

No. 30
STATE OF MICHIGAN
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House of Representatives
97th Legislature
REGULAR SESSION OF 2013

House Chamber, Lansing, Tuesday, April 9, 2013.

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.

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—present
Brown—present	Haugh—present	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—present
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—excused
Dianda—present	Kelly—present	Olumba—present	Tlaib—present
Dillon—present	Kesto—present	Outman—present	Townsend—present
Driskell—present	Kivela—present	Pagel—present	VerHeulen—present
Durhal—present	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—present	Lane—present		

e/d/s = entered during session

Rev. Bill Freeman, Pastor of Harbor Unitarian Universalist Church in Muskegon, offered the following invocation:

“Let us lift our spirits...
Spirit of Love, known by many names:
God and Goddess,
Yahweh and Allah,
Dios and Divine,
Nature and Nothing.
May we be grateful
For the cities and towns of Michigan:
From Detroit to Decatur,
From Lansing to Ludington,
From Muskegon to Munising,
From Flint to Farmington Hills,
From Benton Harbor to Harbor Springs.
May we be grateful
For the beauty of Michigan
And may it always be preserved and protected:
From the Southern border
To the Northern expanse,
From the West Coast to the East,
From Sleeping Bear Dunes to Boyne Mountain,
From cherry trees to blueberry bushes.
May we be grateful
For the sports teams of Michigan
And may they always exhibit good sportsmanship:
From the Tigers to the Lions,
From the Pistons to the Red Wings,
From the Spartans to the Wolverines.
And may we be grateful for all the people of Michigan:
Young and old,
Male and female,
Workers and retirees,
Police officers and firefighters,
Artists and artisans,
Those with various abilities and capabilities,
Native-born and immigrants,
Believers and doubters,
Married and single,
Straight and gay,
People of color and those of us who wish we were.
Some of us may come here today
Having faith in
Freedom and democracy.
Some of us may come here today
Having faith in
Truth and goodness.
Some of us may come here today
Having faith in
Liberty and justice for all.
We pray that our faith is fortified
In this magnificent place,
Today
And every day.
Perhaps it’s providential rather than coincidental
That our state is shaped like a hand.
May it act as a divine reminder to us all,
Especially our elected leaders,
To lend a hand to those in need,

*Particularly the most vulnerable among us:
 The children,
 The elderly,
 And the poor.
 May we always treat the Have-Nots
 With at least as much dignity and respect
 As we treat the Have-Lots.
 Now and forevermore.
 Let it be.
 Blessed be.
 So be it.
 And: Amen.”*

Rep. Hobbs moved that Rep. Talabi be excused from today’s session.
 The motion prevailed.

Motions and Resolutions

Reps. Hooker, Outman, Lyons, Forlini, MacGregor, Rendon, Bumstead, Schmidt, Graves, Johnson, Kesto, Dillon, Darany, Foster, Pscholka, Genetski, Yonker, McBroom, Howrylak, Pettalia, Victory, Kelly, Franz, Haveman, Haines, Crawford, Poleski, Zorn, Pagel, Heise, Santana, Barnett, Brown, Cotter, Durhal, Lori and Stanley offered the following resolution:

House Resolution No. 78.

A resolution to oppose the International Olympic Committee’s decision to eliminate wrestling from the Summer Olympic Games and to urge its reinstatement.

Whereas, Wrestling is recognized as one of the world’s oldest competitive sports dating back to 3,000 B.C. It was one of the original sports of the ancient Greek Olympic Games and of the first modern Olympic Games; and

Whereas, Wrestling is one of the world’s most diverse sports, with participants from almost 200 countries around the world. In the United States, over 280,000 high school students participated in wrestling in 2012, and there are over 300 intercollegiate wrestling programs. As a result, the United States has a long, proud, and storied Olympic wrestling history; and

Whereas, Michigan colleges, universities, and Michigan High School Athletic Association (MHSAA) member schools have a long history of wrestling competition; and

Whereas, With its history and high participation rates, there are few sports, if any, that better epitomize the spirit of the Olympic Games than wrestling. It represents the determination and hard work it takes to succeed in life and sport. Despite this, the International Olympic Committee voted to drop wrestling as a core Olympic sport beginning in 2020; now, therefore, be it

Resolved by the House of Representatives, That we oppose the International Olympic Committee’s decision to eliminate wrestling from the Summer Olympic Games and we urge the committee to reinstate wrestling as a core sport of the Summer Olympic Games; and be it further

Resolved, That we encourage the United States Olympic Committee to work actively to reverse this decision; and be it further

Resolved, That copies of this resolution be transmitted to the United States Olympic Committee and the International Olympic Committee.

The resolution was referred to the Committee on Regulatory Reform.

Reps. Zemke, Kivela, Ananich, Schor, Dianda, Driskell, Kandrevas, Irwin, Tlaib, Kesto, McBroom, Geiss, Kosowski, Switalski, Townsend, Lane, Roberts, Knezek, Greimel, Victory, VerHeulen, Dillon, Callton, Potvin, Segal, McCann, Hobbs, Cavanagh, McCreedy, Slavens, Barnett, Brinks, Brown, Darany, Durhal, Kelly, Lamonte and Stanley offered the following resolution:

House Resolution No. 79.

A resolution to urge the Michigan Department of Education to establish an academic competition in the fields of science, technology, engineering, and mathematics for Michigan students.

Whereas, The fields of science, technology, engineering, and mathematics, also known as the STEM fields, are important to a vital and thriving nation, especially in a world of continuous and rapid technological advancement. STEM studies can provide the education students need to contribute and thrive in Michigan's rapidly changing economy and workforce. STEM graduates will help ensure a qualified workforce that will help grow Michigan's economy; and

Whereas, Recent studies have found that fewer than one-third of American eighth graders are proficient in math and science, only one-third of the bachelor's degrees earned in the United States are in a STEM field, and more than half of the science and engineering graduate students in American colleges are from outside the United States. The statistics are the same or worse for Michigan; and

Whereas, The establishment of academic competition in the STEM fields among Michigan students will result in a deeper appreciation and enthusiasm for STEM education. Support and recognition for student achievement in STEM education will encourage the pursuit of STEM studies and career paths. If more students study in STEM fields, the collaborative efforts between our higher education system and STEM-related fields and industries will be enhanced, which will strengthen the economy of our state and nation; now, therefore, be it

Resolved by the House of Representatives, that we urge the Michigan Department of Education to establish an academic competition in the fields of science, technology, engineering, and mathematics for Michigan students; and be it further

Resolved, That copies of this resolution be transmitted to the Michigan Superintendent of Public Instruction and the Michigan State Board of Education.

The resolution was referred to the Committee on Education.

Reps. Foster, Barnett, Brinks, Brown, Cavanagh, Cotter, Durhal, Howrylak, Lamonte and Lori offered the following resolution:

House Resolution No. 80.

A resolution to declare April 17, 2013, as Native American Sexual Assault Awareness Day in the state of Michigan.

Whereas, Sexual assault is a serious and pervasive public health, human rights, and social justice issue affecting 1.3 million women in the United States. Sexual violence affects Americans of all ages, backgrounds and circumstances. In Michigan alone, an average of 16,000 women, children and men received services as victims in relation to the crime of sexual assault and/or rape; and

Whereas, No one is more vulnerable than Native American women, who are 3.5 times more likely to be sexually assaulted than women of other races. National statistics show one in three Native women will be sexually assaulted in their lifetime. Yet, it is widely understood to be the most underreported crime in America; and

Whereas, Exposure to violence, whether physical or sexual, places our young men and women in danger of long-term physical, psychological, and emotional harm. Depression, fear, and suicidal feelings have been experienced by survivors of this crime. Children who experience violence are at a higher risk for failure in school, emotional and substance abuse disorders, and are more likely to perpetuate the cycle of violence themselves later in life; and

Whereas, Ending sexual violence will require the collaborative efforts of everyone, including law enforcement, criminal justice system, public health officials, and community members. It will require that everyone communicate a universal message that violence of any nature, and especially sexual violence, is unacceptable; and

Whereas, We call upon all organizations, both tribal and non-tribal; law enforcement, health officials, and community members to speak out against sexual assault and support local efforts in Native American country to help victims find the healing they seek; now, therefore, be it

Resolved by the House of Representatives, That the members of this legislative body declare April 17, 2013, as Native American Sexual Assault Awareness Day in the state of Michigan. We recognize sexual violence victims and those who serve them during the entire month of April and stand united in our commitment to end all forms of sexual assault and intimate partner violence in our state.

The question being on the adoption of the resolution,

The resolution was adopted.

Reps. Abed, Irwin, Kandrevas, Yanez, Slavens, Knezek, Singh, Segal, Ananich, Schor, Lipton, Tlaib, Rutledge, Faris, Driskell, Brinks, Kosowski, Dillon, Roberts, Hovey-Wright, Geiss, Darany, Smiley, Durhal, Hobbs, Brown, Dianda, Switalski, LaVoy, Cavanagh, Haugh and Oakes offered the following resolution:

House Resolution No. 81.

A resolution to declare April 9, 2013, as Pay Equity Day in the state of Michigan.

Whereas, Nearly 50 years after the passage of the Equal Pay Act and Title VII of the Civil Rights Act, women and people of color continue to suffer the consequences of inequitable pay differentials; and

Whereas, According to statistics released in 2011 by the U.S. Census Bureau, year-round, full-time working women in 2010 earned only 77 percent of the earnings of year-round, full-time working men nationally and 74 percent in the state of Michigan, indicating little change or progress in pay equity; and

Whereas, Higher education is not free from wage discrimination. According to a U.S. Department of Education analysis, after controlling for rank, age, credentials, field of study, and other factors, full-time female faculty members earn nearly 9 percent less than their male counterparts; and

Whereas, According to statistics released in 2011 by the U.S. Census Bureau, Michigan women earned only \$36,931 compared to men making \$50,053. Looking at year-round, full-time college educated workers, Michigan women earned 74 percent of the earnings of their male counterparts, with Michigan ranking 45th in the nation; and

Whereas, Over a working lifetime, this wage disparity costs the average American woman and her family \$700,000 to \$2 million in lost wages, impacting Social Security benefits and pensions; and

Whereas, Fair pay equity policies can be implemented simply and without undue costs or hardship in both the public and private sectors; and

Whereas, Fair pay strengthens the security of families today and eases future retirement costs, while enhancing the American economy; and

Whereas, April 9, 2013, symbolizes the time in the new year in which the wages paid to American women catch up to the wages paid to men from the previous year; now, therefore, be it

Resolved by the House of Representatives, that the members of this legislative body declare April 9, 2013, as Pay Equity Day in the state of Michigan. We urge Michigan's citizens to recognize the full value of women's skills and significant contributions to the labor force and encourage businesses to conduct an internal pay evaluation to ensure women are being paid fairly.

The question being on the adoption of the resolution,

The resolution was adopted.

Reps. Brown, Barnett, Brinks, Cavanagh, Cotter, Darany, Durhal, Heise, Howrylak, Kelly, Lamonte, Lori, Segal, Slavens and Stanley offered the following resolution:

House Resolution No. 82.

A resolution to declare April 2013 as Parkinson's Disease Awareness Month in the state of Michigan.

Whereas, Parkinson's disease is the second most common neurodegenerative disease in the United States, second only to Alzheimer's disease; and

Whereas, Parkinson's disease is a progressive neurological movement disorder of the central nervous system which has a unique impact on each patient; and

Whereas, There is inadequate comprehensive data on the incidence and prevalence of Parkinson's disease. As of 2012, it is estimated that the disease affects between 500,000 and 1,500,000 people in the United States; and

Whereas, Research suggests the cause of Parkinson's disease is a combination of genetic and environmental factors. The exact cause and progression of the disease is still unknown; and

Whereas, There is no objective test for Parkinson's disease and the rate of misdiagnosis can be high; and

Whereas, Symptoms of Parkinson's disease vary from person to person and include tremor, slowness, difficulty with balance, swallowing, chewing, speaking, rigidity, cognitive problems, dementia, mood disorders, such as depression and anxiety, constipation, skin problems, and sleep disruption; and

Whereas, There is no cure, therapy, or drug to slow or halt the progression of Parkinson's disease; and

Whereas, Increased education and research are needed to help find more effective treatments with fewer side effects and an effective treatment or cure for Parkinson's disease to help Parkinson's disease patients, their caregivers, and families; and

Whereas, A national month dedicated to recognizing the need for more research and help in dealing with the devastating effects of Parkinson's disease; now, therefore, be it

Resolved by the House of Representatives, That the members of this legislative body declare April 2013 as Parkinson's Disease Awareness Month in the state of Michigan. We encourage citizens to recognize the need for increased education and research to ultimately find a cure for Parkinson's disease; and be it further

Resolved, That a copy of this resolution be transmitted to the Michigan Parkinson Foundation.

The question being on the adoption of the resolution,

The resolution was adopted.

Reps. Callton, Barnett, Brinks, Brown, Cavanagh, Cotter, Darany, Durhal, Haines, Heise, Hooker, Howrylak, Kelly, Lamonte, Lori, Segal, Slavens and Stanley offered the following resolution:

House Resolution No. 83.

A resolution to declare April 8, 2013, 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 8, 2013, 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. Graves, Barnett, Brinks, Brown, Cavanagh, Cotter, Darany, Durhal, Heise, Howrylak, Lamonte, Lori, Segal and Slavens offered the following resolution:

House Resolution No. 84.

A resolution to declare April 2013 as Sexual Assault Awareness and Prevention Month in the state of Michigan.

Whereas, Rape and sexual assault impacts women, children, and men of all racial, cultural, and economic backgrounds; and

Whereas, The Rape, Abuse & Incest National Network (RAINN) has stated that “every 2 minutes someone in the United States is sexually assaulted” and that sexual assault is a “silent epidemic”; and

Whereas, Women, children, and men are all victims of sexual assault and it is estimated that one in three women, one in four girls, one in six boys, and one in 11 men will be victims at least once in their lifetimes; and

Whereas, It is estimated by the Bureau of Justice Statistics that over 65 percent of rapes or sexual assaults are never reported to police; and

Whereas, Only 36 percent of sexual assault victims pursue prosecution by reporting their attacks to law enforcement agencies; and

Whereas, Sixty-seven percent of all victims of sexual assault reported to law enforcement agencies were under 18 years of age and 34 percent of all victims were under 12 years of age; and

Whereas, In addition to the immediate physical and emotional costs, sexual assault may also have associated severe and long-lasting consequences of post-traumatic stress disorder, substance abuse, major depression, homelessness, eating disorders, and suicide; and

Whereas, The Centers for Disease Control and Prevention has identified sexual assault as a significant, costly, and preventable health issue; and

Whereas, Women, children, and men in our state have the right to be safe from sexual violence in their homes, at school, at work, and on the streets; and

Whereas, Seventy-three percent of victims knew the offender prior to the act and were often identified as friends or acquaintances; and

Whereas, It is crucially important to hold perpetrators responsible for sexual attacks, and to prevent sexual violence at every opportunity; and

Whereas, It is important to recognize the strength, courage, and challenges of the victims and survivors of sexual assault and their families and friends as they struggle to cope with the reality of sexual assault; and

Whereas, It is critical to draw statewide and national attention to this very important issue so that citizens are educated and in a better position to prevent sexual assault; now, therefore, be it

Resolved by the House of Representatives, That the members of this legislative body declare April 2013 as Sexual Assault Awareness and Prevention Month in the state of Michigan.

The question being on the adoption of the resolution,

The resolution was adopted.

Reps. Segal, Barnett, Brown, Darany, Durhal and Slavens offered the following resolution:

House Resolution No. 85.

A resolution to urge support for continuation of the STARBASE program.

Whereas, STARBASE is a U.S. Department of Defense youth program which targets at-risk students who are historically underrepresented in the areas of science, technology, engineering, and math (STEM). Established in 1993, the STARBASE program has grown to 76 locations across 40 states, including three Michigan sites: Selfridge Air National Guard Base, Battle Creek Air National Guard Base, and Alpena Combat Readiness Training Center. The program reached about 3,500 Michigan students in Fiscal Year 2012; and

Whereas, STARBASE provides exceptional, hands-on curriculum to participating schools and students that helps overall comprehension of science and math and improves MEAP scores. It provides an inquiry-based curriculum of experiential, exploratory learning to motivate fifth graders to explore STEM as they continue their education. A more recent addition, STARBASE 2.0, is aimed at middle school students in an after school program. It offers robotic training opportunities and participation in the Lego League team robotics challenge. STARBASE works with school districts to support their learning objectives and expands relationships with local networks of STEM initiatives and organizations; and

Whereas, The rapid pace of technological change and the globalization of the economy demand that our workforce be literate in science and math. Less than one percent of current elementary students are expected to seek advanced education in the sciences. STARBASE raises student interest and improves their attitudes and confidence in STEM skills; now, therefore, be it

Resolved by the House of Representatives, That we urge the support for continuation of the STARBASE program; and be it further

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

The resolution was referred to the Committee on Military and Veterans Affairs.

The Speaker called the Speaker Pro Tempore to the Chair.

Third Reading of Bills

House Bill No. 4262, entitled

A bill to amend 1931 PA 328, entitled “The Michigan penal code,” by amending sections 226, 227, and 231 (MCL 750.226, 750.227, and 750.231), section 227 as amended by 1986 PA 8 and section 231 as amended by 2006 PA 401.

The bill was read a third time.

The question being on the passage of the bill,

Rep. Foster moved to amend the bill as follows:

1. Amend page 2, line 3, after “such” by inserting “**BLADED**”.
2. Amend page 2, line 17, after “**CARRIED**” by striking out “**FOR**” and inserting “**IN THE COURSE OF**”.
3. Amend page 2, line 18, by striking out “**PURPOSES**”.

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

The question being on the passage of the bill,

Rep. Foster moved to amend the bill as follows:

1. Amend page 4, following line 26, by striking out all of enacting section 1 and inserting:

“Enacting section 1. This amendatory act takes effect upon the expiration of 90 days after the date it is enacted into law.”.

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. 67

Yeas—107

Abed	Geiss	Lamonte	Rendon
Ananich	Genetski	Lane	Roberts
Banks	Glardon	Lauwers	Rogers
Barnett	Goike	LaVoy	Rutledge
Bolger	Graves	Leonard	Santana
Brinks	Greimel	Lipton	Schmidt
Brown	Haines	Lori	Schor
Brunner	Haugh	Lund	Segal

Bumstead	Haveman	Lyons	Shirkey
Callton	Heise	MacGregor	Singh
Cavanagh	Hobbs	MacMaster	Slavens
Clemente	Hooker	McBroom	Smiley
Cochran	Hovey-Wright	McCann	Somerville
Cotter	Howrylak	McCready	Stallworth
Crawford	Irwin	McMillin	Stamas
Daley	Jacobsen	Muxlow	Stanley
Darany	Jenkins	Nesbitt	Switalski
Denby	Johnson	O'Brien	Tlaib
Dianda	Kandrevas	Oakes	Townsend
Dillon	Kelly	Olumba	VerHeulen
Driskell	Kesto	Outman	Victory
Durhal	Kivela	Page	Walsh
Faris	Knezek	Pettalia	Yanez
Farrington	Kosowski	Poleski	Yonker
Forlini	Kowall	Potvin	Zemke
Foster	Kurtz	Price	Zorn
Franz	LaFontaine	Pscholka	

Nays—2

Nathan

Robinson

In The Chair: Walsh

The House agreed to the title of the bill.

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

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

Second Reading of Bills

House Bill No. 4081, entitled

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," by amending section 435 (MCL 206.435), as amended by 2012 PA 154.

The bill was read a second time.

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

The motion prevailed.

House Bill No. 4082, entitled

A bill to establish the Michigan Alzheimer's association fund in the department of treasury; to provide for the distribution of the money from the fund; to prescribe the powers and duties of certain agencies and officials; and to provide for appropriations.

The bill was read a second time.

Rep. Lori moved to amend the bill as follows:

1. Amend page 2, line 24, by striking out all of enacting section 1 and inserting:

"Enacting section 1. This act does not take effect unless House Bill No. 4081 of the 97th Legislature is enacted into law."

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

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

The motion prevailed.

House Bill No. 4084, entitled

A bill to establish the ALS of Michigan (“Lou Gehrig’s disease”) fund in the department of treasury; to provide for the distribution of the money from the funds; to prescribe the powers and duties of certain agencies and officials; and to provide for appropriations.

The bill was read a second time.

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

The motion prevailed.

House Bill No. 4085, entitled

A bill to amend 1967 PA 281, entitled “Income tax act of 1967,” by amending section 435 (MCL 206.435), as amended by 2012 PA 154.

The bill was read a second time.

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

The motion prevailed.

House Bill No. 4026, entitled

A bill to amend 1846 RS 12, entitled “Of certain state officers,” (MCL 14.28 to 14.35) by adding section 32a.

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

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

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

The motion prevailed.

Rep. Stamas moved that House Committees be given leave to meet during the balance of today’s session.

The motion prevailed.

By unanimous consent the House returned to the order of

Announcement by the Clerk of Printing and Enrollment

The Clerk announced that the following bills had been printed and placed upon the files of the members on Thursday, March 21:

House Bill Nos.	4487	4488	4489	4490	4491	4492	4493
Senate Bill Nos.	282	283	284	285	286		

The Clerk announced the enrollment printing and presentation to the Governor on Monday, March 25, for his approval of the following bills:

Enrolled House Bill No. 4398 at 3:00 p.m.

Enrolled House Bill No. 4399 at 3:02 p.m.

Enrolled House Bill No. 4400 at 3:04 p.m.

The Clerk announced that the following Senate bills had been received on Tuesday, April 9:

Senate Bill Nos. 92 165

Reports of Standing Committees

The Committee on Regulatory Reform, by Rep. Crawford, Chair, reported

House Bill No. 4303, entitled

A bill to amend 1980 PA 299, entitled “Occupational code,” (MCL 339.101 to 339.2919) by adding section 1806a.

With the recommendation that the substitute (H-2) be adopted and that the bill then pass.

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

Favorable Roll Call

To Report Out:

Yeas: Reps. Crawford, Denby, McMillin, LaFontaine, Rendon, Yonker, Kelly, Kesto, Haugh, Abed, Stanley, Dianda and Schor

Nays: None

The Committee on Regulatory Reform, by Rep. Crawford, Chair, reported

House Bill No. 4329, entitled

A bill to amend 1979 PA 152, entitled "State license fee act," by amending section 43 (MCL 338.2243), as amended by 2012 PA 308.

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. Crawford, Denby, McMillin, LaFontaine, Rendon, Yonker, Kelly, Kesto, Haugh, Abed, Stanley, Dianda and Schor

Nays: None

The Committee on Regulatory Reform, by Rep. Crawford, Chair, reported

House Bill No. 4330, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 2843 (MCL 333.2843), as amended by 2002 PA 691.

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. Crawford, McBroom, Denby, McMillin, LaFontaine, Rendon, Yonker, Kelly, Kesto, Haugh, Abed, Stanley, Dianda and Schor

Nays: None

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Crawford, Chair, of the Committee on Regulatory Reform, was received and read:

Meeting held on: Tuesday, April 9, 2013

Present: Reps. Crawford, McBroom, Denby, McMillin, LaFontaine, Rendon, Yonker, Kelly, Kesto, Haugh, Abed, Stanley, Dianda, Nathan and Schor

The Committee on Transportation and Infrastructure, by Rep. Schmidt, Chair, reported

Senate Bill No. 97, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 907 (MCL 257.907), as amended by 2011 PA 159.

With the recommendation that the substitute (H-2) be adopted and that the bill then pass.

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

Favorable Roll Call

To Report Out:

Yeas: Reps. Schmidt, Glardon, Daley, Heise, Jacobsen, O'Brien, Pettalia, Lauwers, McCready, Lane, Dianda, Rutledge, Driskell, Cochran and Smiley

Nays: None

The Committee on Transportation and Infrastructure, by Rep. Schmidt, Chair, reported

Senate Bill No. 108, entitled

A bill to amend 2001 PA 142, entitled "Michigan memorial highway act," (MCL 250.1001 to 250.2080) by adding section 69.

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. Schmidt, Glardon, Daley, Heise, Jacobsen, O'Brien, Pettalia, Lauwers, McCready, Lane, Dianda, Rutledge, Driskell, Cochran and Smiley

Nays: None

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Schmidt, Chair, of the Committee on Transportation and Infrastructure, was received and read:

Meeting held on: Tuesday, April 9, 2013

Present: Reps. Schmidt, Glardon, Daley, Heise, Jacobsen, O'Brien, Pettalia, Lauwers, McCready, Lane, Dianda, Rutledge, Driskell, Cochran and Smiley

The Committee on Natural Resources, by Rep. LaFontaine, Chair, reported

Senate Bill No. 218, entitled

A bill to amend 2008 PA 94, entitled "Water resource improvement tax increment finance authority act," by amending sections 3 and 10 (MCL 125.1773 and 125.1780); and to repeal acts and parts of acts.

With the recommendation that the following amendment be adopted and that the bill then pass.

1. Amend page 7, following line 13, by inserting:

"Enacting section 2. This amendatory act takes effect 90 days after the date it is enacted into law.".

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

Favorable Roll Call

To Report Out:

Yeas: Reps. LaFontaine, Rendon, Goike, Johnson, McBroom, Victory, Smiley, Dianda and Kivela

Nays: None

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. LaFontaine, Chair, of the Committee on Natural Resources, was received and read:

Meeting held on: Tuesday, April 9, 2013

Present: Reps. LaFontaine, Rendon, Goike, Johnson, McBroom, Victory, Smiley, Dianda and Kivela

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Tuesday, April 9, 2013

Present: Reps. Haines, Callton, Crawford, Genetski, Shirkey, Foster, Hooker, Yonker, Zorn, Graves, Kesto, Darany, Knezek, Ananich, Segal, Stallworth and Brinks

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Nesbitt, Chair, of the Committee on Energy and Technology, was received and read:

Meeting held on: Tuesday, April 9, 2013

Present: Reps. Nesbitt, Shirkey, Farrington, Franz, Jacobsen, Outman, Pettalia, Price, Schmidt, Zorn, Graves, Lauwers, Stallworth, Hobbs, Nathan, LaVoy, Lane, Brunner, Yanez and Lamonte

Messages from the Senate

House Bill No. 4045, entitled

A bill to amend 1956 PA 217, entitled "Electrical administrative act," by amending section 3h (MCL 338.883h), as added by 1992 PA 130.

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.

Senate Bill No. 92, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending sections 16333, 17703, 17705, 17707, 17711, 17721, and 17731 (MCL 333.16333, 333.17703, 333.17705, 333.17707, 333.17711, 333.17721, and 333.17731), section 16333 as added by 1993 PA 80, section 17703 as amended by 2012 PA 209, section 17705 as amended by 1986 PA 304, section 17707 as amended by 1990 PA 333, sections 17711 and 17721 as amended by 2006 PA 390, and section 17731 as amended by 1994 PA 234, and by adding sections 17739, 17739a, 17739b, and 17739c.

The Senate has passed the bill.

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

Senate Bill No. 165, entitled

A bill to amend 1978 PA 368, entitled "Public health code," (MCL 333.1101 to 333.25211) by adding part 204.

The Senate has passed the bill.

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

Messages from the Governor

Date: March 27, 2013

Time: 12:20 p.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 4398 (Public Act No. 11, I.E.), being

An act to amend 1994 PA 451, entitled "An act to protect the environment and natural resources of the state; to codify, revise, consolidate, and classify laws relating to the environment and natural resources of the state; to regulate the discharge of certain substances into the environment; to regulate the use of certain lands, waters, and other natural resources of the state; to prescribe the powers and duties of certain state and local agencies and officials; to provide for certain charges, fees, assessments, and donations; to provide certain appropriations; to prescribe penalties and provide remedies; and to repeal acts and parts of acts," by amending section 32513 (MCL 324.32513), as amended by 2012 PA 247.

(Filed with the Secretary of State March 27, 2013, at 1:52 p.m.)

Date: March 27, 2013

Time: 12:22 p.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 4399 (Public Act No. 12, I.E.), being

An act to amend 1994 PA 451, entitled "An act to protect the environment and natural resources of the state; to codify, revise, consolidate, and classify laws relating to the environment and natural resources of the state; to regulate the discharge of certain substances into the environment; to regulate the use of certain lands, waters, and other natural resources of the state; to prescribe the powers and duties of certain state and local agencies and officials; to provide for certain charges, fees, assessments, and donations; to provide certain appropriations; to prescribe penalties and provide remedies; and to repeal acts and parts of acts," by amending section 32514 (MCL 324.32514), as added by 1995 PA 59.

(Filed with the Secretary of State March 27, 2013, at 1:54 p.m.)

Date: March 27, 2013

Time: 12:24 p.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 4400 (Public Act No. 13, I.E.), being

An act to amend 1994 PA 451, entitled “An act to protect the environment and natural resources of the state; to codify, revise, consolidate, and classify laws relating to the environment and natural resources of the state; to regulate the discharge of certain substances into the environment; to regulate the use of certain lands, waters, and other natural resources of the state; to prescribe the powers and duties of certain state and local agencies and officials; to provide for certain charges, fees, assessments, and donations; to provide certain appropriations; to prescribe penalties and provide remedies; and to repeal acts and parts of acts,” by amending section 30104 (MCL 324.30104), as amended by 2011 PA 218.

(Filed with the Secretary of State March 27, 2013, at 1:56 p.m.)

Explanation of “No” Votes

Rep. Abed, having reserved the right to explain her protest against the passage of **House Bill No. 4369**, made the following statement:

“Mr. Speaker and members of the House:

I rise today in opposition to the Education Achievement Authority bill before you.

If enacted, this bill would forever change the face of public education. This is not a vote to take lightly, or to win favor with a particular special interest group, or to push a hidden agenda.

This is about our children. We must move with care and diligence, examining the ramifications: the good and the bad, and consider the effect on the children. Will this give them more opportunities? Will it address inequality? Does it look at the real causes of struggling schools and provide real solutions? No, it does not!

While considering this bill in the Education Committee I heard some of the most outlandish reasons for enacting this legislation. The one that stands out the most is the claim that this EAA bill will, thankfully, finally show that someone cares about struggling kids. Are you serious?

If you were serious, you would not have continually voted to cut funding to our schools, which has among other things: forced bigger class sizes with fewer resources, dried up money for proper safety measures, and led to cuts to necessary mental health services. A state’s budget reflects a state’s priorities, and clearly education has not been a priority in Michigan for years.

Working in many communities, I’ve also seen the impact of poverty on our families, which the EAA turnaround does nothing to address. The EAA won’t help these schools and these children because it does not address the myriad of issues facing these communities.

Another comment frequently made in the Education Committee was that maybe the EAA had flaws, maybe there were no long term studies, but at least it was something. Really? Why would something we treasure so much – our children – be treated so carelessly?

The current schools under the EAA have only been operational for six months with mixed results and many red flags. Yet for some reason it is urgent that the schools in the EAA be increased now, even though the results are inconclusive.

We had a speaker in committee last week from the University of Michigan, Dr. Dorothy Ball, Chair of the Governor’s Council on Educator Effectiveness, appointed by Governor Snyder to look at teacher evaluations. The research methodology was impressive with the use of pilot schools to test various programs over a two year period. And yet this same approach is not being used for the EAA schools. Why?

Our children deserve better than a blind faith assumption that the EAA might work. As a former county commissioner, I have a strong appreciation for local government. As an American, I have a strong appreciation for Democracy. But these two things are being chipped away with the EAA.

There is no shared decision making. No voice for the community. The EAA, without the approval of the local unit of government, may control, manage, operate, lease or demolish the property they have taken over.

The neighborhood schools are the heart and soul of the community. But the Education Achievement Authority strips away local governments’ and parents’ control over their children’s education. The EAA can even rename a school that has helped to define the identity of a community.

I oppose this bill before you today because the issue cuts to my very core. My life has been about helping our students prepare for the future and the 21 century jobs. I have been in the classroom, in the communities and in the homes of our students. I have instituted anti-bullying programs and helped create a community teen center. I have worked with entire classrooms and with children one on one. I have listened to parents and parent groups, and communities at large. I have seen first-hand the challenges our students and families face.

As a school social worker, I have worked with the poor and the rich, the gifted and the academically challenged. My life has been about kids. I refuse to let anyone use them as a pawn to privatize our schools, dismantle public education or to advance a hidden agenda.

What our students deserve is a data-driven, tested and proven successful plan to adapt the education system to the problems it is facing.

Colleagues, I implore you: please put our children first when you consider your vote. This is only the first step in a state takeover of our schools, and I, for one, cannot stand by while it happens.”

Communications from State Officers

The following communication from the State Budget Office was received and read:

March 5, 2013

The Office of Financial Management has issued the State of Michigan Comprehensive Annual Financial Report (CAFR) for the fiscal year ended September 30, 2012. This report is required by Article 9, Section 21, of the State Constitution and Section 494, Public Act 431 of 1984, as amended.

The CAFR is available electronically on the Internet at www.michigan.gov/budget. Any questions or comments may be directed to Mr. Michael J. Moody, Director, Office of Financial Management, at 373-1010.

Sincerely,
John E. Nixon, CPA
State Budget Director

The communication was referred to the Clerk.

The following communication from the Department of State Police was received and read:

April 1, 2013

Enclosed is the FY12 Annual Report and Evaluation for the Secondary Road Patrol and Traffic Accident Prevention Program.

This report satisfies the reporting requirements contained in Public Act 416 of 1978, as amended. Copies of this report are transmitted to the Governor’s Office, Clerk of the House, Secretary of the Senate, Chair of the House Appropriations Committee, Chair of the Senate Appropriations Committee, each county sheriff, the Michigan Sheriffs’ Association, and the Deputy Sheriff’s Association of Michigan.

The report will be accessible on our web site at www.michigan.gov/ohsp.

Should you have any questions about this report, please contact Ms. Kim Kelly at (517) 241-2556.

Sincerely,
Michael L. Prince, Director
Office of Highway Safety Planning

The communication was referred to the Clerk.

The following communications from the Secretary of State were received and read:

Notices of Filing Administrative Rules

March 13, 2013

In accordance with the provisions of Section 46(1) of Act 306, Public Acts of 1969, as amended, and Executive Order 1995-6, this is to advise you that the Michigan Department of Licensing and Regulatory Affairs and the State Office of Regulatory Reinvention filed Administrative Rule #2012-044-LR (Secretary of State Filing #13-03-10) on this date at 4:42 P.M. for the Department of Licensing and Regulatory Affairs, entitled “Part 601. Air Contaminants for Construction”.

This rule will become effective 7 days after filing. The effective date will be March 20, 2013.

March 13, 2013

In accordance with the provisions of Section 46(1) of Act 306, Public Acts of 1969, as amended, and Executive Order 1995-6, this is to advise you that the Michigan Department of Licensing and Regulatory Affairs and the State Office of Regulatory Reinvention filed Administrative Rule #2012-043-LR (Secretary of State Filing #13-03-11) on this date at 4:44 P.M. for the Department of Licensing and Regulatory Affairs, entitled “Part 301. Air Contaminants for General Industry”.

These rules become effective immediately upon filing with the Secretary of State unless adopted under sections 33, 44 or 45a(6) of 1969 PA 306. Rules adopted under these sections become effective 7 days after filing with the Secretary of State.

March 14, 2013

In accordance with the provisions of Section 46(1) of Act 306, Public Acts of 1969, as amended, and Executive Order 1995-6, this is to advise you that the Michigan Department of Licensing and Regulatory Affairs and the State Office of Regulatory Reinvention filed Administrative Rule #2012-038-LR (Secretary of State Filing #13-03-12) on this date at 4:45 P.M. for the Department of Licensing and Regulatory Affairs, entitled "Part 1. General Rules".

These rules become effective immediately upon filing with the Secretary of State unless adopted under sections 33, 44 or 45a(6) of 1969 PA 306. Rules adopted under these sections become effective 7 days after filing with the Secretary of State.

March 14, 2013

In accordance with the provisions of Section 46(1) of Act 306, Public Acts of 1969, as amended, and Executive Order 1995-6, this is to advise you that the Michigan Department of Licensing and Regulatory Affairs and the State Office of Regulatory Reinvention filed Administrative Rule #2012-039-LR (Secretary of State Filing #13-03-13) on this date at 4:47 P.M. for the Department of Licensing and Regulatory Affairs, entitled "CS Part 6. Personal Protective Equipment".

These rules become effective immediately upon filing with the Secretary of State unless adopted under sections 33, 44 or 45a(6) of 1969 PA 306. Rules adopted under these sections become effective 7 days after filing with the Secretary of State.

March 14, 2013

In accordance with the provisions of Section 46(1) of Act 306, Public Acts of 1969, as amended, and Executive Order 1995-6, this is to advise you that the Michigan Department of Licensing and Regulatory Affairs and the State Office of Regulatory Reinvention filed Administrative Rule #2012-040-LR (Secretary of State Filing #13-03-14) on this date at 4:49 P.M. for the Department of Licensing and Regulatory Affairs, entitled "CS Part 7. Welding and Cutting".

These rules become effective immediately upon filing with the Secretary of State unless adopted under section 33, 44, or 45a(6) of 1969 PA 306. Rules adopted under these sections become effective 7 days after filing with the Secretary of State.

March 14, 2013

In accordance with the provisions of Section 46(1) of Act 306, Public Acts of 1969, as amended, and Executive Order 1995-6, this is to advise you that the Michigan Department of Licensing and Regulatory Affairs and the State Office of Regulatory Reinvention filed Administrative Rule #2012-042-LR (Secretary of State Filing #13-03-15) on this date at 4:51 P.M. for the Department of Licensing and Regulatory Affairs, entitled "CS Part 9. Excavation, Trenching, and Shoring".

These rules become effective immediately upon filing with the Secretary of State unless adopted under section 33, 44, or 45a(6) of 1969 PA 306. Rules adopted under these sections become effective 7 days after filing with the Secretary of State.

March 14, 2013

In accordance with the provisions of Section 46(1) of Act 306, Public Acts of 1969, as amended, and Executive Order 1995-6, this is to advise you that the Michigan Department of Licensing and Regulatory Affairs and the State Office of Regulatory Reinvention filed Administrative Rule #2012-059-LR (Secretary of State Filing #13-03-16) on this date at 4:53 P.M. for the Department of Licensing and Regulatory Affairs, entitled "CS Part 20 Demolition".

These rules become effective immediately upon filing with the Secretary of State unless adopted under section 33, 44, or 45a(6) of 1969 PA 306. Rules adopted under these sections become effective 7 days after filing with the Secretary of State.

March 14, 2013

In accordance with the provisions of Section 46(1) of Act 306, Public Acts of 1969, as amended, and Executive Order 1995-6, this is to advise you that the Michigan Department of Licensing and Regulatory Affairs and the State Office of Regulatory Reinvention filed Administrative Rule #2012-084-LR (Secretary of State Filing #13-03-17) on this date at 4:55 P.M. for the Department of Licensing and Regulatory Affairs, entitled "GI Part 14 Conveyors".

These rules become effective immediately upon filing with the Secretary of State unless adopted under section 33, 44, or 45a(6) of 1969 PA 306. Rules adopted under these sections become effective 7 days after filing with the Secretary of State.

March 14, 2013

In accordance with the provisions of Section 46(1) of Act 306, Public Acts of 1969, as amended, and Executive Order 1995-6, this is to advise you that the Michigan Department of Licensing and Regulatory Affairs and the State Office of Regulatory Reinvention filed Administrative Rule #2012-085-LR (Secretary of State Filing #13-03-18) on this date at 4:57 P.M. for the Department of Licensing and Regulatory Affairs, entitled "GI Part 17 Refuse Packer Units".

These rules become effective immediately upon filing with the Secretary of State unless adopted under section 33, 44, or 45a(6) of 1969 PA 306. Rules adopted under these sections become effective 7 days after filing with the Secretary of State.

March 14, 2013

In accordance with the provisions of Section 46(1) of Act 306, Public Acts of 1969, as amended, and Executive Order 1995-6, this is to advise you that the Michigan Department of Licensing and Regulatory Affairs and the State Office of Regulatory Reinvention filed Administrative Rule #2012-086-LR (Secretary of State Filing #13-03-19) on this date at 4:59 P.M. for the Department of Licensing and Regulatory Affairs, entitled "GI Part 42 Forging".

These rules become effective immediately upon filing with the Secretary of State unless adopted under section 33, 44, or 45a(6) of 1969 PA 306. Rules adopted under these sections become effective 7 days after filing with the Secretary of State.

March 15, 2013

In accordance with the provisions of Section 46(1) of Act 306, Public Acts of 1969, as amended, and Executive Order 1995-6, this is to advise you that the Michigan Department of Licensing and Regulatory Affairs and the State Office of Regulatory Reinvention filed Administrative Rule #2012-087-LR (Secretary of State Filing #13-03-20) on this date at 4:40 P.M. for the Department of Licensing and Regulatory Affairs, entitled "GI Part 65 Mills and Calendars for Rubber and Plastic".

These rules become effective immediately upon filing with the Secretary of State unless adopted under section 33, 44, or 45a(6) of 1969 PA 306. Rules adopted under these sections become effective 7 days after filing with the Secretary of State.

March 15, 2013

In accordance with the provisions of Section 46(1) of Act 306, Public Acts of 1969, as amended, and Executive Order 1995-6, this is to advise you that the Michigan Department of Licensing and Regulatory Affairs and the State Office of Regulatory Reinvention filed Administrative Rule #2012-088-LR (Secretary of State Filing #13-03-21) on this date at 4:42 P.M. for the Department of Licensing and Regulatory Affairs, entitled "GI Part 71 Laundry and Dry Cleaning Machinery and Operations".

These rules become effective immediately upon filing with the Secretary of State unless adopted under section 33, 44, or 45a(6) of 1969 PA 306. Rules adopted under these sections become effective 7 days after filing with the Secretary of State.

March 20, 2013

In accordance with the provisions of Section 46(1) of Act 306, Public Acts of 1969, as amended, and Executive Order 1995-6, this is to advise you that the Michigan Department of Licensing and Regulatory Affairs and the State Office of Regulatory Reinvention filed Administrative Rule #2012-130-LR (Secretary of State Filing #13-03-22) on this date at 2:20 P.M. for the Department of Licensing and Regulatory Affairs, entitled "Tax Tribunal Rules of Practice and Procedure".

These rules become effective immediately upon filing with the Secretary of State unless adopted under section 33, 44, or 45a(6) of 1969 PA 306. Rules adopted under these sections become effective 7 days after filing with the Secretary of State.

March 25, 2013

In accordance with the provisions of Section 46(1) of Act 306, Public Acts of 1969, as amended, and Executive Order 1995-6, this is to advise you that the Michigan Department of Licensing and Regulatory Affairs and the State Office of Regulatory Reinvention filed Administrative Rule #2010-023-LR (Secretary of State Filing #13-03-23) on this date at 4:43 P.M. for the Department of Licensing and Regulatory Affairs, entitled "Building Officials, Plan Reviewers, and Inspectors".

These rules take effect 30 days after filing with the Secretary of State.

March 25, 2013

In accordance with the provisions of Section 46(1) of Act 306, Public Acts of 1969, as amended, and Executive Order 1995-6, this is to advise you that the Michigan Department of Licensing and Regulatory Affairs and the State Office of Regulatory Reinvention filed Administrative Rule #2012-067-ED (Secretary of State Filing #13-03-24) on this date at 4:45 P.M. for the Department of Education, entitled "Education of Pregnant Students".

These rules take effect immediately upon filing with the Secretary of State unless adopted under section 33, 34, 35a, 45a(6), or 48 of 1969 PA 306. Rules adopted under these sections become effective 7 days after filing with the Secretary of State.

March 25, 2013

In accordance with the provisions of Section 46(1) of Act 306, Public Acts of 1969, as amended, and Executive Order 1995-6, this is to advise you that the Michigan Department of Licensing and Regulatory Affairs and the State Office of Regulatory Reinvention filed Administrative Rule #2012-121-LR (Secretary of State Filing #13-03-25) on this date at 4:47 P.M. for the Department of Licensing and Regulatory Affairs, entitled "Audiology-General Rules".

This rule becomes effective 7 days after filing with the Secretary of State.

March 25, 2013

In accordance with the provisions of Section 46(1) of Act 306, Public Acts of 1969, as amended, and Executive Order 1995-6, this is to advise you that the Michigan Department of Licensing and Regulatory Affairs and the State Office of Regulatory Reinvention filed Administrative Rule #2012-136-EQ (Secretary of State Filing #13-03-26) on this date at 4:49 P.M. for the Department of Environmental Quality, entitled "Open Burning".

These rules become effective immediately upon filing with the Secretary of State unless adopted under section 33, 34, 35a, 45a(6), or 48 of 1969 PA 306. Rules adopted under these sections become effective 7 days after filing with the Secretary of State.

March 25, 2013

In accordance with the provisions of Section 46(1) of Act 306, Public Acts of 1969, as amended, and Executive Order 1995-6, this is to advise you that the Michigan Department of Licensing and Regulatory Affairs and the State Office of Regulatory Reinvention filed Administrative Rule #2013-008-HS (Secretary of State Filing #13-03-27) on this date at 4:51 P.M. for the Department of Human Services, entitled "Interstate Placements".

These rules take effect immediately upon filing with the Secretary of State unless adopted under section 33, 34, 35a, 45a(6), or 48 of 1969 PA 306. Rules adopted under these sections become effective 7 days after filing with the Secretary of State.

Sincerely,
Ruth Johnson
Secretary of State
Robin L. Houston, Departmental Supervisor
Office of the Great Seal

The communications were referred to the Clerk.

Introduction of Bills

Reps. Graves, Price, Jenkins and Victory introduced

House Bill No. 4494, entitled

A bill to amend 1978 PA 368, entitled "Public health code," (MCL 333.1101 to 333.25211) by adding section 12755. The bill was read a first time by its title and referred to the Committee on Local Government.

Reps. Lauwers, Shirkey, Daley, Glardon, Kurtz, Denby, Johnson, Outman, Rendon, Victory, Pagel, McBroom, Santana, Goike, Cotter, Clemente, Yonker, Haines, Muxlow, Walsh, Pettalia and Heise introduced

House Bill No. 4495, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 3112 (MCL 324.3112), as amended by 2005 PA 33.

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

Reps. MacMaster, MacGregor, Kelly, Franz, Foster, Pettalia, Pscholka, Schmidt, Jacobsen, Jenkins and Genetski introduced

House Bill No. 4496, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 1301, 32501, 32512, 76101, 76102, 76103, 76104, 76105, 76107, 76108, 76109, 76110, 76111, 76112, 76113, 76114, 76115, and 76118 (MCL 324.1301, 324.32501, 324.32512, 324.76101, 324.76102, 324.76103, 324.76104, 324.76105, 324.76107, 324.76108, 324.76109, 324.76110, 324.76111, 324.76112, 324.76113, 324.76114, 324.76115, and 324.76118), section 1301 as amended by 2012 PA 249, sections 32501 and 32512 as amended by 2012 PA 247, sections 76101 and 76115 as added by 1995 PA 58, sections 76102, 76103, 76104, 76108, 76110, 76111, 76112, 76113, 76114, and 76118 as amended by 2001 PA 75, sections 76105 and 76109 as amended by 2004 PA 325, and section 76107 as amended by 2001 PA 155, and by adding sections 32512b and 76112a.

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

Reps. Tlaib, Roberts, Stallworth, Hobbs, Durhal, Talabi, Irwin, Switalski and Robinson introduced

House Bill No. 4497, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," (MCL 324.101 to 324.90106) by adding section 5506a.

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

Reps. Tlaib and Irwin introduced

House Bill No. 4498, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending sections 8379, 8801, and 8831 (MCL 600.8379, 600.8801, and 600.8831), section 8379 as amended by 2000 PA 93, section 8801 as amended by 2005 PA 51, and section 8831 as added by 1995 PA 54.

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

Reps. Tlaib and Irwin introduced

House Bill No. 4499, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," (MCL 324.101 to 324.90106) by adding part 69.

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

Reps. Schmidt, Kandrevas and Irwin introduced

House Bill No. 4500, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending section 2959 (MCL 600.2959), as amended by 2012 PA 608.

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

Rep. Schmidt introduced

House Bill No. 4501, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," (MCL 750.1 to 750.568) by adding section 296.

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

Rep. Schmidt introduced

House Bill No. 4502, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 16o of chapter XVII (MCL 777.16o), as amended by 2012 PA 169.

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

Rep. Schmidt introduced

House Bill No. 4503, entitled

A bill to amend 1980 PA 299, entitled "Occupational code," by amending sections 2907, 2909, 2911, and 2913 (MCL 339.2907, 339.2909, 339.2911, and 339.2913), as added by 2006 PA 489.

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

Reps. Lyons and Haines introduced

House Bill No. 4504, entitled

A bill to amend 1979 PA 94, entitled "The state school aid act of 1979," (MCL 388.1601 to 388.1896) by adding section 27.

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

Reps. Potvin, LaVoy, Cavanagh and Rendon introduced

House Bill No. 4505, entitled

A bill to amend 1945 PA 78, entitled "An act to declare the area of the state of Michigan," by amending the title and sections 1 and 2 (MCL 2.1 and 2.2).

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

Rep. Geiss introduced

House Bill No. 4506, entitled

A bill to amend 1954 PA 116, entitled "Michigan election law," (MCL 168.1 to 168.992) by adding section 938a.

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

Rep. Geiss introduced

House Bill No. 4507, entitled

A bill to amend 1976 PA 388, entitled "Michigan campaign finance act," by amending sections 15, 16, 22, 26, 28, 29, 33, 35, 41, 42, 52, 55, and 57 (MCL 169.215, 169.216, 169.222, 169.226, 169.228, 169.229, 169.233, 169.235, 169.241, 169.242, 169.252, 169.255, and 169.257), sections 15 and 55 as amended by 2012 PA 277, section 16 as amended by

2000 PA 50, sections 22, 28, and 41 as amended by 1999 PA 237, sections 26, 29, 42, and 52 as amended by 2001 PA 250, sections 33 and 35 as amended by 2012 PA 273, and section 57 as amended by 2012 PA 31, and by adding sections 43a and 48.

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

Reps. Cavanagh, Ananich, Geiss, McMillin, Shirkey, McCready, Lane, Durhal, Robinson, Santana, Cotter, Tlaib, Hovey-Wright, Townsend, Rutledge, Howrylak, Daley, Lauwers, Potvin, Bumstead, Yonker, Poleski, Somerville, Zemke, Olumba and MacMaster introduced

House Bill No. 4508, entitled

A bill to prohibit public employers in this state from employing an individual who is receiving benefits from the public employer's defined benefit retirement plan; and to provide sanctions.

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

Reps. MacGregor, Victory, Shirkey, Pscholka and Jacobsen introduced

House Bill No. 4509, entitled

A bill to prohibit local units of government from adopting ordinances or regulations that infringe on federal labor laws; to prohibit employers and labor organizations from waiving rights under this act; and to provide remedies.

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

Rep. MacGregor introduced

House Bill No. 4510, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 3101 and 3112a (MCL 324.3101 and 324.3112a), section 3101 as amended by 2006 PA 97, and section 3112a as amended by 2004 PA 72, and by adding section 3109e.

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

Reps. Stanley, Segal, Geiss, Victory, Slavens, Rutledge, Dillon, Stallworth and Driskell introduced

House Bill No. 4511, entitled

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," by amending section 2153 (MCL 500.2153), as added by 2012 PA 206; and to repeal acts and parts of acts.

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

Rep. Geiss introduced

House Bill No. 4512, entitled

A bill to amend 1941 PA 207, entitled "Fire prevention code," by amending section 5c (MCL 29.5c), as amended by 2006 PA 189.

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

Reps. Stanley, Slavens, Rutledge, Dillon, Stallworth, Brunner and Driskell introduced

House Bill No. 4513, entitled

A bill to amend 1933 (Ex Sess) PA 18, entitled "An act to authorize any city, village, township, or county to purchase, acquire, construct, maintain, operate, improve, extend, and repair housing facilities; to eliminate housing conditions which are detrimental to the public peace, health, safety, morals, or welfare; and for any such purposes to authorize any such city, village, township, or county to create a commission with power to effectuate said purposes, and to prescribe the powers and duties of such commission and of such city, village, township, or county; and for any such purposes to authorize any such commission, city, village, township, or county to issue notes and revenue bonds; to regulate the issuance, sale, retirement, and refunding of such notes and bonds; to regulate the rentals of such projects and the use of the revenues of the projects; to prescribe the manner of selecting tenants for such projects; to provide for condemnation of private property for such projects; to confer certain powers upon such commissions, cities, villages, townships, and counties in relation to such projects, including the power to receive aid and cooperation of the federal government; to provide for a referendum thereon; to provide for cooperative financing by 2 or more commissions, cities, villages, townships, or counties or any combination thereof; to provide for the issuance, sale, and retirement of revenue bonds and special obligation notes for such purposes; to provide for financing agreements between cooperating borrowers; to provide for other matters relative to the bonds and notes and methods of cooperative financing; for other purposes; and to prescribe penalties and provide remedies," by amending section 44 (MCL 125.694).

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

Rep. Geiss introduced

House Bill No. 4514, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," (MCL 324.101 to 324.90106) by adding part 175.

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

Reps. Zemke, Schor, Banks, Roberts, Singh, Kosowski, Robinson, Townsend, Kandrevas, Knezek, Kivela, Dillon, Geiss, Tlaib, Cavanagh, Santana, Brown, LaVoy, Switalski, Hovey-Wright, Slavens, Irwin and Ananich introduced

House Bill No. 4515, entitled

A bill to amend 1976 PA 451, entitled "The revised school code," by amending section 1212 (MCL 380.1212), as amended by 2003 PA 299.

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

Reps. Lamonte, Irwin, Kandrevas, Yanez, Slavens, Knezek, Singh, Segal, Ananich, Schor, Lipton, Driskell, Townsend, Darany, Brinks, Switalski, Cochran, Dianda, Abed, LaVoy, Geiss, Dillon, Brunner, Rutledge, Haugh, Kosowski, Brown, Stanley, Faris, Roberts, Tlaib, Hovey-Wright, Smiley, Hobbs, Durhal and Oakes introduced

House Bill No. 4516, entitled

A bill to amend 1978 PA 390, entitled "An act to regulate the time and manner of payment of wages and fringe benefits to employees; to prescribe rights and responsibilities of employers and employees, and the powers and duties of the department of labor; to require keeping of records; to provide for settlement of disputes regarding wages and fringe benefits; to prohibit certain practices by employers; to prescribe penalties and remedies; and to repeal certain acts and parts of acts," by amending section 13a (MCL 408.483a), as added by 1982 PA 524.

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

Reps. Slavens, Irwin, Kandrevas, Stallworth, Yanez, Barnett, Knezek, Singh, Segal, Ananich, McCann, Brown, Stanley, Rutledge, Geiss, Driskell, LaVoy, Abed, Townsend, Tlaib, Lipton, Kosowski, Dillon, Roberts, Haugh, Darany, Hovey-Wright, Smiley, Durhal, Hobbs, Dianda, Switalski, Cavanagh and Oakes introduced

House Bill No. 4517, entitled

A bill to amend 1976 PA 453, entitled "Elliott-Larsen civil rights act," (MCL 37.2101 to 37.2804) by adding section 202b.

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

Reps. Driskell, Irwin, Kandrevas, Stallworth, Yanez, Slavens, Knezek, Singh, Segal, Ananich, Schor, Lipton, Smiley, Switalski, Lamonte, Cochran, Abed, Geiss, Stanley, Brown, Townsend, Brinks, Dillon, Dianda, LaVoy, Nathan, Hovey-Wright, Rutledge, Kosowski, Roberts, Tlaib, Haugh, Darany, Durhal, Hobbs, Cavanagh and Oakes introduced

House Bill No. 4518, entitled

A bill to amend 1976 PA 453, entitled "Elliott-Larsen civil rights act," by amending sections 102, 103, and 202 (MCL 37.2102, 37.2103, and 37.2202), section 102 as amended by 1992 PA 124, section 103 as amended by 1999 PA 202, and section 202 as amended by 2009 PA 190.

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

Reps. Hovey-Wright, Stallworth, Slavens, Knezek, Darany, Segal, Ananich, Brown, McCann, Lamonte, Dianda, Dillon, Kivela, Banks, Brinks, Roberts, Lipton, Kosowski, Townsend, Geiss, Tlaib, Singh, Nathan, Haugh, Lane, Durhal, Faris, Smiley, Yanez, Switalski, Driskell, Cochran, LaVoy, Hobbs and Oakes introduced

House Bill No. 4519, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending section 556 (MCL 750.556).

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

Rep. Segal introduced

House Bill No. 4520, entitled

A bill to amend 1984 PA 218, entitled "Third party administrator act," (MCL 550.901 to 550.960) by adding section 33.

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

Rep. Segal introduced

House Bill No. 4521, entitled

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

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

Rep. Segal introduced

House Bill No. 4522, entitled

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

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

Rep. Farrington introduced

House Bill No. 4523, entitled

A bill to amend 2011 PA 256, entitled "Michigan fireworks safety act," by amending section 7 (MCL 28.457).

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

Reps. Townsend, Faris, Smiley, Yanez, Ananich, Irwin, Durhal, Talabi, Brunner, Dillon, Darany, Lipton, Knezek, Banks, Zemke, Rutledge, Haugh, McCann, Hovey-Wright, Cavanagh, Roberts, Tlaib, Switalski, Brinks, Dianda, Kivela, Schor, LaVoy, Geiss, Clemente, Segal, Slavens, Brown, Stanley, Kandrevas, Singh, Robinson, Kosowski, Nathan, Lane and Oakes introduced

House Joint Resolution Q, entitled

A joint resolution proposing an amendment to the state constitution of 1963, by amending section 9 of article II, to clarify the power of referendum when making appropriations.

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

Reps. Zemke, Kelly, Knezek, Kivela, Singh, Tlaib, Ananich, Kesto, Leonard, McBroom, Geiss, Kosowski, Switalski, Townsend, Lane, Roberts, Greimel, Foster, Victory, VerHeulen, Dillon, Callton, Potvin, Segal, McCann, Hobbs, Cavanagh, Slavens and Driskell introduced

House Joint Resolution R, entitled

A joint resolution proposing an amendment to the state constitution of 1963, by adding section 55 to article IV, to reduce compensation for state legislators who have a certain number of unexcused absences from legislative session.

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

Announcements by the Clerk

April 1, 2013

Received from the Michigan Strategic Fund the 21st Century Jobs Trust Fund Report for fiscal year 2012, as required in MCL 125.2088n of the Michigan Strategic Fund Act and the 21st Century Jobs Trust Fund legislation.

Gary L. Randall
Clerk of the House

The Clerk received the following dissent on **House Bill No. 4262**, from Rep. Irwin:

I continue to object to the use of procedural tricks to subvert the Constitutional rights of citizens to know accurately the actions of the House of Representatives. Motions for immediate effect are routinely gaveled through without even a pretense of vote counting. This motion requires support from 2/3rds of the members and there is no genuine effort to ascertain the level of support for immediate effect. I object to this practice and I object to the erroneous assertions printed in the House Journal that suggest an authentic counting of votes occurred on the House floor.

Rep. Potvin moved that the House adjourn.

The motion prevailed, the time being 4:15 p.m.

The Speaker Pro Tempore declared the House adjourned until Wednesday, April 10, at 1:30 p.m.

GARY L. RANDALL
Clerk of the House of Representatives