

**No. 83**  
**STATE OF MICHIGAN**  
**JOURNAL**  
**OF THE**  
**House of Representatives**  
**96th Legislature**  
**REGULAR SESSION OF 2012**

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House Chamber, Lansing, Friday, December 14, 2012.

12:01 a.m.

The House was called to order by the Speaker.

The roll was called by the Clerk of the House of Representatives, who announced that a quorum was present.

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

e/d/s = entered during session

Rep. Kenneth L. Kurtz, from the 58th District, offered the following invocation:

“Father in Heaven, this is my prayer.

May our minds and our hearts be honest and pure.

May our thoughts and our words exemplify goodness and mercy.

May our attitudes and action show maturity and grace.

Many in this chamber have loved ones who wait for their return.

Keep them safe and give them rest.

Now give us the clarity of mind and understanding of heart to fulfill our blessed position as legislators in these early morning hours.

In the name of Jesus, I pray. Amen.”

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Rep. Segal moved that Reps. Bledsoe, Olumba and Womack be excused from today’s session.  
The motion prevailed.

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The Speaker called Associate Speaker Pro Tempore O’Brien to the Chair.

### Second Reading of Bills

#### Senate Bill No. 859, entitled

A bill to amend 1956 PA 218, entitled “The insurance code of 1956,” by amending section 1201a (MCL 500.1201a), as added by 2001 PA 228, and by adding chapter 29A.

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

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

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

The motion prevailed.

Rep. Stamas moved that the bill be placed on its immediate passage.

The motion prevailed, a majority of the members serving voting therefor.

By unanimous consent the House returned to the order of

### Third Reading of Bills

#### Senate Bill No. 859, entitled

A bill to amend 1956 PA 218, entitled “The insurance code of 1956,” by amending section 1201a (MCL 500.1201a), as added by 2001 PA 228, and by adding chapter 29A.

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

#### Roll Call No. 869

#### Yeas—107

Agema  
Ananich  
Barnett  
Bauer  
Bolger  
Brown

Gilbert  
Gardon  
Goike  
Graves  
Greimel  
Haines

Lane  
LeBlanc  
Lindberg  
Lipton  
Liss  
Lori

Price  
Pscholka  
Rendon  
Rogers  
Rutledge  
Santana

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

### Nays—0

In The Chair: O'Brien

The question being on agreeing to the title of the bill,

Rep. Stamas moved to amend the title to read as follows:

A bill to amend 1956 PA 218, entitled "An act to revise, consolidate, and classify the laws relating to the insurance and surety business; to regulate the incorporation or formation of domestic insurance and surety companies and associations and the admission of foreign and alien companies and associations; to provide their rights, powers, and immunities and to prescribe the conditions on which companies and associations organized, existing, or authorized under this act may exercise their powers; to provide the rights, powers, and immunities and to prescribe the conditions on which other persons, firms, corporations, associations, risk retention groups, and purchasing groups engaged in an insurance or surety business may exercise their powers; to provide for the imposition of a privilege fee on domestic insurance companies and associations and the state accident fund; to provide for the imposition of a tax on the business of foreign and alien companies and associations; to provide for the imposition of a tax on risk retention groups and purchasing groups; to provide for the imposition of a tax on the business of surplus line agents; to provide for the imposition of regulatory fees on certain insurers; to provide for assessment fees on certain health maintenance organizations; to modify tort liability arising out of certain accidents; to provide for limited actions with respect to that modified tort liability and to prescribe certain procedures for maintaining those actions; to require security for losses arising out of certain accidents; to provide for the continued availability and affordability of automobile insurance and homeowners insurance in this state and to facilitate the purchase of that insurance by all residents of this state at fair and reasonable rates; to provide for certain reporting with respect to insurance and with respect to certain claims against uninsured or self-insured persons; to prescribe duties for certain state departments and officers with respect to that reporting; to provide for certain assessments; to establish and continue certain state insurance funds; to modify and clarify the status, rights, powers, duties, and operations of the nonprofit malpractice insurance fund; to provide for the departmental supervision and regulation of the insurance and surety business within this state; to provide for regulation over worker's compensation self-insurers; to provide for the conservation, rehabilitation, or liquidation of unsound or insolvent insurers; to provide for the protection of policyholders, claimants, and creditors of unsound or insolvent insurers; to provide for associations of insurers to protect policyholders and claimants in the event of insurer insolvencies; to prescribe educational requirements for insurance agents and solicitors; to provide for the regulation of multiple employer welfare arrangements; to create an automobile theft prevention authority to reduce the number of automobile thefts in this state; to prescribe the powers and duties of the automobile theft prevention authority; to provide certain powers and duties upon certain officials, departments, and authorities of this state; to provide for an appropriation; to repeal acts and parts of acts; and to provide penalties for the violation of this act," by amending section 1202 (MCL 500.1202), as amended by 2002 PA 737.

The motion prevailed.

The House agreed to the title as amended.  
 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. 1112, entitled

A bill to amend 1975 PA 238, entitled "Child protection law," (MCL 722.621 to 722.638) by adding section 12b.

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

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

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

The motion prevailed.

Rep. Stamas moved that the bill be placed on its immediate passage.

The motion prevailed, a majority of the members serving voting therefor.

By unanimous consent the House returned to the order of

### Third Reading of Bills

#### Senate Bill No. 1112, entitled

A bill to amend 1975 PA 238, entitled "Child protection law," (MCL 722.621 to 722.638) by adding section 12b.

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

#### Roll Call No. 870

#### Yeas—106

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

**Nays—1**

Agema

In The Chair: O'Brien

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

“An act to require the reporting of child abuse and neglect by certain persons; to permit the reporting of child abuse and neglect by all persons; to provide for the protection of children who are abused or neglected; to authorize limited detainment in protective custody; to authorize medical examinations; to prescribe the powers and duties of the state department of social services to prevent child abuse and neglect; to prescribe certain powers and duties of local law enforcement agencies; to safeguard and enhance the welfare of children and preserve family life; to provide for the appointment of legal counsel; to provide for the abrogation of privileged communications; to provide civil and criminal immunity for certain persons; to provide rules of evidence in certain cases; to provide for confidentiality of records; to provide for the expungement of certain records; to prescribe penalties; and to repeal certain 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. 1113, entitled**

A bill to amend 1976 PA 451, entitled “The revised school code,” (MCL 380.1 to 380.1852) by adding section 1505.

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

The motion prevailed.

Rep. Stamas moved that the bill be placed on its immediate passage.

The motion prevailed, a majority of the members serving voting therefor.

By unanimous consent the House returned to the order of

**Third Reading of Bills****Senate Bill No. 1113, entitled**

A bill to amend 1976 PA 451, entitled “The revised school code,” (MCL 380.1 to 380.1852) by adding section 1505.

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

**Roll Call No. 871****Yeas—107**

Agema	Gilbert	Lane	Price
Ananich	Glardon	LeBlanc	Pscholka
Barnett	Goike	Lindberg	Rendon
Bauer	Graves	Lipton	Rogers
Bolger	Greimel	Liss	Rutledge
Brown	Haines	Lori	Santana
Brunner	Hammel	Lund	Schmidt, R.
Bumstead	Haugh	Lyons	Schmidt, W.
Byrum	Haveman	MacGregor	Segal
Callton	Heise	MacMaster	Shaughnessy
Cavanagh	Hobbs	McBroom	Shirkey

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

### Nays—0

In The Chair: O'Brien

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

“An act to provide a system of public instruction and elementary and secondary schools; to revise, consolidate, and clarify the laws relating to elementary and secondary education; to provide for the organization, regulation, and maintenance of schools, school districts, public school academies, intermediate school districts, and other public school entities; to prescribe rights, powers, duties, and privileges of schools, school districts, public school academies, intermediate school districts, and other public school entities; to provide for the regulation of school teachers and certain other school employees; to provide for school elections and to prescribe powers and duties with respect thereto; to provide for the levy and collection of taxes; to provide for the borrowing of money and issuance of bonds and other evidences of indebtedness; to establish a fund and provide for expenditures from that fund; to provide for and prescribe the powers and duties of certain state departments, the state board of education, and certain other boards and officials; to provide for licensure of boarding schools; to prescribe penalties; and to repeal acts and parts of acts,”

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. 1114, entitled

A bill to amend 1976 PA 451, entitled “The revised school code,” (MCL 380.1 to 380.1852) by adding section 1505a.

The bill was read a second time.

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

The motion prevailed.

Rep. Stamas moved that the bill be placed on its immediate passage.

The motion prevailed, a majority of the members serving voting therefor.

By unanimous consent the House returned to the order of

### Third Reading of Bills

#### Senate Bill No. 1114, entitled

A bill to amend 1976 PA 451, entitled “The revised school code,” (MCL 380.1 to 380.1852) by adding section 1505a.

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

**Roll Call No. 872****Yeas—107**

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

**Nays—0**

In The Chair: O'Brien

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

“An act to provide a system of public instruction and elementary and secondary schools; to revise, consolidate, and clarify the laws relating to elementary and secondary education; to provide for the organization, regulation, and maintenance of schools, school districts, public school academies, intermediate school districts, and other public school entities; to prescribe rights, powers, duties, and privileges of schools, school districts, public school academies, intermediate school districts, and other public school entities; to provide for the regulation of school teachers and certain other school employees; to provide for school elections and to prescribe powers and duties with respect thereto; to provide for the levy and collection of taxes; to provide for the borrowing of money and issuance of bonds and other evidences of indebtedness; to establish a fund and provide for expenditures from that fund; to provide for and prescribe the powers and duties of certain state departments, the state board of education, and certain other boards and officials; to provide for licensure of boarding schools; to prescribe penalties; and to repeal acts and parts of acts,”

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. 1337, entitled**

A bill to amend 1933 PA 167, entitled “General sales tax act,” by amending section 4q (MCL 205.54q), as amended by 2004 PA 173.

The bill was read a second time.

Rep. Stamas moved that the bill be placed on the order of Third Reading of Bills.  
 The motion prevailed.  
 Rep. Stamas moved that the bill be placed on its immediate passage.  
 The motion prevailed, a majority of the members serving voting therefor.

By unanimous consent the House returned to the order of  
**Third Reading of Bills**

**Senate Bill No. 1337, entitled**

A bill to amend 1933 PA 167, entitled “General sales tax act,” by amending section 4q (MCL 205.54q), as amended by 2004 PA 173.

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

**Roll Call No. 873**

**Yeas—107**

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

**Nays—0**

In The Chair: O’Brien

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

“An act to provide for the raising of additional public revenue by prescribing certain specific taxes, fees, and charges to be paid to the state for the privilege of engaging in certain business activities; to provide, incident to the enforcement thereof, for the issuance of licenses to engage in such occupations; to provide for the ascertainment, assessment and collection thereof; to appropriate the proceeds thereof; and to prescribe penalties for violations of the provisions of this act,”

The House agreed to the full title.



By unanimous consent the House returned to the order of  
**Motions and Resolutions**

Rep. Haines moved that the Committee on Health Policy be discharged from further consideration of **Senate Bill No. 1145**.

(For first notice see House Journal No. 82, p. 2833.)

The question being on the motion made by Rep. Haines,  
The motion prevailed, a majority of the members serving voting therefor.  
The bill was placed on the order of Second Reading of Bills.

### **Second Reading of Bills**

#### **Senate Bill No. 1145, entitled**

A bill to amend 1978 PA 368, entitled "Public health code," by amending sections 17048 and 17548 (MCL 333.17048 and 333.17548), as amended by 2011 PA 210.

The bill was read a second time.

Rep. Haines moved to substitute (H-2) the bill.

The motion prevailed and the substitute (H-2) 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.

By unanimous consent the House returned to the order of  
**Motions and Resolutions**

Rep. Opsommer moved that the Committee on Transportation be discharged from further consideration of **Senate Bill No. 756**.

(For first notice see House Journal No. 82, p. 2833.)

The question being on the motion made by Rep. Opsommer,  
The motion prevailed, a majority of the members serving voting therefor.  
The bill was placed on the order of Second Reading of Bills.

### **Second Reading of Bills**

#### **Senate Bill No. 756, entitled**

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending sections 320a and 732 (MCL 257.320a and 257.732), as amended by 2011 PA 159, and by adding section 602c.

The bill was read a second time.

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

The motion prevailed.

By unanimous consent the House returned to the order of  
**Messages from the Senate**

The Speaker laid before the House

#### **House Bill No. 5839, entitled**

A bill to amend 1893 PA 206, entitled "The general property tax act," by amending section 87c (MCL 211.87c), as amended by 2002 PA 165.

(The bill was received from the Senate on December 13, with an amendment, full title inserted and immediate effect given by the Senate, consideration of which, under the rules, was postponed until today, see House Journal No. 82, p. 2829.)

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

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

**Roll Call No. 874****Yeas—107**

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

**Nays—0**

In The Chair: O'Brien

The House agreed to the full title.

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

The Speaker laid before the House

**House Bill No. 5422, entitled**

A bill to amend 1982 PA 415, entitled "Correctional officers' training act of 1982," by amending section 12 (MCL 791.512), as amended by 2004 PA 583, and by adding section 15a.

(The bill was received from the Senate on December 13, with substitute (S-1), full title inserted and immediate effect given by the Senate, consideration of which, under the rules, was postponed until today, see House Journal No. 82, p. 2828.)

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

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

**Roll Call No. 875****Yeas—107**

Agema	Gilbert	Lane	Price
Ananich	Glardon	LeBlanc	Pscholka
Barnett	Goike	Lindberg	Rendon
Bauer	Graves	Lipton	Rogers

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

**Nays—0**

In The Chair: O'Brien

The House agreed to the full title.

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

The Speaker laid before the House

**House Bill No. 4446, entitled**

A bill to amend 1893 PA 206, entitled "The general property tax act," by amending section 7cc (MCL 211.7cc), as amended by 2012 PA 114.

(The bill was received from the Senate on December 13, with substitute (S-1), title amendment and immediate effect given by the Senate, consideration of which, under the rules, was postponed until today, see House Journal No. 82, p. 2827.)

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

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

**Roll Call No. 876****Yeas—107**

Agema	Gilbert	Lane	Price
Ananich	Glardon	LeBlanc	Pscholka
Barnett	Goike	Lindberg	Rendon
Bauer	Graves	Lipton	Rogers
Bolger	Greimel	Liss	Rutledge
Brown	Haines	Lori	Santana
Brunner	Hammel	Lund	Schmidt, R.
Bumstead	Haugh	Lyons	Schmidt, W.
Byrum	Haveman	MacGregor	Segal
Callton	Heise	MacMaster	Shaughnessy
Cavanagh	Hobbs	McBroom	Shirkey

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

### Nays—0

In The Chair: O'Brien

The House agreed to the title as amended.

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

The Speaker laid before the House

#### **House Bill No. 5261, entitled**

A bill to amend 1980 PA 300, entitled "The public school employees retirement act of 1979," by amending section 61 (MCL 38.1361), as amended by 2010 PA 75.

(The bill was received from the Senate on December 13, with substitute (S-3), full title inserted and immediate effect given by the Senate, consideration of which, under the rules, was postponed until today, see House Journal No. 82, p. 2828.)

The question being on concurring in the substitute (S-3) made to the bill by the Senate,

The substitute (S-3) was concurred in, a majority of the members serving voting therefor, by yeas and nays, as follows:

#### **Roll Call No. 877**

#### **Yeas—107**

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

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

**Nays—0**

In The Chair: O'Brien

The House agreed to the full title.

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

The Speaker laid before the House

**House Bill No. 5817, entitled**

A bill to amend 1933 PA 167, entitled "General sales tax act," by amending section 6a (MCL 205.56a), as amended by 2008 PA 556.

(The bill was received from the Senate on December 13, with substitute (S-1), full title inserted and immediate effect given by the Senate, consideration of which, under the rules, was postponed until today, see House Journal No. 82, p. 2829.)

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

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

**Roll Call No. 878****Yeas—107**

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

**Nays—0**

In The Chair: O'Brien

The House agreed to the full title.

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

The Speaker laid before the House

**House Bill No. 6029, entitled**

A bill to authorize the state administrative board to convey certain state-owned property in Grand Traverse, Otsego, and Schoolcraft counties and to accept and convey certain other property in Grand Traverse county; to prescribe conditions for the acceptance and the conveyances; to provide for certain powers and duties of certain state departments in regard to the properties; to provide for disposition of revenue derived from the conveyances; and to authorize the state administrative board to transfer certain state-owned property in Jackson county from the state transportation department to the department of corrections.

(The bill was received from the Senate on December 13, with substitute (S-1), title amendment and immediate effect given by the Senate, consideration of which, under the rules, was postponed until today, see House Journal No. 82, p. 2831.)

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

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

**Roll Call No. 879****Yeas—64**

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

**Nays—43**

Ananich	Durhal	Lane	Segal
Barnett	Geiss	LeBlanc	Slavens
Bauer	Greimel	Lindberg	Smiley
Brown	Hammel	Lipton	Stallworth
Brunner	Haugh	Liss	Stanley
Byrum	Hobbs	McCann	Stapleton
Cavanagh	Hovey-Wright	Meadows	Switalski
Clemente	Howze	Nathan	Talabi
Constan	Irwin	Oakes	Tlaib
Darany	Jackson	Rutledge	Townsend
Dillon	Kandrevas	Santana	

In The Chair: O'Brien

The House agreed to the title as amended.

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

The Speaker laid before the House

**House Bill No. 5711, entitled**

A bill to amend 1978 PA 368, entitled "Public health code," by amending sections 2803, 2804, 2834, 2848, 13807, 16221, 16226, 16299, 17015, 17515, 20115, and 22224 (MCL 333.2803, 333.2804, 333.2834, 333.2848, 333.13807, 333.16221, 333.16226, 333.16299, 333.17015, 333.17515, 333.20115, and 333.22224), sections 2803, 2834, and 2848 as amended by 2002 PA 562, section 2804 as amended by 1990 PA 149, section 13807 as added by 1990 PA 21, section 16221 as amended by 2011 PA 222, section 16226 as amended by 2011 PA 224, section 16299 as amended by 2002 PA 685, section 17015 as amended by 2006 PA 77, section 17515 as added by 1993 PA 133, and section 20115 as amended and section 22224 as added by 1999 PA 206, and by adding sections 2836, 2854, 17015a, 17017, 17019, 17517, and 17519.

(The bill was received from the Senate on December 12, with substitute (S-3), title amendment and immediate effect given by the Senate, consideration of which, under the rules, was postponed until December 13, see House Journal No. 81, p. 2698.)

The question being on concurring in the substitute (S-3) made to the bill by the Senate,

Rep. Slavens moved to amend the Senate substitute (S-3) as follows:

1. Amend page 46, following line 7, by inserting:

"Enacting section 2. This amendatory act does not take effect unless all of the following bills of the 96th Legislature are enacted into law:

- (a) House Bill No. 4805.
- (b) House Bill No. 4806.
- (c) House Bill No. 4807.
- (d) House Bill No. 4808.
- (e) House Bill No. 4809.
- (f) House Bill No. 4810.
- (g) House Bill No. 4811.
- (h) House Bill No. 4812.
- (i) House Bill No. 4813.
- (j) House Bill No. 4814."

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

Rep. Bauer moved to amend the Senate substitute (S-3) as follows:

1. Amend page 41, line 13, by striking out all of section **17017**.

2. Amend page 42, line 17, by striking out all of section **17517**.

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

Rep. Byrum moved to amend the Senate substitute (S-3) as follows:

- 1. Amend page 27, line 20, after "**ABORT**" by inserting "**OR CONTINUE THE PREGNANCY**".
- 2. Amend page 28, line 24, after "**ABORT**" by inserting "**OR CONTINUE THE PREGNANCY**".
- 3. Amend page 33, line 20, after "**ABORTION**" by inserting "**OR CONTINUING THE PREGNANCY**".
- 4. Amend page 35, line 11, after "**ABORT**" by inserting "**OR CONTINUE THE PREGNANCY**".
- 5. Amend page 36, line 24, after "**ABORTION**" by inserting "**OR CONTINUE A PREGNANCY**".
- 6. Amend page 37, line 5, after "**ABORT**" by inserting "**OR COERCION TO CONTINUE A PREGNANCY**".
- 7. Amend page 37, line 8, after "**ABORT**" by inserting "**OR CONTINUE A PREGNANCY**".
- 8. Amend page 37, line 13, after "**ABORT**" by inserting "**OR CONTINUE THE PREGNANCY**".
- 9. Amend page 37, line 16, after "**ABORT**" by inserting "**OR CONTINUE THE PREGNANCY**".
- 10. Amend page 37, line 17, after "**ABORT**" by inserting "**OR CONTINUE THE PREGNANCY**".
- 11. Amend page 37, line 22, after "**ABORT**" by inserting "**OR CONTINUE THE PREGNANCY**".
- 12. Amend page 37, line 23, after "**ABORT**" by inserting "**OR CONTINUE THE PREGNANCY**".
- 13. Amend page 40, line 9, after "**ABORT**" by inserting "**OR CONTINUE THE PREGNANCY**".
- 14. Amend page 40, line 15, after "**ABORT**" by inserting "**OR CONTINUE THE PREGNANCY**".
- 15. Amend page 40, line 19, after "**ABORT**" by inserting "**OR CONTINUE THE PREGNANCY**".
- 16. Amend page 40, line 23, after "**ABORT**" by inserting "**OR CONTINUE THE PREGNANCY**".

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

Rep. Byrum moved to amend the Senate substitute (S-3) as follows:

1. Amend page 23, following line 22, by inserting:

**“SEC. 16278. (1) BEFORE PERFORMING A VASECTOMY, A PHYSICIAN SHALL MAKE A DETERMINATION THAT A MEDICAL EMERGENCY EXISTS OR THAT IT IS NECESSARY TO AVERT THE INDIVIDUAL’S DEATH.**

**(2) A PERSON WHO VIOLATES THIS SECTION IS GUILTY OF A FELONY PUNISHABLE BY IMPRISONMENT FOR NOT MORE THAN 15 YEARS OR A FINE OF NOT MORE THAN \$7,500.00, OR BOTH.**

**(3) AS USED IN THIS SECTION, “MEDICAL EMERGENCY” MEANS A CONDITION THAT, ON THE BASIS OF A PHYSICIAN’S GOOD-FAITH CLINICAL JUDGMENT, SO COMPLICATES THE MEDICAL CONDITION OF AN INDIVIDUAL AS TO NECESSITATE AN IMMEDIATE VASECTOMY TO AVERT HIS DEATH OR NECESSITATES IMMEDIATE TREATMENT OF A PHYSICAL DISORDER, PHYSICAL ILLNESS, OR PHYSICAL INJURY IN A HOSPITAL OR OTHER EMERGENCY CARE FACILITY, NOT INCLUDING PSYCHOLOGICAL OR EMOTIONAL CONDITIONS. A MEDICAL EMERGENCY DOES NOT INCLUDE A CONDITION THAT IS BASED ON A CLAIM OR DIAGNOSIS THAT THE INDIVIDUAL WILL ENGAGE IN CONDUCT THAT HE INTENDS TO RESULT IN HIS DEATH.”.**

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

Rep. Oakes moved to amend the Senate substitute (S-3) as follows:

1. Amend page 23, following line 22, by inserting:

**“SEC. 16278A. (1) BEFORE PRESCRIBING MEDICATION FOR ERECTILE DYSFUNCTION, A PHYSICIAN SHALL PERFORM A DIGITAL RECTAL EXAMINATION AND A CARDIAC STRESS TEST.**

**(2) INFORMED CONSENT FOR THE PROCEDURES DESCRIBED IN SUBSECTION (1) SHALL BE GIVEN AT LEAST 24 HOURS BEFORE THOSE PROCEDURES ARE PERFORMED.”.**

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

Rep. Tlaib moved to amend the Senate substitute (S-3) as follows:

1. Amend page 24, line 9, after “abortion” by inserting “**OR A VASECTOMY**”.

2. Amend page 24, line 11, after “**ABORT**” by inserting “**OR TO HAVE A VASECTOMY**”.

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

Rep. Segal moved to amend the Senate substitute (S-3) as follows:

1. Amend page 37, line 27, by striking out all of sub-subparagraphs (B) and (C) and relettering the remaining sub-subparagraphs.

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

Rep. Segal moved to amend the Senate substitute (S-3) as follows:

1. Amend page 45, following line 15, by inserting:

**“SEC. 20116. (1) NOTWITHSTANDING ANY PROVISION OF THIS ACT TO THE CONTRARY, THIS SECTION APPLIES TO A HEALTH FACILITY OR AGENCY THAT ESTABLISHES OR OPERATES A SURGICAL ABORTION FACILITY ON AND AFTER THE EFFECTIVE DATE OF THIS SECTION.**

**(2) AS USED IN THIS SECTION:**

**(A) “DEPARTMENT” MEANS THE DEPARTMENT OF COMMUNITY HEALTH.**

**(B) EXCEPT AS OTHERWISE PROVIDED IN THIS SUBDIVISION, “HEALTH PROFESSIONAL” MEANS AN INDIVIDUAL WHO IS LICENSED, CERTIFIED, OR OTHERWISE AUTHORIZED UNDER ARTICLE 15 TO ENGAGE IN A HEALTH PROFESSION. HEALTH PROFESSIONAL DOES NOT INCLUDE A PHYSICIAN.**

**(C) “PHYSICIAN” MEANS AN INDIVIDUAL WHO IS LICENSED OR OTHERWISE AUTHORIZED UNDER ARTICLE 15 TO ENGAGE IN THE PRACTICE OF MEDICINE OR OSTEOPATHIC MEDICINE AND SURGERY IN THIS STATE.**

**(D) “REGULAR SERVICE” MEANS THAT SURGICAL ABORTION PROCEDURES ARE PERFORMED ON SITE ON A ROUTINE BASIS.**

**(E) “SURGICAL ABORTION FACILITY” OR “FACILITY” MEANS A FREESTANDING SURGICAL OUTPATIENT FACILITY THAT PROVIDES SURGICAL TERMINATION OF PREGNANCY AS A REGULAR SERVICE.**

**(3) A PERSON SHALL NOT ESTABLISH OR OPERATE A SURGICAL ABORTION FACILITY WITHOUT OBTAINING A LICENSE FROM THE DEPARTMENT. A LICENSE IS VALID FOR 3 YEARS FROM THE DATE OF ISSUANCE, UNLESS SUSPENDED OR REVOKED BY THE DEPARTMENT. A LICENSE ISSUED UNDER THIS SECTION IS NOT TRANSFERABLE.**



**(4) A PERSON DESIRING TO OPERATE A FACILITY SHALL DO ALL OF THE FOLLOWING:**

**(A) BE IN COMPLIANCE WITH ALL APPLICABLE FEDERAL AND STATE LAWS AND REGULATIONS.**

**(B) FILE AN APPLICATION AS REQUIRED AND PRESCRIBED BY THE DEPARTMENT.**

**(C) SUBMIT A WRITTEN DESCRIPTION OF ITS QUALITY ASSURANCE PROGRAM AS REQUIRED BY SUBSECTION (25).**

**(5) IN ADDITION TO MEETING ALL OF THE REQUIREMENTS OF SUBSECTIONS (4) AND (10), THE APPLICANT OR LICENSEE SHALL SUBMIT A NONREFUNDABLE FEE OF \$1,500.00 WITH AN APPLICATION FOR AN INITIAL LICENSE AND FOR A LICENSE RENEWAL.**

**(6) BASED ON INFORMATION PROVIDED TO THE DEPARTMENT BY THE APPLICANT AND THE DEPARTMENT'S OWN INVESTIGATION, THE DEPARTMENT SHALL DO 1 OF THE FOLLOWING, AS APPLICABLE:**

**(A) APPROVE THE APPLICATION UNCONDITIONALLY.**

**(B) APPROVE THE APPLICATION CONDITIONALLY.**

**(C) DENY THE APPLICATION IF THE APPLICANT OR LICENSEE MEETS ANY OF THE FOLLOWING:**

**(i) HAS BEEN FOUND LIABLE FOR OR HAS BEEN CONVICTED OF ANY OF THE FOLLOWING:**

**(A) FRAUD OR A FELONY THAT RELATES TO MEDICAID OR MEDICARE.**

**(B) A CRIME INVOLVING MORAL TURPITUDE.**

**(ii) DOES NOT COMPLY WITH THE REQUIREMENTS OF THIS CHAPTER.**

**(7) THE DEPARTMENT MAY DENY A LICENSE TO ANY OF THE FOLLOWING:**

**(A) A CORPORATE APPLICANT IF THE CORPORATE ENTITY HAS AN OWNER, DIRECTOR, OR OFFICER WHO MEETS ANY OF THE FOLLOWING:**

**(i) WHOSE CONDUCT CAUSED THE REVOCATION OF A PRIOR LICENSE.**

**(ii) WHO HELD THE SAME OR SIMILAR POSITION IN ANOTHER CORPORATE ENTITY WHICH HAD ITS LICENSE REVOKED.**

**(B) AN INDIVIDUAL APPLICANT WHO MEETS ANY OF THE FOLLOWING:**

**(i) WHOSE CONDUCT CAUSED THE REVOCATION OF A PRIOR LICENSE.**

**(ii) WHO HELD A POSITION AS OWNER, DIRECTOR, OR OFFICER IN A CORPORATE ENTITY WHICH HAD ITS LICENSE REVOKED.**

**(C) AN INDIVIDUAL OR CORPORATE APPLICANT THAT HAS CONSENTED TO SURRENDER A LICENSE AS A RESULT OF A LICENSE REVOCATION ACTION.**

**(8) THE DEPARTMENT SHALL ALSO CONSIDER THE FACTORS IDENTIFIED IN SUBSECTION (26) WHEN DECIDING WHETHER TO DENY A LICENSE.**

**(9) A PERSON AGGRIEVED BY A DECISION OF THE DEPARTMENT UNDER THIS SECTION MAY APPEAL THE DEPARTMENT'S ACTION BY FILING A REQUEST FOR A HEARING IN ACCORDANCE WITH SUBSECTION (27).**

**(10) AT LEAST 60 DAYS BEFORE A LICENSE EXPIRES, THE LICENSEE SHALL SUBMIT TO THE DEPARTMENT A RENEWAL APPLICATION AND THE FEE AS SPECIFIED IN SUBSECTION (5). THE DEPARTMENT SHALL RENEW THE LICENSE FOR AN ADDITIONAL 3-YEAR PERIOD FOR A LICENSEE THAT MEETS THE REQUIREMENTS OF THIS SECTION.**

**(11) A LICENSED FACILITY OR AN ENTITY PROPOSING TO OPERATE A FACILITY SHALL BE OPEN DURING NORMAL BUSINESS HOURS, OR ANY OTHER TIMES THAT THE FACILITY IS SERVING PATIENTS, FOR INSPECTION BY THE DEPARTMENT AND BY ANY OTHER AGENCY DESIGNATED BY THE DEPARTMENT TO VERIFY COMPLIANCE WITH THIS SECTION. THE DEPARTMENT SHALL INVESTIGATE A COMPLAINT CONCERNING PATIENT CARE AND SAFETY. IN RESPONSE TO A COMPLAINT, THE DEPARTMENT MAY REQUIRE THE FACILITY TO PERFORM AND SUBMIT ITS OWN INVESTIGATION AND, IN ITS DISCRETION, CONDUCT AN ON-SITE INVESTIGATION OF A COMPLAINT. IN ORDER TO DETERMINE WHETHER AN ON-SITE INVESTIGATION AS DESCRIBED IN THIS SUBSECTION IS APPROPRIATE, THE FACTORS THE DEPARTMENT SHALL CONSIDER INCLUDE, BUT ARE NOT LIMITED TO, WHETHER THE COMPLAINANT HAS FIRSTHAND KNOWLEDGE OF THE ALLEGED INCIDENT; THE FACILITY'S REGULATORY HISTORY, INCLUDING THE NUMBER OF VERIFIED PRIOR COMPLAINTS; WHETHER THE DEPARTMENT HAS RECENTLY INSPECTED THE FACILITY, AND WHETHER THE INCIDENT WOULD HAVE BEEN OBSERVED DURING THE PRIOR REVIEW; AND THE NATURE OF THE COMPLAINT, INCLUDING DEGREE OF POTENTIAL SERIOUS HARM TO PATIENTS. IF THE COMPLAINT CONCERNS THE PERFORMANCE OF A PHYSICIAN, HEALTH PROFESSIONAL, OR STANDARDS OF PRACTICE, THE DEPARTMENT SHALL REFER THE COMPLAINT TO THE BOARD THAT LICENSES, CERTIFIES, OR OTHERWISE AUTHORIZES THE PHYSICIAN OR HEALTH PROFESSIONAL TO ENGAGE IN THAT HEALTH PROFESSION. THE DEPARTMENT SHALL COMPLY WITH THE REQUIREMENTS FOR MEDICAL REVIEW COMMITTEES AND SHALL KEEP PATIENT INFORMATION CONFIDENTIAL IN ACCORDANCE WITH STATE AND FEDERAL LAWS. IF THE**

DEPARTMENT DETERMINES THAT A FACILITY FAILS TO MEET ANY PROVISION OF THIS SECTION, THE DEPARTMENT SHALL ADVISE THE FACILITY OF THE EXACT NATURE OF THE VIOLATION AND REQUIRE THAT THE FACILITY SPECIFY WHAT CORRECTIVE ACTION IT IS TAKING AND MONITOR THE FACILITY TO ENSURE THAT IT TAKES CORRECTIVE ACTION. THE FACILITY SHALL MAKE ITS RECORDS AND REPORTS AVAILABLE TO THE DEPARTMENT ON SITE AT THE FACILITY DURING AN INSPECTION.

(12) EACH FACILITY SHALL HAVE AN ADMINISTRATOR, WHO IS RESPONSIBLE FOR THE DAILY OPERATION OF THE FACILITY, INCLUDING, BUT NOT LIMITED TO, CONSULTING WITH THE STAFF TO DEVELOP AND IMPLEMENT THE FACILITY'S POLICIES AND PROCEDURES REQUIRED UNDER SUBSECTION (14); ORGANIZING AND COORDINATING THE ADMINISTRATIVE FUNCTIONS OF THE FACILITY; COORDINATING THE PROVISION OF SERVICES THAT THE FACILITY PROVIDES; TRAINING THE STAFF ON THE FACILITY'S POLICIES AND PROCEDURES AND APPLICABLE FEDERAL, STATE, AND LOCAL LAWS AND REGULATIONS; AND ENSURING THAT ALL PERSONNEL RECEIVE ORIENTATION AND HAVE EXPERIENCE SUFFICIENT TO DEMONSTRATE COMPETENCY TO PERFORM ASSIGNED PATIENT CARE DUTIES, INCLUDING PROPER INFECTION CONTROL PRACTICE; ARE LICENSED OR CERTIFIED BY AN APPROPRIATE OCCUPATIONAL LICENSING BOARD TO PRACTICE IN THIS STATE, IF REQUIRED BY LAW; AND PERFORM OR DELEGATE DUTIES AND RESPONSIBILITIES IN ACCORDANCE WITH STATE STANDARDS OF PRACTICE. THE ADMINISTRATOR SHALL ENSURE THAT THE FACILITY'S POLICIES AND PROCEDURES AS DESCRIBED IN SUBSECTION (14) ARE REVIEWED BY STAFF AT LEAST ANNUALLY AND ARE REVISED AS NECESSARY AND ARE AVAILABLE AT ALL TIMES FOR STAFF INSPECTION AND REFERENCE AND THAT ALL APPROPRIATE PERSONNEL IMPLEMENT ALL POLICIES AND PROCEDURES AS ADOPTED.

(13) THE SURGICAL ABORTION FACILITY SHALL HAVE A MEDICAL DIRECTOR WHO IS RESPONSIBLE FOR THE OVERALL MEDICAL CARE THAT IS PROVIDED BY THE FACILITY AND WHO ADVISES AND CONSULTS WITH THE STAFF OF THE FACILITY ON ALL MEDICAL ISSUES RELATING TO SERVICES PROVIDED BY THE FACILITY. THE MEDICAL DIRECTOR SHALL BE A PHYSICIAN LICENSED UNDER ARTICLE 15 TO PRACTICE IN THIS STATE.

(14) THE FACILITY SHALL HAVE POLICIES AND PROCEDURES CONCERNING ALL OF THE FOLLOWING:

(A) THE SCOPE AND DELIVERY OF SERVICES PROVIDED BY THE FACILITY EITHER DIRECTLY OR THROUGH CONTRACTUAL ARRANGEMENTS.

(B) PERSONNEL PRACTICES, INCLUDING, BUT NOT LIMITED TO, THE FOLLOWING:

(i) PROCEDURES FOR THE ACCOUNTABILITY OF PERSONNEL INVOLVED IN PATIENT CARE.

(ii) JOB DESCRIPTIONS ON FILE FOR ALL PERSONNEL.

(iii) PROCEDURES TO ENSURE THAT PERSONNEL ARE FREE FROM COMMUNICABLE DISEASES.

(C) POSTOPERATIVE RECOVERY, IF APPLICABLE.

(D) THE TRANSFER OR REFERRAL OF PATIENTS WHO REQUIRE SERVICES THAT ARE NOT PROVIDED BY THE FACILITY.

(E) INFECTION CONTROL FOR PATIENTS AND STAFF.

(F) PERTINENT SAFETY PRACTICES, INCLUDING THE CONTROL OF FIRE AND MECHANICAL HAZARDS.

(G) PREVENTIVE MAINTENANCE FOR EQUIPMENT TO ENSURE PROPER OPERATION AND SAFETY.

(H) THE SERVICES AND PROCEDURES SPECIFIED IN SUBSECTIONS (15) TO (20).

(15) A FACILITY SHALL ENSURE THAT ALL PHYSICIANS AND OTHER HEALTH PROFESSIONALS WHO ARE EMPLOYEES OR CONTRACTUAL STAFF HAVE BEEN APPROPRIATELY TRAINED AND LICENSED OR CERTIFIED UNDER STATE LAW. A PHYSICIAN PERFORMING SURGERY IN A FACILITY SHALL POSSESS ADEQUATE QUALIFICATIONS ACQUIRED BY SPECIAL TRAINING AND EXPERIENCE TO EVALUATE THE MEDICAL, PODIATRIC, OR DENTAL CONDITIONS AND POTENTIAL RISKS, RECOGNIZE AND ADEQUATELY TREAT EMERGENCY COMPLICATIONS ENCOUNTERED IN ANY PROCEDURE UNDERTAKEN, AND PERFORM THE PROCEDURE IN ACCORDANCE WITH THE USUAL STANDARDS OF MEDICAL, PODIATRIC, OR DENTAL PRACTICE. THE FACILITY SHALL MAINTAIN A RECORD OF THE EDUCATIONAL TRAINING AND EXPERIENCE BACKGROUND OF EACH PERSON GRANTED PRIVILEGES TO PERFORM SURGERY IN A FACILITY. THE ADMINISTRATOR SHALL ESTABLISH A PROCEDURE FOR THE BIENNIAL REAPPOINTMENT OF A PHYSICIAN THAT INCLUDES AN UPDATE OF THE INFORMATION REQUIRED IN THIS SUBSECTION; AN ASSESSMENT OF THE PHYSICIAN'S PERFORMANCE PATTERN BASED ON AN ANALYSIS OF COMPLAINTS FILED WITH THE FACILITY, MALPRACTICE CLAIMS FILED, UTILIZATION, QUALITY, AND RISK DATA, AND ADHERENCE TO POLICIES, BYLAWS, AND PROCEDURES; AND PHYSICIAN PRACTICE PATTERNS AS REVIEWED THROUGH THE FACILITY'S QUALITY ASSURANCE PROGRAM. THE FACILITY, FOR

ALL LICENSED OR CERTIFIED HEALTH PROFESSIONALS WHO ARE EMPLOYED BY THE FACILITY, SHALL COLLECT, REVIEW, AND VERIFY EVIDENCE OF A CURRENT LICENSE OR CERTIFICATE TO PRACTICE IN THIS STATE AND MALPRACTICE INSURANCE, IF REQUIRED BY THE FACILITY. THE ADMINISTRATOR SHALL APPROVE THE DELINEATION OF SERVICES TO BE PROVIDED BY THE HEALTH PROFESSIONAL. WHEN A LICENSED PHYSICIAN USES A HEALTH PROFESSIONAL TO PROVIDE SERVICES AT THE FACILITY AND THAT PERSON IS NOT EMPLOYED BY THE FACILITY, THE LICENSED PHYSICIAN WHO EMPLOYS THE HEALTH PROFESSIONAL IS RESPONSIBLE FOR VERIFYING THE INFORMATION REQUIRED UNDER THIS SUBSECTION.

(16) SURGICAL ABORTION PROCEDURES SHALL BE PERFORMED IN A SAFE MANNER BY A PHYSICIAN CREDENTIALLED BY THE FACILITY UNDER SUBSECTION (15). AN ADMINISTRATOR, IN CONSULTATION WITH THE MEDICAL DIRECTOR, SHALL DEVELOP AND IMPLEMENT POLICIES, PROCEDURES, AND PROTOCOLS FOR THE PROVISION OF SURGICAL ABORTION SERVICES, INCLUDING, BUT NOT LIMITED TO, PERSONNEL; PREOPERATIVE TESTING AND EXAMINATIONS; SURGICAL PROCEDURES; POSTANESTHESIA CARE AND OBSERVATION; DISCHARGE PLANNING; EMERGENCY SERVICES; INFORMED CONSENT; AND SAFETY. THE ADMINISTRATOR SHALL ENSURE THAT THE POLICIES, PROCEDURES, AND PROTOCOLS REFERENCED IN THIS SUBSECTION ARE AVAILABLE ON SITE AT ALL TIMES FOR REFERENCE AND ARE REVIEWED ANNUALLY AND REVISED AS NECESSARY. BEFORE CONDUCTING A SURGICAL PROCEDURE, A PHYSICIAN OR OTHER QUALIFIED HEALTH PROFESSIONAL SHALL CONDUCT A HISTORY AND PATIENT EVALUATION. IF THE PATIENT ASSESSMENT AND EVALUATION IS PERFORMED BEFORE THE DAY OF SURGERY, ON THE DAY OF SURGERY A PHYSICIAN OR QUALIFIED HEALTH PROFESSIONAL SHALL REASSESS AND DOCUMENT ON THE PATIENT'S MEDICAL RECORD ANY CHANGE IN THE PATIENT'S CLINICAL STATUS THAT COULD HAVE AN EFFECT ON THE SURGICAL PROCEDURE TO BE PERFORMED AND THE ANESTHESIA TO BE USED. BEFORE DISCHARGE FROM THE FACILITY, THE PATIENT SHALL BE EVALUATED BY A PHYSICIAN OR AN APPROPRIATELY TRAINED HEALTH PROFESSIONAL. THIS EVALUATION SHALL BE DOCUMENTED IN THE PATIENT'S RECORD.

(17) ANESTHETICS SHALL BE ADMINISTERED BY AN ANESTHETIST AS DEFINED UNDER R 325.3801. GENERAL ANESTHETICS SHALL BE ADMINISTERED ONLY BY A QUALIFIED ANESTHESIOLOGIST, A PHYSICIAN QUALIFIED TO ADMINISTER ANESTHESIA, OR A CERTIFIED REGISTERED NURSE ANESTHETIST.

(18) LICENSED PERSONNEL EMPLOYED BY THE FACILITY SHALL HAVE CERTIFICATION IN BASIC LIFE SUPPORT. A LICENSED STAFF INDIVIDUAL TRAINED IN BASIC LIFE SUPPORT SHALL BE ON DUTY WHENEVER THERE IS A PATIENT IN THE FACILITY. THE FACILITY SHALL HAVE A NURSE AVAILABLE ON SITE FOR EMERGENCY TREATMENT WHENEVER THERE IS A POSTOPERATIVE SURGICAL ABORTION PATIENT IN THE FACILITY AND AT LEAST 1 PHYSICIAN AVAILABLE BY TELEPHONE 24 HOURS A DAY TO RESPOND TO EMERGENCY SITUATIONS. WHEN SEDATION OR GENERAL ANESTHESIA IS ADMINISTERED, THE FACILITY SHALL HAVE AT LEAST OXYGEN; MECHANICAL VENTILATORY ASSISTANCE INCLUDING AIRWAYS AND MANUAL BREATHING BAG; AUTOMATED EXTERNAL DEFIBRILLATOR; EQUIPMENT TO MONITOR BLOOD PRESSURE, PULSE, AND OXYGEN LEVELS; SUCTION EQUIPMENT; AND EMERGENCY MEDICAL EQUIPMENT AND SUPPLIES SPECIFIED BY THE MEDICAL STAFF AVAILABLE TO THE PROCEDURE ROOMS. WHEN GENERAL ANESTHESIA IS ADMINISTERED, A FACILITY SHALL HAVE LARYNGOSCOPES, ENDOTRACHEAL TUBES, AND CARDIAC MONITORING EQUIPMENT AVAILABLE IN THE PROCEDURE ROOM.

(19) THE SURGICAL ABORTION FACILITY SHALL HAVE AN EFFECTIVE PROCEDURE FOR THE TRANSFER OF PATIENTS TO A NEARBY HOSPITAL WHEN CARE BEYOND THE CAPABILITIES OF THE FACILITY IS REQUIRED. PROCEDURES FOR EMERGENCY TRANSFER TO A HOSPITAL SHALL INCLUDE, AT A MINIMUM, ALL OF THE FOLLOWING:

- (A) WRITTEN PROTOCOLS AND PROCEDURES RELATED TO EMERGENCY TRANSFER PROCEDURES.
- (B) A MECHANISM FOR NOTIFYING THE HOSPITAL OF A PENDING EMERGENCY CASE.
- (C) A MECHANISM FOR ARRANGING APPROPRIATE TRANSPORTATION TO THE HOSPITAL.
- (D) PROTOCOLS FOR TRANSMITTING A COPY OF THE PATIENT'S MEDICAL RECORD TO THE HOSPITAL.
- (E) APPROPRIATE TRAINING FOR STAFF IN THE FACILITY'S WRITTEN PROTOCOLS AND PROCEDURES.

(20) THE SURGICAL ABORTION FACILITY SHALL DO ALL OF THE FOLLOWING:

- (A) PROVIDE DRUGS UNDER THE DIRECTION OF AN AUTHORIZED PRESCRIBER.
- (B) DEVELOP AND IMPLEMENT POLICIES AND PROCEDURES FOR PHARMACY SERVICES IN ACCORDANCE WITH ACCEPTED PROFESSIONAL PRACTICE.

(C) STAFF SHALL PREPARE AND ADMINISTER DRUGS ACCORDING TO ESTABLISHED POLICIES AND ACCEPTABLE STANDARDS OF PRACTICE.

(D) STAFF SHALL REPORT ADVERSE DRUG REACTIONS TO THE LICENSEE'S MEDICAL DIRECTOR OR PHYSICIAN.

(E) ORDERS GIVEN ORALLY FOR DRUGS SHALL BE FOLLOWED BY A WRITTEN ORDER WHICH IS SIGNED BY THE AUTHORIZED PRESCRIBER.

(21) THE ADMINISTRATOR SHALL DEVELOP AND IMPLEMENT POLICIES AND PROCEDURES FOR OBTAINING ROUTINE AND EMERGENCY LABORATORY AND RADIOLOGICAL SERVICES TO MEET THE NEEDS OF THE PATIENT. THE POLICIES AND PROCEDURES SHALL INCLUDE TURNAROUND TIME, REVIEW OF LABORATORY REPORTS, AND DOCUMENTATION OF LABORATORY RESULTS. LABORATORY FACILITIES SHALL BE APPROVED UNDER THE FEDERAL CLINICAL LABORATORY IMPROVEMENT ACT AND LICENSED UNDER THE LAWS OF THIS STATE. THE FACILITY SHALL INCLUDE IN THE PATIENT'S MEDICAL RECORDS ALL LABORATORY REPORTS AND RADIOLOGICAL FINDINGS.

(22) THE FACILITY SHALL MAINTAIN A COMPLETE, COMPREHENSIVE, AND ACCURATE MEDICAL RECORD FOR A PATIENT. A PATIENT'S MEDICAL RECORD SHALL INCLUDE A PATIENT IDENTIFIER, SIGNIFICANT MEDICAL HISTORY, RESULTS OF A PATIENT EVALUATION, DOCUMENTATION OF CARE OR SERVICES PROVIDED, EVIDENCE OF CONSENT, AND DISCHARGE DIAGNOSIS. WITH THE PATIENT'S CONSENT OR TO THE EXTENT THAT INFORMATION IN A RECORD IS NECESSARY FOR A PATIENT'S CARE IN AN EMERGENCY TRANSFER, THE FACILITY SHALL DO ALL OF THE FOLLOWING:

(A) SEND A COPY OF THE MEDICAL RECORD WITH THE PATIENT ON REFERRAL TO ANOTHER PHYSICIAN OR OTHER LICENSED HEALTH PROFESSIONAL OR TRANSFER TO A HOSPITAL.

(B) IF APPROPRIATE, AND WITH THE PATIENT'S CONSENT, USE THE MEDICAL RECORD WHEN INSTRUCTING THE PATIENT AND THE FAMILY.

(23) THE ADMINISTRATOR SHALL ENSURE THAT THE FACILITY DEVELOPS AND IMPLEMENTS WRITTEN POLICIES AND PROCEDURES CONCERNING PATIENTS' RIGHTS AND RESPONSIBILITIES, INCLUDING, BUT NOT LIMITED TO, ALL OF THE FOLLOWING:

(A) THE OPPORTUNITY FOR PATIENTS TO PARTICIPATE IN PLANNING THEIR MEDICAL TREATMENT.

(B) CONFIDENTIALITY OF MEDICAL RECORDS AND THE RIGHT TO APPROVE OR REFUSE RELEASE OF RECORDS TO ANY INDIVIDUAL OUTSIDE THE FACILITY, EXCEPT AS PROVIDED BY FEDERAL OR STATE LAW.

(24) THE ADMINISTRATOR SHALL ENSURE THAT THE FACILITY HAS A SAFE, FUNCTIONAL, AND SANITARY ENVIRONMENT FOR THE PROVISION OF SURGICAL SERVICES. A PROCEDURE ROOM SHALL BE DESIGNED AND EQUIPPED TO ENSURE THAT SURGICAL ABORTION PROCEDURES CONDUCTED CAN BE PERFORMED IN A MANNER THAT ENSURES THE SAFETY OF ALL INDIVIDUALS IN THE AREA. THE FACILITY SHALL HAVE A SEPARATE RECOVERY ROOM AND WAITING AREA. THE FACILITY SHALL MEET THE REQUIREMENTS FOR HANDLING, TREATMENT, AND DISPOSAL OF SPECIAL MEDICAL WASTES UNDER THE LAWS OF THIS STATE.

(25) THE ADMINISTRATOR SHALL ENSURE THAT THE FACILITY DEVELOPS AND MAINTAINS A QUALITY ASSURANCE PROGRAM THAT INCLUDES THE MONITORING AND EVALUATION OF THE QUALITY OF PATIENT CARE AND THE IDENTIFICATION, EVALUATION, AND RESOLUTION OF CARE PROBLEMS. THE FACILITY SHALL CONDUCT ONGOING QUALITY ASSURANCE ACTIVITIES AND DOCUMENT THE ACTIVITIES ON A CONTINUOUS BASIS, BUT NOT LESS THAN QUARTERLY. THE ADMINISTRATOR SHALL ENSURE THAT THE FACILITY DEVELOPS A QUALITY CONTROL PROCEDURE TO MONITOR AND DOCUMENT THE SAFETY AND PERFORMANCE OF ALL BIOMEDICAL EQUIPMENT. THE FACILITY SHALL DOCUMENT THE FOLLOWING INFORMATION FOR ALL QUALITY ASSURANCE ACTIVITIES:

(A) A DESCRIPTION OF IDENTIFIED PROBLEMS.

(B) FINDING.

(C) CONCLUSIONS.

(D) RECOMMENDATIONS.

(E) ACTIONS TAKEN.

(F) RESULTS.

(G) FOLLOW-UP.

(26) THE DEPARTMENT MAY IMMEDIATELY SUSPEND A LICENSE ON A FINDING THAT THE PUBLIC HEALTH, SAFETY, OR WELFARE REQUIRES EMERGENCY ACTION. THE DEPARTMENT SHALL DELIVER A WRITTEN NOTICE TO THE LICENSEE INFORMING THE LICENSEE OF THE

EMERGENCY SUSPENSION, GIVING THE REASONS FOR THE ACTION AND THE REGULATION OR REGULATIONS WITH WHICH THE LICENSEE HAS FAILED TO COMPLY THAT FORM THE BASIS FOR THE EMERGENCY SUSPENSION, AND NOTIFYING THE LICENSEE OF THE LICENSEE'S RIGHT TO REQUEST A HEARING AND TO BE REPRESENTED BY COUNSEL. THE FILING OF A HEARING REQUEST DOES NOT STAY THE EMERGENCY ACTION. WHEN A LICENSE IS SUSPENDED, THE LICENSEE SHALL IMMEDIATELY RETURN THE LICENSE TO THE DEPARTMENT AND STOP PROVIDING SURGICAL ABORTION PROCEDURES IMMEDIATELY. A PERSON AGGRIEVED BY THE ACTION OF THE DEPARTMENT UNDER THIS SECTION MAY APPEAL THE DEPARTMENT'S ACTION BY FILING A REQUEST FOR A HEARING IN ACCORDANCE SUBSECTION (29). THE DEPARTMENT SHALL CONDUCT A HEARING AS PROVIDED UNDER SUBSECTION (29) AND ISSUE A PROPOSED DECISION WITHIN 10 BUSINESS DAYS OF THE CLOSE OF THE HEARING RECORD. EXCEPTIONS MAY BE FILED BY AN AGGRIEVED PERSON. THE DEPARTMENT SHALL MAKE A FINAL DECISION. IF THE DEPARTMENT'S FINAL DECISION DOES NOT UPHOLD THE EMERGENCY SUSPENSION, THE LICENSEE MAY RESUME OPERATION.

(27) THE DEPARTMENT, FOR CAUSE SHOWN, SHALL NOTIFY THE LICENSEE OF THE DEPARTMENT'S DECISION TO REVOKE THE FACILITY'S LICENSE. THE REVOCATION SHALL BE STAYED IF A HEARING IS REQUESTED. THE DEPARTMENT MAY REVOKE A LICENSE IF THE LICENSEE HAS BEEN CONVICTED OF FRAUD, A FELONY THAT RELATES TO MEDICAID OR MEDICARE, OR A CRIME INVOLVING MORAL TURPITUDE OR DOES NOT COMPLY WITH THE REQUIREMENTS OF THIS SECTION. THE DEPARTMENT SHALL CONSIDER THE FACTORS IDENTIFIED IN SUBSECTION (28) WHEN DECIDING WHETHER TO REVOKE A LICENSE. THE DEPARTMENT SHALL NOTIFY THE LICENSEE IN WRITING OF THE EFFECTIVE DATE OF THE REVOCATION; OF THE REASON FOR THE REVOCATION; OF THE REGULATIONS WITH WHICH THE LICENSEE HAS FAILED TO COMPLY THAT FORM THE BASIS FOR THE REVOCATION; THAT THE LICENSEE IS ENTITLED TO A HEARING, IF REQUESTED, AND TO BE REPRESENTED BY COUNSEL; THAT THE FACILITY SHALL STOP PROVIDING SURGICAL ABORTION SERVICES ON THE EFFECTIVE DATE OF THE REVOCATION IF THE LICENSEE DOES NOT REQUEST A HEARING; THAT THE REVOCATION SHALL BE STAYED IF A HEARING IS REQUESTED; AND THAT THE LICENSEE IS REQUIRED TO SURRENDER THE LICENSE TO THE DEPARTMENT IF THE REVOCATION IS UPHOLD. A PERSON AGGRIEVED BY THE ACTION OF THE DEPARTMENT UNDER THIS SECTION MAY APPEAL THE DEPARTMENT'S ACTION BY FILING A REQUEST FOR A HEARING IN ACCORDANCE WITH SUBSECTION (29).

(28) THE DEPARTMENT MAY IMPOSE AN ADMINISTRATIVE PENALTY OF UP TO \$1,000.00 FOR A VIOLATION OF THIS SECTION. WHEN CONSIDERING WHETHER TO IMPOSE AN ADMINISTRATIVE FINE AND THE AMOUNT OF THE PENALTY, THE DEPARTMENT SHALL CONSIDER THE NUMBER, NATURE, AND SERIOUSNESS OF THE VIOLATION OR VIOLATIONS; THE EXTENT TO WHICH THE VIOLATION OR VIOLATIONS ARE PART OF AN ONGOING PATTERN DURING THE PRECEDING 24 MONTHS; THE DEGREE OF RISK, CAUSED BY THE VIOLATION OR VIOLATIONS, TO THE HEALTH, LIFE, OR SAFETY OF THE PATIENTS OF THE FACILITY; THE EFFORTS MADE BY, AND THE ABILITY OF, THE LICENSEE TO CORRECT THE VIOLATION OR VIOLATIONS IN A TIMELY MANNER; AND ANY OTHER FACTORS AS JUSTICE MAY REQUIRE. A PERSON AGGRIEVED BY THE ACTION OF THE DEPARTMENT MAY APPEAL THE DEPARTMENT'S ACTION BY FILING A REQUEST FOR A HEARING IN ACCORDANCE WITH SUBSECTION (29).

(29) A REQUEST FOR A HEARING SHALL BE FILED WITH THE DEPARTMENT NOT LATER THAN 30 DAYS AFTER RECEIPT OF NOTICE OF THE DEPARTMENT'S ACTION. THE REQUEST SHALL INCLUDE A COPY OF THE DEPARTMENT'S ACTION."

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

Rep. Stamas moved to amend the Senate substitute (S-3) as follows:

1. Amend page 46, following line 7, by striking out all of enacting section 2.

The motion prevailed and the amendment was adopted, a majority of the members serving voting therefor.

The question being on concurring in the substitute (S-3) made to the bill by the Senate,

The substitute (S-3), as amended, was concurred in, a majority of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 880

Yeas—72

Agema  
Bolger

Gilbert  
Glardon

LaFontaine  
LeBlanc

Pettalia  
Poleski

Brunner	Goike	Liss	Potvin
Bumstead	Graves	Lori	Price
Callton	Haines	Lund	Pscholka
Clemente	Haveman	Lyons	Rendon
Constan	Heise	MacGregor	Rogers
Cotter	Hooker	MacMaster	Santana
Crawford	Horn	McBroom	Schmidt, R.
Daley	Hughes	McMillin	Schmidt, W.
Damrow	Huuki	Moss	Shaughnessy
Darany	Jackson	Muxlow	Shirkey
Denby	Jacobsen	Nesbitt	Somerville
Farrington	Jenkins	O'Brien	Stamas
Forlini	Johnson	Olson	Tyler
Foster	Knollenberg	Opsommer	Walsh
Franz	Kowall	Ouimet	Yonker
Genetski	Kurtz	Outman	Zorn

### Nays—35

Ananich	Greimel	Lindberg	Smiley
Barnett	Hammel	Lipton	Stallworth
Bauer	Haugh	McCann	Stanley
Brown	Hobbs	Meadows	Stapleton
Byrum	Hovey-Wright	Nathan	Switalski
Cavanagh	Howze	Oakes	Talabi
Dillon	Irwin	Rutledge	Tlaib
Durhal	Kandrevas	Segal	Townsend
Geiss	Lane	Slavens	

In The Chair: O'Brien

The House agreed to the title as amended.

### Third Reading of Bills

Rep. Stamas moved that **Senate Bill No. 1145** be placed on its immediate passage. The motion prevailed, a majority of the members serving voting therefor.

#### Senate Bill No. 1145, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending sections 17048 and 17548 (MCL 333.17048 and 333.17548), as amended by 2011 PA 210.

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

#### Roll Call No. 881

#### Yeas—107

Agema	Gilbert	Lane	Price
Ananich	Gardon	LeBlanc	Pscholka
Barnett	Goike	Lindberg	Rendon
Bauer	Graves	Lipton	Rogers

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

### Nays—0

In The Chair: O'Brien

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

“An act to protect and promote the public health; to codify, revise, consolidate, classify, and add to the laws relating to public health; to provide for the prevention and control of diseases and disabilities; to provide for the classification, administration, regulation, financing, and maintenance of personal, environmental, and other health services and activities; to create or continue, and prescribe the powers and duties of, departments, boards, commissions, councils, committees, task forces, and other agencies; to prescribe the powers and duties of governmental entities and officials; to regulate occupations, facilities, and agencies affecting the public health; to regulate health maintenance organizations and certain third party administrators and insurers; to provide for the imposition of a regulatory fee; to provide for the levy of taxes against certain health facilities or agencies; to promote the efficient and economical delivery of health care services, to provide for the appropriate utilization of health care facilities and services, and to provide for the closure of hospitals or consolidation of hospitals or services; to provide for the collection and use of data and information; to provide for the transfer of property; to provide certain immunity from liability; to regulate and prohibit the sale and offering for sale of drug paraphernalia under certain circumstances; to provide for the implementation of federal law; to provide for penalties and remedies; to provide for sanctions for violations of this act and local ordinances; to provide for an appropriation and supplements; to repeal certain acts and parts of acts; to repeal certain parts of this act; and to repeal certain parts of this act on specific dates.”

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.

Rep. Stamas moved that **Senate Bill No. 756** be placed on its immediate passage.  
The motion prevailed, a majority of the members serving voting therefor.

**Senate Bill No. 756, entitled**

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending sections 320a and 732 (MCL 257.320a and 257.732), as amended by 2011 PA 159, and by adding section 602c.

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

**Roll Call No. 882**

**Yeas—74**

Ananich	Glardon	LaFontaine	Outman
Barnett	Graves	Lane	Price
Bauer	Greimel	LeBlanc	Rendon
Brown	Hammel	Lindberg	Rogers
Brunner	Haugh	Lipton	Rutledge
Byrum	Haveman	Liss	Santana
Cavanagh	Heise	Lori	Schmidt, W.
Clemente	Hobbs	MacMaster	Segal
Constan	Horn	McCann	Shaughnessy
Crawford	Hovey-Wright	Meadows	Slavens
Daley	Howze	Moss	Smiley
Damrow	Hughes	Muxlow	Stallworth
Darany	Irwin	Nathan	Stanley
Denby	Jackson	O'Brien	Talabi
Dillon	Jacobsen	Oakes	Townsend
Durhal	Jenkins	Olson	Walsh
Foster	Johnson	Opsommer	Yonker
Geiss	Kandrevas	Ouimet	Zorn
Gilbert	Knollenberg		

**Nays—33**

Agema	Goike	MacGregor	Schmidt, R.
Bolger	Haines	McBroom	Shirkey
Bumstead	Hooker	McMillin	Somerville
Callton	Huuki	Nesbitt	Stamas
Cotter	Kowall	Pettalia	Stapleton
Farrington	Kurtz	Poleski	Switalski
Forlini	Lund	Potvin	Tlaib
Franz	Lyons	Pscholka	Tyler
Genetski			

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 provide for the registration, titling, sale, transfer, and regulation of certain vehicles operated upon the public highways of this state or any other place open to the general public or generally accessible to motor vehicles and distressed vehicles; to provide for the licensing of dealers; to provide for the examination, licensing, and control of operators and chauffeurs; to provide for the giving of proof of financial responsibility and security by owners and operators of vehicles; to provide for the imposition, levy, and collection of specific taxes on vehicles, and the levy and collection of sales and use taxes, license fees, and permit fees; to provide for the regulation and use of streets and highways; to create certain funds; to provide penalties and sanctions for a violation of this act; to provide for civil liability of owners and operators of vehicles and service of process on residents and nonresidents; to regulate the introduction and use of certain evidence;



to provide for the levy of certain assessments; to provide for the enforcement of this act; to provide for the creation of and to prescribe the powers and duties of certain state and local agencies; to impose liability upon the state or local agencies; to provide appropriations for certain purposes; to repeal all other acts or parts of acts inconsistent with this act or contrary to this act; and to repeal certain parts of this act on a specific date.”

The House agreed to the full title.

**Senate Bill No. 334, entitled**

A bill to amend 1961 PA 120, entitled “An act to authorize the development or redevelopment of principal shopping districts and business improvement districts; to permit the creation of certain boards; to provide for the operation of principal shopping districts and business improvement districts; to provide for the creation, operation, and dissolution of business improvement zones; and to authorize the collection of revenue and the bonding of certain local governmental units for the development or redevelopment projects,” by amending sections 10, 10a, 10b, 10c, 10d, 10e, 10f, 10g, 10h, 10i, 10j, 10k, 10l, and 10m (MCL 125.990, 125.990a, 125.990b, 125.990c, 125.990d, 125.990e, 125.990f, 125.990g, 125.990h, 125.990i, 125.990j, 125.990k, 125.990l, and 125.990m), as added by 2001 PA 260.

The bill was read a third time.

The question being on the passage of the bill,

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

The motion prevailed.

By unanimous consent the House returned to the order of

**Messages from the Senate**

The Speaker laid before the House

**Senate Bill No. 265, entitled**

A bill to amend 1949 PA 300, entitled “Michigan vehicle code,” by amending section 722 (MCL 257.722), as amended by 2012 PA 252.

(The bill was received from the Senate on December 13, with amendments to the House substitute (H-8) and immediate effect given by the Senate, consideration of which, under the rules, was postponed until today, see House Journal No. 82, p. 2832.)

The question being on concurring in the amendments to the House substitute (H-8) made to the bill by the Senate,

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

**Roll Call No. 883**

**Yeas—79**

Agema	Goike	Lindberg	Price
Ananich	Graves	Lipton	Pscholka
Bolger	Greimel	Lori	Rendon
Brunner	Hammel	Lund	Rogers
Callton	Haugh	Lyons	Schmidt, R.
Cavanagh	Haveman	MacGregor	Schmidt, W.
Clemente	Heise	MacMaster	Shaughnessy
Cotter	Hobbs	McBroom	Shirkey
Crawford	Hooker	McCann	Somerville
Daley	Horn	McMillin	Stallworth
Damrow	Howze	Muxlow	Stamas
Denby	Hughes	Nathan	Stanley
Dillon	Huuki	Nesbitt	Switalski
Farrington	Irwin	O’Brien	Talabi
Forlini	Jenkins	Oakes	Townsend
Foster	Johnson	Olson	Tyler
Franz	Kowall	Opsommer	Walsh
Genetski	Kurtz	Ouimet	Yonker
Gilbert	LaFontaine	Poleski	Zorn
Glardon	Lane	Potvin	

**Nays—28**

Barnett	Durhal	Knollenberg	Rutledge
Bauer	Geiss	LeBlanc	Santana
Brown	Haines	Liss	Segal
Bumstead	Hovey-Wright	Meadows	Slavens
Byrum	Jackson	Moss	Smiley
Constan	Jacobsen	Outman	Stapleton
Darany	Kandrevas	Pettalia	Tlaib

In The Chair: Opsommer

**Second Reading of Bills****Senate Bill No. 810, entitled**

A bill to amend 1954 PA 116, entitled “Michigan election law,” by amending sections 4, 381, 642, and 642a (MCL 168.4, 168.381, 168.642, and 168.642a), section 4 as amended by 2010 PA 181, section 381 as amended by 2012 PA 276, and sections 642 and 642a as amended by 2011 PA 233; and to repeal acts and parts of acts.

The bill was read a second time.

Rep. Lund 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. Hammel moved to amend the bill as follows:

1. Amend page 16, line 4, after “member” by inserting a comma and “**METROPOLITAN DISTRICT OFFICER,**”.

The motion prevailed and the amendment was adopted, a majority of the members serving voting therefor.

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

The motion prevailed.

Rep. Stamas moved that the bill be placed on its immediate passage.

The motion prevailed, a majority of the members serving voting therefor.

By unanimous consent the House returned to the order of

**Third Reading of Bills****Senate Bill No. 810, entitled**

A bill to amend 1954 PA 116, entitled “Michigan election law,” by amending sections 4, 381, 642, and 642a (MCL 168.4, 168.381, 168.642, and 168.642a), section 4 as amended by 2010 PA 181, section 381 as amended by 2012 PA 276, and sections 642 and 642a as amended by 2011 PA 233; and to repeal acts and parts of acts.

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

**Roll Call No. 884****Yeas—71**

Agema	Goike	Liss	Poleski
Bolger	Graves	Lori	Potvin
Bumstead	Greimel	Lund	Price
Callton	Haines	Lyons	Pscholka
Clemente	Haveman	MacGregor	Rendon
Cotter	Heise	MacMaster	Rogers
Crawford	Hooker	McBroom	Schmidt, R.
Daley	Horn	McCann	Schmidt, W.
Damrow	Hughes	McMillin	Shaughnessy
Denby	Huuki	Moss	Shirkey
Dillon	Jacobsen	Muxlow	Smiley
Farrington	Jenkins	Nesbitt	Somerville
Forlini	Johnson	O'Brien	Stamas

Foster	Knollenberg	Olson	Tyler
Franz	Kowall	Opsommer	Walsh
Genetski	Kurtz	Ouimet	Yonker
Gilbert	LaFontaine	Outman	Zorn
Glardon	LeBlanc	Pettalia	

### Nays—36

Ananich	Durhal	Kandrevas	Segal
Barnett	Geiss	Lane	Slavens
Bauer	Hammel	Lindberg	Stallworth
Brown	Haugh	Lipton	Stanley
Brunner	Hobbs	Meadows	Stapleton
Byrum	Hovey-Wright	Nathan	Switalski
Cavanagh	Howze	Oakes	Talabi
Constan	Irwin	Rutledge	Tlaib
Darany	Jackson	Santana	Townsend

In The Chair: Opsommer

The question being on agreeing to the title of the bill,

Rep. Stamas moved to amend the title to read as follows:

A bill to amend 1954 PA 116, entitled "An act to reorganize, consolidate, and add to the election laws; to provide for election officials and prescribe their powers and duties; to prescribe the powers and duties of certain state departments, state agencies, and state and local officials and employees; to provide for the nomination and election of candidates for public office; to provide for the resignation, removal, and recall of certain public officers; to provide for the filling of vacancies in public office; to provide for and regulate primaries and elections; to provide for the purity of elections; to guard against the abuse of the elective franchise; to define violations of this act; to provide appropriations; to prescribe penalties and provide remedies; and to repeal certain acts and all other acts inconsistent with this act," by amending sections 4, 381, 523, 642, 642a, 699, 759, 759a, 761, 813, and 829 (MCL 168.4, 168.381, 168.523, 168.642, 168.642a, 168.699, 168.759, 168.759a, 168.761, 168.813, and 168.829), section 4 as amended by 2010 PA 181, section 381 as amended by 2012 PA 276, sections 523, 699, and 761 as amended by 2005 PA 71, sections 642 and 642a as amended by 2011 PA 233, section 759 as amended by 1995 PA 261, section 759a as amended by 2012 PA 279, and sections 813 and 829 as added by 2004 PA 92, and by adding sections 38 and 497c; and to repeal acts and parts of acts.

The motion prevailed.

The House agreed to the title as amended.

### Second Reading of Bills

#### Senate Bill No. 811, entitled

A bill to amend 1895 PA 3, entitled "The general law village act," by amending sections 4 and 5 of chapter II and section 3 of chapter V (MCL 62.4, 62.5, and 65.3), section 4 of chapter II and section 3 of chapter V as amended by 2003 PA 305 and section 5 of chapter II as amended by 2004 PA 300.

The bill was read a second time.

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

The motion prevailed.

Rep. Stamas moved that the bill be placed on its immediate passage.

The motion prevailed, a majority of the members serving voting therefor.

By unanimous consent the House returned to the order of

### Third Reading of Bills

#### Senate Bill No. 811, entitled

A bill to amend 1895 PA 3, entitled "The general law village act," by amending sections 4 and 5 of chapter II and section 3 of chapter V (MCL 62.4, 62.5, and 65.3), section 4 of chapter II and section 3 of chapter V as amended by 2003 PA 305 and section 5 of chapter II as amended by 2004 PA 300.

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

**Roll Call No. 885****Yeas—99**

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

**Nays—8**

Barnett	Howze	Nathan	Stapleton
Hobbs	Jackson	Santana	Tlaib

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 provide for the government of certain villages; to define their powers and duties; to provide for the levy and collection of taxes, borrowing of money, and issuance of bonds and other evidences of indebtedness by villages subject to this act; to define the powers and duties of certain state and local officers and entities; to define the application of this act and provide for its amendment by villages subject to this act; to validate prior amendments and certain prior actions taken and bonds issued by villages subject to this act; to provide for the disincorporation of villages; and to prescribe penalties and provide remedies.”

The House agreed to the full title.

Rep. Stapleton, having reserved the right to explain her protest against the passage of the bill, made the following statement:

“Mr. Speaker and members of the House:

While the intent of this bill is good. It is tie barred to another bill that is bad. It is not good policy to tie bar a good bill to a bad one. For that reason I voted no on SB 811”.

The Speaker Pro Tempore assumed the Chair.

By unanimous consent the House returned to the order of

**Messages from the Senate**

The Speaker laid before the House

**House Bill No. 6060, entitled**

A bill to amend 1954 PA 116, entitled “Michigan election law,” by amending sections 23, 952, and 961 (MCL 168.23, 168.952, and 168.961), section 23 as amended by 1982 PA 456, section 952 as amended by 1993 PA 137, and section 961 as amended by 2005 PA 71.

(The bill was received from the Senate on December 13, with substitute (S-4), title amendment and immediate effect given by the Senate, consideration of which, under the rules, was postponed until today, see House Journal No. 82, p. 2831.)

The question being on concurring in the substitute (S-4) made to the bill by the Senate,

The substitute (S-4) was concurred in, a majority of the members serving voting therefor, by yeas and nays, as follows:

**Roll Call No. 886**

**Yeas—65**

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

**Nays—40**

Ananich	Dillon	Kandrevas	Segal
Barnett	Durhal	LeBlanc	Slavens
Bauer	Geiss	Lindberg	Smiley
Brown	Greimel	Lipton	Stallworth
Brunner	Hammel	McCann	Stanley
Byrum	Hobbs	Meadows	Stapleton
Cavanagh	Hovey-Wright	Nathan	Switalski
Clemente	Howze	Oakes	Talabi
Constan	Irwin	Rutledge	Tlaib
Darany	Jackson	Santana	Townsend

In The Chair: Walsh

The House agreed to the title as amended.

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

Rep. Segal moved that Reps. Haugh and Lane be excused temporarily from today's session.  
The motion prevailed.

The Speaker laid before the House

**House Bill No. 6063, entitled**

A bill to amend 1954 PA 116, entitled "Michigan election law," by amending section 952 (MCL 168.952), as amended by 1993 PA 137.

(The bill was received from the Senate on December 13, with substitute (S-1), title amendment and immediate effect given by the Senate, consideration of which, under the rules, was postponed until today, see House Journal No. 82, p. 2831.)

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

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

**Roll Call No. 887**

**Yeas—65**

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

**Nays—40**

Ananich	Dillon	Kandreas	Segal
Barnett	Durhal	LeBlanc	Slavens
Bauer	Geiss	Lindberg	Smiley
Brown	Greimel	Lipton	Stallworth
Brunner	Hammel	McCann	Stanley
Byrum	Hobbs	Meadows	Stapleton
Cavanagh	Hovey-Wright	Nathan	Switalski
Clemente	Howze	Oakes	Talabi
Constan	Irwin	Rutledge	Tlaib
Darany	Jackson	Santana	Townsend

In The Chair: Walsh

The House agreed to the title as amended.

Rep. Switalski moved that his name be removed as co-sponsor of the bill.

The motion prevailed.

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

### Second Reading of Bills

#### Senate Bill No. 1135, entitled

A bill to provide energy assistance for low-income households; and to prescribe certain powers and duties of certain state departments and agencies.

Was read a second time, and the question being on the adoption of the proposed substitute (H-3) previously recommended by the Committee on Energy and Technology,

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

Rep. Horn moved to amend the bill as follows:

1. Amend page 3, line 3, after “(1)” by striking out “Not” and inserting “Subject to state appropriations, not”.

The motion prevailed and the amendment was adopted, a majority of the members serving voting therefor.

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

The motion prevailed.

Rep. Stamas moved that the bill be placed on its immediate passage.

The motion prevailed, a majority of the members serving voting therefor.

Rep. Stamas moved that Rep. Lori be excused temporarily from today’s session.

The motion prevailed.

By unanimous consent the House returned to the order of

### Third Reading of Bills

#### Senate Bill No. 1135, entitled

A bill to provide energy assistance for low-income households; and to prescribe certain powers and duties of certain state departments and agencies.

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

#### Roll Call No. 888

#### Yeas—105

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

Forlini	Kandrevas	Ouimet	Townsend
Foster	Knollenberg	Outman	Tyler
Franz	Kowall	Pettalia	Walsh
Geiss	Kurtz	Poleski	Yonker
Genetski	LaFontaine	Potvin	Zorn
Gilbert			

### Nays—1

Agema

In The Chair: Walsh

The House agreed to the title of the bill.

By unanimous consent the House returned to the order of  
**Messages from the Senate**

The Speaker laid before the House

#### House Bill No. 5367, entitled

A bill to make, supplement, and adjust appropriations for various state departments and agencies for the fiscal year ending September 30, 2012; and to provide for the expenditure of the appropriations.

(The bill was received from the Senate on December 13, with substitute (S-2) and immediate effect given by the Senate, consideration of which, under the rules, was postponed until today, see House Journal No. 82, p. 2828.)

The question being on concurring in the substitute (S-2) made to the bill by the Senate,

The substitute (S-2) was concurred in, a majority of the members serving voting therefor, by yeas and nays, as follows:

### Roll Call No. 889

### Yeas—106

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



Foster	Knollenberg	Pettalia	Walsh
Franz	Kowall	Poleski	Yonker
Geiss	Kurtz	Potvin	Zorn
Genetski	LaFontaine		

**Nays—0**

In The Chair: Walsh

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

The Speaker laid before the House

**House Bill No. 5271, entitled**

A bill to amend 1979 PA 152, entitled “State license fee act,” (MCL 338.2201 to 338.2277) by adding section 38a.

(The bill was received from the Senate on December 13, with substitute (S-1), full title inserted and immediate effect given by the Senate, consideration of which, under the rules, was postponed until today, see House Journal No. 82, p. 2828.)

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

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

**Roll Call No. 890****Yeas—96**

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

**Nays—10**

Agema	Goike	Irwin	McMillin
Barnett	Greimel	Lund	Somerville
Brown	Hooker		

In The Chair: Walsh

The House agreed to the full title.

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

The Speaker laid before the House

**House Bill No. 4753, entitled**

A bill to amend 1893 PA 206, entitled "The general property tax act," by amending section 27a (MCL 211.27a), as amended by 2012 PA 47.

(The bill was received from the Senate on December 12, with substitute (S-2), full title inserted and immediate effect given by the Senate, consideration of which, under the rules, was postponed until December 13, see House Journal No. 81, p. 2693.)

The question being on concurring in the substitute (S-2) made to the bill by the Senate,

Rep. Gilbert moved to substitute (H-3) the Senate substitute (S-2).

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

The question being on concurring in the substitute (S-2) made to the bill by the Senate,

The substitute (S-2), as substituted (H-3), was concurred in, a majority of the members serving voting therefor, by yeas and nays, as follows:

**Roll Call No. 891**

**Yeas—101**

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

**Nays—5**

Barnett	Hobbs	Irwin	Townsend
Cavanagh			

In The Chair: Walsh

The House agreed to the full title.

Rep. Segal moved that Rep. Townsend be excused temporarily from today's session.  
The motion prevailed.

### Third Reading of Bills

#### Senate Bill No. 912, entitled

A bill to amend 2006 PA 110, entitled "Michigan zoning enabling act," by amending section 205 (MCL 125.3205), as amended by 2011 PA 113.

(The bill was read a third time and postponed temporarily on December 6, see House Journal No. 79, p. 2518.)

The question being on the passage of the bill,

#### Roll Call No. 892

#### Yeas—57

Bolger	Horn	MacMaster	Pscholka
Bumstead	Howze	McBroom	Rendon
Callton	Hughes	Muxlow	Rogers
Crawford	Huuki	Nesbitt	Schmidt, R.
Daley	Jackson	O'Brien	Schmidt, W.
Damrow	Jacobsen	Oakes	Shaughnessy
Denby	Jenkins	Olson	Shirkey
Forlini	Johnson	Opsommer	Somerville
Foster	Knollenberg	Quimet	Stamas
Franz	Kowall	Outman	Stapleton
Genetski	Kurtz	Pettalia	Tyler
Gilbert	Liss	Poleski	Walsh
Glardon	Lyons	Potvin	Yonker
Graves	MacGregor	Price	Zorn
Haveman			

#### Nays—48

Agema	Dillon	Hovey-Wright	Moss
Ananich	Durhal	Irwin	Nathan
Barnett	Farrington	Kandrevas	Rutledge
Bauer	Geiss	LaFontaine	Santana
Brown	Goike	Lane	Segal
Brunner	Greimel	LeBlanc	Slavens
Byrum	Haines	Lindberg	Smiley
Cavanagh	Hammel	Lipton	Stallworth
Clemente	Haugh	Lund	Stanley
Constan	Heise	McCann	Switalski
Cotter	Hobbs	McMillin	Talabi
Darany	Hooker	Meadows	Tlaib

In The Chair: Walsh

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

"An act to codify the laws regarding local units of government regulating the development and use of land; to provide for the adoption of zoning ordinances; to provide for the establishment in counties, townships, cities, and villages of zoning districts; to prescribe the powers and duties of certain officials; to provide for the assessment and collection of fees; to authorize the issuance of bonds and notes; to prescribe penalties and provide remedies; and to repeal acts and parts of acts,"

The House agreed to the full title.

**Senate Bill No. 967, entitled**

A bill to amend 1951 PA 51, entitled "An act to provide for the classification of all public roads, streets, and highways in this state, and for the revision of that classification and for additions to and deletions from each classification; to set up and establish the Michigan transportation fund; to provide for the deposits in the Michigan transportation fund of specific taxes on motor vehicles and motor vehicle fuels; to provide for the allocation of funds from the Michigan transportation fund and the use and administration of the fund for transportation purposes; to promote safe and efficient travel for motor vehicle drivers, bicyclists, pedestrians, and other legal users of roads, streets, and highways; to set up and establish the truck safety fund; to provide for the allocation of funds from the truck safety fund and administration of the fund for truck safety purposes; to set up and establish the Michigan truck safety commission; to establish certain standards for road contracts for certain businesses; to provide for the continuing review of transportation needs within the state; to authorize the state transportation commission, counties, cities, and villages to borrow money, issue bonds, and make pledges of funds for transportation purposes; to authorize counties to advance funds for the payment of deficiencies necessary for the payment of bonds issued under this act; to provide for the limitations, payment, retirement, and security of the bonds and pledges; to provide for appropriations and tax levies by counties and townships for county roads; to authorize contributions by townships for county roads; to provide for the establishment and administration of the state trunk line fund, local bridge fund, comprehensive transportation fund, and certain other funds; to provide for the deposits in the state trunk line fund, critical bridge fund, comprehensive transportation fund, and certain other funds of money raised by specific taxes and fees; to provide for definitions of public transportation functions and criteria; to define the purposes for which Michigan transportation funds may be allocated; to provide for Michigan transportation fund grants; to provide for review and approval of transportation programs; to provide for submission of annual legislative requests and reports; to provide for the establishment and functions of certain advisory entities; to provide for conditions for grants; to provide for the issuance of bonds and notes for transportation purposes; to provide for the powers and duties of certain state and local agencies and officials; to provide for the making of loans for transportation purposes by the state transportation department and for the receipt and repayment by local units and agencies of those loans from certain specified sources; and to repeal acts and parts of acts," by amending section 1 (MCL 247.651), as amended by 2008 PA 303.

(The bill was read a third time and postponed temporarily on December 6, see House Journal No. 79, p. 2519.)

The question being on the passage of the bill,

**Roll Call No. 893****Yeas—56**

Bolger	Horn	MacMaster	Rendon
Bumstead	Howze	McBroom	Rogers
Callton	Hughes	Muxlow	Santana
Crawford	Huuki	Nesbitt	Schmidt, R.
Daley	Jackson	O'Brien	Schmidt, W.
Denby	Jacobsen	Olson	Shaughnessy
Forlini	Jenkins	Opsommer	Shirkey
Foster	Johnson	Ouimet	Stamas
Franz	Knollenberg	Outman	Stapleton
Gilbert	Kowall	Pettalia	Talabi
Glardon	Kurtz	Poleski	Tyler
Graves	Liss	Potvin	Walsh
Haines	Lyons	Price	Yonker
Haveman	MacGregor	Pscholka	Zorn

**Nays—49**

Agema	Dillon	Hovey-Wright	Moss
Ananich	Durhal	Irwin	Nathan
Barnett	Farrington	Kandrevas	Oakes
Bauer	Geiss	LaFontaine	Rutledge
Brown	Genetski	Lane	Segal
Brunner	Goike	LeBlanc	Slavens
Byrum	Greimel	Lindberg	Smiley
Cavanagh	Hammel	Lipton	Somerville
Clemente	Haugh	Lund	Stallworth

Constan  
Cotter  
Damrow  
Darany

Heise  
Hobbs  
Hooker

McCann  
McMillin  
Meadows

Stanley  
Switalski  
Tlaib

In The Chair: Walsh

The House agreed to the title of the bill.

### Second Reading of Bills

#### Senate Bill No. 878, entitled

A bill to amend 1953 PA 232, entitled "Corrections code of 1953," by amending sections 29, 63, 63a, 69a, and 70 (MCL 791.229, 791.263, 791.263a, 791.269a, and 791.270), section 29 as amended by 2010 PA 248 and sections 63, 63a, 69a, and 70 as amended by 1998 PA 512.

Was read a second time, and the question being on the adoption of the proposed substitute (H-3) previously recommended by the Committee on Appropriations,

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

Rep. Segal moved to amend the bill as follows:

1. Amend page 6, following line 16, by inserting:

**"(3) AT LEAST 30 DAYS BEFORE THE DEPARTMENT ENTERS INTO A CONTRACT WITH A PRIVATE CONTRACTOR UNDER THIS SUBSECTION, THE CONTRACTOR SHALL PROVIDE A LIST IN WRITING TO THE DEPARTMENT OF ALL CAMPAIGN CONTRIBUTIONS MADE BY THE CONTRACTOR TO ANY STATE OR FEDERAL COMMITTEE FOR POLITICAL PURPOSES DURING THE PREVIOUS 2-YEAR PERIOD. THE LIST SHALL INCLUDE THE DATE AND AMOUNT OF EACH CONTRIBUTION AND THE NAME OF THE COMMITTEE RECEIVING THE CONTRIBUTION. THE DEPARTMENT SHALL IMMEDIATELY PROVIDE A COPY OF THE LIST TO EACH MEMBER OF THE SENATE AND HOUSE STANDING COMMITTEES ON APPROPRIATIONS."**

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

Rep. Byrum moved to amend the bill as follows:

1. Amend page 15, following line 9, by inserting:

**"Enacting section 1. This amendatory act does not take effect unless House Bill No. 5359 of the 96th Legislature is enacted into law."**

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

Rep. Lindberg moved to amend the bill as follows:

1. Amend page 6, following line 16, by inserting:

**"(3) THE DEPARTMENT SHALL NOT CONTRACT WITH A VENDOR WHO HAS A HISTORY OF DOCUMENTED VIOLATIONS RELATED TO SECURITY, EMPLOYMENT CONDITIONS, OR PROTECTION OF THE PUBLIC, OR HAS A HISTORY OF EXCESSIVE COST OVERRUNS."**

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

Rep. Durhal moved to amend the bill as follows:

1. Amend page 6, line 6, after "STATE" by inserting **"AND HAS IN EFFECT LIABILITY INSURANCE COVERAGE FOR DEATH, INJURIES, AND PROPERTY DAMAGE OCCURRING AT THAT FACILITY IN A TOTAL AMOUNT OF NOT LESS THAN \$1,000,000,000.00"**.

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

Rep. Lindberg moved to amend the bill as follows:

1. Amend page 6, following line 16, by inserting:

**"(3) ONCE EACH YEAR, THE DEPARTMENT SHALL REPORT ON THE OPERATION OF THE CORRECTIONAL FACILITY. COPIES OF THE REPORT SHALL BE SUBMITTED TO THE CHAIRPERSONS OF THE SENATE AND HOUSE COMMITTEES RESPONSIBLE FOR LEGISLATION ON CORRECTIONS OR**

**JUDICIAL ISSUES AND TO THE SECRETARY OF THE SENATE AND THE CLERK OF THE HOUSE OF REPRESENTATIVES. THE REPORT SHALL INCLUDE A STATEMENT OF THE NUMBER OF INCIDENTS AT THE FACILITY THAT MAY HAVE AFFECTED THE HEALTH OR SAFETY OF ANY PRISONER OR EMPLOYEE, INCLUDING ANY CONTRACT EMPLOYEE, THE NUMBER OF INCIDENTS AT THE FACILITY INVOLVING A SECURITY RISK TO THE PUBLIC, THE ANTICIPATED AND ACTUAL SAVINGS ACHIEVED FROM OPERATING THE FACILITY AS A PRIVATE FACILITY, AND THE TOTAL FINANCIAL COMPENSATION, INCLUDING STOCK OPTIONS AND BONUSES AWARDED TO EACH EMPLOYEE AND EACH BUSINESS OFFICER, OF THE PRIVATE VENDOR.”.**

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

Rep. Lindberg moved to amend the bill as follows:

1. Amend page 6, line 8, after “WITH” by striking out “A” and inserting “ANY”.
2. Amend page 6, line 15, after “DEPLOYMENT.” by inserting “THE CONTRACTOR SHALL AT ALL TIMES GIVE PREFERENCE IN EMPLOYMENT TO INDIVIDUALS WHO ARE RESIDENTS OF THIS STATE.”.

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

Rep. Irwin moved to amend the bill as follows:

1. Amend page 6, following line 16, by inserting:  
“(3) A PRIVATE VENDOR OPERATING A CORRECTIONAL FACILITY UNDER CONTRACT WITH THE DEPARTMENT IS CIVILLY LIABLE FOR ALL DAMAGES ARISING OUT OF THE MANAGEMENT AND OPERATION OF THAT FACILITY, INCLUDING ANY SECURITY BREACH, AND IS NOT ELIGIBLE FOR IMMUNITY UNDER 1964 PA 170, MCL 691.1401 TO 691.1419.”.

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

Rep. Durhal moved to amend the bill as follows:

1. Amend page 6, following line 16, by inserting:  
“(3) THE OPERATOR OF THE PRIVATELY OWNED CORRECTIONAL FACILITY SHALL ALLOW ACCESS TO THAT FACILITY EVERY DAY ON A 24-HOUR BASIS TO ALL OF THE FOLLOWING:  
(A) ANY INDIVIDUAL ALLOWED THAT SAME ACCESS TO A FACILITY DIRECTLY OPERATED BY THE DEPARTMENT OF CORRECTIONS.  
(B) EACH MEMBER OF THE COUNTY BOARD OF COMMISSIONERS OF THE COUNTY IN WHICH THE FACILITY IS LOCATED.  
(C) EACH MEMBER OF THE LEGISLATIVE BODY OF ANY LOCAL UNIT OF GOVERNMENT, OTHER THAN THE COUNTY, IN WHICH THE FACILITY IS LOCATED.”.

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

Rep. Byrum moved to amend the bill as follows:

1. Amend page 6, following line 16, by inserting:  
“(3) A CITIZENS ADVISORY COUNCIL SHALL BE CREATED IN THE COUNTY IN WHICH A CORRECTIONAL FACILITY IS OPERATED BY A PRIVATE CONTRACTOR. THE PURPOSE OF THE ADVISORY COUNCIL SHALL BE TO ADDRESS CITIZEN COMPLAINTS AND LOCAL CONCERNS REGARDING THE FACILITY AND TO RELATE THOSE COMPLAINTS AND CONCERNS TO THE PRIVATE CONTRACTOR AND TO THE DEPARTMENT. THE COUNCIL SHALL CONSIST OF THE FOLLOWING MEMBERS:  
(A) THE COUNTY SHERIFF OR HIS OR HER DESIGNATED REPRESENTATIVE.  
(B) IF THE FACILITY IS LOCATED IN WHOLE OR IN PART IN A LOCAL UNIT OF GOVERNMENT HAVING AN ORGANIZED POLICE DEPARTMENT, THE POLICE CHIEF OF THAT LOCAL UNIT OF GOVERNMENT OR HIS OR HER DESIGNATED REPRESENTATIVE.  
(C) THE FIRE CHIEF, OR HIS OR HER DESIGNATED REPRESENTATIVE, OF THE DEPARTMENT PROVIDING FIRE PROTECTION SERVICES WITHIN THE LOCAL UNIT OF GOVERNMENT IN WHICH THE CORRECTIONAL FACILITY IS LOCATED.  
(D) THREE MEMBERS APPOINTED BY THE GOVERNING BODY OF THE LOCAL UNIT OF GOVERNMENT IN WHICH THE FACILITY IS LOCATED. OF THE MEMBERS APPOINTED UNDER THIS SUBDIVISION, 1 SHALL BE APPOINTED FOR A TERM OF 1 YEAR AND 2 SHALL BE APPOINTED FOR A TERM OF 2 YEARS. EACH SUBSEQUENT APPOINTMENT SHALL BE FOR A TERM OF 2 YEARS.  
(E) TWO MEMBERS APPOINTED BY THE SCHOOL DISTRICT IN WHICH THE FACILITY IS LOCATED. OF THE MEMBERS APPOINTED UNDER THIS SUBDIVISION, 1 SHALL BE APPOINTED FOR AN INITIAL TERM OF 1 YEAR AND 1 SHALL BE APPOINTED FOR A TERM OF 2 YEARS. EACH SUBSEQUENT APPOINTMENT SHALL BE FOR A TERM OF 2 YEARS.

**(4) MEETINGS OF THE CITIZENS ADVISORY COUNCIL SHALL BE HELD IN COMPLIANCE WITH THE OPEN MEETINGS ACT, 1976 PA 267, MCL 15.261 TO 15.275. A DOCUMENT PREPARED, OWNED, USED, IN THE POSSESSION OF, OR RETAINED BY THE CITIZENS ADVISORY COUNCIL IN THE PERFORMANCE OF AN OFFICIAL FUNCTION IS SUBJECT TO THE FREEDOM OF INFORMATION ACT, 1976 PA 442, MCL 15.231 TO 15.246.”.**

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

Rep. Haveman moved to amend the bill as follows:

1. Amend page 6, line 4, after the first “**DEPARTMENT**” by striking out the balance of the line through “**THAT**” on line 5.

2. Amend page 6, line 6, after “**STATE.**” by striking out the balance of the subsection and inserting “**THE DEPARTMENT SHALL ANNUALLY DOCUMENT AND REPORT THE SAVINGS TO THE LEGISLATURE.**”.

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

Rep. Tlaib moved to amend the bill as follows:

1. Amend page 6, following line 16, by inserting:

**“(3) IF THE DEPARTMENT CONTRACTS WITH THE OPERATOR OF A PRIVATELY OWNED CORRECTIONAL FACILITY, THE DEPARTMENT SHALL FIRST REQUIRE WRITTEN CERTIFICATION FROM THE PRIVATE CONTRACTOR THAT THE CONTRACT WILL RESULT IN AN ANNUAL COST SAVINGS OF AT LEAST 10% TO THE STATE. NOT LATER THAN JANUARY 1, 2014, AND NOT LATER THAN JANUARY 1 OF EACH YEAR AFTER THAT, THE DEPARTMENT SHALL REPORT ON SAVINGS REALIZED UNDER THIS SECTION TO THE HOUSE AND SENATE COMMITTEES WITH JURISDICTION OVER CORRECTIONS AND THE HOUSE AND SENATE FISCAL AGENCIES.”.**

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 the bill be placed on its immediate passage.

The motion prevailed, a majority of the members serving voting therefor.

By unanimous consent the House returned to the order of

### **Third Reading of Bills**

#### **Senate Bill No. 878, entitled**

A bill to amend 1953 PA 232, entitled “Corrections code of 1953,” by amending sections 29, 63, 63a, 69a, and 70 (MCL 791.229, 791.263, 791.263a, 791.269a, and 791.270), section 29 as amended by 2010 PA 248 and sections 63, 63a, 69a, and 70 as amended by 1998 PA 512.

The bill was read a third time.

The question being on the passage of the bill,

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

The motion prevailed.

By unanimous consent the House returned to the order of

### **Messages from the Senate**

The Speaker laid before the House

#### **House Bill No. 4853, entitled**

A bill to amend 1927 PA 175, entitled “The code of criminal procedure,” by amending section 13n of chapter XVII (MCL 777.13n), as amended by 2011 PA 87.

(The bill was received from the Senate on December 13, with an amendment, full title inserted and immediate effect given by the Senate, consideration of which, under the rules, was postponed until today, see House Journal No. 82, p. 2827.)

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

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

#### **Roll Call No. 894**

#### **Yeas—101**

Agema  
Ananich

Gilbert  
Glardon

LeBlanc  
Lindberg

Price  
Pscholka

Barnett	Goike	Lipton	Rendon
Bauer	Graves	Liss	Rogers
Bolger	Greimel	Lund	Rutledge
Brown	Haines	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	Horn	Meadows	Smiley
Constan	Hovey-Wright	Moss	Somerville
Cotter	Hughes	Muxlow	Stallworth
Crawford	Huuki	Nathan	Stamas
Daley	Jackson	Nesbitt	Stanley
Damrow	Jacobsen	O'Brien	Stapleton
Darany	Jenkins	Oakes	Switalski
Denby	Johnson	Olson	Talabi
Dillon	Kandrevas	Opsommer	Tlaib
Durhal	Knollenberg	Quimet	Townsend
Farrington	Kowall	Outman	Tyler
Forlini	Kurtz	Pettalia	Walsh
Foster	LaFontaine	Poleski	Yonker
Franz	Lane	Potvin	Zorn
Genetski			

**Nays—5**

Geiss	Howze	Irwin	Santana
Hammel			

In The Chair: Walsh

The House agreed to the full title.

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

The Speaker laid before the House

**House Bill No. 4856, entitled**

A bill to amend 1931 PA 328, entitled "The Michigan penal code," (MCL 750.1 to 750.568) by adding section 474.

(The bill was received from the Senate on December 13, with an amendment, full title inserted and immediate effect given by the Senate, consideration of which, under the rules, was postponed until today, see House Journal No. 82, p. 2827.)

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

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

**Roll Call No. 895****Yeas—96**

Agema	Glardon	Lane	Potvin
Barnett	Goike	LeBlanc	Price
Bauer	Graves	Lindberg	Pscholka
Bolger	Greimel	Lipton	Rendon
Brunner	Haines	Liss	Rogers
Bumstead	Haugh	Lund	Rutledge
Byrum	Haveman	Lyons	Schmidt, W.



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

### Nays—10

Ananich	Geiss	McCann	Schmidt, R.
Brown	Hammel	Santana	Stapleton
Dillon	Irwin		

In The Chair: Walsh

The House agreed to the full title.

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

### Third Reading of Bills

The House returned to the consideration of

#### **Senate Bill No. 878, entitled**

A bill to amend 1953 PA 232, entitled "Corrections code of 1953," by amending sections 29, 63, 63a, 69a, and 70 (MCL 791.229, 791.263, 791.263a, 791.269a, and 791.270), section 29 as amended by 2010 PA 248 and sections 63, 63a, 69a, and 70 as amended by 1998 PA 512.

(The bill was considered earlier today, see today's Journal, p. 2873.)

The question being on the passage of the bill,

Rep. Haveman moved to amend the bill as follows:

1. Amend page 6, line 4, after "**DEPARTMENT**" by inserting "**IF**".

The motion was seconded and the amendment was adopted, a majority of the members serving voting therefor.

The question being on the passage of the bill,

The bill was then passed, a majority of the members serving voting therefor, by yeas and nays, as follows:

### Roll Call No. 896

### Yeas—56

Agema	Gardon	Liss	Potvin
Bolger	Goike	Lund	Price
Bumstead	Graves	MacGregor	Pscholka
Callton	Haines	MacMaster	Rendon

Cotter	Haveman	McMillin	Rogers
Crawford	Heise	Moss	Schmidt, R.
Daley	Hooker	Muxlow	Schmidt, W.
Damrow	Huuki	Nesbitt	Shaughnessy
Denby	Jacobsen	O'Brien	Shirkey
Farrington	Jenkins	Olson	Somerville
Forlini	Johnson	Opsommer	Stamas
Franz	Knollenberg	Ouimet	Tyler
Genetski	Kowall	Pettalia	Walsh
Gilbert	LaFontaine	Poleski	Yonker

### Nays—50

Ananich	Geiss	Lane	Santana
Barnett	Greimel	LeBlanc	Segal
Bauer	Hammel	Lindberg	Slavens
Brown	Haugh	Lipton	Smiley
Brunner	Hobbs	Lyons	Stallworth
Byrum	Horn	McBroom	Stanley
Cavanagh	Hovey-Wright	McCann	Stapleton
Clemente	Howze	Meadows	Switalski
Constan	Hughes	Nathan	Talabi
Darany	Irwin	Oakes	Tlaib
Dillon	Jackson	Outman	Townsend
Durhal	Kandrevas	Rutledge	Zorn
Foster	Kurtz		

In The Chair: Walsh

The question being on agreeing to the title of the bill,

Rep. Stamas moved to amend the title to read as follows:

A bill to amend 1953 PA 232, entitled “An act to revise, consolidate, and codify the laws relating to probationers and probation officers, to pardons, reprieves, commutations, and paroles, to the administration of correctional institutions, correctional farms, and probation recovery camps, to prisoner labor and correctional industries, and to the supervision and inspection of local jails and houses of correction; to provide for the siting of correctional facilities; to create a state department of corrections, and to prescribe its powers and duties; to provide for the transfer to and vesting in said department of powers and duties vested by law in certain other state boards, commissions, and officers, and to abolish certain boards, commissions, and offices the powers and duties of which are transferred by this act; to allow for the operation of certain facilities by private entities; to prescribe the powers and duties of certain other state departments and agencies; to provide for the creation of a local lockup advisory board; to provide for a lifetime electronic monitoring program; to prescribe penalties for the violation of the provisions of this act; to make certain appropriations; to repeal certain parts of this act on specific dates; and to repeal all acts and parts of acts inconsistent with the provisions of this act,” by amending sections 20i, 29, 63, 63a, 65, 65a, 69a, and 70 (MCL 791.220i, 791.229, 791.263, 791.263a, 791.265, 791.265a, 791.269a, and 791.270), section 20i as added by 2006 PA 351, section 29 as amended by 2010 PA 248, sections 63, 63a, 65, 69a, and 70 as amended by 1998 PA 512, and section 65a as amended by 1998 PA 315, and by adding section 20j.

The motion prevailed.

The House agreed to the title as amended.

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Rep. Stamas moved that Rep. Gilbert be excused temporarily from today’s session.

The motion prevailed.

By unanimous consent the House returned to the order of

**Messages from the Senate**

The Speaker laid before the House

**House Bill No. 5220, entitled**

A bill to amend 1973 PA 186, entitled "Tax tribunal act," (MCL 205.701 to 205.779) by adding section 62b.

(The bill was received from the Senate on December 13, with amendments, full title inserted and immediate effect given by the Senate, consideration of which, under the rules, was postponed until today, see House Journal No. 82, p. 2827.)

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

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

**Roll Call No. 897**

**Yeas—105**

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

**Nays—0**

In The Chair: Walsh

The House agreed to the full title.

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

The Speaker laid before the House

**House Bill No. 5600, entitled**

A bill to amend 1939 PA 288, entitled "Probate code of 1939," by amending section 18e of chapter XIIA (MCL 712A.18e), as amended by 1996 PA 257.

(The bill was received from the Senate on December 13, with amendments, full title inserted and immediate effect given by the Senate, consideration of which, under the rules, was postponed until today, see House Journal No. 82, p. 2828.)

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

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

**Roll Call No. 898****Yeas—105**

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

**Nays—0**

In The Chair: Walsh

The House agreed to the full title.

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

The Speaker laid before the House

**House Bill No. 5668, entitled**

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending sections 217 and 235 (MCL 257.217 and 257.235), section 217 as amended by 2005 PA 36 and section 235 as amended by 2002 PA 652, and by adding section 235b.

(The bill was received from the Senate on December 13, with substitute (S-7), title amendment and immediate effect given by the Senate, consideration of which, under the rules, was postponed until today, see House Journal No. 82, p. 2829.)

The question being on concurring in the substitute (S-7) made to the bill by the Senate,

The substitute (S-7) was concurred in, a majority of the members serving voting therefor, by yeas and nays, as follows:

**Roll Call No. 899****Yeas—59**

Bolger	Haines	Lund	Potvin
Bumstead	Haveman	Lyons	Price
Callton	Heise	MacGregor	Pscholka
Crawford	Horn	MacMaster	Rendon
Daley	Hughes	McBroom	Rogers
Damrow	Huuki	Moss	Schmidt, R.
Denby	Jackson	Muxlow	Schmidt, W.
Farrington	Jacobsen	Nesbitt	Shaughnessy
Forlini	Jenkins	O'Brien	Stamas
Foster	Johnson	Olson	Stapleton
Franz	Knollenberg	Opsommer	Tyler
Genetski	Kowall	Ouimet	Walsh
Gardon	Kurtz	Outman	Yonker
Goike	LaFontaine	Pettalia	Zorn
Graves	Liss	Poleski	

**Nays—45**

Agema	Dillon	Kandrevas	Santana
Ananich	Durhal	Lane	Segal
Barnett	Geiss	LeBlanc	Shirkey
Bauer	Greimel	Lindberg	Slavens
Brown	Hammel	Lipton	Smiley
Brunner	Haugh	McCann	Somerville
Byrum	Hobbs	McMillin	Stallworth
Cavanagh	Hooker	Meadows	Stanley
Clemente	Hovey-Wright	Nathan	Switalski
Constan	Howze	Oakes	Talabi
Cotter	Irwin	Rutledge	Tlaib
Darany			

In The Chair: Walsh

The House agreed to the title as amended.

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

**House Bill No. 5843, entitled**

A bill to prohibit organized retail crime and to provide penalties for that crime; to provide for forfeiture of and restitution for stolen retail merchandise in certain circumstances; to create the organized retail crime advisory board and to prescribe its powers and duties; and to provide for the administration of this act.

(The bill was received from the Senate on December 13, with amendments, consideration of which, under the rules, was postponed until today, see House Journal No. 82, p. 2829.)

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

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

**Roll Call No. 900****Yeas—102**

Ananich	Gardon	LeBlanc	Pscholka
Barnett	Goike	Lindberg	Rendon

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

### Nays—3

Agema	Irwin	McMillin
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In The Chair: Walsh

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

The Speaker laid before the House

#### 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 received from the Senate on December 13, with an amendment, full title inserted and immediate effect given by the Senate, consideration of which, under the rules, was postponed until today, see House Journal No. 82, p. 2830.)

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

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

### Roll Call No. 901

### Yeas—103

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

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

**Nays—2**

Irwin  
McMillin

In The Chair: Walsh

The House agreed to the full title.

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

The Speaker laid before the House

**House Bill No. 6007, entitled**

A bill to amend 1893 PA 206, entitled "The general property tax act," by amending sections 24, 25, 27, 34c, and 53 (MCL 211.24, 211.25, 211.27, 211.34c, and 211.53), section 24 as amended by 2002 PA 620, section 27 as amended by 2010 PA 340, section 34c as amended by 2011 PA 320, and section 53 as amended by 1983 PA 24, and by adding sections 7oo, 7pp, and 7qq; and to repeal acts and parts of acts.

(The bill was received from the Senate on December 13, with substitute (S-2), full title inserted and immediate effect given by the Senate, consideration of which, under the rules, was postponed until today, see House Journal No. 82, p. 2830.)

The question being on concurring in the substitute (S-2) made to the bill by the Senate,

The substitute (S-2) was concurred in, a majority of the members serving voting therefor, by yeas and nays, as follows:

**Roll Call No. 902****Yeas—67**

Agema	Graves	Lindberg	Poleski
Bolger	Haines	Liss	Potvin
Bumstead	Haugh	Lund	Price
Callton	Haveman	Lyons	Pscholka
Constan	Heise	MacGregor	Rendon
Cotter	Hooker	MacMaster	Rogers
Crawford	Horn	McBroom	Schmidt, R.
Daley	Hughes	McMillin	Schmidt, W.
Damrow	Huuki	Moss	Shaughnessy
Denby	Jacobsen	Muxlow	Shirkey
Farrington	Jenkins	Nesbitt	Somerville

Forlini	Johnson	O'Brien	Stamas
Foster	Knollenberg	Olson	Tyler
Franz	Kowall	Opsommer	Walsh
Genetski	Kurtz	Ouimet	Yonker
Glardon	LaFontaine	Outman	Zorn
Goike	Lane	Pettalia	

**Nays—38**

Ananich	Durhal	LeBlanc	Slavens
Barnett	Geiss	Lipton	Smiley
Bauer	Greimel	McCann	Stallworth
Brown	Hammel	Meadows	Stanley
Brunner	Hobbs	Nathan	Stapleton
Byrum	Hovey-Wright	Oakes	Switalski
Cavanagh	Howze	Rutledge	Talabi
Clemente	Irwin	Santana	Tlaib
Darany	Jackson	Segal	Townsend
Dillon	Kandrevas		

In The Chair: Walsh

The House agreed to the full title.

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

The Speaker laid before the House

**House Bill No. 6008, entitled**

A bill to levy specific taxes on certain nonferrous metallic minerals on certain taxpayers in this state; to provide for the levy, collection, and administration of the specific tax; to provide certain reporting requirements; to provide for certain penalties; to provide certain exemptions, credits, and refunds; and to provide for the distribution of the specific tax.

(The bill was received from the Senate on December 13, with substitute (S-2) and immediate effect given by the Senate, consideration of which, under the rules, was postponed until today, see House Journal No. 82, p. 2830.)

The question being on concurring in the substitute (S-2) made to the bill by the Senate,

The substitute (S-2) was concurred in, a majority of the members serving voting therefor, by yeas and nays, as follows:

**Roll Call No. 903****Yeas—67**

Agema	Graves	Lindberg	Poleski
Bolger	Haines	Liss	Potvin
Bumstead	Haugh	Lund	Price
Callton	Haveman	Lyons	Pscholka
Constan	Heise	MacGregor	Rendon
Cotter	Hooker	MacMaster	Rogers
Crawford	Horn	McBroom	Schmidt, R.
Daley	Hughes	McMillin	Schmidt, W.
Damrow	Huuki	Moss	Shaughnessy
Denby	Jacobsen	Muxlow	Shirkey
Farrington	Jenkins	Nesbitt	Somerville
Forlini	Johnson	O'Brien	Stamas
Foster	Knollenberg	Olson	Tyler
Franz	Kowall	Opsommer	Walsh
Genetski	Kurtz	Ouimet	Yonker
Glardon	LaFontaine	Outman	Zorn
Goike	Lane	Pettalia	



**Nays—38**

Ananich	Durhal	LeBlanc	Slavens
Barnett	Geiss	Lipton	Smiley
Bauer	Greimel	McCann	Stallworth
Brown	Hammel	Meadows	Stanley
Brunner	Hobbs	Nathan	Stapleton
Byrum	Hovey-Wright	Oakes	Switalski
Cavanagh	Howze	Rutledge	Talabi
Clemente	Irwin	Santana	Tlaib
Darany	Jackson	Segal	Townsend
Dillon	Kandrevas		

In The Chair: Walsh

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

The Speaker laid before the House

**House Bill No. 6009, entitled**

A bill to establish certain programs that promote the sustainability of land-based industries and support infrastructure that benefits rural communities; to establish a fund and provide for its use; and to prescribe the powers and duties of certain state agencies and officials.

(The bill was received from the Senate on December 13, with amendments and immediate effect given by the Senate, consideration of which, under the rules, was postponed until today, see House Journal No. 82, p. 2830.)

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

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

**Roll Call No. 904****Yeas—65**

Agema	Haines	Lindberg	Poleski
Bolger	Haugh	Liss	Potvin
Bumstead	Haveman	Lund	Price
Callton	Heise	Lyons	Pscholka
Constan	Hooker	MacGregor	Rendon
Cotter	Horn	MacMaster	Rogers
Crawford	Hughes	McBroom	Schmidt, R.
Daley	Huuki	McMillin	Schmidt, W.
Damrow	Jacobsen	Moss	Shaughnessy
Denby	Jenkins	Muxlow	Shirkey
Farrington	Johnson	O'Brien	Somerville
Forlini	Knollenberg	Olson	Stamas
Foster	Kowall	Opsommer	Tyler
Franz	Kurtz	Ouimet	Walsh
Glardon	LaFontaine	Outman	Yonker
Goike	Lane	Pettalia	Zorn
Graves			

**Nays—40**

Ananich	Durhal	Kandrevas	Segal
Barnett	Geiss	LeBlanc	Slavens
Bauer	Genetski	Lipton	Smiley

Brown	Greimel	McCann	Stallworth
Brunner	Hammel	Meadows	Stanley
Byrum	Hobbs	Nathan	Stapleton
Cavanagh	Hovey-Wright	Nesbitt	Switalski
Clemente	Howze	Oakes	Talabi
Darany	Irwin	Rutledge	Tlaib
Dillon	Jackson	Santana	Townsend

In The Chair: Walsh

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

The Speaker laid before the House

**House Bill No. 6010, entitled**

A bill to amend 1933 PA 167, entitled "General sales tax act," (MCL 205.51 to 205.78) by adding section 4dd.

(The bill was received from the Senate on December 13, with substitute (S-1), full title inserted and immediate effect given by the Senate, consideration of which, under the rules, was postponed until today, see House Journal No. 82, p. 2830.)

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

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

**Roll Call No. 905**

**Yeas—68**

Agema	Graves	Lane	Pettalia
Bolger	Haines	Lindberg	Poleski
Bumstead	Hammel	Liss	Potvin
Callton	Haugh	Lund	Price
Constan	Haveman	Lyons	Pscholka
Cotter	Heise	MacGregor	Rendon
Crawford	Hooker	MacMaster	Rogers
Daley	Horn	McBroom	Schmidt, R.
Damrow	Hughes	McMillin	Schmidt, W.
Denby	Huuki	Moss	Shaughnessy
Farrington	Jacobsen	Muxlow	Shirkey
Forlini	Jenkins	Nesbitt	Somerville
Foster	Johnson	O'Brien	Stamas
Franz	Knollenberg	Olson	Tyler
Genetski	Kowall	Opsommer	Walsh
Gardon	Kurtz	Ouimet	Yonker
Goike	LaFontaine	Outman	Zorn

**Nays—37**

Ananich	Durhal	LeBlanc	Slavens
Barnett	Geiss	Lipton	Smiley
Bauer	Greimel	McCann	Stallworth
Brown	Hobbs	Meadows	Stanley
Brunner	Hovey-Wright	Nathan	Stapleton
Byrum	Howze	Oakes	Switalski
Cavanagh	Irwin	Rutledge	Talabi
Clemente	Jackson	Santana	Tlaib
Darany	Kandrevas	Segal	Townsend
Dillon			

In The Chair: Walsh

The House agreed to the full title.

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

The Speaker laid before the House

**House Bill No. 6011, entitled**

A bill to amend 1937 PA 94, entitled "Use tax act," (MCL 205.91 to 205.111) by adding section 4aa.

(The bill was received from the Senate on December 13, with substitute (S-1), full title inserted and immediate effect given by the Senate, consideration of which, under the rules, was postponed until today, see House Journal No. 82, p. 2830.)

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

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

**Roll Call No. 906**

**Yeas—68**

Agema	Graves	Lane	Pettalia
Bolger	Haines	Lindberg	Poleski
Bumstead	Hammel	Liss	Potvin
Callton	Haugh	Lund	Price
Constan	Haveman	Lyons	Pscholka
Cotter	Heise	MacGregor	Rendon
Crawford	Hooker	MacMaster	Rogers
Daley	Horn	McBroom	Schmidt, R.
Damrow	Hughes	McMillin	Schmidt, W.
Denby	Huuki	Moss	Shaughnessy
Farrington	Jacobsen	Muxlow	Shirkey
Forlini	Jenkins	Nesbitt	Somerville
Foster	Johnson	O'Brien	Stamas
Franz	Knollenberg	Olson	Tyler
Genetski	Kowall	Opsommer	Walsh
Gardon	Kurtz	Ouimet	Yonker
Goike	LaFontaine	Outman	Zorn

**Nays—37**

Ananich	Durhal	LeBlanc	Slavens
Barnett	Geiss	Lipton	Smiley
Bauer	Greimel	McCann	Stallworth
Brown	Hobbs	Meadows	Stanley
Brunner	Hovey-Wright	Nathan	Stapleton
Byrum	Howze	Oakes	Switalski
Cavanagh	Irwin	Rutledge	Talabi
Clemente	Jackson	Santana	Tlaib
Darany	Kandrevas	Segal	Townsend
Dillon			

In The Chair: Walsh

The House agreed to the full title.

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

The Speaker laid before the House

**House Bill No. 6012, entitled**

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," by amending section 623 (MCL 206.623), as amended by 2011 PA 312, and by adding section 31b.

(The bill was received from the Senate on December 13, with substitute (S-2), full title inserted and immediate effect given by the Senate, consideration of which, under the rules, was postponed until today, see House Journal No. 82, p. 2831.)

The question being on concurring in the substitute (S-2) made to the bill by the Senate,

The substitute (S-2) was concurred in, a majority of the members serving voting therefor, by yeas and nays, as follows:

**Roll Call No. 907****Yeas—69**

Agema	Haines	Lane	Pettalia
Bolger	Hammel	Lindberg	Poleski
Bumstead	Haugh	Liss	Potvin
Callton	Haveman	Lund	Price
Constan	Heise	Lyons	Pscholka
Cotter	Hooker	MacGregor	Rendon
Crawford	Horn	MacMaster	Rogers
Daley	Hughes	McBroom	Schmidt, R.
Damrow	Huuki	McMillin	Schmidt, W.
Denby	Jackson	Moss	Shaughnessy
Farrington	Jacobsen	Muxlow	Shirkey
Forlini	Jenkins	Nesbitt	Somerville
Foster	Johnson	O'Brien	Stamas
Franz	Knollenberg	Olson	Tyler
Genetski	Kowall	Opsommer	Walsh
Glardon	Kurtz	Ouimet	Yonker
Goike	LaFontaine	Outman	Zorn
Graves			

**Nays—36**

Ananich	Dillon	LeBlanc	Slavens
Barnett	Durhal	Lipton	Smiley
Bauer	Geiss	McCann	Stallworth
Brown	Greimel	Meadows	Stanley
Brunner	Hobbs	Nathan	Stapleton
Byrum	Hovey-Wright	Oakes	Switalski
Cavanagh	Howze	Rutledge	Talabi
Clemente	Irwin	Santana	Tlaib
Darany	Kandrevas	Segal	Townsend

In The Chair: Walsh

The House agreed to the full title.

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

**House Bill No. 4121, entitled**

A bill to amend 1954 PA 116, entitled "Michigan election law," by amending sections 24a, 509q, 558, 659, 699, 863, 960, and 968 (MCL 168.24a, 168.509q, 168.558, 168.659, 168.699, 168.863, 168.960, and 168.968), section 24a as amended by 2010 PA 52, sections 509q and 699 as amended by 2005 PA 71, section 558 as amended by 2002 PA 163, section 659 as amended by 2004 PA 296, section 863 as amended by 2003 PA 302, and sections 960 and 968 as amended by 1989 PA 26, and by adding section 17 and chapter XVIII.

The Senate has amended the bill as follows:

1. Amend page 18, line 7, by striking out all of section 699.
2. Amend page 19, line 19, by striking out all of section 968.

The Senate has passed the bill as amended, ordered that it be given immediate effect and amended the title to read as follows:

A bill to amend 1954 PA 116, entitled “An act to reorganize, consolidate, and add to the election laws; to provide for election officials and prescribe their powers and duties; to prescribe the powers and duties of certain state departments, state agencies, and state and local officials and employees; to provide for the nomination and election of candidates for public office; to provide for the resignation, removal, and recall of certain public officers; to provide for the filling of vacancies in public office; to provide for and regulate primaries and elections; to provide for the purity of elections; to guard against the abuse of the elective franchise; to define violations of this act; to provide appropriations; to prescribe penalties and provide remedies; and to repeal certain acts and all other acts inconsistent with this act,” by amending sections 24a, 509q, 558, 659, 863, and 960 (MCL 168.24a, 168.509q, 168.558, 168.659, 168.863, and 168.960), section 24a as amended by 2010 PA 52, sections 509q as amended by 2005 PA 71, section 558 as amended by 2002 PA 163, section 659 as amended by 2004 PA 296, section 863 as amended by 2003 PA 302, and section 960 as amended by 1989 PA 26, and by adding section 17 and chapter XVIIIA.

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

Rep. Stamas moved that Rule 42 be suspended.

The motion prevailed, 3/5 of the members present voting therefor.

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

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

#### Roll Call No. 908

#### Yeas—105

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

#### Nays—0

In The Chair: Walsh

The House agreed to the title as amended.

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

### Third Reading of Bills

The House returned to the consideration of  
**Senate Bill No. 334, entitled**

A bill to amend 1961 PA 120, entitled “An act to authorize the development or redevelopment of principal shopping districts and business improvement districts; to permit the creation of certain boards; to provide for the operation of principal shopping districts and business improvement districts; to provide for the creation, operation, and dissolution of business improvement zones; and to authorize the collection of revenue and the bonding of certain local governmental units for the development or redevelopment projects,” by amending sections 10, 10a, 10b, 10c, 10d, 10e, 10f, 10g, 10h, 10i, 10j, 10k, 10l, and 10m (MCL 125.990, 125.990a, 125.990b, 125.990c, 125.990d, 125.990e, 125.990f, 125.990g, 125.990h, 125.990i, 125.990j, 125.990k, 125.990l, and 125.990m), as added by 2001 PA 260.

(The bill was considered earlier today, see today’s Journal, p. 2861.)

The question being on the passage of the bill,

The bill was then not passed, a majority of the members serving not voting therefor, by yeas and nays, as follows:

#### Roll Call No. 909

#### Yeas—54

Bolger	Heise	Lund	Pettalia
Bumstead	Hooker	Lyons	Price
Callton	Horn	MacGregor	Pscholka
Crawford	Hughes	MacMaster	Rendon
Daley	Huuki	McBroom	Rogers
Damrow	Jackson	Moss	Santana
Denby	Jacobsen	Muxlow	Schmidt, R.
Forlini	Jenkins	Nesbitt	Schmidt, W.
Foster	Johnson	O’Brien	Shaughnessy
Franz	Knollenberg	Olson	Stamas
Glardon	Kowall	Opsommer	Walsh
Graves	Kurtz	Ouimet	Yonker
Haines	LaFontaine	Outman	Zorn
Haveman	Liss		

#### Nays—50

Agema	Farrington	LeBlanc	Shirkey
Ananich	Geiss	Lindberg	Slavens
Barnett	Genetski	Lipton	Smiley
Bauer	Goike	McCann	Somerville
Brown	Greimel	McMillin	Stallworth
Brunner	Hammel	Meadows	Stanley
Byrum	Haugh	Nathan	Stapleton
Cavanagh	Hobbs	Oakes	Switalski
Clemente	Hovey-Wright	Poleski	Talabi
Constan	Howze	Potvin	Tlaib
Cotter	Irwin	Rutledge	Townsend
Darany	Kandrevas	Segal	Tyler
Durhal	Lane		

In The Chair: Walsh

By unanimous consent the House returned to the order of

#### Messages from the Senate

#### Senate Concurrent Resolution No. 39.

A concurrent resolution providing for the final adjournment of the Legislature.

Resolved by the Senate (the House of Representatives concurring), That when the Legislature adjourns on Friday, December 14, 2012, it stands adjourned until Thursday, December 27, 2012, at 11:30 a.m.; and be it further Resolved, That when the Legislature adjourns on Thursday, December 27, 2012, it stands adjourned without day. The Senate has adopted the concurrent resolution.  
The question being on the adoption of the concurrent resolution,  
The concurrent resolution was adopted.

By unanimous consent the House returned to the order of  
**Motions and Resolutions**

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

Rep. Opsommer moved that the Committee on Transportation be discharged from further consideration of **Senate Bill No. 56**.  
The motion prevailed, a majority of the members serving voting therefor.  
The bill was placed on the order of Second Reading of Bills.

### Second Reading of Bills

#### **Senate Bill No. 56, entitled**

A bill to amend 2001 PA 142, entitled "Michigan memorial highway act," (MCL 250.1001 to 250.2080) by adding section 1059.

The bill was read a second time.

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

Rep. Stamas moved that the bill be placed on its immediate passage.  
The motion prevailed, a majority of the members serving voting therefor.

By unanimous consent the House returned to the order of  
**Third Reading of Bills**

#### **Senate Bill No. 56, entitled**

A bill to amend 2001 PA 142, entitled "Michigan memorial highway act," (MCL 250.1001 to 250.2080) by adding section 1059.

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

### **Roll Call No. 910**

### **Yeas—83**

Ananich	Geiss	Kurtz	Pscholka
Barnett	Glardon	LaFontaine	Rendon
Bauer	Goike	Lane	Rogers
Bolger	Graves	LeBlanc	Rutledge
Brown	Haines	Lipton	Santana
Brunner	Hammel	Liss	Schmidt, W.
Bumstead	Haugh	Lund	Segal
Byrum	Haveman	MacMaster	Shaughnessy
Callton	Heise	McBroom	Slavens
Cavanagh	Hobbs	McCann	Smiley
Clemente	Horn	Meadows	Stallworth
Constan	Hovey-Wright	Moss	Stamas
Crawford	Howze	Muxlow	Stanley

Daley	Hughes	Nathan	Switalski
Damrow	Huuki	Nesbitt	Talabi
Denby	Jackson	Oakes	Tlaib
Dillon	Jacobsen	Opsommer	Townsend
Durhal	Jenkins	Outman	Walsh
Forlini	Johnson	Pettalia	Yonker
Foster	Knollenberg	Potvin	Zorn
Franz	Kowall	Price	

**Nays—22**

Agema	Hooker	McMillin	Schmidt, R.
Cotter	Irwin	O'Brien	Shirkey
Darany	Kandrevas	Olson	Somerville
Farrington	Lindberg	Ouimet	Stapleton
Genetski	Lyons	Poleski	Tyler
Greimel	MacGregor		

In The Chair: Walsh

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

“An act to consolidate prior acts naming certain Michigan highways; to provide for the naming of certain highways; to prescribe certain duties of the state transportation department; and to repeal acts and parts of acts and certain resolutions,”  
The House agreed to the full title.

By unanimous consent the House returned to the order of

**Messages from the Senate****House Bill No. 4834, entitled**

A bill to amend 2008 IL 1, entitled “Michigan medical marihuana act,” by amending section 6 (MCL 333.26426).

The Senate has substituted (S-5) the bill.

The Senate has passed the bill as substituted (S-5) by a 3/4 vote, 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.

Rep. Stamas moved that Rule 42 be suspended.

The motion prevailed, 3/5 of the members present voting therefor.

The question being on concurring in the (S-5) made to the bill by the Senate,

The substitute (S-5) was concurred in, 3/4 of the members serving voting therefor, by yeas and nays, as follows:

**Roll Call No. 911****Yeas—98**

Agema	Glardon	Lane	Price
Ananich	Goike	LeBlanc	Pscholka
Barnett	Graves	Lindberg	Rendon
Bauer	Greimel	Liss	Rogers
Bolger	Haines	Lund	Rutledge
Brown	Hammel	Lyons	Santana
Brunner	Haugh	MacGregor	Schmidt, R.
Bumstead	Haveman	MacMaster	Schmidt, W.
Byrum	Heise	McBroom	Segal
Cavanagh	Hobbs	McCann	Shaughnessy
Clemente	Hooker	McMillin	Shirkey



Constan	Horn	Meadows	Slavens
Cotter	Hovey-Wright	Moss	Smiley
Crawford	Howze	Muxlow	Somerville
Daley	Hughes	Nesbitt	Stallworth
Damrow	Huuki	O'Brien	Stamas
Darany	Jackson	Oakes	Switalski
Denby	Jacobsen	Olson	Talabi
Dillon	Jenkins	Opsommer	Tlaib
Durhal	Johnson	Ouimet	Townsend
Farrington	Kandrevas	Outman	Tyler
Forlini	Knollenberg	Pettalia	Walsh
Foster	Kowall	Poleski	Yonker
Franz	Kurtz	Potvin	Zorn
Genetski	LaFontaine		

**Nays—7**

Callton	Irwin	Nathan	Stapleton
Geiss	Lipton	Stanley	

In The Chair: Walsh

The House agreed to the full title.

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

**House Bill No. 4851, entitled**

A bill to amend 2008 IL 1, entitled "Michigan medical marihuana act," by amending sections 3 and 8 (MCL 333.26423 and 333.26428).

The Senate has substituted (S-3) the bill.

The Senate has passed the bill as substituted (S-3) by a 3/4 vote, ordered that it be given immediate effect and amended the title to read as follows:

A bill to amend 2008 IL 1, entitled "An initiation of Legislation to allow under state law the medical use of marihuana; to provide protections for the medical use of marihuana; to provide for a system of registry identification cards for qualifying patients and primary caregivers; to impose a fee for registry application and renewal; to provide for the promulgation of rules; to provide for the administration of this act; to provide for enforcement of this act; to provide for affirmative defenses; and to provide for penalties for violations of this act," by amending sections 3, 4, and 8 (MCL 333.26423, 333.26424, and 333.26428).

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

Rep. Stamas moved that Rule 42 be suspended.

The motion prevailed, 3/5 of the members present voting therefor.

The question being on concurring in the (S-3) made to the bill by the Senate,

The substitute (S-3) was concurred in, 3/4 of the members serving voting therefor, by yeas and nays, as follows:

**Roll Call No. 912****Yeas—100**

Agema	Glardon	Lane	Price
Ananich	Goike	LeBlanc	Pscholka
Barnett	Graves	Lindberg	Rendon
Bauer	Greimel	Lipton	Rogers
Bolger	Haines	Liss	Rutledge
Brown	Hammel	Lund	Santana
Brunner	Haugh	Lyons	Schmidt, R.

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

#### Nays—5

Callton	Irwin	Nathan	Stanley
Geiss			

In The Chair: Walsh

The House agreed to the title as amended.

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

The Speaker laid before the House

#### **Senate Bill No. 409, entitled**

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," by amending section 30 (MCL 206.30), as amended by 2011 PA 38.

(The bill was received from the Senate on December 12, with amendments to the House substitute (H-7), consideration of which, under the rules, was postponed until December 13, see House Journal No. 81, p. 2700; bill considered and postponed temporarily on December 13, see House Journal No. 82, p. 2807.)

The question being on concurring in the amendments to the House substitute (H-7) made to the bill by the Senate,

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

#### **Roll Call No. 913**

#### **Yeas—104**

Agema	Glardon	Lane	Price
Ananich	Goike	LeBlanc	Pscholka
Barnett	Graves	Lindberg	Rendon
Bauer	Greimel	Lipton	Rogers
Bolger	Haines	Liss	Rutledge
Brown	Hammel	Lund	Santana
Brunner	Haugh	Lyons	Schmidt, R.
Bumstead	Haveman	MacGregor	Schmidt, W.
Byrum	Heise	MacMaster	Segal
Callton	Hobbs	McBroom	Shaughnessy
Cavanagh	Hooker	McCann	Shirkey

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

### Nays—1

Geiss

In The Chair: Walsh

By unanimous consent the House returned to the order of

#### Motions and Resolutions

Rep. Segal moved that when the House adjourns today it stand adjourned until Thursday, December 27, at 11:30 a.m. The motion prevailed.

#### Messages from the Senate

##### House Bill No. 4122, entitled

A bill to amend 1929 PA 312, entitled "The metropolitan district act," by amending sections 3, 4, 7, 9, 9b, and 13 (MCL 119.3, 119.4, 119.7, 119.9, 119.9b, and 119.13), section 4 as amended by 2002 PA 410 and section 9b as added by 1998 PA 171, and by adding sections 2a, 17a, and 17b.

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. 4753, entitled

A bill 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 27a (MCL 211.27a), as amended by 2012 PA 47.

The Senate has concurred in the House substitute (H-3) to the Senate substitute (S-2).

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

**House Bill No. 5225, entitled**

A bill to amend 1927 PA 372, entitled "An act to regulate and license the selling, purchasing, possessing, and carrying of certain firearms, gas ejecting devices, and electro-muscular disruption devices; to prohibit the buying, selling, or carrying of certain firearms, gas ejecting devices, and electro-muscular disruption devices without a license or other authorization; to provide for the forfeiture of firearms and electro-muscular disruption devices under certain circumstances; to provide for penalties and remedies; to provide immunity from civil liability under certain circumstances; to prescribe the powers and duties of certain state and local agencies; to prohibit certain conduct against individuals who apply for or receive a license to carry a concealed pistol; to make appropriations; to prescribe certain conditions for the appropriations; and to repeal all acts and parts of acts inconsistent with this act," by amending sections 2 and 2a (MCL 28.422 and 28.422a), section 2 as amended by 2010 PA 20 and section 2a as amended by 2010 PA 210; and to repeal acts and parts of acts.

The Senate has concurred in the House amendment to the Senate substitute (S-3).

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

**House Bill No. 5546, entitled**

A bill to amend 1995 PA 279, entitled "Horse racing law of 1995," by amending the title and sections 2, 3, 4, 6, 7, 8, 9, 9a, 10, 12, 13, 14, 15, 16, 17, 18, 19, 19a, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, and 32 (MCL 431.302, 431.303, 431.304, 431.306, 431.307, 431.308, 431.309, 431.309a, 431.310, 431.312, 431.313, 431.314, 431.315, 431.316, 431.317, 431.318, 431.319, 431.319a, 431.320, 431.321, 431.322, 431.323, 431.324, 431.325, 431.326, 431.327, 431.328, 431.329, and 431.332), sections 2 and 4 as amended by 2006 PA 445, sections 7, 9, 10, and 12 as amended by 2000 PA 164, section 9a as added by 1997 PA 73, sections 14, 17, and 18 as amended and section 19a as added by 1998 PA 408, section 16 as amended by 2005 PA 7, and section 20 as amended by 2006 PA 185; 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. 5711, entitled**

A bill to amend 1978 PA 368, entitled "Public health code," by amending sections 2803, 2804, 2834, 2835, 2848, 13807, 16221, 16226, 16299, 17015, 17515, 20115, and 22224 (MCL 333.2803, 333.2804, 333.2834, 333.2835, 333.2848, 333.13807, 333.16221, 333.16226, 333.16299, 333.17015, 333.17515, 333.20115, and 333.22224), sections 2803, 2834, and 2848 as amended by 2002 PA 562, section 2804 as amended by 1990 PA 149, section 2835 as amended by 2010 PA 117, section 13807 as added by 1990 PA 21, section 16221 as amended by 2011 PA 222, section 16226 as amended by 2011 PA 224, section 16299 as amended by 2002 PA 685, section 17015 as amended by 2006 PA 77, section 17515 as added by 1993 PA 133, and section 20115 as amended and section 22224 as added by 1999 PA 206, and by adding sections 2836, 2854, 17015a, 17017, and 17517.

The Senate has concurred in the House amendment to the Senate substitute (S-3).

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

**House Bill No. 5838, entitled**

A bill to amend 1961 PA 236, entitled "An act to revise and consolidate the statutes relating to the organization and jurisdiction of the courts of this state; the powers and duties of the courts, and of the judges and other officers of the courts; the forms and attributes of civil claims and actions; the time within which civil actions and proceedings may be brought in the courts; pleading, evidence, practice, and procedure in civil and criminal actions and proceedings in the courts; to provide for the powers and duties of certain state governmental officers and entities; to provide remedies and penalties for the violation of certain provisions of this act; to repeal all acts and parts of acts inconsistent with or contravening any of the provisions of this act; and to repeal acts and parts of acts," by amending section 5451 (MCL 600.5451), section 5451 as added by 2004 PA 575.

The Senate has concurred in the House amendment to the Senate substitute (S-1).

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

**House Bill No. 6022, entitled**

A bill to amend 2002 PA 48, entitled "Metropolitan extension telecommunications rights-of-way oversight act," by amending sections 2 and 3 (MCL 484.3102 and 484.3103).

The Senate has concurred in the House amendments to the Senate substitute (S-1).

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

**House Bill No. 6024, entitled**

A bill to authorize the creation of special assessment districts; to provide for the levy and collection of special assessments on certain property to defray the costs of essential services equipment and essential services; and to authorize the issuance of bonds and other obligations in anticipation of the collection of special assessments.

The Senate has concurred in the House amendments to the Senate substitute (S-1).

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

**House Bill No. 6025, entitled**

A bill to create a metropolitan authority; to prescribe the powers, duties, and jurisdictions of the metropolitan authority; to prescribe the powers and duties of certain state officials; and to levy, collect, and distribute a tax.

The Senate has concurred in the House amendments to the Senate substitute (S-1).

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

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Rep. Haugh moved that the House adjourn.

The motion prevailed, the time being 5:00 a.m.

The Speaker Pro Tempore declared the House adjourned until Thursday, December 27, at 11:30 a.m.

GARY L. RANDALL  
Clerk of the House of Representatives

