

**No. 28**  
**STATE OF MICHIGAN**  
**JOURNAL**  
**OF THE**  
**House of Representatives**  
**96th Legislature**  
**REGULAR SESSION OF 2012**

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House Chamber, Lansing, Thursday, March 15, 2012.

12:00 Noon.

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

e/d/s = entered during session

Rep. Margaret E. O'Brien, from the 61st District, offered the following invocation:

"In honor of St. Patrick's Day this Saturday, I offer this Irish House Blessing:

Bless this house, O' Lord we pray, make it safe by night and day.  
Bless these walls, so firm and stout, keep want and trouble out.  
Bless the roof and chimney tall, let thy peace lie over all.  
Bless the door that it may prove ever open to joy and love.  
Bless these windows, shining bright, letting in God's heavenly light.  
Bless the folk who dwell within, keep them pure and free from sin.  
Bless us that one day, we may dwell, O Lord with Thee

Father, we ask for Your blessings not just for the House of Representatives but for all of Michigan. Please bless Michigan's citizens and provide for our needs. In special prayer, we ask for Your love and comfort for our families, especially those facing life's challenges. Please bring blessings to their homes so they may feel Your love. As always, we ask for safety for our troops serving our country and for Your grace and blessings for their loved ones here at home. Thank You for allowing us to serve You, our communities and our state. In Your name, we pray, Amen."

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The Speaker called the Speaker Pro Tempore to the Chair.

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Rep. Stamas moved that Rep. Goike be excused from today's session.  
The motion prevailed.

Rep. Segal moved that Reps. Hobbs and Olumba be excused from today's session.  
The motion prevailed.

#### **Point of Order**

Rep. Segal requested a ruling of the Chair on how yesterday the Chair could rule that it cannot interpret the Constitution and today it can.

The Chair ruled that it is not interpreting the Constitution, but rather the rules of the House.

#### **Point of Order**

Rep. Segal requested a ruling of the Chair on if members cannot ask for a record roll call in writing with signatures, then how are members to request record roll calls.

The Chair ruled he already answered that earlier.

#### **Motions and Resolutions**

##### **House Bill No. 5063, entitled**

A bill to amend 1954 PA 116, entitled "Michigan election law," by amending sections 22e, 32, 477, and 480 (MCL 168.22e, 168.32, 168.477, and 168.480), section 22e as added by 1995 PA 261 and section 477 as amended by 1999 PA 219, and by adding section 483a; and to repeal acts and parts of acts.

(The bill was passed on March 14, see House Journal No. 27, p. 391.)

Rep. Segal moved to reconsider the vote by which the House passed the bill,  
(For first notice, see House Journal No. 27, p. 395.)  
The question being on the motion made by Rep. Segal,  
The motion did not prevail, a majority of the members serving not voting therefor.  
Rep. Stamas moved that the bill be given immediate effect.  
The motion prevailed, 2/3 of the members serving voting therefor.

Reps. Rutledge, Barnett, Bauer, Brown, Constan, Cotter, Darany, Geiss, Knollenberg, LeBlanc, Liss, Slavens and Talabi offered the following resolution:

**House Resolution No. 212.**

A resolution to declare March 26-30, 2012, as Graduate Education Week in the state of Michigan.

Whereas, A graduate education attracts students from across the nation and world to Michigan universities for advanced training; and

Whereas, In graduate certificate, masters, specialist and doctoral programs across the state, graduate educators are providing access to cutting edge knowledge and analytic skills essential to ensuring that Michigan workers are among the most productive, creative, and innovative in the world; and

Whereas, Graduate students make vital contributions to the teaching and research that underpins our new knowledge-based economy and supports community engagement while serving as teaching and research assistants; and

Whereas, Michigan graduate students continue to change the way we fuel Michigan's economy by stimulating entrepreneurship, improving the quality of life, researching renewable energy sources, water quality, new technologies, agricultural productivity, transportation enhancements, sustainability, management of natural resources, disease prevention, medical innovations, healthcare delivery mechanisms, unique health care issues for children and the elderly; and

Whereas, Michigan teachers and faculty with advanced degrees are creating learning environments that assist Michigan's children, young adults, and lifetime learners to become more productive and informed citizens who are able to meet Michigan's workforce needs; now, therefore, be it

Resolved by the House of Representatives, That the members of this legislative body declare March 26-30, 2012, as Graduate Education Week in the state of Michigan.

The question being on the adoption of the resolution,

The resolution was adopted.

### Point of Order

Rep. Segal requested a ruling of the Chair on how **House Bill No. 5063** had already left the chamber and thus her notice to reconsider immediate effect is deemed out of order.

The Chair ruled that the bill had already left the chamber.

Reps. Townsend, Barnett, Brown, Constan, Darany, Geiss, LeBlanc, Liss, Slavens and Talabi offered the following resolution:

**House Resolution No. 213.**

A resolution to declare April 2012 as Multiple Birth Awareness Month in the state of Michigan.

Whereas, The National Organization of Mothers of Twins Clubs, Inc., Twins Magazine and the Fetal Hope Foundation have joined with local organizations to establish and celebrate April 2012 as the 4th Annual National Multiple Birth Awareness Month; and

Whereas, Multiple births have been on the rise over the past decades. The number of live births in twin deliveries rose 70% between 1980 and 2004 and since has remained fairly stable. Between 1980 and 2006, twin birth rates rose 80% for women in their thirties and 190% for mothers aged 40 and over. There were there were 138,961 twin births, 5,967 triplets, 369 quadruplets, and 91 higher order multiples born in 2007 nationwide; and

Whereas, With the increase in multiple births, there is an increased risk for the mothers and babies. Nationally, one of every 8 twins and one of every 3 triplets are born very preterm, compared with fewer than 2 of every 100 single births. Death during infancy is 8 times more common for multiples than singletons; and

Whereas, This month will be used to spread awareness about the issues that families of multiple births face including what to know when expecting multiples, Twin-to-Twin Transfusion Syndromes, other fetal issues directly affecting multiple birth pregnancies, premature births and low birth weights, multiples with special needs, the exceptional physical and bonding demands placed on parents, and the separation of multiples in classrooms; and

Whereas, There are many local support groups for parents of multiples. The Michigan Organization of Mothers of Twins Club was founded in 1964 and has many local clubs throughout the state for parents or expectant parents to get involved. Many of these clubs are planning events throughout their communities during this month to celebrate their families, increase participation, and help out other families in need; and

Whereas, By raising awareness of multiple births, this month also encourages parents of multiples or who are expecting multiples to seek out the resources and support found with local mothers of twins clubs, through their prenatal care provider, pediatrician, local hospital, the Michigan Organization of Mothers of Twins Clubs, or friends and family. These clubs are established to serve parents or guardians of multiple birth children through education, research, and networking; and

Whereas, We join with the many parents of multiples to celebrate the joys and challenges they face in raising their twins, triplets, or more and support efforts to educate our communities about the needs and challenges of multiple birth children; now, therefore, be it

Resolved by the House of Representatives, That the members of this legislative body declare April 2012 as Multiple Birth Awareness Month in the state of Michigan.

The question being on the adoption of the resolution,

The resolution was adopted.

Reps. Shaughnessy, LaFontaine, Muxlow, Goike, Outman, Hobbs, Denby, Ouimet, Kowall, MacGregor, Graves, Wayne Schmidt, Gilbert, Hughes, Jenkins, Kurtz, Rendon, Hooker, Yonker, Haveman, Bumstead, Pscholka, Olson, Tyler, Haines, Pettalia, Huuki, Shirkey, Poleski, Barnett, Constan, Cotter, Crawford, Darany, Geiss, Heise, Knollenberg, LeBlanc, Liss, Lori, Slavens and Zorn offered the following resolution:

**House Resolution No. 214.**

A resolution to declare May 2012 as Motorcycle Safety Awareness Month in the state of Michigan.

Whereas, Michigan has 255,367 registered motorcycles and 562,075 individuals who have operator licenses with a motorcycle endorsement; and

Whereas, The safe operation of a motorcycle requires the use of special skills developed through a combination of training and expertise, the use of good judgment, plus a thorough knowledge of traffic laws and licensing requirements; and

Whereas, The use of proper protective riding apparel is an important part of a motorcycle operator's responsibility; and

Whereas, Motorcycle safety awareness promotion is a cooperative effort to decrease the number of injuries and fatalities associated with motorcycling; and

Whereas, The promotion of motorcycle rider education programs available through the Michigan Department of State, including recommendations that motorcycle operators wear the proper gear in addition to driving their vehicles defensively and cautiously, is intended to reduce the number of crashes; and

Whereas, The emergence of spring is synonymous with the return of motorcycle mavens to our state's roadways. Throughout Michigan, motorcyclists have been on the cutting edge of promoting the wise and sensible use of this enjoyable mode of travel. Indeed, the disproportionate number of motorcycle fatalities makes it vitally important to encourage motorcyclists to understand and practice the highest degree of safety. It is also important to remind other drivers that highway safety is beneficial to all parties traveling on public roadways; and

Whereas, Motorcycle Safety Awareness Month encourages motorcycle operators to don proper protective riding attire, to maintain their motorcycles at a high level of safe operating conditions, to abide by the laws of the road, and to implement operating techniques providing an additional standard of safety. Additionally, car and truck drivers are informed of the fact that motorcyclists are resuming their travels on our public roadways and each is encouraged to be exceptionally vigilant and watchful when approaching or passing a motorcycle on the highway; now, therefore be it

Resolved by the House of Representatives, That the members of this legislative body declare May 2012 as Motorcycle Safety Awareness Month in the state of Michigan. We encourage all of Michigan's citizens to participate in the aims and goals of this effort.

The question being on the adoption of the resolution,

The resolution was adopted.

Rep. O'Brien offered the following resolution:

**House Resolution No. 215.**

A resolution to express support for the 2012 United States Air Force Re-Missioning Plan to locate an MQ-1/9 RSO element at the Battle Creek Air National Guard Base in Battle Creek, Michigan.

Whereas, The 110th Airlift Wing has been one of the most decorated Air National Guard units in the nation, receiving the Air Force Outstanding Unit Award in 1992, 1998, 2000, 2004, and 2011, an honor bestowed on fewer than 10 percent of Air Force units annually; and

Whereas, More than \$22 million in taxpayer funding has been invested in the Battle Creek Air National Guard Base from 2001 to 2011, \$16.7 million of which represents the federal share and \$5.2 million of which was invested by the state of Michigan. The 110th Airlift Wing has been the recipient of \$477 million in operational funding from 2001 to 2011, including military construction, personnel, and operations and maintenance; and

Whereas, The existing infrastructure, trained personnel, uncongested skies, and investment at the Battle Creek Air National Guard Base make it second to no other location in the nation for critical air mission support. In addition, the base's location adjacent to the expansive Michigan Army Reserve and National Guard Fort Custer Training Center provides valuable joint force and inter-agency training capabilities; and

Whereas, The placement of an MQ-1/9 RSO element in Battle Creek will complement the current mission of the 110th Air Operations Group, also located at the Battle Creek Air National Guard Base, which serves as a vital part of the 17th Air Force, the air component to the U.S. Africa Command and the newest unified combatant command; and

Whereas, The Battle Creek Air National Guard base is integral to the economy of Southwest Michigan, providing \$22.2 million in total wages and salaries and \$26 million in gross regional product to Calhoun County; and

Whereas, The Air Force has been an important partner in the Battle Creek community since 1947. During this same time period, the greater Battle Creek/Calhoun County region has been a staunch supporter and defender of the Battle Creek Air National Guard Base, as well as its other defense and military installations; and

Whereas, Failure to provide a follow-on mission to replace the previously committed C-27J aircraft would cause significant harm to the economies of Battle Creek and the state of Michigan and jeopardize the significant investments made by the citizens of Michigan and the United States; and

Whereas, The creation of an MQ-1/9 RSO element in Battle Creek has been recommended as part of the 2012 United States Air Force Structure Change Report; and

Whereas, It is understood that the MQ-1/9 RSO would be a replacement mission for the Battle Creek Air National Guard base, replacing the C-27J aircraft previously committed to the base; and

Whereas, Infrastructure at the Battle Creek Air National Guard base remains available to support the C-27J or its successor aircraft, should further analysis determine that it is an aircraft essential to the national defense, homeland security, and emergency needs of our nation; now, therefore, be it

Resolved by the House of Representatives, That we urge the United States Department of Defense and the Department of the Air Force to fulfill their commitment to designate an enduring mission for the Battle Creek Air National Guard base by locating either an MQ-1/9 RSO element or the C-27J, or its successor aircraft, at the base; and be it further

Resolved, That copies of this resolution be transmitted to the United States Secretary of the Air Force, the United States Secretary of Defense, and the members of Michigan's congressional delegation.

The resolution was referred to the Committee on Military and Veterans Affairs and Homeland Security.

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

### Third Reading of Bills

#### House Bill No. 5084, 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.

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

#### Roll Call No. 118

#### Yeas—101

Agema	Genetski	Lindberg	Rendon
Ananich	Gilbert	Lipton	Rogers
Barnett	Glardon	Liss	Rutledge
Bauer	Graves	Lori	Santana
Bledsoe	Greimel	Lund	Schmidt, R.

Bolger	Haines	Lyons	Schmidt, W.
Brunner	Hammel	MacGregor	Segal
Bumstead	Haveman	MacMaster	Shaughnessy
Byrum	Heise	McCann	Shirkey
Callton	Horn	McMillin	Slavens
Cavanagh	Hovey-Wright	Meadows	Smiley
Clemente	Howze	Moss	Somerville
Constan	Hughes	Nathan	Stallworth
Cotter	Huuki	Nesbitt	Stamas
Crawford	Irwin	O'Brien	Stanley
Daley	Jackson	Oakes	Stapleton
Damrow	Jacobsen	Olson	Switalski
Darany	Jenkins	Opsommer	Talabi
Denby	Johnson	Ouimet	Tlaib
Dillon	Kandrevas	Outman	Townsend
Durhal	Knollenberg	Pettalia	Tyler
Farrington	Kowall	Poleski	Walsh
Forlini	LaFontaine	Potvin	Womack
Foster	Lane	Price	Yonker
Franz	LeBlanc	Pscholka	Zorn
Geiss			

**Nays—5**

Brown	Kurtz	McBroom	Muxlow
Hooker			

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 1998 PA 58, entitled "Michigan liquor control code of 1998," by amending section 229 (MCL 436.1229), as amended by 2011 PA 166.

The motion prevailed.

The House agreed to the title as amended.

**House Bill No. 5297, entitled**

A bill to amend 1954 PA 116, entitled "Michigan election law," by amending section 759a (MCL 168.759a), as amended by 2011 PA 163.

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

**Roll Call No. 119****Yeas—107**

Agema	Genetski	LeBlanc	Pscholka
Ananich	Gilbert	Lindberg	Rendon
Barnett	Gardon	Lipton	Rogers
Bauer	Graves	Liss	Rutledge
Bledsoe	Greimel	Lori	Santana
Bolger	Haines	Lund	Schmidt, R.
Brown	Hammel	Lyons	Schmidt, W.

Brunner	Haugh	MacGregor	Segal
Bumstead	Haveman	MacMaster	Shaughnessy
Byrum	Heise	McBroom	Shirkey
Callton	Hooker	McCann	Slavens
Cavanagh	Horn	McMillin	Smiley
Clemente	Hovey-Wright	Meadows	Somerville
Constan	Howze	Moss	Stallworth
Cotter	Hughes	Muxlow	Stamas
Crawford	Huuki	Nathan	Stanley
Daley	Irwin	Nesbitt	Stapleton
Damrow	Jackson	O'Brien	Switalski
Darany	Jacobsen	Oakes	Talabi
Denby	Jenkins	Olson	Tlaib
Dillon	Johnson	Opsommer	Townsend
Durhal	Kandrevas	Ouimet	Tyler
Farrington	Knollenberg	Outman	Walsh
Forlini	Kowall	Pettalia	Womack
Foster	Kurtz	Poleski	Yonker
Franz	LaFontaine	Potvin	Zorn
Geiss	Lane	Price	

**Nays—0**

In The Chair: Walsh

The House agreed to the title of the bill.

**House Bill No. 4266, entitled**

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 11507a and 11514 (MCL 324.11507a and 324.11514), section 11507a as amended by 2004 PA 39 and section 11514 as amended by 2008 PA 394.

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

**Roll Call No. 120****Yeas—66**

Agema	Gilbert	MacGregor	Rendon
Bauer	Glardon	MacMaster	Santana
Bolger	Haugh	McBroom	Schmidt, R.
Brunner	Haveman	McMillin	Schmidt, W.
Bumstead	Hooker	Moss	Shaughnessy
Byrum	Horn	Muxlow	Shirkey
Callton	Huuki	Nesbitt	Smiley
Clemente	Jenkins	O'Brien	Somerville
Constan	Johnson	Oakes	Stallworth
Cotter	Kandrevas	Olson	Stamas
Crawford	Knollenberg	Opsommer	Stanley
Damrow	Kurtz	Outman	Stapleton
Denby	LaFontaine	Pettalia	Tyler
Farrington	Lane	Poleski	Walsh
Franz	LeBlanc	Potvin	Womack
Geiss	Liss	Pscholka	Yonker
Genetski	Lund		

**Nays—41**

Ananich	Graves	Jacobsen	Price
Barnett	Greimel	Kowall	Rogers
Bledsoe	Haines	Lindberg	Rutledge
Brown	Hammel	Lipton	Segal
Cavanagh	Heise	Lori	Slavens
Daley	Hovey-Wright	Lyons	Switalski
Darany	Howze	McCann	Talabi
Dillon	Hughes	Meadows	Tlaib
Durhal	Irwin	Nathan	Townsend
Forlini	Jackson	Ouimet	Zorn
Foster			

In The Chair: Walsh

The House agreed to the title of the bill.

**House Bill No. 4265, entitled**

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” by amending section 11504 (MCL 324.11504), as amended by 1996 PA 359, and by adding section 11512b.

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

**Roll Call No. 121****Yeas—67**

Agema	Gilbert	Lund	Rendon
Bauer	Glardon	MacGregor	Santana
Bolger	Haugh	MacMaster	Schmidt, R.
Brunner	Haveman	McBroom	Schmidt, W.
Bumstead	Hooker	McMillin	Shaughnessy
Byrum	Horn	Moss	Shirkey
Callton	Howze	Muxlow	Smiley
Clemente	Huuki	Nesbitt	Somerville
Constan	Jenkins	O’Brien	Stallworth
Cotter	Johnson	Oakes	Stamas
Crawford	Kandrevas	Olson	Stanley
Damrow	Knollenberg	Opsommer	Stapleton
Denby	Kurtz	Outman	Tyler
Farrington	LaFontaine	Pettalia	Walsh
Franz	Lane	Poleski	Womack
Geiss	LeBlanc	Potvin	Yonker
Genetski	Liss	Pscholka	

**Nays—40**

Ananich	Foster	Jacobsen	Price
Barnett	Graves	Kowall	Rogers
Bledsoe	Greimel	Lindberg	Rutledge
Brown	Haines	Lipton	Segal
Cavanagh	Hammel	Lori	Slavens
Daley	Heise	Lyons	Switalski



Darany	Hovey-Wright	McCann	Talabi
Dillon	Hughes	Meadows	Tlaib
Durhal	Irwin	Nathan	Townsend
Forlini	Jackson	Ouimet	Zorn

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 1994 PA 451, entitled “Natural resources and environmental protection act,” (MCL 324.101 to 324.90106) by adding section 11512b.

The motion prevailed.

The House agreed to the title as amended.

**Senate Bill No. 685, entitled**

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” by amending section 40114 (MCL 324.40114), as amended by 2010 PA 87.

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

**Roll Call No. 122**

**Yeas—107**

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

**Nays—0**

In The Chair: Walsh

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

“An act to protect the environment and natural resources of the state; to codify, revise, consolidate, and classify laws relating to the environment and natural resources of the state; to regulate the discharge of certain substances into the environment; to regulate the use of certain lands, waters, and other natural resources of the state; to prescribe the powers and duties of certain state and local agencies and officials; to provide for certain charges, fees, assessments, and donations; to provide certain appropriations; to prescribe penalties and provide remedies; and to repeal acts and parts of acts,”

The House agreed to the full title.

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

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

By unanimous consent the House returned to the order of

#### **Announcement by the Clerk of Printing and Enrollment**

The Clerk announced that the following bills had been printed and placed upon the files of the members on Wednesday, March 14:

<b>House Bill Nos.</b>	<b>5466</b>	<b>5467</b>	<b>5468</b>	<b>5469</b>	<b>5470</b>	<b>5471</b>	<b>5472</b>
<b>Senate Bill Nos.</b>	<b>1018</b>	<b>1019</b>					

The Clerk announced that the following Senate bill had been received on Wednesday, March 14:

**Senate Bill No. 783**

The Clerk announced that the following Senate bills had been received on Thursday, March 15:

**Senate Bill Nos. 756 887 888 1005**

#### **Reports of Standing Committees**

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

##### **House Bill No. 4289, entitled**

A bill to make, supplement, and adjust appropriations for various state departments and agencies for the fiscal year ending September 30, 2012; 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, Jenkins, MacGregor, MacMaster, Poleski, Pscholka, Potvin, LeBlanc, Ananich, Bauer, Dillon, Durhal, Lindberg, Lipton, McCann and Tlaib  
Nays: Rep. Jackson

#### COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Wednesday, March 14, 2012

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

Absent: Rep. Goike

Excused: Rep. Goike

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

##### **Senate Bill No. 946, entitled**

A bill to amend 1931 PA 189, entitled “The insect pest and plant disease act,” by amending sections 2, 4, 6, 9, 17, and 22 (MCL 286.202, 286.204, 286.206, 286.209, 286.217, and 286.222), sections 6 and 9 as amended by 2007 PA 84.

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, Outman, Rendon, Muxlow, Brunner, Talabi, Hovey-Wright, Segal and Smiley

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, March 14, 2012

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

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

**Senate Bill No. 874, entitled**

A bill to amend 1998 PA 58, entitled "Michigan liquor control code of 1998," by amending section 501 (MCL 436.1501), as amended by 2006 PA 547.

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, McMillin, Stamas, Shirkey, Franz, McBroom, Rendon, Haugh, Byrum, Slavens and Rutledge

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, March 14, 2012

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

Absent: Rep. Womack

Excused: Rep. Womack

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

**House Bill No. 5040, entitled**

A bill to protect the right of a student to assert conscientious objection to providing certain counseling or other services; to prohibit certain actions by institutions of higher education; and to provide remedies.

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. Lyons, Hooker, Crawford, McMillin, Franz, Heise, Nesbitt, O'Brien, Price, Shaughnessy, Yonker and Bumstead

Nays: Reps. Brown, Darany, Howze, Hobbs, Rutledge and Geiss

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

**House Resolution No. 111.**

A resolution to memorialize the President and the United States Congress to enact legislation protecting the rights of conscience of students seeking counseling degrees and licensed professional counselors.

(For text of resolution, see House Journal No. 63, of 2011 p. 2001.)

With the recommendation that the resolution be adopted.

## Favorable Roll Call

## To Report Out:

Yeas: Reps. Lyons, Hooker, Crawford, McMillin, Franz, Heise, Nesbitt, O'Brien, Price, Shaughnessy, Yonker and Bumstead  
 Nays: Reps. Brown, Darany, Howze, Hobbs, Rutledge and Geiss

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

**House Resolution No. 112.**

A resolution to urge Michigan's public universities to adopt policies to protect the rights of students in counseling, social work, or psychology programs who are faced with situations that conflict with their religious beliefs.

(For text of resolution, see House Journal No. 63, of 2011 p. 2001.)

With the recommendation that the resolution be adopted.

## Favorable Roll Call

## To Report Out:

Yeas: Reps. Lyons, Hooker, Crawford, McMillin, Franz, Heise, Nesbitt, O'Brien, Price, Shaughnessy, Yonker and Bumstead  
 Nays: Reps. Brown, Darany, Howze, Hobbs, Rutledge and Geiss

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

**House Concurrent Resolution No. 46.**

A concurrent resolution to memorialize Congress to reconsider cuts to vocational education.

(For text of concurrent resolution, see House Journal No. 9, p. 102.)

With the recommendation that the concurrent resolution be adopted.

## Favorable Roll Call

## To Report Out:

Yeas: Reps. Lyons, Hooker, Crawford, Franz, Heise, Nesbitt, O'Brien, Price, Shaughnessy, Yonker, Brown, Darany, Howze, Rutledge and Geiss

Nays: None

## COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Wednesday, March 14, 2012

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

Absent: Rep. Stallworth

Excused: Rep. Stallworth

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

**Senate Bill No. 35, entitled**

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending sections 719 and 721 (MCL 257.719 and 257.721), section 719 as amended by 2009 PA 37 and section 721 as amended by 2000 PA 154.

Without amendment and with the recommendation that the bill pass.

The bill was referred to the order of Second Reading of Bills.

## Favorable Roll Call

## To Report Out:

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

Nays: None

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

**Senate Bill No. 582, entitled**

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 719 (MCL 257.719), as amended by 2009 PA 37.

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, Talabi, Nathan, Liss, Byrum, Smiley and Roy Schmidt

Nays: None

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Wednesday, March 14, 2012

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

Absent: Rep. Geiss

Excused: Rep. Geiss

The Committee on Judiciary, by Rep. Heise, Vice-Chair, reported

**House Bill No. 4867, entitled**

A bill to amend 1994 PA 351, entitled "Equine activity liability act," by amending section 5 (MCL 691.1665).

With the recommendation that the bill be referred to the Committee on Agriculture.

Favorable Roll Call

To Report Out:

Yeas: Reps. Heise, Horn, Damrow, Muxlow, Jacobsen, Somerville, Cotter, Graves, Constan, Oakes, Brown and Irwin

Nays: None

The recommendation was concurred in and the bill was referred to the Committee on Agriculture.

The Committee on Judiciary, by Rep. Heise, Vice-Chair, reported

**House Bill No. 5338, entitled**

A bill to amend 1978 PA 368, entitled "Public health code," by amending sections 2251, 7201, 7202, 7203, and 7204 (MCL 333.2251, 333.7201, 333.7202, 333.7203, and 333.7204), section 7204 as amended by 1994 PA 38.

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. Heise, Horn, Damrow, Muxlow, Jacobsen, Pettalia, Somerville, Cotter, Graves, Constan, Oakes, Brown and Cavanagh

Nays: None

The Committee on Judiciary, by Rep. Heise, Vice-Chair, reported

**Senate Bill No. 727, entitled**

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 18 of chapter XVI (MCL 776.18).

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. Heise, Horn, Damrow, Muxlow, Jacobsen, Pettalia, Somerville, Cotter, Graves, Meadows, Constan, Brown, Irwin and Cavanagh

Nays: None

The Committee on Judiciary, by Rep. Heise, Vice-Chair, reported

**Senate Bill No. 728, entitled**

A bill to amend 1911 PA 41, entitled "An act authorizing prosecuting attorneys in certain cases to appoint assistant prosecuting attorneys for their respective counties, and prescribing the powers and duties of such assistants," by amending section 1 (MCL 49.41).

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. Heise, Horn, Damrow, Muxlow, Jacobsen, Pettalia, Somerville, Cotter, Graves, Meadows, Constan, Brown, Irwin and Cavanagh

Nays: None

The Committee on Judiciary, by Rep. Heise, Vice-Chair, reported

**Senate Bill No. 789, entitled**

A bill to amend 1978 PA 368, entitled "Public health code," by amending sections 2251, 7201, 7202, 7203, and 7204 (MCL 333.2251, 333.7201, 333.7202, 333.7203, and 333.7204), section 7204 as amended by 1994 PA 38.

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. Heise, Horn, Damrow, Muxlow, Jacobsen, Pettalia, Somerville, Cotter, Graves, Constan, Oakes, Brown and Cavanagh

Nays: None

## COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Heise, Vice-Chair, of the Committee on Judiciary, was received and read:

Meeting held on: Thursday, March 15, 2012

Present: Reps. Heise, Horn, Damrow, Muxlow, Jacobsen, Pettalia, Somerville, Cotter, Graves, Meadows, Constan, Oakes, Brown, Irwin and Cavanagh

Absent: Reps. Walsh and Olumba

Excused: Reps. Walsh and Olumba

## COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Wednesday, March 14, 2012

Present: Reps. Gilbert, Walsh, Horn, Farrington, Foster, Lyons, Nesbitt, O'Brien, Olson, Ouimet, Constan, Barnett, Kandrevas, Meadows, Townsend, Cavanagh and Hobbs

## 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: Thursday, March 15, 2012

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

## COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Thursday, March 15, 2012

Present: Reps. Haines, Callton, Opsommer, Kurtz, Shirkey, Hooker, Huuki, Muxlow, Yonker, Hughes, Graves, Liss, Stallworth, Darany, Segal, Womack, Hovey-Wright and Greimel

Absent: Rep. Wayne Schmidt

Excused: Rep. Wayne Schmidt

## COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Thursday, March 15, 2012

Present: Reps. Lund, Shaughnessy, Opsommer, Denby, Callton, Glardon, Johnson, LaFontaine, Lyons, O'Brien, Yonker, Kandreas, Roy Schmidt, Segal, Hovey-Wright, Howze and Geiss

## 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: Thursday, March 15, 2012

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

Absent: Rep. Switalski

Excused: Rep. Switalski

**Messages from the Senate****House Bill No. 4618, entitled**

A bill to amend 1893 PA 206, entitled "The general property tax act," by amending section 7d (MCL 211.7d), as amended by 2010 PA 8.

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

The House agreed to the full title.

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

**House Bill No. 4647, entitled**

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," (MCL 600.101 to 600.9947) by adding section 2164a.

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.

**House Bill No. 4691, entitled**

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending section 1307a (MCL 600.1307a), as amended by 2004 PA 12.

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. 756, entitled**

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending sections 320a and 732 (MCL 257.320a and 257.732), as amended by 2011 PA 159, and by adding section 602c.

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. 783, entitled**

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending section 2962 (MCL 600.2962), as added by 1995 PA 249.

The Senate has passed the bill.

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

**Senate Bill No. 887, entitled**

A bill to amend 1939 PA 141, entitled "Grain dealers act," by amending section 8 (MCL 285.68), as amended by 2010 PA 264; 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 Appropriations.

**Senate Bill No. 888, entitled**

A bill to amend 2003 PA 198, entitled "Farm produce insurance act," by amending the title and sections 3, 7, 8, 9, 11, 13, 15, and 21 (MCL 285.313, 285.317, 285.318, 285.319, 285.321, 285.323, 285.325, and 285.331), the title and sections 3, 7, 9, 15, and 21 as amended by 2010 PA 300 and section 13 as amended by 2008 PA 140, and by adding section 10.

The Senate has passed the bill.

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

**Senate Bill No. 1005, entitled**

A bill to amend 1939 PA 288, entitled "Probate code of 1939," by amending sections 17d and 19b of chapter XIIA (MCL 712A.17d and 712A.19b), section 17d as amended by 2004 PA 475 and section 19b as amended by 2010 PA 7.

The Senate has passed the bill.

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

**Messages from the Governor**

Date: March 13, 2012

Time: 2:56 p.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

**Enrolled House Bill No. 4668 (Public Act No. 46, I.E.), being**

An act to amend 1897 PA 230, entitled "An act to provide for the formation of corporations for the purpose of owning, maintaining and improving lands and other property kept for the purposes of summer resorts or for ornament, recreation or amusement, and to repeal all laws or parts of laws in conflict herewith; and to impose certain duties on the department of commerce," (MCL 455.1 to 455.24) by adding section 16a.

(Filed with the Secretary of State March 13, 2012, at 4:00 p.m.)

Date: March 13, 2012

Time: 2:58 p.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

**Enrolled House Bill No. 4669 (Public Act No. 47, I.E.), being**

An act to amend 1893 PA 206, entitled "An act to provide for the assessment of rights and interests, including leasehold interests, in property and the levy and collection of taxes on property, and for the collection of taxes levied; making those



taxes a lien on the property taxed, establishing and continuing the lien, providing for the sale or forfeiture and conveyance of property delinquent for taxes, and for the inspection and disposition of lands bid off to the state and not redeemed or purchased; to provide for the establishment of a delinquent tax revolving fund and the borrowing of money by counties and the issuance of notes; to define and limit the jurisdiction of the courts in proceedings in connection with property delinquent for taxes; to limit the time within which actions may be brought; to prescribe certain limitations with respect to rates of taxation; to prescribe certain powers and duties of certain officers, departments, agencies, and political subdivisions of this state; to provide for certain reimbursements of certain expenses incurred by units of local government; to provide penalties for the violation of this act; and to repeal acts and parts of acts," by amending section 27a (MCL 211.27a), as amended by 2008 PA 506.

(Filed with the Secretary of State March 13, 2012, at 4:02 p.m.)

Date: March 13, 2012

Time: 9:34 a.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

**Enrolled House Bill No. 4589 (Public Act No. 50, I.E.), being**

An act 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.

(Filed with the Secretary of State March 13, 2012, at 4:08 p.m.)

#### Explanation of "No" Votes

Reps. Cavanagh, Segal, McCann, Geiss, Hovey-Wright, Liss, Stanley, Hammel, Howze, Kandrevas, Irwin and Haugh, having reserved the right to explain their protest against the passage of **House Bill No. 5063**, made the following statement:

"Mr. Speaker and members of the House:

I voted no on House Bill 5063 because it is a solution in search of a problem. There is no evidence of a widespread problem of ballot question petitions being rejected by the Secretary of State subsequent to signature collection because of defects in the form of the petition. Furthermore, a petition sponsor currently has the option to voluntarily submit the petition prior to signature collection if the sponsor wants to go through a pre-approval for form process with the Secretary of State. Those who do not avail themselves of this voluntary pre-approval process prior to circulating the petition for signatures, do so at their own risk. The system works. There is no reason to impose a mandatory pre-approval procedure that could be used for partisan gamesmanship and potentially slow down politically unpopular petitions.

I also voted no on House Bill 5063 because a common sense amendment to establish an effective date of January 1, 2013 was voted down. This amendment would have set a clear and concise effective date, giving ample notice to all citizens who are considering, and/or working toward, a ballot question petition drive. With only months to go before a general election, this bill makes major and unnecessary changes to a citizen's constitutionally guaranteed right to propose a statewide ballot question. The Secretary of State included this bill in a package she entitled, the 'Secure and Fair Elections' package. There is nothing secure or fair for Michigan citizens in changing the rules in the middle of the game without notice.

Article IV, Section 18 of the Michigan Constitution states that '[a]ny member of either house may dissent from and protest against any act, proceeding or resolution which he deems injurious to any person or the public, and have the reason for his dissent entered in the journal.' I find the act of granting immediate effect to House Bill 5063 injurious to the Michigan public. I did not support the granting of immediate effect to House Bill 5063."

Reps. Bledsoe and Oakes, having reserved the right to explain their protest against the passage of **House Bill No. 5063**, made the following statement:

"Mr. Speaker and members of the House:

I voted no on House Bill 5063 because it is a solution in search of a problem. There is no evidence of a widespread problem of ballot question petitions being rejected by the Secretary of State subsequent to signature collection because

of defects in the form of the petition. Furthermore, a petition sponsor currently has the option to voluntarily submit the petition prior to signature collection if the sponsor wants to go through a pre-approval for form process with the Secretary of State. Those who do not avail themselves of this voluntary pre-approval process prior to circulating the petition for signatures, do so at their own risk. The system works. There is no reason to impose a mandatory pre-approval procedure that could be used for partisan gamesmanship and potentially slow down politically unpopular petitions. I also voted no on House Bill 5063 because a common sense amendment to establish an effective date of January 1, 2013 was voted down. This amendment would have set a clear and concise effective date, giving ample notice to all citizens who are considering, and/or working toward, a ballot question petition drive. With only months to go before a general election, this bill makes major and unnecessary changes to a citizen's constitutionally guaranteed right to propose a statewide ballot question. The Secretary of State included this bill in a package she entitled, the 'Secure and Fair Elections' package. There is nothing secure or fair for Michigan citizens in changing the rules in the middle of the game without notice. Article IV, Section 18 of the Michigan Constitution states that '[a]ny member of either house may dissent from and protest against any act, proceeding or resolution which he deems injurious to any person or the public, and have the reason for his dissent entered in the journal.' I find the act of granting immediate effect to House Bill 5063 injurious to the Michigan public. I did not, have not, and do not support the granting of immediate effect to House Bill 5063."

Rep. Irwin, having reserved the right to explain his protest against the passage of **House Bill No. 4246**, made the following statement:

"Mr. Speaker and members of the House:

I voted no on House Bill 4246 for several reasons. Among them, the Senate substitute contains a change of purpose from the original HB 4246. The new bill embodies the provisions of SB 971 which bans graduate student research assistants from organizing while the original bill dealt with Emergency Managers.

I also oppose the new content because this legislation removes the decision making authority in these matters from the Michigan Employment Relations Commission. The Commission has worked well for decades deciding just these kinds of employment issues, it rules in a timely manner, and the legislature ought not involve itself in deciding case by case administrative decisions regarding employment law.

I also did not vote for immediate effect on HB 4246."

Rep. Irwin, having reserved the right to explain his protest against the passage of **House Bill No. 4929**, made the following statement:

"Mr. Speaker and members of the House:

I voted 'no' on House Bill 4929 on September 15, 2011 because it is an unnecessary and impractical bill. By prohibiting school districts from administering automatic payroll deductions for union dues, the bill will dismantle a system that is simple, fair and efficient.

The current system is simple because the deductions process is largely automated, fair because the decision to administer these deductions is made at the local level through collective bargaining and efficient because employees do not have to write checks and mail in their union dues each year.

Further, as noted by the House Fiscal Agency, the bill's sponsor, and other interested parties, the bill will have only a minimal fiscal impact on our state's school districts.

House Bill 4929 represents another assault on our public school employees and will in no way improve our state's schools.

For these reasons, I did not support House Bill 4929. I also did not support granting Immediate Effect to House Bill 4929."

### Introduction of Bills

Rep. Irwin introduced

**House Bill No. 5473, entitled**

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 307 (MCL 257.307), as amended by 2012 PA 26.

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

Rep. Irwin introduced

**House Bill No. 5474, entitled**

A bill to amend 1976 PA 451, entitled "The revised school code," (MCL 380.1 to 380.1852) by adding section 1136.

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

Rep. Gilbert introduced

**House Bill No. 5475, entitled**

A bill to amend 1893 PA 206, entitled "The general property tax act," by amending section 7dd (MCL 211.7dd), as amended by 2011 PA 320.

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

Reps. Darany, Ananich, Hammel, Dillon, Bledsoe and Byrum introduced

**House Bill No. 5476, entitled**

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," (MCL 206.1 to 206.713) by adding section 272a.

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

Rep. Wayne Schmidt introduced

**House Bill No. 5477, entitled**

A bill to amend 1984 PA 270, entitled "Michigan strategic fund act," by amending sections 88f and 88q (MCL 125.2088f and 125.2088q), section 88f as added by 2005 PA 225 and section 88q as amended by 2009 PA 144.

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

Reps. Zorn, Goike, Ouimet, Pettalia, Lori, Huuki, Roy Schmidt, Dillon, Olson, Wayne Schmidt and Daley introduced

**House Bill No. 5478, entitled**

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 907 (MCL 257.907), as amended by 2011 PA 159, and by adding section 676c.

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

Reps. Knollenberg, Agema, Callton, Haines, Kowall and Moss introduced

**House Bill No. 5479, entitled**

A bill to prohibit persons who have certain economic relationships with Iran from submitting bids or entering into contracts with this state, political subdivisions of this state, and other public entities; to require bidders for certain public contracts to submit certification of eligibility with the bid; to require reports; and to provide for sanctions for false certification.

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

Reps. Knollenberg, Agema, Callton, Haines, Kowall and Moss introduced

**House Bill No. 5480, entitled**

A bill to amend 1984 PA 431, entitled "The management and budget act," by amending section 261 (MCL 18.1261), as amended by 2008 PA 133.

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

Reps. Callton, Knollenberg, Agema, Haines, Kowall and Moss introduced

**House Bill No. 5481, entitled**

A bill to amend 1984 PA 431, entitled "The management and budget act," by amending section 241 (MCL 18.1241), as amended by 2010 PA 22.

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

Reps. Agema, Knollenberg, Callton, Haines, Kowall and Moss introduced

**House Bill No. 5482, entitled**

A bill to amend 1984 PA 270, entitled "Michigan strategic fund act," (MCL 125.2001 to 125.2094) by adding section 15.

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

Reps. Moss, Knollenberg, Agema, Callton, Haines and Kowall introduced

**House Bill No. 5483, entitled**

A bill to amend 1971 PA 140, entitled "Glenn Steil state revenue sharing act of 1971," (MCL 141.901 to 141.921) by adding section 17b.

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

Reps. Haines, Knollenberg, Agema, Callton, Kowall and Moss introduced

**House Bill No. 5484, entitled**

A bill to amend 1951 PA 51, entitled "An act to provide for the classification of all public roads, streets, and highways in this state, and for the revision of that classification and for additions to and deletions from each classification; to set up and establish the Michigan transportation fund; to provide for the deposits in the Michigan transportation fund of specific taxes on motor vehicles and motor vehicle fuels; to provide for the allocation of funds from the Michigan transportation fund and the use and administration of the fund for transportation purposes; to promote safe and efficient travel for motor vehicle drivers, bicyclists, pedestrians, and other legal users of roads, streets, and highways; to set up and establish the truck safety fund; to provide for the allocation of funds from the truck safety fund and administration of the fund for truck safety purposes; to set up and establish the Michigan truck safety commission; to establish certain standards for road contracts for certain businesses; to provide for the continuing review of transportation needs within the state; to authorize the state transportation commission, counties, cities, and villages to borrow money, issue bonds, and make pledges of funds for transportation purposes; to authorize counties to advance funds for the payment of deficiencies necessary for the payment of bonds issued under this act; to provide for the limitations, payment, retirement, and security of the bonds and pledges; to provide for appropriations and tax levies by counties and townships for county roads; to authorize contributions by townships for county roads; to provide for the establishment and administration of the state trunk line fund, local bridge fund, comprehensive transportation fund, and certain other funds; to provide for the deposits in the state trunk line fund, critical bridge fund, comprehensive transportation fund, and certain other funds of money raised by specific taxes and fees; to provide for definitions of public transportation functions and criteria; to define the purposes for which Michigan transportation funds may be allocated; to provide for Michigan transportation fund grants; to provide for review and approval of transportation programs; to provide for submission of annual legislative requests and reports; to provide for the establishment and functions of certain advisory entities; to provide for conditions for grants; to provide for the issuance of bonds and notes for transportation purposes; to provide for the powers and duties of certain state and local agencies and officials; to provide for the making of loans for transportation purposes by the state transportation department and for the receipt and repayment by local units and agencies of those loans from certain specified sources; and to repeal acts and parts of acts," (MCL 247.651 to 247.675) by adding section 1j.

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

Rep. Yonker introduced

**House Bill No. 5485, entitled**

A bill to amend 1980 PA 299, entitled "Occupational code," by amending sections 2501, 2503, and 2505 (MCL 339.2501, 339.2503, and 339.2505), section 2501 as amended by 2008 PA 90, section 2503 as amended by 1990 PA 269, and section 2505 as amended by 2003 PA 196.

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

Reps. MacGregor, Lyons, Poleski, Moss, Haines, Roy Schmidt, Haveman, Bumstead, Hooker, Jacobsen, Zorn, MacMaster, Hughes, Outman, Darany, Lori, Jenkins, Shaughnessy, Tyler, Huuki, Damrow, Callton, Rogers, Agema, LeBlanc, Yonker, Heise, Liss, Foster, LaFontaine, Somerville, Hobbs and Greimel introduced

**House Bill No. 5486, entitled**

A bill to create the office of the Michigan veterans' facility ombudsman; and to prescribe the powers and duties of the office, the ombudsman, the legislative council, and the department of military and veterans affairs.

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

Reps. Potvin, Rendon, Damrow, MacMaster, Graves, Foster, Bumstead, Gilbert, Goike, Dillon, Greimel and Meadows introduced

**House Bill No. 5487, entitled**

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending sections 42 and 726c (MCL 257.42 and 257.726c), as amended by 1989 PA 173.

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

Reps. Franz, Bumstead, Nesbitt, Rendon, Opsommer, Yonker, Shirkey, Pettalia, Jacobsen, Kowall and Wayne Schmidt introduced

**House Bill No. 5488, entitled**

A bill to amend 1998 PA 58, entitled "Michigan liquor control code of 1998," by amending section 525 (MCL 436.1525), as amended by 2010 PA 279.

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

Rep. Ananich introduced

**House Bill No. 5489, entitled**

A bill to make, supplement, and adjust appropriations for various state departments and agencies for the fiscal year ending September 30, 2012; and to provide for the expenditure of the appropriations.

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

Reps. Bauer, Tlaib, Hovey-Wright, Lindberg and Dillon introduced

**House Joint Resolution SS, entitled**

A joint resolution proposing an amendment to the state constitution of 1963, by amending section 26 of article IV, to provide for four-year sunsets on all bills to increase or create new tax exemptions and credits.

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

By unanimous consent the House returned to the order of

**Second Reading of Bills**

**House Bill No. 5232, entitled**

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," by amending section 435 (MCL 206.435), as amended by 2010 PA 346.

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

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

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

The motion prevailed.

**Senate Bill No. 992, entitled**

A bill to regulate the use and enforceability of certain loan covenants in nonrecourse commercial loan transactions in this state.

The bill was read a second time.

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

The motion prevailed.

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

The motion prevailed.

**Announcements by the Clerk**

The Clerk received the following dissent from Reps. Byrum, Hovey-Wright, Dillon, Darany, Lindberg, Slavens, Greimel, McCann, Bledsoe, Rutledge, Barnett, Stapleton, Townsend, Ananich, Roy Schmidt, Segal, Cavanagh, Santana, Brunner, Smiley, Switalski, Bauer, Tlaib, Lipton, Irwin, Jackson, Meadows, Lane, Brown, Stanley, Talabi, Nathan and Stallworth:

Article IV, Section 18 of the Michigan Constitution states that "[a]ny member of either house may dissent from and protest against any act, proceeding or resolution which he deems injurious to any person or the public, and have the reason for his dissent entered in the journal." Under this constitutional provision, I demand this be printed in the House Journal as I object to the act of gaveling on of Immediate Effect to House Bill 5063 despite the obvious lack of support for that motion. I did not, have not, and do not support the granting of immediate effect to House Bill 5063.

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Rep. Wayne Schmidt moved that the House adjourn.

The motion prevailed, the time being 2:10 p.m.

The Speaker Pro Tempore declared the House adjourned until Tuesday, March 20, at 1:30 p.m.

GARY L. RANDALL  
Clerk of the House of Representatives