

No. 52
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96th Legislature
REGULAR SESSION OF 2011

House Chamber, Lansing, Tuesday, June 7, 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—excused	MacGregor—present	Schmidt, R.—present
Brown—present	Haveman—present	MacMaster—present	Schmidt, W.—present
Brunner—present	Heise—present	McBroom—present	Scott—present
Bumstead—present	Hobbs—present	McCann—present	Segal—present
Byrum—present	Hooker—present	McMillin—present	Shaughnessy—present
Callton—present	Horn—present	Meadows—present	Shirkey—present
Cavanagh—present	Hovey-Wright—present	Melton—present	Slavens—present
Clemente—present	Howze—present	Moss—present	Smiley—present
Constan—present	Hughes—present	Muxlow—present	Somerville—present
Cotter—present	Huuki—present	Nathan—present	Stallworth—present
Crawford—present	Irwin—present	Nesbitt—present	Stamas—present
Daley—present	Jackson—present	O’Brien—present	Stanley—present
Damrow—present	Jacobsen—present	Oakes—present	Stapleton—present
Darany—present	Jenkins—present	Olson—present	Switalski—present
Denby—present	Johnson—present	Olumba—present	Talabi—present
Dillon—present	Kandrevas—present	Opsommer—present	Tlaib—present
Durhal—present	Knollenberg—present	Ouimet—present	Townsend—present
Farrington—present	Kowall—present	Outman—present	Tyler—present
Forlini—present	Kurtz—present	Pettalia—present	Walsh—present
Foster—present	LaFontaine—present	Poleski—present	Womack—present
Franz—present	Lane—present	Potvin—present	Yonker—present
Geiss—present	LeBlanc—present	Price—present	Zorn—present
Genetski—present	Lindberg—present		

e/d/s = entered during session

Rev. Gary L. Hawes, Executive Minister of Michigan Christian Campus Ministries, offered the following invocation:

“Almighty God our Heavenly Father,

We ask Your blessing upon our session here today.

We thank You for the privilege You have entrusted to us to represent our constituents in this place.

We ask for patience as we listen, wisdom as we make decisions, and courage to follow through.

We thank You for those that have made it possible for us to be here.

We pray especially for our family and loved ones who support and encourage us while we are apart.

Father we pray that You would continue to bless this country and state which were founded by men who understood Your role in the lives of our citizens.

Lead us as legislators to be particularly aware of Your presence in our lives and in this place today, as we do that which would honor You.

Because we are not perfect people, we need You.

Thank You for providing a rock of redemption in Jesus Christ for each of us.

We invoke Your presence here in this place today in the name of Jesus Christ in Whose name we pray. Amen.”

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

The motion prevailed.

The Speaker called the Speaker Pro Tempore to the Chair.

Messages from the Senate

The Speaker laid before the House

House Bill No. 4231, entitled

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

(The bill was received from the Senate on June 1, with substitute (S-1), full title inserted and immediate effect given by the Senate, consideration of which, under the rules, was postponed until today, see House Journal No. 51, p. 1353.)

The question being on concurring in the substitute (S-1) made to the bill by the Senate,

The substitute (S-1) was concurred in, a majority of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 159

Yeas—109

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

Constan	Huuki	Muxlow	Somerville
Cotter	Irwin	Nathan	Stallworth
Crawford	Jackson	Nesbitt	Stamas
Daley	Jacobsen	O'Brien	Stanley
Damrow	Jenkins	Oakes	Stapleton
Darany	Johnson	Olson	Switalski
Denby	Kandrevas	Olumba	Talabi
Dillon	Knollenberg	Opsommer	Tlaib
Durhal	Kowall	Ouimet	Townsend
Farrington	Kurtz	Outman	Tyler
Forlini	LaFontaine	Pettalia	Walsh
Foster	Lane	Poleski	Womack
Franz	LeBlanc	Potvin	Yonker
Geiss	Lindberg	Price	Zorn
Genetski			

Nays—0

In The Chair: Walsh

The House agreed to the full title.

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

Third Reading of Bills

House Bill No. 4307, entitled

A bill to amend 1974 PA 154, entitled "Michigan occupational safety and health act," by amending section 4 (MCL 408.1004).

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

Roll Call No. 160

Yeas—109

Agema	Gilbert	Lipton	Pscholka
Ananich	Gardon	Liss	Rendon
Barnett	Goike	Lori	Rogers
Bauer	Haines	Lund	Rutledge
Bledsoe	Hammel	Lyons	Santana
Bolger	Haveman	MacGregor	Schmidt, R.
Brown	Heise	MacMaster	Schmidt, W.
Brunner	Hobbs	McBroom	Scott
Bumstead	Hooker	McCann	Segal
Byrum	Horn	McMillin	Shaughnessy
Callton	Hovey-Wright	Meadows	Shirkey
Cavanagh	Howze	Melton	Slavens
Clemente	Hughes	Moss	Smiley
Constan	Huuki	Muxlow	Somerville
Cotter	Irwin	Nathan	Stallworth
Crawford	Jackson	Nesbitt	Stamas
Daley	Jacobsen	O'Brien	Stanley
Damrow	Jenkins	Oakes	Stapleton
Darany	Johnson	Olson	Switalski
Denby	Kandrevas	Olumba	Talabi

Dillon	Knollenberg	Opsommer	Tlaib
Durhal	Kowall	Ouimet	Townsend
Farrington	Kurtz	Outman	Tyler
Forlini	LaFontaine	Pettalia	Walsh
Foster	Lane	Poleski	Womack
Franz	LeBlanc	Potvin	Yonker
Geiss	Lindberg	Price	Zorn
Genetski			

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. 4316, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 705 (MCL 257.705), as amended by 2000 PA 214.

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

Roll Call No. 161**Yeas—109**

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

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. 4452, entitled

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

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

Roll Call No. 162**Yeas—109**

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

Nays—0

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 1936 (Ex Sess) PA 1, entitled “Michigan employment security act,” by amending section 27 (MCL 421.27), as amended by 2011 PA 14.
The motion prevailed.

The House agreed to the title as amended.
 Rep. Stamas moved that the bill be given immediate effect.
 The motion prevailed, 2/3 of the members serving voting therefor.

Second Reading of Bills

House Bill No. 4563, entitled

A bill to amend 1995 PA 29, entitled "Uniform unclaimed property act," (MCL 567.221 to 567.265) by adding section 37a.

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

The motion prevailed.

House Bill No. 4003, 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 sections 1 and 14 (MCL 423.201 and 423.214), section 1 as amended by 1999 PA 204.

The bill was read a second time.

Rep. Opsommer 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

Messages from the Senate

House Bill No. 4624, entitled

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

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

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

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

The House agreed to the full title of the bill.

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

Rep. Stamas moved that House Committees be given leave to meet during the balance of today's session.
 The motion prevailed.

By unanimous consent the House returned to the order of

Announcement by the Clerk of Printing and Enrollment

The Clerk announced that the following bills had been printed and placed upon the files of the members on Thursday, June 2:

House Bill Nos.	4703	4704			
Senate Bill Nos.	399	401	402	403	

The Clerk announced the enrollment printing and presentation to the Governor on Friday, June 3, 2011, for his approval of the following bills:

Enrolled House Bill No. 4167 at 11:37 a.m.

Enrolled House Bill No. 4168 at 11:39 a.m.

The Clerk announced that the following bill had been printed and placed upon the files of the members on Tuesday, June 7:

Senate Bill No. 409

The Clerk announced that the following Senate bills had been received on Tuesday, June 7:

Senate Bill Nos. 231 371 380

Reports of Standing Committees

The Committee on Families, Children, and Seniors, by Rep. Kurtz, Chair, reported

Senate Bill No. 226, entitled

A bill to amend 1975 PA 238, entitled "Child protection law," by amending section 7b (MCL 722.627b), as added by 1997 PA 167.

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. Kurtz, O'Brien, Haines, Heise, Hooker, Rendon, Slavens and Stapleton

Nays: None

The Committee on Families, Children, and Seniors, by Rep. Kurtz, Chair, reported

Senate Bill No. 228, entitled

A bill to amend 1975 PA 238, entitled "Child protection law," by amending section 7 (MCL 722.627), as amended by 2008 PA 300.

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. Kurtz, O'Brien, Haines, Heise, Hooker, Rendon, Slavens and Stapleton

Nays: None

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Kurtz, Chair, of the Committee on Families, Children, and Seniors, was received and read:

Meeting held on: Tuesday, June 7, 2011

Present: Reps. Kurtz, O'Brien, Haines, Heise, Hooker, Rendon, Slavens and Stapleton

Absent: Rep. Lane

Excused: Rep. Lane

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Tuesday, June 7, 2011

Present: Reps. Horn, Shirkey, Opsommer, Crawford, Kowall, Franz, Jacobsen, McBroom, Nesbitt, Outman, Price, Zorn, Roy Schmidt, Santana, Irwin, Brunner, Melton, Cavanagh, Smiley and Switalski

Absent: Rep. Haveman

Excused: Rep. Haveman

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Tuesday, June 7, 2011

Present: Reps. Foster, Huuki, Wayne Schmidt, Damrow, Hughes, Johnson, Pettalia, Stapleton, Bledsoe and Slavens

Absent: Rep. Haugh

Excused: Rep. Haugh

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Tuesday, June 7, 2011

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

Absent: Rep. Haugh

Excused: Rep. Haugh

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Damrow, Chair, of the Committee on Military and Veterans Affairs and Homeland Security, was received and read:

Meeting held on: Tuesday, June 7, 2011

Present: Reps. Damrow, Franz, Haines, Tyler, Callton, Zorn, Nathan, Darany, Smiley, Liss and Clemente

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 7, 2011

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

Messages from the Senate**House Bill No. 4623, entitled**

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

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

The House agreed to the full title.

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

Senate Bill No. 231, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 2841 (MCL 333.2841).

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. 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.

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. 380, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 13k of chapter XVII (MCL 777.13k), as added by 2002 PA 30.

The Senate has passed the bill.

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

Communications from State Officers

The following communication from the Department of Licensing and Regulatory Affairs was received and read:

June 3, 2011

Pursuant to MCL 500.2213b(7), the Commissioner of the Office of Financial and Insurance Regulation is required to issue an annual report compiling the gross written premium for short-term or one-time limited duration policies or certificates issued in Michigan during the preceding calendar year. Be advised that the annual report required by MCL 500.2213b(7) is attached to this correspondence.

If you have any questions, comments or concerns, please feel free to contact Jenita Moore, Deputy Commissioner for Policy at (517) 373-1866.

Sincerely,
R. Kevin Clinton
Commissioner

The communication was referred to the Clerk.

Introduction of Bills

Reps. Genetski, LeBlanc, Liss, Hammel, Opsommer, Outman, Nesbitt, Lori, Franz, Rogers, Wayne Schmidt, Jackson, Durhal, Talabi, Hughes, Callton, Damrow, Muxlow, Daley, Hovey-Wright, Kandreas, Kurtz, Tyler, Cotter, Kowall, Denby, Foster, Price, LaFontaine, Somerville, Lund, Glardon, Pettalia, Forlini, Jenkins, Gilbert, Yonker, MacGregor, Lyons, Rendon, Huuki, Bauer and Hooker introduced

House Bill No. 4705, entitled

A bill to amend 1976 PA 451, entitled "The revised school code," by amending sections 1204a and 1280 (MCL 380.1204a and 380.1280), section 1204a as amended by 1996 PA 159 and section 1280 as amended by 2006 PA 123.

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

Reps. Slavens and Switalski introduced

House Bill No. 4706, entitled

A bill to establish the terms on which health benefits may be provided to legislators.

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

Reps. Tlaib, Slavens, Brown, Bauer, Santana, Darany and Hovey-Wright introduced

House Bill No. 4707, entitled

A bill to amend 2000 PA 92, entitled "Food law of 2000," by amending section 1109 (MCL 289.1109), as amended by 2007 PA 113, and by adding section 6153.

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

Reps. Tlaib, Bauer and Santana introduced

House Bill No. 4708, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending section 8831 (MCL 600.8831), as added by 1995 PA 54.

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

Reps. Tlaib, Irwin, Bauer and Santana introduced

House Bill No. 4709, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 8901 (MCL 324.8901), as amended by 2004 PA 494, and by adding sections 8905d and 8905e.

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

Reps. Kurtz, Foster, Daley, Scott, Gilbert, Bumstead, Damrow, Kowall, Huuki and Callton introduced

House Bill No. 4710, entitled

A bill to amend 1950 (Ex Sess) PA 27, entitled "Motor vehicle sales finance act," by amending section 2 (MCL 492.102), as amended by 1995 PA 166.

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

Reps. Kurtz, Foster, Daley, Scott, Gilbert, Bumstead, Damrow, Kowall, Huuki and Callton introduced

House Bill No. 4711, entitled

A bill to amend 1966 PA 224, entitled "Retail installment sales act," by amending section 2 (MCL 445.852), as amended by 1995 PA 167.

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

Rep. Knollenberg introduced

House Bill No. 4712, entitled

A bill to amend 1957 PA 261, entitled "Michigan legislative retirement system act," by amending section 75 (MCL 38.1075), as amended by 1998 PA 501.

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

Rep. Hammel introduced

House Bill No. 4713, entitled

A bill to amend 1994 PA 295, entitled "Sex offenders registration act," by amending section 2 (MCL 28.722), as amended by 2011 PA 17.

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

Rep. Bledsoe introduced

House Bill No. 4714, entitled

A bill to regulate the ownership, possession, sale, and breeding of pit bulls; to prohibit the ownership or possession of a pit bull after a certain date; and to prescribe penalties.

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

Announcements by the Clerk

Received from the State Officers Compensation Commission:

June 6, 2011

The Commission's 2011 report and determinations. The report was filed today with the Secretary of the Senate, and the Director of the Department of Technology, Management and Budget, pursuant to law.

Copies of the report are also being provided to the Governor, Lieutenant Governor, Justices of the Supreme Court, members of the Legislature, Attorney General, and Secretary of State, in accordance with Act 357 of 1968 as amended.

Gary L. Randall
Clerk of the House

Rep. Lund moved that the House adjourn.

The motion prevailed, the time being 2:40 p.m.

The Speaker Pro Tempore declared the House adjourned until Wednesday, June 8, at 1:30 p.m.

GARY L. RANDALL
Clerk of the House of Representatives

