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House Chamber, Lansing, Thursday, September 8, 2011.

12:00 Noon.

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

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

Agema—present	Gilbert—excused	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—excused	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—excused
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—excused	Knollenberg—present	Ouimet—present	Townsend—excused
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. Douglas A. Bradshaw, Chaplain of the Lansing Fire Department in Lansing, offered the following invocation:

“Heavenly Father. We have gathered here today to remember, honor, and resolve.

We remember that 10 years ago a great tragedy struck our nation. We remember that thousands of people’s lives were changed forever that fateful day. We remember that those who died were not statistics, but mothers and fathers, sons and daughters. We remember that You are the God of all comfort and mercy and we ask You to touch the many today that are still grieving.

We honor those today whose lives were cut short in pursuit of their dreams. We honor those who answered the call that day and gave the ultimate gift of love. For You taught us that ‘greater love has no man than this, that a man lay down his life for his friend.’ We honor all that day that perished.

And today we resolve. We resolve to live each day as if this could be our last. We resolve to use our God given talents to defend the freedom and rights of all people. We resolve to never, never, never let evil think it has the upper hand, but to always display that faith, hope and love will win the day. We resolve to pay whatever price is asked of us to carry-on the legacy of those who perished 10 years ago.

Almighty God. We in this room today have been given great responsibility. We ask that You would guide us in the ways of truth and empower us to live lives of selfless service.

In Jesus name we pray, Amen.”

Rep. Segal moved that Reps. Durhal, Stallworth and Townsend be excused from today’s session.
The motion prevailed.

Rep. Stamas moved that Reps. Bolger and Gilbert be excused from today’s session.
The motion prevailed.

Motions and Resolutions

Reps. Denby, Barnett, Brown, Constan, Cotter, Daley, Heise, Horn, Kowall, Kurtz, Liss, Lori, Poleski, Rogers, Santana, Segal, Shaughnessy, Slavens, Stamas and Tyler offered the following resolution:

House Resolution No. 120.

A resolution to declare September 10, 2011, as Soybean Awareness Day in the state of Michigan.

Whereas, Soybeans are the second largest agricultural crop in Michigan; and

Whereas, Michigan’s total economic impact of soybean farming in 2010 was \$1.25 billion, of which over \$1 billion was in direct activity and \$240 million was in related industries and general spending in the economy; and

Whereas, Processed soybeans are used in many products including adhesives, antibiotics, fuel, candles, crayons, lotions, inks, paints, hygiene products and many more products; and

Whereas, Dr. Louis E. May of Livingston County has researched and discovered the medicinal benefits of the soybeans for human consumption. These benefits include weight control, hormone therapy and cholesterol reduction; and

Whereas, The Fowlerville Agricultural Society is promoting the economic and health benefits of the soybean through an educational two-day festival located at the Fowlerville Fairgrounds; and

Whereas, The Fowlerville Agricultural Society will continue to support the soybean industry throughout Livingston County and beyond by hosting the annual Michigan Soybean Festival; now, therefore, be it

Resolved by the House of Representatives, That the members of this legislative body declare September 20, 1011, as Soybean Awareness Day in the state of Michigan; and be it further

Resolved, That we support the Fowlerville Agricultural Society, the Soybean Festival, and soybean farmers. We encourage communities to appropriately recognize the importance of soybeans on the economy of Michigan.

The question being on the adoption of the resolution,

The resolution was adopted.

Reps. LeBlanc, Barnett, Constan, Denby, Goike, Heise, Kowall, Kurtz, Liss, Lori, O’Brien, Poleski, Rogers, Segal, Shaughnessy, Slavens, Stamas and Tyler offered the following resolution:

House Resolution No. 121.

A resolution to declare September 2011 as Pain Awareness Month in the state of Michigan.

Whereas, One third of all Michiganders suffer from chronic pain yearly, many for the rest of their lives; and

Whereas, Although medical knowledge and technologies exist to relieve or reduce pain, greater awareness and research is needed in order to properly treat pain and people with pain, including those near the end of life who in most part get very little or no relief and our veterans who suffer now from unique and difficult to treat conditions; and

Whereas, People who suffer from chronic pain are too often stigmatized and marginalized, and often uninformed as to their right to effective pain assessment and management; and

Whereas, There are national organizations and coalitions such as the American Pain Association (ACPA) and Partners for Understanding Pain (PUP) working to raise awareness among healthcare professionals, policy makers and the public at large regarding issues of people living with pain, especially chronic pain; and

Whereas, A statewide month dedicated to educating all Michiganders on the issues of those living with pain can result in a better informed public and better planning of therapies for those that suffer from chronic pain; now, therefore, be it

Resolved by the House of Representatives, That the members of this legislative body declare September 2011 as Pain Awareness Month in the state of Michigan. We respect the needs of those with pain and seek to make those needs known to the population of the great state of Michigan.

The question being on the adoption of the resolution,

The resolution was adopted.

Reps. Lund, Kandrevas, Barnett, Constan, Daley, Denby, Forlini, Goike, Heise, Kowall, Kurtz, Liss, Lori, MacMaster, O'Brien, Poleski, Rogers, Shaughnessy, Slavens, Stamas and Tyler offered the following resolution:

House Resolution No. 122.

A resolution to declare September 2011 as Life Insurance Awareness Month in the state of Michigan.

Whereas, The vast majority of Americans recognize that it is important to protect loved ones with life insurance, with a recent survey indicating that 86 percent agree that most people need coverage; and

Whereas, The life insurance industry pays roughly \$60 billion to beneficiaries each year, providing a tremendous source of financial relief and security to families that experience the loss of a loved one; and

Whereas, Despite the importance that people place on life insurance and the peace of mind that it brings to millions of American families, there are still too many Americans who lack adequate coverage; and

Whereas, The unfortunate reality today is that roughly 95 million adult Americans have no life insurance and ownership of both individual and employer-sponsored life insurance has declined in recent years; and

Whereas, During times like these when the economy remains stagnant and so many families continue to struggle, life insurance coverage is more important than ever because most families have fewer financial resources to fall back on than in years past, increasing their financial vulnerability; and

Whereas, The nonprofit Life and Health Insurance Foundation for Education (LIFE) and a coalition representing hundreds of leading life insurance companies and organizations have designated September 2011 as "Life Insurance Awareness Month," whose goal is to get consumers thinking about their need for life insurance protection, to encourage them to seek advice from a qualified insurance professional, and to take the actions necessary to achieve a financially secure future for their loved ones; now, therefore, be it

Resolved by the House of Representatives, That the members of this legislative body declare September 2011 as Life Insurance Awareness Month in the state of Michigan. We urge citizens to learn more about life insurance and its benefits.

The question being on the adoption of the resolution,

The resolution was adopted.

Reps. Brown, Barnett, Bauer, Constan, Cotter, Daley, Denby, Goike, Heise, Hovey-Wright, Kowall, Kurtz, Liss, Lori, O'Brien, Poleski, Price, Rogers, Santana, Segal, Shaughnessy, Slavens, Stamas, Switalski, Tlaib and Tyler offered the following resolution:

House Resolution No. 123.

A resolution to declare September 2011 as Ovarian Cancer Awareness Month in the state of Michigan.

Whereas, More than 21,000 women were diagnosed with ovarian cancer in 2010; and

Whereas, In 2010, 15,000 women died from ovarian cancer; and

Whereas, Ovarian cancer has a five-year survival rate of 93 percent if found before spreading outside the ovary, but only 19 percent of ovarian cancers are found at such an early stage; and

Whereas, No ovarian cancer screening test currently exists and women must be aware of the signs and symptoms in order to protect themselves; and

Whereas, The symptoms commonly associated with ovarian cancer are bloating, pelvic or abdominal pain, urinary urgency or frequency, and difficulty eating or feeling full quickly, and all women should be aware of these symptoms; now, therefore, be it

Resolved by the House of Representatives, That the members of this legislative body declare September 2011 as Ovarian Cancer Awareness Month in the state of Michigan.

The question being on the adoption of the resolution,

The resolution was adopted.

Reps. Barnett, Bauer, Brown, Constan, Cotter, Goike, Hovey-Wright, Liss, Rogers, Segal, Slavens, Stamas, Switalski and Tlaib offered the following resolution:

House Resolution No. 124.

A resolution to memorialize Congress to enact legislation, S. 911, to unite our nation with a single, interoperable public safety network in order to protect the public and the lives of our first responders.

Whereas, The United States has over 55,000 public safety agencies across the country, with many using different and incompatible radio systems when responding to emergencies; and

Whereas, On September 11, 2001, when police commanders ordered the evacuation of the World Trade Center towers by rescue workers, the firefighters did not hear the warning as they were using a different radio system than the police, resulting in increased casualties; and

Whereas, Forty-six different agencies responded to the Columbine High School shootings in 1999 and command personnel were forced to use runners to relay crucial information to responders. Again, the radio systems were not compatible; and

Whereas, The same problem presented itself for first responders to the Oklahoma City bombing and the first World Trade Center bombing which again wasted precious minutes and jeopardized additional lives; and

Whereas, The federal Telecommunications Act of 1996 was intended to solve the multiple radio system problem by requiring that broadcasters move to digital transmissions so that channels could be freed up for public safety use. However, efforts to build a national public safety communication system have been derailed numerous times over the past 15 years; and

Whereas, Only two weeks ago, the 5.9 magnitude earthquake that shook Virginia also caused cellular networks to be overwhelmed and unavailable for emergency communications again demonstrating the need for a national public safety communication system; and

Whereas, S. 911, known as the Public Safety Spectrum and Wireless Innovation Act, passed out of the U.S. Senate Science, Commerce and Transportation Committee with bipartisan support in June 2011. The legislation would allocate an additional 10 MHz of open radio spectrum for first responders nationwide (known as the D-block) and would require standards to guarantee that different agencies with different radio systems can communicate; now, therefore, be it

Resolved by the House of Representatives, That we memorialize Congress to enact S. 911 to unite our nation with a single, interoperable public safety network in order to protect the public and the lives of our first responders; and be it further

Resolved, That copies of this resolution be transmitted to the President of the United States Senate, the Speaker of the United States House of Representatives, and the members of the Michigan congressional delegation.

The resolution was referred to the Committee on Energy and Technology.

Reps. Slavens, Barnett, Bauer, Brown, Constan, Cotter, Daley, Goike, Heise, Hovey-Wright, Kowall, Kurtz, LaFontaine, Liss, Lori, O'Brien, Poleski, Price, Rogers, Santana, Segal, Shaughnessy, Stamas, Switalski, Tlaib and Tyler offered the following resolution:

House Resolution No. 125.

A resolution to declare September 2011 as Alzheimer's Month in the state of Michigan.

Whereas, The Alzheimer's Association is observing the inaugural World Alzheimer's Month this September; and

Whereas, Due to the soaring global prevalence and costs of Alzheimer's disease worldwide, Michigan is recognizing the entire month of September as Alzheimer's Month; and

Whereas, Alzheimer's disease tragically robs individuals of their memories and leads to progressive mental and physical impairments; and

Whereas, This fatal disease represents a serious and growing threat to the health of our state, impacting millions of citizens and their families; and

Whereas, We recommit to improving its detection and treatment, finding a cure, and standing with all whose lives are affected by this terrible disease; now, therefore, be it

Resolved by the House of Representatives, That the members of this legislative body declare September 2011 as Alzheimer's Month in the state of Michigan.

The question being on the adoption of the resolution,

The resolution was adopted.

Reps. Slavens, Barnett, Bauer, Brown, Constan, Cotter, Daley, Goike, Heise, Hovey-Wright, Kowall, Kurtz, LaFontaine, Liss, Lori, Poleski, Price, Rogers, Santana, Segal, Shaughnessy, Stamas, Switalski, Tlaib and Tyler offered the following resolution:

House Resolution No. 126.

A resolution to declare September 21, 2011, as Alzheimer's Action Day in the state of Michigan.

Whereas, Alzheimer's Action Day is an opportunity to raise awareness about Alzheimer's disease and the need for more education, support and research; and

Whereas, Tens of thousands of families across Michigan are affected by this disease; and

Whereas, Today, there are more than 35 million people living with dementia worldwide; and
 Whereas, Alzheimer’s disease is the only cause of death among the top 10 in America without a way to prevent, cure or even slow its progression; and

Whereas, It is going to take all of us to end this disease, but together, we can move toward a world without Alzheimer’s; now, therefore, be it

Resolved by the House of Representatives, That the members of this legislative body declare September 21, 2011, as Alzheimer’s Action Day in the state of Michigan. We join with organizations and individuals around the globe to recognize this occasion.

The question being on the adoption of the resolution,
 The resolution was adopted.

Reps. Franz, Agema, Barnett, Bauer, Brown, Constan, Cotter, Crawford, Daley, Denby, Forlini, Genetski, Glardon, Goike, Heise, Horn, Hovey-Wright, Huuki, Johnson, Kowall, Kurtz, LaFontaine, Lori, Lyons, MacGregor, MacMaster, McBroom, McMillin, Moss, Nesbitt, O’Brien, Olson, Poleski, Price, Rendon, Rogers, Santana, Segal, Shaughnessy, Slavens, Somerville, Stamas, Switalski, Tlaib and Tyler offered the following resolution:

House Resolution No. 127.

A resolution to express appreciation for the work and sacrifices of first responders in Michigan, to commemorate the lives of Michigan residents lost in the terrorist attacks on September 11, 2001, and to honor our nation for its strength and resolve in the face of an enemy.

Whereas, First responders are the men and women who willingly put themselves in harm’s way and risk their lives to preserve the safety and well-being of those around them no matter the circumstances; and

Whereas, We memorialize those lives, lived in Michigan, ended abruptly by terrorist violence on September 11, 2001, and remembered forever by friends and family in Michigan and across our nation and the world; and

Whereas, America was attacked by an enemy bearing hatred toward our freedoms, our rights, and our way of life but as a nation we responded with strength, dignity, unity and resolve; now, therefore, be it

Resolved by the House of Representatives, That the members of this legislative body express appreciation for the work and sacrifices of first responders in Michigan, commemorate the lives of Michigan residents lost in the terrorist attacks on September 11, 2001, and honor our nation for its strength and resolve in the face of an enemy.

The question being on the adoption of the resolution,
 The resolution was adopted.

Announcement by the Clerk of Printing and Enrollment

The Clerk announced that the following bills had been printed and placed upon the files of the members on Wednesday, September 7:

Senate Bill Nos. 618 619 620 621 622 623 624

The Clerk announced that the following bills had been printed and placed upon the files of the members on Thursday, September 8:

House Bill Nos.	4891	4892	4893	4894	4895	4896	4897	4898	4899	4900	4901	4902	4903	4904
	4905	4906	4907	4908	4909	4910	4911	4912	4913					
Senate Bill Nos.	585	586	587	588	589	590	591	592	593	594	595	596	597	598
	599	600	601	602	603	604	605	606	607	608	609	610	611	612
	613	614	615	616	617									

Reports of Standing Committees

The Committee on Judiciary, by Rep. Walsh, Chair, reported

House Bill No. 4462, entitled

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

With the recommendation that the bill be referred to the Committee on Banking and Financial Services.

Favorable Roll Call

To Report Out:

Yeas: Reps. Walsh, Heise, Horn, Scott, Damrow, Muxlow, Pettalia, Somerville, Meadows, Constan, Brown, Irwin, Cavanagh and Olumba

Nays: None

The recommendation was concurred in and the bill was referred to the Committee on Banking and Financial Services.

The Committee on Judiciary, by Rep. Walsh, Chair, reported

House Bill No. 4478, entitled

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

With the recommendation that the bill be referred to the Committee on Banking and Financial Services.

Favorable Roll Call

To Report Out:

Yeas: Reps. Walsh, Heise, Horn, Scott, Damrow, Muxlow, Pettalia, Somerville, Meadows, Constan, Irwin, Cavanagh and Olumba

Nays: None

The recommendation was concurred in and the bill was referred to the Committee on Banking and Financial Services.

The Committee on Judiciary, by Rep. Walsh, Chair, reported

House Bill No. 4487, entitled

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

With the recommendation that the bill be referred to the Committee on Banking and Financial Services.

Favorable Roll Call

To Report Out:

Yeas: Reps. Walsh, Heise, Horn, Scott, Damrow, Muxlow, Pettalia, Somerville, Meadows, Constan, Brown, Irwin, Cavanagh and Olumba

Nays: None

The recommendation was concurred in and the bill was referred to the Committee on Banking and Financial Services.

The Committee on Judiciary, by Rep. Walsh, Chair, reported

House Bill No. 4488, entitled

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

With the recommendation that the bill be referred to the Committee on Banking and Financial Services.

Favorable Roll Call

To Report Out:

Yeas: Reps. Walsh, Heise, Horn, Scott, Damrow, Muxlow, Pettalia, Somerville, Meadows, Constan, Brown, Irwin, Cavanagh and Olumba

Nays: None

The recommendation was concurred in and the bill was referred to the Committee on Banking and Financial Services.

The Committee on Judiciary, by Rep. Walsh, Chair, reported

House Bill No. 4489, 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.

With the recommendation that the bill be referred to the Committee on Banking and Financial Services.

Favorable Roll Call

To Report Out:

Yeas: Reps. Walsh, Heise, Horn, Scott, Damrow, Muxlow, Pettalia, Somerville, Meadows, Constan, Brown, Irwin, Cavanagh and Olumba

Nays: None

The recommendation was concurred in and the bill was referred to the Committee on Banking and Financial Services.

The Committee on Judiciary, by Rep. Walsh, Chair, reported

House Bill No. 4490, entitled

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

With the recommendation that the bill be referred to the Committee on Banking and Financial Services.

Favorable Roll Call

To Report Out:

Yeas: Reps. Walsh, Heise, Horn, Scott, Damrow, Muxlow, Pettalia, Somerville, Meadows, Constan, Brown, Irwin, Cavanagh and Olumba

Nays: None

The recommendation was concurred in and the bill was referred to the Committee on Banking and Financial Services.

The Committee on Judiciary, by Rep. Walsh, Chair, reported

House Bill No. 4491, entitled

A bill to amend 2003 PA 238, entitled "Michigan notary public act," by amending sections 41, 43, and 49 (MCL 55.301, 55.303, and 55.309).

With the recommendation that the bill be referred to the Committee on Banking and Financial Services.

Favorable Roll Call

To Report Out:

Yeas: Reps. Walsh, Heise, Horn, Scott, Damrow, Muxlow, Jacobsen, Pettalia, Somerville, Meadows, Constan, Brown, Irwin, Cavanagh and Olumba

Nays: None

The recommendation was concurred in and the bill was referred to the Committee on Banking and Financial Services.

The Committee on Judiciary, by Rep. Walsh, Chair, reported

House Bill No. 4492, entitled

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

With the recommendation that the bill be referred to the Committee on Banking and Financial Services.

Favorable Roll Call

To Report Out:

Yeas: Reps. Walsh, Heise, Horn, Scott, Damrow, Muxlow, Jacobsen, Pettalia, Somerville, Meadows, Constan, Brown, Irwin, Cavanagh and Olumba

Nays: None

The recommendation was concurred in and the bill was referred to the Committee on Banking and Financial Services.

The Committee on Judiciary, by Rep. Walsh, Chair, reported

House Bill No. 4495, 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.

With the recommendation that the bill be referred to the Committee on Banking and Financial Services.

Favorable Roll Call

To Report Out:

Yeas: Reps. Walsh, Heise, Horn, Scott, Damrow, Muxlow, Jacobsen, Pettalia, Somerville, Meadows, Constan, Brown, Irwin, Cavanagh and Olumba

Nays: None

The recommendation was concurred in and the bill was referred to the Committee on Banking and Financial Services.

The Committee on Judiciary, by Rep. Walsh, Chair, reported

House Bill No. 4881, entitled

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

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. Walsh, Heise, Horn, Scott, Damrow, Muxlow, Jacobsen, Pettalia, Somerville, Meadows, Constan, Brown, Irwin, Cavanagh and Olumba

Nays: None

The Committee on Judiciary, by Rep. Walsh, Chair, reported

Senate Bill No. 43, entitled

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

With the recommendation that the bill be referred to the Committee on Banking and Financial Services.

Favorable Roll Call

To Report Out:

Yeas: Reps. Walsh, Heise, Horn, Scott, Damrow, Muxlow, Jacobsen, Pettalia, Somerville, Meadows, Constan, Brown, Irwin, Cavanagh and Olumba

Nays: None

The recommendation was concurred in and the bill was referred to the Committee on Banking and Financial Services.

The Committee on Judiciary, by Rep. Walsh, Chair, reported

Senate Bill No. 44, entitled

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

With the recommendation that the bill be referred to the Committee on Banking and Financial Services.

Favorable Roll Call

To Report Out:

Yeas: Reps. Walsh, Heise, Horn, Scott, Damrow, Muxlow, Jacobsen, Pettalia, Somerville, Meadows, Constan, Brown, Irwin, Cavanagh and Olumba

Nays: None

The recommendation was concurred in and the bill was referred to the Committee on Banking and Financial Services.

The Committee on Judiciary, by Rep. Walsh, Chair, reported

Senate Bill No. 249, entitled

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

With the recommendation that the bill be referred to the Committee on Banking and Financial Services.

Favorable Roll Call

To Report Out:

Yeas: Reps. Walsh, Heise, Horn, Scott, Damrow, Muxlow, Jacobsen, Pettalia, Somerville, Meadows, Constan, Brown, Irwin, Cavanagh and Olumba

Nays: None

The recommendation was concurred in and the bill was referred to the Committee on Banking and Financial Services.

The Committee on Judiciary, by Rep. Walsh, Chair, reported

Senate Bill No. 250, entitled

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

With the recommendation that the bill be referred to the Committee on Banking and Financial Services.

Favorable Roll Call

To Report Out:

Yeas: Reps. Walsh, Heise, Horn, Scott, Damrow, Muxlow, Jacobsen, Pettalia, Somerville, Meadows, Constan, Brown, Irwin, Cavanagh and Olumba

Nays: None

The recommendation was concurred in and the bill was referred to the Committee on Banking and Financial Services.

The Committee on Judiciary, by Rep. Walsh, Chair, reported

Senate Bill No. 251, entitled

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

With the recommendation that the bill be referred to the Committee on Banking and Financial Services.

Favorable Roll Call

To Report Out:

Yeas: Reps. Walsh, Heise, Horn, Scott, Damrow, Muxlow, Jacobsen, Pettalia, Somerville, Meadows, Constan, Brown, Irwin, Cavanagh and Olumba

Nays: None

The recommendation was concurred in and the bill was referred to the Committee on Banking and Financial Services.

The Committee on Judiciary, by Rep. Walsh, Chair, reported

Senate Bill No. 252, entitled

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

With the recommendation that the bill be referred to the Committee on Banking and Financial Services.

Favorable Roll Call

To Report Out:

Yeas: Reps. Walsh, Heise, Horn, Scott, Damrow, Muxlow, Jacobsen, Pettalia, Somerville, Meadows, Constan, Brown, Irwin, Cavanagh and Olumba

Nays: None

The recommendation was concurred in and the bill was referred to the Committee on Banking and Financial Services.

The Committee on Judiciary, by Rep. Walsh, Chair, reported

Senate Bill No. 253, entitled

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

With the recommendation that the bill be referred to the Committee on Banking and Financial Services.

Favorable Roll Call

To Report Out:

Yeas: Reps. Walsh, Heise, Horn, Scott, Damrow, Muxlow, Jacobsen, Pettalia, Somerville, Meadows, Constan, Brown, Irwin, Cavanagh and Olumba

Nays: None

The recommendation was concurred in and the bill was referred to the Committee on Banking and Financial Services.

The Committee on Judiciary, by Rep. Walsh, Chair, reported

Senate Bill No. 361, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 16 of chapter X (MCL 770.16), as amended by 2008 PA 410.

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. Walsh, Heise, Horn, Scott, Damrow, Muxlow, Jacobsen, Pettalia, Somerville, Meadows, Constan, Brown, Irwin, Cavanagh and Olumba

Nays: None

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Thursday, September 8, 2011

Present: Reps. Walsh, Heise, Horn, Scott, Damrow, Muxlow, Jacobsen, Pettalia, Somerville, Meadows, Constan, Brown, Irwin, Cavanagh and Olumba

Absent: Reps. Gilbert and Oakes

Excused: Reps. Gilbert and Oakes

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: Thursday, September 8, 2011

Present: Reps. Foster, Damrow, Johnson, Pettalia, Haugh, Stapleton, Bledsoe and Slavens

Absent: Reps. Huuki, Wayne Schmidt and Hughes

Excused: Reps. Huuki, Wayne Schmidt and Hughes

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, September 8, 2011

Present: Reps. Haines, Callton, Opsommer, Kurtz, Wayne Schmidt, Scott, Shirkey, Hooker, Huuki, Muxlow, Yonker, Liss, Darany, Segal, Womack and Hovey-Wright

Absent: Rep. Stallworth

Excused: Rep. Stallworth

Messages from the Senate**Senate Concurrent Resolution No. 10.**

A concurrent resolution to approve a certain designated open space land application for property in Midland County.

Whereas, Section 36105(2) and Section 36106(9) of Part 361, Farmland and Open Space Preservation, of the Natural Resources and Environmental Protection Act, 1994 PA 451, require the Department of Agriculture to submit each

application for a designated open space easement and local open space easements on appeal, along with an analysis of the cost, to the Legislature; and

Whereas, The Department of Agriculture has received an application for a designated open space easement located in Edenville Township, Midland County; and

Whereas, The Legislature has reviewed the application and analysis and determined that the land in question qualifies and that it is in the interest of the state of Michigan to enter into said easement; now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That we hereby approve the following designated open space land application submitted by the Department of Agriculture:

<u>Name</u>	<u>Location</u>	<u>Size</u>	<u>Cost</u>	<u>Proposed Term</u>
Marilyn Garrison	Edenville Township Midland County Section 10 T16N R1W	33.5 Acres	Zero	Ten years

; and be it further

Resolved, That copies of this resolution be transmitted to the Department of Agriculture.

The Senate has adopted the concurrent resolution.

The concurrent resolution was referred to the Committee on Agriculture.

Communications from State Officers

The following communication from the Department of Treasury was received and read:

September 1, 2011

This report is provided in compliance with Public Act 388 of 2008, the Beverage Container Redemption Antifraud Act (Public Act 388 of 2008, Section(7)(4)) which mandates:

Beginning 1 year after the effective date of this act [December 1, 2009 (the date when monies were allocated for the Act)], the department [Treasury] by September 1 of each year shall report to the legislature on the progress it has made in reducing the redemption of nonreturnable containers, including the total number of distributors who were overredeemers in the immediately preceding calendar year, before trading, as well as the average amount of overredemption.

Please contact Tom Patchak-Schuster or me at 3-2697 if you have any questions.

Howard Heideman
Director, Tax Analysis Division
Office of Revenue and Tax Analysis

The communication was referred to the Clerk.

Introduction of Bills

Rep. Kowall introduced

House Bill No. 4914, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending the headings of parts 631 and 633 and sections 1301, 9115, 63101, 63103, 63103a, 63103b, 63103c, 63103d, and 63103e (MCL 324.1301, 324.9115, 324.63101, 324.63103, 324.63103a, 324.63103b, 324.63103c, 324.63103d, and 324.63103e), section 1301 as amended by 2009 PA 120, section 9115 as amended by 2000 PA 504, section 63101 as amended by 2004 PA 449, section 63103 as added by 1995 PA 57, sections 63103a and 63103c as amended by 2004 PA 325, and sections 63103b, 63103d, and 63103e as added by 1997 PA 149; and to repeal acts and parts of acts.

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

Rep. Kowall introduced

House Bill No. 4915, entitled

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

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

Reps. Tlaib, Irwin, Hovey-Wright, Hobbs, Stapleton, Olumba, Durhal, Nathan and Brown introduced

House Bill No. 4916, entitled

A bill to amend 1893 PA 206, entitled "The general property tax act," by amending section 78m (MCL 211.78m), as amended by 2006 PA 498.

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

Reps. Pettalia and Foster introduced

House Bill No. 4917, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 40111 (MCL 324.40111), as added by 1995 PA 57.

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

Reps. Switalski, Rutledge, Slavens, Brown, Hammel and McCann introduced

House Bill No. 4918, entitled

A bill to amend 1911 PA 209, entitled "An act to adopt and prescribe the design of a state coat-of-arms and state flag, and their use, and to prohibit the use of the same for advertising purposes, and to provide a punishment for such forbidden use," (MCL 2.21 to 2.27) by adding section 2a.

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

Reps. Geiss and Melton introduced

House Bill No. 4919, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," (MCL 324.101 to 324.90106) by adding part 175.

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

Reps. Scott and Byrum introduced

House Bill No. 4920, entitled

A bill to amend 1909 PA 279, entitled "The home rule city act," by amending sections 3 and 4i (MCL 117.3 and 117.4i), section 3 as amended by 2004 PA 541 and section 4i as amended by 1999 PA 55.

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

Reps. Heise and Byrum introduced

House Bill No. 4921, entitled

A bill to amend 1947 PA 359, entitled "The charter township act," by amending section 21 (MCL 42.21), as amended by 1999 PA 58.

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

Reps. Walsh and Byrum introduced

House Bill No. 4922, entitled

A bill to amend 1945 PA 246, entitled "An act to authorize township boards to adopt ordinances and regulations to secure the public health, safety and general welfare; to provide for the establishment of a township police department; to provide for policing of townships by certain law enforcement officers and agencies; to provide for the publication of ordinances; to prescribe powers and duties of township boards and certain local and state officers and agencies; to provide sanctions; and to repeal all acts and parts of acts in conflict with the act," by amending sections 1 and 4 (MCL 41.181 and 41.184), as amended by 1999 PA 257.

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

Reps. Constan and Byrum introduced

House Bill No. 4923, entitled

A bill to amend 1895 PA 3, entitled "The general law village act," by amending sections 2 and 4 of chapter VI (MCL 66.2 and 66.4), section 2 as amended by 1999 PA 57 and section 4 as amended by 1999 PA 259.

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

Reps. Muxlow and Byrum introduced

House Bill No. 4924, entitled

A bill to amend 1909 PA 278, entitled "The home rule village act," by amending sections 23 and 24 (MCL 78.23 and 78.24), section 23 as amended by 2003 PA 304 and section 24 as amended by 1999 PA 56.

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

Reps. Bumstead, Ananich, Lyons, Wayne Schmidt, Haugh, Liss, Yonker, Agema, Damrow, Poleski, Huuki and Kowall introduced

House Bill No. 4925, 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 bill was read a first time by its title and referred to the Committee on Natural Resources, Tourism, and Outdoor Recreation.

Reps. Pscholka, Tyler and Nesbitt introduced

House Bill No. 4926, entitled

A bill to amend 1998 PA 58, entitled "Michigan liquor control code of 1998," by amending section 513 (MCL 436.1513), as amended by 2009 PA 48.

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

Rep. Olson introduced

House Bill No. 4927, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 40102 and 40118 (MCL 324.40102 and 324.40118), section 40102 as amended by 2007 PA 48 and section 40118 as amended by 2000 PA 347.

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

Reps. Cotter, Bumstead, Pettalia, Genetski, Kowall, MacGregor, Denby and Opsommer introduced

House Bill No. 4928, entitled

A bill to amend 1915 PA 123, entitled "An act to provide for the recording and use in evidence of affidavits affecting real property; and to provide a penalty for the making of false affidavits," (MCL 565.451a to 565.453) by adding section 1d.

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

Reps. Haveman, Lund, Genetski, Lyons, Damrow, Yonker, Rogers and Olson introduced

House Bill No. 4929, entitled

A bill to amend 1947 PA 336, entitled "An act to prohibit strikes by certain public employees; to provide review from disciplinary action with respect thereto; to provide for the mediation of grievances and the holding of elections; to declare and protect the rights and privileges of public employees; to require certain provisions in collective bargaining agreements; and to prescribe means of enforcement and penalties for the violation of the provisions of this act," by amending section 10 (MCL 423.210).

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

Rep. Farrington introduced

House Joint Resolution DD, entitled

A joint resolution proposing an amendment to the state constitution of 1963, by amending sections 12, 13, and 31 of article IV, to reduce the salaries of members of the legislature, to limit the legislative session, and to provide that certain state budget bills are presented to the governor on or before a certain date.

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

Rep. Jacobsen 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, September 13, at 1:30 p.m.

GARY L. RANDALL
Clerk of the House of Representatives