

No. 67  
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OF THE  
**House of Representatives**  
96th Legislature  
REGULAR SESSION OF 2012

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House Chamber, Lansing, Thursday, September 13, 2012.

12:00 Noon

The House was called to order by the Clerk.

The roll was called by the Clerk of the House of Representatives, who announced that a quorum was not present.

Rep. Kevin Cotter, from the 99th District, offered the following invocation:

“Dear Lord and heavenly Father, we come to You today to offer You thanks and praise. All good comes from You, and You have given us so much to be thankful for. You have given us freedom that too few in this world will be fortunate enough to experience. Please give us the clarity and the conscious to always appreciate how truly fortunate we are. Let us never forget that with freedom, comes an awesome responsibility. A responsibility to be stewards of the freedom that we enjoy, so that it may be preserved and protected for those that follow us.

We pray for the brave men and women that fight to protect our freedom, and for their families. We ask that You hold them close to You and provide them the comfort and healing that they need in the days, years and decades that follow their service.

We thank You for the honor that You have bestowed on each member of this body, to represent our neighbors in this chamber. Help us to appreciate the differences of opinion within this body and to realize that though maybe frustrating at times, independent thinking and opinions are gifts too.

All this I pray in the name of Your only son, Jesus Christ, amen.”

**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 Wednesday, September 12:

<b>House Bill Nos.</b>	<b>5883</b>	<b>5884</b>	<b>5885</b>	<b>5886</b>	<b>5887</b>	<b>5888</b>	<b>5889</b>	<b>5890</b>	<b>5891</b>	<b>5892</b>	<b>5894</b>	<b>5895</b>	<b>5896</b>	<b>5897</b>
	<b>5898</b>	<b>5899</b>												

The Clerk announced that the following Senate bills had been received on Thursday, September 13:

<b>Senate Bill Nos.</b>	<b>388</b>	<b>1133</b>	<b>1211</b>	<b>1213</b>	<b>1214</b>	<b>1221</b>
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**Reports of Standing Committees**

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

**House Bill No. 5793, entitled**

A bill to amend 1935 PA 120, entitled “An act to prescribe a method for the fingerprinting of residents of the state, and to provide for the recording and filing thereof by the central records division of the department of state police,” by amending section 3 (MCL 28.273), as amended by 2010 PA 178.

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, Jenkins, MacGregor, Poleski, Pscholka, Potvin, LeBlanc, Bauer, Jackson, Lindberg, Lipton and Tlaib

Nays: None

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

**House Bill No. 5818, entitled**

A bill to amend 2008 PA 551, entitled "Uniform securities act (2002)," by amending section 410 (MCL 451.2410).

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, Genetski, Kowall, Lori, Rogers, Bumstead, Cotter, Forlini, Jenkins, MacGregor, MacMaster, Poleski, Pscholka, Potvin, LeBlanc, Bauer, Durhal and Lindberg

Nays: Reps. Agema and Dillon

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

**House Bill No. 5819, entitled**

A bill to amend 1982 PA 162, entitled "Nonprofit corporation act," by amending section 1060 (MCL 450.3060), as amended by 2007 PA 87.

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, Genetski, Kowall, Lori, Rogers, Bumstead, Cotter, Forlini, Jenkins, MacGregor, MacMaster, Poleski, Pscholka, Potvin, LeBlanc, Bauer, Durhal and Lindberg

Nays: Reps. Agema and Dillon

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

**House Bill No. 5820, entitled**

A bill to amend 1993 PA 23, entitled "Michigan limited liability company act," by amending section 1101 (MCL 450.5101), as amended by 2007 PA 86.

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, Genetski, Kowall, Lori, Rogers, Bumstead, Cotter, Forlini, Jenkins, MacGregor, MacMaster, Poleski, Pscholka, Potvin, LeBlanc, Bauer, Durhal and Lindberg

Nays: Reps. Agema and Dillon

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

**House Bill No. 5821, entitled**

A bill to amend 2002 PA 733, entitled "State plumbing act," by amending sections 31 and 35 (MCL 338.3541 and 338.3545), as amended by 2008 PA 370.

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, Genetski, Kowall, Lori, Rogers, Bumstead, Cotter, Forlini, Jenkins, MacGregor, Poleski, Pscholka, Potvin, LeBlanc, Bauer, Jackson and Lindberg

Nays: Rep. Agema

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

**House Bill No. 5822, entitled**

A bill to amend 1984 PA 192, entitled "Forbes mechanical contractors act," by amending section 10 (MCL 338.980), as amended by 2008 PA 372.

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, Genetski, Kowall, Lori, Rogers, Bumstead, Cotter, Forlini, Jenkins, MacGregor, MacMaster, Poleski, Pscholka, Potvin, LeBlanc, Bauer, Jackson and Lindberg

Nays: Rep. Agema

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

**House Bill No. 5823, entitled**

A bill to amend 1956 PA 217, entitled "Electrical administrative act," by amending section 3 (MCL 338.883), as amended by 2008 PA 371.

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, Genetski, Kowall, Lori, Rogers, Bumstead, Cotter, Forlini, Jenkins, MacGregor, MacMaster, Poleski, Pscholka, Potvin, LeBlanc, Bauer, Jackson and Lindberg

Nays: Rep. Agema

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

**House Bill No. 5824, entitled**

A bill to amend 1986 PA 54, entitled "Building officials and inspectors registration act," by amending section 13 (MCL 338.2313), as amended by 2008 PA 373.

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, Genetski, Kowall, Lori, Rogers, Bumstead, Cotter, Forlini, Jenkins, MacGregor, Poleski, Pscholka, Potvin, LeBlanc, Bauer, Durhal, Jackson and Lindberg

Nays: Rep. Agema

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

**House Bill No. 5825, entitled**

A bill to amend 1979 PA 152, entitled "State license fee act," by amending sections 2, 3, 13, 15, 17, 21, 23, 25, 27, 28, 29, 31, 37, 38, 39, 43, and 62 (MCL 338.2202, 338.2203, 338.2213, 338.2215, 338.2217, 338.2221, 338.2223, 338.2225,

338.2227, 338.2228, 338.2229, 338.2231, 338.2237, 338.2238, 338.2239, 338.2243, and 338.2262), section 2 as amended by 1999 PA 171, sections 3, 13, 17, 21, 23, 25, 27, 28, 29, 31, 37, 38, 43, and 62 as amended by 2007 PA 77, section 15 as amended by 2008 PA 491, and section 39 as amended by 2007 PA 158.

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, Genetski, Kowall, Lori, Rogers, Bumstead, Cotter, Forlini, Jenkins, MacGregor, Poleski, Pscholka, Potvin, Bauer, Dillon, Durhal, Jackson and Lindberg

Nays: Rep. Agema

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

##### **House Bill No. 5826, entitled**

A bill to amend 1987 PA 231, entitled "An act to create a transportation economic development fund in the state treasury; to prescribe the uses of and distributions from this fund; to create the office of economic development and to prescribe its powers and duties; to prescribe the powers and duties of the state transportation department, state transportation commission, and certain other bodies; and to permit the issuance of certain bonds," by amending section 11 (MCL 247.911), as amended by 2011 PA 145.

Without amendment and with the recommendation that the bill pass.

The bill was referred to the order of Second Reading of Bills.

#### Favorable Roll Call

##### To Report Out:

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

Nays: None

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

##### **House Bill No. 5873, entitled**

A bill to amend 1996 PA 195, entitled "Police officer's and fire fighter's survivor tuition act," by amending the title and sections 1, 2, 3, 4, and 5 (MCL 390.1241, 390.1242, 390.1243, 390.1244, and 390.1245).

Without amendment and with the recommendation that the bill pass.

The bill was referred to the order of Second Reading of Bills.

#### Favorable Roll Call

##### To Report Out:

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

Nays: None

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

##### **House Bill No. 5893, entitled**

A bill to amend 1972 PA 284, entitled "Business corporation act," by amending section 1060 (MCL 450.2060), as amended by 2008 PA 402.

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, Genetski, Kowall, Lori, Rogers, Bumstead, Cotter, Forlini, Jenkins, MacGregor, MacMaster, Poleski, Pscholka, Potvin, LeBlanc, Bauer and Lindberg

Nays: Reps. Agema and Goike

## COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Moss, Chair, of the Committee on Appropriations, was received and read:  
Meeting held on: Wednesday, September 12, 2012

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

Absent: Rep. Ananich

Excused: Rep. Ananich

The Committee on Local, Intergovernmental, and Regional Affairs, by Rep. Ouimet, Chair, reported

**House Resolution No. 304.**

A resolution to recognize and honor all of the athletes from around the country who will represent the United States at the 2012 Summer Paralympic Games.

(For text of resolution, see House Journal No. 63, p. 1990.)

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

**Substitute for House Resolution No. 304.**

A resolution to recognize and honor all of the athletes from around the country who represented the United States and the state of Michigan at the 2012 Summer Paralympic Games.

Whereas, The Paralympics are a global showcase for elite athletes with disabilities to participate in 20 different events that test speed, strength, endurance, and dexterity. More than just an athletic competition, the Paralympics serve as a vehicle to change societal perceptions of individuals with disabilities and to inspire the world with stories of courage, perseverance, determination, and triumph; and

Whereas, The Paralympics have a long and distinguished history, beginning in 1948, when a group of 16 British World War II veterans with spinal cord injuries participated in the Stoke Mandeville Games in England. Four years later, in 1952, Dutch veterans joined the competition and the International Stoke Mandeville Games were founded. These games would eventually become the Paralympics and in 1960, the inaugural Paralympic Games took place in Rome, Italy, with 400 athletes from 23 countries competing in 13 different events; and

Whereas, Since 1960, the Paralympic Games have taken place every four years, and the 2012 Summer Paralympic Games in London was the fourteenth Paralympics, and the largest in the history of the games, with an estimated 4,200 athletes from 164 nations participating in 20 sports. Of those athletes, 227 represented the United States, 12 of whom hailed from the State of Michigan; and

Whereas, Bryan Barten of Hart represented the United States in wheelchair tennis, advancing to the quarterfinals in his Paralympic debut; and

Whereas, Dale Dedrick of Ann Arbor represented the United States in equestrian and finished in the top 10 in the mixed individual freestyle test - Grade II; and

Whereas, Chris Hammer of Troy represented the United States in track and field and finished in the top ten in men's 1500 meter and the men's marathon races in the T46 classification; and

Whereas, Darlene Hunter of Commerce represented the United States in women's wheelchair basketball, helping lead her team to the bronze medal game; and

Whereas, Asya Miller of Lapeer represented the United States in goalball, helping to lead her team to the quarterfinals; and

Whereas, Jason Nelms of Emmett represented the United States in men's wheelchair basketball, helping his team to win a bronze medal; and

Whereas, Steven Peace of Albion represented the United States in cycling, finishing in the top five in the mixed T 1-2 road race; and

Whereas, Paul Schulte of Manchester represented the United States in men's wheelchair basketball, helping his team to win a bronze medal; and

Whereas, Matt Scott of Detroit represented the United States in men's wheelchair basketball, and scored 12 points against Great Britain to help his team win a bronze medal; and

Whereas, Scot Severn of Unionville represented the United States in track and field and won a bronze medal in men's shot put for the F52/53 classification; and

Whereas, Mary Stack of Ann Arbor represented the United States in powerlifting and finished fourth in the women's +82.50 kilogram competition; and

Whereas, Elizabeth Stone of Grand Rapids represented the United States in swimming and won bronze medals in the women's 100 meter butterfly and 100 meter backstroke in the S9 classification; and

Whereas, The athletes who competed in the Paralympics represent an indomitable spirit and incredible stories that move, inspire, and improve society, teaching the values of acceptance and appreciation for people with disabilities. By linking sport with social awareness, the Paralympics contribute to the development of a more equitable society that respects all individuals and breaks down barriers; and

Whereas, Through persistence and perseverance, Paralympic athletes achieve sporting excellence, thereby allowing individuals the world over to see that people with disabilities possess tremendous sporting skill and are capable of elite athletic performances. Thus, by pushing their physical abilities to the absolute limit and embodying the Paralympic values of courage and determination, these amazing athletes help contribute to a better, more inclusive world for all people; and

Whereas, It is with great pride that the state of Michigan recognizes the exceptional athletes who represented our great nation and state in the 2012 Summer Paralympic Games; now, therefore, be it

Resolved by the House of Representatives, That the members of this legislative body recognize and honor all of the athletes from around the country who represented the United States and the State of Michigan at the 2012 Summer Paralympic Games. They, through their commitment to athletic excellence, courage, and determination, have proved themselves to be among the greatest athletes in the world, and, in so doing, have shown themselves worthy of representing the United States in the 2012 Summer Paralympic Games.

#### Favorable Roll Call

##### To Report Out:

Yeas: Reps. Ouimet, Pettalia, Daley, Hughes, LaFontaine, Price, Shaughnessy, Rendon, Townsend, Stapleton, Rutledge and Lane

Nays: None

#### COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Ouimet, Chair, of the Committee on Local, Intergovernmental, and Regional Affairs, was received and read:

Meeting held on: Thursday, September 13, 2012

Present: Reps. Ouimet, Pettalia, Daley, Hughes, LaFontaine, Price, Shaughnessy, Rendon, Stanley, Constan, Townsend, Stapleton, Rutledge and Lane

Absent: Rep. Crawford

Excused: Rep. Crawford

The Committee on Health Policy, by Rep. Haines, Chair, reported

##### **House Bill No. 5697, entitled**

A bill to amend 1978 PA 368, entitled "Public health code," (MCL 333.1101 to 333.25211) by adding section 9155.

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. Haines, Callton, Opsommer, Kurtz, Wayne Schmidt, Hooker, Huuki, Muxlow, Yonker, Hughes, Graves, Liss, Stallworth, Darany, Segal, Hovey-Wright and Greimel

Nays: None

The Committee on Health Policy, by Rep. Haines, Chair, reported

##### **Senate Bill No. 1122, entitled**

A bill to amend 1978 PA 368, entitled "Public health code," (MCL 333.1101 to 333.25211) by adding section 9155.

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. Haines, Callton, Opsommer, Kurtz, Wayne Schmidt, Hooker, Huuki, Muxlow, Yonker, Hughes, Graves, Liss, Stallworth, Darany, Segal, Hovey-Wright and Greimel

Nays: None

## COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Haines, Chair, of the Committee on Health Policy, was received and read:  
Meeting held on: Thursday, September 13, 2012

Present: Reps. Haines, Callton, Opsommer, Kurtz, Wayne Schmidt, Hooker, Huuki, Muxlow, Yonker, Hughes, Graves, Liss, Stallworth, Darany, Segal, Hovey-Wright and Greimel

Absent: Reps. Shirkey and Womack

Excused: Reps. Shirkey and Womack

The Committee on Judiciary, by Rep. Walsh, Chair, reported

**House Bill No. 4555, entitled**

A bill to amend 1974 PA 258, entitled "Mental health code," by amending sections 498d, 498e, and 498h (MCL 330.1498d, 330.1498e, and 330.1498h), section 498d as amended by 1998 PA 524, section 498e as amended by 1996 PA 588, and section 498h as amended by 2000 PA 57, and by adding sections 1060, 1060a, 1060b, 1060c, 1062, 1064, 1066, 1068, 1070, 1072, and 1074.

With the recommendation that the bill be referred to the Committee on Families, Children, and Seniors.

## Favorable Roll Call

## To Report Out:

Yeas: Reps. Walsh, Heise, Horn, Damrow, Muxlow, Jacobsen, Pettalia, Somerville, Cotter, Graves, Constan, Brown, Irwin and Cavanagh

Nays: None

The recommendation was concurred in and the bill was referred to the Committee on Families, Children, and Seniors.

The Committee on Judiciary, by Rep. Walsh, Chair, reported

**House Bill No. 4556, entitled**

A bill to amend 1939 PA 288, entitled "Probate code of 1939," by amending section 1 of chapter XIIA (MCL 712A.1), as amended by 2001 PA 211, and by adding sections 18n, 18o, 18p, 18q, 18r, and 18s to chapter XIIA.

With the recommendation that the bill be referred to the Committee on Families, Children, and Seniors.

## Favorable Roll Call

## To Report Out:

Yeas: Reps. Walsh, Heise, Horn, Damrow, Muxlow, Jacobsen, Pettalia, Somerville, Cotter, Graves, Constan, Brown, Irwin and Cavanagh

Nays: None

The recommendation was concurred in and the bill was referred to the Committee on Families, Children, and Seniors.

The Committee on Judiciary, by Rep. Walsh, Chair, reported

**House Bill No. 5055, entitled**

A bill to amend 1936 (Ex Sess) PA 1, entitled "Michigan employment security act," (MCL 421.1 to 421.75) by adding section 11a.

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. Walsh, Heise, Horn, Damrow, Muxlow, Jacobsen, Pettalia, Somerville, Cotter and Graves  
Nays: Rep. Brown

The Committee on Judiciary, by Rep. Walsh, Chair, reported

**House Bill No. 5682, entitled**

A bill to amend 1991 PA 46, entitled "Eligible domestic relations order act," by amending section 2 (MCL 38.1702), as amended by 2008 PA 348.

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. Walsh, Heise, Damrow, Jacobsen, Pettalia, Somerville, Cotter, Graves, Constan, Brown, Irwin and Cavanagh  
Nays: None

The Committee on Judiciary, by Rep. Walsh, Chair, reported

**Senate Bill No. 246, entitled**

A bill to amend 1939 PA 288, entitled "Probate code of 1939," by amending section 1 of chapter XIII (MCL 712A.1), as amended by 2001 PA 211, and by adding sections 18n, 18o, 18p, 18q, 18r, and 18s to chapter XIII.

With the recommendation that the bill be referred to the Committee on Families, Children, and Seniors.

## Favorable Roll Call

## To Report Out:

Yeas: Reps. Walsh, Heise, Horn, Damrow, Muxlow, Jacobsen, Pettalia, Somerville, Cotter, Graves, Constan, Brown, Irwin and Cavanagh  
Nays: None

The recommendation was concurred in and the bill was referred to the Committee on Families, Children, and Seniors.

The Committee on Judiciary, by Rep. Walsh, Chair, reported

**Senate Bill No. 247, entitled**

A bill to amend 1974 PA 258, entitled "Mental health code," by amending sections 498d, 498e, and 498h (MCL 330.1498d, 330.1498e, and 330.1498h), section 498d as amended by 1998 PA 524, section 498e as amended by 1996 PA 588, and section 498h as amended by 2000 PA 57, and by adding sections 1060, 1060a, 1060b, 1060c, 1062, 1064, 1066, 1068, 1070, 1072, and 1074.

With the recommendation that the bill be referred to the Committee on Families, Children, and Seniors.

## Favorable Roll Call

## To Report Out:

Yeas: Reps. Walsh, Heise, Horn, Damrow, Muxlow, Jacobsen, Pettalia, Somerville, Cotter, Graves, Constan, Irwin and Cavanagh  
Nays: None

The recommendation was concurred in and the bill was referred to the Committee on Families, Children, and Seniors.

The Committee on Judiciary, by Rep. Walsh, Chair, reported

**Senate Bill No. 978, entitled**

A bill to amend 1998 PA 386, entitled "Estates and protected individuals code," by amending sections 7103, 7401, 7602, 7603, and 7815 (MCL 700.7103, 700.7401, 700.7602, 700.7603, and 700.7815), sections 7103 and 7401 as amended and sections 7602, 7603, and 7815 as added by 2009 PA 46, and by adding section 7820a.

With the recommendation that the bill be referred to the Committee on Banking and Financial Services.



## Favorable Roll Call

## To Report Out:

Yeas: Reps. Walsh, Heise, Horn, Damrow, Muxlow, Jacobsen, Pettalia, Somerville, Cotter, Graves, Constan, Irwin and Cavanagh

Nays: None

The recommendation was concurred in and the bill was referred to the Committee on Banking and Financial Services.

The Committee on Judiciary, by Rep. Walsh, Chair, reported

**Senate Bill No. 979, entitled**

A bill to amend 2008 PA 148, entitled "Personal property trust perpetuities act," by amending sections 2 and 3 (MCL 554.92 and 554.93).

With the recommendation that the bill be referred to the Committee on Banking and Financial Services.

## Favorable Roll Call

## To Report Out:

Yeas: Reps. Walsh, Heise, Horn, Damrow, Muxlow, Jacobsen, Pettalia, Somerville, Cotter, Graves, Constan, Irwin and Cavanagh

Nays: None

The recommendation was concurred in and the bill was referred to the Committee on Banking and Financial Services.

The Committee on Judiciary, by Rep. Walsh, Chair, reported

**Senate Bill No. 980, entitled**

A bill to amend 1967 PA 224, entitled "Powers of appointment act of 1967," by amending sections 2, 5, 12, 14, and 20 (MCL 556.112, 556.115, 556.122, 556.124, and 556.130), section 20 as amended by 2000 PA 68, and by adding section 5a.

With the recommendation that the bill be referred to the Committee on Banking and Financial Services.

## Favorable Roll Call

## To Report Out:

Yeas: Reps. Walsh, Heise, Horn, Damrow, Muxlow, Jacobsen, Pettalia, Somerville, Cotter, Graves, Constan, Irwin and Cavanagh

Nays: None

The recommendation was concurred in and the bill was referred to the Committee on Banking and Financial Services.

## COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Thursday, September 13, 2012

Present: Reps. Walsh, Heise, Horn, Damrow, Muxlow, Jacobsen, Pettalia, Somerville, Cotter, Graves, Meadows, Constan, Brown, Irwin and Cavanagh

Absent: Reps. Oakes and Olumba

Excused: Reps. Oakes and Olumba

## COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Thursday, September 13, 2012

Present: Reps. Lund, Shaughnessy, Opsommer, Denby, Glardon, Johnson, LaFontaine, Lyons, O'Brien, Yonker, Kandrevas, Segal, Hovey-Wright, Geiss and Nathan

Absent: Reps. Roy Schmidt and Howze

Excused: Reps. Roy Schmidt and Howze

### Messages from the Senate

#### **House Bill No. 5452, entitled**

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by repealing section 48501 (MCL 324.48501).

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. 5292, entitled**

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 43537 (MCL 324.43537), as amended by 2007 PA 60.

The Senate has substituted (S-2) the bill.

The Senate has passed the bill as substituted (S-2), ordered that it be given immediate effect and pursuant to Joint Rule 20, inserted the full title.

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

#### **House Bill No. 5322, entitled**

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 40111 and 81133 (MCL 324.40111 and 324.81133), section 40111 as added by 1995 PA 57 and section 81133 as amended by 2008 PA 365.

The Senate has substituted (S-1) the bill.

The Senate has passed the bill as substituted (S-1), ordered that it be given immediate effect and amended the title to read as follows:

A bill to amend 1994 PA 451, entitled "An act to protect the environment and natural resources of the state; to codify, revise, consolidate, and classify laws relating to the environment and natural resources of the state; to regulate the discharge of certain substances into the environment; to regulate the use of certain lands, waters, and other natural resources of the state; to prescribe the powers and duties of certain state and local agencies and officials; to provide for certain charges, fees, assessments, and donations; to provide certain appropriations; to prescribe penalties and provide remedies; and to repeal acts and parts of acts," by amending sections 40111 and 81133 (MCL 324.40111 and 324.81133), as amended by 2012 PA 246.

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

#### **Senate Bill No. 388, entitled**

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 16x of chapter XVII (MCL 777.16x), as amended by 2012 PA 105.

The Senate has passed the bill.

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

#### **Senate Bill No. 1133, entitled**

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

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. 1211, entitled**

A bill to amend 1985 PA 87, entitled "William Van Regenmorter crime victim's rights act," by amending sections 19, 20, 21, and 48 (MCL 780.769, 780.770, 780.771, and 780.798), sections 19, 20, and 21 as amended by 2005 PA 184 and section 48 as amended by 2000 PA 503.

The Senate has passed the bill.

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

**Senate Bill No. 1213, entitled**

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending sections 448 and 451 (MCL 750.448 and 750.451), section 448 as amended by 2002 PA 45 and section 451 as amended by 2002 PA 44.

The Senate has passed the bill.

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

**Senate Bill No. 1214, entitled**

A bill to amend 1953 PA 232, entitled "Corrections code of 1953," by amending section 34 (MCL 791.234), as amended by 2010 PA 353.

The Senate has passed the bill.

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

**Senate Bill No. 1221, entitled**

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 16w of chapter XVII (MCL 777.16w), as amended by 2010 PA 361.

The Senate has passed the bill.

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

**Introduction of Bills**

Rep. Gilbert introduced

**House Bill No. 5900, entitled**

A bill to provide for liability for injuries sustained in organized recreational activities; to provide protection from liability in certain circumstances; and to provide remedies.

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

Rep. Lyons introduced

**House Bill No. 5901, entitled**

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," by amending section 1204 (MCL 500.1204), as amended by 2008 PA 576.

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

Rep. Graves introduced

**House Bill No. 5902, entitled**

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 17d of chapter XVII (MCL 777.17d), as added by 2002 PA 28.

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

Reps. Agema, MacGregor, Lyons, Hooker, Yonker, Dillon, Roy Schmidt, Graves, Huuki and Tyler introduced

**House Bill No. 5903, entitled**

A bill to amend 1939 PA 280, entitled "The social welfare act," (MCL 400.1 to 400.10e) by adding section 109k.

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

Reps. Agema, Dillon, MacGregor, Roy Schmidt, Lyons, Hooker, Yonker, Graves, Huuki and Tyler introduced

**House Bill No. 5904, entitled**

A bill to amend 1939 PA 280, entitled "The social welfare act," (MCL 400.1 to 400.119b) by adding section 109k.

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

Rep. Pettalia introduced

**House Bill No. 5905, entitled**

A bill to amend 1985 PA 148, entitled "Self-service storage facility act," by amending sections 3 and 5 (MCL 570.523 and 570.525), as amended by 2009 PA 177.

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

Reps. Slavens, Switalski, Bledsoe and Lipton introduced

**House Bill No. 5906, entitled**

A bill to amend 1973 PA 139, entitled "An act to provide forms of county government; to provide for county managers and county executives and to prescribe their powers and duties; to abolish certain departments, boards, commissions, and authorities; to provide for transfer of certain powers and functions; to prescribe powers of a board of county commissioners and elected officials; to provide organization of administrative functions; to transfer property; to retain ordinances and laws not inconsistent with this act; to provide methods for abolition of a unified form of county government; and to prescribe penalties and provide remedies," by amending the title and sections 9 and 9a (MCL 45.559 and 45.559a), the title as amended by 1998 PA 201 and section 9 as amended and section 9a as added by 2003 PA 281, and by adding section 9b.

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

Reps. Slavens, Bledsoe and Lipton introduced

**House Bill No. 5907, entitled**

A bill to amend 1966 PA 293, entitled "An act to provide for the establishment of charter counties; to provide for the election of charter commissioners; to prescribe their powers and duties; to prohibit certain acts of a county board of commissioners after the approval of the election of a charter commission; to prescribe the mandatory and permissive provisions of a charter; to provide for the exercise by a charter county of certain powers whether or not authorized by its charter; and to prescribe penalties and provide remedies," (MCL 45.501 to 45.521) by amending the title, as amended by 1998 PA 147, and by adding section 14a.

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

Reps. Haines, Shirkey, MacGregor, Kowall and Goike introduced

**House Bill No. 5908, entitled**

A bill to amend 1980 PA 350, entitled "The nonprofit health care corporation reform act," by amending section 403 (MCL 550.1403), as amended by 2002 PA 317.

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

Reps. Shirkey, Haines, MacGregor, Kowall and Goike introduced

**House Bill No. 5909, entitled**

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," (MCL 500.100 to 500.8302) by adding section 2006a. The bill was read a first time by its title and referred to the Committee on Insurance.

Rep. Slavens introduced

**House Bill No. 5910, entitled**

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," (MCL 324.101 to 324.90106) by adding part 149.

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

Reps. Slavens, Brown, Byrum, Kandrevas, Haugh, Hobbs, Hovey-Wright, Smiley, Nathan and Bauer introduced

**House Bill No. 5911, entitled**

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

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

Reps. McCann, Lipton, Tlaib, Dillon, Pscholka, Haugh, Bauer, LeBlanc, Stanley, Hovey-Wright, Brunner, Durhal, Slavens, Callton, Damrow, Rogers, Greimel, Hammel, Segal, Switalski, Ananich, Wayne Schmidt, Foster, Goike, Lane, Darany, Outman, Forlini, Stapleton, Hobbs, Cavanagh, Geiss, Irwin, Brown, Kowall, Lori and Townsend introduced

**House Bill No. 5912, entitled**

A bill to amend 1975 PA 238, entitled "Child protection law," by amending section 3 (MCL 722.623), as amended by 2008 PA 510.

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

Reps. Ananich, Walsh, Cavanagh, Graves and Meadows introduced

**House Bill No. 5913, entitled**

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending section 316 (MCL 750.316), as amended by 2006 PA 415.

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

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Rep. Cotter announced that pursuant to House Rule 1(2), the House will stand adjourned until Wednesday, September 19, at 1:30 p.m.

The Clerk declared the House adjourned until Wednesday, September 19, at 1:30 p.m.

GARY L. RANDALL  
Clerk of the House of Representatives

