease; and be it further

Resolved, That a copy of this concurrent resolution be transmitted to the Governor, the Secretary of State, the Authority, and the State Budget Director.

The concurrent resolution was referred to the Committee on Appropriations.

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

### Third Reading of Bills

#### House Bill No. 5050, entitled

A bill to amend 1931 PA 328, entitled “The Michigan penal code,” (MCL 750.1 to 750.568) by adding section 479c. Was read a third time and passed, a majority of the members serving voting therefor, by yeas and nays, as follows:

#### Roll Call No. 39

#### Yeas—100

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



Rep. Stanley entered the House Chambers.

**House Bill No. 4455, entitled**

A bill to amend 1956 PA 218, entitled “The insurance code of 1956,” by amending sections 3171, 3172, 3173a, 3174, 3175, 3320, and 3330 (MCL 500.3171, 500.3172, 500.3173a, 500.3174, 500.3175, 500.3320, and 500.3330), sections 3172 and 3175 as amended and section 3173a as added by 1984 PA 426 and section 3320 as amended by 1980 PA 461.

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

**Roll Call No. 41**

**Yeas—103**

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

**Nays—1**

Irwin

In The Chair: O’Brien

The House agreed to the title of the bill.

Rep. Stamas moved that the bill be given immediate effect.

The motion prevailed, 2/3 of the members serving voting therefor.

**Second Reading of Bills**

**House Bill No. 4668, entitled**

A bill to amend 1897 PA 230, entitled “An act to provide for the formation of corporations for the purpose of owning, maintaining and improving lands and other property kept for the purposes of summer resorts or for ornament, recreation or amusement, and to repeal all laws or parts of laws in conflict herewith; and to impose certain duties on the department of commerce,” (MCL 455.1 to 455.24) by adding section 16a.

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

The substitute (H-2) was adopted, a majority of the members serving voting therefor.

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

The motion prevailed.

**House Bill No. 4669, entitled**

A bill to amend 1893 PA 206, entitled "The general property tax act," by amending section 27a (MCL 211.27a), as amended by 2008 PA 506.

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

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

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

The motion prevailed.

**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.

The bill was read a second time.

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

The motion prevailed.

By unanimous consent the House returned to the order of

**Motions and Resolutions**

Rep. Lyons moved that when the House adjourns today it stand adjourned until Thursday, February 9, at 10:00 a.m.

The motion prevailed.

**Announcement by the Clerk of Printing and Enrollment**

The Clerk announced that the following bills and joint resolution had been printed and placed upon the files of the members on Wednesday, February 8:

**House Bill Nos. 5362 5363 5364 5365 5366 5367 5368 5369 5370**

**House Joint Resolution OO**

**Reports of Standing Committees**

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

**House Bill No. 4803, entitled**

A bill to authorize the state administrative board to convey certain parcels of state-owned property in Wayne county to the land bank fast track authority; to prescribe conditions for the conveyance; to provide for certain powers and duties of certain state departments and agencies in regard to the property; and to provide for disposition of revenue derived from the conveyance.

With the recommendation that the substitute (H-4) be adopted and that the bill then pass.

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

**Favorable Roll Call**

To Report Out:

Yeas: Reps. Moss, Haveman, Agema, Genetski, Kowall, Lori, Rogers, Cotter, Forlini, Goike, MacGregor, MacMaster, Poleski, Pscholka, Potvin, LeBlanc, Bauer, Dillon, Durhal, Jackson, Lipton, McCann and Tlaib

Nays: None

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

**Senate Bill No. 611, entitled**

A bill to amend 1939 PA 280, entitled "The social welfare act," by amending section 109 (MCL 400.109), as amended by 2011 PA 53.

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. Moss, Haveman, Agema, Genetski, Kowall, Lori, Rogers, Cotter, Forlini, Goike, MacGregor, MacMaster, Poleski, Pscholka, Potvin, LeBlanc, Bauer, Durhal, Jackson, Lipton, McCann and Tlaib

Nays: None

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Wednesday, February 8, 2012

Present: Reps. Moss, Haveman, Agema, Genetski, Kowall, Lori, Rogers, Cotter, Forlini, Goike, MacGregor, MacMaster, Poleski, Pscholka, Potvin, LeBlanc, Bauer, Dillon, Durhal, Jackson, Lipton, McCann and Tlaib

Absent: Reps. Bumstead, Jenkins, Ananich and Lindberg

Excused: Reps. Bumstead, Jenkins, Ananich and Lindberg

The Committee on Agriculture, by Rep. Daley, Chair, reported

**House Bill No. 5130, entitled**

A bill to amend 2000 PA 92, entitled "Food law of 2000," by amending sections 1105, 1107, 1109, 1111, 2119, 2125, 2129, 3103, 3105, 3125, 3127, 3133, 4102, 4103, 4105, 4111, 4117, 4123, 4125, 4127, 4129, 5101, 6101, 6107, 6135, 7101, 7113, 7133, 7137, and 8107 (MCL 289.1105, 289.1107, 289.1109, 289.1111, 289.2119, 289.2125, 289.2129, 289.3103, 289.3105, 289.3125, 289.3127, 289.3133, 289.4102, 289.4103, 289.4105, 289.4111, 289.4117, 289.4123, 289.4125, 289.4127, 289.4129, 289.5101, 289.6101, 289.6107, 289.6135, 289.7101, 289.7113, 289.7133, 289.7137, and 289.8107), section 1105 as amended by 2010 PA 113, section 1107 as amended by 2008 PA 338, sections 1109, 2119, 2125, 2129, 3103, 3125, 3127, and 4103 as amended by 2007 PA 113, section 4102 as added by 2010 PA 112, section 4105 as amended by 2010 PA 145, sections 4111, 4117, 4125, 5101, 6101, 7113, 7137, and 8107 as amended by 2007 PA 114, and section 7101 as amended by 2002 PA 487, and by adding sections 2132, 4114, 7104, 7112, and 7114; and to repeal acts and parts of acts.

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

Nays: None

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Wednesday, February 8, 2012

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

Absent: Rep. Oakes

Excused: Rep. Oakes

The Committee on Education, by Rep. McMillin, Chair, reported

**Senate Bill No. 619, entitled**

A bill to amend 1976 PA 451, entitled "The revised school code," by amending section 552 (MCL 380.552), as added by 2009 PA 205.

With the recommendation that the substitute (H-3) be adopted and that the bill then pass.

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

Favorable Roll Call

To Report Out:

Yeas: Reps. McMillin, Crawford, Franz, Nesbitt, O'Brien, Price, Shaughnessy, Yonker, Lyons and Bumstead

Nays: Reps. Hooker, Brown, Darany, Howze, Hobbs, Rutledge, Stallworth and Geiss

The Committee on Education, by Rep. McMillin, Chair, reported

**Senate Bill No. 621, entitled**

A bill to amend 1979 PA 94, entitled "The state school aid act of 1979," by amending section 166b (MCL 388.1766b), as amended by 2010 PA 204.

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. McMillin, Hooker, Crawford, Franz, Heise, Nesbitt, O'Brien, Price, Shaughnessy, Yonker, Lyons and Bumstead

Nays: Reps. Hobbs, Rutledge and Geiss

The Committee on Education, by Rep. McMillin, Chair, reported

**Senate Bill No. 622, entitled**

A bill to amend 1996 PA 160, entitled "Postsecondary enrollment options act," by amending section 3 (MCL 388.513), as amended by 2005 PA 180.

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. McMillin, Hooker, Crawford, Franz, Heise, Nesbitt, O'Brien, Price, Shaughnessy, Yonker, Lyons, Bumstead and Rutledge

Nays: Rep. Geiss

The Committee on Education, by Rep. McMillin, Chair, reported

**Senate Bill No. 623, entitled**

A bill to amend 2000 PA 258, entitled "Career and technical preparation act," by amending section 3 (MCL 388.1903), as amended by 2005 PA 181.

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. McMillin, Hooker, Crawford, Franz, Heise, Nesbitt, O'Brien, Price, Shaughnessy, Yonker, Lyons, Bumstead and Rutledge

Nays: Rep. Geiss



The Committee on Education, by Rep. McMillin, Chair, reported

**Senate Bill No. 709, entitled**

A bill to amend 2000 PA 258, entitled "Career and technical preparation act," by amending the title and sections 3a, 4, 7, 9, 10, and 11 (MCL 388.1903a, 388.1904, 388.1907, 388.1909, 388.1910, and 388.1911), section 3a as added and section 9 as amended by 2004 PA 592.

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. McMillin, Hooker, Crawford, Franz, Heise, Nesbitt, O'Brien, Price, Shaughnessy, Yonker, Lyons, Bumstead, Hobbs, Rutledge and Stallworth

Nays: Rep. Geiss

The Committee on Education, by Rep. McMillin, Chair, reported

**Senate Bill No. 710, entitled**

A bill to amend 1996 PA 160, entitled "Postsecondary enrollment options act," by amending the title and sections 4, 7, 9, 10, and 11 (MCL 388.514, 388.517, 388.519, 388.520, and 388.521), section 9 as amended by 2004 PA 594.

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. McMillin, Hooker, Crawford, Franz, Heise, Nesbitt, O'Brien, Price, Shaughnessy, Yonker, Lyons, Bumstead, Hobbs, Rutledge and Stallworth

Nays: Rep. Geiss

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Wednesday, February 8, 2012

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

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

**House Bill No. 4739, entitled**

A bill to amend 1951 PA 51, entitled "An act to provide for the classification of all public roads, streets, and highways in this state, and for the revision of that classification and for additions to and deletions from each classification; to set up and establish the Michigan transportation fund; to provide for the deposits in the Michigan transportation fund of specific taxes on motor vehicles and motor vehicle fuels; to provide for the allocation of funds from the Michigan transportation fund and the use and administration of the fund for transportation purposes; to promote safe and efficient travel for motor vehicle drivers, bicyclists, pedestrians, and other legal users of roads, streets, and highways; to set up and establish the truck safety fund; to provide for the allocation of funds from the truck safety fund and administration of the fund for truck safety purposes; to set up and establish the Michigan truck safety commission; to establish certain standards for road contracts for certain businesses; to provide for the continuing review of transportation needs within the state; to authorize the state transportation commission, counties, cities, and villages to borrow money, issue bonds, and make pledges of funds for transportation purposes; to authorize counties to advance funds for the payment of deficiencies necessary for the payment of bonds issued under this act; to provide for the limitations, payment, retirement, and security of the bonds and pledges; to provide for appropriations and tax levies by counties and townships for county roads; to authorize contributions by townships for county roads; to provide for the establishment and administration of the state trunk line fund, local bridge fund, comprehensive transportation fund, and certain other funds; to provide for the deposits in the state trunk line fund, critical bridge fund, comprehensive transportation fund, and certain other funds of money raised by specific taxes and fees; to provide for definitions of public transportation functions and criteria; to define the purposes

for which Michigan transportation funds may be allocated; to provide for Michigan transportation fund grants; to provide for review and approval of transportation programs; to provide for submission of annual legislative requests and reports; to provide for the establishment and functions of certain advisory entities; to provide for conditions for grants; to provide for the issuance of bonds and notes for transportation purposes; to provide for the powers and duties of certain state and local agencies and officials; to provide for the making of loans for transportation purposes by the state transportation department and for the receipt and repayment by local units and agencies of those loans from certain specified sources; and to repeal acts and parts of acts," by amending section 10o (MCL 247.660o), as amended by 2000 PA 188.

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, Huuki, Jacobsen, Muxlow, Olson, Ouimet, Somerville, Geiss, Talabi, 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, February 8, 2012

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

Absent: Rep. Nathan

Excused: Rep. Nathan

#### 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, February 8, 2012

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

Absent: Rep. Womack

Excused: Rep. Womack

#### COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Knollenberg, Chair, of the Committee on Banking and Financial Services, was received and read:

Meeting held on: Wednesday, February 8, 2012

Present: Reps. Knollenberg, Lyons, Farrington, Foster, Huuki, Olson, Pettalia, Switalski and Clemente

Absent: Reps. Womack and Stanley

Excused: Reps. Womack and Stanley

#### Messages from the Senate

##### **House Bill No. 5103, entitled**

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending sections 8121 and 8123 (MCL 600.8121 and 600.8123), section 8121 as amended by 2001 PA 258 and section 8123 as amended by 2000 PA 448.

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 1961 PA 236, entitled "An act to revise and consolidate the statutes relating to the organization and jurisdiction of the courts of this state; the powers and duties of the courts, and of the judges and other officers of the courts;

the forms and attributes of civil claims and actions; the time within which civil actions and proceedings may be brought in the courts; pleading, evidence, practice, and procedure in civil and criminal actions and proceedings in the courts; to provide for the powers and duties of certain state governmental officers and entities; to provide remedies and penalties for the violation of certain provisions of this act; to repeal all acts and parts of acts inconsistent with or contravening any of the provisions of this act; and to repeal acts and parts of acts," by amending sections 8121 and 8123 (MCL 600.8121 and 600.8123), as amended by 2011 PA 300.

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

### Notices

February 8, 2012

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

Dear Mr. Clerk,

Pursuant to MCL 324.41405, I am appointing the following people to the aquatic invasive species advisory council:  
Joel Brammeier of Chicago, IL as a representative of a regional or national private conservation organization.  
Craig Ryan, of Alpena, MI as a representative of an association of industries in the Great Lakes Region.  
Doug Roberts, Jr., of East Lansing, MI as a representative of a public utility.  
Diane Randall, of Houghton Lake, MI as a representative of a statewide association of local units of government.  
Daniel Vogler of Harrietta, MI as a representative of a statewide association of aquaculture businesses.

Sincerely,  
Jase Bolger, Speaker  
Michigan House of Representatives

### Messages from the Governor

Date: February 7, 2012  
Time: 10:10 a.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

**Enrolled House Bill No. 5194 (Public Act No. 1, I.E.), being**

An act to amend 1976 PA 451, entitled "An act to provide a system of public instruction and elementary and secondary schools; to revise, consolidate, and clarify the laws relating to elementary and secondary education; to provide for the organization, regulation, and maintenance of schools, school districts, public school academies, intermediate school districts, and other public school entities; to prescribe rights, powers, duties, and privileges of schools, school districts, public school academies, intermediate school districts, and other public school entities; to provide for the regulation of school teachers and certain other school employees; to provide for school elections and to prescribe powers and duties with respect thereto; to provide for the levy and collection of taxes; to provide for the borrowing of money and issuance of bonds and other evidences of indebtedness; to establish a fund and provide for expenditures from that fund; to provide for and prescribe the powers and duties of certain state departments, the state board of education, and certain other boards and officials; to provide for licensure of boarding schools; to prescribe penalties; and to repeal acts and parts of acts," by amending section 1225 (MCL 380.1225), as amended by 2006 PA 285.

(Filed with the Secretary of State February 7, 2012, at 3:12 p.m.)

Date: February 7, 2012  
Time: 10:14 a.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

**Enrolled House Bill No. 5195 (Public Act No. 2, I.E.), being**

An act to amend 1979 PA 94, entitled "An act to make appropriations to aid in the support of the public schools, the intermediate school districts, community colleges, and public universities of the state; to make appropriations for certain other purposes relating to education; to provide for the disbursement of the appropriations; to authorize the issuance of

certain bonds and provide for the security of those bonds; to prescribe the powers and duties of certain state departments, the state board of education, and certain other boards and officials; to create certain funds and provide for their expenditure; to prescribe penalties; and to repeal acts and parts of acts,” by amending section 17a (MCL 388.1617a), as amended by 2006 PA 342.

(Filed with the Secretary of State February 7, 2012, at 3:14 p.m.)

Date: February 7, 2012

Time: 2:42 p.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

**Enrolled House Bill No. 4403 (Public Act No. 3, I.E.), being**

An act to amend 1961 PA 236, entitled “An act to revise and consolidate the statutes relating to the organization and jurisdiction of the courts of this state; the powers and duties of the courts, and of the judges and other officers of the courts; the forms and attributes of civil claims and actions; the time within which civil actions and proceedings may be brought in the courts; pleading, evidence, practice, and procedure in civil and criminal actions and proceedings in the courts; to provide for the powers and duties of certain state governmental officers and entities; to provide remedies and penalties for the violation of certain provisions of this act; to repeal all acts and parts of acts inconsistent with or contravening any of the provisions of this act; and to repeal acts and parts of acts,” by amending section 1313 (MCL 600.1313), as amended by 2004 PA 12.

(Filed with the Secretary of State February 7, 2012, at 3:16 p.m.)

Date: February 7, 2012

Time: 2:54 p.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

**Enrolled House Bill No. 4893 (Public Act No. 4, I.E.), being**

An act to amend 1978 PA 368, entitled “An act to protect and promote the public health; to codify, revise, consolidate, classify, and add to the laws relating to public health; to provide for the prevention and control of diseases and disabilities; to provide for the classification, administration, regulation, financing, and maintenance of personal, environmental, and other health services and activities; to create or continue, and prescribe the powers and duties of, departments, boards, commissions, councils, committees, task forces, and other agencies; to prescribe the powers and duties of governmental entities and officials; to regulate occupations, facilities, and agencies affecting the public health; to regulate health maintenance organizations and certain third party administrators and insurers; to provide for the imposition of a regulatory fee; to provide for the levy of taxes against certain health facilities or agencies; to promote the efficient and economical delivery of health care services, to provide for the appropriate utilization of health care facilities and services, and to provide for the closure of hospitals or consolidation of hospitals or services; to provide for the collection and use of data and information; to provide for the transfer of property; to provide certain immunity from liability; to regulate and prohibit the sale and offering for sale of drug paraphernalia under certain circumstances; to provide for the implementation of federal law; to provide for penalties and remedies; to provide for sanctions for violations of this act and local ordinances; to provide for an appropriation and supplements; to repeal certain acts and parts of acts; to repeal certain parts of this act; and to repeal certain parts of this act on specific dates,” by amending sections 16184 and 16185 (MCL 333.16184 and 333.16185), section 16184 as amended by 2006 PA 591 and section 16185 as amended by 2011 PA 55.

(Filed with the Secretary of State February 7, 2012, at 3:18 p.m.)

### Introduction of Bills

Reps. Poleski, Lori, Haveman and O’Brien introduced

**House Bill No. 5371, entitled**

A bill to amend 1969 PA 317, entitled “Worker’s disability compensation act of 1969,” by amending section 161 (MCL 418.161), as amended by 2011 PA 266.

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

Rep. Genetski introduced

**House Bill No. 5372, entitled**

A bill to amend 1979 PA 94, entitled “The state school aid act of 1979,” by amending sections 11, 17b, 201, and 236 (MCL 388.1611, 388.1617b, 388.1801, and 388.1836), section 11 as amended by 2011 PA 299, section 17b as amended by 2007 PA 137, and sections 201 and 236 as added by 2011 PA 62.

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

Rep. Agema introduced

**House Bill No. 5373, entitled**

A bill to make appropriations for the department of transportation for the fiscal year ending September 30, 2013; and to provide for the expenditure of the appropriations.

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

Rep. Agema introduced

**House Bill No. 5374, entitled**

A bill to make appropriations for the department of human services for the fiscal year ending September 30, 2013; and to provide for the expenditure of the appropriations.

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

Rep. Cotter introduced

**House Bill No. 5375, entitled**

A bill to make appropriations for the judiciary for the fiscal year ending September 30, 2013; and to provide for the expenditure of the appropriations.

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

Rep. Goike introduced

**House Bill No. 5376, entitled**

A bill to make appropriations for community and junior colleges for the fiscal year ending September 30, 2013; and to provide for the expenditure of the appropriations.

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

Rep. Genetski introduced

**House Bill No. 5377, entitled**

A bill to make appropriations for higher education for the fiscal year ending September 30, 2013; and to provide for the expenditure of the appropriations.

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

Rep. Lori introduced

**House Bill No. 5378, entitled**

A bill to make appropriations for the department of community health for the fiscal year ending September 30, 2013; and to provide for the expenditure of the appropriations.

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

Rep. Kowall introduced

**House Bill No. 5379, entitled**

A bill to make appropriations for the department of environmental quality for the fiscal year ending September 30, 2013; and to provide for the expenditure of the appropriations.

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

Rep. MacGregor introduced

**House Bill No. 5380, entitled**

A bill to make appropriations for the department of state police for the fiscal year ending September 30, 2013; and to provide for the expenditure of the appropriations.

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

Rep. MacGregor introduced

**House Bill No. 5381, entitled**

A bill to make appropriations for the department of military and veterans affairs for the fiscal year ending September 30, 2013; and to provide for the expenditure of the appropriations.

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

Rep. Poleski introduced

**House Bill No. 5382, entitled**

A bill to make appropriations for the legislature, the judiciary, the executive, the department of attorney general, the department of state, the department of treasury, the department of technology, management, and budget, the department of civil service, the department of civil rights, and certain state purposes related thereto for the fiscal year ending September 30, 2013; to provide for the expenditure of the appropriations; to provide for the disposition of fees and other income received by the state agencies; and to declare the effect of this act.

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

Rep. Haveman introduced

**House Bill No. 5383, entitled**

A bill to make appropriations for the department of corrections for the fiscal year ending September 30, 2013; and to provide for the expenditure of the appropriations.

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

Rep. Pscholka introduced

**House Bill No. 5384, entitled**

A bill to make appropriations for the department of energy, labor, and economic growth for the fiscal year ending September 30, 2013; and to provide for the expenditure of the appropriations.

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

Rep. Potvin introduced

**House Bill No. 5385, entitled**

A bill to make appropriations for the department of agriculture and rural development for the fiscal year ending September 30, 2013; and to provide for the expenditure of the appropriations.

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

Rep. Bumstead introduced

**House Bill No. 5386, entitled**

A bill to make appropriations for the department of natural resources for the fiscal year ending September 30, 2013; and to provide for the expenditure of the appropriations.

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

Rep. Kowall introduced

**House Bill No. 5387, entitled**

A bill to provide for a capital outlay program; to set forth the provisions for its implementation within the budgetary process; to make appropriations for planning and construction at state institutions and the acquisition of land; to provide for the elimination of fire hazards at the institutions; to provide for certain special maintenance, remodeling, alteration, renovation, or demolition of and additions to projects at state institutions; to provide for elimination of occupational safety and health hazards at state agencies and institutions; to provide for the award of contracts; and to provide for the expenditure thereof under the supervision of the director of the department of technology, management, and budget and the state administrative board.

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

Rep. Rogers introduced

**House Bill No. 5388, entitled**

A bill to amend 1979 PA 94, entitled "The state school aid act of 1979," by amending sections 11 and 17b (MCL 388.1611 and 388.1617b), section 11 as amended by 2011 PA 299 and section 17b as amended by 2007 PA 137.

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

Rep. Rogers introduced

**House Bill No. 5389, entitled**

A bill to make appropriations for the department of education for the fiscal year ending September 30, 2013; and to provide for the expenditure of the appropriations.

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

**Announcements by the Clerk**

February 7, 2012

Received from the Auditor General a copy of the following audit report and/or report summary:  
Performance audit of Michigan Prisoner ReEntry Initiative, Department of Corrections, February 2012.

Gary L. Randall  
Clerk of the House

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Rep. Tyler moved that the House adjourn.  
The motion prevailed, the time being 2:35 p.m.

Associate Speaker Pro Tempore O'Brien declared the House adjourned until Thursday, February 9, at 10:00 a.m.

GARY L. RANDALL  
Clerk of the House of Representatives

