

No. 75
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House Chamber, Lansing, Wednesday, September 28, 2011.

1:30 p.m.

The House was called to order by the Speaker Pro Tempore.

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

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

e/d/s = entered during session

Rep. Paul Scott, from the 51st District, offered the following invocation:

“Dear Lord,

May You give us the Strength today to serve Your will in this chamber.

May You give us the Wisdom to seek the counsel of many in making our decisions, but the courage to always move past those deterring us away from Your plan.

May You give us the foresight to Make this earth a better earth for Your children - so they can grow and pursue the dreams You intend for them to pursue.

And finally, may You afford us the time to reflect and enjoy to the fullest this blessing You have granted upon us to serve-to serve our fellow man.

We ask these humbly in Your name Lord.”

Motions and Resolutions

Reps. Nesbitt, McBroom, Foster, Franz, Gilbert, Callton, Glardon, Agema, Haveman, Genetski, Constan, Heise, Horn, Knollenberg, Kowall, Kurtz, MacMaster, Rogers and Shaughnessy offered the following resolution:

House Resolution No. 136.

A resolution to memorialize the President and the United States Congress to support the continued and increased importation of oil derived from Canadian oil sands and to urge the United States Secretary of State to approve the TransCanada Keystone Coast Expansion pipeline project.

Whereas, Despite efforts to increase the use of renewable energy, the United States is still many years away from ending its dependence on nonrenewable resources. In order to fuel our economy, the United States will need more oil and natural gas; and

Whereas, The United States is the largest consumer of oil in the world. More than half the oil we consume is imported from countries in volatile regions of the world. This dependence on foreign oil has created difficult geopolitical relationships with damaging consequences for our national security; and

Whereas, Canada, our friendly neighbor to the north, contains vast oil reserves, second in size only to those in Saudi Arabia. Most of these reserves are contained in oil sands located in the western Canadian province of Alberta. Oil sands account for more than half of Canada’s total oil output, and oil sands production is predicted to increase significantly; and

Whereas, Growing oil sands production in Canada has the potential to substantially reduce U.S. dependence on foreign oil. Canada is already the largest supplier of oil to the United States. Expanded production from Alberta’s oil sands offers the potential for this proportion to increase; and

Whereas, Canadians and Americans share the closest energy relationship in the world. Energy infrastructure, including oil and gas pipeline networks and electricity grids, is tightly integrated between our two countries; and

Whereas, Increasing U.S. imports of Canadian oil will lead to the expansion of oil refineries and pipelines, providing growing investments in the U.S. and more American jobs. Oil companies are investing huge sums to upgrade and expand refineries to make gasoline and other refined products from oil derived from Canadian oil sands. Thousands of construction jobs would be created in the Midwest as a result of this investment; and

Whereas, The money that America uses to buy Canadian oil will likely end up being spent on American goods and services. This contrasts with money sent to purchase oil from other regions of the world, which may be used to further anti-democratic agendas; now, therefore, be it

Resolved by the House of Representatives, That we memorialize the President and the United States Congress to support the continued and increased importation of oil derived from Canadian oil sands, and we urge the U.S. Secretary of State to approve the TransCanada Keystone Coast Expansion pipeline project that has been awaiting a presidential permit since 2008 to reduce dependence on unstable governments, improve our national security, and strengthen ties with an important ally; and be it further

Resolved, That copies of this resolution be transmitted to the Office of the President of the United States, the U.S. Secretary of State, 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 Energy and Technology.

Reports of Standing Committees

The Committee on Appropriations, by Rep. Moss, Chair, reported

Senate Bill No. 237, entitled

A bill to make, supplement, and adjust appropriations for various state departments and agencies for the fiscal year ending September 30, 2011; and to provide for the expenditure of the appropriations.

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. Moss, Haveman, Agema, Genetski, Kowall, Lori, Rogers, Bumstead, Cotter, Forlini, Goike, Jenkins, MacGregor, MacMaster, Poleski, Pscholka, Potvin, LeBlanc, Ananich, Bauer, Dillon, Durhal, Jackson, Lindberg and McCann

Nays: None

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Moss, Chair, of the Committee on Appropriations, was received and read:
Meeting held on: Wednesday, September 28, 2011

Present: Reps. Moss, Haveman, Agema, Genetski, Kowall, Lori, Rogers, Bumstead, Cotter, Forlini, Goike, Jenkins, MacGregor, MacMaster, Poleski, Pscholka, Potvin, LeBlanc, Ananich, Bauer, Dillon, Durhal, Jackson, Lindberg, Lipton, McCann and Tlaib

The Speaker laid before the House

Senate Concurrent Resolution No. 18.

A concurrent resolution to memorialize Congress to take immediate action to close the O'Brien Lock and Dam in the Chicago Waterway System to prevent Asian carp from entering Lake Michigan and the Great Lakes watershed.

(For text of concurrent resolution, see House Journal No. 69, p. 2181.)

(The concurrent resolution was reported by the Committee on Natural Resources, Tourism, and Outdoor Recreation on September 20.)

The question being on the adoption of the concurrent resolution,

Rep. Foster moved to substitute (H-1) the resolution as follows:

Substitute for Senate Concurrent Resolution No. 18.

A concurrent resolution to memorialize Congress to require the U.S. Army Corps of Engineers to take immediate action to prevent Asian carp from entering Lake Michigan and the Great Lakes watershed through the Chicago Area Waterway System, including closing the O'Brien and Chicago Locks and placing block nets in other open pathways.

Whereas, The health and vitality of the waters, fisheries, and habitat of the Great Lakes are inextricably connected to a successful and prosperous Michigan tourism industry and healthy state economy. The Great Lake's waters, as well as Michigan tourism and outdoor recreation, are threatened by uncontrolled migration of invasive species in the form of Asian carp moving closer daily to entering Lake Michigan and spreading throughout all of our state's waterways; and

Whereas, Asian carp could become a dominant species in the Great Lakes, threatening the \$7 billion Great Lakes commercial and recreational fishery and recreational boaters. Asian carp are voracious feeders that compete with native fish and wildlife for food. In addition, silver carp can weigh up to 70 pounds and jump up to 10 feet out of the water when disturbed by boats. Boaters have suffered cuts, blackened eyes, broken bones, back injuries, and concussions from leaping silver carp; and

Whereas, Immediate and decisive action is required to protect the \$7 billion Great Lake commercial and recreational fishery and the \$9 billion Great Lake recreational boating industry. The collapse of the sports and commercial fishing industries and damage done to the recreational boating industry would translate into billions of dollars in lost revenues and thousands more workers joining the ranks of the unemployed. In addition, damage done to the Great Lakes, rivers, and inland lakes by Asian carp would greatly harm our state's viability as an attractive vacation destination, thereby weakening the effectiveness of the Pure Michigan brand and leading to decreased tourism outcomes, revenues, and jobs; and

Whereas, H.R. 892 and S. 471 are currently pending before the U.S. House of Representatives and Senate to require the completion of feasibility studies as to how best to provide hydrological separation or other certain means of preventing the migration of Asian carp and other invasive species into Lake Michigan; now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That we memorialize Congress to require the U.S. Army Corps of Engineers to take immediate action to prevent Asian carp from entering Lake Michigan and the Great Lakes watershed through the Chicago Area Waterway System, including closing the O'Brien and Chicago Locks and placing block nets in other open pathways and that the locks remain closed until H.R. 892 and S. 471 are enacted into law; 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 motion prevailed and the substitute (H-1) was adopted, a majority of the members serving voting therefor.
The question being on the adoption of the concurrent resolution,
The concurrent resolution was adopted.

The Speaker Pro Tempore called Associate Speaker Pro Tempore Opsommer to the Chair.

Third Reading of Bills

House Bill No. 4881, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by repealing sections 819 and 824 (MCL 600.819 and 600.824).

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

Roll Call No. 368

Yeas—109

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

Nays—0

In The Chair: Opsommer

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.

Senate Bill No. 495, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending sections 57, 208b, 217a, 232, 301, 303, 306, 307, 307a, 312e, 312f, 312h, 314, 319b, 319d, 319f, 319g, 320a, 602b, 605, 732, 801, 801g, 802, 803b, 803r, 804, 806, 809, 811e, 811h, and 907 (MCL 257.57, 257.208b, 257.217a, 257.232, 257.301, 257.303, 257.306, 257.307, 257.307a, 257.312e, 257.312f, 257.312h, 257.314, 257.319b, 257.319d, 257.319f, 257.319g, 257.320a, 257.602b, 257.605, 257.732, 257.801, 257.801g, 257.802, 257.803b, 257.803r, 257.804, 257.806, 257.809, 257.811e, 257.811h, and 257.907), sections 57 and 301 as amended by 1988 PA 346, sections 208b, 217a, 232, 801, 802, 803b, 803r, 804, 806, 809, 811e, and 811h as amended by 2009 PA 99, section 303 as amended by 2010 PA 155, sections 306, 307a, 312e, 312f, 319f, and 319g as amended by 2006 PA 298, section 307 as amended by 2008 PA 36, section 312h as amended by 2003 PA 152, section 314 as amended by 2008 PA 7, section 319b as amended by 2008 PA 463, section 319d as amended by 1996 PA 404, section 320a as amended by 2010 PA 58, section 602b as added by 2010 PA 60, section 605 as amended by 2000 PA 97, sections 732 and 907 as amended by 2010 PA 59, and section 801g as amended by 1992 PA 29, and by adding section 36b.

The bill was read a third time.

The question being on the passage of the bill,

Rep. Goike moved to amend the bill as follows:

1. Amend page 111, line 24, after "than" by striking out "\$5,000.00" and inserting "\$2,750.00".
2. Amend page 111, line 26, by striking out "\$10,000.00" and inserting "\$5,500.00".

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. Opsommer moved to amend the bill as follows:

1. Amend page 36, line 26, after "\$25.00" by striking out the balance of the line through "\$35.00," on line 27.
2. Amend page 38, line 25, after "act." by striking out the balance of the subsection.

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,

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

Roll Call No. 369**Yeas—78**

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

Nays—31

Ananich	Durhal	Lindberg	Stallworth
Barnett	Hammel	Lipton	Stanley

Bauer	Hobbs	Meadows	Stapleton
Brown	Hovey-Wright	Nathan	Switalski
Brunner	Howze	Olumba	Talabi
Cavanagh	Irwin	Rutledge	Tlaib
Constan	Jackson	Santana	Townsend
Darany	Kandrevas	Slavens	

In The Chair: Opsommer

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

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

A bill to amend 1949 PA 300, entitled “An act to provide for the registration, titling, sale, transfer, and regulation of certain vehicles operated upon the public highways of this state or any other place open to the general public or generally accessible to motor vehicles and distressed vehicles; to provide for the licensing of dealers; to provide for the examination, licensing, and control of operators and chauffeurs; to provide for the giving of proof of financial responsibility and security by owners and operators of vehicles; to provide for the imposition, levy, and collection of specific taxes on vehicles, and the levy and collection of sales and use taxes, license fees, and permit fees; to provide for the regulation and use of streets and highways; to create certain funds; to provide penalties and sanctions for a violation of this act; to provide for civil liability of owners and operators of vehicles and service of process on residents and nonresidents; to regulate the introduction and use of certain evidence; to provide for the levy of certain assessments; to provide for the enforcement of this act; to provide for the creation of and to prescribe the powers and duties of certain state and local agencies; to impose liability upon the state or local agencies; to provide appropriations for certain purposes; to repeal all other acts or parts of acts inconsistent with this act or contrary to this act; and to repeal certain parts of this act on a specific date,” by amending sections 57, 208b, 217a, 232, 301, 303, 306, 307, 307a, 312e, 312f, 312h, 314, 319b, 319d, 319f, 319g, 320a, 602b, 605, 732, 801, 801g, 802, 803b, 803r, 804, 806, 809, 811e, 811h, and 907 (MCL 257.57, 257.208b, 257.217a, 257.232, 257.301, 257.303, 257.306, 257.307, 257.307a, 257.312e, 257.312f, 257.312h, 257.314, 257.319b, 257.319d, 257.319f, 257.319g, 257.320a, 257.602b, 257.605, 257.732, 257.801, 257.801g, 257.802, 257.803b, 257.803r, 257.804, 257.806, 257.809, 257.811e, 257.811h, and 257.907), sections 57 and 301 as amended by 1988 PA 346, sections 208b, 217a, 232, 801, 802, 803b, 803r, 804, 806, 809, and 811h as amended by 2009 PA 99, section 303 as amended by 2010 PA 155, sections 306, 307a, 312e, 312f, 319f, and 319g as amended by 2006 PA 298, section 307 as amended by 2008 PA 36, section 312h as amended by 2003 PA 152, section 314 as amended by 2008 PA 7, section 319b as amended by 2008 PA 463, section 319d as amended by 1996 PA 404, section 320a as amended by 2010 PA 58, section 602b as added by 2010 PA 60, section 605 as amended by 2000 PA 97, sections 732 and 907 as amended by 2010 PA 59, section 801g as amended by 1992 PA 29, and section 811e as amended by 2011 PA 66, and by adding section 36b.

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.

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

I voted no on Senate Bill 495 because in 2008 the current language was supported with overwhelmingly bipartisan support. Today, this bill strips that language from the Act and moves our State closer to complying with the controversial national ID program, the REAL ID Act.

According to a study conducted by the National Conference of State Legislatures, Real ID compliance will cost states more than \$11 billion to implement over five years and will have a major impact on services to the public. This includes adding databases and networks with private information, providing supplies to produce the new documents, and educating and training employees. State of Michigan cannot afford REAL ID.

More importantly, it does not recognize the thousands of engineers, professors, students and other professionals that come into our State to invest and contribute to our economy that will now struggle to qualify for a Michigan driver’s license card.”

Second Reading of Bills

Senate Bill No. 237, entitled

A bill to make, supplement, and adjust appropriations for various state departments and agencies for the fiscal year ending September 30, 2011; and to provide for the expenditure of the appropriations.

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

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

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

The motion prevailed.

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

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

By unanimous consent the House returned to the order of

Third Reading of Bills

Senate Bill No. 237, entitled

A bill to make, supplement, and adjust appropriations for various state departments and agencies for the fiscal year ending September 30, 2011; and to provide for the expenditure of the 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. 370

Yeas—101

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

Nays—8

Callton	Hooker	McMillin	Shirkey
Franz	Kurtz	Nesbitt	Somerville

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.

House Bill No. 4689, entitled

A bill to authorize the state administrative board to convey certain parcels of state-owned property in Wayne county; to prescribe conditions for the conveyance; to provide for certain powers and duties of certain state departments and local units of government in regard to the property; and to provide for disposition of revenue derived from the conveyance.

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

Roll Call No. 371

Yeas—109

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

Nays—0

In The Chair: Opsommer

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.

House Bill No. 4564, entitled

A bill to amend 1978 PA 368, entitled "Public health code," (MCL 333.1101 to 333.25211) by adding section 7340a.

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

Roll Call No. 372**Yeas—108**

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

Nays—1

Irwin

In The Chair: Opsommer

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

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

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 17766c (MCL 333.17766c), as amended by 2011 PA 86.

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.

House Bill No. 4893, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending sections 16184 and 16185 (MCL 333.16184 and 333.16185), section 16184 as amended by 2006 PA 591 and section 16185 as amended by 2011 PA 55.

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

Roll Call No. 373**Yeas—91**

Agema	Gilbert	LeBlanc	Pscholka
Bauer	Glardon	Lindberg	Rendon

Bledsoe	Goike	Liss	Rogers
Bolger	Haines	Lori	Rutledge
Brunner	Hammel	Lund	Schmidt, R.
Bumstead	Haugh	Lyons	Schmidt, W.
Byrum	Haveman	MacGregor	Scott
Callton	Heise	MacMaster	Segal
Clemente	Hooker	McBroom	Shaughnessy
Cotter	Horn	McCann	Shirkey
Crawford	Hovey-Wright	McMillin	Smiley
Daley	Howze	Moss	Somerville
Damrow	Hughes	Muxlow	Stamas
Darany	Huuki	Nesbitt	Stanley
Denby	Jackson	O'Brien	Switalski
Dillon	Jacobsen	Olson	Talabi
Durhal	Jenkins	Opsommer	Townsend
Farrington	Johnson	Ouimet	Tyler
Forlini	Knollenberg	Outman	Walsh
Foster	Kowall	Pettalia	Womack
Franz	Kurtz	Poleski	Yonker
Geiss	LaFontaine	Potvin	Zorn
Genetski	Lane	Price	

Nays—18

Ananich	Hobbs	Nathan	Slavens
Barnett	Irwin	Oakes	Stallworth
Brown	Kandrevas	Olumba	Stapleton
Cavanagh	Lipton	Santana	Tlaib
Constan	Meadows		

In The Chair: Opsommer

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.

Senate Bill No. 160, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," (MCL 750.1 to 750.568) by adding section 90h.

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

Roll Call No. 374**Yeas—75**

Agema	Geiss	LaFontaine	Pettalia
Bledsoe	Genetski	Lane	Poleski
Bolger	Gilbert	LeBlanc	Potvin
Brunner	Glardon	Liss	Price
Bumstead	Goike	Lori	Pscholka
Callton	Haines	Lund	Rendon
Clemente	Haveman	Lyons	Rogers
Constan	Heise	MacGregor	Schmidt, R.

Cotter	Hooker	MacMaster	Schmidt, W.
Crawford	Horn	McBroom	Scott
Daley	Hughes	McMillin	Shaughnessy
Damrow	Huuki	Moss	Shirkey
Darany	Jackson	Muxlow	Somerville
Denby	Jacobsen	Nesbitt	Stamas
Dillon	Jenkins	O'Brien	Tyler
Farrington	Johnson	Olson	Walsh
Forlini	Knollenberg	Opsommer	Yonker
Foster	Kowall	Quimet	Zorn
Franz	Kurtz	Outman	

Nays—34

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

In The Chair: Opsommer

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

“An act to authorize certain local governmental units to incorporate municipal health facilities corporations and subsidiary municipal health facilities corporations for establishing, modifying, operating, and managing health services and acquiring, constructing, adding to, repairing, remodeling, renovating, equipping, and re-equipping hospitals and other health care facilities and related purposes; to provide for the application of this act to existing municipal hospitals and for the transfer of ownership of hospital funds and personal property; to validate and ratify the existence, organization, actions, proceedings, and board membership of existing organizations acting as county public hospitals; to provide for the appointment of trustees; to grant certain powers of a public body corporate to health facilities corporations and subsidiary health facilities corporations; to empower certain local governmental units to encumber property for the benefit of, transfer or make property available to, issue bonds to construct facilities to be used by, appropriate funds for, and levy a tax for, municipal health facilities corporations and subsidiary municipal health facilities corporations; to empower certain local governmental units to guarantee obligations of municipal health facilities corporations and subsidiary municipal health facilities corporations and to permit certain local governmental units to pledge their full faith and credit to pay such guaranties; to provide for transfer of ownership or operation of health care facilities and health services to nonprofit health care organizations; to authorize municipal health facilities corporations and subsidiary municipal health facilities corporations to borrow money and issue notes for the purposes of meeting expenses of operation and to issue corporation obligations for the purpose of acquisition, construction, repair, remodeling, equipping or re-equipping of health care facilities and for the refinancing, refunding, or refunding in advance of indebtedness of the municipal health facilities corporations or the subsidiary municipal health facilities corporations or of indebtedness of certain local governmental units undertaken on their behalf; to authorize municipal health facilities corporations and subsidiary municipal health facilities corporations to enter into mortgages, deeds of trust, and other agreements for security which may include provisions for the appointment of receivers; to exempt obligations and property of municipal health facilities corporations and subsidiary municipal health facilities corporations from taxation; and to provide other rights, powers, and duties of municipal health facilities corporations and subsidiary municipal health facilities corporations.”

The House agreed to the full title.

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

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

Rep. Olumba, 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:

“Mr. Speaker I’d like to clarify for the record that the issue before us today, as presented, is not a moral or an ethical question.

This series of bills speak to what have become known in some circles as late-term abortion, in other circles and dilation and extractions, and in others as partial-birth abortions. The bills would establish a prohibition on such a medical procedure at the state level. At the state level – Mr. Speaker. This is significant to point out, primarily because federal legislation exists which proscribes late term abortions. It’s called the **Partial-Birth Abortion Ban Act of 2003**.

As a minister and a man of strong religious, moral, and ethical convictions and as a committed family man, I approached this issue with caution and admittedly some consternation. The 90,000 or so persons I was sent here to represent, elected me with the understanding that I would represent their interests and that I would seek to do the right thing, and the best thing in terms of shaping meaningful public policy for this state.

So, Mr. Speaker I approached this issue from two sides; I consulted the source of my moral and ethical convictions and then to satisfy my political responsibilities, I performed a considerable quantity of research and came to understand that since the federal statute was passed in 2003 no causes of action initiated under the act; Zero Mr. Speaker. Factually, Mr. Speaker these so-called ‘late term or partial birth abortions’ are rare procedures and are contemplated in the most severe and complicated of medical circumstance. The procedure may not be performed on or by anyone that receives federal dollars; no major insurance companies cover the procedure, as such, we must explore why such an obscure procedure the cause of such unrest.

The disappointing truth is that this is a political question. And we know that this vote stands as a score card for interest groups to determine who’s in and who’s out. Who’s with them and who’s with us. Who gets the big fat check and who is the subject of a negative political advertisement during election season. The question over abortions has become a ‘line in the sand’ issue to sort out political allies. This question attempts to draw a bright line to determine who is true blue and who bleeds red; who is light blue or who is pink [on these very moral issues]. In reality in most of America and the state of Michigan it is not such a bright line issue. And I would also submit that it’s not an issue of high priority for the people of this state. Mr. Speaker, every political poll taken in this state indicates that Michiganders would like us to work on jobs and improving the economy. The citizens of this state would like for us to work on issues that bring the state together and provide solutions to everyday issues. The citizens of this state would be comfortable if we can help provide a solid education and a bright future for the children of this state, the people of this state are hoping that after they have paid their dues in working they can retire with dignity. The people want to know that when they have been wronged they will have some access to justice. And if they work hard on their jobs, they will receive just compensation. And if they can’t find a job, someone will lend them a helping hand until they get on their feet. These are the issues that I believe I was sent here to work on. These are the issues that all 109 of us were sent here to work on. I would very much like to continue to work on those pressing issues, but if we must satisfy the special interests groups and keep a political score card then let me speak to that for a moment and I will close. Some people on one side say, we are ‘pro-life’ others on the other side of the issue say we are ‘pro-choice’ and both believe this is a zero sum game. Well in a zero-sum game when both say that they are proponents of a piece of the issue, who is going to stand up in opposition to teenage pregnancy? Who is going to stand up in opposition to poverty and lack of educational opportunities? Who is going to stand in opposition to the influx of negative influence and media that promotes sex, drug-use, and an overall culture of instant gratification?

In truth the issue of abortion is mostly one that concerns the African American community, the poor, and uneducated, and those with a serious socio-economic disadvantages.

I was projected to be a member of those communities and I speak for the people that I represent and I also speak for my mother and my four sisters, my wife and my two daughters. The best solution and the things we should be working on to alleviate the problems presented is to work on the issue of poverty. Instead of making this an issue for judges and courts, doctors and police. We need to face the issue at its root and address issues like poverty, educating our youth and creating real opportunities to support dignity, a healthy environment, and fulfilling those duties that people expect government to be successful at. In short, Mr. Speaker, I think we need to be working and fulfilling the democratic promise of America. Mr. Speaker when this body is ready to work on making sure our schools are properly funded and that they are safe and our kids are learning, I speak for myself and I believe I speak for the members of the democratic caucus that we will stand ready and we’re prepared to do that... When this legislative body decides that creating jobs, and strengthening our economy is a priority I speak for myself and I believe I speak for my democratic colleagues when I say we stand ready. Mr. Speaker when this legislative body decides that it wants to support the citizens of this state that have worked hard for years and have paid their dues and provide them dignity in retirement I speak for myself and I believe that I speak for my democratic colleagues when I say we stand ready.

Except Mr. Speaker, we don’t think you’ll ever be ready. I think you’re too busy trying to create a political score card for the special interest groups. Do we really want to address the issue of excessive abortions, unwanted and teenage pregnancies, and sexual intercourse at an early age? These incidences are enhanced by the disparities that exist because of the lack of access to fair education, decent paying jobs and safe environments. I expect to see bills that reflect this purpose and actually speak directly to those issues instead of seeking to pass legislation that has already been passed on the federal level that

addresses an obscure and fairly rare procedure and that have seen 0 causes of action. This is not a moral or an ethical issue, because if it were we would be talking about the social injustices of poverty and under-funded school systems. This is a political question and seeks a political answer to satisfy political agenda, and keep count on political scorecards and since that is the case I will urge a NO vote this afternoon.

Mr. Speaker I'll close the same way I usually close, in a prayer that asks for this body and this leadership to do what's right in the eyes of God. I pray we can address the issues of the people and those things causing them to suffer in a way that is right in the eyes of God. And that when we seek God, and turn our faces towards Him, He will fulfill His promise and heal our land. Thank you."

Second Reading of Bills

House Bill No. 4578, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 11715 (MCL 324.11715), as amended by 2004 PA 381.

The bill was read a second time.

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

The motion prevailed.

House Bill No. 4888, entitled

A bill to amend 2001 PA 142, entitled "Michigan memorial highway act," (MCL 250.1001 to 250.2080) by adding section 70.

The bill was read a second time.

Rep. McBroom 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

Reports of Standing Committees

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

House Bill No. 4561, entitled

A bill to amend 1972 PA 230, entitled "Stille-DeRossett-Hale single state construction code act," by amending section 4 (MCL 125.1504), as amended by 2004 PA 584.

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, Yonker, Opsommer, Daley, McMillin, Shirkey, Franz, McBroom, Rendon and Rutledge

Nays: Reps. Stamas and Byrum

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Wednesday, September 28, 2011

Present: Reps. Crawford, Yonker, Opsommer, Daley, McMillin, Stamas, Shirkey, Franz, McBroom, Rendon, Haugh, Byrum, Womack and Rutledge

Absent: Rep. Slavens

Excused: Rep. Slavens

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

House Bill No. 4462, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending sections 248 and 249 (MCL 750.248 and 750.249), as amended by 2008 PA 378, and by adding sections 248b and 249b.

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

Nays: None

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

House Bill No. 4478, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 16n of chapter XVII (MCL 777.16n), as amended by 2002 PA 321.

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

Nays: None

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

House Bill No. 4492, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 11c of chapter XVII (MCL 777.11c), as added by 2002 PA 31.

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

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

Favorable Roll Call

To Report Out:

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

Nays: None

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

Senate Bill No. 43, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," (MCL 750.1 to 750.568) by adding section 219d.

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

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

Favorable Roll Call

To Report Out:

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

Nays: None

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

Senate Bill No. 44, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 16*l* of chapter XVII (MCL 777.16*l*), as amended by 2005 PA 171.

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

Nays: None

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

Senate Bill No. 249, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending section 218 (MCL 750.218), as amended by 2004 PA 154.

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

Nays: None

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

Senate Bill No. 250, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 16*l* of chapter XVII (MCL 777.16*l*), as amended by 2005 PA 171.

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

Nays: None

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

Senate Bill No. 251, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 24 of chapter VII (MCL 767.24), as amended by 2005 PA 35.

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

Nays: None

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

Senate Bill No. 252, entitled

A bill to amend 2003 PA 238, entitled "Michigan notary public act," by amending section 49 (MCL 55.309).

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

Nays: None

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Wednesday, September 28, 2011

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

The Committee on Transportation, by Rep. Opsommer, Chair, reported

House Bill No. 4728, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 648 (MCL 257.648).

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. Opsommer, Glardon, Daley, Jacobsen, Olson, Somerville, Geiss, Talabi, Nathan, Liss, Byrum, Smiley and Roy Schmidt

Nays: None

The Committee on Transportation, by Rep. Opsommer, Chair, reported

House Bill No. 4991, entitled

A bill to amend 2001 PA 142, entitled "Michigan memorial highway act," (MCL 250.1001 to 250.2080) by adding section 71.

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. Opsommer, Glardon, Daley, Wayne Schmidt, Jacobsen, Olson, Somerville, Geiss, Talabi, Nathan, Liss, Byrum, Smiley and Roy Schmidt

Nays: None

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Wednesday, September 28, 2011

Present: Reps. Opsommer, Glardon, Daley, Wayne Schmidt, Huuki, Jacobsen, Muxlow, Olson, Somerville, Geiss, Talabi, Nathan, Liss, Byrum, Smiley and Roy Schmidt

Absent: Rep. Ouimet

Excused: Rep. Ouimet

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Daley, Chair, of the Committee on Agriculture, was received and read:
Meeting held on: Wednesday, September 28, 2011

Present: Reps. Daley, Denby, Kurtz, Tyler, Glardon, Johnson, LaFontaine, McBroom, Outman, Rendon, Muxlow, Santana, Brunner, Oakes, Talabi and Smiley

Absent: Reps. Hovey-Wright and Segal

Excused: Reps. Hovey-Wright and Segal

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Scott, Chair, of the Committee on Education, was received and read:
Meeting held on: Wednesday, September 28, 2011

Present: Reps. Scott, Hooker, Crawford, McMillin, Franz, Heise, Hughes, Nesbitt, O'Brien, Price, Shaughnessy, Yonker, Brown, Darany, Howze, Rutledge, Stallworth and Geiss

Absent: Rep. Hobbs

Excused: Rep. Hobbs

Messages from the Governor

Date: September 27, 2011

Time: 3:13 p.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 4788 (Public Act No. 154, I.E.), being

An act to amend 1974 PA 198, entitled “An act to provide for the establishment of plant rehabilitation districts and industrial development districts in local governmental units; to provide for the exemption from certain taxes; to levy and collect a specific tax upon the owners of certain facilities; to impose and provide for the disposition of an administrative fee; to provide for the disposition of the tax; to provide for the obtaining and transferring of an exemption certificate and to prescribe the contents of those certificates; to prescribe the powers and duties of the state tax commission and certain officers of local governmental units; and to provide penalties,” by amending section 2 (MCL 207.552), as amended by 2010 PA 273.

(Filed with the Secretary of State September 27, 2011, at 3:54 p.m.)

Date: September 27, 2011

Time: 2:49 p.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 4360 (Public Act No. 156, I.E.), being

An act to amend 1963 PA 181, entitled “An act to promote safety upon highways open to the public by regulating the operation of certain vehicles; to provide consistent regulation of these areas by state agencies and local units of government; to establish the qualifications of persons necessary for the safe operation of such vehicles; to establish certain violations of shippers offering certain materials for transportation; to limit the hours of service of persons engaged in operating such vehicles; to require the keeping of records of such operations; to provide penalties for the violation of this act; to prescribe the powers and duties of certain state agencies; and to repeal acts and parts of acts,” by amending section 5 (MCL 480.15), as amended by 2006 PA 595.

(Filed with the Secretary of State September 27, 2011, at 3:58 p.m.)

Explanation of “No” Votes

Rep. Cavanagh, having reserved the right to explain his protest against the passage of **Senate Bill No. 494**, made the following statement:

“Mr. Speaker and members of the House:

I voted ‘no’ on Senate Bill 494 because it unfairly targets those who are going through the process of gaining permanent residency in the United States. The bill deletes provisions in current law that specifically allow certain people who are

not yet legally present, but who are in the process of gaining permanent residency in the U.S., to acquire a State ID card. These are people who are present in the U.S., whose petition for residency has been preliminarily approved by the federal government, who may still have to wait years for final approval, and are highly unlikely to be deported.

In a time when Governor Rick Snyder is going to Asia to bring back jobs and spoke about encouraging immigration throughout his State of the State speech, we should not be discouraging legal immigrants from migrating to Michigan. We need to stop sending the message that Michigan is closed for business overseas.

For these reasons, I voted ‘no’ on Senate Bill 494 today.”

Rep. Womack, having reserved the right to explain his protest against the passage of **Senate Bill No. 584**, made the following statement:

“Mr. Speaker and members of the House:

I voted no on Senate Bill 584 because the closed single-party presidential primary is a \$10 million waste of the taxpayer’s money that would be better spent on restoring funding to education and public safety. In 2004, the Legislature cancelled the presidential primary when the State was in a similarly challenging economic climate and only the Democrats had a competitive presidential nomination race. The State saved approximately \$7 million due to cancelling that primary. Today, we have the ability to save the State \$10 million if we cancelled the 2012 single-party primary.

The February 28th date set for the presidential primary in this bill is in violation of the Republican National Committee’s primary schedule which will result in Michigan delegates being disenfranchised at the national nominating convention. Therefore, the closed Republican presidential primary amounts to nothing more than a straw poll that will waste \$10 million of the taxpayer’s money.

For these reasons, I voted ‘no’ on Senate Bill 584 today. I also voted ‘no’ on granting Immediate Effect to Senate Bill 584.”

Introduction of Bills

Rep. Stapleton introduced

House Bill No. 5019, entitled

A bill to amend 1976 PA 451, entitled “The revised school code,” by amending section 1502 (MCL 380.1502), as amended by 1993 PA 335.

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

Rep. Farrington introduced

House Bill No. 5020, entitled

A bill to amend 1961 PA 236, entitled “Revised judicature act of 1961,” by amending sections 3204 and 3212 (MCL 600.3204 and 600.3212), section 3204 as amended by 2011 PA 72 and section 3212 as amended by 2004 PA 186.

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

Rep. Farrington introduced

House Bill No. 5021, entitled

A bill to amend 1961 PA 236, entitled “Revised judicature act of 1961,” by amending section 3240 (MCL 600.3240), as amended by 2010 PA 303.

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

Rep. Farrington introduced

House Bill No. 5022, entitled

A bill to amend 1961 PA 236, entitled “Revised judicature act of 1961,” by amending section 3240 (MCL 600.3240), as amended by 2010 PA 303.

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

Reps. Lyons, Pscholka, Haveman, Daley, Walsh, Price, McMillin, Poleski, Lund, Bumstead, Gilbert, Wayne Schmidt and Yonker introduced

House Bill No. 5023, entitled

A bill to amend 1947 PA 336, entitled “An act to prohibit strikes by certain public employees; to provide review from disciplinary action with respect thereto; to provide for the mediation of grievances and the holding of elections; to declare

and protect the rights and privileges of public employees; to require certain provisions in collective bargaining agreements; and to prescribe means of enforcement and penalties for the violation of the provisions of this act,” by amending section 2 (MCL 423.202), as amended by 1994 PA 112, and by adding section 2b.

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

Reps. McMillin, Price, Shirkey, Haveman and Lyons introduced

House Bill No. 5024, entitled

A bill to amend 1939 PA 176, entitled “An act to create a commission relative to labor disputes, and to prescribe its powers and duties; to provide for the mediation and arbitration of labor disputes, and the holding of elections thereon; to regulate the conduct of parties to labor disputes and to require the parties to follow certain procedures; to regulate and limit the right to strike and picket; to protect the rights and privileges of employees, including the right to organize and engage in lawful concerted activities; to protect the rights and privileges of employers; to make certain acts unlawful; and to prescribe means of enforcement and penalties for violations of this act,” by amending section 9f (MCL 423.9f).

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

Reps. Poleski, Shaughnessy, Shirkey, McMillin, Agema, Lyons, Kowall, Price and Haines introduced

House Bill No. 5025, 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 7 (MCL 408.477), as amended by 1995 PA 278.

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

Reps. Price, Haveman, Shirkey, Walsh, Jacobsen and Lyons introduced

House Bill No. 5026, entitled

A bill to amend 1962 PA 150, entitled “An act relating to solicitations for employment; to prohibit recruitment of or advertising for employees to take the place of employees engaged in a labor dispute without stating that the employment offered is in place of employees involved in a labor dispute; to prohibit the importation of strikebreakers; and to provide penalties for violations of this act,” by amending the title and by repealing section 3a (MCL 423.253a).

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

Rep. Lindberg introduced

House Bill No. 5027, entitled

A bill to amend 2006 PA 110, entitled “Michigan zoning enabling act,” (MCL 125.3101 to 125.3702) by adding section 205a.

The bill was read a first time by its title and referred to the Committee on Local, Intergovernmental, and Regional Affairs.

Rep. Kandreas introduced

House Bill No. 5028, entitled

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” by amending sections 81101, 81134, 81136, 81137, 81140, 81141, and 81144 (MCL 324.81101, 324.81134, 324.81136, 324.81137, 324.81140, 324.81141, and 324.81144), section 81101 as amended by 2009 PA 200, section 81134 as amended by 2001 PA 12, sections 81136 and 81141 as amended by 1996 PA 175, and sections 81137, 81140, and 81144 as added by 1995 PA 58, and by adding section 81140b; and to repeal acts and parts of acts.

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

Rep. Kandreas introduced

House Bill No. 5029, entitled

A bill to amend 1927 PA 175, entitled “The code of criminal procedure,” by amending section 13g of chapter XVII (MCL 777.13g), as amended by 2003 PA 232.

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

Reps. Haveman, Wayne Schmidt, Bumstead, Hughes, Gilbert, Walsh, Lyons, O'Brien, Price, MacGregor, Somerville, McMillin, Denby, Foster, Hooker, Yonker, Shirkey, Tyler, Genetski, Glardon, Lund, Rendon, Huuki, Agema, MacMaster, Kowall, Poleski, Jenkins, Lori, Cotter and Moss introduced

House Bill No. 5030, entitled

A bill to amend 1974 PA 154, entitled "Michigan occupational safety and health act," (MCL 408.1001 to 408.1094) by adding section 13a.

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

Rep. Gilbert introduced

House Bill No. 5031, entitled

A bill to amend 1893 PA 206, entitled "The general property tax act," by amending section 34c (MCL 211.34c), as amended by 2006 PA 646.

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

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 Wednesday, September 28:

House Bill Nos.	5007	5008	5009	5010	5011	5012	5013	5014	5015	5016	5017	5018
Senate Bill Nos.	709	710										

The Clerk announced that the following Senate bills had been received on Wednesday, September 28:

Senate Bill Nos.	650	654	655	660	669	671	672	674	677	679	680
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Messages from the Senate

House Bill No. 4915, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 5522 (MCL 324.5522), as amended by 2007 PA 75.

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

The House agreed to the full title.

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

House Bill No. 4951, entitled

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," by amending section 651 (MCL 206.651), as added by 2011 PA 38.

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

The House agreed to the full title.

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

House Bill No. 4952, entitled

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," by amending section 510 (MCL 206.510), as amended by 2011 PA 38.

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

The House agreed to the full title.

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

House Bill No. 4953, entitled

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," by amending section 603 (MCL 206.603), as added by 2011 PA 38.

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

The House agreed to the full title.

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

House Bill No. 4954, entitled

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," by amending section 251 (MCL 206.251), as amended by 2011 PA 38.

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

The House agreed to the full title.

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

House Bill No. 4955, entitled

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," by amending section 625 (MCL 206.625), as added by 2011 PA 38.

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

The House agreed to the full title.

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

House Bill No. 4956, entitled

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," by amending section 609 (MCL 206.609), as added by 2011 PA 38.

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

The House agreed to the full title.

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

House Bill No. 4957, entitled

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," by amending section 508 (MCL 206.508), as amended by 2011 PA 38.

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

The House agreed to the full title.

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

House Bill No. 4958, entitled

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," by amending section 115 (MCL 206.115), as amended by 2011 PA 38.

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

The House agreed to the full title.

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

House Bill No. 4964, entitled

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," by amending section 605 (MCL 206.605), as added by 2011 PA 38.

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

The House agreed to the full title.

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

House Bill No. 4967, entitled

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," (MCL 206.1 to 206.713) by adding section 673.

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

The House agreed to the full title.

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

House Bill No. 4968, entitled

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," by amending section 607 (MCL 206.607), as added by 2011 PA 38.

The Senate has substituted (S-1) the bill.

The Senate has passed the bill as substituted (S-1), ordered that it be given immediate effect and pursuant to Joint Rule 20, inserted the full title.

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

Senate Bill No. 650, entitled

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," by amending section 653 (MCL 206.653), as added by 2011 PA 38.

The Senate has passed the bill.

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

Senate Bill No. 654, entitled

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," by amending section 685 (MCL 206.685), as added by 2011 PA 38.

The Senate has passed the bill.

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

Senate Bill No. 655, entitled

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," by amending section 671 (MCL 206.671), as added by 2011 PA 38.

The Senate has passed the bill.

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

Senate Bill No. 660, entitled

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," by amending section 681 (MCL 206.681), as added by 2011 PA 38.

The Senate has passed the bill.

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

Senate Bill No. 669, entitled

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," by amending section 621 (MCL 206.621), as added by 2011 PA 38.

The Senate has passed the bill.

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

Senate Bill No. 671, entitled

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," by amending section 667 (MCL 206.667), as added by 2011 PA 38.

The Senate has passed the bill.

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

Senate Bill No. 672, entitled

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," by amending section 683 (MCL 206.683), as added by 2011 PA 38.

The Senate has passed the bill.

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

Senate Bill No. 674, entitled

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," by amending section 661 (MCL 206.661), as added by 2011 PA 38.

The Senate has passed the bill.

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

Senate Bill No. 677, entitled

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," by amending section 705 (MCL 206.705), as added by 2011 PA 38.

The Senate has passed the bill.

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

Senate Bill No. 679, entitled

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," by amending section 711 (MCL 206.711), as added by 2011 PA 38.

The Senate has passed the bill.

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

Senate Bill No. 680, entitled

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," by amending section 701 (MCL 206.701), as added by 2011 PA 38.

The Senate has passed the bill.

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

Rep. Hooker moved that the House adjourn.

The motion prevailed, the time being 3:55 p.m.

Associate Speaker Pro Tempore Opsommer declared the House adjourned until Tuesday, October 4, at 1:30 p.m.

GARY L. RANDALL
Clerk of the House of Representatives

