

No. 79
STATE OF MICHIGAN
JOURNAL
OF THE
House of Representatives
96th Legislature
REGULAR SESSION OF 2011

House Chamber, Lansing, Tuesday, October 11, 2011.

1:30 p.m.

The House was called to order by the Speaker.

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

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

e/d/s = entered during session

Rep. Dian Slavens, from the 21st District, offered the following invocation:

“A Prayer for the Children by Ina J. Hughes:

We pray for the children
who put chocolate fingers everywhere,
who like to be tickled,
who stomp in puddles and ruin their new pants,
who sneak Popsicles before supper,
who erase holes in math workbooks,
who can never find their shoes.

And we pray for those
who stare at photographers from behind barbed wire,
who’ve never squeaked across the floor in new sneakers,
who never had crayons to count,
who are born in places we wouldn’t be caught dead,
who never go to the circus,
who live in an X-rated world.

We pray for children
who bring us sticky kisses and fistfuls of dandelions,
who sleep with the dog and bury goldfish,
who give hugs in a hurry and forget their lunch money,
who cover themselves with Band-Aids and sing off-key,
who squeeze toothpaste all over the sink,
who slurp their soup.

And we pray for those
who never get dessert,
who watch their parents watch them die,
who have no safe blanket to drag behind,
who can’t find any bread to steal,
who don’t have any rooms to clean up,
whose pictures aren’t on anybody’s dresser,
whose monsters are real.

We pray for children
who spend all their allowance before Tuesday,
who throw tantrums in the grocery store and pick at their food,
who like ghost stories,
who shove dirty clothes under the bed,
who never rinse out the tub,
who gets visits from the tooth fairy,
who don’t like to be kissed in front of the school,
who squirm in church or temple or mosque
and scream in the phone,
whose tears we sometimes laugh at and
whose smiles can make us cry.

And we pray for those
whose nightmares come in the daytime,
who will eat anything,
who aren’t spoiled by anybody,
who go to bed hungry and cry themselves to sleep,
who live and move, but have no being.

We pray for children who want to be carried,
and for those who must.
For those we never give up on,
and for those who never get a chance.
For those we smother with our love,
and for those who will grab the hand of anybody
kind enough to offer it. Amen.”

Motions and Resolutions

Rep. Olumba offered the following resolution:

House Resolution No. 139.

A resolution requesting that the Attorney General begin an investigation into the Office of the Wayne County Executive and other entities related to the severance payment scandal to determine if any misconduct or malfeasance occurred.

Whereas, The Office of the Wayne County Executive made a \$200,000 severance payment to its chief development officer, Turkia Awada Mullin, when she voluntarily quit her position and accepted a higher paying position as the new chief executive officer of the Detroit Metropolitan Wayne County Airport Authority. In addition, a county severance package was provided to her executive assistant who accompanied her to a new position with the airport authority; and

Whereas, The Office of the Wayne County Executive failed to inform or seek approval from the Wayne County Board of Commissioners for this and past severance payments. The county board is responsible for awarding funds and making contracts under the county charter. In addition, the Office of the Wayne County Executive has failed to produce a written contract binding Wayne County to pay these severance packages. An undated and inaccurate letter is apparently the only written documentation of an agreement; and

Whereas, There is at least the appearance of mutually beneficial ties among the various entities involved in this scandal. Ms. Mullin concurrently served and had received significant compensation as the executive director of Edge Opportunities—a nonprofit affiliated with the privately funded Wayne County Business Development Corporation—while she was the Wayne County chief development officer. The vice-president of Edge Opportunities also serves on the airport authority board. In turn, the Wayne County Executive appoints the majority of the airport authority board that hired Ms. Mullin; and

Whereas, Ms. Mullin was selected as chief executive officer of the Detroit Metropolitan Wayne County Airport Authority, and the airport authority hired a search firm to find a chief executive officer. This firm, Trust In Us LLC, is a company owned by the same individual who was the director of, and investor in, the Pinnacle Racing Track, a failed project contracted by the Wayne County department that Ms. Mullin headed; and

Whereas, The conflicting statements, questionable documentation, and interacting players have raised significant and legitimate public concerns over the issuing of these severance payments and the general hiring and awarding of contracts and compensation by the Office of the Wayne County Executive; and

Whereas, Wayne County Prosecutor Kym Worthy has recused herself from an investigation because the prosecutor's office budget is set by the Office of the Wayne County Executive and her office's involvement would constitute a conflict of interest; and

Whereas, The residents of Wayne County and the entire state of Michigan deserve a thorough and objective investigation of this issue to restore their trust in the integrity of public officials in Michigan's largest county; now, therefore, be it

Resolved by the House of Representatives, That we request that the Attorney General begin an investigation into the Office of the Wayne County Executive and other entities related to the severance payment scandal to determine if any misconduct or malfeasance occurred; and be it further

Resolved, That copies of this resolution be transmitted to the Office of the Michigan Attorney General.

The resolution was referred to the Committee on Oversight, Reform, and Ethics.

The Speaker called the Speaker Pro Tempore to the Chair.

Third Reading of Bills

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.

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

Roll Call No. 404

Yeas—108

Agema
Ananich

Genetski
Gilbert

Lindberg
Lipton

Pscholka
Rendon

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

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 revise, consolidate, and codify the laws relating to criminal procedure and to define the jurisdiction, powers, and duties of courts, judges, and other officers of the court under the provisions of this act; to provide laws relative to the rights of persons accused of criminal offenses and ordinance violations; to provide for the arrest of persons charged with or suspected of criminal offenses and ordinance violations; to provide for bail of persons arrested for or accused of criminal offenses and ordinance violations; to provide for the examination of persons accused of criminal offenses; to regulate the procedure relative to grand juries, indictments, informations, and proceedings before trial; to provide for trials of persons complained of or indicted for criminal offenses and ordinance violations and to provide for the procedure in those trials; to provide for judgments and sentences of persons convicted of criminal offenses and ordinance violations; to establish a sentencing commission and to prescribe its powers and duties; to provide for procedure relating to new trials and appeals in criminal and ordinance violation cases; to provide a uniform system of probation throughout this state and the appointment of probation officers; to prescribe the powers, duties, and compensation of probation officers; to provide penalties for the violation of the duties of probation officers; to provide for procedure governing proceedings to prevent crime and proceedings for the discovery of crime; to provide for fees of officers, witnesses, and others in criminal and ordinance violation cases; to set forth miscellaneous provisions as to criminal procedure in certain cases; to provide penalties for the violation of certain provisions of this act; and to repeal all acts and parts of acts inconsistent with or contravening any of the provisions of this act.”

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.

Rep. Jackson entered the House Chambers.

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.

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

Roll Call No. 405**Yeas—109**

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

Nays—0

In The Chair: Walsh

The House agreed to the title of the bill.

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

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

House Bill No. 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.

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

Roll Call No. 406**Yeas—109**

Agema	Gilbert	Lindberg	Pscholka
Ananich	Glardon	Lipton	Rendon

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

Nays—0

In The Chair: Walsh

The House agreed to the title of the bill.

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

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

House Bill No. 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.

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

Roll Call No. 407**Yeas—109**

Agema	Gilbert	Lindberg	Pscholka
Ananich	Glardon	Lipton	Rendon
Barnett	Goike	Liss	Rogers
Bauer	Haines	Lori	Rutledge
Bledsoe	Hammel	Lund	Santana
Bolger	Haugh	Lyons	Schmidt, R.
Brown	Haveman	MacGregor	Schmidt, W.

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

Nays—0

In The Chair: Walsh

The House agreed to the title of the bill.

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

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

House Bill No. 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.

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

Roll Call No. 408**Yeas—109**

Agema	Gilbert	Lindberg	Pscholka
Ananich	Gardon	Lipton	Rendon
Barnett	Goike	Liss	Rogers
Bauer	Haines	Lori	Rutledge
Bledsoe	Hammel	Lund	Santana
Bolger	Haugh	Lyons	Schmidt, R.
Brown	Haveman	MacGregor	Schmidt, W.
Brunner	Heise	MacMaster	Scott
Bumstead	Hobbs	McBroom	Segal
Byrum	Hooker	McCann	Shaughnessy
Callton	Horn	McMillin	Shirkey
Cavanagh	Hovey-Wright	Meadows	Slavens
Clemente	Howze	Moss	Smiley
Constan	Hughes	Muxlow	Somerville
Cotter	Huuki	Nathan	Stallworth
Crawford	Irwin	Nesbitt	Stamas

Daley	Jackson	O'Brien	Stanley
Damrow	Jacobsen	Oakes	Stapleton
Darany	Jenkins	Olson	Switalski
Denby	Johnson	Olumba	Talabi
Dillon	Kandrevas	Opsommer	Tlaib
Durhal	Knollenberg	Ouimet	Townsend
Farrington	Kowall	Outman	Tyler
Forlini	Kurtz	Pettalia	Walsh
Foster	LaFontaine	Poleski	Womack
Franz	Lane	Potvin	Yonker
Geiss	LeBlanc	Price	Zorn
Genetski			

Nays—0

In The Chair: Walsh

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

House Bill No. 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.

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

Roll Call No. 409**Yeas—109**

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

Franz
Geiss
Genetski

Lane
LeBlanc

Potvin
Price

Yonker
Zorn

Nays—0

In The Chair: Walsh

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

Second Reading of Bills

Pending the Second Reading of
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.

Rep. Stamas moved that the bill be re-referred to the Committee on Banking and Financial Services.
The motion prevailed.

House Bill No. 4875, entitled

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” by amending sections 11511 and 11511b (MCL 324.11511 and 324.11511b), section 11511 as amended by 2004 PA 325 and section 11511b as added by 2005 PA 236.

The bill was read a second time.
Rep. LaFontaine moved that the bill be placed on the order of Third Reading of Bills.
The motion prevailed.

House Bill No. 4991, entitled

A bill to amend 2001 PA 142, entitled “Michigan memorial highway act,” (MCL 250.1001 to 250.2080) by adding section 71.

The bill was read a second time.
Rep. Bumstead moved that the bill be placed on the order of Third Reading of Bills.
The motion prevailed.

House Bill No. 4751, entitled

A bill to amend 1972 PA 344, entitled “Agricultural marketing and bargaining act,” by amending sections 2, 2a, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, and 25 (MCL 290.702, 290.702a, 290.703, 290.704, 290.705, 290.706, 290.707, 290.708, 290.709, 290.710, 290.711, 290.712, 290.713, 290.714, 290.715, 290.716, 290.717, 290.718, 290.719, 290.720, 290.721, 290.722, 290.723, 290.724, and 290.725), sections 3 and 17 as amended by 1980 PA 195.

The bill was read a second time.
Rep. Johnson moved that the bill be placed on the order of Third Reading of Bills.
The motion prevailed.

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

By unanimous consent the House returned to the order of
Announcement by the Clerk of Printing and Enrollment

The Clerk announced the enrollment printing and presentation to the Governor on Thursday, October 6, for his approval of the following bills:

Enrolled House Bill No. 4110 at 3:44 p.m.

Enrolled House Bill No. 4946 at 3:46 p.m.

Enrolled House Bill No. 4968 at 3:48 p.m.

The Clerk announced that the following bills had been printed and placed upon the files of the members on Thursday, October 6:

House Bill Nos. 5044 5045 5046 5047 5048 5049

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

Senate Bill Nos. 729 730 731 732 733 734 735 736 737 738 739 740 741

The Clerk announced the enrollment printing and presentation to the Governor on Tuesday, October 11, for his approval of the following bills:

Enrolled House Bill No. 4087 at 10:48 a.m.

Enrolled House Bill No. 4721 at 10:50 a.m.

The Clerk announced that the following Senate bills had been received on Tuesday, October 11:

Senate Bill Nos. 210 703

Reports of Standing Committees

The Committee on Energy and Technology, by Rep. Horn, Chair, reported

House Resolution No. 136.

A resolution to memorialize the President and the United States Congress to support the continued and increased importation of oil derived from Canadian oil sands and to urge the United States Secretary of State to approve the TransCanada Keystone Coast Expansion pipeline project.

(For text of resolution, see House Journal No. 75, p. 2292.)

With the recommendation that the resolution be adopted.

Favorable Roll Call

To Report Out:

Yeas: Reps. Horn, Shirkey, Opsommer, Haveman, Kowall, Franz, Jacobsen, McBroom, Nesbitt, Outman, Price, Zorn, Roy Schmidt, Santana, Brunner and Smiley

Nays: Rep. Irwin

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Tuesday, October 11, 2011

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

Absent: Reps. Crawford and Cavanagh

Excused: Reps. Crawford and Cavanagh

The Committee on Natural Resources, Tourism, and Outdoor Recreation, by Rep. Foster, Chair, reported

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.

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. Foster, Wayne Schmidt, Hughes, Johnson, Pettalia, Haugh, Stapleton, Bledsoe and Slavens

Nays: None

The Committee on Natural Resources, Tourism, and Outdoor Recreation, by Rep. Foster, Chair, reported

House Bill No. 4994, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by repealing section 3111 (MCL 324.3111).

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. Foster, Huuki, Wayne Schmidt, Damrow, Hughes, Johnson, Pettalia and Haugh

Nays: Rep. Bledsoe

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Tuesday, October 11, 2011

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

The Committee on Military and Veterans Affairs and Homeland Security, by Rep. Damrow, Chair, reported

House Resolution No. 89.

A resolution to urge the Department of Defense to apply uniform standards for awarding the Purple Heart, to ensure appropriate acknowledgement of our military personnel who sustain traumatic brain injuries.

(For text of resolution, see House Journal No. 43, p. 647.)

With the recommendation that the following substitute (H-1) be adopted and that the resolution then be adopted.

Substitute for House Resolution No. 89.

A resolution to urge the Department of Defense to apply uniform standards for awarding the Purple Heart, to ensure appropriate acknowledgement of our military personnel who sustain traumatic brain injuries.

Whereas, With origins that date back to George Washington, the Purple Heart medal is a highly respected expression of our nation's gratitude for the members of our military who are wounded in battle. Its recipients reflect the intimate and lasting sacrifices that so many brave men and women make to preserve the freedoms and way of life Americans cherish; and

Whereas, For many years, the eligibility criteria for the Purple Heart have been interpreted to be injuries that are visible and tangible in nature. As a result, a stigma seems to have developed about traumatic brain injuries, which at times have been called "invisible wounds." In recent years, as we have come to understand more fully the true impact of such injuries, concussions and all degrees of traumatic brain injuries are finally being acknowledged as serious threats to health. In addition, the widespread use of improvised explosive devices in Iraq and Afghanistan and the quality of equipment used and emergency care offered have contributed to a significant number of personnel surviving traumatic brain injuries; and

Whereas, The branches of our military have taken steps to recognize the seriousness of traumatic brain injuries by revamping approaches to awarding the Purple Heart. The Army very recently set new guidelines to be followed, and the other branches have been examining their practices. In spite of this notable progress, the fact remains that the application of these standards is still uneven; and

Whereas, Given the heroism displayed each day in mountains and deserts far from our shores by brave men and women working to defend our nation and its ideals, it is imperative that this nation acknowledges the sacrifices our troops make for us. By valuing the heroism of all of those who are injured, we express our lasting respect for those who suffer on our behalf; now, therefore, be it

Resolved by the House of Representatives, That we urge the Department of Defense to apply uniform standards for awarding the Purple Heart, to ensure appropriate acknowledgement of our military personnel who sustain traumatic brain injuries; and be it further

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

Favorable Roll Call

To Report Out:

Yeas: Reps. Damrow, Franz, Haines, Tyler, Zorn, Darany, Smiley, Liss and Clemente

Nays: None

The Committee on Military and Veterans Affairs and Homeland Security, by Rep. Damrow, Chair, reported
House Concurrent Resolution No. 29.

A concurrent resolution to urge the Department of Defense to apply uniform standards for awarding the Purple Heart, to ensure appropriate acknowledgement of our military personnel who sustain traumatic brain injuries.

(For text of concurrent resolution, see House Journal No. 43, p. 648.)

With the recommendation that the following substitute (H-1) be adopted and that the concurrent resolution then be adopted.

Substitute for House Concurrent Resolution No. 29.

A concurrent resolution to urge the Department of Defense to apply uniform standards for awarding the Purple Heart, to ensure appropriate acknowledgement of our military personnel who sustain traumatic brain injuries.

Whereas, With origins that date back to George Washington, the Purple Heart medal is a highly respected expression of our nation's gratitude for the members of our military who are wounded in battle. Its recipients reflect the intimate and lasting sacrifices that so many brave men and women make to preserve the freedoms and way of life Americans cherish; and

Whereas, For many years, the eligibility criteria for the Purple Heart have been interpreted to be injuries that are visible and tangible in nature. As a result, a stigma seems to have developed about traumatic brain injuries, which at times have been called "invisible wounds." In recent years, as we have come to understand more fully the true impact of such injuries, concussions and all degrees of traumatic brain injuries are finally being acknowledged as serious threats to health. In addition, the widespread use of improvised explosive devices in Iraq and Afghanistan and the quality of equipment used and emergency care offered have contributed to a significant number of personnel surviving traumatic brain injuries; and

Whereas, The branches of our military have taken steps to recognize the seriousness of traumatic brain injuries by revamping approaches to awarding the Purple Heart. The Army very recently set new guidelines to be followed, and the other branches have been examining their practices. In spite of this notable progress, the fact remains that the application of these standards is still uneven; and

Whereas, Given the heroism displayed each day in mountains and deserts far from our shores by brave men and women working to defend our nation and its ideals, it is imperative that this nation acknowledges the sacrifices our troops make for us. By valuing the heroism of all of those who are injured, we express our lasting respect for those who suffer on our behalf; now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That we urge the Department of Defense to apply uniform standards for awarding the Purple Heart, to ensure appropriate acknowledgement of our military personnel who sustain traumatic brain injuries; and be it further

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

Favorable Roll Call

To Report Out:

Yeas: Reps. Damrow, Franz, Haines, Tyler, Zorn, Darany, Smiley, Liss and Clemente

Nays: None

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Tuesday, October 11, 2011

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

Absent: Rep. Nathan

Excused: Rep. Nathan

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Tuesday, October 11, 2011

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

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Tuesday, October 11, 2011

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

Messages from the Senate**House Bill No. 4458, entitled**

A bill to amend 1978 PA 566, entitled "An act to encourage the faithful performance of official duties by certain public officers and public employees; to prescribe standards of conduct for certain public officers and public employees; to prohibit the holding of incompatible public offices; and to provide certain judicial remedies," by amending section 3 (MCL 15.183), as amended by 2011 PA 122.

The Senate has passed the bill and ordered that it be given immediate effect.

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

House Bill No. 4732, entitled

A bill to amend 1978 PA 90, entitled "Youth employment standards act," by amending section 11 (MCL 409.111), as amended by 2000 PA 418.

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

The House agreed to the full title.

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

Senate Bill No. 210, entitled

A bill to amend 2000 PA 274, entitled "Large carnivore act," by amending section 22 (MCL 287.1122).

The Senate has passed the bill.

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

Senate Bill No. 703, entitled

A bill to amend 2000 PA 274, entitled "Large carnivore act," (MCL 287.1101 to 287.1123) by adding section 8a.

The Senate has passed the bill.

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

Introduction of Bills

Reps. Walsh, Lori, Lyons, Haugh, Heise, Wayne Schmidt and Lane introduced

House Bill No. 5050, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," (MCL 750.1 to 750.568) by adding section 479c. The bill was read a first time by its title and referred to the Committee on Judiciary.

Reps. Walsh, Lori, Lyons, Haugh, Heise, Wayne Schmidt and Lane introduced

House Bill No. 5051, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 16x of chapter XVII (MCL 777.16x), as amended by 2006 PA 234.

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

Reps. Shirkey, Cotter, Somerville, Haugh and Olson introduced

House Bill No. 5052, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," (MCL 600.101 to 600.9947) by adding section 916a.

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

Reps. Shirkey, Somerville, Crawford, Haveman, Bumstead and Haugh introduced

House Bill No. 5053, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 48729 (MCL 324.48729), 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. Townsend, Rutledge, Ananich, Brunner, Stapleton, Talabi, Irwin, Haugh, Dillon, Stanley, Bledsoe, Hovey-Wright, Hobbs, Durhal, Liss, Howze, Darany, Cavanagh, Lipton, Olumba, Kandrevas, McCann, Roy Schmidt and Oakes introduced

House Bill No. 5054, entitled

A bill to amend 1984 PA 270, entitled "Michigan strategic fund act," (MCL 125.2001 to 125.2094) by adding chapter 5A.

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

Reps. Hughes, Heise, Goike, Gilbert, Damrow, LaFontaine, Kowall, Forlini, Foster, Hooker, Potvin, Johnson, Horn, Lori, Agema, Denby, Somerville, Cotter, Yonker, Outman, Zorn, Pettalia, Knollenberg, Daley, Walsh, Bumstead and Wayne Schmidt introduced

House Bill No. 5055, entitled

A bill to amend 1936 (Ex Sess) PA 1, entitled "Michigan employment security act," (MCL 421.1 to 421.75) by adding section 11a.

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

Reps. Brown, Switalski, Slavens, Liss, Barnett and Womack introduced

House Bill No. 5056, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 7218 (MCL 333.7218), as amended by 2010 PA 171.

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

Announcements by the Clerk

October 6, 2011

Received from the Auditor General a copy of the following audit report and/or report summary:
Follow-up of the performance audit of the Severance and Motor Carrier Fuel Tax Collections, Department of Treasury, October 2011.

Gary L. Randall
Clerk of the House

Rep. Haugh moved that the House adjourn.
The motion prevailed, the time being 2:30 p.m.

The Speaker Pro Tempore declared the House adjourned until Wednesday, October 12, at 1:30 p.m.

GARY L. RANDALL
Clerk of the House of Representatives

