

No. 30
STATE OF MICHIGAN
JOURNAL
OF THE
House of Representatives
96th Legislature
REGULAR SESSION OF 2012

House Chamber, Lansing, Wednesday, March 21, 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	Gilbert—present	LeBlanc—present	Price—present
Ananich—present	Glardon—present	Lindberg—present	Pscholka—present
Barnett—present	Goike—present	Lipton—present	Rendon—present
Bauer—present	Graves—present	Liss—present	Rogers—present
Bledsoe—present	Greimel—present	Lori—present	Rutledge—present
Bolger—present	Haines—present	Lund—present	Santana—present
Brown—present	Hammel—present	Lyons—present	Schmidt, R.—present
Brunner—present	Haugh—present	MacGregor—present	Schmidt, W.—present
Bumstead—present	Haveman—present	MacMaster—present	Segal—present
Byrum—present	Heise—present	McBroom—present	Shaughnessy—present
Callton—present	Hobbs—present	McCann—present	Shirkey—present
Cavanagh—present	Hooker—present	McMillin—present	Slavens—present
Clemente—present	Horn—present	Meadows—present	Smiley—present
Constan—present	Hovey-Wright—present	Moss—present	Somerville—present
Cotter—present	Howze—present	Muxlow—present	Stallworth—excused
Crawford—present	Hughes—present	Nathan—present	Stamas—present
Daley—present	Huuki—present	Nesbitt—present	Stanley—present
Damrow—excused	Irwin—present	O'Brien—present	Stapleton—present
Darany—present	Jackson—present	Oakes—present	Switalski—present
Denby—present	Jacobsen—present	Olson—present	Talabi—present
Dillon—present	Jenkins—present	Olumba—present	Tlaib—present
Durhal—present	Johnson—present	Opsommer—present	Townsend—present
Farrington—present	Kandrevas—present	Ouimet—present	Tyler—present
Forlini—present	Knollenberg—present	Outman—present	Walsh—present
Foster—present	Kowall—present	Pettalia—present	Womack—present
Franz—present	Kurtz—present	Poleski—present	Yonker—present
Geiss—present	LaFontaine—present	Potvin—present	Zorn—present
Genetski—present	Lane—present		

e/d/s = entered during session

Pastor Terry Frazier, Senior Pastor of Liberty Foursquare Church in Warren, offered the following invocation:

“Precious Heavenly Father, I come to You today on behalf of this great state and I thank You for these precious public servants. Bless them and their families for their sacrifice. As we are faced with so many challenges in life, we look to You for answers.

I pray for these who courageously lead us
 Give them Wisdom in their decisions
 Direction in their vision
 Courage in their leadership
 May they find Your strength in the midst of storms
 and May the Word of God be their compass.

Father I know that You share the heart of these servants to help those in need and bring prosperity into our lives. So we pray to You today...

We look to the God who makes beauty out of ashes.
 The God who turns mourning into dancing, and makes light to shine in darkness,
 The God who brings order out of chaos, and life in the midst of bareness.
 Nothing is too difficult for You.

We proclaim that You are the answer to financial problems and unemployment
 You are the answer to high gas prices and broken homes
 You are the answer to depression, oppression and recession.

You said if we would humble ourselves and pray and turn from our wicked ways that You would hear from heaven and heal our land. So first Lord we repent...

We repent for the way we have turned from You and pursued our own ways
 We repent for not seeking You, not trusting You, and not serving You.

Help us to realize that what You have called us to do, we cannot accomplish without Your help.

So we humble ourselves today and seek Your healing hand upon our state
 Bring healing to those who are hurting
 Bring hope to those who are in despair
 Provide food for the hungry, jobs for the jobless and homes for the homeless
 Create wealth where poverty abounds and abundance where there has been decline.

May we rejoice in our reform and may the light on our horizon dispel the darkness of our reproach
 Restore the values of faith and family that has made us such a great nation.

May we hunger to know You and turn to You for the answers we all so desperately seek.

Lord, You have filled my life with such an incredible love, an unspeakable joy, and a peace that surpasses understanding. I pray that You will do the same for these precious servants and for all those we serve.

In the name of our Lord and Savior we pray, Amen.”

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

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

Motions and Resolutions

Reps. Jacobsen, Barnett, Brown, Constan, Durhal, Geiss, Heise, Huuki, Knollenberg, LeBlanc, Liss, MacMaster, Poleski, Slavens and Tyler offered the following resolution:

House Resolution No. 217.

A resolution to declare April 2012 as Junior Achievement Financial Literacy Month in the state of Michigan.

Whereas, Junior Achievement is a not-for-profit organization that fosters partnerships between business and educators and uses hands-on curriculum to help young people understand the economics of life; and

Whereas, Junior Achievement’s purpose is to inspire and prepare young people to succeed in a global economy; and

Whereas, Since Junior Achievement’s creation in 1919 the program has reached more than 79 million students. It is devoted to its mission of ensuring that every child in America has a fundamental understanding of financial literacy and the free enterprise system; and

Whereas, Junior Achievement is designed to be taught in the classroom by business, parent, and community volunteers. Classroom volunteers make economic concepts relevant, fuel the entrepreneurial spirit, and challenge students to excel; and

Whereas, Junior Achievement has been primarily funded by the private sector of businesses, individuals, and foundations. With local and state government support, Junior Achievement would be able to expand its delivery of curriculum to adequately prepare Michigan's young people for a global economy, while advancing an important policy objective of the state; and

Whereas, Junior Achievement brings volunteers into the classrooms to lead exciting, hands-on activities in grades K-12. These activities show students the relevance of education to the workplace and help prepare them for secondary school and lifelong learning. Concepts and skills taught at each program level build on those learned in preceding grades; and

Whereas, Junior Achievement programs focus on developing and preparing young people for issues they will encounter in the economic and employment environment. Students are taught to use economics, business, and financial literacy to prepare for and improve their quality of life; now, therefore, be it

Resolved by the House of Representatives, That the members of this legislative body declare April 2012 as Junior Achievement Financial Literacy Month in the state of Michigan; and be it further

Resolved, That copies of this resolution be transmitted to the Superintendent of Public Instruction and the State Board of Education.

Rep. Jacobsen moved to substitute (H-1) the resolution as follows:

Substitute for House Resolution No. 217.

A resolution to declare April 2012 as Junior Achievement Financial Literacy Month in the state of Michigan.

Whereas, Junior Achievement is a not-for-profit organization that fosters partnerships between business and educators and uses hands-on curriculum to help young people understand the economics of life; and

Whereas, Junior Achievement's purpose is to inspire and prepare young people to succeed in a global economy; and

Whereas, Since Junior Achievement's creation in 1919 the program has reached more than 79 million students. It is devoted to its mission of ensuring that every child in America has a fundamental understanding of financial literacy and the free enterprise system; and

Whereas, Junior Achievement is designed to be taught in the classroom by business, parent, and community volunteers. Classroom volunteers make economic concepts relevant, fuel the entrepreneurial spirit, and challenge students to excel; and

Whereas, Junior Achievement has been primarily funded by the private sector of businesses, individuals, and foundations.

Whereas, Junior Achievement brings volunteers into the classrooms to lead exciting, hands-on activities in grades K-12. These activities show students the relevance of education to the workplace and help prepare them for secondary school and lifelong learning. Concepts and skills taught at each program level build on those learned in preceding grades; and

Whereas, Junior Achievement programs focus on developing and preparing young people for issues they will encounter in the economic and employment environment. Students are taught to use economics, business, and financial literacy to prepare for and improve their quality of life; now, therefore, be it

Resolved by the House of Representatives, That the members of this legislative body declare April 2012 as Junior Achievement Financial Literacy Month in the state of Michigan; and be it further

Resolved, That copies of this resolution be transmitted to the Superintendent of Public Instruction and the State Board of Education.

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

The question being on the adoption of the resolution,

The resolution was adopted.

The Speaker called the Speaker Pro Tempore to the Chair.

Third Reading of Bills

House Bill No. 4435, entitled

A bill to amend 1927 PA 372, entitled "An act to regulate and license the selling, purchasing, possessing, and carrying of certain firearms and gas ejecting devices; to prohibit the buying, selling, or carrying of certain firearms and gas ejecting devices without a license or other authorization; to provide for the forfeiture of firearms under certain circumstances; to provide for penalties and remedies; to provide immunity from civil liability under certain circumstances; to prescribe the

powers and duties of certain state and local agencies; to prohibit certain conduct against individuals who apply for or receive a license to carry a concealed pistol; to make appropriations; to prescribe certain conditions for the appropriations; and to repeal all acts and parts of acts inconsistent with this act,” by amending section 5o (MCL 28.425o), as amended by 2008 PA 407.

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

Roll Call No. 128**Yeas—99**

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

Nays—9

Bauer	Hobbs	Irwin	Olumba
Bledsoe	Hovey-Wright	Nathan	Tlaib
Brown			

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. 5287, entitled

A bill to amend 1976 PA 451, entitled “The revised school code,” by amending sections 622 and 1223 (MCL 380.622 and 380.1223), as amended by 2009 PA 22.

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

Roll Call No. 129**Yeas—108**

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

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. 5288, entitled

A bill to amend 1966 PA 331, entitled "Community college act of 1966," by amending section 142 (MCL 389.142), as amended by 2009 PA 179.

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

Roll Call No. 130**Yeas—108**

Agema	Gilbert	Lane	Potvin
Ananich	Glardon	LeBlanc	Price
Barnett	Goike	Lindberg	Pscholka
Bauer	Graves	Lipton	Rendon
Bledsoe	Greimel	Liss	Rogers
Bolger	Haines	Lori	Rutledge
Brown	Hammel	Lund	Santana

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

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. 5289, entitled

A bill to amend 1943 PA 20, entitled "An act relative to the investment of funds of public corporations of the state; and to validate certain investments," by amending section 1 (MCL 129.91), as amended by 2009 PA 21.

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

Roll Call No. 131**Yeas—108**

Agema	Gilbert	Lane	Potvin
Ananich	Glardon	LeBlanc	Price
Barnett	Goike	Lindberg	Pscholka
Bauer	Graves	Lipton	Rendon
Bledsoe	Greimel	Liss	Rogers
Bolger	Haines	Lori	Rutledge
Brown	Hammel	Lund	Santana
Brunner	Haugh	Lyons	Schmidt, R.
Bumstead	Haveman	MacGregor	Schmidt, W.
Byrum	Heise	MacMaster	Segal
Callton	Hobbs	McBroom	Shaughnessy
Cavanagh	Hooker	McCann	Shirkey
Clemente	Horn	McMillin	Slavens
Constan	Hovey-Wright	Meadows	Smiley
Cotter	Howze	Moss	Somerville
Crawford	Hughes	Muxlow	Stamas
Daley	Huuki	Nathan	Stanley

Darany	Irwin	Nesbitt	Stapleton
Denby	Jackson	O'Brien	Switalski
Dillon	Jacobsen	Oakes	Talabi
Durhal	Jenkins	Olson	Tlaib
Farrington	Johnson	Olumba	Townsend
Forlini	Kandrevas	Opsommer	Tyler
Foster	Knollenberg	Ouimet	Walsh
Franz	Kowall	Outman	Womack
Geiss	Kurtz	Pettalia	Yonker
Genetski	LaFontaine	Poleski	Zorn

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.

Senate Bill No. 727, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 18 of chapter XVI (MCL 776.18).

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

Roll Call No. 132**Yeas—108**

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

Nays—0

In The Chair: Walsh

Pursuant to Joint Rule 20, the full title of the act shall be inserted to read as follows:

“An act to revise, consolidate, and codify the laws relating to criminal procedure and to define the jurisdiction, powers, and duties of courts, judges, and other officers of the court under the provisions of this act; to provide laws relative to the rights of persons accused of criminal offenses and ordinance violations; to provide for the arrest of persons charged with or suspected of criminal offenses and ordinance violations; to provide for bail of persons arrested for or accused of criminal offenses and ordinance violations; to provide for the examination of persons accused of criminal offenses; to regulate the procedure relative to grand juries, indictments, informations, and proceedings before trial; to provide for trials of persons complained of or indicted for criminal offenses and ordinance violations and to provide for the procedure in those trials; to provide for judgments and sentences of persons convicted of criminal offenses and ordinance violations; to establish a sentencing commission and to prescribe its powers and duties; to provide for procedure relating to new trials and appeals in criminal and ordinance violation cases; to provide a uniform system of probation throughout this state and the appointment of probation officers; to prescribe the powers, duties, and compensation of probation officers; to provide penalties for the violation of the duties of probation officers; to provide for procedure governing proceedings to prevent crime and proceedings for the discovery of crime; to provide for fees of officers, witnesses, and others in criminal and ordinance violation cases; to set forth miscellaneous provisions as to criminal procedure in certain cases; to provide penalties for the violation of certain provisions of this act; and to repeal all acts and parts of acts inconsistent with or contravening any of the provisions of this act.”

The House agreed to the full title.

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

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

Senate Bill No. 728, entitled

A bill to amend 1911 PA 41, entitled “An act authorizing prosecuting attorneys in certain cases to appoint assistant prosecuting attorneys for their respective counties, and prescribing the powers and duties of such assistants,” by amending section 1 (MCL 49.41).

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

Roll Call No. 133**Yeas—108**

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

Forlini	Kandrevas	Opsommer	Tyler
Foster	Knollenberg	Ouimet	Walsh
Franz	Kowall	Outman	Womack
Geiss	Kurtz	Pettalia	Yonker
Genetski	LaFontaine	Poleski	Zorn

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.

Second Reading of Bills

Senate Bill No. 946, entitled

A bill to amend 1931 PA 189, entitled “The insect pest and plant disease act,” by amending sections 2, 4, 6, 9, 17, and 22 (MCL 286.202, 286.204, 286.206, 286.209, 286.217, and 286.222), sections 6 and 9 as amended by 2007 PA 84.

The bill was read a second time.

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

The motion prevailed.

Senate Bill No. 35, entitled

A bill to amend 1949 PA 300, entitled “Michigan vehicle code,” by amending sections 719 and 721 (MCL 257.719 and 257.721), section 719 as amended by 2009 PA 37 and section 721 as amended by 2000 PA 154.

The bill was read a second time.

Rep. Opsommer moved to substitute (H-1) the bill.

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

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

The motion prevailed.

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 that the following bills had been printed and placed upon the files of the members on Tuesday, March 20:

Senate Bill Nos. 1023 1024 1025 1026 1027 1028 1029 1030 1031 1032

The Clerk announced that the following bills had been printed and placed upon the files of the members on Wednesday, March 21:

House Bill Nos. 5490 5491 5492 5493 5494 5495 5496 5497 5498 5499 5500 5501

Senate Bill Nos. 1033 1034 1035

The Clerk announced that the following Senate bills had been received on Wednesday, March 21:

Senate Bill Nos. 897 937

Reports of Standing Committees

The Committee on Banking and Financial Services, by Rep. Knollenberg, Chair, reported
House Bill No. 4975, entitled

A bill to amend 1980 PA 299, entitled "Occupational code," (MCL 339.101 to 339.2919) by adding article 26A.
 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. Knollenberg, Lyons, Farrington, Foster, Huuki, Olson, Pettalia, Switalski and Clemente
 Nays: None

The Committee on Banking and Financial Services, by Rep. Knollenberg, Chair, reported
House Bill No. 5271, entitled

A bill to amend 1979 PA 152, entitled "State license fee act," (MCL 338.2201 to 338.2277) by adding section 38a.
 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. Knollenberg, Lyons, Farrington, Foster, Huuki, Olson, Pettalia, Switalski and Clemente
 Nays: None

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, March 21, 2012

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

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

House Bill No. 5392, entitled

A bill to amend 1979 PA 94, entitled "The state school aid act of 1979," by amending section 101 (MCL 388.1701), as amended by 2010 PA 110.

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

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Wednesday, March 21, 2012

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

Absent: Rep. Stallworth

Excused: Rep. Stallworth

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

House Resolution No. 187.

A resolution to urge the United States Department of Agriculture to keep open the Farm Service Agency office in Kalamazoo County.

(For text of resolution, see House Journal No. 17, p. 220.)

With the recommendation that the following substitute (H-1) be adopted and that the resolution then be adopted:

Substitute for House Resolution No. 187.

A resolution to urge the United States Department of Agriculture to keep open the Farm Service Agency office in Kalamazoo County.

Whereas, The United States Department of Agriculture (USDA) has proposed closing the Farm Service Agency (FSA) office in Kalamazoo County as part of a nationwide consolidation effort. The FSA administers federal programs that provide critical financial assistance to farmers; and

Whereas, Closing the Kalamazoo County FSA office makes little sense considering the importance of Kalamazoo County farmers to Michigan's agricultural economy. Kalamazoo County has more than 140,000 acres dedicated to agriculture, and the actual number of farms has increased in recent years. The county's diverse agricultural production, including dairy, greenhouse, livestock, corn, soybeans, and specialty crops, places it in the top 14 percent nationwide. Southwest Michigan accounts for nearly one-third of all agriculture sales in Michigan, with Kalamazoo County being the most populated county in this region. Kalamazoo County on its own ranks eighth in Michigan for the value of agricultural products sold, and second in the state and in the top 2 percent nationwide for nursery, greenhouse, and floriculture; and

Whereas, The closing of the Kalamazoo County FSA office would lead to a reduction in efficiency. The FSA office in Kalamazoo County coordinates closely with the USDA Natural Resources Conservation Service (NRCS) field office at the same location. The NRCS office, which will remain open, has many of their services integrated with the FSA and shares technological resources. If Kalamazoo County FSA office is closed, farmers would no longer be able to receive vital services at the same office and would have to travel to two different offices in different counties to receive services. Consequently, farmers would be spending more time on the road and less time tending to their farms and crops; and

Whereas, Michigan is already one of our nation's leading agricultural states and now has a renewed focus on supporting agricultural producers as demonstrated by Governor Rick Snyder's backing of the Michigan Agriculture Environmental Assurance Program. Closing the Kalamazoo County FSA office would be counterproductive to Michigan's efforts; now, therefore, be it

Resolved by the House of Representatives, That we urge the United State Department of Agriculture to keep open the Farm Service Agency office in Kalamazoo County; and be it further

Resolved, That copies of this resolution be transmitted to the administrator of the USDA Farm Service Agency and the members of the Michigan congressional delegation.

Favorable Roll Call

To Report Out:

Yeas: Reps. Daley, Denby, Kurtz, Tyler, Glardon, LaFontaine, McBroom, Outman, Rendon, Muxlow, Brunner, Oakes, Talabi, Hovey-Wright 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, March 21, 2012

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

The Committee on Government Operations, by Rep. Stamas, Chair, reported

Senate Bill No. 617, entitled

A bill to amend 1967 PA 168, entitled "An act to authorize the state administrative board to convey certain lands and to cede a certain water area in Alger county to the United States of America for use by the national park service; and to declare the effect thereof;" by amending sections 1 and 4 (MCL 3.451 and 3.454) and by adding sections 4a, 4b, and 4c.

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. Stamas, Nesbitt, McMillin, Barnett and Kandrevas
 Nays: None

The Committee on Government Operations, by Rep. Stamas, Chair, reported

House Joint Resolution PP, entitled

A joint resolution proposing an amendment to the state constitution of 1963, by amending section 4 of article VIII, to require state universities to provide certain information on expenditures to the legislature and the public.

With the recommendation that the joint resolution be referred to the Committee on Oversight, Reform, and Ethics.

Favorable Roll Call

To Report Out:

Yeas: Reps. Stamas, McMillin, Barnett and Kandrevas
 Nays: None

The recommendation was concurred in and the joint resolution was referred to the Committee on Oversight, Reform, and Ethics.

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Stamas, Chair, of the Committee on Government Operations, was received and read:

Meeting held on: Wednesday, March 21, 2012

Present: Reps. Stamas, Nesbitt, McMillin, Barnett and Kandrevas

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

House Bill No. 5228, entitled

A bill to amend 1963 PA 181, entitled "Motor carrier safety act of 1963," by amending section 1a (MCL 480.11a), as amended by 2011 PA 160.

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. Opsommer, Glardon, Daley, Wayne Schmidt, 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, March 21, 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. Gilbert, Chair, of the Committee on Tax Policy, was received and read:
Meeting held on: Wednesday, March 21, 2012

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

Messages from the Senate**Senate Bill No. 897, entitled**

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 48703 (MCL 324.48703), as amended by 2008 PA 291.

The Senate has passed the bill.

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

Senate Bill No. 937, entitled

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," by amending section 8115a (MCL 500.8115a), as added by 2004 PA 217.

The Senate has passed the bill.

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

Notices

I hereby give notice that on the next legislative session day I will move to discharge the Committee on Redistricting and Elections from further consideration of **House Bill No. 5348**.

Rep. Roy Schmidt

I hereby give notice that on the next legislative session day I will move to discharge the Committee on Redistricting and Elections from further consideration of **House Bill No. 5349**.

Rep. Roy Schmidt

I hereby give notice that on the next legislative session day I will move to discharge the Committee on Redistricting and Elections from further consideration of **House Bill No. 5350**.

Rep. Roy Schmidt

I hereby give notice that on the next legislative session day I will move to discharge the Committee on Redistricting and Elections from further consideration of **House Bill No. 5351**.

Rep. Roy Schmidt

I hereby give notice that on the next legislative session day I will move to discharge the Committee on Redistricting and Elections from further consideration of **House Bill No. 5352**.

Rep. Roy Schmidt

I hereby give notice that on the next legislative session day I will move to discharge the Committee on Redistricting and Elections from further consideration of **House Bill No. 5353**.

Rep. Roy Schmidt

I hereby give notice that on the next legislative session day I will move to discharge the Committee on Redistricting and Elections from further consideration of **House Bill No. 5354**.

Rep. Roy Schmidt

I hereby give notice that on the next legislative session day I will move to discharge the Committee on Redistricting and Elections from further consideration of **House Bill No. 5355**.

Rep. Roy Schmidt

I hereby give notice that on the next legislative session day I will move to discharge the Committee on Redistricting and Elections from further consideration of **House Bill No. 5356**.

Rep. Roy Schmidt

I hereby give notice that on the next legislative session day I will move to discharge the Committee on Redistricting and Elections from further consideration of **House Bill No. 5357**.

Rep. Roy Schmidt

I hereby give notice that on the next legislative session day I will move to discharge the Committee on Redistricting and Elections from further consideration of **House Bill No. 5358**.

Rep. Roy Schmidt

I hereby give notice that on the next legislative session day I will move to discharge the Committee on Redistricting and Elections from further consideration of **House Bill No. 5359**.

Rep. Roy Schmidt

I hereby give notice that on the next legislative session day I will move to discharge the Committee on Redistricting and Elections from further consideration of **House Bill No. 5360**.

Rep. Roy Schmidt

I hereby give notice that on the next legislative session day I will move to discharge the Committee on Redistricting and Elections from further consideration of **House Bill No. 5361**.

Rep. Roy Schmidt

I hereby give notice that on the next legislative session day I will move to discharge the Committee on Redistricting and Elections from further consideration of **House Bill No. 4461**.

Rep. Roy Schmidt

I hereby give notice that on the next legislative session day I will move to discharge the Committee on Redistricting and Elections from further consideration of **House Bill No. 4236**.

Rep. Roy Schmidt

I hereby give notice that on the next legislative session day I will move to discharge the Committee on Redistricting and Elections from further consideration of **House Joint Resolution NN**.

Rep. Roy Schmidt

Announcements by the Clerk

March 20, 2012

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

Follow-up of the performance audit of the Sex Offender Registries, Michigan Department of State Police, March 2012.

Gary L. Randall
Clerk of the House

The Clerk received the following dissent from Reps. Lipton, Stapleton, Santana and Hammel:

Article IV, Section 18 of the Michigan Constitution states that “[a]ny member of either house may dissent from and protest against any act, proceeding or resolution which he deems injurious to any person or the public, and have the reason for his dissent entered in the journal.” Under this constitutional provision, I demand this be printed in the House Journal because I object to the act of gaveling on Immediate Effect to House Bills 5232 and 5364. I did not, have not, and do not support the granting of immediate effect to House Bills 5232 and 5364.

The Clerk received the following dissent from Reps. Lipton, Howze, Dillon, Greimel, Byrum, Santana, Barnett, Talabi, Darany, Lindberg, Geiss, Brown, Segal and Irwin:

Article IV, Section 18 of the Michigan Constitution states that “[a]ny member of either house may dissent from and protest against any act, proceeding or resolution which he deems injurious to any person or the public, and have the reason for his

dissent entered in the journal.” Under this constitutional provision, I demand this be printed in the House Journal because I object to the act of gaveling on Immediate Effect to House Bill 4289. I did not, have not, and do not support the granting of immediate effect to House Bill 4289.

The Clerk received the following dissent from Rep. Meadows:

Article IV, Section 18 of the Michigan Constitution states that “[a]ny member of either house may dissent from and protest against any act, proceeding or resolution which he deems injurious to any person or the public, and have the reason for his dissent entered in the journal.” Under this constitutional provision, I demand this be printed in the House Journal because I object to the act of gaveling on Immediate Effect to House Bills HB 4435, HB 5287, HB 5288, HB 5289, SB 727 and SB 728. I did not, have not, and do not support the granting of immediate effect to House Bills HB 4435, HB 5287, HB 5288, HB 5289, SB 727 and SB 728.

The Clerk received the following dissent from Reps. Geiss, Byrum, Santana, Bledsoe, Brunner, Oakes, Barnett, Greimel, Smiley, Segal, Townsend, Nathan, Irwin, Lipton and Cavanagh:

Article IV, Section 18 of the Michigan Constitution states that “[a]ny member of either house may dissent from and protest against any act, proceeding or resolution which he deems injurious to any person or the public, and have the reason for his dissent entered in the journal.” Under this constitutional provision, I demand this be printed in the House Journal because I object to the act of gaveling on Immediate Effect to HB 4435, HB5287, HB5288, and HB5289. I did not, have not, and do not support the granting of immediate effect to HB4435, HB5287, HB5288, HB5289.

The Clerk received the following dissent from Rep. Rutledge:

Article IV, Section 18 of the Michigan Constitution states that “[a]ny member of either house may dissent from and protest against any act, proceeding or resolution which he deems injurious to any person or the public, and have the reason for his dissent entered in the journal.” Under this constitutional provision, I demand this be printed in the House Journal because I object to the act of gaveling on Immediate Effect to House Bills 5287, 5288, and 5289. I did not, have not, and do not support the granting of immediate effect to House Bill 5287, 5288, and, 5289.

By unanimous consent the House returned to the order of
Introduction of Bills

Rep. Foster introduced

House Bill No. 5502, entitled

A bill to amend 1980 PA 299, entitled “Occupational code,” by amending section 2404b (MCL 339.2404b), as added by 2007 PA 157.

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

Reps. Shirkey, Price, Agema, Opsommer, Genetski, McMillin, Lipton, MacMaster and Meadows introduced

House Bill No. 5503, entitled

A bill to amend 1939 PA 3, entitled “An act to provide for the regulation and control of public and certain private utilities and other services affected with a public interest within this state; to provide for alternative energy suppliers; to provide for licensing; to include municipally owned utilities and other providers of energy under certain provisions of this act; to create a public service commission and to prescribe and define its powers and duties; to abolish the Michigan public utilities commission and to confer the powers and duties vested by law on the public service commission; to provide for the continuance, transfer, and completion of certain matters and proceedings; to abolish automatic adjustment clauses; to prohibit certain rate increases without notice and hearing; to qualify residential energy conservation programs permitted under state law for certain federal exemption; to create a fund; to provide for a restructuring of the manner in which energy is provided in this state; to encourage the utilization of resource recovery facilities; to prohibit certain acts and practices of providers of energy; to allow for the securitization of stranded costs; to reduce rates; to provide for appeals; to provide appropriations; to declare the effect and purpose of this act; to prescribe remedies and penalties; and to repeal acts and parts of acts,” by amending section 10a (MCL 460.10a), as amended by 2008 PA 286.

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

Rep. Glardon introduced

House Bill No. 5504, entitled

A bill to amend 2001 PA 142, entitled "Michigan memorial highway act," (MCL 250.1001 to 250.2080) by adding section 76.

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

Reps. Meadows, Bauer, Hammel, Dillon, Slavens, Greimel, Irwin and Cavanagh introduced

House Bill No. 5505, entitled

A bill to establish a program to designate, promote, and market to public entities farm products that are grown, processed, or manufactured in this state; and to prescribe the powers and duties of certain state agencies and officials.

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

Reps. Meadows, Bauer, Hammel, Dillon, Slavens, Irwin and Cavanagh introduced

House Bill No. 5506, entitled

A bill to establish a grant program for the purchase of local farm products by schools; to establish criteria for awarding those grants; and to prescribe the powers and duties of certain state and local agencies and officials.

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

Reps. Hughes, Zorn, LaFontaine, Gilbert and Foster introduced

House Bill No. 5507, entitled

A bill to amend 1990 PA 187, entitled "The pupil transportation act," (MCL 257.1801 to 257.1877) by adding section 12.

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

Rep. Irwin introduced

House Bill No. 5508, entitled

A bill to amend 2010 PA 270, entitled "Property assessed clean energy act," by amending sections 3, 9, and 15 (MCL 460.933, 460.939, and 460.945).

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

Rep. Santana moved that the House adjourn.

The motion prevailed, the time being 3:05 p.m.

The Speaker Pro Tempore declared the House adjourned until Thursday, March 22, at 12:00 Noon.

GARY L. RANDALL
Clerk of the House of Representatives