

**No. 41**  
**STATE OF MICHIGAN**  
**JOURNAL**  
**OF THE**  
**House of Representatives**  
**96th Legislature**  
**REGULAR SESSION OF 2012**

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House Chamber, Lansing, Tuesday, May 1, 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—excused	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—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

Rep. Mark Ouimet, from the 52nd District, offered the following invocation:

“At the beginning of this new legislative day, once again we come in gratitude for the opportunity to serve. We thank You that You have called us to be leaders, to work together, well and fair. We trust You that as we do our work, You will help us to be the best people we can be, and the most effective representatives of the great state of Michigan. We are also humbled to know that we cannot do this work alone, but only together, trusting one another.

As You have always led people through the generations to make good decisions, to be people pursuing justice, fairness and peace, so lead us. As we govern, may we do so faithfully, thinking of others, mindful of the needs of all people, and that our work will make a positive difference. Our leadership and ability to govern are from You - we will seek to be good stewards of these gifts.

We ask these blessings from You, God of all -  
Amen.”

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The Speaker called the Speaker Pro Tempore to the Chair.

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

### Motions and Resolutions

Reps. Slavens, Geiss, Brunner, Bauer, Hovey-Wright, McCann, Howze, Bledsoe, Stallworth, Cavanagh, Townsend, Ananich, Smiley, Haugh, Lane, Stanley, Oakes, Stapleton, Rutledge, Constan, Byrum, Brown, Lindberg, Darany, Liss, LeBlanc, Kandrevas, Switalski, Lipton, Tlaib, Barnett, Durhal, Knollenberg, Poleski, Segal, Talabi and Tyler offered the following resolution:

**House Resolution No. 243.**

A resolution to declare May 2012 as Children’s Mental Health Month in the state of Michigan.

Whereas, Mental health is critical for the well-being and vitality of children, adults, families, communities, and businesses; and

Whereas, Up to 14 percent of children between birth and five years old experience social-emotional problems that negatively impact their functioning, development and school readiness; and

Whereas, Fifty percent of those youths suffering a mental illness drop out of high school, thereby experiencing reduced potential for education, employment, and income; and

Whereas, Seventy percent of youth in state and local juvenile justice systems have a mental illness; and

Whereas, Suicide is the third leading cause of death for youth, 90 percent of those youth suffering from mental illness; and  
Whereas, Learning to recognize the early warning signs of mental health problems and where to obtain necessary assistance and treatment gives children, youth, and adults better opportunities to lead full and productive lives; and

Whereas, Children, youth, and adults with mental health illnesses should, whenever possible, remain in a familiar environment and have access to coordinated, individualized, and home and community based services; and

Whereas, Mental health treatment works and investment in these services and supports is fundamental in the future of our youth, adults, and families; and

Whereas, All children, youth, and adults who experience brain disorders should have access to fair and equitable coverage; and

Whereas, The need for comprehensive, coordinated mental health services for children, youth, adults, and families is a critical responsibility of all local Michigan communities; and

Whereas, Our nation’s future depends on the health and well-being of its families and children; now, therefore, be it

Resolved by the House of Representatives, That the members of this legislative body declare May 2012 as Children’s Mental Health Month in the state of Michigan. We express our support for the proactive leadership of the Michigan Department of Community Health, the Association for Children’s Mental Health, Michigan health care providers, quality improvement partners, and consumer advocates in the delivery of effective mental health services in Michigan; and be it further

Resolved, That copies of this resolution be transmitted to the Michigan Department of Community Health and the Association for Children's Mental Health as a token of our highest esteem.

The question being on the adoption of the resolution,

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

**Substitute for House Resolution No. 243.**

A resolution to declare May 2012 as Children's Mental Health Month in the state of Michigan.

Whereas, Mental health is critical for the well-being and vitality of children, adults, families, communities, and businesses; and

Whereas, Up to 14 percent of children between birth and five years old experience social-emotional problems that negatively impact their functioning, development and school readiness; and

Whereas, Fifty percent of those youths suffering a mental illness drop out of high school, thereby experiencing reduced potential for education, employment, and income; and

Whereas, Seventy percent of youth in state and local juvenile justice systems have a mental illness; and

Whereas, Suicide is the third leading cause of death for youth, 90 percent of those youth suffering from mental illness; and

Whereas, Learning to recognize the early warning signs of mental health problems and where to obtain necessary assistance and treatment gives children, youth, and adults better opportunities to lead full and productive lives; and

Whereas, Children, youth, and adults with mental health illnesses should, whenever possible, remain in a familiar environment and have access to coordinated, individualized, and home and community based services; and

Whereas, Mental health treatment works and investment in these services and supports is fundamental in the future of our youth, adults, and families; and

Whereas, All children, youth, and adults who experience brain disorders should have access to quality treatment.

Whereas, The need for comprehensive, coordinated mental health services for children, youth, adults, and families is a critical responsibility of all local Michigan communities; and

Whereas, Our nation's future depends on the health and well-being of its families and children; now, therefore, be it

Resolved by the House of Representatives, That the members of this legislative body declare May 2012 as Children's Mental Health Month in the state of Michigan. We express our support for the proactive leadership of the Michigan Department of Community Health, the Association for Children's Mental Health, Michigan health care providers, quality improvement partners, and consumer advocates in the delivery of effective mental health services in Michigan; and be it further

Resolved, That copies of this resolution be transmitted to the Michigan Department of Community Health and the Association for Children's Mental Health as a token of our highest esteem.

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.

Reps. Liss, Barnett, Bauer, Brown, Constan, Crawford, Darany, Durhal, Hooker, Knollenberg, LeBlanc, Poleski, Segal, Slavens, Switalski, Talabi, Tlaib and Tyler offered the following resolution:

**House Resolution No. 244.**

A resolution to declare May 6-12, 2012, as Nurses Week in the state of Michigan.

Whereas, The nearly 146,488 nurses in Michigan comprise the largest group of health care professionals in the state; and

Whereas, Nurses provide the most direct and continuous care to populations of every age and in every environment of care; and

Whereas, Nursing has been proven to be an indispensable component in the delivery of safe, effective, quality care for patients in virtually every setting; and

Whereas, Nurses generate and use specialized knowledge, skill, and caring to improve the health status of the public; and

Whereas, Nurses volunteer countless hours to their professional and other organizations to address health, health policy, and professional issues; and

Whereas, Each year the demand for nursing services will increase because of the aging of the Michigan population, continuing expansion of life-sustaining technology, increasingly complex health care needs of Michigan citizens, and the explosive growth of residential and home care services; and

Whereas, The development and maintenance of a vital nursing workforce in Michigan is of concern to all of our residents; and

Whereas, National Nurses Week, beginning May 6, 2012, provides an excellent opportunity to extend our appreciation and gratitude to the nurses of Michigan who serve twenty-four hours a day, seven days a week throughout the state; now, therefore, be it

Resolved by the House of Representatives, That the members of this legislative body declare May 6-12, 2012, as Nurses Week in the state of Michigan. We ask that all residents of Michigan join in honoring the nurses who care for all of us. We also encourage all citizens to show appreciation for accomplishments in the field of nursing and efforts to improve the health of our state not just during this week, but at every opportunity throughout the year.

The question being on the adoption of the resolution,  
The resolution was adopted.

Reps. Cavanagh, Hovey-Wright, Rutledge, Talabi, Stallworth, Slavens, Geiss, Bledsoe, Townsend, Brunner, Ananich, Smiley, Haugh, Lane, Stanley, Oakes, Stapleton, Liss, Constan, Roy Schmidt, Durhal, Brown, Switalski, Greimel, Irwin, Opsommer, Somerville, Kowall, Crawford, Santana, Jackson, Lipton, Callton, Byrum, Barnett, Bauer, Darany, Knollenberg, LeBlanc, Poleski, Segal, Tlaib and Tyler offered the following resolution:

**House Resolution No. 245.**

A resolution to declare May 2012 as Mental Health Awareness Month in the state of Michigan.

Whereas, Developmental disabilities impact the lives of sixty million Americans; and

Whereas, Developmental disabilities are medical conditions that disrupt a person's thinking, feeling, mood, ability to relate to others, and daily functioning, rendering them dependent on others for care and assistance; and

Whereas, Developmental disabilities can affect persons of any age, race, religion, or income; and

Whereas, The U.S. Surgeon General reports that 10 percent of children and adolescents in the United States suffer from serious emotional and mental impairments that cause significant functional impairment in their day-to-day lives at home, in school, and with peers; and

Whereas, Approximately 179,455 people in Michigan suffer from developmental disabilities, or about 1.8 percent of Michigan's citizens; and

Whereas, The Michigan Developmental Disabilities Council supports people with developmental disabilities to achieve their life's dreams and ensure that all citizens of Michigan have the opportunities and support to achieve their full potential; and

Whereas, New opportunities have been created through collaborative efforts of family members, professionals and all levels of government to bring about significant changes in the public perception of young people and adults with developmental disabilities, opening new doors to independent and productive lives; now, therefore, be it

Resolved by the House of Representatives, That the members of this legislative declare May 2012 as Mental Health Awareness Month in the state of Michigan.

The question being on the adoption of the resolution,  
The resolution was adopted.

**Senate Bill No. 619, entitled**

A bill 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 552 (MCL 380.552), as amended by 2011 PA 277.

(The bill was passed on April 26, see House Journal No. 40, p. 668.)

Rep. Segal moved to reconsider the vote by which the House passed the bill,

(For first notice, see House Journal No. 40, p. 676.)

The question being on the motion made by Rep. Segal,

The motion did not prevail, a majority of the members serving not voting therefor.

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

The question being on the motion made by Rep. Stamas,

Rep. Segal demanded the yeas and nays.

The demand was supported.

The question being on the motion made by Rep. Stamas,

The motion did not prevail, 2/3 of the members serving not voting therefor, by yeas and nays, as follows:

**Roll Call No. 211****Yeas—57**

Agema	Haveman	Lund	Poleski
Bolger	Heise	Lyons	Potvin
Bumstead	Hooker	MacGregor	Price
Callton	Horn	MacMaster	Pscholka
Cotter	Hughes	McBroom	Rendon
Crawford	Huuki	McMillin	Rogers
Daley	Jackson	Moss	Schmidt, W.
Damrow	Jacobsen	Muxlow	Shaughnessy
Denby	Jenkins	Nesbitt	Shirkey
Foster	Knollenberg	O'Brien	Somerville
Franz	Kowall	Olson	Stamas
Genetski	Kurtz	Opsommer	Tyler
Gilbert	LaFontaine	Ouimet	Walsh
Graves	Lori	Outman	Yonker
Haines			

**Nays—52**

Ananich	Farrington	Kandreas	Schmidt, R.
Barnett	Forlini	Lane	Segal
Bauer	Geiss	LeBlanc	Slavens
Bledsoe	Gardon	Lindberg	Smiley
Brown	Goike	Lipton	Stallworth
Brunner	Greimel	Liss	Stanley
Byrum	Hammel	McCann	Stapleton
Cavanagh	Haugh	Meadows	Switalski
Clemente	Hobbs	Oakes	Talabi
Constan	Hovey-Wright	Olumba	Tlaib
Darany	Howze	Pettalia	Townsend
Dillon	Irwin	Rutledge	Womack
Durhal	Johnson	Santana	Zorn

In The Chair: Walsh

**Third Reading of Bills****Senate Bill No. 92, entitled**

A bill to amend 1998 PA 386, entitled "Estates and protected individuals code," by amending section 5501 (MCL 700.5501).

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

**Roll Call No. 212****Yeas—109**

Agema	Gilbert	Lane	Price
Ananich	Gardon	LeBlanc	Pscholka
Barnett	Goike	Lindberg	Rendon
Bauer	Graves	Lipton	Rogers
Bledsoe	Greimel	Liss	Rutledge
Bolger	Haines	Lori	Santana

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

### 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 codify, revise, consolidate, and classify aspects of the law relating to wills and intestacy, relating to the administration and distribution of estates of certain individuals, relating to trusts, and relating to the affairs of certain individuals under legal incapacity; to provide for the powers and procedures of the court that has jurisdiction over these matters; to provide for the validity and effect of certain transfers, contracts, and deposits that relate to death; to provide procedures to facilitate enforcement of certain trusts; and to repeal acts and parts of acts,”

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.

### House Bill No. 4928, entitled

A bill to amend 1915 PA 123, entitled “An act to provide for the recording and use in evidence of affidavits affecting real property; and to provide a penalty for the making of false affidavits,” (MCL 565.451a to 565.453) by adding section 1d.

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

### Roll Call No. 213

### Yeas—108

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

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

**Nays—1**

Greimel

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. 269, entitled**

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending section 8401 (MCL 600.8401), as amended by 1999 PA 27.

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

**Roll Call No. 214****Yeas—107**

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

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

### Nays—2

Irwin

Santana

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 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,”

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.

The Speaker Pro Tempore called Associate Speaker Pro Tempore Opsommer to the Chair.

### Second Reading of Bills

#### **Senate Bill No. 499, entitled**

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” (MCL 324.101 to 324.90106) by adding section 72116.

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

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

Rep. Horn moved to substitute (H-5) the bill.

The motion prevailed and the substitute (H-5) 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. 64, entitled**

A bill to amend 1961 PA 236, entitled “Revised judicature act of 1961,” by amending section 5714 (MCL 600.5714), as amended by 2004 PA 105.

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. 65, entitled**

A bill to amend 1846 RS 66, entitled "Of estates in dower, by the curtesy, and general provisions concerning real estate," by amending section 34 (MCL 554.134), as amended by 2004 PA 106.

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.

**House Bill No. 5459, entitled**

A bill to amend 1976 PA 267, entitled "Open meetings act," by amending section 5 (MCL 15.265), as amended by 1984 PA 167.

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

The substitute (H-1) was not adopted, a majority of the members serving not voting therefor.

Rep. Denby moved to substitute (H-3) the bill.

The motion prevailed and the substitute (H-3) was adopted, a majority of the members serving voting therefor.

Rep. Brown moved to amend the bill as follows:

1. Amend page 4, line 4, after "**PLACE.**" by inserting "**IF THE PUBLIC BODY IS A BOARD OF COUNTY COMMISSIONERS, IT SHALL SEND ITS CORRESPONDENCE TO THE ATTORNEY GENERAL.**".

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

Rep. Bledsoe moved to amend the bill as follows:

1. Amend page 5, following line 2, by inserting:

**"(8) NOTICE OF ALL LEGISLATIVE COMMITTEE HEARINGS AND MEETINGS AND A CLEAR STATEMENT OF ALL SUBJECTS TO BE CONSIDERED AT EACH LEGISLATIVE HEARING OR MEETING SHALL BE PUBLISHED IN THE JOURNAL IN ADVANCE OF THE HEARING OR MEETING."**

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

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

The motion prevailed.

**House Bill No. 5340, entitled**

A bill to amend 1973 PA 186, entitled "Tax tribunal act," by amending section 37 (MCL 205.737), as amended by 2006 PA 174.

The bill was read a second time.

Rep. Gilbert moved to amend the bill as follows:

1. Amend page 3, line 10, after "**BEFORE**" by striking out "**JANUARY 1**" and inserting "**JULY 1**".

2. Amend page 3, line 16, after "**AFTER**" by striking out "**DECEMBER 31, 2011**" and inserting "**JUNE 30, 2012**".

3. Amend page 3, line 17, after "**AT**" by striking out "**3**" and inserting "**2**".

4. Amend page 3, line 24, after "**SEPTEMBER 30.**" by striking out "**THREE**" and inserting "**TWO**".

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

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

The motion prevailed.

**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.

Was read a second time, and the question being on the adoption of the proposed substitute (H-1) previously recommended by the Committee on Natural Resources, Tourism, and Outdoor Recreation,

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

Rep. Bumstead 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. Stamas moved that Rule 42 be suspended.  
The motion prevailed, 3/5 of the members present voting therefor.

Rep. Stamas moved that the Committee on Appropriations be discharged from further consideration of **Senate Bill No. 947**.

The motion prevailed, a majority of the members serving voting therefor.  
The bill was placed on the order of Second Reading of Bills.

Rep. Stamas moved that Rule 42 be suspended.  
The motion prevailed, 3/5 of the members present voting therefor.

Rep. Stamas moved that the Committee on Appropriations be discharged from further consideration of **Senate Bill No. 949**.

The motion prevailed, a majority of the members serving voting therefor.  
The bill was placed on the order of Second Reading of Bills.

Rep. Stamas moved that Rule 42 be suspended.  
The motion prevailed, 3/5 of the members present voting therefor.

Rep. Stamas moved that the Committee on Appropriations be discharged from further consideration of **Senate Bill No. 950**.

The motion prevailed, a majority of the members serving voting therefor.  
The bill was placed on the order of Second Reading of Bills.

Rep. Stamas moved that Rule 42 be suspended.  
The motion prevailed, 3/5 of the members present voting therefor.

Rep. Stamas moved that the Committee on Appropriations be discharged from further consideration of **Senate Bill No. 951**.

The motion prevailed, a majority of the members serving voting therefor.  
The bill was placed on the order of Second Reading of Bills.

Rep. Stamas moved that Rule 42 be suspended.  
The motion prevailed, 3/5 of the members present voting therefor.

Rep. Stamas moved that the Committee on Appropriations be discharged from further consideration of **Senate Bill No. 952**.

The motion prevailed, a majority of the members serving voting therefor.  
The bill was placed on the order of Second Reading of Bills.

Rep. Stamas moved that Rule 42 be suspended.  
The motion prevailed, 3/5 of the members present voting therefor.

Rep. Stamas moved that the Committee on Appropriations be discharged from further consideration of **Senate Bill No. 953**.

The motion prevailed, a majority of the members serving voting therefor.  
The bill was placed on the order of Second Reading of Bills.

Rep. Stamas moved that Rule 42 be suspended.  
The motion prevailed, 3/5 of the members present voting therefor.

Rep. Stamas moved that the Committee on Appropriations be discharged from further consideration of **Senate Bill No. 954.**

The motion prevailed, a majority of the members serving voting therefor.  
The bill was placed on the order of Second Reading of Bills.

Rep. Stamas moved that Rule 42 be suspended.  
The motion prevailed, 3/5 of the members present voting therefor.

Rep. Stamas moved that the Committee on Appropriations be discharged from further consideration of **Senate Bill No. 955.**

The motion prevailed, a majority of the members serving voting therefor.  
The bill was placed on the order of Second Reading of Bills.

Rep. Stamas moved that Rule 42 be suspended.  
The motion prevailed, 3/5 of the members present voting therefor.

Rep. Stamas moved that the Committee on Appropriations be discharged from further consideration of **Senate Bill No. 956.**

The motion prevailed, a majority of the members serving voting therefor.  
The bill was placed on the order of Second Reading of Bills.

Rep. Stamas moved that Rule 42 be suspended.  
The motion prevailed, 3/5 of the members present voting therefor.

Rep. Stamas moved that the Committee on Appropriations be discharged from further consideration of **Senate Bill No. 957.**

The motion prevailed, a majority of the members serving voting therefor.  
The bill was placed on the order of Second Reading of Bills.

Rep. Stamas moved that Rule 42 be suspended.  
The motion prevailed, 3/5 of the members present voting therefor.

Rep. Stamas moved that the Committee on Appropriations be discharged from further consideration of **Senate Bill No. 958.**

The motion prevailed, a majority of the members serving voting therefor.  
The bill was placed on the order of Second Reading of Bills.

Rep. Stamas moved that Rule 42 be suspended.  
The motion prevailed, 3/5 of the members present voting therefor.

Rep. Stamas moved that the Committee on Appropriations be discharged from further consideration of **Senate Bill No. 959.**

The motion prevailed, a majority of the members serving voting therefor.  
The bill was placed on the order of Second Reading of Bills.

Rep. Stamas moved that Rule 42 be suspended.  
The motion prevailed, 3/5 of the members present voting therefor.

Rep. Stamas moved that the Committee on Appropriations be discharged from further consideration of **Senate Bill No. 960.**

The motion prevailed, a majority of the members serving voting therefor.  
The bill was placed on the order of Second Reading of Bills.

Rep. Stamas moved that Rule 42 be suspended.  
The motion prevailed, 3/5 of the members present voting therefor.

Rep. Stamas moved that the Committee on Appropriations be discharged from further consideration of **Senate Bill No. 961**.

The motion prevailed, a majority of the members serving voting therefor.  
The bill was placed on the order of Second Reading of Bills.

Rep. Stamas moved that Rule 42 be suspended.  
The motion prevailed, 3/5 of the members present voting therefor.

Rep. Stamas moved that the Committee on Appropriations be discharged from further consideration of **Senate Bill No. 962**.

The motion prevailed, a majority of the members serving voting therefor.  
The bill was placed on the order of Second Reading of Bills.

Rep. Stamas moved that Rule 42 be suspended.  
The motion prevailed, 3/5 of the members present voting therefor.

Rep. Stamas moved that the Committee on Appropriations be discharged from further consideration of **Senate Bill No. 963**.

The motion prevailed, a majority of the members serving voting therefor.  
The bill was placed on the order of Second Reading of Bills.

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Rep. Stamas moved that House Committees be given leave to meet during the balance of today's session.  
The motion prevailed.

#### **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 27:

<b>House Bill Nos.</b>	<b>5572</b>	<b>5573</b>	<b>5574</b>	<b>5575</b>	<b>5576</b>	<b>5577</b>	<b>5578</b>		
<b>Senate Bill Nos.</b>	<b>1096</b>	<b>1097</b>	<b>1098</b>	<b>1099</b>	<b>1100</b>	<b>1101</b>	<b>1102</b>	<b>1103</b>	<b>1104</b>

The Clerk announced the enrollment printing and presentation to the Governor on Monday, April 30, for his approval of the following bill:

**Enrolled House Bill No. 5189 at 12:07 p.m.**

The Clerk announced that the following bills had been printed and placed upon the files of the members on Tuesday, May 1:

**Senate Bill Nos. 1105 1106 1107 1108**

#### **Reports of Standing Committees**

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

**House Bill No. 5164, entitled**

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 44514, 44516, 44517, 44518, 44520a, and 80124 (MCL 324.44514, 324.44516, 324.44517, 324.44518, 324.44520a, and 324.80124), sections 44514 and 44516 as added by 1995 PA 57, section 44517 as amended by 2004 PA 325, section 44518 as amended by 2004 PA 587, section 44520a as added by 2006 PA 183, and section 80124 as amended by 2007 PA 8, and by adding section 44515a.

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. Foster, Huuki, Wayne Schmidt, Damrow, Hughes, Johnson, Pettalia, Haugh, Bledsoe and Slavens  
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, May 1, 2012

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

Absent: Rep. Stapleton

Excused: Rep. Stapleton

The Committee on Energy and Technology, by Rep. Horn, Chair, reported

**House Bill No. 5468, entitled**

A bill to amend 1986 PA 32, entitled "Emergency 9-1-1 service enabling act," by amending sections 102, 401a, 401b, 401c, and 401d (MCL 484.1102, 484.1401a, 484.1401b, 484.1401c, and 484.1401d), section 102 as amended and sections 401c and 401d as added by 2007 PA 164 and sections 401a and 401b as amended by 2008 PA 379.

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

Nays: None

The Committee on Energy and Technology, by Rep. Horn, Chair, reported

**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.

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

Nays: None

## 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, May 1, 2012

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

The Committee on Commerce, by Rep. Wayne Schmidt, Chair, reported

**House Bill No. 5477, entitled**

A bill to amend 1984 PA 270, entitled "Michigan strategic fund act," by amending sections 88f and 88q (MCL 125.2088f and 125.2088q), section 88f as added by 2005 PA 225 and section 88q as amended by 2009 PA 144.

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. Wayne Schmidt, Tyler, Gilbert, Knollenberg, Denby, Lund, Shirkey, Farrington, Glardon, Shaughnessy, Zorn, Switalski, Bledsoe, Haugh, Barnett, Clemente and Townsend

Nays: Rep. Somerville

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Wayne Schmidt, Chair, of the Committee on Commerce, was received and read:

Meeting held on: Tuesday, May 1, 2012

Present: Reps. Wayne Schmidt, Tyler, Gilbert, Knollenberg, Denby, Lund, Shirkey, Farrington, Glardon, Shaughnessy, Somerville, Zorn, Switalski, Bledsoe, Haugh, Barnett, Clemente and Townsend

Absent: Rep. Olumba

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, May 1, 2012

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

Absent: Rep. Stapleton

Excused: Rep. Stapleton

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, May 1, 2012

Present: Reps. Franz, Zorn, Tyler, Callton, Hughes, Graves, Darany, Smiley, Liss, Clemente and Greimel

Absent: Reps. Haines and Nathan

Excused: Reps. Haines and Nathan

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, May 1, 2012

Present: Reps. McMillin, Jacobsen, Denby, Price, Bledsoe and Brown

**Messages from the Senate**

**House Bill No. 5057, entitled**

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 2882a (MCL 333.2882a), as added by 2011 PA 28.

The Senate has passed the bill, ordered that it be given immediate effect and pursuant to Joint Rule 20, inserted the full title.

The House agreed to the full title.

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

**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 Senate has passed the bill, ordered that it be given immediate effect and pursuant to Joint Rule 20, inserted the full title.

The House agreed to the full title.

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

**Messages from the Governor**

Date: May 1, 2012  
Time: 9:08 a.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

**Enrolled House Bill No. 5189 (Public Act No. 107, I.E.), being**

An act to make, supplement, and adjust appropriations for various state departments and agencies for the fiscal year ending September 30, 2012; to provide for the expenditure of the appropriations; and to repeal acts and parts of acts.

(Filed with the Secretary of State May 1, 2012, at 10:42 a.m.)

**Explanation of "No" Votes**

Rep. Haugh, having reserved the right to explain his protest against the passage of **Senate Bill No. 619**, made the following statement:

"Mr. Speaker and members of the House:

I voted no on SB 619 because the bill allows for the expansion of cyber schools without addressing the foundation allowance questions which could mean a huge added expense to the School Aid Fund and without any regard for the quality of education students in this program would receive. Reports from our two existing cyber schools are due in the beginning of June and would give us the information policy makers need to ensure any expansion of cyber education would result in high quality schools producing high quality graduates. Once again, the Majority party in the Legislature is passing a piece of legislation based on anecdotal evidence to the detriment of Michigan's children.

In addition, I object to the act of the Speaker ignoring the request for a division vote on Immediate Effect and ignoring the written demand for a record roll call vote with more than 1/5 support for that demand on the question of Immediate Effect for SB 619. I did not and do not support Immediate Effect for SB 619."

**Introduction of Bills**

Reps. Horn, Santana, Zorn, Tyler, Liss, Crawford, Kowall and Franz introduced

**House Bill No. 5579, entitled**

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending section 81d (MCL 750.81d), as amended by 2006 PA 517.

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

Reps. Callton, Daley and Cavanagh introduced

**House Bill No. 5580, entitled**

A bill to regulate medical marihuana provisioning centers; to provide for powers and duties of local units of government concerning medical marihuana provisioning centers; to provide for certain immunities for persons engaging in activities in accordance with this act; and to provide for penalties and sanctions for violations of this act.

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

Reps. Potvin, Forlini, Jenkins and Ananich introduced

**House Bill No. 5581, entitled**

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 8317 (MCL 324.8317), as amended by 2008 PA 18.

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

Reps. Haines, Poleski, Moss, Agema, Tyler, Huuki, Genetski, Wayne Schmidt, Opsommer, Rendon, Heise, Crawford, Franz, Kowall, Somerville, McMillin, MacGregor, Liss, Hobbs, Darany, MacMaster and Knollenberg introduced

**House Bill No. 5582, entitled**

A bill to amend 1956 PA 217, entitled "Electrical administrative act," by amending section 3d (MCL 338.883d), as added by 1990 PA 246.

The bill was read a first time by its title and referred to the Committee on Military and Veterans Affairs and Homeland Security.

Reps. Ouimet, Wayne Schmidt, Tyler, Foster, Crawford, Huuki, Franz, Agema, Kowall, Somerville, McMillin, MacGregor, Rendon, Liss and Hobbs introduced

**House Bill No. 5583, entitled**

A bill to amend 2002 PA 733, entitled "State plumbing act," by amending section 25 (MCL 338.3535).

The bill was read a first time by its title and referred to the Committee on Military and Veterans Affairs and Homeland Security.

Rep. Johnson introduced

**House Bill No. 5584, 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 2 (MCL 28.422), as amended by 2010 PA 20, and by adding section 2c.

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

Rep. Johnson introduced

**House Bill No. 5585, entitled**

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," (MCL 324.101 to 324.90106) by adding section 40109a.

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

Reps. Franz, Horn, McMillin, Huuki, Bumstead, Nesbitt, Goike, Shirkey and Pettalia introduced

**House Bill No. 5586, entitled**

A bill to amend 2008 PA 295, entitled "Clean, renewable, and efficient energy act," by amending section 77 (MCL 460.1077) and by adding section 80.

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

Reps. Denby, LaFontaine, Callton, O'Brien, Kowall, Jacobsen, Goike, Moss, Franz, Knollenberg, Price, Walsh and Wayne Schmidt introduced

**House Bill No. 5587, entitled**

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," by amending section 3113 (MCL 500.3113), as amended by 1986 PA 93.

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



Reps. O'Brien, Denby, Kowall, Jacobsen, Goike, Moss, Franz, Knollenberg, Price, LaFontaine, Walsh and Wayne Schmidt introduced

**House Bill No. 5588, entitled**

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," by amending section 3113 (MCL 500.3113), as amended by 1986 PA 93.

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

Reps. Glardon, Denby, Jacobsen, Goike, Kowall, Moss, Franz, Price, Knollenberg, LaFontaine, Callton, Walsh and Wayne Schmidt introduced

**House Bill No. 5589, entitled**

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," by amending section 3113 (MCL 500.3113), as amended by 1986 PA 93.

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

Reps. Graves, Tyler, Somerville, Kowall, McMillin, Denby, Rendon, LaFontaine, Wayne Schmidt, Nesbitt, Horn, Hughes, Gilbert, Bumstead, Heise, Hooker, Yonker, Jenkins and Kurtz introduced

**House Bill No. 5590, entitled**

A bill to amend 1968 PA 330, entitled "Private security business and security alarm act," by amending section 6 (MCL 338.1056), as amended by 2002 PA 473.

The bill was read a first time by its title and referred to the Committee on Military and Veterans Affairs and Homeland Security.

### **Announcements by the Clerk**

The Clerk received the following dissent from Rep. Haugh:

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 SB1005, SB349, and HB5365. I did not, have not, and do not support the gaveling on of immediate effect to SB1005, SB349, and HB5365.

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Rep. Olumba moved that the House adjourn.  
The motion prevailed, the time being 3:55 p.m.

Associate Speaker Pro Tempore Opsommer declared the House adjourned until Wednesday, May 2, at 1:30 p.m.

GARY L. RANDALL  
Clerk of the House of Representatives

