

No. 8
STATE OF MICHIGAN
JOURNAL
OF THE
House of Representatives
97th Legislature
REGULAR SESSION OF 2013

House Chamber, Lansing, Thursday, January 31, 2013.

12:00 Noon.

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.

Abed—present	Genetski—present	Lauwers—present	Roberts—present
Ananich—present	Gardon—present	LaVoy—present	Robinson—present
Banks—present	Goike—present	Leonard—present	Rogers—present
Barnett—present	Graves—present	Lipton—present	Rutledge—present
Bolger—present	Greimel—present	Lori—present	Santana—present
Brinks—present	Haines—present	Lund—present	Schmidt—excused
Brown—present	Haugh—excused	Lyons—present	Schor—present
Brunner—present	Haveman—present	MacGregor—present	Segal—present
Bumstead—present	Heise—present	MacMaster—present	Shirkey—present
Callton—present	Hobbs—present	McBroom—present	Singh—present
Cavanagh—present	Hooker—present	McCann—present	Slavens—present
Clemente—present	Hovey-Wright—present	McCready—present	Smiley—present
Cochran—present	Howrylak—present	McMillin—present	Somerville—present
Cotter—present	Irwin—present	Muxlow—present	Stallworth—excused
Crawford—present	Jacobsen—present	Nathan—present	Stamas—present
Daley—present	Jenkins—present	Nesbitt—present	Stanley—present
Darany—present	Johnson—present	O’Brien—present	Switalski—present
Denby—present	Kandrevas—present	Oakes—present	Talabi—present
Dianda—present	Kelly—present	Olumba—excused	Tlaib—present
Dillon—present	Kesto—present	Outman—present	Townsend—excused
Driskell—present	Kivela—present	Pagel—present	VerHeulen—present
Durhal—excused	Knezek—present	Pettalia—present	Victory—present
Faris—present	Kosowski—present	Poleski—present	Walsh—present
Farrington—present	Kowall—present	Potvin—present	Yanez—present
Forlini—present	Kurtz—present	Price—present	Yonker—present
Foster—present	LaFontaine—present	Pscholka—present	Zemke—present
Franz—present	Lamonte—present	Rendon—present	Zorn—present
Geiss—excused	Lane—present		

e/d/s = entered during session

Rep. Brian R. Banks, from the 1st District, offered the following invocation:

“Father God in the Name of Jesus, we thank You for this day, God. We thank You for waking us this morning and giving us the activities of our limbs. We thank You for another chance, God, to serve Your people. We ask right now God, that You come to this place and create an atmosphere of peace and togetherness so that we can serve Your people.

We come before You today in a time of great anxiety and fear as financial institutions have collapsed, brave soldiers sacrifice on the fields of war, and families wonder how they will pay the bills.

We ask that You give us, this chamber, the wisdom, knowledge, and understanding to make sound decisions so we can do right by Your people and do right by You. We thank You for every elected official, we thank You for safe travels, we ask this in Jesus’ name, Amen.”

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

Rep. Hobbs moved that Reps. Geiss, Townsend, Durhal, Haugh, Olumba and Stallworth be excused from today’s session.
The motion prevailed.

Motions and Resolutions

Reps. Potvin, Lauwers, Faris, Rutledge, Stallworth, Brunner, Smiley, Kelly, Johnson, Santana, Walsh, MacGregor, O’Brien, Foster, Shirkey, Leonard, Victory, Rendon, Franz and Nesbitt offered the following resolution:

House Resolution No. 19.

A resolution to declare February 3-9, 2013, as Boy Scout Week in the state of Michigan.

Whereas, The scouting program was founded in 1907 by Robert Baden-Powell in Brownsea Island in Poole Harbour, England, to encourage young men to develop personal goals and actively pursue their personal interests. After American journalist and publisher William Boyce learned of the scouting program on his visit to London, he was inspired to start one in America; and

Whereas, The Boy Scouts of America were incorporated on February 8, 1910 in New York City, received their federal charter as granted by the United States Congress in 1916, celebrated their 100th anniversary in 2010, and have awarded the rank of Eagle Scout to over two million scouts. Local packs, troops, and crews celebrate this rich history every year with Boy Scout Week; and

Whereas, The scouting program currently represents the largest voluntary youth movement in the world, with approximately 195 countries having scout programs. The Boy Scouts of America has 2.7 million registered scouts, over 1 million leaders, and over 100,000 registered units. Their goal is to train youth in responsible citizenship, character development, and self-reliance through participation in outdoor activities, educational programs, career-oriented programs, and community-service activities. Those scouts and leaders performed almost 12 million hours of service to their councils and communities, with nearly 1.1 million youth attending a council camp or national high-adventure camp last year; and

Whereas, The councils that make up the scouting community in Michigan are the Bay-Lakes Council and the Michigan Crossroads Council - with four field service councils being Great Lakes, President Gerald R. Ford, Southern Shores, and Water and Woods Field Service Councils. These councils will celebrate Boy Scout Week with a number of events, including Scout Sunday at local places of worship, community service projects, Courts of Honor, and flag-raising ceremonies. These endeavors will serve as a reminder of the vital impact the scouting program has on our communities; now, therefore, be it

Resolved by the House of Representatives, That the members of this legislative body declare February 3-9, 2013, as Boy Scout Week in the state of Michigan. We recognize the great accomplishments and contributions that the scouting movement has had upon the character and development of Michigan’s youth. We consider it a great privilege to celebrate this occasion and proudly extend tribute to all the leaders, parents, friends, family, and scouts who have made the Boy Scouts of America successful across our state; and be it further

Resolved, That a copy of this resolution be transmitted to the Bay-Lakes Council, the Michigan Crossroads Council, and the national office of the Boy Scouts of America as evidence of the highest esteem given by the members of the Michigan Legislature and recognition of the profound impact this organization has had on countless lives in our state and nation.

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

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

Announcement by the Clerk of Printing and Enrollment

The Clerk announced that the following bills and joint resolutions had been printed and placed upon the files of the members on Thursday, January 31:

House Bill Nos.	4132	4133	4134	4135	4136	4137	4138	4139	4140	4141	4142	4143	4144	4145
	4146	4147	4148											
House Joint Resolutions		D	E											
Senate Bill Nos.	84	85	86	87	88	109	110	111	112	113	114	115	116	117
	118	119	120	121	122	123	124							
Senate Joint Resolutions		J	K											

The Clerk announced that the following Senate bills had been received on Thursday, January 31:

Senate Bill Nos. **61** **62**

Reports of Standing Committees

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Poleski, Chair, of the Committee on Financial Liability Reform, was received and read:

Meeting held on: Thursday, January 31, 2013

Present: Reps. Poleski, Victory, Denby, McMillin, Shirkey, Callton, Cavanagh, Talabi and Robinson

Absent: Reps. Schmidt and Irwin

Excused: Reps. Schmidt and Irwin

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Thursday, January 31, 2013

Present: Reps. Cotter, Kesto, Heise, Jacobsen, Johnson, LaFontaine, Leonard, Cavanagh and Lipton

Absent: Reps. Irwin and Clemente

Excused: Reps. Irwin and Clemente

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Thursday, January 31, 2013

Present: Reps. Pettalia, Goike, Crawford, Genetski, Rendon, Pagel, Kosowski, Brunner and Kivela

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Thursday, January 31, 2013

Present: Reps. Price, Pagel, Daley, Franz, Pettalia, Somerville, Rendon, Graves, Rutledge, Stanley, Banks and Talabi

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Thursday, January 31, 2013

Present: Reps. Lund, Leonard, Denby, Cotter, Glardon, Goike, LaFontaine, Lyons, Nesbitt, O'Brien, Segal, Lipton, Abed and Cochran

Absent: Rep. Olumba

Excused: Rep. Olumba

Messages from the Senate

Senate Bill No. 61, entitled

A bill to amend 1980 PA 350, entitled "The nonprofit health care corporation reform act," by amending the title and sections 218, 401e, and 414b (MCL 550.1218, 550.1401e, and 550.1414b), the title as amended by 1994 PA 169, section 218 as added by 2002 PA 559, section 401e as added by 1996 PA 516, and section 414b as added by 2006 PA 413, and by adding sections 201a, 220, 400, 401m, 410b, 501c, and 620 and part 6A.

The Senate has passed the bill.

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

Senate Bill No. 62, entitled

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," by amending sections 2213b, 2242, 3426, 3705, 3712, 5008, 5104, 5209, 5800, and 5824 (MCL 500.2213b, 500.2242, 500.3426, 500.3705, 500.3712, 500.5008, 500.5104, 500.5209, 500.5800, and 500.5824), section 2213b as amended by 1998 PA 457, section 2242 as amended by 1990 PA 305, section 3426 as added by 2006 PA 412, sections 3705 and 3712 as added by 2003 PA 88, section 5008 as amended by 1994 PA 226, section 5104 as amended by 1999 PA 211, and section 5800 as amended by 2000 PA 8, and by adding sections 3405a, 3428, 3472, 3474a, 3612a, 5801, 5805, 5825, and 5826.

The Senate has passed the bill.

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

Introduction of Bills

Reps. Johnson, Rendon, Schor, Brown, Muxlow and Daley introduced

House Bill No. 4149, entitled

A bill to amend 1979 PA 94, entitled "The state school aid act of 1979," by amending section 20 (MCL 388.1620), as amended by 2012 PA 201.

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

Reps. Johnson, Brown, Daley and Howrylak introduced

House Bill No. 4150, entitled

A bill to amend 1954 PA 116, entitled "Michigan election law," by amending sections 191, 195, 200, 203, 204, 205, 206, 206a, 209, 697, and 699 (MCL 168.191, 168.195, 168.200, 168.203, 168.204, 168.205, 168.206, 168.206a, 168.209, 168.697, and 168.699), section 191 as amended by 1999 PA 218, section 195 as amended by 2012 PA 276, section 200 as amended by 1998 PA 364, section 209 as amended by 1990 PA 7, and section 699 as amended by 2005 PA 71, and by adding chapter XA.

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

Reps. Johnson, Brown, Daley and Howrylak introduced

House Bill No. 4151, entitled

A bill to amend 1966 PA 293, entitled "An act to provide for the establishment of charter counties; to provide for the election of charter commissioners; to prescribe their powers and duties; to prohibit certain acts of a county board of commissioners after the approval of the election of a charter commission; to prescribe the mandatory and permissive provisions of a charter; to provide for the exercise by a charter county of certain powers whether or not authorized by its charter; and to prescribe penalties and provide remedies," by amending section 14 (MCL 45.514), as amended by 2005 PA 208.

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

Reps. Lyons and Lipton introduced

House Bill No. 4152, entitled

A bill to amend 1978 PA 368, entitled "Public health code," (MCL 333.1101 to 333.25211) by adding section 16348a and part 186.

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

Rep. Shirkey introduced

House Bill No. 4153, entitled

A bill to amend 1933 PA 167, entitled "General sales tax act," by amending section 6a (MCL 205.56a), as amended by 2012 PA 509.

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

Reps. Yonker and Hooker introduced

House Bill No. 4154, entitled

A bill to amend 1976 PA 451, entitled "The revised school code," by amending sections 523, 1204a, 1277, 1277a, 1278, 1278b, 1280a, 1280b, and 1280e (MCL 380.523, 380.1204a, 380.1277, 380.1277a, 380.1278, 380.1278b, 380.1280a, 380.1280b, and 380.1280e), section 523 as amended and section 1280e as added by 2011 PA 277, section 1204a as amended by 1996 PA 159, section 1277 as amended by 1997 PA 179, sections 1277a and 1280a as added by 1993 PA 335, section 1278 as amended by 2004 PA 596, section 1278b as amended by 2010 PA 80, and section 1280b as added by 2000 PA 230, and by adding section 1280f; and to repeal acts and parts of acts.

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

Reps. Nesbitt, Genetski, Pettalia, Glardon, Leonard, Howrylak, MacMaster, Shirkey, Rendon, Johnson, Foster and Rogers introduced

House Bill No. 4155, 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), as amended by 2012 PA 377.

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

Reps. Potvin, Lauwers, Hooker, Bumstead, Lane, Johnson, O'Brien, Foster, Shirkey and Franz introduced

House Bill No. 4156, entitled

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

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

Reps. Poleski, Rendon, MacGregor, Pscholka and Lyons introduced

House Bill No. 4157, entitled

A bill to create certain loan programs for information, communications, and technology improvements; to facilitate the operation of certain programs; and to impose certain duties on certain state officers and employees.

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

Reps. Brunner, Slavens, Smiley and Geiss introduced

House Bill No. 4158, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending sections 20142, 20199, and 21755 (MCL 333.20142, 333.20199, and 333.21755).

The bill was read a first time by its title and referred to the Committee on Families, Children, and Seniors.

Reps. Slavens, Brunner, Smiley, Hovey-Wright and Geiss introduced

House Bill No. 4159, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending sections 21766 and 21781 (MCL 333.21766 and 333.21781), section 21766 as amended by 2001 PA 243.

The bill was read a first time by its title and referred to the Committee on Families, Children, and Seniors.

Reps. Hooker, Johnson, Kurtz, McBroom, Lauwers and Yonker introduced

House Bill No. 4160, entitled

A bill to amend 1939 PA 280, entitled "The social welfare act," (MCL 400.1 to 400.119b) by adding section 10g. The bill was read a first time by its title and referred to the Committee on Families, Children, and Seniors.

Reps. Hooker, Potvin, Johnson, Rendon, Kurtz, Daley, McMillin, McBroom, MacGregor, Lauwers, Kelly, Howrylak and Yonker introduced

House Bill No. 4161, entitled

A bill to amend 2002 PA 360, entitled "An act to revise the priority of allocation of funds for certain programs and services administered by the department of community health; and to prescribe the powers and duties of certain state agencies and departments," (MCL 333.1091 to 333.1091) by adding section 2.

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

Reps. Hooker, Potvin, Johnson, Rendon, Kurtz, McBroom, MacGregor, Lauwers, Howrylak and Yonker introduced

House Bill No. 4162, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 17515 (MCL 333.17515), as amended by 2012 PA 499, and by adding section 17015b.

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

Reps. Hooker, Johnson, Rendon, Kurtz, MacGregor, Heise, Lauwers and Yonker introduced

House Bill No. 4163, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," (MCL 750.1 to 750.568) by adding section 145e. The bill was read a first time by its title and referred to the Committee on Criminal Justice.

Reps. Hooker, Johnson, Rendon, Kurtz, MacGregor, Heise, Lauwers and Yonker introduced

House Bill No. 4164, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 16g of chapter XVII (MCL 777.16g), as amended by 2012 PA 195.

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

Reps. Rutledge, Irwin, Zemke, Rogers, Knezek, Cavanagh and Driskell introduced

House Bill No. 4165, entitled

A bill to amend 1976 PA 451, entitled "The revised school code," (MCL 380.1 to 380.1852) by adding sections 502b, 522b, and 552b.

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

Rep. Santana introduced

House Bill No. 4166, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 13p of chapter XVII (MCL 777.13p), as amended by 2010 PA 317.

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

Rep. Santana introduced

House Bill No. 4167, entitled

A bill to regulate amateur mixed martial arts; to create the mixed martial arts commission and establish its powers and duties; to provide certain powers and duties for certain state agencies and departments; to license and regulate promoters of amateur mixed martial arts contests and events; to assess certain fees and fines; to establish the amateur mixed martial arts fund and provide for the use of the money in the fund; to authorize the promulgation of rules; and to provide penalties and remedies.

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

Rep. Tlaib moved that the House adjourn.
The motion prevailed, the time being 12:55 p.m.

The Speaker declared the House adjourned until Tuesday, February 5, at 1:30 p.m.

GARY L. RANDALL
Clerk of the House of Representatives

