

No. 31
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House Chamber, Lansing, Wednesday, April 10, 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—excused	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—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

Pastor Peter Gelatt, Pastor of Liberty Baptist Church in Lake George, offered the following invocation:

“Heavenly Father,

We come to You today with thankful hearts for Your goodness and blessing on our state and country. We know, and acknowledge that our liberty and freedoms came not from the decision of rulers or even the will of the people, but were endowed by You. Your fertile soil of liberty has been tracked and traced from the descendants of Abraham thousand of years ago to this time, this hour. May we not take these freedoms for granted but stand up for them, cherish them and use them to bring honor and praise to You.

Now today, Father God, I ask for the needs of this honorable body. As our elected representatives they have a heavy burden every day. Lord, I pray that they would humbly seek Your face and Word for wisdom. You have said ‘If any man lacks wisdom’ You would abundantly give it. May their hearts be open to Your leading and will. Lord, I also ask that You would give them courage to stand against that which is wrong and evil in Your sight.

Lord, I also ask today for their vision. Heavenly Father, may these honorable men and women know and believe that You established this governing authority. May they be good stewards of this responsibility. Create in them a desire to honor You.

In Psalm 33:12, You tell us, Father, ‘Blessed is the nation whose God is the Lord.’ Heavenly Father, restore our hearts, restore our faith, restore our state and our country.

In the name of Jesus Christ, our Saviour and Lord,
Amen.”

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

Motions and Resolutions

Reps. Slavens, Rutledge, Tlaib, Roberts, Greimel, Haugh, Darany, Knezek, Kandrevas, Brown, Cochran, Brinks, Segal, Hobbs, Barnett, Durhal, Geiss, Heise, Hovey-Wright, Howrylak, Irwin, Lamonte, Lori, Poleski, and Talabi offered the following resolution:

House Resolution No. 86.

A resolution to declare April 2013 as Animal Cruelty Prevention Month in the state of Michigan.

Whereas, The citizens of Michigan are concerned with the humane treatment of animals; and

Whereas, The kind and humane treatment of animals has a strong correlation to the kind and humane treatment of people; and

Whereas, Animal cruelty is proven to directly parallel violent and criminal acts on people; and

Whereas, The vigorous enforcement of existing animal cruelty laws will help eliminate cruelty to all animals wild or tame; and

Whereas, The state of Michigan would like to commend the local law enforcement agencies and various animal welfare organizations for taking the necessary steps in investigating, alleviating, and prosecuting animal abuse cases; and

Whereas, The citizens of Michigan are encouraged to learn to recognize animal cruelty and report any suspected abuse to their local enforcement agencies; and

Whereas, Any and all animals should be treated with kindness, consideration, and respect; now, therefore, be it

Resolved by the House of Representatives, That the members of this legislative body declare April 2013 as Animal Cruelty Prevention Month in the state of Michigan .

The question being on the adoption of the resolution,

The resolution was adopted.

Reps. Slavens, Tlaib, Roberts, Greimel, Haugh, Darany, Kandrevas, Knezek, Brown, Cochran, Brinks, Segal, Barnett, Crawford, Durhal, Geiss, Heise, Hovey-Wright, Irwin, Lamonte, Lori, Poleski, and Talabi offered the following resolution:

House Resolution No. 87.

A resolution to declare April 15, 2013, as Robotics Day in the state of Michigan.

Whereas, Robotics has matured into an all-encompassing and enabling technology that, as a pillar of 21st-century innovation, is positioned to fuel a broad array of next generation products and applications, transform our society, and become as ubiquitous over the next several decades as desktop and mobile computing technology is today; and

Whereas, The emerging market for service robotics in various sectors, including healthcare, national defense, homeland security, energy, manufacturing, logistics, transportation, agriculture, education, consumer goods, and others, is expected to grow at a compound annual growth rate of nearly 20 percent over the next few years to become a worldwide \$27 billion industry; and

Whereas, Robotics is a critical technology capable in the near term of contributing to the economic recovery by creating new jobs, increasing productivity, improving quality, and increasing worker safety, and equally capable over time of addressing the longer term labor and healthcare issues; and

Whereas, Robotics technology holds tremendous potential for reducing the cost of healthcare delivery, stimulating the discovery and development of new procedures and treatments for a wide variety of diseases and disorders, improving the standard and accessibility of care, providing individuals with disabilities, especially injured veterans, with greater independence and dignity, and enhancing overall patient health outcomes; and

Whereas, Robotics technology is proving essential to our national defense and homeland security by enabling the ongoing development and fielding of unmanned air, ground, and maritime systems that today help keep our nation's war-fighters and protectors out of harm's way, and in the long run will serve as a highly effective force multiplier; and

Whereas, Robotics is a key transformative technology that can revolutionize manufacturing by enabling small and mid sized companies to cost effectively combine highly skilled workers and highly adaptable, precise, and reliable equipment to create and make high value products in high-stakes industries; and

Whereas, Robotics is rapidly proving to be one of the most effective, compelling, and engaging means for teaching and reinforcing fundamental science, technology, engineering, and mathematics (STEM) concepts as well as inspiring youth to pursue STEM-related careers thereby helping to create a highly skilled, 21st-century American workforce; and

Whereas, America's ability to maintain its leadership position and be both globally competitive and cooperative in a wide range of rapidly emerging markets is being currently challenged by other regions, including the European Union, Korea, and Japan, who have committed to making multi-billion dollar, long-term investments in further developing and commercializing robotics technology; and

Whereas, There is a strong need to recognize America's leadership in robotics technology, educate the public on robotics technology's broad potential, growing importance, and future impact on society, underscore the need for increased investment in robotics technology research and development, and inspire youth to pursue careers in robotics and other STEM-related fields; and

Whereas, The second week in April each year is designated as 'National Robotics Week', recognizing the accomplishments of Isaac Asimov, who immigrated to America, taught science, wrote science books for children and adults, first used the term robotics, developed the Three Laws of Robotics, and died in April 1992; now, therefore, be it

Resolved by the House of Representatives, That the members of this legislative body declare April 15, 2013, as Robotics Day in the state of Michigan.

The question being on the adoption of the resolution,

The resolution was adopted.

Reps. Slavens, Rutledge, Tlaib, Roberts, Greimel, Haugh, Darany, Knezek, Kandrevas, Brown, Cochran, Brinks, Segal, Barnett, Durhal, Geiss, Heise, Hovey-Wright, Irwin, Lamonte, Lori, and Talabi offered the following resolution:

House Resolution No. 88.

A resolution to declare April 22-26, 2013, as Public School Volunteer Week in the state of Michigan.

Whereas, Parent and community involvement is a significant factor in the success of schools; and

Whereas, During the past decade, school systems throughout the country have accepted the services of dedicated volunteers to assist professional educators, and these volunteers have offered their time, encouragement, and meaningful contact with students; and

Whereas, By becoming a volunteer, parents and community members are providing an invaluable contribution to the education of our students; and

Whereas, Volunteers are called upon to assist teachers and staff with the day-to-day activities involved in providing a balanced education for our students and are an important part of a team that strives to ensure that each and every one of our students succeeds; and

Whereas, During the school year, countless volunteers are spending innumerable hours serving schools throughout Michigan as chaperones, mentors, after-school tutors, club leaders, booster club members, PTA and PTO members, guest speakers, classroom helpers, athletics coaches, and in countless other ways; now, therefore, be it

Resolved by the House of Representatives, That the members of this legislative body declare April 22-26, 2013, as Public School Volunteer Week in the state of Michigan. We urge all citizens to join in this observance.

The question being on the adoption of the resolution,

The resolution was adopted.

Reps. Outman, Hobbs, Barnett, Brown, Crawford, Darany, Durhal, Geiss, Haines, Heise, Hooker, Hovey-Wright, Howrylak, Irwin, Kelly, Lamonte, Lori, Roberts, Slavens, and Talabi offered the following resolution:

House Resolution No. 89.

A resolution to declare April 2013 as Autism Awareness Month in the state of Michigan.

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

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

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

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

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

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

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

Whereas, The Michigan Developmental Disabilities Council supports people with developmental disabilities, including those with autism, to achieve their life's dreams and ensure that all citizens of Michigan have the opportunities and support to achieve their full potential; and

Whereas, New opportunities are being created through collaborative efforts of family members, professionals, and all levels of government to bring about significant changes in the public perception of young people and adults with developmental disabilities, including those with autism, opening new doors to independent and productive lives; and

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

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

The question being on the adoption of the resolution,

The resolution was adopted.

Reps. Tlaib, Darany, Slavens, Nathan, Roberts, Santana, Robinson, Banks, Abed, Zemke, Kosowski, Dillon, Kivela, Dianda, Switalski, Yanez, Hobbs, Knezek, Greimel, Kesto, Haveman, Cavanagh, Durhal, Walsh, Schor, Barnett, Geiss, Singh, Heise, LaVoy, Stanley, Ananich, Brunner, Rutledge, Faris, Lane, Oakes, Brown, Hovey-Wright, Irwin, Lamonte, Lori, Segal, and Talabi offered the following resolution:

House Resolution No. 90.

A resolution to declare April 2013 as Arab-American Heritage Month in the state of Michigan.

Whereas, The legislature recognizes the tremendous contributions that the Arab-American community of Michigan has made throughout the entire state; and

Whereas, Since the early 1900's, several different populations and groups from Arab countries have migrated to and flourished in this state; and

Whereas, Michigan is home to the highest concentration of Arab-Americans in the United States; and

Whereas, The Arab-American community of southeastern Michigan is known for its diversity, institutional leadership, and cultural outreach, and is widely considered a center of Arab-American culture in the United States; now, therefore, be it

Resolved by the House of Representatives, That the members of this legislative body declare April 2013 as Arab-American Heritage Month in the state of Michigan; and be it further

Resolved, That we recognize the great contribution to science, academics, medicine, education, business, and social justice that the Arab-American community of Michigan has made throughout the entire state.

The question being on the adoption of the resolution,

The resolution was adopted.

Third Reading of Bills**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 third time.

The question being on the passage of the bill,

Rep. Santana moved to amend the bill as follows:

1. Amend page 12, line 17, after “professional” by inserting “and an ambulance”.

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. 68**Yeas—106**

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

Nays—3

Brunner

Franz

Genetski

In The Chair: Walsh

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

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

A bill to regulate amateur mixed martial arts; to establish the powers and duties of the Michigan unarmed combat commission under this act; 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 motion prevailed.

The House agreed to the title as amended.

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

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

Reps. Bumstead, Cavanagh, Clemente, Cochran, Cotter, Darany, Denby, Dianda, Dillon, Driskell, Durhal, Geiss, Greimel, Hobbs, Hooker, Jacobsen, Kandrevas, Kivela, Knezek, Kosowski, Lamonte, LaVoy, Lyons, McCann, Muxlow, Outman, Pagel, Potvin, Pscholka, Rendon, Robinson, Rutledge, Shirkey, Singh, Talabi, VerHeulen, Victory, Walsh, Yanez, Yonker and Zorn were named co-sponsors of the bill.

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.

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

Roll Call No. 69

Yeas—106

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

Nays—3

Brunner

Franz

Genetski

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.

—————
 The Speaker Pro Tempore called Associate Speaker Pro Tempore Cotter to the Chair.

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.

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

Roll Call No. 70

Yeas—108

Abed	Geiss	Lamonte	Roberts
Ananich	Genetski	Lane	Robinson
Banks	Gardon	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	Talabi
Dianda	Kandrevas	Oakes	Tlaib
Dillon	Kelly	Olumba	Townsend
Driskell	Kesto	Outman	VerHeulen
Durhal	Kivela	Pagel	Victory
Faris	Knezek	Pettalia	Walsh
Farrington	Kosowski	Potvin	Yanez
Forlini	Kowall	Price	Yonker
Foster	Kurtz	Pscholka	Zemke
Franz	LaFontaine	Rendon	Zorn

Nays—1

Poleski

In The Chair: Cotter

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.

Reps. Abed, Banks, Barnett, Brown, Brunner, Cochran, Cotter, Darany, Denby, Dianda, Driskell, Durhal, Faris, Farrington, Franz, Geiss, Glardon, Greimel, Haines, Jenkins, Kivela, Knezek, Kosowski, Kowall, Kurtz, Lane, Lauwers, LaVoy, McCann, McCready, Muxlow, O'Brien, Oakes, Outman, Potvin, Rendon, Rutledge, Schor, Slavens, Smiley, Talabi, Townsend, VerHeulen, Victory, Yanez and Zemke were named co-sponsors of the bill.

Rep. Poleski, having reserved the right to explain his protest against the passage of the bill, made the following statement:
"Mr. Speaker and members of the House:

I have consistently objected to income tax checkoffs. In my opinion, an income tax return is an inappropriate method of collecting a charitable contribution.

My objection to checkoffs does not reflect my view of the fine charities, which are excellent without exception.

Thank you, Mr. Speaker, for this opportunity to explain my No vote on these bills."

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.

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

Roll Call No. 71

Yeas—108

Abed	Geiss	Lamonte	Roberts
Ananich	Genetski	Lane	Robinson
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	Talabi
Dianda	Kandrevas	Oakes	Tlaib
Dillon	Kelly	Olumba	Townsend
Driskell	Kesto	Outman	VerHeulen
Durhal	Kivela	Pagel	Victory
Faris	Knezek	Pettalia	Walsh
Farrington	Kosowski	Potvin	Yanez
Forlini	Kowall	Price	Yonker
Foster	Kurtz	Pscholka	Zemke
Franz	LaFontaine	Rendon	Zorn

Nays—1

Poleski

In The Chair: Cotter

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.

Rep. Poleski, having reserved the right to explain his protest against the passage of the bill, made the following statement:
“Mr. Speaker and members of the House:

I have consistently objected to income tax checkoffs. In my opinion, an income tax return is an inappropriate method of collecting a charitable contribution.

My objection to checkoffs does not reflect my view of the fine charities, which are excellent without exception.

Thank you, Mr. Speaker, for this opportunity to explain my No vote on these bills.”

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.

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

Roll Call No. 72**Yeas—108**

Abed	Geiss	Lamonte	Roberts
Ananich	Genetski	Lane	Robinson
Banks	Gardon	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	Talabi
Dianda	Kandrevas	Oakes	Tlaib
Dillon	Kelly	Olumba	Townsend
Driskell	Kesto	Outman	VerHeulen
Durhal	Kivela	Pagel	Victory
Faris	Knezek	Pettalia	Walsh
Farrington	Kosowski	Potvin	Yanez

Forlini	Kowall	Price	Yonker
Foster	Kurtz	Pscholka	Zemke
Franz	LaFontaine	Rendon	Zorn

Nays—1

Poleski

In The Chair: Cotter

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.

Reps. Banks, Brinks, Brown, Brunner, Bumstead, Callton, Cotter, Crawford, Daley, Darany, Denby, Dianda, Driskell, Durhal, Faris, Foster, Franz, Geiss, Genetski, Glardon, Graves, Greimel, Haugh, Haveman, Hobbs, Hovey-Wright, Howrylak, Jacobsen, Jenkins, Kelly, Kesto, Kivela, Knezek, Kosowski, Kowall, Kurtz, Lane, Lauwers, LaVoy, Lori, Lyons, MacGregor, McCann, Muxlow, O'Brien, Outman, Pettalia, Potvin, Pscholka, Rendon, Rogers, Schor, Slavens, Smiley, Stamas, Stanley, Switalski, Talabi, VerHeulen, Walsh and Yanez were named co-sponsors of the bill.

Rep. Poleski, having reserved the right to explain his protest against the passage of the bill, made the following statement:
 “Mr. Speaker and members of the House:

I have consistently objected to income tax checkoffs. In my opinion, an income tax return is an inappropriate method of collecting a charitable contribution.

My objection to checkoffs does not reflect my view of the fine charities, which are excellent without exception.

Thank you, Mr. Speaker, for this opportunity to explain my No vote on these bills.”

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.

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

Roll Call No. 73**Yeas—108**

Abed	Geiss	Lamonte	Roberts
Ananich	Genetski	Lane	Robinson
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	Talabi
Dianda	Kandrevas	Oakes	Tlaib
Dillon	Kelly	Olumba	Townsend
Driskell	Kesto	Outman	VerHeulen
Durhal	Kivela	Pagel	Victory
Faris	Knezek	Pettalia	Walsh
Farrington	Kosowski	Potvin	Yanez
Forlini	Kowall	Price	Yonker
Foster	Kurtz	Pscholka	Zemke
Franz	LaFontaine	Rendon	Zorn

Nays—1

Poleski

In The Chair: Cotter

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.

Rep. Poleski, having reserved the right to explain his protest against the passage of the bill, made the following statement:
 “Mr. Speaker and members of the House:

I have consistently objected to income tax checkoffs. In my opinion, an income tax return is an inappropriate method of collecting a charitable contribution.

My objection to checkoffs does not reflect my view of the fine charities, which are excellent without exception.

Thank you, Mr. Speaker, for this opportunity to explain my No vote on these bills.”

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

Roll Call No. 74

Yeas—109

Abed	Genetski	Lane	Roberts
Ananich	Gardon	Lauwers	Robinson
Banks	Goike	LaVoy	Rogers
Barnett	Graves	Leonard	Rutledge
Bolger	Greimel	Lipton	Santana
Brinks	Haines	Lori	Schmidt
Brown	Haugh	Lund	Schor
Brunner	Haveman	Lyons	Segal

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

Nays—0

In The Chair: Cotter

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. 4139, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by repealing chapter XII (MCL 772.1 to 772.15).

The bill was read a second time.

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

The motion prevailed.

Senate Bill No. 123, entitled

A bill to amend 1999 PA 203, entitled "The convention facility authority act," by amending sections 3, 5, and 8 (MCL 141.1403, 141.1405, and 141.1408).

The bill was read a second time.

Rep. Foster moved to substitute (H-1) the bill.

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

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

The motion prevailed.

Rep. Stamas moved that 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 and joint resolutions had been printed and placed upon the files of the members on Wednesday, April 10:

House Bill Nos.	4494	4495	4496	4497	4498	4499	4500	4501	4502	4503	4504	4505	4506	4507
	4508	4509	4510	4511	4512	4513	4514	4515	4516	4517	4518	4519	4520	4521
	4522	4523												
House Joint Resolutions		Q	R											
Senate Bill Nos.	287	288	289											

Reports of Standing Committees

The Committee on Oversight, by Rep. McMillin, Chair, reported

House Bill No. 4138, entitled

A bill to prohibit any agency of this state, any political subdivision of this state, any employee of any agency of this state or any political subdivision of this state, or any member of the Michigan national guard from assisting an agency of the armed forces of the United States in the investigation, prosecution, or detention of any citizen of the United States under certain circumstances.

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. McMillin, Kelly, O'Brien, Leonard, Townsend and Robinson

Nays: None

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Tuesday, April 9, 2013

Present: Reps. McMillin, Kelly, O'Brien, Leonard, Townsend and Robinson

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

House Bill No. 4135, entitled

A bill to amend 1893 PA 206, entitled "The general property tax act," by amending section 7cc (MCL 211.7cc), as amended by 2012 PA 524.

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. Farrington, O'Brien, Genetski, Cotter, Foster, Lyons, Nesbitt, Price, Somerville, Kelly, Barnett, Switalski, Haugh and Townsend

Nays: None

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Wednesday, April 10, 2013

Present: Reps. Farrington, O'Brien, Genetski, Cotter, Foster, Lyons, Nesbitt, Price, Somerville, Kelly, Barnett, Switalski, Haugh, LaVoy and Townsend

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Wednesday, April 10, 2013

Present: Reps. Daley, Denby, Kurtz, Glardon, Johnson, McBroom, Outman, Rendon, Victory, Lauwers, Pagel, Brunner, Smiley, Hovey-Wright and Geiss

Absent: Reps. Ananich and LaVoy

Excused: Reps. Ananich and LaVoy

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Wednesday, April 10, 2013

Present: Reps. Foster, Zorn, Haines, Schmidt, Farrington, Glardon, Johnson, Somerville, Outman, Kelly, Leonard, Switalski, Barnett, Townsend, Santana, Oakes, Driskell and Yanez

Absent: Rep. Nesbitt

Excused: Rep. Nesbitt

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Wednesday, April 10, 2013

Present: Reps. Lyons, Franz, Crawford, Daley, Genetski, Lund, McMillin, Hooker, Jacobsen, Price, Yonker, Lipton, Knezek, Brinks, Stallworth, Lamonte and Abed

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Wednesday, April 10, 2013

Present: Reps. Callton, Somerville, Farrington, Pettalia, Kelly, Johnson, Stanley, Lamonte and Oakes

Absent: Reps. Lyons, Nathan and Lane

Excused: Reps. Lyons, Nathan and Lane

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Shirkey, Chair, of the Committee on Michigan Competitiveness, was received and read:

Meeting held on: Wednesday, April 10, 2013

Present: Reps. Shirkey, Yonker, Haines, Cotter, Foster, Franz, Goike, Lauwers, Leonard, Pagel, Clemente, Townsend, Schor, Santana and Segal

Messages from the Senate**House Bill No. 4123, entitled**

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," (MCL 600.101 to 600.9947) by adding section 2977.

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.

Notices

April 9, 2013

Mr. Gary L. Randall, Clerk
Michigan House of Representatives
State Capitol Building
Lansing, Michigan 48913

Dear Mr. Clerk:

Pursuant to MCL 397.14, I am appointing Majority Floor Leader Jim Stamas to the Library of Michigan Board of Trustees for the term ending December 31, 2014.

Respectfully,
Jase Bolger, Speaker
Michigan House of Representatives

Explanation of “No” Votes

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

“Mr. Speaker and members of the House:

Let the record show that I was on the Conference Committee when the House passed the Race to the Top legislation in 2009. I was honored to work on the necessary solutions to failing schools, providing a pathway to identify the worst performing schools and provide four key turn-around models to address failing academic scores.

Unfortunately, the plan put in place in 2009, namely PA 204 of 2009, which I voted for, is now being modified without fully understanding what is working and what is not.

Unfortunately in Lansing, the practice of legislative schizophrenia is practiced. No plan is allowed to work its way towards implementation and analysis. Instead, legislation is constantly modified, changed, and manipulated in such a way that true data analysis cannot be conducted. If we do not move in a methodic manner, how are we going to understand what is the relationship between high achieving students and the inputs which lead to their success? For this reason, I voted against HB 4369 today.”

Introduction of Bills

Rep. Haines introduced

House Bill No. 4524, entitled

A bill to amend 1978 PA 368, entitled “Public health code,” by amending section 16221 (MCL 333.16221), as amended by 2012 PA 501, and by adding section 16221a.

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

Rep. Graves introduced

House Bill No. 4525, entitled

A bill to amend 1927 PA 175, entitled “The code of criminal procedure,” by amending sections 16c and 17d of chapter XVII (MCL 777.16c and 777.17d), section 16c as amended by 2012 PA 534 and section 17d as amended by 2012 PA 456.

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

Reps. Barnett and Schmidt introduced

House Bill No. 4526, entitled

A bill to amend 1972 PA 284, entitled “Business corporation act,” (MCL 450.1101 to 450.2098) by adding chapter 9A.

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

Reps. Schmidt and Barnett introduced

House Bill No. 4527, entitled

A bill to amend 1972 PA 284, entitled "Business corporation act," by amending sections 105, 106, 202, 211, and 911 (MCL 450.1105, 450.1106, 450.1202, 450.1211, and 450.1911), section 105 as amended by 2001 PA 57, section 106 as amended by 2006 PA 68, section 202 as amended by 1989 PA 121, section 211 as amended by 2008 PA 402, and section 911 as amended by 2007 PA 182.

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

Reps. Kesto, Tlaib, Crawford, McCreedy, Cavanagh, Zemke, Hovey-Wright, Lauwers and McBroom introduced

House Bill No. 4528, entitled

A bill to amend 2004 PA 161, entitled "Michigan immigration clerical assistant act," by amending the title and sections 3, 13, 17, and 21 (MCL 338.3453, 338.3463, 338.3467, and 338.3471); and to repeal acts and parts of acts.

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

Reps. McMillin, Lipton, Heise, Lyons, Haveman, Yonker, Muxlow, Walsh, Callton, Cavanagh, Roberts, Townsend, Darany, Irwin, Singh, Howrylak, Somerville, Dillon, Hovey-Wright, Brown, Ananich, Hobbs, Durhal, Switalski and Oakes introduced

House Bill No. 4529, entitled

A bill to create the Michigan indigent defense commission and to provide for its powers and duties; to provide indigent defendants in criminal cases with effective assistance of counsel; to provide standards for the appointment of legal counsel; and to provide for certain appropriations and grants.

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

Reps. McMillin, Lipton, Heise, Lyons, Haveman, Yonker, Muxlow, Walsh, Callton, Cavanagh, Roberts, Townsend, Darany, Irwin, Singh, Howrylak, Somerville, Dillon, Hovey-Wright, Brown, Ananich, Hobbs, Durhal, Switalski and Oakes introduced

House Bill No. 4530, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 16 of chapter XV (MCL 775.16), as amended by 1980 PA 506.

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

Reps. Cotter, Lauwers, MacMaster, Potvin, Shirkey, McMillin, Zorn, Bumstead, Daley, Lyons, MacGregor, Howrylak, Price and Oakes introduced

House Bill No. 4531, entitled

A bill to amend 1972 PA 239, entitled "McCauley-Traxler-Law-Bowman-McNeely lottery act," by amending section 9 (MCL 432.9), as amended by 1996 PA 167.

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

Rep. Price introduced

House Bill No. 4532, entitled

A bill to amend 1961 PA 236, entitled "Revised judiciary act of 1961," by amending sections 832, 859, and 1427 (MCL 600.832, 600.859, and 600.1427), section 859 as amended by 2005 PA 326.

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

Reps. Price, Jenkins, Kowall, Haines and Victory introduced

House Bill No. 4533, entitled

A bill to amend 2010 PA 347, entitled "Girl scouts of Michigan fund act," by amending sections 3 and 4 (MCL 206.923 and 206.924).

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

Reps. Muxlow and Santana introduced

House Bill No. 4534, entitled

A bill to amend 1969 PA 287, entitled "An act to regulate pet shops, animal control shelters, and animal protection shelters; to establish uniform procedures and minimum requirements for adoption of dogs, cats, and ferrets; and to prescribe penalties and civil fines and to provide remedies," (MCL 287.331 to 287.340) by adding section 8b.

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

Reps. Santana and Muxlow introduced
House Bill No. 4535, entitled

A bill to require individuals convicted of animal abuse offenses to register; to provide for the powers and duties of certain state and local governmental officers and entities; to impose fees; to prescribe penalties and provide remedies; and to require the promulgation of rules.

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

Announcements by the Clerk

The Clerk received the following dissent on **House Bill No. 4167**, 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. Once again, on HB 4167, immediate effect was ordered without a bona fide vote. Motions for immediate effect are routinely gavelled 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.

The Clerk received the following dissent on **House Bill No. 4166**, 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. Once again, on HB 4166, immediate effect was ordered without a bona fide vote. Motions for immediate effect are routinely gavelled 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.

The Clerk received the following dissent on **House Bill No. 4081**, 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. Once again, on HB 4081, immediate effect was ordered without a bona fide vote. Motions for immediate effect are routinely gavelled 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.

The Clerk received the following dissent on **House Bill No. 4082**, 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. Once again, on HB 4082, immediate effect was ordered without a bona fide vote. Motions for immediate effect are routinely gavelled 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.

The Clerk received the following dissent on **House Bill No. 4084**, 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. Once again, on HB 4084, immediate effect was ordered without a bona fide vote. Motions for immediate effect are routinely gavelled 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.

The Clerk received the following dissent on **House Bill No. 4085**, 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. Once again, on HB 4085, immediate effect was ordered without a bona fide vote. 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.

The Clerk received the following dissent on **House Bill No. 4026**, 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. Once again, on HB 4026, immediate effect was ordered without a bona fide vote. 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. Poleski moved that the House adjourn.
The motion prevailed, the time being 3:10 p.m.

Associate Speaker Pro Tempore Cotter declared the House adjourned until Thursday, April 11, at 12:00 Noon.

GARY L. RANDALL
Clerk of the House of Representatives