

**No. 51**  
**STATE OF MICHIGAN**  
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**OF THE**  
**House of Representatives**  
**96th Legislature**  
**REGULAR SESSION OF 2011**

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House Chamber, Lansing, Wednesday, June 1, 2011.

10:00 a.m.

The House was called to order by the Speaker.

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

Agema—present	Gilbert—present	Lipton—present	Pscholka—present
Ananich—present	Glardon—present	Liss—present	Rendon—present
Barnett—present	Goike—present	Lori—present	Rogers—present
Bauer—present	Haines—present	Lund—present	Rutledge—present
Bledsoe—present	Hammel—present	Lyons—present	Santana—present
Bolger—present	Haugh—excused	MacGregor—present	Schmidt, R.—present
Brown—present	Haveman—present	MacMaster—present	Schmidt, W.—present
Brunner—present	Heise—present	McBroom—present	Scott—present
Bumstead—present	Hobbs—present	McCann—present	Segal—present
Byrum—present	Hooker—present	McMillin—present	Shaughnessy—present
Callton—present	Horn—present	Meadows—present	Shirkey—present
Cavanagh—present	Hovey-Wright—present	Melton—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	Lindberg—present		

e/d/s = entered during session

Rep. Peter MacGregor, from the 73rd District, offered the following invocation:

“Dear Lord,

We come together to ask for Your guidance as we govern our great state & country, which You have so richly blessed. We pray that You will work in all of us as we decipher Your good and perfect will. As we work towards Your will, may we seek peaceful solutions with respect and patience. May our trust always be in You and may we acknowledge You for all good things. We thank You for giving us the opportunity to be Your servants and we pray for all of our leaders, that they may be granted Your strength and wisdom.

In Jesus name,  
Amen.”

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

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The Speaker called the Speaker Pro Tempore to the Chair.

### Second Reading of Bills

#### House Bill No. 4452, entitled

A bill to amend 1936 (Ex Sess) PA 1, entitled “Michigan employment security act,” by amending section 27 (MCL 421.27), as amended by 2010 PA 322.

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

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

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

The motion prevailed.

#### Senate Bill No. 159, entitled

A bill to amend 1965 PA 213, entitled “An act to provide for setting aside the conviction in certain criminal cases; to provide for the effect of such action; to provide for the retention of certain nonpublic records and their use; to prescribe the powers and duties of certain public agencies and officers; and to prescribe penalties,” by amending section 1 (MCL 780.621), as amended by 2002 PA 472.

The bill was read a second time.

Rep. Walsh moved to amend the bill as follows:

1. Amend page 2, line 4, after “section” by inserting “**145C, 145D**,”.
2. Amend page 2, line 5, after “MCL” by inserting “**750.145C, 750.145D**,”.

The motion prevailed and the amendments were 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.

By unanimous consent the House returned to the order of

### Third Reading of Bills

#### House Bill No. 4623, entitled

A bill to amend 1964 PA 284, entitled “City income tax act,” by amending sections 3 and 3c of chapter 1 (MCL 141.503 and 141.503c), section 3 as amended by 2007 PA 209 and section 3c as amended by 1998 PA 500.

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

**Roll Call No. 157****Yeas—56**

Ananich	Geiss	Lipton	Segal
Barnett	Gilbert	Liss	Slavens
Bauer	Hammel	Lund	Smiley
Bledsoe	Haveman	McCann	Stallworth
Bolger	Hobbs	Meadows	Stamas
Brown	Horn	Melton	Stanley
Brunner	Hovey-Wright	Nathan	Stapleton
Byrum	Howze	Oakes	Switalski
Cavanagh	Irwin	Olumba	Talabi
Clemente	Jackson	Opsommer	Tlaib
Constan	Kandrevas	Rutledge	Townsend
Darany	Lane	Santana	Walsh
Dillon	LeBlanc	Schmidt, R.	Womack
Durhal	Lindberg	Schmidt, W.	Yonker

**Nays—53**

Agema	Goike	Lori	Pettalia
Bumstead	Haines	Lyons	Poleski
Callton	Heise	MacGregor	Potvin
Cotter	Hooker	MacMaster	Price
Crawford	Hughes	McBroom	Pscholka
Daley	Huuki	McMillin	Rendon
Damrow	Jacobsen	Moss	Rogers
Denby	Jenkins	Muxlow	Scott
Farrington	Johnson	Nesbitt	Shaughnessy
Forlini	Knollenberg	O'Brien	Shirkey
Foster	Kowall	Olson	Somerville
Franz	Kurtz	Ouimet	Tyler
Genetski	LaFontaine	Outman	Zorn
Gardon			

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.

**House Bill No. 4624, entitled**

A bill to amend 1990 PA 100, entitled "City utility users tax act," by amending the title and section 2 (MCL 141.1152), the title as amended by 1998 PA 548 and section 2 as amended by 2005 PA 197.

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

**Roll Call No. 158****Yeas—57**

Ananich	Gilbert	Liss	Segal
Barnett	Hammel	Lund	Slavens
Bauer	Haveman	McCann	Smiley
Bledsoe	Hobbs	Meadows	Stallworth
Bolger	Horn	Melton	Stamas
Brown	Hovey-Wright	Nathan	Stanley
Brunner	Howze	Oakes	Stapleton

Byrum	Irwin	Olumba	Switalski
Cavanagh	Jackson	Opsommer	Talabi
Clemente	Kandrevas	Pettalia	Tlaib
Constan	Lane	Rutledge	Townsend
Darany	LeBlanc	Santana	Walsh
Dillon	Lindberg	Schmidt, R.	Womack
Durhal	Lipton	Schmidt, W.	Yonker
Geiss			

### Nays—52

Agema	Glardon	LaFontaine	Outman
Bumstead	Goike	Lori	Poleski
Callton	Haines	Lyons	Potvin
Cotter	Heise	MacGregor	Price
Crawford	Hooker	MacMaster	Pscholka
Daley	Hughes	McBroom	Rendon
Damrow	Huuki	McMillin	Rogers
Denby	Jacobsen	Moss	Scott
Farrington	Jenkins	Muxlow	Shaughnessy
Forlini	Johnson	Nesbitt	Shirkey
Foster	Knollenberg	O'Brien	Somerville
Franz	Kowall	Olson	Tyler
Genetski	Kurtz	Ouimet	Zorn

In The Chair: Walsh

The House agreed to the title of the bill.

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

### Motions and Resolutions

Rep. Stamas moved that when the House adjourns today it stand adjourned until Tuesday, June 7, at 1:30 p.m.  
The motion prevailed.

### Announcement by the Clerk of Printing and Enrollment

The Clerk announced the enrollment printing and presentation to the Governor on Tuesday, May 31, for his approval of the following bill:

**Enrolled House Bill No. 4314 at 3:38 p.m.**

The Clerk announced that the following bills had been printed and placed upon the files of the members on Wednesday, June 1:

<b>House Bill Nos.</b>	<b>4687</b>	<b>4688</b>	<b>4689</b>	<b>4690</b>	<b>4691</b>	<b>4692</b>	<b>4693</b>	<b>4694</b>	<b>4695</b>	<b>4696</b>	<b>4697</b>	<b>4698</b>	<b>4699</b>	<b>4700</b>
	<b>4701</b>	<b>4702</b>												
<b>Senate Bill No.</b>	<b>400</b>													

The Clerk announced that the following Senate bills had been received on Wednesday, June 1:

**Senate Bill Nos. 331 383**

### Messages from the Senate

**House Bill No. 4167, entitled**

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 12e of chapter XVII (MCL 777.12e), as amended by 2008 PA 297.

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. 4168, entitled**

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 601b (MCL 257.601b), as amended by 2008 PA 296.

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. 4231, entitled**

A bill to amend 1998 PA 386, entitled "Estates and protected individuals code," (MCL 700.1101 to 700.8206) by adding section 5109.

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. 331, entitled**

A bill to amend 1998 PA 58, entitled "Michigan liquor control code of 1998," by amending section 229 (MCL 436.1229), as amended by 2005 PA 288; and to repeal acts and parts of acts.

The Senate has passed the bill.

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

**Senate Bill No. 383, entitled**

A bill to amend 2007 PA 36, entitled "Michigan business tax act," by amending sections 455, 457, and 459 (MCL 208.1455, 208.1457, and 208.1459), section 455 as amended by 2010 PA 312, section 457 as added by 2008 PA 86, and section 459 as added by 2008 PA 74.

The Senate has passed the bill.

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

### Introduction of Bills

Rep. Scott introduced

**House Bill No. 4703, entitled**

A bill to amend 1953 PA 232, entitled "Corrections code of 1953," by amending section 36 (MCL 791.236), as amended by 2008 PA 191.

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

Rep. Scott introduced

**House Bill No. 4704, entitled**

A bill to amend 1953 PA 232, entitled "Corrections code of 1953," by amending section 35 (MCL 791.235), as amended by 1998 PA 315.

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

Rep. Lyons moved that the House adjourn.  
The motion prevailed, the time being 11:00 a.m.

The Speaker Pro Tempore declared the House adjourned until Tuesday, June 7, at 1:30 p.m.

GARY L. RANDALL  
Clerk of the House of Representatives