

No. 38
STATE OF MICHIGAN
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House of Representatives
96th Legislature
REGULAR SESSION OF 2012

House Chamber, Lansing, Tuesday, April 24, 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—present
Crawford—present	Hughes—present	Nathan—present	Stamas—present
Daley—present	Huuki—present	Nesbitt—present	Stanley—present
Damrow—present	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—e/d/s	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—excused
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

Rep. David E. Nathan, from the 11th District, offered the following invocation:

“Lord, thank You for the opportunity for us to dwell in Your wonderful creation yet, another day. Thank You for this opportunity You have giving us to serve. Shine Your light through the windows of this chamber to remind us that this is a blessing that should not be taken for granted. Let Your light be a guide for us as we govern in this state. Bless us today, and every day we are in this chamber. In Your name, Jesus Christ we pray, Amen.”

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

Motions and Resolutions

Reps. Bauer, Opsommer, Byrum, Shaughnessy, Callton, Glardon, Meadows, Barnett, Darany and Liss offered the following concurrent resolution:

House Concurrent Resolution No. 55.

A concurrent resolution to memorialize the Congress of the United States to intervene to prevent the closure of the U.S. Postal Service’s Processing and Distribution Center in Lansing, Michigan.

Whereas, The U.S. Postal Service has announced plans to close numerous facilities across the country as a major cost-savings measure. This ambitious strategy, however, includes some plans that seem counterintuitive. Among these is the inclusion of the Processing and Distribution Center in Lansing, Michigan, in the projected closures; and

Whereas, The Lansing Processing and Distribution Center is a major mail processing hub located in the middle of the state. Consolidation of the tasks carried out here and relocation elsewhere will only degrade the responsiveness of the Postal Service. This will likely hamper its efforts to fend off competitive delivery systems. It is estimated that closing the Lansing facility, which handles 3 to 5 million pieces of mail each day, including one-half million first class items, would result in delays in delivery of up to 3 days rather than overnight; and

Whereas, Many people, including local leaders, feel the determination to consolidate services and close the Lansing facility was made without a thorough, transparent, and comprehensive comparison of the sites in question. Major points of difference include the advantages the Capitol City center offers due to its proximity at the intersection of major highways near the center of the state’s population, access at the Lansing property to adjacent land for future expansion, and the fact that the facility to which services would be relocated is leased property; and

Whereas, In addition to the obvious pain inherent in the loss of at least 200 jobs, the Lansing closure could quite possibly accelerate the loss of business in the Lansing area due to slower services that are inevitable. Clearly, to do so would not be in the best long-term interest of the community or the U.S. Postal Service; now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That we memorialize the Congress of the United States to intervene to prevent the closure of the U.S. Postal Service’s Processing and Distribution Center in Lansing, Michigan; and be it further

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

The concurrent resolution was referred to the Committee on Government Operations.

Rep. Stamas moved that a respectful message be sent to the Senate requesting the return of **Senate Bill No. 29**.
The motion prevailed.

The Speaker called the Speaker Pro Tempore to the Chair.

Messages from the Senate

The Speaker laid before the House
House Bill No. 4393, entitled

A bill to amend 1998 PA 58, entitled “Michigan liquor control code of 1998,” by amending section 703 (MCL 436.1703), as amended by 2006 PA 443.

(The bill was received from the Senate on April 18, with amendments, full title inserted and immediate effect given by the Senate, consideration of which, under the rules, was postponed until April 19, see House Journal No. 36, p. 598.)

The question being on concurring in the amendments made to the bill by the Senate,

The amendments were concurred in, a majority of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 186**Yeas—105**

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

Nays—3

Genetski	McMillin	Shirkey
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In The Chair: Walsh

The House agreed to the full title.

The bill was referred to the Clerk for enrollment printing and presentation to the Governor.

The Speaker laid before the House

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. (The bill was received from the Senate on April 19, with substitute (S-1), full title inserted and immediate effect given by the Senate, consideration of which, under the rules, was postponed until today, see House Journal No. 37, p. 614.)

The question being on concurring in the substitute (S-1) made to the bill by the Senate,

The substitute (S-1) was concurred in, a majority of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 187**Yeas—108**

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

Nays—0

In The Chair: Walsh

The House agreed to the full title.

The bill was referred to the Clerk for enrollment printing and presentation to the Governor.

Third Reading of Bills**House Bill No. 5414, entitled**

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 75101, 75102, and 75104 (MCL 324.75101, 324.75102, and 324.75104), as added by 1995 PA 58.

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

Roll Call No. 188**Yeas—80**

Ananich	Foster	Kurtz	Rutledge
Barnett	Geiss	Lane	Santana
Bauer	Gilbert	LeBlanc	Schmidt, R.
Bledsoe	Glardon	Lindberg	Schmidt, W.
Brown	Graves	Lipton	Segal
Brunner	Greimel	Liss	Shaughnessy
Byrum	Hammel	Lori	Slavens

Callton	Haugh	Lyons	Smiley
Cavanagh	Heise	McCann	Stallworth
Clemente	Hobbs	Meadows	Stamas
Constan	Horn	Nathan	Stanley
Crawford	Hovey-Wright	Nesbitt	Stapleton
Daley	Howze	Oakes	Switalski
Damrow	Hughes	Olson	Talabi
Darany	Irwin	Ouimet	Tlaib
Denby	Jackson	Pettalia	Townsend
Dillon	Jacobsen	Poleski	Tyler
Durhal	Jenkins	Pscholka	Walsh
Farrington	Kandrevas	Rendon	Yonker
Forlini	Kowall	Rogers	Zorn

Nays—28

Agema	Haines	Lund	O'Brien
Bolger	Haveman	MacGregor	Opsommer
Bumstead	Hooker	MacMaster	Outman
Cotter	Huuki	McBroom	Potvin
Franz	Johnson	McMillin	Price
Genetski	Knollenberg	Moss	Shirkey
Goike	LaFontaine	Muxlow	Somerville

In The Chair: Walsh

The House agreed to the title of the bill.

Second Reading of Bills

House Bill No. 5479, entitled

A bill to prohibit persons who have certain economic relationships with Iran from submitting bids or entering into contracts with this state, political subdivisions of this state, and other public entities; to require bidders for certain public contracts to submit certification of eligibility with the bid; to require reports; and to provide for sanctions for false certification.

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

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

Rep. Knollenberg moved to amend the bill as follows:

1. Amend page 2, line 17, after "has" by inserting "direct".
2. Amend page 2, line 19, after "terror." by inserting "A state sponsor of terror linked business does not include a social development company as defined in section 2 of the divestment from terror act, 2008 PA 234, MCL 129.292."

The motion prevailed and the amendments were adopted, a majority of the members serving voting therefor.

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

The motion prevailed.

House Bill No. 5480, entitled

A bill to amend 1984 PA 431, entitled "The management and budget act," by amending section 261 (MCL 18.1261), as amended by 2008 PA 133.

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

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

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

The motion prevailed.

House Bill No. 5481, entitled

A bill to amend 1984 PA 431, entitled "The management and budget act," by amending section 241 (MCL 18.1241), as amended by 2010 PA 22.

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

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

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

The motion prevailed.

House Bill No. 5482, entitled

A bill to amend 1984 PA 270, entitled "Michigan strategic fund act," (MCL 125.2001 to 125.2094) by adding section 15.

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

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

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

The motion prevailed.

House Bill No. 5483, entitled

A bill to amend 1971 PA 140, entitled "Glenn Steil state revenue sharing act of 1971," (MCL 141.901 to 141.921) by adding section 17b.

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

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

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

The motion prevailed.

House Bill No. 5484, 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," (MCL 247.651 to 247.675) by adding section 1j.

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

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

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

The motion prevailed.

Senate Bill No. 1005, entitled

A bill to amend 1939 PA 288, entitled "Probate code of 1939," by amending sections 17d and 19b of chapter XIA (MCL 712A.17d and 712A.19b), section 17d as amended by 2004 PA 475 and section 19b as amended by 2010 PA 7.

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

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.

Senate Bill No. 349, entitled

A bill to amend 1893 PA 206, entitled "The general property tax act," by amending section 7cc (MCL 211.7cc), as amended by 2010 PA 17.

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.

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

Reports of Standing Committees

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

House Bill No. 5365, entitled

A bill to make, supplement, adjust, and consolidate appropriations for various state departments and agencies, the judicial branch, and the legislative branch for the fiscal years ending September 30, 2012 and September 30, 2013; to provide for certain conditions on appropriations; and to provide for the expenditure of the appropriations.

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. Moss, Haveman, Agema, Genetski, Kowall, Lori, Rogers, Bumstead, Cotter, Forlini, Goike, Jenkins, MacGregor, MacMaster, Poleski, Pscholka and Potvin

Nays: Reps. LeBlanc, Ananich, Bauer, Dillon, Durhal, Jackson, Lindberg, McCann and Tlaib

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Wednesday, April 18, 2012

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

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

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.

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. Moss, Haveman, Agema, Genetski, Kowall, Lori, Rogers, Bumstead, Cotter, Forlini, Goike, Jenkins, MacMaster, Poleski, Pscholka and Potvin

Nays: Reps. LeBlanc, Ananich, Bauer, Dillon, Durhal, Jackson, Lindberg, Lipton, McCann and Tlaib

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Thursday, April 19, 2012

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

The Committee on Natural Resources, Tourism, and Outdoor Recreation, by Rep. Foster, Chair, reported

House Bill No. 4925, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 81131 (MCL 324.81131), as amended by 2009 PA 175.

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. Foster, Huuki, Damrow, Hughes, Johnson, Pettalia and Haugh

Nays: None

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Foster, Chair, of the Committee on Natural Resources, Tourism, and Outdoor Recreation, was received and read:

Meeting held on: Tuesday, April 24, 2012

Present: Reps. Foster, Huuki, Damrow, Hughes, Johnson, Pettalia, Haugh, Bledsoe and Slavens

Absent: Reps. Wayne Schmidt and Stapleton

Excused: Reps. Wayne Schmidt and Stapleton

The Committee on Redistricting and Elections, by Rep. Lund, Chair, reported

House Bill No. 5540, entitled

A bill to amend 1954 PA 116, entitled "Michigan election law," by amending section 591 (MCL 168.591), as amended by 1990 PA 109.

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. Lund, McBroom, Knollenberg, Tyler, Outman and Pscholka

Nays: Rep. Nathan

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Lund, Chair, of the Committee on Redistricting and Elections, was received and read:

Meeting held on: Tuesday, April 24, 2012

Present: Reps. Lund, McBroom, Knollenberg, Tyler, Outman, Pscholka, Byrum, Nathan and Stanley

The Committee on Families, Children, and Seniors, by Rep. Kurtz, Chair, reported

House Bill No. 5441, entitled

A bill to amend 1998 PA 386, entitled "Estates and protected individuals code," by amending section 5305 (MCL 700.5305), as amended by 2000 PA 464.

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. Kurtz, O'Brien, Heise, Hooker, Rendon, Slavens and Lane

Nays: None

The Committee on Families, Children, and Seniors, by Rep. Kurtz, Chair, reported

Senate Bill No. 461, entitled

A bill to amend 1998 PA 386, entitled "Estates and protected individuals code," by amending sections 2802, 2803, 2804, 5314, 5315, 5316, 5410, 5422, and 5423 (MCL 700.2802, 700.2803, 700.2804, 700.5314, 700.5315, 700.5316, 700.5410, 700.5422, and 700.5423), section 5314 as amended by 2000 PA 469, section 5316 as amended by 2000 PA 54, and section 5423 as amended by 2005 PA 204, and by adding section 5306a.

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. Kurtz, O'Brien, Heise, Hooker, Rendon, Slavens and Lane

Nays: None

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Kurtz, Chair, of the Committee on Families, Children, and Seniors, was received and read:

Meeting held on: Tuesday, April 24, 2012

Present: Reps. Kurtz, O'Brien, Heise, Hooker, Rendon, Slavens and Lane

Absent: Reps. Haines and Stapleton

Excused: Reps. Haines and Stapleton

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Horn, Chair, of the Committee on Energy and Technology, was received and read:

Meeting held on: Tuesday, April 24, 2012

Present: Reps. Horn, Shirkey, Opsommer, Crawford, Haveman, Kowall, Franz, Jacobsen, McBroom, Nesbitt, Outman, Price, Zorn, Roy Schmidt, Santana, Irwin, Brunner, Stallworth, Cavanagh and Smiley

Absent: Rep. Switalski

Excused: Rep. Switalski

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Tuesday, April 24, 2012
 Present: Reps. McMillin, Jacobsen, Price, Bledsoe and Brown
 Absent: Rep. Denby
 Excused: Rep. Denby

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Franz, Chair, of the Committee on Military and Veterans Affairs and Homeland Security, was received and read:

Meeting held on: Tuesday, April 24, 2012
 Present: Reps. Franz, Zorn, Tyler, Callton, Hughes, Graves, Nathan, Darany, Smiley, Liss, Clemente and Greimel
 Absent: Rep. Haines
 Excused: Rep. Haines

Messages from the Governor

The following message from the Governor was received April 23, 2012 and read:

**EXECUTIVE ORDER
 No. 2012 - 6**

RESCISSION OF EXECUTIVE ORDER 2012-2

WHEREAS, Section 1 of Article V of the Michigan Constitution of 1963 vests the executive power in the Governor; and
 WHEREAS, Section 2 of Article V of the Michigan Constitution of 1963 empowers the Governor to make changes in the organization of the Executive Branch or in the assignment of functions among its units that the Governor considers necessary for efficient administration; and

WHEREAS, Section 8 of Article V of the Michigan Constitution of 1963 provides that each principal department shall be under the supervision of the Governor, unless otherwise provided by the Constitution;

NOW, THEREFORE, I, Richard D. Snyder, Governor of the state of Michigan, by virtue of the powers and authority vested in the Governor by the Michigan Constitution of 1963 and Michigan law, order that Executive Order 2012-2 is rescinded in its entirety.

This Order is effective upon filing.

[SEAL]

Given under my hand and the Great Seal of the state of Michigan this 23rd day of April, in the Year of our Lord Two Thousand Twelve.

RICHARD D. SNYDER
 GOVERNOR
 BY THE GOVERNOR:
 RUTH A. JOHNSON
 SECRETARY OF STATE

The message was referred to the Clerk.

Date: April 18, 2012
 Time: 1:03 p.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed
Enrolled House Bill No. 5011 (Public Act No. 103, I.E.), being

An act to amend 1972 PA 230, entitled “An act to create a construction code commission and prescribe its functions; to authorize the director to promulgate rules with recommendations from each affected board relating to the construction, alteration, demolition, occupancy, and use of buildings and structures; to prescribe energy conservation standards for the construction of certain buildings; to provide for statewide approval of premanufactured units; to provide for the testing of new devices, materials, and techniques for the construction of buildings and structures; to define the classes of buildings

and structures affected by the act; to provide for administration and enforcement of the act; to create a state construction code fund; to prohibit certain conduct; to establish penalties, remedies, and sanctions for violations of the act; to repeal acts and parts of acts; and to provide an appropriation,” by amending section 2a (MCL 125.1502a), as added by 1999 PA 245, and by adding section 9.

(Filed with the Secretary of State April 20, 2012, at 10:44 a.m.)

Date: April 18, 2012

Time: 1:07 p.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 5050 (Public Act No. 104, I.E.), being

An act to amend 1931 PA 328, entitled “An act to revise, consolidate, codify, and add to the statutes relating to crimes; to define crimes and prescribe the penalties and remedies; to provide for restitution under certain circumstances; to provide for the competency of evidence at the trial of persons accused of crime; to provide immunity from prosecution for certain witnesses appearing at criminal trials; to provide for liability for damages; and to repeal certain acts and parts of acts inconsistent with or contravening any of the provisions of this act,” (MCL 750.1 to 750.568) by adding section 479c.

(Filed with the Secretary of State April 20, 2012, at 10:46 a.m.)

Date: April 18, 2012

Time: 1:10 p.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 5051 (Public Act No. 105, I.E.), being

An act to amend 1927 PA 175, entitled “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,” by amending section 16x of chapter XVII (MCL 777.16x), as amended by 2006 PA 234.

(Filed with the Secretary of State April 20, 2012, at 10:48 a.m.)

Introduction of Bills

Reps. Jenkins, Hughes, Rendon, Jacobsen, Hooker, Heise, Gilbert, Kurtz and LaFontaine introduced

House Bill No. 5551, entitled

A bill to amend 1961 PA 236, entitled “Revised judicature act of 1961,” by amending section 1344 (MCL 600.1344), as amended by 2002 PA 739.

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

Reps. Kowall, Hughes, Rendon, Jacobsen, Hooker, Heise, Gilbert, Kurtz and LaFontaine introduced

House Bill No. 5552, entitled

A bill to amend 1961 PA 236, entitled “Revised judicature act of 1961,” by amending section 151e (MCL 600.151e), as amended by 2004 PA 465.

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

Reps. Denby, McMillin, Jacobsen, Price, Lund, Bledsoe and Brown introduced

House Bill No. 5553, entitled

A bill to amend 1984 PA 431, entitled "The management and budget act," by amending section 461 (MCL 18.1461), as amended by 1999 PA 8.

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

Rep. LaFontaine introduced

House Bill No. 5554, entitled

A bill to amend 2010 PA 275, entitled "Next Michigan development act," (MCL 125.2951 to 125.2959) by adding section 4a.

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

Reps. Price, Hughes, Gilbert, MacGregor and Zorn introduced

House Bill No. 5555, entitled

A bill to amend 2001 PA 142, entitled "Michigan memorial highway act," (MCL 250.1001 to 250.2080) by adding section 1061.

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

Reps. Price, MacMaster, Daley, Gilbert, McMillin, MacGregor, Poleski, Forlini, Pettalia, Haveman, Farrington and Lane introduced

House Bill No. 5556, 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.

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

Rep. O'Brien introduced

House Bill No. 5557, entitled

A bill to amend 1975 PA 197, entitled "An act to provide for the establishment of a downtown development authority; to prescribe its powers and duties; to correct and prevent deterioration in business districts; to encourage historic preservation; to authorize the acquisition and disposal of interests in real and personal property; to authorize the creation and implementation of development plans in the districts; to promote the economic growth of the districts; to create a board; to prescribe its powers and duties; to authorize the levy and collection of taxes; to authorize the issuance of bonds and other evidences of indebtedness; to authorize the use of tax increment financing; to reimburse downtown development authorities for certain losses of tax increment revenues; and to prescribe the powers and duties of certain state officials," by amending section 13c (MCL 125.1663c), as amended by 2009 PA 213.

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

Reps. Townsend, Greimel, Wayne Schmidt, Irwin, Durhal, Talabi and Cavanagh introduced

House Bill No. 5558, entitled

A bill to amend 1975 PA 197, entitled "An act to provide for the establishment of a downtown development authority; to prescribe its powers and duties; to correct and prevent deterioration in business districts; to encourage historic preservation; to authorize the acquisition and disposal of interests in real and personal property; to authorize the creation and implementation of development plans in the districts; to promote the economic growth of the districts; to create a board; to prescribe its powers and duties; to authorize the levy and collection of taxes; to authorize the issuance of bonds and other evidences of indebtedness; to authorize the use of tax increment financing; to reimburse downtown development authorities for certain losses of tax increment revenues; and to prescribe the powers and duties of certain state officials," by amending section 1 (MCL 125.1651), as amended by 2011 PA 24.

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

Rep. Heise introduced

House Bill No. 5559, entitled

A bill to amend 1976 PA 451, entitled "The revised school code," by amending section 504 (MCL 380.504), as amended by 2011 PA 277.

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

Reps. Shaughnessy, Haugh, Kowall, Genetski, Cotter, Opsommer, Poleski, Haines, Tyler, Franz, Pettalia, Muxlow, Goike, MacGregor, Outman, McMillin, Rendon, Walsh, Jacobsen, Agema, Kurtz, Jenkins, Hooker, Yonker, Pscholka, Gilbert, Hughes, Wayne Schmidt, Bumstead, LaFontaine, Haveman and Lori introduced

House Bill No. 5560, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending section 169 (MCL 750.169).
The bill was read a first time by its title and referred to the Committee on Judiciary.

Rep. LeBlanc introduced

House Bill No. 5561, entitled

A bill to amend 1986 PA 32, entitled "Emergency 9-1-1 service enabling act," by amending section 406 (MCL 484.1406), as amended by 2007 PA 165.
The bill was read a first time by its title and referred to the Committee on Energy and Technology.

Rep. Lori introduced

House Bill No. 5562, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending section 136b (MCL 750.136b), as amended by 2008 PA 577, and by adding section 136d.
The bill was read a first time by its title and referred to the Committee on Judiciary.

Rep. Graves introduced

House Bill No. 5563, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 16g of chapter XVII (MCL 777.16g), as amended by 2008 PA 521.
The bill was read a first time by its title and referred to the Committee on Judiciary.

Reps. Stallworth and Durhal introduced

House Bill No. 5564, entitled

A bill to provide for the establishment of public lighting infrastructure and housing stock inventory investment authorities in certain cities; to provide for the powers and duties of a public lighting infrastructure and housing stock inventory investment authority; to provide for the powers and duties of certain governmental officials; to provide for the issuance of bonds and notes; to impose certain powers and duties upon state and local departments, agencies, and officers; and to make appropriations.
The bill was read a first time by its title and referred to the Committee on Local, Intergovernmental, and Regional Affairs.

Reps. Brown, Bledsoe, Lipton, Bauer, Tlaib and Byrum introduced

House Bill No. 5565, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," (MCL 324.101 to 324.90106) by adding sections 61506d, 61531, 61532, 61533, 61534, 61535, 61536, and 61537.
The bill was read a first time by its title and referred to the Committee on Energy and Technology.

Reps. Denby, Pscholka, Ouimet, Rogers and Hughes introduced

House Bill No. 5566, entitled

A bill to amend 1980 PA 243, entitled "Emergency municipal loan act," by amending the title and sections 1, 2, 3, 4, 5, 6, and 7 (MCL 141.931, 141.932, 141.933, 141.934, 141.935, 141.936, and 141.937), the title as amended by 1988 PA 198, section 1 as amended by 2007 PA 178, sections 2, 3, 6, and 7 as amended by 1998 PA 528, and sections 4 and 5 as amended by 2007 PA 198, and by adding section 6a.
The bill was read a first time by its title and referred to the Committee on Local, Intergovernmental, and Regional Affairs.

Reps. Pscholka, Denby, Ouimet, Rogers and Hughes introduced

House Bill No. 5567, entitled

A bill to amend 1976 PA 451, entitled "The revised school code," by amending sections 1211 and 1216 (MCL 380.1211 and 380.1216), section 1211 as amended by 2011 PA 317 and section 1216 as amended by 2003 PA 299.
The bill was read a first time by its title and referred to the Committee on Local, Intergovernmental, and Regional Affairs.

Reps. Hughes, Denby, Pscholka, Ouimet and Rogers introduced

House Bill No. 5568, entitled

A bill to amend 1979 PA 94, entitled "The state school aid act of 1979," by amending section 15 (MCL 388.1615), as amended by 2011 PA 62.

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

Reps. Ouimet, Denby, Pscholka, Rogers and Hughes introduced

House Bill No. 5569, entitled

A bill to amend 1855 PA 105, entitled "An act to regulate the disposition of the surplus funds in the state treasury; to provide for the deposit of surplus funds in certain financial institutions; to lend surplus funds pursuant to loan agreements secured by certain commercial, agricultural, or industrial real and personal property; to authorize the loan of surplus funds to certain municipalities; to authorize the participation in certain loan programs; to authorize an appropriation; and to prescribe the duties of certain state agencies," by amending section 1 (MCL 21.141), as amended by 1987 PA 284.

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

Reps. Rogers, Denby, Pscholka, Ouimet and Hughes introduced

House Bill No. 5570, entitled

A bill to amend 1985 PA 227, entitled "Shared credit rating act," by amending sections 3, 7, 8, and 13 (MCL 141.1053, 141.1057, 141.1058, and 141.1063), sections 3, 7, and 8 as amended by 2005 PA 93 and section 13 as amended by 1997 PA 27.

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

Announcements by the Clerk

The Clerk received the following dissent from Rep. Lipton:

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 HB5009, HB5061, HB5062, HB4975, HB5271, HB5228, SB711, and SB712. I did not, have not, and do not support the granting of immediate effect to HB5009, HB5061, HB5062, HB4975, HB5271, HB5228, SB711, and SB712.

The Clerk received the following dissent from Reps. Brunner, Byrum, Rutledge, Slavens, Santana, Lindberg, Darany, Irwin, Barnett, Lipton, Bledsoe and Townsend:

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 SB29, SB30, SB93, and SB428. I did not, have not, and do not support the gaveling on of immediate effect to SB29, SB30, SB93, and SB428.

Rep. Olumba entered the House Chambers.

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 Friday, April 20:

House Bill Nos.	5543	5544	5545	5546	5547	5548	5549	5550			
Senate Bill Nos.	1076	1077	1078	1079	1080	1081	1082	1083	1084	1085	

The Clerk announced the enrollment printing and presentation to the Governor on Tuesday, April 24, for his approval of the following bills:

Enrolled House Bill No. 4658 at 1:14 p.m.

Enrolled House Bill No. 4751 at 1:16 p.m.

Enrolled House Bill No. 4845 at 1:18 p.m.

Enrolled House Bill No. 4974 at 1:20 p.m.

The Clerk announced that the following Senate bills had been received on Tuesday, April 24:

Senate Bill Nos. 947 950 953 956 960 1064

Messages from the Senate

Senate Bill No. 947, 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 Senate has passed the bill.

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

Senate Bill No. 950, 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 Senate has passed the bill.

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

Senate Bill No. 953, 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 Senate has passed the bill.

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

Senate Bill No. 956, 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 Senate has passed the bill.

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

Senate Bill No. 960, 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 Senate has passed the bill.

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

Senate Bill No. 1064, entitled

A bill to amend 2006 PA 110, entitled "Michigan zoning enabling act," (MCL 125.3101 to 125.3702) by adding section 3514.

The Senate has passed the bill.

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

Rep. Pettalia moved that the House adjourn.
The motion prevailed, the time being 3:15 p.m.

The Speaker Pro Tempore declared the House adjourned until Wednesday, April 25, at 1:30 p.m.

GARY L. RANDALL
Clerk of the House of Representatives