

No. 32
STATE OF MICHIGAN
JOURNAL
OF THE
House of Representatives
96th Legislature
REGULAR SESSION OF 2012

House Chamber, Lansing, Tuesday, March 27, 2012.

1:30 p.m.

The House was called to order by the Speaker Pro Tempore.

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—excused	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—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

Rev. George H. Lewis, Pastor of First United Methodist Church in Howell, offered the following invocation:

“Dear gracious and loving God we call upon You this day. We call upon Your wisdom to guide each heart and mind convened today to do the work of this great state of Michigan. This state of Michigan and its leaders need Your divine help every day whether we are in good times or bad. Thank You for Your leading us in the past and into the future.

Today we lift up the community of Dexter, Michigan to Your throne of grace. As that community and neighboring communities gather to help clean up please keep them safe and bestow unto them a spirit of compassion and companionship. We do thank You for the protection over human lives as the storm passed through. This truly was a divine miracle.

Lord God Almighty forgive us for all of those things we take for granted like; fresh municipal water supplies and electricity and transportation and public safety. Help us to be a thankful, grateful people. Help us to realize just how blest we are in this state and in this wonderful country.

Lord I thank You for the opportunity that I have had to lead worship freely during my ministries in Huron County, Monroe County, Cheboygan County and now in Livingston County. I have found the importance of people of faith wherever I have gone. Thank You for the freedom we have in this land to worship. Thank You for our heritage and bless our future.

I have travelled throughout this state and so have these public servants gathered here. They represent the fisherman working the Great Lakes and the factory workers of our cities. They represent the youngest and oldest among us. They represent each person regardless of gender or race or religious background. Together we are the people of Michigan. Together we ask for divine help and intervention in all we do and say.

Most of all Lord God we thank You for the gift of life. From its very beginnings to the very last breathe each human life is precious. Each breath we take is a gift from You. May we protect and defend each human life regardless of its perceived potential. And Lord help us to live our lives in such a way that You are pleased and our communities are blessed. May we never shirk our responsibility to care for our brothers and sisters. Lord, give us strength for these days. May we spend our days serving You and our neighbor because of Your great love first given to us. Amen.”

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

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

Reports of Standing Committees

The Committee on Government Operations, by Rep. Stamas, Chair, reported
Senate Bill No. 1018, entitled

A bill to amend 1947 PA 336, entitled “An act to prohibit strikes by certain public employees; to provide review from disciplinary action with respect thereto; to provide for the mediation of grievances and the holding of elections; to declare and protect the rights and privileges of public employees; to require certain provisions in collective bargaining agreements; to prescribe means of enforcement and penalties for the violation of the provisions of this act; and to make appropriations,” by amending sections 1 and 14 (MCL 423.201 and 423.214), section 1 as amended by 2012 PA 45.

Without amendment and with the recommendation that the bill pass.

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

Favorable Roll Call

To Report Out:

Yeas: Reps. Stamas, Nesbitt and McMillin

Nays: Reps. Barnett and Kandreas

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Tuesday, March 27, 2012

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

By unanimous consent the House returned to the order of

Motions and Resolutions

Reps. Stapleton, Talabi, Jackson, Barnett, Brown, Howze, Bauer, Slavens, Tlaib, Hovey-Wright, Byrum, Lyons, Liss, Price, Haines, Tyler, Kowall, Lane, Lipton, Segal, Oakes and Geiss offered the following resolution:

House Resolution No. 219.

A resolution to declare March 2012 as Women and Girls HIV/AIDS Awareness Month in the state of Michigan.

Whereas, HIV/AIDS is increasingly a "women's epidemic", both in the United States and globally. There are an estimated 25 percent of persons living with HIV in the United States who are women and girls. Women comprise nearly one quarter (23 percent) of persons who are newly infected with HIV. Young women between the ages of 13 and 39 are at extremely high risk of HIV infection and are an increasing percentage of new HIV infections; and

Whereas, Women are more likely to face barriers in accessing HIV prevention, treatment and care because of their lack of control over financial resources, restricted mobility and child care responsibilities. Racial and ethnic disparities are particularly pronounced among women living with HIV/AIDS, with African American and Latina women disproportionately affected by HIV/AIDS. Women in the United States with HIV are less likely to receive combination therapy and have less access to treatment than men; and

Whereas, The most common methods of HIV transmission for women are heterosexual contact and injection drug use. Women have a far greater risk of contracting HIV from men during sex than men do from women because of biological determinants; and

Whereas, Women are at a higher risk of experiencing intimate partner violence, including rape, battering, and forced unprotected sex, that puts them at higher risk of becoming infected with HIV. Women whose partners rape or batter them often have limited access to legal remedies, even where laws are on the books to make battering a crime, because of fear or coercion. For many women, negotiating or demanding condom use is a virtual impossibility; and

Whereas, Such factors as poverty, violence, inequality, racial and sexual biases, and discriminatory laws directly contribute to health disparities and an increased vulnerability to HIV for women; and

Whereas, Most Americans feel there has not been enough action on HIV from a variety of groups and institutions including the media, corporate, religious and community leaders, and pharmaceutical companies; now, therefore, be it

Resolved by the House of Representatives, That the members of this legislative body declare March 2012 as Women and Girls HIV/AIDS Awareness Month in the state of Michigan. We encourage all citizens to help educate and support family, friends and neighbors who have been diagnosed with HIV/AIDS through getting tested and use necessary precautions to reduce the spread of the deadly virus; and be it further.

Resolved, That a copy of this resolution be transmitted to the Michigan Department of Community Health.

The question being on the adoption of the resolution,

Rep. Stamas moved that consideration of the resolution be postponed temporarily.

The motion prevailed.

Reps. Cavanagh, Dillon, Nathan, Smiley, Townsend, Brunner, Stallworth, Rutledge, Constan, Irwin, Lipton, Geiss, Stanley, Liss, Ouimet, Somerville, Kowall, O'Brien, Walsh, Wayne Schmidt, Lyons, Bledsoe, Oakes, Barnett, Darany, Heise, LeBlanc, Segal, Slavens, Talabi and Tyler offered the following resolution:

House Resolution No. 220.

A resolution to declare April 2012 as Autism Awareness Month in the state of Michigan.

Whereas, There are 1.5 million Americans living with the effects of autism spectrum disorder; and

Whereas, Autism is four times more likely to occur in boys than in girls; and

Whereas, Autism is the result of a neurological disorder that affects the normal functioning of the brain, impacting development in the areas of social interaction and communication skills; and

Whereas, Autism knows no racial, ethnic, social boundaries, family income, lifestyle, or educational levels and can affect any family and any child; and

Whereas, The demands of living with a person with autism are great and families frequently experience significant financial costs for specialized education and support services. The uniqueness of each individual with autism makes the experience of living with autism different for each family; and

Whereas, Autism is a lifelong condition and the available, necessary support and treatment changes as people on the spectrum move through major life phases. Their quality of life depends not only upon the foundation that is provided in childhood, but on ongoing supports that are specific to the educational, medical, social, recreational, family, and employment needs of the individual; and

Whereas, Early intervention services are the primary therapeutic option for young people with autism and that early intervention significantly improves the outcome for people with autism and can reduce the level of funding and services needed to treat people with autism later in life; and

Whereas, The Michigan Developmental Disabilities Council supports people with developmental disabilities, including those with autism, 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 are being 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, including those with autism, opening new doors to independent and productive lives; and

Whereas, On March 23, 2007, Congress designated April as National Autism Awareness Month, supporting efforts to increase funding for research into the causes and treatment of autism and to improve training and support for individuals with autism and those who care for individuals with autism; now, therefore, be it

Resolved by the House of Representatives, That the members of this legislative declare April 2012 as Autism Awareness Month.

The question being on the adoption of the resolution,

The resolution was adopted.

Reports of Standing Committees

The Speaker laid before the House

House Resolution No. 187.

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

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

(The resolution was reported by the Committee on Agriculture on March 21, with substitute (H-1).)

(For substitute, see House Journal No. 30, p. 449.)

The question being on the adoption of the proposed substitute (H-1) recommended by the Committee,

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

The question being on the adoption of the resolution,

The resolution was adopted.

Third Reading of Bills

House Bill No. 5408, entitled

A bill to amend 1980 PA 350, entitled "The nonprofit health care corporation reform act," (MCL 550.1101 to 550.1704) by adding section 401k.

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

Roll Call No. 140

Yeas—109

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

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

Nays—0

In The Chair: Opsommer

The House agreed to the title of the bill.

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

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

House Bill No. 5421, entitled

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," (MCL 500.100 to 500.8302) by adding section 3476.

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

Roll Call No. 141**Yeas—109**

Agema	Gilbert	LeBlanc	Price
Ananich	Gardon	Lindberg	Pscholka
Barnett	Goike	Lipton	Rendon
Bauer	Graves	Liss	Rogers
Bledsoe	Greimel	Lori	Rutledge
Bolger	Haines	Lund	Santana
Brown	Hammel	Lyons	Schmidt, R.
Brunner	Haugh	MacGregor	Schmidt, W.
Bumstead	Haveman	MacMaster	Segal
Byrum	Heise	McBroom	Shaughnessy
Callton	Hobbs	McCann	Shirkey
Cavanagh	Hooker	McMillin	Slavens
Clemente	Hovey-Wright	Meadows	Smiley
Constan	Howze	Moss	Somerville
Cotter	Hughes	Muxlow	Stallworth
Crawford	Huuki	Nathan	Stamas
Daley	Irwin	Nesbitt	Stanley
Damrow	Jackson	O'Brien	Stapleton
Darany	Jacobsen	Oakes	Switalski

Denby	Jenkins	Olson	Talabi
Dillon	Johnson	Olumba	Tlaib
Durhal	Kandrevas	Opsommer	Townsend
Farrington	Knollenberg	Ouimet	Tyler
Forlini	Kowall	Outman	Walsh
Foster	Kurtz	Pettalia	Womack
Franz	LaFontaine	Poleski	Yonker
Geiss	Lane	Potvin	Zorn
Genetski			

Nays—0

In The Chair: Opsommer

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. 874, entitled

A bill to amend 1998 PA 58, entitled "Michigan liquor control code of 1998," by amending section 501 (MCL 436.1501), as amended by 2006 PA 547.

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

Roll Call No. 142**Yeas—109**

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

Nays—0

In The Chair: Opsommer

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

“An act to create a commission for the control of the alcoholic beverage traffic within this state, and to prescribe its powers, duties, and limitations; to provide for powers and duties for certain state departments and agencies; to impose certain taxes for certain purposes; to provide for the control of the alcoholic liquor traffic within this state and to provide for the power to establish state liquor stores; to prohibit the use of certain devices for the dispensing of alcoholic vapor; to provide for the care and treatment of alcoholics; to provide for the incorporation of farmer cooperative wineries and the granting of certain rights and privileges to those cooperatives; to provide for the licensing and taxation of activities regulated under this act and the disposition of the money received under this act; to prescribe liability for retail licensees under certain circumstances and to require security for that liability; to provide procedures, defenses, and remedies regarding violations of this act; to provide for the enforcement and to prescribe penalties for violations of this act; to provide for allocation of certain funds for certain purposes; to provide for the confiscation and disposition of property seized under this act; to provide referenda under certain circumstances; 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.

Second Reading of Bills**Senate Bill No. 412, entitled**

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” by amending section 43524 (MCL 324.43524), as amended by 2002 PA 81.

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

The motion prevailed.

House Bill No. 5392, entitled

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

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

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

Rep. O’Brien 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. O’Brien moved that the bill be placed on the order of Third Reading of Bills.

The motion prevailed.

Senate Bill No. 1018, entitled

A bill to amend 1947 PA 336, entitled “An act to prohibit strikes by certain public employees; to provide review from disciplinary action with respect thereto; to provide for the mediation of grievances and the holding of elections; to declare and protect the rights and privileges of public employees; to require certain provisions in collective bargaining agreements; to prescribe means of enforcement and penalties for the violation of the provisions of this act; and to make appropriations,” by amending sections 1 and 14 (MCL 423.201 and 423.214), section 1 as amended by 2012 PA 45.

The bill was read a second time.

Rep. Barnett moved to amend the bill as follows:

1. Amend page 5, line 23, by striking out all of enacting section 1.

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

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

The motion prevailed.

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

By unanimous consent the House returned to the order of

Announcement by the Clerk of Printing and Enrollment

The Clerk announced that the following bills had been printed and placed upon the files of the members on Friday, March 23:

House Bill Nos. 5509 5510

Senate Bill Nos. 1036 1037 1038 1039 1040

The Clerk announced the enrollment printing and presentation to the Governor on Monday, March 26, for his approval of the following bills:

Enrolled House Bill No. 4647 at 3:00 p.m.

Enrolled House Bill No. 4691 at 3:02 p.m.

Enrolled House Bill No. 5332 at 3:04 p.m.

The Clerk announced that the following bills had been printed and placed upon the files of the members on Tuesday, March 27:

Senate Bill Nos. 1041 1042 1043 1044 1045 1046 1047 1048

The Clerk announced that the following Senate bill had been received on Tuesday, March 27:

Senate Bill No. 351

Reports of Standing Committees

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

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.

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, Wayne Schmidt, Damrow, Hughes, Pettalia, Haugh, Stapleton, Bledsoe and Slavens

Nays: Rep. Huuki

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

House Bill No. 5415, entitled

A bill to create the Father Marquette national memorial and Mackinac straits area museum advisory board; and to prescribe the powers and duties of certain state agencies and officials.

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, Wayne Schmidt, Damrow, Hughes, Pettalia, Haugh, Stapleton, Bledsoe and Slavens

Nays: None

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

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. Foster, Huuki, Wayne Schmidt, Damrow, Hughes, Pettalia, Haugh, Stapleton, 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, March 27, 2012

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

Absent: Rep. Johnson

Excused: Rep. Johnson

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

Senate Bill No. 721, entitled

A bill to regulate the purchase and sale of certain plastic bulk merchandise containers; to require disclosures and record keeping by dealers of plastic bulk merchandise containers; and to provide for penalties and remedies.

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

Nays: None

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

Senate Bill No. 722, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 14h of chapter XVII (MCL 777.14h), as amended by 2010 PA 319.

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

Nays: None

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, March 27, 2012

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

Absent: Reps. Lund and Olumba

Excused: Reps. Lund and Olumba

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

Senate Bill No. 414, entitled

A bill to amend 1980 PA 350, entitled "The nonprofit health care corporation reform act," (MCL 550.1101 to 550.1704) by adding section 416e.

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

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

Favorable Roll Call

To Report Out:

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

Nays: None

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

Senate Bill No. 415, entitled

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," (MCL 500.100 to 500.8302) by adding section 3406s.

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

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

Favorable Roll Call

To Report Out:

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

Nays: None

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

Senate Bill No. 711, entitled

A bill to amend 1972 PA 239, entitled "McCauley-Traxler-Law-Bowman-McNeely lottery act," (MCL 432.1 to 432.47) by adding section 32a.

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, Haines, Heise, Hooker, Rendon, Slavens, Lane and Stapleton

Nays: None

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

Senate Bill No. 712, entitled

A bill to amend 1939 PA 280, entitled "The social welfare act," by amending section 10c (MCL 400.10c), as added by 2011 PA 198, and by adding sections 10d and 10e.

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

Nays: None

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

Senate Bill No. 981, entitled

A bill to create an autism coverage incentive program to encourage insurance and health coverage providers to provide autism coverage; to impose certain duties on certain state departments, agencies, and officials; to create certain funds; to authorize certain expenditures; and to provide for an appropriation.

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, Haines, Heise, Hooker, Rendon 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, March 27, 2012

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

The Committee on Military and Veterans Affairs and Homeland Security, by Rep. Franz, Chair, reported

House Resolution No. 211.

A resolution to urge the Congress of the United States to reject the recommendations of the United States Department of Defense to remove the A-10 Thunderbolt II force from the 127th Wing of the Air National Guard at Selfridge Air National Guard Base.

(For text of resolution, see House Journal No. 27, p. 390.)

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

Substitute for House Resolution No. 211.

A resolution to urge the Congress of the United States to reject the recommendations of the United States Department of Defense to remove the A-10 Thunderbolt II force from the 127th Wing of the Air National Guard at Selfridge Air National Guard Base.

Whereas, The federal mission of the Air National Guard is to maintain well-trained, well-equipped units available for prompt mobilization during war and to provide assistance during national emergencies; and

Whereas, The Michigan Air National Guard exemplifies this federal mission and provides well-trained citizen-airmen to the United States Air Force; and

Whereas, Utilizing the highly-trained and experienced citizen-airmen of the Michigan Air National Guard is significantly more economical for the United States Department of Defense than utilizing active military units; and

Whereas, The Michigan Air National Guard provides protection of life and property, and preserves peace, order, and public safety in the state of Michigan, by providing emergency relief support during natural disasters; conducting search and rescue operations; providing support to civil defense authorities; and maintaining vital public services and counterdrug operations in the state; and

Whereas, The Michigan Air National Guard, being the air force militia of the state, has a long and proud history with the state of Michigan; and

Whereas, The Selfridge Air National Guard Base dates back to 1917, and currently hosts 20 units from all branches of the United States military, as well as the United States Coast Guard and the United States Customs and Border Patrol; and

Whereas, The 127th Wing flies KC-135 Stratotankers, which provide aerial refueling capabilities around the globe in support of Air Mobility Command, and A-10 Thunderbolt II, which provide support to Air Combat Command. Additionally, the 127th Wing supports the Air Force Special Operations Command with its 107th Weather Flight; and

Whereas, The A-10 Thunderbolt II mission was transferred to Selfridge Air National Guard Base from the Battle Creek Air National Guard Base following the 2005 Base Realignment and Closure Commission recommendations; and

Whereas, The Department of Defense has proposed the removal of all 24 of the A-10 Thunderbolt II aircraft from the 127th Wing and replacing them with four additional KC-135 Stratotankers; and

Whereas, Approximately 650 personnel are attached to the A-10 Thunderbolt II mission; and

Whereas, It is unknown how many support personnel will be necessary to service the additional KC-35 Stratotankers; and

Whereas, Removing the A-10 Thunderbolt II mission could affect more than 600 families in and around Macomb County; and

Whereas, The removal of the A-10 Thunderbolt II mission could make the Selfridge Air National Guard Base vulnerable to closure in future Base Realignment and Closure Commission recommendations; and

Whereas, The Selfridge Air National Guard Base is one of the busiest, most diverse military installations in the United States, encompassing approximately 680 buildings, runways measuring 9,000 and 4,870 feet, over a million square yards of taxiway and paved aircraft parking ramps, 39 miles of paved roads, and seven miles of railroad track; and

Whereas, Recent military construction improvements to Selfridge include \$5.2 million to replace the Control Tower/Radar Approach Control Center and \$9.8 million for an infrastructure upgrade; and

Whereas, The Selfridge Air National Guard Base is essential to the local economy, as nearly 3,000 full-time civilian and military personnel work at the base, in addition to approximately 3,000 members of the Air and Army National Guard and the reserve components of the United States military who are stationed at the base; and

Whereas, Portions of the Selfridge Air National Guard Base have previously been targeted for closure in 1995 and 2005; and

Whereas, The defense industry is vital to the economy of Macomb County; and

Whereas, The loss of the Selfridge Air National Guard Base will have a significant impact on the local community, with the loss of employment positions, local revenue, and a significant source of community pride; and

Whereas, The military presence in Michigan has already been significantly reduced by the United States Department of Defense with the 1977 decision to close Kincheloe Air Force Base in Chippewa County, the 1991 decision to close the Wurtsmith Air Force Base in Iosco County, the 1993 decision to close the K.I. Sawyer Air Force Base in Marquette County, and the 2005 decision to close the United States Army Garrison at Selfridge Air National Guard Base; and

Whereas, Losses to the 127th Wing of the Air National Guard at Selfridge Air National Guard Base will have immeasurable consequences for the state of Michigan, both in terms of economic ramifications, as well as in terms of community pride and disaster readiness; now, therefore, be it

Resolved by the House of Representatives, That we urge the Congress of the United States to reject the United States Department of Defense recommendations to remove the A-10 Thunderbolt II aircraft from the 127th Wing of the Air National Guard at Selfridge Air National Guard Base; and be it further

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

Favorable Roll Call

To Report Out:

Yeas: Reps. Franz, Zorn, Haines, Tyler, Callton, Graves, Darany, Smiley, Liss, Clemente and Greimel

Nays: None

The Committee on Military and Veterans Affairs and Homeland Security, by Rep. Franz, Chair, reported
House Resolution No. 215.

A resolution to express support for the 2012 United States Air Force Re-Missioning Plan to locate an MQ-1/9 RSO element at the Battle Creek Air National Guard Base in Battle Creek, Michigan.

(For text of resolution, see House Journal No. 28, p. 404.)

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

Substitute for House Resolution No. 215.

A resolution to urge the Congress of the United States to reconsider the recommendations of the 2012 United States Air Force Structure Change Report and to deliver no fewer than four C-27J aircraft to the 110th Airlift Wing of the Air National Guard as previously committed or, in the event that such aircraft are not currently available, to deliver an MQ-1/9 RSO element to the Battle Creek Air National Guard Base until such time as no fewer than four C-27J aircraft become available.

Whereas, The Michigan Air National Guard, being the air force militia of the state, has a long and proud history with the state of Michigan and the city of Battle Creek; and

Whereas, The Battle Creek Air National Guard Base is currently home to the 110th Airlift Wing of the Air National guard, which currently hosts a flying mission of C-21 passenger aircraft, and the 110th Air Operations Group, which provides critical support to the 17th Air Force, or United States Air Forces Africa; and

Whereas, The units of the 110th Airlift Wing of the Air National Guard have had a history in Battle Creek, Michigan, since 1947; and

Whereas, The 110th Airlift Wing is a tremendous source of civic pride in the greater Battle Creek area, as it has been one of the most decorated Air National Guard units in the nation, receiving the Air Force Outstanding Unit Award in 1992, 1998, 2000, 2004, and 2011, an honor bestowed on fewer than 10 percent of Air Force units annually; and

Whereas, The citizens of Battle Creek have, over the years, committed unmatched support for the Air National Guard in Battle Creek, including in 1984 by a 4 to 1 majority when voters pledged to extend the runway from 7,003 to 10,003 feet to meet the needs of the Air National Guard, in 2006 when the city's economic development authority purchased 74 acres of residentially zoned, vacant property to preclude encroachment, and when Battle Creek proactively contributed resources and sought matching funds for the construction of a new air traffic control tower to address line of sight issues and construct a parallel runway to enhance safety; and

Whereas, The defense industry, including the Battle Creek Air National Guard Base, the Hart-Dole-Inouye Federal Center, and the Fort Custer Army National Guard Base, is integral to the local community, and its components are vital, both as symbols of civic pride and as cornerstones of the local economy; and

Whereas, The defense industry is vital to the economy of the city of Battle Creek, with approximately 3,000 local jobs tied to defense; and

Whereas, The Battle Creek Air National Guard Base contributes \$22.2 million in total wages and salaries and a total of \$26 million in gross regional product to Calhoun County; and

Whereas, More than \$22 million in taxpayer funding has been invested in the Battle Creek Air National Guard Base from 2001 to 2011, \$16.7 million of which represents the federal share and \$5.2 million of which was invested by the state of Michigan. The 110th Airlift Wing has been the recipient of \$477 million in operational funding from 2001 to 2011, including military construction, personnel, and operations and maintenance; and

Whereas, The existing infrastructure and trained personnel at the Battle Creek Air National Guard base are ideally suited to support the C-27J, and the Battle Creek Air National Guard base is second to no other location in the nation for C-27J mission support; and

Whereas, C-27J aircraft based in Southwest Michigan, due to its central location, will provide superior response capabilities in FEMA Region 5 and the region served by the 51st Civil Support Team; and

Whereas, Locating an MQ-1/9 RSO element at the Battle Creek Air National Guard Base instead of the previously committed C-27J aircraft would result in a loss of approximately 70 jobs with the 110th Airlift Wing; and

Whereas, Delivering neither the four C-27J aircraft or an MQ-1/9 RSO element to the Battle Creek Air National Guard Base would result in significant harm to the economy of the city of Battle Creek, as well as jeopardizing the significant investments made by the citizens of Michigan and the United States by making the Battle Creek Air National Guard Base vulnerable to future Base Closure and Realignment Commission (BRAC) recommendations; and

Whereas, The Battle Creek Air National Guard Base has already been targeted for closure by the BRAC Commission. In 2005, as a result of recommendations by the BRAC Commission, the Battle Creek Air National Guard Base lost 161 jobs and a squadron of A-10 Thunderbolt II aircraft was reassigned to Selfridge Air National Guard Base. The BRAC Commission also considered the closure of the Hart-Dole-Inouye Federal Center in Battle Creek, which houses integral elements of the Defense Logistics Agency of the United States Department of Defense; and

Whereas, The loss of employment positions with the 110th Airlift Wing at the Battle Creek Air National Guard Base would have a significant impact on the local economy; and

Whereas, Any negative impacts on the Battle Creek Air National Guard Base would also have other serious consequences, including potential ramifications for other organizations that utilize W.K. Kellogg Airport, including the Western Michigan University College of Aviation; and

Whereas, The Michigan House of Representatives has already urged the United States Department of Defense to deliver no fewer than four C-27J aircraft to the 110th Airlift Wing of the Air National Guard in Battle Creek; and

Whereas, Any negative impact on the 110th Airlift Wing of the Air National Guard at the Battle Creek Air National Guard Base will have immeasurable consequences for the city of Battle Creek and the state of Michigan, both in terms of economic ramifications, as well as in terms of community pride and disaster readiness; now, therefore, be it

Resolved by the House of Representatives, That we urge the Congress of the United States to reconsider the recommendations of the 2012 United States Air Force Structure Change Report and to deliver no fewer than four C-27J aircraft to the 110th Airlift Wing of the Air National Guard as previously committed or, in the event that such aircraft are not currently available, to deliver an MQ-1/9 RSO element to the Battle Creek Air National Guard Base until such time as no fewer than four C-27J aircraft become available, and be it further

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

Favorable Roll Call

To Report Out:

Yeas: Reps. Franz, Zorn, Haines, Tyler, Callton, Graves, Nathan, Darany, Smiley, Liss, Clemente and Greimel
 Nays: None

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, March 27, 2012

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

Absent: Rep. Hughes

Excused: Rep. Hughes

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: Thursday, March 22, 2012

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

Messages from the Senate**House Bill No. 4663, entitled**

A bill to repeal 1941 PA 35, entitled "An act to provide for the registration of the names of farms, and to declare the effect thereof; to provide for the transfer of title thereto; to prescribe the powers and duties of the commissioner of agriculture; and to prescribe penalties for the violation of the provisions of this act," (MCL 285.101 to 285.108).

The Senate has passed the bill and ordered that it be given immediate effect.

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

House Bill No. 5081, entitled

A bill to amend 1962 PA 174, entitled "Uniform commercial code," by amending the heading for part 1 and sections 1101, 1102, 1103, 1106, 1202, 1203, 1204, 1205, 1206, 2202, 2A501, 2A518, 2A519, 2A527, 2A528, 3103, 4A105, 4A106, 4A204, 5103, and 8102 (MCL 440.1101, 440.1102, 440.1103, 440.1106, 440.1202, 440.1203, 440.1204, 440.1205, 440.1206, 440.2202, 440.2951, 440.2968, 440.2969, 440.2977, 440.2978, 440.3103, 440.4605, 440.4606, 440.4704, 440.5103, and 440.8102), sections 1206 and 8102 as amended by 1998 PA 278, sections 2A501, 2A518, 2A519, 2A527, and 2A528 as added by 1992 PA 101, section 3103 as amended by 1993 PA 130, sections 4A105, 4A106, and 4A204 as added by 1992 PA 100, and section 5103 as amended by 1998 PA 488, and by adding a heading for part 3 and sections 1108, 1301, 1302, 1303, 1304, 1305, 1306, 1307, 1308, 1309, and 1310; and to repeal acts and parts of acts.

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. 5082, entitled

A bill to amend 1962 PA 174, entitled "Uniform commercial code," by amending sections 1201, 2103, 2104, 2310, 2323, 2401, 2503, 2505, 2506, 2509, 2605, 2705, 2A103, 2A514, 2A526, 4104, 4210, 7101, 7102, 7103, 7104, 7105, 7201, 7202, 7203, 7204, 7205, 7206, 7207, 7208, 7209, 7210, 7301, 7302, 7303, 7304, 7305, 7307, 7308, 7309, 7401, 7402, 7403, 7404, 7501, 7502, 7503, 7504, 7505, 7506, 7507, 7508, 7509, 7601, 7602, 7603, 8103, 9102, 9203, 9207, 9208, 9301, 9310, 9312, 9313, 9314, 9317, 9338, and 9601 (MCL 440.1201, 440.2103, 440.2104, 440.2310, 440.2323,

440.2401, 440.2503, 440.2505, 440.2506, 440.2509, 440.2605, 440.2705, 440.2803, 440.2964, 440.2976, 440.4104, 440.4210, 440.7101, 440.7102, 440.7103, 440.7104, 440.7105, 440.7201, 440.7202, 440.7203, 440.7204, 440.7205, 440.7206, 440.7207, 440.7208, 440.7209, 440.7210, 440.7301, 440.7302, 440.7303, 440.7304, 440.7305, 440.7307, 440.7308, 440.7309, 440.7401, 440.7402, 440.7403, 440.7404, 440.7501, 440.7502, 440.7503, 440.7504, 440.7505, 440.7506, 440.7507, 440.7508, 440.7509, 440.7601, 440.7602, 440.7603, 440.8103, 440.9102, 440.9203, 440.9207, 440.9208, 440.9301, 440.9310, 440.9312, 440.9313, 440.9314, 440.9317, 440.9338, and 440.9601), sections 1201, 2103, 2A103, 4210, 7503, 8103, 9102, 9203, 9207, 9208, 9301, 9310, 9312, 9313, 9314, and 9317 as amended and sections 9338 and 9601 as added by 2000 PA 348, sections 2A514 and 2A526 as added by 1992 PA 101, and section 4104 as amended by 1998 PA 278, and by adding section 7106 and part 7.

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. 5050, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," (MCL 750.1 to 750.568) by adding section 479c.

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 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. 5051, 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 2006 PA 234.

The Senate has amended the bill as follows:

1. Amend page 2, following line 12, by inserting:

"750.479C(2)(D)	PUB ORD	F	PROVIDING FALSE OR MISLEADING INFORMATION TO PEACE OFFICER CONDUCTING CRIMINAL INVESTIGATION REGARDING CERTAIN FELONIES	4"
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The Senate has passed the bill as amended, 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. 5083, entitled

A bill to amend 1962 PA 174, entitled "Uniform commercial code," by amending sections 9105, 9307, 9311, 9316, 9326, 9406, 9408, 9502, 9503, 9507, 9515, 9516, 9518, 9521, and 9607 (MCL 440.9105, 440.9307, 440.9311, 440.9316, 440.9326, 440.9406, 440.9408, 440.9502, 440.9503, 440.9507, 440.9515, 440.9516, 440.9518, 440.9521, and 440.9607), sections 9105, 9307, 9316, 9406, 9408, 9502, 9503, and 9507 as amended and sections 9326, 9518, and 9607 as added by 2000 PA 348, section 9311 as amended by 2005 PA 25, and sections 9515, 9516, and 9521 as amended by 2008 PA 383, and by adding part 8 to article 9; and to repeal acts and parts of acts.

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 pursuant to Joint Rule 20, inserted the full title.

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

Senate Bill No. 351, entitled

A bill to amend 1933 PA 167, entitled "General sales tax act," by amending section 25 (MCL 205.75), as amended by 2010 PA 160.

The Senate has passed the bill.

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

Messages from the Governor

The following message from the Governor was received and read:

March 26, 2012

Mr. Gary Randall
Clerk of the House
House of Representatives
Capitol Building
Lansing, Michigan 48909

Dear Mr. Randall:

In accordance with Section 14 of Article V of the Michigan Constitution of 1963, I write to advise the House of Representatives that the following commutation was granted during 2011:

Bryan Randall Tolliver – The commutation was granted on March 2, 2011, for medical reasons and was based on the affirmative recommendation of the Michigan Parole Board.

Sincerely,
Richard D. Snyder
Governor

The message was referred to the Clerk.

The following message from the Governor was received March 27, 2012 and read:

EXECUTIVE ORDER No. 2012 – 3

MICHIGAN COUNCIL FOR EDUCATOR EFFECTIVENESS

EXECUTIVE OFFICE OF THE GOVERNOR DEPARTMENT OF TECHNOLOGY MANAGEMENT AND BUDGET

EXECUTIVE REORGANIZATION

WHEREAS, Section 1 of Article V of the Michigan Constitution of 1963 vests the executive power of the state of Michigan 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, Public Act No. 102 of 2011 amended Section 1249 of the Revised School Code, being MCL 380.1249, to create the Governor's Council on Educator Effectiveness as a temporary commission described in Section 4 of Article V of the Michigan Constitution of 1963 in the Executive Office of the Governor; and

WHEREAS, all members of the Governor's Council on Educator Effectiveness were appointed on September 22, 2011; and

WHEREAS, the performance of Michigan's public schools is vital to our future; and

WHEREAS, the Council would be most effective if assigned to one of the principal departments;

NOW, THEREFORE, I, Richard D. Snyder, Governor of the state of Michigan, by virtue of the power and authority vested in the Governor by the Michigan Constitution of 1963 and Michigan law, order the following:

I. MICHIGAN COUNCIL FOR EDUCATOR EFFECTIVENESS

A. The Governor's Council on Educator Effectiveness, created by Public Act No. 102 of 2011, and all of its statutory authority, powers, duties, functions, records, personnel, and property is transferred to the Michigan Department of Technology, Management and Budget.

B. The Governor's Council on Educator Effectiveness is renamed the Michigan Council for Educator Effectiveness.

II. MISCELLANEOUS

A. The Department of Technology, Management and Budget shall provide staffing for the Michigan Council for Educator Effectiveness.

B. The Director of the Department of Technology, Management and Budget shall perform all budgeting, procurement, and related management functions of the Council.

C. The Senior Strategy Advisor to the Governor is designated to be the liaison between the Office of the Governor and the Michigan Council for Educator Effectiveness.

D. All rules, orders, contracts, and agreements relating to the functions transferred under this order lawfully adopted prior to the effective date of this order shall continue to be effective until revised, amended, repealed, or rescinded.

In fulfillment of the requirements of Section 2 of Article V of the Michigan Constitution of 1963, the provisions of this Order shall be effective 60 days after the filing of this Order.

[SEAL]

Given under my hand and the Great Seal of the state of Michigan this 27th day of March 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: March 22, 2012

Time: 2:24 p.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 4846 (Public Act No. 58, I.E.), being

An act 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 80104 and 80152 (MCL 324.80104 and 324.80152), section 80104 as amended by 2004 PA 587 and section 80152 as amended by 1999 PA 19, and by adding section 80143a.

(Filed with the Secretary of State March 22, 2012, at 3:37 p.m.)

Date: March 22, 2012

Time: 2:26 p.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 4847 (Public Act No. 59, I.E.), being

An act 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,” (MCL 324.101 to 324.90106) by adding section 80143.

(Filed with the Secretary of State March 22, 2012, at 3:39 p.m.)

Date: March 22, 2012

Time: 2:28 p.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 4848 (Public Act No. 60, 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,” by amending section 479a (MCL 750.479a), as amended by 2002 PA 270.

(Filed with the Secretary of State March 22, 2012, at 3:41 p.m.)

Date: March 22, 2012
Time: 2:30 p.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 5109 (Public Act No. 61, I.E.), being

An act 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 section 80205 (MCL 324.80205), as amended by 2008 PA 178.

(Filed with the Secretary of State March 22, 2012, at 3:43 p.m.)

Date: March 22, 2012
Time: 2:32 p.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 5110 (Public Act No. 62, I.E.), being

An act 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 section 80166 (MCL 324.80166), as amended by 2002 PA 636.

(Filed with the Secretary of State March 22, 2012, at 3:45 p.m.)

Date: March 22, 2012
Time: 2:34 p.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 4639 (Public Act No. 63, I.E.), being

An act to amend 1998 PA 386, entitled “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,” by amending sections 3206 and 3209 (MCL 700.3206 and 700.3209), section 3206 as amended by 2008 PA 41 and section 3209 as added by 2006 PA 299.

(Filed with the Secretary of State March 22, 2012, at 3:47 p.m.)

Date: March 27, 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. 4618 (Public Act No. 66, I.E.), being

An act to amend 1893 PA 206, entitled “An act to provide for the assessment of rights and interests, including leasehold interests, in property and the levy and collection of taxes on property, and for the collection of taxes levied; making those taxes a lien on the property taxed, establishing and continuing the lien, providing for the sale or forfeiture and conveyance of property delinquent for taxes, and for the inspection and disposition of lands bid off to the state and not redeemed or purchased; to provide for the establishment of a delinquent tax revolving fund and the borrowing of money by counties and the issuance of notes; to define and limit the jurisdiction of the courts in proceedings in connection with property delinquent for taxes; to limit the time within which actions may be brought; to prescribe certain limitations with respect to rates of taxation; to prescribe certain powers and duties of certain officers, departments, agencies, and political subdivisions of this state; to provide for certain reimbursements of certain expenses incurred by units of local government; to provide penalties for the violation of this act; and to repeal acts and parts of acts,” by amending section 7d (MCL 211.7d), as amended by 2010 PA 8.

(Filed with the Secretary of State March 27, 2012, at 11:32 a.m.)

Introduction of Bills

Reps. Durhal, Stallworth, Rutledge, Stanley, Stapleton, McCann, Hobbs, Howze, Nathan and Meadows introduced **House Bill No. 5511, entitled**

A bill to amend 1954 PA 116, entitled "Michigan election law," by amending section 848 (MCL 168.848), as added by 2003 PA 119.

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

Reps. Durhal, Stallworth, Rutledge, Stanley, Santana, Stapleton, McCann, Hobbs, Howze, Nathan and Meadows introduced

House Bill No. 5512, entitled

A bill to amend 1976 PA 388, entitled "Michigan campaign finance act," by amending section 15 (MCL 169.215), as amended by 2001 PA 250.

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

Reps. Hughes, Wayne Schmidt, Johnson, Pettalia, LaFontaine, Outman, Ouimet, Tyler, Heise, Kurtz, Jenkins, Poleski, Rendon, Opsommer, Jacobsen, MacGregor, Price, Zorn, Horn, O'Brien, Lund, McBroom, Graves, Bumstead, Hooker, Yonker, Daley, Potvin, Knollenberg, Agema, Denby, Crawford, Haines, Muxlow, Goike, Cotter, Somerville, Callton, Kowall, Shaughnessy, Lori, Foster and Gilbert introduced

House Bill No. 5513, 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 first time by its title and referred to the Committee on Tax Policy.

Reps. Cavanagh, Smiley, Nathan, Townsend, Stallworth, Rutledge, Constan, Irwin, Geiss, Dillon, Gilbert and Ananich introduced

House Bill No. 5514, entitled

A bill to amend 1941 PA 122, entitled "An act to establish the revenue collection duties of the department of treasury; to prescribe its powers and duties as the revenue collection agency of this state; to prescribe certain powers and duties of the state treasurer; to establish the collection duties of certain other state departments for money or accounts owed to this state; to regulate the importation, stamping, and disposition of certain tobacco products; to provide for the transfer of powers and duties now vested in certain other state boards, commissions, departments, and offices; to prescribe certain duties of and require certain reports from the department of treasury; to provide procedures for the payment, administration, audit, assessment, levy of interests or penalties on, and appeals of taxes and tax liability; to prescribe its powers and duties if an agreement to act as agent for a city to administer, collect, and enforce the city income tax act on behalf of a city is entered into with any city; to provide an appropriation; to abolish the state board of tax administration; to prescribe penalties and provide remedies; and to declare the effect of this act," by amending sections 25 and 28 (MCL 205.25 and 205.28), section 25 as amended by 2002 PA 657 and section 28 as amended by 2010 PA 313, and by adding section 30d.

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

Reps. Dillon, Byrum, Geiss, Barnett, Haugh, Bledsoe, Hobbs, Switalski, Lindberg, Lipton, Cavanagh, McCann, Nathan, Townsend, Rutledge, Stallworth, Smiley, Bauer, Slavens, Constan, LeBlanc, Darany, Irwin, Ananich and Brown introduced

House Bill No. 5515, entitled

A bill to amend 1976 PA 442, entitled "Freedom of information act," by amending section 2 (MCL 15.232), as amended by 1996 PA 553.

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

Reps. Potvin, Tyler, Liss and Hughes introduced

House Bill No. 5516, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending sections 16184 and 16185 (MCL 333.16184 and 333.16185), as amended by 2012 PA 4.

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

Reps. McMillin, Shirkey, Agema, Genetski, Haveman, Heise, Hooker, Yonker and Somerville introduced
House Bill No. 5517, entitled

A bill to amend 1980 PA 299, entitled "Occupational code," by repealing article 11 (MCL 339.1101 to 339.1118).
The bill was read a first time by its title and referred to the Committee on Regulatory Reform.

Reps. McMillin, Shirkey, Agema, Genetski, Haveman, Heise, Hooker, Yonker and Somerville introduced
House Bill No. 5518, entitled

A bill to amend 1979 PA 152, entitled "State license fee act," by repealing section 17 (MCL 338.2217).
The bill was read a first time by its title and referred to the Committee on Regulatory Reform.

Reps. Walsh, Cotter, Foster, Heise, Tyler and Kowall introduced

House Bill No. 5519, entitled

A bill to amend 1941 PA 122, entitled "An act to establish the revenue collection duties of the department of treasury; to prescribe its powers and duties as the revenue collection agency of this state; to prescribe certain powers and duties of the state treasurer; to establish the collection duties of certain other state departments for money or accounts owed to this state; to regulate the importation, stamping, and disposition of certain tobacco products; to provide for the transfer of powers and duties now vested in certain other state boards, commissions, departments, and offices; to prescribe certain duties of and require certain reports from the department of treasury; to provide procedures for the payment, administration, audit, assessment, levy of interests or penalties on, and appeals of taxes and tax liability; to prescribe its powers and duties if an agreement to act as agent for a city to administer, collect, and enforce the city income tax act on behalf of a city is entered into with any city; to provide an appropriation; to abolish the state board of tax administration; to prescribe penalties and provide remedies; and to declare the effect of this act," by amending section 28 (MCL 205.28), as amended by 2010 PA 313, and by adding section 23a.

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

Announcements by the Clerk

March 22, 2012

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

Follow-up on the Accuracy of Prisoner Release Dates, Department of Corrections and Department of Technology, Management, and Budget, March 2012.

Gary L. Randall
Clerk of the House

The Clerk received the following dissent from Rep. Cavanagh:

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

The Clerk received the following dissent from Rep. Meadows:

Article IV, Section 18 of the Michigan Constitution states that "[a]ny member of either house may dissent from and protest against any act, proceeding or resolution which he deems injurious to any person or the public, and have the reason for his dissent entered in the journal." Under this constitutional provision, I demand this be printed in the House Journal because I object to the act of gaveling on Immediate Effect to HB4647, SB 946 and SB 35. I did not, have not, and do not support the granting of immediate effect to HB 4647, SB 946 and SB 35.

The Clerk received the following dissent from Rep. Bauer:

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 did not, have not, and do not support the granting of immediate effect to HB5408, HB5421, and SB 874.

The Clerk received the following dissent from Reps. Slavens and Rutledge:

Article IV, Section 18 of the Michigan Constitution states that “[a]ny member of either house may dissent from and protest against any act, proceeding or resolution which he deems injurious to any person or the public, and have the reason for his dissent entered in the journal.” Under this constitutional provision, I demand this be printed in the House Journal because I object to the act of gaveling on Immediate Effect. I did not, have not, and do not support the granting of immediate effect to HB5408, HB5421, and SB 874.

The Clerk received the following dissent from Reps. Talabi and 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 HB5408, HB5421, and SB 874. I did not, have not, and do not support the granting of immediate effect to HB5408, HB5421, and SB 874.

The Clerk received the following dissent from Rep. Hobbs:

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 granting of immediate effect to HB5408, HB5421, and SB 874.

The Clerk received the following dissent from Rep. Howze:

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 HB5408, HB5421, SB 874. I did not, have not, and do not support the granting of immediate effect to HB5408, HB5421, and SB 874.

Rep. Rogers moved that the House adjourn.
The motion prevailed, the time being 3:05 p.m.

Associate Speaker Pro Tempore Opsommer declared the House adjourned until Wednesday, March 28, at 1:30 p.m.

GARY L. RANDALL
Clerk of the House of Representatives

