

**No. 36**  
**STATE OF MICHIGAN**  
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**OF THE**  
**House of Representatives**  
**96th Legislature**  
**REGULAR SESSION OF 2012**

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House Chamber, Lansing, Wednesday, April 18, 2012.

1:30 p.m.

The House was called to order by the Speaker.

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

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

e/d/s = entered during session

Pastor Ed Ross, Senior Pastor of First United Methodist Church in Jackson, offered the following invocation:

“Holy and loving God, Master of the Universe, for the people of this state of Michigan we pray;

There is so much glory in this landscape, rising still as it does from the weight of ancient glacier, sown with lakes, flowing rivers, enwrapped in great inland seas. From far Ironwood and Ontonagon, copper country, basins of iron ore, great Indian names and French explorers remembered in many places, a little Niagara at Tahquamenon, locks of Sault Ste Marie, the Michilimackinac, and on down the lower peninsula from the upper, two coastlines, verdant farms, muscular towns, ports from an earlier time and inland centers, places to which settlers came, speaking a variety of tongues; steel makers, fabricators of automobiles, foods from grains, orchards of bush and tree—a plethora of fruit and berry, a history of and a place of industry, unparalleled beauty and capacity. Forgive our pride, dear God, and cause Your blessing, we pray, to rest upon this our state of Michigan and all its people.

Now, gracious God, we are gathered in this ancient, handsome room where representatives come to deliberate and decide. Grant them insight and courage. Keep all of the people in their eye. Hold the children of this state before them. Guide decisions in the education project that will found this century. Help each one to consider the investments needed, the careful use of public resource. Hold them close, and keep them in Your mercy and in Your love. This we ask in Jesus’ holy name, trusting, beloved God, in all Your wisdom and in the mighty strength of Your directing hand. Amen and Amen.”

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

### Motions and Resolutions

Reps. Brown, Barnett, Bauer, Byrum, Callton, Constan, Darany, Dillon, Heise, Jacobsen, Knollenberg, Kowall, LeBlanc, Lipton, Liss, Poleski, Roy Schmidt, Segal, Slavens and Tyler offered the following resolution:

**House Resolution No. 232.**

A resolution to declare April 18, 2012, as Holocaust Remembrance Day in the state of Michigan.

Whereas, The horror of the Holocaust should never be forgotten; and

Whereas, The Holocaust was the state-sponsored systematic persecution and annihilation of European Jewry by Nazi Germany and its collaborators during the years 1933 through 1945. Six million Jews were murdered and millions more, including Gypsies, the handicapped, Poles, Jehovah’s Witnesses, Soviet prisoners of war, and political dissidents, suffered grievous oppression and death under Nazi tyranny; and

Whereas, The history of the Holocaust offers an opportunity to reflect on the moral responsibilities of individuals, societies, and governments; and serves as an important reminder of what can happen to civilized people when bigotry, hatred, and indifference reign; and

Whereas, When the goodness of mankind was in question, there were individuals who selflessly risked their lives in order to save others from the evils of Nazi Germany; now, therefore, be it

Resolved by the House of Representatives, That the members of this legislative body declare April 18, 2012, as Holocaust Remembrance Day in the state of Michigan; and be it further

Resolved, That in honor of the victims of the Holocaust, the survivors, and their liberators, the citizens of Michigan should reflect upon the terrible events of the Holocaust and strive to overcome intolerance and indifference through learning and remembrance.

The question being on the adoption of the resolution,

The resolution was adopted.

Reps. Brown, Barnett, Bauer, Byrum, Constan, Darany, Dillon, Jacobsen, LeBlanc, Lipton, Liss, Poleski, Roy Schmidt, Segal, Slavens and Tyler offered the following resolution:

**House Resolution No. 233.**

A resolution to declare April 22, 2012, as Earth Day in the state of Michigan.

Whereas, Earth Day is April 22, 2012; and

Whereas, Earth Day was founded by U.S. Senator Gaylord Nelson as an environmental teach-in held on April 22, 1970; and

Whereas, Almost every country on Earth is now connected by the Earth Day Network; and

Whereas, Each year Earth Day encourages citizens to remember the importance of protecting and conserving our natural resources and environment; and

Whereas, Michigan citizens are encouraged to take action and join with millions of people from all over the world who will take part in Earth Day activities; now, therefore, be it

Resolved by the House of Representatives, That the members of this legislative body declare April 22, 2012, as Earth Day in the state of Michigan.

The question being on the adoption of the resolution,

The resolution was adopted.

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

### Messages from the Senate

The Speaker laid before the House

#### House Bill No. 4207, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 5512 and 11522 (MCL 324.5512 and 324.11522); and to repeal acts and parts of acts.

(The bill was received from the Senate on April 17, 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. 35, p. 572.)

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. 173

#### Yeas—87

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

#### Nays—22

Barnett	Hovey-Wright	Meadows	Stanley
Bauer	Howze	Rutledge	Stapleton

Bledsoe	Irwin	Segal	Switalski
Brown	Jackson	Slavens	Talabi
Durhal	Kandrevas	Stallworth	Tlaib
Geiss	Lipton		

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.

### Third Reading of Bills

#### Senate Bill No. 528, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 21301a, 21304a, 21304b, 21307, 21309a, 21310a, 21314a, 21315, 21316, 21316a, and 21320 (MCL 324.21301a, 324.21304a, 324.21304b, 324.21307, 324.21309a, 324.21310a, 324.21314a, 324.21315, 324.21316, 324.21316a, and 324.21320), sections 21301a, 21304a, 21309a, 21310a, and 21315 as amended and section 21304b as added by 1996 PA 116 and section 21307 as amended and sections 21314a and 21316a as added by 1995 PA 22, and by adding sections 21304c, 21323a, 21323b, 21323c, 21323d, 21323e, 21323f, 21323g, 21323h, 21323i, 21323j, 21323k, 21323l, 21323m, and 21325.

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

#### Roll Call No. 174

#### Yeas—72

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

#### Nays—37

Ananich	Greimel	Lipton	Smiley
Barnett	Hammel	McCann	Stallworth
Bauer	Hobbs	Meadows	Stanley
Bledsoe	Hovey-Wright	Nathan	Stapleton
Brown	Howze	Oakes	Switalski
Byrum	Irwin	Rutledge	Talabi

Cavanagh	Jackson	Santana	Tlaib
Dillon	Kandrevas	Segal	Townsend
Durhal	Lane	Slavens	Womack
Geiss			

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 1994 PA 451, entitled "An act to protect the environment and natural resources of the state; to codify, revise, consolidate, and classify laws relating to the environment and natural resources of the state; to regulate the discharge of certain substances into the environment; to regulate the use of certain lands, waters, and other natural resources of the state; to prescribe the powers and duties of certain state and local agencies and officials; to provide for certain charges, fees, assessments, and donations; to provide certain appropriations; to prescribe penalties and provide remedies; and to repeal acts and parts of acts," by amending sections 21301a, 21304a, 21304b, 21307, 21307a, 21309a, 21310a, 21314a, 21315, 21316, 21316a, and 21320 (MCL 324.21301a, 324.21304a, 324.21304b, 324.21307, 324.21307a, 324.21309a, 324.21310a, 324.21314a, 324.21315, 324.21316, 324.21316a, and 324.21320), sections 21301a, 21304a, 21309a, 21310a, and 21315 as amended and section 21304b as added by 1996 PA 116 and section 21307 as amended and sections 21307a, 21314a, and 21316a as added by 1995 PA 22, and by adding sections 21304c, 21304d, 21323a, 21323b, 21323c, 21323d, 21323e, 21323f, 21323g, 21323h, 21323i, 21323j, 21323k, 21323l, 21323m, 21325, and 21334.

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.

#### Senate Bill No. 529, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 20114e (MCL 324.20114e), as added by 2010 PA 227, and by adding section 21332; 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. 175

#### Yeas—73

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

**Nays—36**

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

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 1994 PA 451, entitled "An act to protect the environment and natural resources of the state; to codify, revise, consolidate, and classify laws relating to the environment and natural resources of the state; to regulate the discharge of certain substances into the environment; to regulate the use of certain lands, waters, and other natural resources of the state; to prescribe the powers and duties of certain state and local agencies and officials; to provide for certain charges, fees, assessments, and donations; to provide certain appropriations; to prescribe penalties and provide remedies; and to repeal acts and parts of acts," by amending section 20114e (MCL 324.20114e), as added by 2010 PA 227, and by adding sections 21332 and 21333.

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.

**Senate Bill No. 530, entitled**

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 21308a, 21311a, and 21312a (MCL 324.21308a, 324.21311a, and 324.21312a), as amended by 1996 PA 116.

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

**Roll Call No. 176****Yeas—72**

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

**Nays—37**

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

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 the environment and natural resources of the state; to codify, revise, consolidate, and classify laws relating to the environment and natural resources of the state; to regulate the discharge of certain substances into the environment; to regulate the use of certain lands, waters, and other natural resources of the state; to prescribe the powers and duties of certain state and local agencies and officials; to provide for certain charges, fees, assessments, and donations; to provide certain appropriations; to prescribe penalties and provide remedies; and to repeal acts and parts of acts,”

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.

**Senate Bill No. 531, entitled**

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” by amending sections 21302 and 21303 (MCL 324.21302 and 324.21303), section 21302 as amended by 1995 PA 22 and section 21303 as amended by 1996 PA 116.

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

**Roll Call No. 177****Yeas—73**

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

**Nays—36**

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

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 the environment and natural resources of the state; to codify, revise, consolidate, and classify laws relating to the environment and natural resources of the state; to regulate the discharge of certain substances into the environment; to regulate the use of certain lands, waters, and other natural resources of the state; to prescribe the powers and duties of certain state and local agencies and officials; to provide for certain charges, fees, assessments, and donations; to provide certain appropriations; to prescribe penalties and provide remedies; and to repeal acts and parts of acts,”

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.

**Senate Bill No. 532, entitled**

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” by amending sections 21313a, 21319a, and 21323 (MCL 324.21313a, 324.21319a, and 324.21323), section 21313a as amended by 1996 PA 116 and section 21319a as added and section 21323 as amended by 1995 PA 22.

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

**Roll Call No. 178****Yeas—72**

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



**Nays—37**

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

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 the environment and natural resources of the state; to codify, revise, consolidate, and classify laws relating to the environment and natural resources of the state; to regulate the discharge of certain substances into the environment; to regulate the use of certain lands, waters, and other natural resources of the state; to prescribe the powers and duties of certain state and local agencies and officials; to provide for certain charges, fees, assessments, and donations; to provide certain appropriations; to prescribe penalties and provide remedies; and to repeal acts and parts of acts,”

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.

**Senate Bill No. 533, entitled**

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” by amending sections 21326 and 21327 (MCL 324.21326 and 324.21327).

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

**Roll Call No. 179****Yeas—71**

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

**Nays—38**

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

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 1994 PA 451, entitled "An act to protect the environment and natural resources of the state; to codify, revise, consolidate, and classify laws relating to the environment and natural resources of the state; to regulate the discharge of certain substances into the environment; to regulate the use of certain lands, waters, and other natural resources of the state; to prescribe the powers and duties of certain state and local agencies and officials; to provide for certain charges, fees, assessments, and donations; to provide certain appropriations; to prescribe penalties and provide remedies; and to repeal acts and parts of acts," by amending sections 21326, 21327, 21502, 21503, 21506a, 21510, 21515, 21517, 21520, 21550, 21558, and 21559 (MCL 324.21326, 324.21327, 324.21502, 324.21503, 324.21506a, 324.21510, 324.21515, 324.21517, 324.21520, 324.21550, 324.21558, and 324.21559), sections 21502 and 21503 as amended by 2006 PA 318, section 21506a as amended by 2007 PA 67, section 21510 as amended by 1995 PA 252, section 21515 as amended by 1996 PA 181, section 21550 as amended by 2010 PA 263, section 21558 as added by 2006 PA 322, and section 21559 as amended by 2008 PA 417; and to repeal acts and parts of acts.

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****House Bill No. 5245, entitled**

A bill to amend 1980 PA 395, entitled "Community convention or tourism marketing act," by amending section 5 (MCL 141.875), as amended by 1989 PA 245.

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

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

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

The motion prevailed.

**House Bill No. 5362, entitled**

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," by amending section 3135 (MCL 500.3135), as amended by 2002 PA 697.

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

The motion prevailed.

**Senate Bill No. 29, entitled**

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending section 224a (MCL 750.224a), as amended by 2006 PA 457.

The bill was read a second time.

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

The motion prevailed.

**Senate Bill No. 30, entitled**

A bill to amend 1927 PA 372, entitled "An act to regulate and license the selling, purchasing, possessing, and carrying of certain firearms and gas ejecting devices; to prohibit the buying, selling, or carrying of certain firearms and gas ejecting devices without a license or other authorization; to provide for the forfeiture of firearms under certain circumstances; to provide for penalties and remedies; to provide immunity from civil liability under certain circumstances; to prescribe the powers and duties of certain state and local agencies; to prohibit certain conduct against individuals who apply for or receive a license to carry a concealed pistol; to make appropriations; to prescribe certain conditions for the appropriations; and to repeal all acts and parts of acts inconsistent with this act," by amending the title and sections 5f, 5k, and 5o (MCL 28.425f, 28.425k, and 28.425o), the title as amended and section 5k as added by 2000 PA 381, section 5f as amended by 2008 PA 194, and section 5o as amended by 2008 PA 407.

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

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.

**Senate Bill No. 93, entitled**

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending sections 11b and 16m of chapter XVII (MCL 777.11b and 777.16m), section 11b as amended by 2008 PA 538 and section 16m as amended by 2005 PA 106.

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

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

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

The motion prevailed.

**Senate Bill No. 428, entitled**

A bill to amend 1933 PA 167, entitled "General sales tax act," by amending section 6 (MCL 205.56), as amended by 2011 PA 71.

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

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.

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

By unanimous consent the House returned to the order of

**Announcement by the Clerk of Printing and Enrollment**

The Clerk announced the enrollment printing and presentation to the Governor on Wednesday, April 18, for his approval of the following bill:

**Enrolled House Bill No. 4207 at 2:27 p.m.**

The Clerk announced that the following bills had been printed and placed upon the files of the members on Wednesday, April 18:

<b>House Bill Nos.</b>	<b>5529</b>	<b>5530</b>	<b>5531</b>	<b>5532</b>	<b>5533</b>	<b>5534</b>	<b>5535</b>	<b>5536</b>	<b>5537</b>	<b>5538</b>
<b>Senate Bill Nos.</b>	<b>1063</b>	<b>1064</b>	<b>1065</b>	<b>1066</b>	<b>1067</b>	<b>1068</b>	<b>1069</b>	<b>1070</b>	<b>1071</b>	<b>1072</b>

### Reports of Standing Committees

The Committee on Banking and Financial Services, by Rep. Knollenberg, Chair, reported

**Senate Bill No. 908, entitled**

A bill to amend 2009 PA 75, entitled "Mortgage loan originator licensing act," by amending sections 3, 5, 9, 15, and 29 (MCL 493.133, 493.135, 493.139, 493.145, and 493.159), sections 3 and 29 as amended by 2010 PA 356.

With the recommendation that the substitute (H-1) be adopted and that the bill then pass.

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

#### Favorable Roll Call

To Report Out:

Yeas: Reps. Knollenberg, Lyons, Farrington, Huuki, Olson, Pettalia, Womack, Switalski, Clemente and Stanley

Nays: None

### COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Knollenberg, Chair, of the Committee on Banking and Financial Services, was received and read:

Meeting held on: Wednesday, April 18, 2012

Present: Reps. Knollenberg, Lyons, Farrington, Foster, Huuki, Olson, Pettalia, Womack, Switalski, Clemente and Stanley

The Committee on Education, by Rep. Lyons, Chair, reported

**House Bill No. 4513, entitled**

A bill to amend 1976 PA 451, entitled "The revised school code," by amending section 1147 (MCL 380.1147).

With the recommendation that the substitute (H-4) be adopted and that the bill then pass.

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

#### Favorable Roll Call

To Report Out:

Yeas: Reps. Lyons, Hooker, Crawford, McMillin, Franz, Heise, O'Brien, Price, Shaughnessy, Yonker and Bumstead

Nays: Reps. Brown, Darany, Rutledge, Stallworth and Geiss

The Committee on Education, by Rep. Lyons, Chair, reported

**House Bill No. 4514, entitled**

A bill to amend 1979 PA 94, entitled "The state school aid act of 1979," by amending section 6 (MCL 388.1606), as amended by 2010 PA 110.

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

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

#### Favorable Roll Call

To Report Out:

Yeas: Reps. Lyons, Hooker, Crawford, McMillin, Franz, Heise, O'Brien, Price, Shaughnessy, Yonker and Bumstead

Nays: Reps. Brown, Darany, Rutledge, Stallworth and Geiss

## COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Wednesday, April 18, 2012

Present: Reps. Lyons, Hooker, Crawford, McMillin, Franz, Heise, Nesbitt, O'Brien, Price, Shaughnessy, Yonker, Bumstead, Brown, Darany, Hobbs, Rutledge, Stallworth and Geiss

Absent: Rep. Howze

Excused: Rep. Howze

The Committee on Tax Policy, by Rep. Gilbert, Chair, reported

**House Bill No. 5333, entitled**

A bill to amend 1893 PA 206, entitled "The general property tax act," by amending section 7kk (MCL 211.7kk), as added by 2006 PA 612.

Without amendment and with the recommendation that the bill pass.

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

## Favorable Roll Call

To Report Out:

Yeas: Reps. Gilbert, Walsh, Horn, Farrington, Foster, Lyons, Nesbitt, O'Brien, Olson, Ouimet, Constan, Barnett, Townsend and Hobbs

Nays: Rep. Cavanagh

The Committee on Tax Policy, by Rep. Gilbert, Chair, reported

**House Bill No. 5340, entitled**

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

Without amendment and with the recommendation that the bill pass.

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

## Favorable Roll Call

To Report Out:

Yeas: Reps. Gilbert, Walsh, Horn, Farrington, Foster, Lyons, Nesbitt, O'Brien, Olson, Ouimet, Constan and Cavanagh

Nays: Reps. Barnett and Hobbs

The Committee on Tax Policy, by Rep. Gilbert, Chair, reported

**Senate Bill No. 349, entitled**

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

Without amendment and with the recommendation that the bill pass.

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

## Favorable Roll Call

To Report Out:

Yeas: Reps. Gilbert, Walsh, Horn, Farrington, Foster, Lyons, Nesbitt, O'Brien, Olson, Ouimet, Constan, Barnett, Townsend and Hobbs

Nays: None

## COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Gilbert, Chair, of the Committee on Tax Policy, was received and read:

Meeting held on: Wednesday, April 18, 2012

Present: Reps. Gilbert, Walsh, Horn, Farrington, Foster, Lyons, Nesbitt, O'Brien, Olson, Ouimet, Constan, Barnett, Kandrevas, Townsend, Cavanagh and Hobbs

Absent: Rep. Meadows

Excused: Rep. Meadows

**Messages from the Senate****House Bill No. 4751, entitled**

A bill to amend 1972 PA 344, entitled "Agricultural marketing and bargaining act," by amending sections 2, 2a, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, and 25 (MCL 290.702, 290.702a, 290.703, 290.704, 290.705, 290.706, 290.707, 290.708, 290.709, 290.710, 290.711, 290.712, 290.713, 290.714, 290.715, 290.716, 290.717, 290.718, 290.719, 290.720, 290.721, 290.722, 290.723, 290.724, and 290.725), sections 3 and 17 as amended by 1980 PA 195.

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. 4845, entitled**

A bill to amend 1994 PA 451, entitled "An act to protect the environment and natural resources of the state; to codify, revise, consolidate, and classify laws relating to the environment and natural resources of the state; to regulate the discharge of certain substances into the environment; to regulate the use of certain lands, waters, and other natural resources of the state; to prescribe the powers and duties of certain state and local agencies and officials; to provide for certain charges, fees, assessments, and donations; to provide certain appropriations; to prescribe penalties and provide remedies; and to repeal acts and parts of acts," by amending sections 80101, 80141, and 80212 (MCL 324.80101, 324.80141, and 324.80212), section 80101 as amended by 2004 PA 547, section 80141 as added by 1995 PA 58, and section 80212 as added by 2000 PA 229.

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. 4974, entitled**

A bill to amend 2001 PA 142, entitled "Michigan memorial highway act," by amending section 1072 (MCL 250.2072), as added by 2011 PA 78.

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. 4393, entitled**

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

The Senate has amended the bill as follows:

1. Amend page 8, line 12, after "OBSERVATION" by inserting "INCLUDING, BUT NOT LIMITED TO, MEDICAL EXAMINATION AND TREATMENT FOR ANY CONDITION ARISING FROM A VIOLATION OF SECTIONS 520B TO 520G OF THE MICHIGAN PENAL CODE, 1931 PA 328, MCL 750.520B TO 750.520G, COMMITTED AGAINST A MINOR".

2. Amend page 8, line 17, after "OBSERVATION" by inserting "INCLUDING, BUT NOT LIMITED TO, MEDICAL EXAMINATION AND TREATMENT FOR ANY CONDITION ARISING FROM A VIOLATION OF SECTIONS 520B TO 520G OF THE MICHIGAN PENAL CODE, 1931 PA 328, MCL 750.520B TO 750.520G, COMMITTED AGAINST A MINOR".

3. Amend page 10, following line 26, by inserting:

“Enacting section 1. This amendatory act takes effect June 1, 2012.”.

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

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

### Notices

I hereby give notice that on the next legislative session day I will move to discharge the Committee on Commerce from further consideration of **House Resolution No. 189**.

Rep. Geiss

### Introduction of Bills

Rep. Switalski introduced

**House Bill No. 5539, entitled**

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

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

Rep. Lund introduced

**House Bill No. 5540, entitled**

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

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

Rep. Kowall introduced

**House Bill No. 5541, entitled**

A bill to make, supplement, and adjust appropriations for certain capital outlay projects and for certain state departments and agencies for the fiscal year ending September 30, 2012; to provide for the expenditure of the appropriations; and to prescribe certain conditions for the appropriations.

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

Rep. Opsommer introduced

**House Bill No. 5542, entitled**

A bill to amend 1949 PA 300, entitled “Michigan vehicle code,” by amending sections 40b and 310 (MCL 257.40b and 257.310), section 40b as amended by 2008 PA 7 and section 310 as amended by 2008 PA 36.

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

### Announcements by the Clerk

April 17, 2012

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

Performance audit of the Long-Term Care Nursing Facility Medicaid Reimbursement and Rate Setting Process, Department of Community Health, April 2012.

Gary L. Randall  
Clerk of the House

The Clerk received the following dissent from Reps. Bauer, Slavens, Bledsoe, Segal, Dillon, Tlaib, Geiss, Stapleton, Stanley, Barnett, Santana, Ananich, Townsend, Hovey-Wright, Rutledge, Howze, Nathan, Stallworth, Byrum, Greimel, Irwin and McCann:

Article IV, Section 18 of the Michigan Constitution states that “[a]ny member of either house may dissent from and protest against any act, proceeding or resolution which he deems injurious to any person or the public, and have the reason for his dissent entered in the journal.” Under this constitutional provision, I demand this be printed in the House Journal because I object to the act of gaveling on Immediate Effect to SB 617. I did not, have not, and do not support the gaveling on of immediate effect to SB 617.

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Rep. Potvin moved that the House adjourn.  
The motion prevailed, the time being 2:55 p.m.

Associate Speaker Pro Tempore O’Brien declared the House adjourned until Thursday, April 19, at 12:00 Noon.

GARY L. RANDALL  
Clerk of the House of Representatives