

**No. 59**  
**STATE OF MICHIGAN**  
**JOURNAL**  
**OF THE**  
**House of Representatives**  
**96th Legislature**  
**REGULAR SESSION OF 2011**

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House Chamber, Lansing, Wednesday, June 22, 2011.

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.

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—present	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. Rick Olson, from the 55th District, offered the following invocation:

“Let us give thanks for the simple opportunity to be alive, to live in a free country, and to serve the people of Michigan in a capacity that few people ever get to experience.

Please give us the strength and wisdom to do what is right for the people of the state of Michigan and to discuss the serious issues of the day in a civil fashion even when we may disagree.

Help us represent the general interest of the people in this great state of Michigan, and neither the special interests that constantly tuck on our shirt sleeves nor purely partisan positions.

Let us go forth to do our duties to the best of our individual and collective abilities. Amen.”

### Motions and Resolutions

Reps. McBroom, Rendon, Daley, Goike, Outman, Kurtz, Nesbitt, Johnson, Denby, LaFontaine, Glardon, Segal, Santana, Talabi, Ananich, Cavanagh, Hovey-Wright, Oakes, Brunner, Smiley, Byrum, Barnett, Constan, Crawford, Darany, Heise, Horn, Huuki, Kandrevas, LeBlanc, Lindberg, Liss, Poleski, Slavens and Tyler offered the following resolution:

#### **House Resolution No. 104.**

A resolution to declare June 22, 2011, as Dairy Foods Awareness Day in the state of Michigan.

Whereas, The mission of the Michigan Dairy Foods Association is to support and promote activities designed to improve and maintain the general well-being of the dairy processing industry; and

Whereas, The Michigan Dairy Foods Association is a trade and membership service organization representing all aspects of the dairy processing industry in Michigan. The association’s primary purposes are to assure that a strong environment exists for the creation and maintenance of sound public policy as it relates to all aspects of the dairy processing industry in Michigan, to enhance the position, prestige, and competitive ability of the association’s members, and to provide educational programs to enhance members’ abilities to process and market fine dairy products, packaged waters, and juices in Michigan and throughout the world; and

Whereas, Dairy Foods Awareness Day was established by the Michigan Dairy Foods Association to demonstrate the importance of the dairy processing industry in Michigan and to promote the 3-A-Day concept of three servings of calcium-rich dairy products per day, which helps ensure a healthy diet. We salute the people of the Michigan Dairy Foods Association for their efforts to expand our awareness and knowledge of the dairy processing industry; now, therefore, be it

Resolved by the House of Representatives, That the members of this legislative body declare June 22, 2011, as Dairy Foods Awareness Day in the state of Michigan; and be it further

Resolved, That a copy of this resolution be transmitted to the organizers of Dairy Foods Awareness Day as evidence of our esteem.

The question being on the adoption of the resolution,

The resolution was adopted.

Reps. Foster, Hughes, Price, Barnett, Constan, Crawford, Darany, Denby, Heise, Horn, Huuki, Kandrevas, LeBlanc, Lindberg, Liss, Poleski, Slavens and Tyler offered the following resolution:

#### **House Resolution No. 105.**

A resolution to declare August 2011 as Camping and Recreational Vehicle Month in the state of Michigan.

Whereas, Michigan has been welcoming campers to its woodlands, freshwater shoreline and inland lakes and streams in two distinct peninsulas, nestled in the middle of the Great Lakes region, for generations; and

Whereas, Michigan has more than 950 licensed private recreational vehicle parks and campgrounds, with more than 111,000 licensed camp sites, and more than 160 county or government operated campgrounds with over 14,700 sites from rustic to full-service around the state; and

Whereas, Michigan is home to 98 state parks and recreation areas and 133 state forest campgrounds under the auspices of the Michigan Department of Natural Resources, as well as 7 forests, parks, and lakeshores in Michigan under the jurisdiction of the U.S. Forest Service, collectively offering 15,000 sites on state and federal lands designated for camping; and

Whereas, Camping is a key contributor to the state’s overall tourism industry of more than \$17 billion dollars, offering a true “Pure Michigan” experience; and

Whereas, Camping also encourages visitors and locals alike to partake in activities such as boating, fishing, hunting, snowmobiling, paddling, pedaling, geocaching, nature watching, photography, and other outdoor activities, which also highlight Michigan’s great outdoors; and

Whereas, Michigan boasts two non-profit organizations, the Association of RV Parks and Campgrounds of Michigan and the Michigan Association of Recreational Vehicles and Campgrounds, which equally promote and support private campground and RV parks throughout the state particularly by the distribution of hundreds of thousands of free camping directories at RV and outdoor shows, at statewide chambers of commerce, libraries, lawmakers offices, RV sales businesses, campgrounds and Michigan Travel Information Centers; now, therefore, be it

Resolved by the House of Representatives, That the members of this legislative body declare August 2011 as Camping and Recreational Vehicle Month in the state of Michigan. We encourage all citizens to take advantage of our great state's array of sun, freshwater coastline, woodlands, soft breezes and fresh air where the temperate climate allows for great camping and outdoor recreation.

The question being on the adoption of the resolution,

The resolution was adopted.

### Reports of Standing Committees

The Committee on Oversight, Reform, and Ethics, by Rep. McMillin, Chair, reported

#### **House Bill No. 4458, entitled**

A bill to amend 1978 PA 566, entitled "An act to encourage the faithful performance of official duties by certain public officers and public employees; to prescribe standards of conduct for certain public officers and public employees; to prohibit the holding of incompatible public offices; and to provide certain judicial remedies," by amending section 3 (MCL 15.183), as amended by 2009 PA 210.

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. McMillin, Jacobsen, Denby, Price and Bledsoe

Nays: None

The Committee on Oversight, Reform, and Ethics, by Rep. McMillin, Chair, reported

#### **House Bill No. 4572, entitled**

A bill to limit a public employer's expenditures for health insurance benefits; and to provide for exceptions.

With the recommendation that the substitute (H-7) 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, Jacobsen, Denby and Price

Nays: Rep. Bledsoe

The Committee on Oversight, Reform, and Ethics, by Rep. McMillin, Chair, reported

#### **House Bill No. 4770, entitled**

A bill to prohibit public employers from providing certain benefits to public employees.

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. McMillin, Jacobsen, Denby and Price

Nays: Reps. Bledsoe and Brown

The Committee on Oversight, Reform, and Ethics, by Rep. McMillin, Chair, reported  
**House Bill No. 4771, 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; and to prescribe means of enforcement and penalties for the violation of the provisions of this act," by amending section 15 (MCL 423.215), as amended by 2011 PA 25.

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, Jacobsen, Denby and Price

Nays: Reps. Bledsoe and Brown

The Committee on Oversight, Reform, and Ethics, by Rep. McMillin, Chair, reported

**Senate Joint Resolution C, entitled**

A joint resolution proposing an amendment to the state constitution of 1963, by adding section 9 to article XI, to provide for establishing uniform cost allocation requirements for health benefits for public employers.

With the recommendation that the substitute (H-2) be adopted and that the joint resolution then be adopted.

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

#### Favorable Roll Call

To Report Out:

Yeas: Reps. McMillin, Jacobsen, Denby and Price

Nays: Rep. Bledsoe

#### COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Tuesday, June 21, 2011

Present: Reps. McMillin, Jacobsen, Denby, Price, Bledsoe and Brown

The Committee on Local, Intergovernmental, and Regional Affairs, by Rep. Ouimet, Chair, reported

**House Bill No. 4716, entitled**

A bill to amend 1909 PA 279, entitled "The home rule city act," by amending section 36a (MCL 117.36a), as amended by 2011 PA 36.

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. Ouimet, Pettalia, Crawford, Daley, Hughes, LaFontaine, Price, Shaughnessy, Rendon, Stanley, Constan, Townsend, Rutledge and Lane

Nays: None

#### COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Ouimet, Chair, of the Committee on Local, Intergovernmental, and Regional Affairs, was received and read:

Meeting held on: Tuesday, June 21, 2011

Present: Reps. Ouimet, Pettalia, Crawford, Daley, Hughes, LaFontaine, Price, Shaughnessy, Rendon, Stanley, Constan, Townsend, Stapleton, Rutledge and Lane

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

**Senate Bill No. 398, entitled**

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending sections 3204 and 3205e (MCL 600.3204 and 600.3205e), section 3204 as amended by 2009 PA 29 and section 3205e as added by 2009 PA 31.

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, June 22, 2011

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

The Committee on Agriculture, by Rep. Daley, Chair, reported

**House Bill No. 4567, entitled**

A bill to amend 1988 PA 466, entitled "Animal industry act," (MCL 287.701 to 287.746) by adding section 26a.

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. Daley, Denby, Kurtz, Tyler, Glardon, Johnson, LaFontaine, McBroom, Rendon, Santana, Brunner, Talabi, Hovey-Wright and Segal

Nays: None

The Committee on Agriculture, by Rep. Daley, Chair, reported

**Senate Bill No. 46, entitled**

A bill to amend 2006 PA 110, entitled "Michigan zoning enabling act," (MCL 125.3101 to 125.3702) by adding section 513.

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. Daley, Denby, Kurtz, Tyler, Glardon, Johnson, LaFontaine, McBroom, Rendon, Santana, Brunner, Talabi, Hovey-Wright and Segal

Nays: None

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Wednesday, June 22, 2011

Present: Reps. Daley, Denby, Kurtz, Tyler, Glardon, Johnson, LaFontaine, McBroom, Rendon, Santana, Brunner, Talabi, Hovey-Wright and Segal

Absent: Reps. Outman and Oakes

Excused: Reps. Outman and Oakes

The Committee on Education, by Rep. Scott, Chair, reported

**House Bill No. 4700, entitled**

A bill to amend 1976 PA 451, entitled "The revised school code," (MCL 380.1 to 380.1852) by adding section 1255a. With the recommendation that the substitute (H-3) 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. Scott, Hooker, Crawford, McMillin, Franz, Heise, Hughes, Nesbitt, O'Brien, Price, Shaughnessy, Yonker, Darany and Rutledge

Nays: None

The Committee on Education, by Rep. Scott, Chair, reported

**House Bill No. 4752, entitled**

A bill to amend 2007 PA 106, entitled "Public employees health benefit act," by amending sections 5 and 15 (MCL 124.75 and 124.85).

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. Scott, Hooker, Crawford, McMillin, Franz, Heise, Hughes, Nesbitt, O'Brien, Price, Shaughnessy, Yonker, Darany and Rutledge

Nays: None

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Wednesday, June 22, 2011

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

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

**House Bill No. 4744, entitled**

A bill to amend 1998 PA 58, entitled "Michigan liquor control code of 1998," (MCL 436.1101 to 436.2303) by adding section 513a.

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. Crawford, Yonker, Opsommer, Daley, Stamas, Shirkey, Franz, McBroom, Rendon, Melton, Haugh, Byrum, Slavens and Womack

Nays: Rep. McMillin

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

**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.

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. Crawford, Yonker, Opsommer, Daley, Stamas, Shirkey, Franz, McBroom, Rendon, Melton and Haugh  
Nays: Reps. McMillin and Womack

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

**House Resolution No. 96.**

A resolution to memorialize Congress to modernize the Toxic Substances Control Act (TSCA).

(For text of resolution, see House Journal No. 50, p. 1340.)

With the recommendation that the resolution be adopted.

## Favorable Roll Call

## To Report Out:

Yeas: Reps. Crawford, Yonker, Opsommer, Daley, Stamas, Shirkey, Franz, McBroom, Rendon, Melton, Haugh and Womack

Nays: None

## COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Wednesday, June 22, 2011

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

The Committee on Government Operations, by Rep. Stamas, Chair, reported

**House Bill No. 4792, entitled**

A bill to amend 1957 PA 261, entitled "Michigan legislative retirement system act," by amending section 63 (MCL 38.1063), as amended by 2002 PA 97.

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. Stamas, Nesbitt, McMillin, Barnett and Kandrevas

Nays: None

## COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Wednesday, June 22, 2011

Present: Reps. Stamas, Nesbitt, McMillin, Barnett and Kandrevas

The Committee on Commerce, by Rep. Wayne Schmidt, Chair, reported

**House Bill No. 4759, entitled**

A bill to amend 2005 PA 210, entitled "Commercial rehabilitation act," by amending section 2 (MCL 207.842), as amended by 2008 PA 500.

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. Wayne Schmidt, Tyler, Gilbert, Knollenberg, Denby, Lund, Shirkey, Farrington, Glardon, Shaughnessy, Somerville, Zorn, Switalski, Bledsoe, Haugh, Barnett, Clemente, Melton and Olumba

Nays: None

The Committee on Commerce, by Rep. Wayne Schmidt, Chair, reported

**House Bill No. 4781, 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 2011 PA 14.

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. Wayne Schmidt, Tyler, Gilbert, Knollenberg, Denby, Lund, Shirkey, Farrington, Glardon, Shaughnessy, Somerville and Zorn

Nays: Reps. Switalski, Bledsoe, Haugh, Barnett, Clemente, Melton and Olumba

The Committee on Commerce, by Rep. Wayne Schmidt, Chair, reported

**House Bill No. 4782, entitled**

A bill to amend 1936 (Ex Sess) PA 1, entitled "Michigan employment security act," by amending section 29 (MCL 421.29), as amended by 2008 PA 480.

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. Wayne Schmidt, Tyler, Gilbert, Knollenberg, Denby, Lund, Shirkey, Farrington, Glardon, Shaughnessy, Somerville and Zorn

Nays: Reps. Switalski, Bledsoe, Haugh, Barnett, Clemente, Melton and Olumba

The Committee on Commerce, by Rep. Wayne Schmidt, Chair, reported

**House Bill No. 4788, entitled**

A bill 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.

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. Wayne Schmidt, Tyler, Gilbert, Knollenberg, Denby, Lund, Farrington, Glardon, Shaughnessy, Somerville, Zorn, Switalski, Haugh, Barnett, Clemente and Melton

Nays: Rep. Shirkey



## COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Wednesday, June 22, 2011

Present: Reps. Wayne Schmidt, Tyler, Gilbert, Knollenberg, Denby, Lund, Shirkey, Farrington, Glardon, Shaughnessy, Somerville, Zorn, Switalski, Bledsoe, Haugh, Barnett, Clemente, Melton and Olumba

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

**House Bill No. 4731, entitled**

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending section 321 (MCL 600.321), as amended by 2007 PA 64.

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

Nays: Rep. Dillon

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

**House Bill No. 4734, entitled**

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 20161 (MCL 333.20161), as amended by 2008 PA 277.

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

Nays: None

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

**House Bill No. 4747, entitled**

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 819 (MCL 257.819), as amended by 2009 PA 137.

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. Moss, Haveman, Agema, Genetski, Kowall, Lori, Rogers, Bumstead, Cotter, Forlini, Goike, Jenkins, MacGregor, MacMaster, Poleski, Pscholka and Potvin

Nays: Reps. LeBlanc, Bauer, Durhal and Lindberg

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

**House Bill No. 4748, entitled**

A bill to amend 1987 PA 231, entitled "An act to create a transportation economic development fund in the state treasury; to prescribe the uses of and distributions from this fund; to create the office of economic development and to prescribe its powers and duties; to prescribe the powers and duties of the state transportation department, state transportation commission, and certain other bodies; and to permit the issuance of certain bonds," by amending section 11 (MCL 247.911), as amended by 2009 PA 136.

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

1. Amend page 3, line 12, by striking out "600,000" and inserting "**650,000**".
2. Amend page 3, line 13, after "to" by striking out "600,000" and inserting "**650,000**".

The bill and amendments 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 and Potvin

Nays: Reps. Durhal and Lindberg

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

**House Bill No. 4775, entitled**

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 60101, 60102, 60104, 60105, 60106, 60107, and 60108 (MCL 324.60101, 324.60102, 324.60104, 324.60105, 324.60106, 324.60107, and 324.60108), as added by 1995 PA 57; and to repeal acts and parts of acts.

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

Nays: None

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

**House Bill No. 4787, entitled**

A bill to amend 1986 PA 32, entitled "Emergency 9-1-1 service enabling act," by amending section 408 (MCL 484.1408), as amended by 2010 PA 284.

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

Nays: None

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

**Senate Bill No. 138, 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, LeBlanc, Ananich, Bauer, Dillon, Durhal and McCann

Nays: Reps. Potvin and Tlaib

## COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Wednesday, June 22, 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, Lindberg, Lipton, McCann and Tlaib

Absent: Rep. Jackson

Excused: Rep. Jackson

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The Speaker called the Speaker Pro Tempore to the Chair.

The Speaker laid before the House

**House Resolution No. 96.**

A resolution to memorialize Congress to modernize the Toxic Substances Control Act (TSCA).

(For text of resolution, see House Journal No. 50, p. 1340.)

(The resolution was reported by the Committee on Regulatory Reform on June 22.)

The question being on the adoption of the resolution,

The resolution was adopted.

Rep. Barnett moved that her name be removed as co-sponsor of the resolution.

The motion prevailed.

**Messages from the Governor**

The following line items veto from the Governor was received and read:

Executive Office, Lansing, June 21, 2011

Michigan House of Representatives

State Capitol

Lansing, MI 48909-7536

Ladies and Gentlemen:

Today I have signed **Enrolled House Bill 4526**, which makes appropriations for various departments and agencies, the judicial branch and the legislative branch for the fiscal year ending September 30, 2012. I have, however, disapproved items pursuant to Section 19 of Article V of the Michigan Constitution of 1963. The specific vetoes are detailed in the attached copy of the bill that has been filed with the Secretary of State.

I have disapproved the following appropriations:

- Precollege engineering appropriation contained in section 1053 (Article VIII), within the Department of Treasury, Michigan Strategic Fund. This proposed appropriation deviates from my original fiscal year 2012 spending recommendation that eliminated state funding, as these programs are available in only two locations in the state and receive support from other contributors.
- Special adoption subsidy proposed appropriation of \$4,250,000 contained in section 556(2) (Article X), within the Department of Human Services. I object to this item for several reasons. Federal regulations prohibit an adoption subsidy rate that exceeds the rate paid while the child is in foster care; this policy would, therefore, create ongoing obligations at 100 percent general fund cost. In fact, the general fund burden will increase each year as additional children are adopted, since children can receive adoption subsidies until age 19. Furthermore, the revenue used to create the special subsidy for fiscal year 2012 is only available on a one-time basis.

- Study of mental health illnesses in juvenile justice facilities contained in section 717 (Article X). requiring the Department of Human Services to expend funds for a contract with the Michigan Public Health Institute. I disapprove of this item as it requires the department to contract with a specific vendor.
- Surface mining industry proposed appropriation of \$80,000 contained in section 342 (Article XII), within the Department of Licensing and Regulatory Affairs. I disapprove of this item as it singles out a specific industry for preferential treatment.

In providing direction to departments in implementing appropriations contained in Enrolled House Bill 4526, I note the following:

- To the extent the following boilerplate sections modify or amend the provisions of existing statutes, these sections are in contravention of Section 25 of Article IV of the Michigan Constitution of 1963 and unenforceable: section 803 (Article I); section 927 (Article V); section 943 (Article VIII); section 727 (Article XII); section 218 (Article XIII); and section 218 (Article XVI).
- To the extent the following boilerplate sections impose conditions with no appropriations included in part 1 of the related Article, the provisions appear to be outside the scope of the title and object of Enrolled House Bill 4526 and are in contravention of Section 24 of Article IV of the Michigan Constitution of 1963 and unenforceable: section 804 (Article I) and section 927 (Article V).

Enrolled House Bill 4526 also contains numerous boilerplate sections that include statements of legislative intent. We will take these legislative preferences into consideration as departments and agencies implement the appropriations. However, these legislative intent statements do not impose conditions on appropriations and are non-binding upon departments and agencies implementing the appropriations.

I thank the Legislature for adopting this omnibus appropriation bill and for presenting Enrolled House Bill 4526 less than four months from the date I originally outlined my spending plan. Much has been achieved in a very short time and I commend the Legislature on its work. I look forward to continued cooperation as we move forward with Michigan's reinvention.

Respectfully,  
Rick Snyder  
Governor

The bill was signed by the Governor June 21, 2011, at 3:15 p.m.

The bill was filed with the Secretary of State June 21, 2011, at 4:02 p.m. and assigned Public Act No. 63, I.E.

The question being on the passage of the disapproved items, the objections of the Governor to the contrary notwithstanding,

Rep. Stamas moved that the disapproved line items be re-referred to the Committee on Appropriations.

The motion prevailed.

By unanimous consent the House returned to the order of

**Third Reading of Bills**

**House Bill No. 4419, entitled**

A bill to amend 1978 PA 566, entitled "An act to encourage the faithful performance of official duties by certain public officers and public employees; to prescribe standards of conduct for certain public officers and public employees; to prohibit the holding of incompatible public offices; and to provide certain judicial remedies," by amending section 3 (MCL 15.183), as amended by 2009 PA 210.

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

**Roll Call No. 208**

**Yeas—110**

Agema	Gilbert	Lipton	Pscholka
Ananich	Glardon	Liss	Rendon
Barnett	Goike	Lori	Rogers
Bauer	Haines	Lund	Rutledge
Bledsoe	Hammel	Lyons	Santana
Bolger	Haugh	MacGregor	Schmidt, R.
Brown	Haveman	MacMaster	Schmidt, W.
Brunner	Heise	McBroom	Scott
Bumstead	Hobbs	McCann	Segal
Byrum	Hooker	McMillin	Shaughnessy

Callton	Horn	Meadows	Shirkey
Cavanagh	Hovey-Wright	Melton	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	Lindberg		

**Nays—0**

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. 4394, entitled**

A bill to amend 1936 (Ex Sess) PA 1, entitled "Michigan employment security act," (MCL 421.1 to 421.75) by adding section 27c.

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

**Roll Call No. 209****Yeas—92**

Agema	Franz	Lane	Poleski
Ananich	Geiss	LeBlanc	Potvin
Barnett	Genetski	Lindberg	Price
Bauer	Gilbert	Liss	Pscholka
Bledsoe	Glardon	Lori	Rendon
Bolger	Goike	Lund	Rogers
Brown	Haines	Lyons	Rutledge
Brunner	Haugh	MacGregor	Schmidt, R.
Bumstead	Haveman	MacMaster	Schmidt, W.
Byrum	Heise	McBroom	Scott
Callton	Hooker	McCann	Segal
Cavanagh	Horn	McMillin	Shaughnessy
Clemente	Howze	Melton	Shirkey
Cotter	Hughes	Moss	Slavens
Crawford	Huuki	Muxlow	Somerville
Daley	Jacobsen	Nesbitt	Stamas
Damrow	Jenkins	O'Brien	Switalski
Darany	Johnson	Oakes	Tlaib
Denby	Kandrevas	Olson	Townsend

Dillon	Knollenberg	Opsommer	Tyler
Farrington	Kowall	Ouimet	Walsh
Forlini	Kurtz	Outman	Yonker
Foster	LaFontaine	Pettalia	Zorn

**Nays—18**

Constan	Irwin	Olumba	Stanley
Durhal	Jackson	Santana	Stapleton
Hammel	Lipton	Smiley	Talabi
Hobbs	Meadows	Stallworth	Womack
Hovey-Wright	Nathan		

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.

Reps. Damrow, Farrington, Glardon, Haines, Horn, LeBlanc, Liss, Muxlow, O'Brien, Opsommer, Price, Yonker and Zorn were named co-sponsors of the bill.

**House Bill No. 4727, entitled**

A bill to amend 1978 PA 90, entitled "Youth employment standards act," by amending section 4 (MCL 409.104), as amended by 2010 PA 221.

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

**Roll Call No. 210****Yeas—110**

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

**Nays—0**

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. 4639, entitled**

A bill to amend 1998 PA 386, entitled “Estates and protected individuals code,” by amending sections 3206 and 3209 (MCL 700.3206 and 700.3209), section 3206 as amended by 2008 PA 41 and section 3209 as added by 2006 PA 299.

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

**Roll Call No. 211****Yeas—110**

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

**Nays—0**

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. 4746, entitled**

A bill to amend 2006 PA 110, entitled "Michigan zoning enabling act," by amending section 205 (MCL 125.3205).  
The bill was read a third time.  
The question being on the passage of the bill,

Rep. Franz moved to substitute (H-3) the bill.  
The motion was seconded and the substitute (H-3) 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. 212**

**Yeas—85**

Agema	Haines	Liss	Potvin
Ananich	Hammel	Lori	Price
Bledsoe	Haugh	Lund	Pscholka
Bolger	Haveman	Lyons	Rendon
Bumstead	Heise	MacGregor	Rogers
Cavanagh	Hobbs	MacMaster	Santana
Clemente	Hooker	McBroom	Schmidt, R.
Cotter	Horn	McCann	Schmidt, W.
Crawford	Howze	McMillin	Scott
Daley	Hughes	Melton	Segal
Damrow	Huuki	Moss	Shaughnessy
Denby	Jackson	Muxlow	Shirkey
Dillon	Jacobsen	Nesbitt	Somerville
Durhal	Jenkins	O'Brien	Stallworth
Farrington	Johnson	Oakes	Stamas
Forlini	Knollenberg	Olson	Stanley
Foster	Kowall	Olumba	Stapleton
Franz	Kurtz	Opsommer	Talabi
Genetski	LaFontaine	Outman	Walsh
Gilbert	Lane	Pettalia	Yonker
Gardon	Lindberg	Poleski	Zorn
Goike			

**Nays—25**

Barnett	Darany	Lipton	Smiley
Bauer	Geiss	Meadows	Switalski
Brown	Hovey-Wright	Nathan	Tlaib
Brunner	Irwin	Ouimet	Townsend
Byrum	Kandrevas	Rutledge	Tyler
Callton	LeBlanc	Slavens	Womack
Constan			

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. 4780, entitled**

A bill to amend 1964 PA 282, entitled “An act to divide the state into 15 congressional districts; to prescribe the powers and duties of certain state departments and officers; and to repeal acts and parts of acts,” by amending the title and sections 3 and 5 (MCL 3.53 and 3.55), the title as amended and sections 3 and 5 as added by 2001 PA 115, and by adding sections 1a and 4a; and to repeal acts and parts of acts.

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

**Roll Call No. 213****Yeas—63**

Agema	Goike	Lori	Potvin
Bolger	Haines	Lund	Price
Bumstead	Haveman	Lyons	Pscholka
Callton	Heise	MacGregor	Rendon
Cotter	Hooker	MacMaster	Rogers
Crawford	Horn	McBroom	Schmidt, W.
Daley	Hughes	Moss	Scott
Damrow	Huuki	Muxlow	Shaughnessy
Denby	Jacobsen	Nesbitt	Shirkey
Farrington	Jenkins	O’Brien	Somerville
Forlini	Johnson	Olson	Stamas
Foster	Kandreas	Opsommer	Tyler
Franz	Knollenberg	Ouimet	Walsh
Geiss	Kowall	Outman	Yonker
Gilbert	Kurtz	Pettalia	Zorn
Glardon	LaFontaine	Poleski	

**Nays—47**

Ananich	Durhal	Lipton	Segal
Barnett	Genetski	Liss	Slavens
Bauer	Hammel	McCann	Smiley
Bledsoe	Haugh	McMillin	Stallworth
Brown	Hobbs	Meadows	Stanley
Brunner	Hovey-Wright	Melton	Stapleton
Byrum	Howze	Nathan	Switalski
Cavanagh	Irwin	Oakes	Talabi
Clemente	Jackson	Olumba	Tlaib
Constan	Lane	Rutledge	Townsend
Darany	LeBlanc	Santana	Womack
Dillon	Lindberg	Schmidt, R.	

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 amend 1964 PA 282, entitled “An act to divide the state into 15 congressional districts; to prescribe the powers and duties of certain state departments and officers; and to repeal acts and parts of acts,” by amending the title and sections 3 and 5 (MCL 3.53 and 3.55), the title as amended and sections 3 and 5 as added by 2001 PA 115, and by adding sections 1a and 4a.

The motion prevailed.

The House agreed to the title as amended.

Reps. Segal, Hammel, Constan, Slavens, Byrum, Bledsoe, Oakes, Hovey-Wright, Stanley, McCann, Rutledge, Dillon, Brunner and Smiley having reserved the right to explain their protest against the passage of the bill, made the following statement:

“Mr. Speaker and members of the House:

I voted ‘no’ on House Bill 4780 because, among a number of other reasons, the process leading up to passage of the bill and the plan itself violates the Voting Rights Act of 1965 and is otherwise illegal.

The Republican majority introduced House Bill 4780 on Thursday, June 16th, without any information describing the Congressional plan that is before us today. Just yesterday, HB 4780 was substituted with the actual Congressional plan. That bill is 191 pages long. Today, without giving us more than a day to analyze this bill, I have been asked to vote on it.

A number of nonpartisan organizations testified in committee yesterday asking the Republican majority to slow down this process so the public has an opportunity to weigh in on the newly-drawn lines. Democrats and the nonpartisan organizations asked for more time so a meaningful analysis of this plan can occur, an analysis that would include a thorough understanding of the implications of these new lines on Michigan’s citizens and communities, and to ensure the plan is compliant with state and federal law. The Republican majority has not provided the time, analysis, or assurance that the plan is legal.

In fact, the staff members provided by the Republican majority to testify on HB 4780 were unable to answer a number of questions about how this plan complies with state and federal law. Basic questions regarding Apol standards such as how municipal breaks will be calculated were not answered. In addition, there is not an explanation of how municipal breaks are calculated in the bill. An explanation of how municipal breaks were calculated 10 years ago under the last redistricting plan are included in law but they will now be gutted.

The Republicans also failed to answer federal law questions that are critical to determining whether the plans will pass muster under the VRA, one of our most sacred civil rights statutes representing electoral equality and democracy. Democratic members of the Redistricting and Elections Committee repeatedly asked the Republican Chair and staff members how they determined whether the percentages in the majority minority were in compliance with the VRA. The Republicans failed to answer that question. The Republican Chair and Republican staff members also failed to answer the question of whether the percentages of African American voters in the majority minority districts would provide African American voters the opportunity to elect representatives of their choice—a critical determination under the United States Supreme Court holding in *Thornburg v. Giggles* and *Bartlett v. Strickland*.

Lastly, just by looking at the Congressional plan is it obvious there are legal concerns with this gerrymandered plan. District 14, for example, snakes around Wayne and Oakland Counties in Southeastern Michigan. As was pointed out in committee by a representative of a nonpartisan organization, the oddly-shaped districts in the Congressional plan would be a concern under the holding in the United States Supreme Court holding in *Shaw v. Reno*. In that case, the opinion concluded that a citizen in a racially gerrymandered district could state a claim under the 14th Amendment if they could feasibly allege that traditional districting principles, such as respect for political subdivisions, compactness, and contiguity, had been set aside in deference to considerations of the racial makeup of the district. The opinion expressed concern over the ‘dramatically irregular’ and ‘bizarre’ shape of the districts. I express similar concerns over the bizarrely-shaped districts in the Congressional plan before us today.

Finally, the \$30,000 appropriation contained in this legislation is unacceptable because there is over \$333,000 left in the fund that we set aside last year for the costs associated with the redistricting process.

The redistricting process involves decisions that will have a long-lasting impact on our state. This should not be a partisan issue. Instead of drawing fair lines that follow community and county boundaries, this plan draws gerrymandered districts to benefit Republican incumbents and violates state and federal laws, including the Voting Rights Act. I cannot support this plan.”

Reps. Irwin, Lipton, Townsend, Lindberg, Hobbs, Barnett, Womack, Darany, Switalski, Olumba, Talabi and Howze having reserved the right to explain their protest against the passage of the bill, made the following statement:

“Mr. Speaker and members of the House:

I voted ‘no’ on House Bill 4780 because it is a partisan and gerrymandered plan. It is not a fair plan that would provide meaningful representation to the citizens of Michigan. The people of Michigan deserve Congressional districts produced by the State Legislature and signed by the Governor that will ensure fair representation in keeping with Michigan’s history of competitive districts that respect communities of interest. The people of Michigan deserve to choose their Representatives in Congress, not the other way around. This map clearly was drawn to let the Republican Representatives choose their voters.

Never before in Michigan’s history have districts zigged-zagged all over a geographic region for partisan advantage. The two Detroit districts are no longer centered in Detroit. The Voting Rights Act can be adhered to without undermining Detroit-based districts. For example, District 14 starts at the edge of River Rouge, sweeps over the Pointes, loops west to Southfield and Farmington Hills, before heading north and using a small stretch of land at Sylvan Lake to get to Pontiac. The district is over 50 miles long but at some points less than half a mile wide.

District 11, previously a Western Wayne and Western Oakland County district now starts in Canton and stretches all the way over and around Pontiac, cutting through a slice of Rochester Hills to connect to Troy before looping around to capture Birmingham and Bloomfield Hills. By taking in Farmington, it's literally only a couple of blocks wide at one point.

As a result, Oakland County, the 2nd largest county in the state, is divided into four different districts. None of the four districts are wholly contained within Oakland County—leaving the potential that not one of the four is actually represented by a member of Congress who lives in Oakland County.

The Republican map reduces the number of competitive districts. Clearly, the Republican majority created this plan solely to strengthen the partisan make-up of the Congressional Republican incumbents. By reducing competitive districts, this map disenfranchises independent voters – by making primaries the key elections and making general elections irrelevant.

Through the Apol Standards, Michigan has a tradition of respecting city and county lines in re-districting. This map ignores that tradition to seek partisan advantage for Republican incumbents.

For example, in Oakland County, the City of Farmington is an 'island' surrounded by Farmington Hills. For the first time, Republicans use a narrow path to cut through to the City of Farmington and separate it from Farmington Hills. Similarly, the City of Bloomfield Hills is separated from Bloomfield Township. Rochester Hills is split up simply to allow the Republicans to make their gerrymander contiguous.

In the space of 18 miles, a voter could go through 8 Congressional districts. Driving south from Orion in the 8th District, you then enter the 11th Congressional district in Auburn Hills before passing into the 14th District in Pontiac. You will then enter the 9th District in Bloomfield Township before re-entering the 11th District in Bloomfield Hills before entering the 9th District again before going through the 14th District again in Southfield before finally entering the 13th District in Detroit.

If you drove on Woodward from Pontiac to Detroit you would start in the 14th District, and drive through the 9th District in Bloomfield Township. You would then enter the 11th district while driving through Bloomfield Hills, drive through the 9th again in Bloomfield Township. You then re-enter the 11th in Birmingham before re-entering the 9th district in Royal Oak. When you hit 8 mile you would enter the 14th district again until you got downtown when you entered the 13th district. You would then arrive at the Detroit River Waterfront, 24 miles later, in the same district you left, the 14th district. On this straightforward drive on Woodward you pass through the 14th District 3 times, the 9th District 3 times, the 11th District twice, and the 13th District once.

Finally, the \$30,000 appropriation contained in this legislation is unacceptable because there is over \$333,000 left in the fund that we set aside last year for the costs associated with the redistricting process.

The redistricting process involves decisions that will have a long-lasting impact on our state. This should not be a partisan issue. Instead of drawing fair lines that follow community and county boundaries, this plan draws gerrymandered districts to benefit Republican incumbents. I cannot support it.”

Rep. Bauer, 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 House Bill 4780 because, among a number of other reasons, the process leading up to passage of the bill and the plan itself violates the Voting Rights Act of 1965 and is otherwise illegal.

The Republican majority introduced House Bill 4780 on Thursday, June 16th, without any information describing the Congressional plan that is before us today. Just yesterday, HB 4780 was substituted with the actual Congressional plan. That bill is 191 pages long. Today, without giving us more than a day to analyze this bill, I have been asked to vote on it.

A number of nonpartisan organizations testified in committee yesterday asking the Republican majority to slow down this process so the public has an opportunity to weigh in on the newly-drawn lines. Democrats and the nonpartisan organizations asked for more time so a meaningful analysis of this plan can occur, an analysis that would include a thorough understanding of the implications of these new lines on Michigan's citizens and communities, and to ensure the plan is compliant with state and federal law. The Republican majority has not provided the time, analysis, or assurance that the plan is legal.

In fact, the staff members provided by the Republican majority to testify on HB 4780 were unable to answer a number of questions about how this plan complies with state and federal law. Basic questions regarding Apol standards such as how municipal breaks will be calculated were not answered. In addition, there is not an explanation of how municipal breaks are calculated in the bill. An explanation of how municipal breaks were calculated 10 years ago under the last redistricting plan are included in law but they will now be gutted.

The Republicans also failed to answer federal law questions that are critical to determining whether the plans will pass muster under the VRA, one of our most sacred civil rights statutes representing electoral equality and democracy. Democratic members of the Redistricting and Elections Committee repeatedly asked the Republican Chair and staff members how they determined whether the percentages in the majority minority were in compliance with the VRA. The Republicans failed to answer that question. The Republican Chair and Republican staff members also failed to answer

the question of whether the percentages of African American voters in the majority minority districts would provide African American voters the opportunity to elect representatives of their choice—a critical determination under the United States Supreme Court holding in *Thornburg v. Giggles* and *Bartlett v. Strickland*.

Lastly, just by looking at the Congressional plan is it obvious there are legal concerns with this gerrymandered plan. District 14, for example, snakes around Wayne and Oakland Counties in Southeastern Michigan. As was pointed out in committee by a representative of a nonpartisan organization, the oddly-shaped districts in the Congressional plan would be a concern under the holding in the United States Supreme Court holding in *Shaw v. Reno*. In that case, the opinion concluded that a citizen in a racially gerrymandered district could state a claim under the 14th Amendment if they could feasibly allege that traditional districting principles, such as respect for political subdivisions, compactness, and contiguity, had been set aside in deference to considerations of the racial makeup of the district. The opinion expressed concern over the ‘dramatically irregular’ and ‘bizarre’ shape of the districts. I express similar concerns over the bizarrely-shaped districts in the Congressional plan before us today.

Finally, the \$30,000 appropriation contained in this legislation is unacceptable because there is over \$333,000 left in the fund that we set aside last year for the costs associated with the redistricting process.

The redistricting process involves decisions that will have a long-lasting impact on our state. This should not be a partisan issue. Instead of drawing fair lines that follow community and county boundaries, this plan draws gerrymandered districts to benefit Republican incumbents and violates state and federal laws, including the Voting.”

Rep. Santana, 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:

With all do respect to this Honorable body. I stand with my Democratic colleagues against the Congressional maps as presented by the Republican members. These maps gerrymander on the basis that Oakland County now has 4 Congressional Representatives. The maps as drawn dilute the Majority Minority districts of Detroit by pushing members into areas well outside of the City of Detroit.”

Rep. Stapleton, 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 House Bill 4780 because, among a number of other reasons, the process leading up to passage of the bill and the plan itself violates the Voting Rights Act of 1965 and is otherwise illegal.

A number of nonpartisan organizations testified in committee yesterday asking the Republican majority to slow down this process so the public has an opportunity to weigh in on the newly-drawn lines. Democrats and the nonpartisan organizations asked for more time so a meaningful analysis of this plan can occur, an analysis that would include a thorough understanding of the implications of these new lines on Michigan’s citizens and communities, and to ensure the plan is compliant with state and federal law. The Republican majority has not provided the time, analysis, or assurance that the plan is legal.

In fact, the staff members provided by the Republican majority to testify on HB 4780 were unable to answer a number of questions about how this plan complies with state and federal law. Basic questions regarding Apol standards such as how municipal breaks will be calculated were not answered. In addition, there is not an explanation of how municipal breaks are calculated in the bill. An explanation of how municipal breaks were calculated 10 years ago under the last redistricting plan are included in law but they will now be gutted.

The Republicans also failed to answer federal law questions that are critical to determining whether the plans will pass muster under the VRA, one of our most sacred civil rights statutes representing electoral equality and democracy. Democratic members of the Redistricting and Elections Committee repeatedly asked the Republican Chair and staff members how they determined whether the percentages in the majority minority were in compliance with the VRA. The Republicans failed to answer that question. The Republican Chair and Republican staff members also failed to answer the question of whether the percentages of African American voters in the majority minority districts would provide African American voters the opportunity to elect representatives of their choice—a critical determination under the United States Supreme Court holding in *Thornburg v. Giggles* and *Bartlett v. Strickland*.

Lastly, just by looking at the Congressional plan is it obvious there are legal concerns with this gerrymandered plan. District 14, for example, snakes around Wayne and Oakland Counties in Southeastern Michigan. As was pointed out in committee by a representative of a nonpartisan organization, the oddly-shaped districts in the Congressional plan would be a concern under the holding in the United States Supreme Court holding in *Shaw v. Reno*. In that case, the opinion concluded that a citizen in a racially gerrymandered district could state a claim under the 14th Amendment if they could feasibly allege that traditional districting principles, such as respect for political subdivisions, compactness, and contiguity,

had been set aside in deference to considerations of the racial makeup of the district. The opinion expressed concern over the ‘dramatically irregular’ and ‘bizarre’ shape of the districts. I express similar concerns over the bizarrely-shaped districts in the Congressional plan before us today.”

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 House Bill 4780 because it is a partisan and gerrymandered plan. It is not a fair plan that would provide meaningful representation to the citizens of Michigan. The people of Michigan deserve Congressional districts produced by the State Legislature and signed by the Governor that will ensure fair representation in keeping with Michigan’s history of competitive districts that respect communities of interest. The people of Michigan deserve to choose their Representatives in Congress, not the other way around. This map clearly was drawn to let the Republican Representatives choose their voters.

Never before in Michigan’s history have districts zigged-zagged all over a geographic region for partisan advantage. The two Detroit districts are no longer centered in Detroit. The Voting Rights Act can be adhered to without undermining Detroit-based districts. For example, District 14 starts at the edge of River Rouge, sweeps over the Pointes, loops west to Southfield and Farmington Hills, before heading north and using a small stretch of land at Sylvan Lake to get to Pontiac. The district is over 50 miles long but at some points less than half a mile wide.

District 13 currently houses the largest concentration of Hispanic voters at 42%, but this map dilutes their voice by cutting the district housing the larger portion of Hispanic’s in half.

District 11, previously a Western Wayne and Western Oakland County district now starts in Canton and stretches all the way over and around Pontiac, cutting through a slice of Rochester Hills to connect to Troy before looping around to capture Birmingham and Bloomfield Hills. By taking in Farmington, it’s literally only a couple of blocks wide at one point.

As a result, Oakland County, the 2nd largest county in the state, is divided into four different districts. None of the four districts are wholly contained within Oakland County—leaving the potential that not one of the four is actually represented by a member of Congress who lives in Oakland County.

The Republican map reduces the number of competitive districts. Clearly, the Republican majority created this plan solely to strengthen the partisan make-up of the Congressional Republican incumbents. By reducing competitive districts, this map disenfranchises independent voters – by making primaries the key elections and making general elections irrelevant.

Through the Apol Standards, Michigan has a tradition of respecting city and county lines in re-districting. This map ignores that tradition to seek partisan advantage for Republican incumbents.

For example, in Oakland County, the City of Farmington is an ‘island’ surrounded by Farmington Hills. For the first time, Republicans use a narrow path to cut through to the City of Farmington and separate it from Farmington Hills. Similarly, the City of Bloomfield Hills is separated from Bloomfield Township. Rochester Hills is split up simply to allow the Republicans to make their gerrymander contiguous.

In the space of 18 miles, a voter could go through 8 Congressional districts. Driving south from Orion in the 8th District, you then enter the 11th Congressional district in Auburn Hills before passing into the 14th District in Pontiac. You will then enter the 9th District in Bloomfield Township before re-entering the 11th District in Bloomfield Hills before entering the 9th District again before going through the 14th District again in Southfield before finally entering the 13th District in Detroit.

If you drove on Woodward from Pontiac to Detroit you would start in the 14th District, and drive through the 9th District in Bloomfield Township. You would then enter the 11th district while driving through Bloomfield Hills, drive through the 9th again in Bloomfield Township. You then re-enter the 11th in Birmingham before re-entering the 9th district in Royal Oak. When you hit 8 mile you would enter the 14th district again until you got downtown when you entered the 13th district. You would then arrive at the Detroit River Waterfront, 24 miles later, in the same district you left, the 14th district. On this straightforward drive on Woodward you pass through the 14th District 3 times, the 9th District 3 times, the 11th District twice, and the 13th District once.

Finally, the \$30,000 appropriation contained in this legislation is unacceptable because there is over \$333,000 left in the fund that we set aside last year for the costs associated with the redistricting process.

The redistricting process involves decisions that will have a long-lasting impact on our state. This should not be a partisan issue. Instead of drawing fair lines that follow community and county boundaries, this plan draws gerrymandered districts to benefit Republican incumbents. I cannot support it.”

Rep. Stallworth, 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 voted ‘no’ on passage of House Bill 4780 because, among a number of other reasons, the process leading up to passage of the bill and the plan itself violates the Voting Rights Act of 1965 and is otherwise illegal.

The Republican majority introduced House Bill 4780 on Thursday, June 16th, without any information describing the Congressional plan that is before us today. Just yesterday, HB 4780 was substituted with the actual Congressional plan. That bill is 191 pages long. Today, without giving us more than a day to analyze this bill, I have been asked to vote on it.

A number of nonpartisan organizations testified in committee yesterday asking the Republican majority to slow down this process so the public has an opportunity to weigh in on the newly-drawn lines. Democrats and the nonpartisan organizations asked for more time so a meaningful analysis of this plan can occur, an analysis that would include a thorough understanding of the implications of these new lines on Michigan's citizens and communities, and to ensure the plan is compliant with state and federal law. The Republican majority has not provided the time, analysis, or assurance that the plan is legal.

In fact, the staff members provided by the Republican majority to testify on HB 4780 were unable to answer a number of questions about how this plan complies with state and federal law. Basic questions regarding Apol standards such as how municipal breaks will be calculated were not answered. In addition, there is not an explanation of how municipal breaks are calculated in the bill. An explanation of how municipal breaks were calculated 10 years ago under the last redistricting plan are included in law but they will now be gutted.

The Republicans also failed to answer federal law questions that are critical to determining whether the plans will pass muster under the VRA, one of our most sacred civil rights statutes representing electoral equality and democracy. Democratic members of the Redistricting and Elections Committee repeatedly asked the Republican Chair and staff members how they determined whether the percentages in the majority minority were in compliance with the VRA. The Republicans failed to answer that question. The Republican Chair and Republican staff members also failed to answer the question of whether the percentages of African American voters in the majority minority districts would provide African American voters the opportunity to elect representatives of their choice—a critical determination under the United States Supreme Court holding in *Thornburg v. Giggles* and *Bartlett v. Strickland*.

Lastly, just by looking at the Congressional plan is it obvious there are legal concerns with this gerrymandered plan. District 14, for example, snakes around Wayne and Oakland Counties in Southeastern Michigan. As was pointed out in committee by a representative of a nonpartisan organization, the oddly-shaped districts in the Congressional plan would be a concern under the holding in the United States Supreme Court holding in *Shaw v. Reno*. In that case, the opinion concluded that a citizen in a racially gerrymandered district could state a claim under the 14th Amendment if they could feasibly allege that traditional districting principles, such as respect for political subdivisions, compactness, and contiguity, had been set aside in deference to considerations of the racial makeup of the district. The opinion expressed concern over the 'dramatically irregular' and 'bizarre' shape of the districts. I express similar concerns over the bizarrely-shaped districts in the Congressional plan before us today.

Finally, the \$30,000 appropriation contained in this legislation is unacceptable because there is over \$333,000 left in the fund that we set aside last year for the costs associated with the redistricting process.

The redistricting process involves decisions that will have a long-lasting impact on our state. This should not be a partisan issue. Instead of drawing fair lines that follow community and county boundaries, this plan draws gerrymandered districts to benefit Republican incumbents and violates state and federal laws, including the Voting Rights Act. I cannot support this plan."

Rep. Durhal, 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:

As the representative for district 6 in Detroit and as Chair of the Michigan Legislative Black Caucus, I spoke on the floor in opposition to this bill because of the process by which the 13th and 14th Congressional Districts were designed. These two congressional districts are the ONLY African-American districts in the entire state. The maps do not, in our opinion, meet the legal requirements of the federal Voter Rights Act or state law. The maps shown were not shared with the Democratic Caucus in a timely manner and did not include important stakeholders such as the Michigan Legislative Caucus, NAACP, Urban League and other key community organizations whose members are directly affected for the next ten years. These decisions must not be made in closed caucus, but rather in an atmosphere that will allow full examination and feedback of legislators, community, business leaders and other citizens in the districts affected. The Michigan Legislative Black Caucus does not support the apparent rush by Republicans to pass this legislation. We must slow down the process that appears to be running at break neck speed. Slow it down long enough to insure that participation is had by the public to the fullest extent possible. The position of the Michigan Legislative Black Caucus and the legislators from Detroit is that we will not accept the maps as drawn and presented. The Caucus will officially challenge any proposed map(s) that we believe violates state and/or federal law."

Rep. Brown, 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 House Bill 4780 because it violates the Voting Rights Act of 1965 and would not provide meaningful representation to the citizens of Michigan. Oakland County is divided into four different districts. None of the four districts

are wholly contained within Oakland County - leaving the potential that not one of the four is actually represented by a member of Congress who lives in Oakland County.

Through the Apol Standards, Michigan has a tradition of respecting city and county lines in re-districting. This map ignores that tradition. In the space of 18 miles, a voter could go through 8 Congressional districts. Driving south from Orion in the 8th District, you then enter the 11th Congressional district in Auburn Hills before passing into the 14th District in Pontiac. You will then enter the 9th District in Bloomfield Township before re-entering the 11th District in Bloomfield Hills before entering the 9th District again before going through the 14th District again in Southfield before finally entering the 13th District in Detroit.

If you drove on Woodward from Pontiac to Detroit you would start in the 14th District, and drive through the 9th District in Bloomfield Township. You would then enter the 11th district while driving through Bloomfield Hills, drive through the 9th again in Bloomfield Township. You then re-enter the 11th in Birmingham before re-entering the 9th district in Royal Oak. When you hit 8 mile you would enter the 14th district again until you got downtown when you entered the 13th district. You would then arrive at the Detroit River Waterfront, 24 miles later, in the same district you left, the 14th district. On this straightforward drive on Woodward you pass through the 14th District 3 times, the 9th District 3 times, the 11th District twice, and the 13th District once.

Just by looking at the Congressional plan it is obvious there are legal concerns with this gerrymandered plan. As was pointed out in committee by a representative of a nonpartisan organization, the oddly-shaped districts in the Congressional plan would be a concern under the holding in the United States Supreme Court holding in *Shaw v. Reno*. In that case, the opinion concluded that a citizen in a racially gerrymandered district could state a claim under the 14th Amendment if they could feasibly allege that traditional districting principles, such as respect for political subdivisions, compactness, and contiguity, had been set aside in deference to considerations of the racial makeup of the district. The opinion expressed concern over the 'dramatically irregular' and 'bizarre' shape of the districts. I express similar concerns over the bizarrely-shaped districts in the Congressional plan before us today.

Finally, the \$30,000 appropriation contained in this legislation is unacceptable because there is over \$333,000 left in the fund that we set aside last year for the costs associated with the redistricting process.

The redistricting process involves decisions that will have a long-lasting impact on our state. This should not be a partisan issue. Instead of drawing fair lines that follow community and county boundaries, this plan draws gerrymandered districts and violates state and federal laws, including the Voting Rights Act. I cannot support this plan."

Rep. Cavanagh, 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 voted 'no' on House Bill 4780 because it is a partisan, unfair and gerrymandered plan. The people of Michigan deserve Congressional and state legislative districts that will ensure fair representation in keeping with Michigan's history of competitive districts that respect communities of interest. This map clearly was drawn to let the Republican Representatives choose their voters.

Furthermore, the \$30,000 appropriation contained in this legislation is unacceptable because there is over \$333,000 left in the fund that we set aside last year for the costs associated with the redistricting process. I see the appropriation only as a bar to disallow voters the option of voicing their option of bringing the maps by referendum.

The redistricting process involves decisions that will have a long-lasting impact on our state. This isn't and should not be a partisan issue. Instead of drawing fair lines that follow community and county boundaries, this plan draws gerrymandered districts to benefit Republican incumbents. I cannot support it."

## Second Reading of Bills

### House Bill No. 4496, entitled

A bill to amend 1966 PA 331, entitled "Community college act of 1966," by amending sections 105 and 121 (MCL 389.105 and 389.121), section 105 as amended by 2003 PA 306 and section 121 as amended by 1997 PA 135.

The bill was read a second time.

Rep. Barnett moved to amend the bill as follows:

1. Amend page 4, line 26, after "ARTS." by inserting "**HOWEVER, A COMMUNITY COLLEGE MAY NOT OFFER AN EDUCATIONAL PROGRAM UNDER THIS SUBDIVISION UNLESS THE DEPARTMENT OF EDUCATION HAS DETERMINED THAT THE PROGRAM MEETS THE REQUIREMENTS FOR ACCREDITATION BY A RECOGNIZED NATIONAL OR REGIONAL ACCREDITING BODY.**".

The motion did not prevail and the amendment was not adopted, a majority of the members serving not voting therefor.

Rep. Barnett moved to amend the bill as follows:

1. Amend page 4, line 26, after “ARTS.” by inserting “**A COMMUNITY COLLEGE DISTRICT MAY NOT OFFER AN EDUCATIONAL PROGRAM DESCRIBED IN THIS SUBDIVISION IF EITHER OF THE FOLLOWING APPLIES:**

(i) **THE MAIN CAMPUS OF THE COMMUNITY COLLEGE IS IN THE SAME COUNTY AS THE MAIN CAMPUS OF A PUBLIC UNIVERSITY, OR IS IN THE SAME COUNTY AS A SATELLITE CAMPUS OF A PUBLIC UNIVERSITY AND THAT EDUCATIONAL PROGRAM IS OFFERED AT THAT SATELLITE CAMPUS. AS USED IN THIS SUBDIVISION, “PUBLIC UNIVERSITY” MEANS A UNIVERSITY DESCRIBED IN SECTION 4, 5, OR 6 OF ARTICLE VIII OF THE STATE CONSTITUTION OF 1963.**

(ii) **ANOTHER COMMUNITY COLLEGE DISTRICT THAT INCLUDES GEOGRAPHICAL TERRITORY IN A COUNTY IN WHICH THE COMMUNITY COLLEGE DISTRICT HAS GEOGRAPHICAL TERRITORY OFFERS THAT EDUCATIONAL PROGRAM.”.**

The motion did not prevail and the amendment was not adopted, a majority of the members serving not voting therefor.

Rep. Howze moved to amend the bill as follows:

1. Amend page 4, line 26, after “ARTS.” by inserting “**HOWEVER, A COMMUNITY COLLEGE SHALL NOT OPERATE AN EDUCATIONAL PROGRAM THAT GRANTS BACHELOR OF SCIENCE IN NURSING DEGREES UNLESS THAT PROGRAM IS APPROVED BY THE MICHIGAN BOARD OF NURSING UNDER SECTION 17241 OF THE PUBLIC HEALTH CODE, 1978 PA 368, MCL 333.17241.”.**

The question being on the adoption of the amendment offered by Rep. Howze,

Rep. Howze demanded the yeas and nays.

The demand was not supported.

The question being on the adoption of the amendment offered by Rep. Howze,

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

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

The motion prevailed.

#### **House Bill No. 4554, entitled**

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” by amending sections 32601, 32603, 32604, 32606, 32607, and 32609 (MCL 324.32601, 324.32603, 324.32604, 324.32606, 324.32607, and 324.32609), sections 32601, 32603, 32604, 32606, and 32609 as added by 2000 PA 278 and section 32607 as amended by 2004 PA 546.

Was read a second time, and the question being on the adoption of the proposed substitute (H-3) previously recommended by the Committee on Natural Resources, Tourism, and Outdoor Recreation,

The substitute (H-3) was adopted, a majority of the members serving voting therefor.

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

The motion prevailed.

#### **House Bill No. 4087, entitled**

A bill to amend 1957 PA 261, entitled “Michigan legislative retirement system act,” by amending sections 50b, 75, and 79 (MCL 38.1050b, 38.1075, and 38.1079), sections 50b and 75 as amended by 1998 PA 501 and section 79 as amended by 2006 PA 614, and by adding section 79a.

Was read a second time, and the question being on the adoption of the proposed substitute (H-4) previously recommended by the Committee on Oversight, Reform, and Ethics,

The substitute (H-4) was adopted, a majority of the members serving voting therefor.

Rep. Slavens moved to amend the bill as follows:

1. Amend page 2, line 4, by striking out all of subparagraph (i) and inserting:

“(i) **WAS NOT SERVING AS A MEMBER OF THE LEGISLATURE ON OR AFTER JANUARY 1, 2011.”.**

2. Amend page 2, line 24, by striking out all of subparagraph (iv) and inserting:

“(iv) **WAS NOT SERVING AS A MEMBER OF THE LEGISLATURE ON OR AFTER JANUARY 1, 2011.”.**

The motion did not prevail and the amendments were not adopted, a majority of the members serving not voting therefor.

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

The motion prevailed.



**House Bill No. 4061, entitled**

A bill to amend 1998 PA 58, entitled "Michigan liquor control code of 1998," by amending section 1027 (MCL 436.2027), as amended by 2010 PA 213.

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

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

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

The motion prevailed.

**House Bill No. 4589, entitled**

A bill to amend 1964 PA 170, entitled "An act to make uniform the liability of municipal corporations, political subdivisions, and the state, its agencies and departments, officers, employees, and volunteers thereof, and members of certain boards, councils, and task forces when engaged in the exercise or discharge of a governmental function, for injuries to property and persons; to define and limit this liability; to define and limit the liability of the state when engaged in a proprietary function; to authorize the purchase of liability insurance to protect against loss arising out of this liability; to provide for defending certain claims made against public officers, employees, and volunteers and for paying damages sought or awarded against them; to provide for the legal defense of public officers, employees, and volunteers; to provide for reimbursement of public officers and employees for certain legal expenses; and to repeal acts and parts of acts," by amending sections 1, 2, and 2a (MCL 691.1401, 691.1402, and 691.1402a), section 1 as amended by 2001 PA 131 and section 2 as amended and section 2a as added by 1999 PA 205.

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

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

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

The motion prevailed.

**House Bill No. 4731, entitled**

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending section 321 (MCL 600.321), as amended by 2007 PA 64.

The bill was read a second time.

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

The motion prevailed.

**House Bill No. 4734, entitled**

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 20161 (MCL 333.20161), as amended by 2008 PA 277.

The bill was read a second time.

Rep. Lori moved to amend the bill as follows:

1. Amend page 9, following line 24, by inserting:

**"(L) BEGINNING OCTOBER 1, 2014, THE DEPARTMENT SHALL NO LONGER ASSESS OR COLLECT THE QUALITY ASSURANCE ASSESSMENT OR APPLY FOR FEDERAL MATCHING FUNDS. THE QUALITY ASSURANCE ASSESSMENT COLLECTED UNDER SUBSECTION (1)(G) SHALL NO LONGER BE ASSESSED OR COLLECTED AFTER SEPTEMBER 30, 2011, IN THE EVENT THAT THE QUALITY ASSURANCE ASSESSMENT IS NOT ELIGIBLE FOR FEDERAL MATCHING FUNDS. ANY PORTION OF THE QUALITY ASSURANCE ASSESSMENT COLLECTED FROM A NURSING HOME OR HOSPITAL LONG-TERM CARE UNIT THAT IS NOT ELIGIBLE FOR FEDERAL MATCHING FUNDS SHALL BE RETURNED TO THE NURSING HOME OR HOSPITAL LONG-TERM CARE UNIT."**

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

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

The motion prevailed.

**House Bill No. 4747, entitled**

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 819 (MCL 257.819), as amended by 2009 PA 137.

The bill was read a second time.

Rep. Durhal moved to amend the bill as follows:

1. Amend page 2, line 16, after "**2011**" by striking out "**AND EACH FISCAL YEAR THEREAFTER**".

The motion did not prevail and the amendment was not adopted, a majority of the members serving not voting therefor.

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

The motion prevailed.

#### **House Bill No. 4748, entitled**

A bill to amend 1987 PA 231, entitled "An act to create a transportation economic development fund in the state treasury; to prescribe the uses of and distributions from this fund; to create the office of economic development and to prescribe its powers and duties; to prescribe the powers and duties of the state transportation department, state transportation commission, and certain other bodies; and to permit the issuance of certain bonds," by amending section 11 (MCL 247.911), as amended by 2009 PA 136.

Was read a second time, and the question being on the adoption of the proposed amendments previously recommended by the Committee on Appropriations (for amendments, see today's Journal, p. 1504),

The amendments were adopted, a majority of the members serving voting therefor.

Rep. Durhal moved to amend the bill as follows:

1. Amend page 2, line 27, after "**2011**" by striking out "**AND EACH FISCAL YEAR THEREAFTER**".

The motion did not prevail and the amendment was not adopted, a majority of the members serving not voting therefor.

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

The motion prevailed.

#### **House Bill No. 4775, entitled**

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 60101, 60102, 60104, 60105, 60106, 60107, and 60108 (MCL 324.60101, 324.60102, 324.60104, 324.60105, 324.60106, 324.60107, and 324.60108), as added by 1995 PA 57; and to repeal acts and parts of acts.

The bill was read a second time.

Rep. O'Brien moved that the bill be placed on the order of Third Reading of Bills.

The motion prevailed.

#### **House Bill No. 4787, entitled**

A bill to amend 1986 PA 32, entitled "Emergency 9-1-1 service enabling act," by amending section 408 (MCL 484.1408), as amended by 2010 PA 284.

The bill was read a second time.

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

The motion prevailed.

#### **House Bill No. 4788, entitled**

A bill 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.

The bill was read a second time.

Rep. Santana moved to amend the bill as follows:

1. Amend page 2, line 3, after "**MCL**" by striking out "**125.2951 to 125.2959**" and inserting "**125.2953**".

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

Rep. Santana 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

**Reports of Standing Committees**

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

**House Bill No. 4025, entitled**

A bill to amend 1933 PA 167, entitled "General sales tax act," by amending section 25 (MCL 205.75), as amended by 2010 PA 160.

With the recommendation that the substitute (H-3) 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, Wayne Schmidt, Huuki, Jacobsen, Muxlow, Olson, Ouimet, Somerville, Talabi, Liss and Roy Schmidt

Nays: Reps. Geiss, Nathan and Smiley

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

**House Bill No. 4521, entitled**

A bill to amend 1933 PA 167, entitled "General sales tax act," by amending section 25 (MCL 205.75), as amended by 2010 PA 160.

With the recommendation that the substitute (H-3) 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, Wayne Schmidt, Huuki, Jacobsen, Muxlow, Olson, Ouimet, Somerville, Talabi, Liss, Smiley and Roy Schmidt

Nays: Reps. Geiss and Nathan

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

**House Bill No. 4790, entitled**

A bill to amend 1909 PA 283, entitled "An act to revise, consolidate, and add to the laws relating to the establishment, opening, discontinuing, vacating, closing, altering, improvement, maintenance, and use of the public highways and private roads; the condemnation of property and gravel therefor; the building, repairing and preservation of bridges; maintaining public access to waterways under certain conditions; setting and protecting shade trees, drainage, and cutting weeds and brush within this state; providing for the election or appointment and defining the powers, duties, and compensation of state, county, township, and district highway officials; and to prescribe penalties and provide remedies," (MCL 220.1 to 239.6) by adding section 19c to chapter IV.

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, Huuki, Jacobsen, Muxlow, Olson, Ouimet, Somerville, Geiss, Talabi, Nathan and Liss

Nays: Reps. Smiley and Roy Schmidt

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

**Senate Bill No. 371, entitled**

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 81131 (MCL 324.81131), as amended by 2009 PA 175.

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, Huuki, Jacobsen, Muxlow, Olson, Ouimet, Somerville, Liss, Byrum and Roy Schmidt

Nays: Reps. Talabi and Smiley

## COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Opsommer, Chair, of the Committee on Transportation, was received and read:  
Meeting held on: Wednesday, June 22, 2011

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

## Second Reading of Bills

**House Bill No. 4700, entitled**

A bill to amend 1976 PA 451, entitled "The revised school code," (MCL 380.1 to 380.1852) by adding section 1255a.

Was read a second time, and the question being on the adoption of the proposed substitute (H-3) previously recommended by the Committee on Education,

The substitute (H-3) was adopted, a majority of the members serving voting therefor.

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

The motion prevailed.

**House Bill No. 4752, entitled**

A bill to amend 2007 PA 106, entitled "Public employees health benefit act," by amending sections 5 and 15 (MCL 124.75 and 124.85).

The bill was read a second time.

Rep. Brown moved to amend the bill as follows:

1. Amend page 9, following line 24, by inserting:

"Enacting section 1. This amendatory act takes effect 90 days after the date it is enacted into law."

The motion did not prevail and the amendment was not adopted, a majority of the members serving not voting therefor.

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

The motion prevailed.

**House Bill No. 4792, entitled**

A bill to amend 1957 PA 261, entitled "Michigan legislative retirement system act," by amending section 63 (MCL 38.1063), as amended by 2002 PA 97.

The bill was read a second time.

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

The motion prevailed.

**House Bill No. 4716, entitled**

A bill to amend 1909 PA 279, entitled "The home rule city act," by amending section 36a (MCL 117.36a), as amended by 2011 PA 36.

The bill was read a second time.

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

The motion prevailed.

**House Bill No. 4790, entitled**

A bill to amend 1909 PA 283, entitled "An act to revise, consolidate, and add to the laws relating to the establishment, opening, discontinuing, vacating, closing, altering, improvement, maintenance, and use of the public highways and

private roads; the condemnation of property and gravel therefor; the building, repairing and preservation of bridges; maintaining public access to waterways under certain conditions; setting and protecting shade trees, drainage, and cutting weeds and brush within this state; providing for the election or appointment and defining the powers, duties, and compensation of state, county, township, and district highway officials; and to prescribe penalties and provide remedies," (MCL 220.1 to 239.6) by adding section 19c to chapter IV.

The bill was read a second time.

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

The motion prevailed.

#### **House Bill No. 4759, entitled**

A bill to amend 2005 PA 210, entitled "Commercial rehabilitation act," by amending section 2 (MCL 207.842), as amended by 2008 PA 500.

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

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

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

The motion prevailed.

#### **House Bill No. 4749, entitled**

A bill to amend 1978 PA 368, entitled "Public health code," by amending sections 17766c, 17766e, and 17766f (MCL 333.17766c, 333.17766e, and 333.17766f), section 17766c as amended by 2003 PA 308, section 17766e as added by 2005 PA 87, and section 17766f as added by 2005 PA 86.

The bill was read a second time.

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

The motion prevailed.

#### **House Bill No. 4750, entitled**

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 13n of chapter XVII (MCL 777.13n), as amended by 2010 PA 26.

The bill was read a second time.

Rep. Price 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

#### **Motions and Resolutions**

Rep. Daley moved that the Committee on Agriculture be discharged from further consideration of **House Bill No. 4503**. (For first notice see House Journal No. 58, p. 1491.)

The question being on the motion made by Rep. Daley,

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

The bill was placed on the order of Second Reading of Bills.

Rep. Daley moved that the Committee on Agriculture be discharged from further consideration of **House Bill No. 4504**. (For first notice see House Journal No. 58, p. 1491.)

The question being on the motion made by Rep. Daley,

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

The bill was placed on the order of Second Reading of Bills.

Rep. Daley moved that the Committee on Agriculture be discharged from further consideration of **House Bill No. 4505**. (For first notice see House Journal No. 58, p. 1491.)

The question being on the motion made by Rep. Daley,

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

The bill was placed on the order of Second Reading of Bills.

Rep. Daley moved that the Committee on Agriculture be discharged from further consideration of **House Bill No. 4506**. (For first notice see House Journal No. 58, p. 1491.)

The question being on the motion made by Rep. Daley,

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

The bill was placed on the order of Second Reading of Bills.

Rep. Daley moved that the Committee on Agriculture be discharged from further consideration of **House Bill No. 4507**. (For first notice see House Journal No. 58, p. 1491.)

The question being on the motion made by Rep. Daley,

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

The bill was placed on the order of Second Reading of Bills.

Rep. Daley moved that the Committee on Agriculture be discharged from further consideration of **House Bill No. 4699**. (For first notice see House Journal No. 58, p. 1491.)

The question being on the motion made by Rep. Daley,

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

The bill was placed on the order of Second Reading of Bills.

#### 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, June 22:

<b>House Bill Nos.</b>	<b>4793</b>	<b>4794</b>	<b>4795</b>	<b>4796</b>										
<b>Senate Bill Nos.</b>	<b>502</b>	<b>503</b>	<b>504</b>	<b>505</b>	<b>506</b>	<b>507</b>	<b>508</b>	<b>509</b>	<b>510</b>	<b>511</b>	<b>512</b>			

The Clerk announced that the following Senate bills had been received on Wednesday, June 22:

<b>Senate Bill Nos.</b>	<b>8</b>	<b>9</b>	<b>201</b>	<b>248</b>	<b>322</b>	<b>323</b>	<b>374</b>	<b>396</b>	<b>400</b>	<b>446</b>	<b>485</b>	<b>486</b>	<b>487</b>	<b>488</b>
	<b>489</b>	<b>490</b>	<b>491</b>	<b>492</b>	<b>493</b>	<b>494</b>	<b>495</b>	<b>496</b>						

#### Notices

Pursuant to Rule 41, the Speaker has made the following re-referrals:

**Senate Bill No. 441** referred to the Committee on Appropriations on June 22, 2011.

**Senate Bill No. 442** referred to the Committee on Appropriations on June 22, 2011.

#### Messages from the Governor

Date: June 21, 2011

Time: 11:53 a.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

**Enrolled House Bill No. 4231 (Public Act No. 61, I.E.), being**

An act to amend 1998 PA 386, entitled “An act to codify, revise, consolidate, and classify aspects of the law relating to wills and intestacy, relating to the administration and distribution of estates of certain individuals, relating to trusts, and relating to the affairs of certain individuals under legal incapacity; to provide for the powers and procedures of the court that has jurisdiction over these matters; to provide for the validity and effect of certain transfers, contracts, and deposits that relate to death; to provide procedures to facilitate enforcement of certain trusts; and to repeal acts and parts of acts,” (MCL 700.1101 to 700.8206) by adding section 5109.

(Filed with the Secretary of State June 21, 2011, at 3:58 p.m.)

Date: June 21, 2011  
Time: 3:12 p.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

**Enrolled House Bill No. 4325 (Public Act No. 62, I.E.), being**

An act to amend 1979 PA 94, entitled “An act to make appropriations to aid in the support of the public schools and the intermediate school districts of the state; to make appropriations for certain other purposes relating to education; to provide for the disbursement of the appropriations; to supplement the school aid fund by the levy and collection of certain taxes; to authorize the issuance of certain bonds and provide for the security of those bonds; to prescribe the powers and duties of certain state departments, the state board of education, and certain other boards and officials; to create certain funds and provide for their expenditure; to prescribe penalties; and to repeal acts and parts of acts,” by amending the title and sections 2, 6, 11, 11a, 11g, 11j, 11k, 11m, 15, 18, 20, 20d, 22a, 22b, 22d, 22e, 24, 24a, 24c, 26a, 26b, 31a, 31d, 31f, 32b, 32d, 32j, 39, 39a, 40, 51a, 51c, 51d, 53a, 54, 56, 61a, 62, 74, 81, 93, 94a, 98, 99, 104, 107, 109, 147, and 152a (MCL 388.1602, 388.1606, 388.1611, 388.1611a, 388.1611g, 388.1611j, 388.1611k, 388.1611m, 388.1615, 388.1618, 388.1620, 388.1620d, 388.1622a, 388.1622b, 388.1622d, 388.1622e, 388.1624, 388.1624a, 388.1624c, 388.1626a, 388.1626b, 388.1631a, 388.1631d, 388.1631f, 388.1632b, 388.1632d, 388.1632j, 388.1639, 388.1639a, 388.1640, 388.1651a, 388.1651c, 388.1651d, 388.1653a, 388.1654, 388.1656, 388.1661a, 388.1662, 388.1674, 388.1681, 388.1693, 388.1694a, 388.1698, 388.1699, 388.1704, 388.1707, 388.1709, 388.1747, and 388.1752a), the title as amended by 2003 PA 158, sections 6, 11a, 11g, 11k, 15, 18, 20, 20d, 22b, 22d, 24, 24a, 26b, 31a, 31d, 31f, 32b, 32d, 32j, 39, 51c, 51d, 53a, 54, 61a, 62, 74, 98, 99, 107, and 147 as amended by 2010 PA 110, sections 11, 11m, 22a, 51a, and 56 as amended and section 152a as added by 2010 PA 217, sections 11j, 22e, 24c, 26a, 39a, 81, 94a, and 104 as amended and section 93 as added by 2010 PA 204, section 40 as amended by 2000 PA 297, and section 109 as amended by 1994 PA 283, by amending the heading of article I, and by adding sections 12, 22f, 147a, 147b and articles II, III, and IV; and to repeal acts and parts of acts.

(Filed with the Secretary of State June 21, 2011, at 4:00 p.m.)

### Introduction of Bills

Rep. LaFontaine introduced

**House Bill No. 4797, entitled**

A bill to amend 1957 PA 261, entitled “Michigan legislative retirement system act,” by amending sections 50b, 75, and 79 (MCL 38.1050b, 38.1075, and 38.1079), sections 50b and 75 as amended by 1998 PA 501 and section 79 as amended by 2006 PA 614, and by adding section 79a.

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

Reps. Rendon, Opsommer, Potvin, Kurtz, Yonker, Heise, Haveman, LeBlanc, Lyons, Price, Horn, Zorn, MacMaster, Shirkey, Cotter, Somerville, Genetski, Lori, O’Brien, Jenkins, Hooker, Kowall, Daley, Jacobsen, Johnson, Haines, Poleski, MacGregor, LaFontaine, Goike, Gilbert, McMillin and Walsh introduced

**House Bill No. 4798, entitled**

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

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

Reps. Opsommer, Potvin, Kurtz, Yonker, Haveman, Heise, LeBlanc, Lyons, Horn, Price, Zorn, MacMaster, Shirkey, Somerville, Cotter, Genetski, Lori, O’Brien, Jenkins, Hooker, Kowall, Daley, Jacobsen, Johnson, Rendon, Haines, Poleski, MacGregor, LaFontaine, Goike, Gilbert, McMillin and Walsh introduced

**House Bill No. 4799, entitled**

A bill to amend 1931 PA 328, entitled “The Michigan penal code,” (MCL 750.1 to 750.568) by adding section 213a.

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

Reps. Walsh, LeBlanc, Constan, Tlaib, Bledsoe, Nathan, Poleski, Womack, Olumba and Meadows introduced

**House Bill No. 4800, entitled**

A bill to amend 1976 PA 451, entitled “The revised school code,” by amending section 705 (MCL 380.705), as amended by 2003 PA 299.

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

By unanimous consent the House returned to the order of  
**Messages from the Senate**

**House Bill No. 4533, entitled**

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 310e (MCL 257.310e), as amended by 2010 PA 268.

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. 8, entitled**

A bill to provide for certain municipal joint endeavors; to provide standards for those municipal joint endeavors; to provide powers and duties of a municipal joint endeavor; to authorize the levy of a property tax by a municipal joint endeavor; and to provide for the powers and duties of certain government officials.

The Senate has passed the bill.

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

**Senate Bill No. 9, 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; and to prescribe means of enforcement and penalties for the violation of the provisions of this act," (MCL 423.201 to 423.217) by adding section 1a.

The Senate has passed the bill.

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

**Senate Bill No. 201, entitled**

A bill to amend 1964 PA 170, entitled "An act to make uniform the liability of municipal corporations, political subdivisions, and the state, its agencies and departments, officers, employees, and volunteers thereof, and members of certain boards, councils, and task forces when engaged in the exercise or discharge of a governmental function, for injuries to property and persons; to define and limit this liability; to define and limit the liability of the state when engaged in a proprietary function; to authorize the purchase of liability insurance to protect against loss arising out of this liability; to provide for defending certain claims made against public officers, employees, and volunteers and for paying damages sought or awarded against them; to provide for the legal defense of public officers, employees, and volunteers; to provide for reimbursement of public officers and employees for certain legal expenses; and to repeal acts and parts of acts," by amending sections 1, 2, and 2a (MCL 691.1401, 691.1402, and 691.1402a), section 1 as amended by 2001 PA 131 and section 2 as amended and section 2a as added by 1999 PA 205.

The Senate has passed the bill.

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

**Senate Bill No. 248, entitled**

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 503 and 2132 (MCL 324.503 and 324.2132), section 503 as amended by 2004 PA 587 and section 2132 as amended by 1998 PA 117.

The Senate has passed the bill.

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

**Senate Bill No. 322, entitled**

A bill to amend 1893 PA 206, entitled "The general property tax act," by amending section 44a (MCL 211.44a), as amended by 2008 PA 498.

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. 323, entitled**

A bill to amend 1893 PA 206, entitled "The general property tax act," by amending sections 34d, 35, and 37 (MCL 211.34d, 211.35, and 211.37), section 34d as amended by 2007 PA 31, section 35 as amended by 2002 PA 620, and section 37 as amended by 2009 PA 49.

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. 374, entitled**

A bill to amend 1987 PA 230, entitled "Municipal health facilities corporations act," by amending sections 209 and 258 (MCL 331.1209 and 331.1258), section 209 as amended by 1994 PA 398 and section 258 as amended by 1990 PA 273.

The Senate has passed the bill.

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

**Senate Bill No. 396, entitled**

A bill to amend 1857 PA 72, entitled "An act amendatory to the several acts in relation to the Wesleyan Seminary at Albion, and the Albion Female Collegiate Institute," by amending section 2 (MCL 390.702) and by adding sections 1a, 7, 7a, 7b, and 7c; 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 Education.

**Senate Bill No. 400, entitled**

A bill to amend 1976 PA 451, entitled "The revised school code," (MCL 380.1 to 380.1852) by adding section 1255a.

The Senate has passed the bill.

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

**Senate Bill No. 446, entitled**

A bill to amend 2007 PA 106, entitled "Public employees health benefit act," by amending sections 5 and 15 (MCL 124.75 and 124.85).

The Senate has passed the bill.

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

**Senate Bill No. 485, entitled**

A bill to amend 1909 PA 279, entitled "The home rule city act," by amending section 5 (MCL 117.5), as amended by 2002 PA 201.

The Senate has passed the bill.

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

**Senate Bill No. 486, entitled**

A bill to amend 1851 PA 156, entitled "An act to define the powers and duties of the county boards of commissioners of the several counties, and to confer upon them certain local, administrative and legislative powers; and to prescribe penalties for the violation of the provisions of this act," (MCL 46.1 to 46.32) by adding section 11d.

The Senate has passed the bill.

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

**Senate Bill No. 487, entitled**

A bill to amend 1966 PA 293, entitled "An act to provide for the establishment of charter counties; to provide for the election of charter commissioners; to prescribe their powers and duties; to prohibit certain acts of a county board of commissioners after the approval of the election of a charter commission; to prescribe the mandatory and permissive

provisions of a charter; to provide for the exercise by a charter county of certain powers whether or not authorized by its charter; and to prescribe penalties and provide remedies,” (MCL 45.501 to 45.521) by adding section 15b.

The Senate has passed the bill.

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

**Senate Bill No. 488, entitled**

A bill to amend 1973 PA 139, entitled “An act to provide forms of county government; to provide for county managers and county executives and to prescribe their powers and duties; to abolish certain departments, boards, commissions, and authorities; to provide for transfer of certain powers and functions; to prescribe powers of a board of county commissioners and elected officials; to provide organization of administrative functions; to transfer property; to retain ordinances and laws not inconsistent with this act; to provide methods for abolition of a unified form of county government; and to prescribe penalties and provide remedies,” (MCL 45.551 to 45.573) by adding section 6b.

The Senate has passed the bill.

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

**Senate Bill No. 489, entitled**

A bill to amend 1947 PA 359, entitled “The charter township act,” (MCL 42.1 to 42.34) by adding section 1b.

The Senate has passed the bill.

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

**Senate Bill No. 490, entitled**

A bill to amend 1846 RS 16, entitled “Of the powers and duties of townships, the election and duties of township officers, and the division of townships,” (MCL 41.1a to 41.110c) by adding section 3a.

The Senate has passed the bill.

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

**Senate Bill No. 491, entitled**

A bill to amend 1909 PA 278, entitled “The home rule village act,” by amending section 26 (MCL 78.26), as amended by 1995 PA 211.

The Senate has passed the bill.

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

**Senate Bill No. 492, entitled**

A bill to amend 1895 PA 3, entitled “The general law village act,” (MCL 61.1 to 74.25) by adding section 1d to chapter I.

The Senate has passed the bill.

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

**Senate Bill No. 493, 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; and to prescribe means of enforcement and penalties for the violation of the provisions of this act,” by amending section 15 (MCL 423.215), as amended by 2011 PA 25.

The Senate has passed the bill.

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

**Senate Bill No. 494, entitled**

A bill to amend 1972 PA 222, entitled "An act to provide for an official personal identification card; to provide for its form, issuance and use; to regulate the use and disclosure of information obtained from the card; to prescribe the powers and duties of the secretary of state; to prescribe fees; to prescribe certain penalties for violations; and to provide an appropriation for certain purposes;" by amending sections 1, 2, 3, 5, and 7 (MCL 28.291, 28.292, 28.293, 28.295, and 28.297), section 1 as amended by 2008 PA 31, section 2 as amended by 2008 PA 40, section 3 as amended by 1998 PA 2, section 5 as amended by 2004 PA 149, and section 7 as amended by 2009 PA 101.

The Senate has passed the bill.

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

**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 Senate has passed the bill.

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

**Senate Bill No. 496, entitled**

A bill to amend 1963 PA 181, entitled "Motor carrier safety act of 1963," by amending sections 1a, 2d, and 5 (MCL 480.11a, 480.12d, and 480.15), section 1a as amended by 2006 PA 50, section 2d as amended by 2005 PA 177, and section 5 as amended by 2006 PA 595; 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 Transportation.

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Rep. LaFontaine moved that the House adjourn.

The motion prevailed, the time being 5:25 p.m.

The Speaker Pro Tempore declared the House adjourned until Thursday, June 23, at 12:00 Noon.

GARY L. RANDALL  
Clerk of the House of Representatives

