

No. 90  
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**House of Representatives**  
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House Chamber, Lansing, Thursday, November 3, 2011.

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	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—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—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			

Rep. Kenneth L. Kurtz, from the 58th District, offered the following invocation:

“Our Father in Heaven, we are reminded in Your word when the psalmist David said ‘search me O God, know my heart and my thoughts.’ We ask for that searching as we now deliberate O God, that we would, each one of us, look inside ourselves doing that that is honorable, just and right. Might we recognize this as we look to You for guidance and direction, we will find the perfect plan You have for each one of our lives. We thank You for this time together, bless it and might we continually feel Your presence amongst us. In the name of Christ, I pray, Amen.”

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Rep. Segal moved that Rep. Stallworth be excused from today’s session.  
The motion prevailed.

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The Speaker called Associate Speaker Pro Tempore Opsommer to the Chair.

### Messages from the Senate

The Speaker laid before the House

#### House Bill No. 4369, entitled

A bill to amend 1978 PA 368, entitled “Public health code,” by amending section 7333a (MCL 333.7333a), as added by 2001 PA 231.

(The bill was received from the Senate on October 18, with substitute (S-2), title amendment and immediate effect given by the Senate, consideration of which, under the rules, was postponed until October 19, see House Journal No. 82, p. 2424.)

The question being on concurring in the substitute (S-2) made to the bill by the Senate,

Rep. Haines moved to amend the Senate substitute (S-2) as follows:

1. Amend page 3, line 13, after “**(I)**” by striking out “**UNTIL DECEMBER 31, 2015,**”.
2. Amend page 5, line 24, after “**WITH**” by striking out the balance of the line through “**AGENCY**” on line 25 and inserting “**HEALTH CARE PAYMENT OR BENEFIT PROVIDERS**”.

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

The question being on concurring in the substitute (S-2) made to the bill by the Senate,

The substitute (S-2), as amended, was concurred in, a majority of the members serving voting therefor, by yeas and nays, as follows:

#### Roll Call No. 448

#### Yeas—102

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

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

### Nays—6

Cotter	Hooker	Nathan	Santana
Franz	McMillin		

In The Chair: Opsommer

The House agreed to the title as amended.

The Speaker laid before the House

#### **House Bill No. 4309, entitled**

A bill to amend 1988 PA 57, entitled "An act to provide for the incorporation by 2 or more municipalities of certain authorities for the purpose of providing emergency services to municipalities; to provide for the powers and duties of authorities and of certain state and local agencies and officers; to guarantee certain labor contracts and employment rights in regard to the formation and reorganization of authorities; to provide for certain condemnation proceedings; to provide for fees; to provide for the levy of property taxes for certain purposes; and to prescribe penalties and provide remedies," by amending the title and section 10 (MCL 124.610), the title as amended by 2006 PA 652.

(The bill was received from the Senate on November 2, with an amendment to the House substitute (H-2) to the Senate substitute (S-2), consideration of which, under the rules, was postponed until today, see House Journal No. 89, p. 2543.)

The question being on concurring in the amendment to the House substitute (H-2) to the Senate substitute (S-2) made to the bill by the Senate,

Rep. Stamas moved that consideration of the bill be postponed temporarily.

The motion prevailed.

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

The motion prevailed.

### **Third Reading of Bills**

#### **Senate Bill No. 8, entitled**

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

The bill was read a third time.

The question being on the passage of the bill,

Rep. Opsommer moved to substitute (H-3) the bill.

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

The question being on the passage of the bill,

Rep. Lyons moved to amend the bill as follows:

1. Amend page 3, line 19, by striking out all of subdivision (h) and inserting:

“(h) Unless a local government participating in the joint endeavor already provides a service, including, but not limited to, emergency medical services regulated under part 209 of the public health code, 1978 PA 368, MCL 333.20901 to 333.20979, the joint endeavor shall solicit competitive bids for those services that the joint endeavor intends to provide. The joint endeavor shall disclose to the public all competitive bids obtained for those services the joint endeavor provides.”.

2. Amend page 4, line 21, by striking out all of section 4a.

The motion was seconded and the amendments were adopted, a majority of the members serving voting therefor.

The question being on the passage of the bill,

The bill was then passed, a majority of the members serving voting therefor, by yeas and nays, as follows:

**Roll Call No. 449**

**Yeas—72**

Ananich	Gilbert	Lipton	Price
Bledsoe	Glardon	Liss	Pscholka
Bolger	Haveman	Lori	Rendon
Bumstead	Heise	Lund	Rogers
Byrum	Hobbs	Lyons	Rutledge
Callton	Hooker	MacGregor	Schmidt, R.
Cavanagh	Horn	MacMaster	Schmidt, W.
Clemente	Hughes	McBroom	Scott
Cotter	Huuki	McCann	Shaughnessy
Crawford	Irwin	Muxlow	Shirkey
Daley	Jacobsen	O'Brien	Somerville
Damrow	Jenkins	Olson	Stamas
Denby	Kandrevas	Opsommer	Switalski
Dillon	Kowall	Ouimet	Townsend
Farrington	Kurtz	Outman	Tyler
Forlini	LaFontaine	Pettalia	Walsh
Foster	Lane	Poleski	Yonker
Franz	Lindberg	Potvin	Zorn

**Nays—35**

Agema	Genetski	LeBlanc	Segal
Barnett	Goike	McMillin	Slavens
Bauer	Haines	Meadows	Smiley
Brown	Hammel	Moss	Stanley
Brunner	Hovey-Wright	Nathan	Stapleton
Constan	Howze	Nesbitt	Talabi
Darany	Jackson	Oakes	Tlaib
Durhal	Johnson	Olumba	Womack
Geiss	Knollenberg	Santana	

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.

**Senate Bill No. 9, entitled**

A bill to amend 1947 PA 336, entitled “An act to prohibit strikes by certain public employees; to provide review from disciplinary action with respect thereto; to provide for the mediation of grievances and the holding of elections; to declare and protect the rights and privileges of public employees; and to prescribe means of enforcement and penalties for the violation of the provisions of this act,” (MCL 423.201 to 423.217) by adding section 1a.

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

**Roll Call No. 450**

**Yeas—72**

Agema	Genetski	Liss	Price
Ananich	Gilbert	Lori	Pscholka
Bledsoe	Glardon	Lund	Rendon
Bolger	Goike	Lyons	Rogers
Bumstead	Haveman	MacGregor	Rutledge
Callton	Heise	MacMaster	Schmidt, R.
Cavanagh	Hooker	McBroom	Schmidt, W.
Clemente	Horn	McCann	Scott
Cotter	Hughes	Muxlow	Shaughnessy
Crawford	Huuki	Nesbitt	Shirkey
Daley	Jacobsen	O’Brien	Somerville
Damrow	Jenkins	Olson	Stamas
Denby	Kandrevas	Opsommer	Switalski
Dillon	Kowall	Ouimet	Townsend
Farrington	Kurtz	Outman	Tyler
Forlini	LaFontaine	Pettalia	Walsh
Foster	Lane	Poleski	Yonker
Franz	Lindberg	Potvin	Zorn

**Nays—35**

Barnett	Haines	LeBlanc	Segal
Bauer	Hammel	Lipton	Slavens
Brown	Hobbs	McMillin	Smiley
Brunner	Hovey-Wright	Meadows	Stanley
Byrum	Howze	Moss	Stapleton
Constan	Irwin	Nathan	Talabi
Darany	Jackson	Oakes	Tlaib
Durhal	Johnson	Olumba	Womack
Geiss	Knollenberg	Santana	

In The Chair: Opsommer

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.

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

The House returned to the consideration of  
**House Bill No. 4309, entitled**

A bill to amend 1988 PA 57, entitled "An act to provide for the incorporation by 2 or more municipalities of certain authorities for the purpose of providing emergency services to municipalities; to provide for the powers and duties of authorities and of certain state and local agencies and officers; to guarantee certain labor contracts and employment rights in regard to the formation and reorganization of authorities; to provide for certain condemnation proceedings; to provide for fees; to provide for the levy of property taxes for certain purposes; and to prescribe penalties and provide remedies," by amending the title and section 10 (MCL 124.610), the title as amended by 2006 PA 652.

(The bill was considered earlier today, see today's Journal, p. 2551.)

The question being on concurring in the amendment to the House substitute (H-2) to the Senate substitute (S-2) made to the bill by the Senate,

The amendment was concurred in, a majority of the members serving voting therefor, by yeas and nays, as follows:

**Roll Call No. 451**

**Yeas—75**

Agema	Gilbert	Liss	Price
Ananich	Glardon	Lori	Pscholka
Bauer	Goike	Lund	Rendon
Bolger	Haines	Lyons	Rogers
Brown	Haveman	MacGregor	Rutledge
Bumstead	Heise	MacMaster	Schmidt, R.
Byrum	Hooker	McBroom	Schmidt, W.
Callton	Horn	McMillin	Scott
Cotter	Hughes	Moss	Shaughnessy
Crawford	Huuki	Muxlow	Shirkey
Daley	Irwin	Nesbitt	Somerville
Damrow	Jacobsen	O'Brien	Stamas
Denby	Jenkins	Olson	Switalski
Dillon	Johnson	Opsommer	Townsend
Farrington	Knollenberg	Ouimet	Tyler
Forlini	Kowall	Outman	Walsh
Foster	Kurtz	Pettalia	Yonker
Franz	LaFontaine	Poleski	Zorn
Genetski	Lane	Potvin	

**Nays—33**

Barnett	Hammel	Lindberg	Segal
Bledsoe	Haugh	Lipton	Slavens
Brunner	Hobbs	McCann	Smiley
Cavanagh	Hovey-Wright	Meadows	Stanley
Clemente	Howze	Nathan	Stapleton
Constan	Jackson	Oakes	Talabi
Darany	Kandrevas	Olumba	Tlaib
Durhal	LeBlanc	Santana	Womack
Geiss			

In The Chair: Opsommer

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

The Speaker Pro Tempore assumed the Chair.

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

The Speaker laid before the House

**House Bill No. 4311, entitled**

A bill to amend 1967 (Ex Sess) PA 8, entitled “An act to provide for intergovernmental transfers of functions and responsibilities,” by amending section 4 (MCL 124.534).

(The bill was received from the Senate on November 2, with an amendment to the House substitute (H-5) to the Senate substitute (S-2), consideration of which, under the rules, was postponed until today, see House Journal No. 89, p. 2544.)

The question being on concurring in the amendment to the House substitute (H-5) to the Senate substitute (S-2) made to the bill by the Senate,

The amendment was concurred in, a majority of the members serving voting therefor, by yeas and nays, as follows:

**Roll Call No. 452**

**Yeas—77**

Agema	Genetski	Lane	Potvin
Ananich	Gilbert	Liss	Price
Bauer	Glardon	Lori	Pscholka
Bledsoe	Goike	Lund	Rendon
Bolger	Haines	Lyons	Rogers
Brown	Haveman	MacGregor	Schmidt, R.
Bumstead	Heise	MacMaster	Schmidt, W.
Byrum	Hooker	McBroom	Scott
Callton	Horn	McMillin	Shaughnessy
Constan	Hughes	Moss	Shirkey
Cotter	Huuki	Muxlow	Slavens
Crawford	Irwin	Nesbitt	Somerville
Daley	Jacobsen	O’Brien	Stamas
Damrow	Jenkins	Olson	Switalski
Denby	Johnson	Opsommer	Townsend
Dillon	Knollenberg	Ouimet	Tyler
Farrington	Kowall	Outman	Walsh
Forlini	Kurtz	Pettalia	Yonker
Foster	LaFontaine	Poleski	Zorn
Franz			

**Nays—30**

Barnett	Hobbs	McCann	Segal
Brunner	Hovey-Wright	Meadows	Smiley
Cavanagh	Howze	Nathan	Stanley
Clemente	Jackson	Oakes	Stapleton
Darany	Kandrevas	Olumba	Talabi
Durhal	LeBlanc	Rutledge	Tlaib
Geiss	Lindberg	Santana	Womack
Hammel	Lipton		

In The Chair: Walsh

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

The Speaker Pro Tempore called Associate Speaker Pro Tempore Opsommer to the Chair.

The Speaker laid before the House

**House Bill No. 4312, entitled**

A bill to amend 1967 (Ex Sess) PA 7, entitled "Urban cooperation act of 1967," by amending section 5 (MCL 124.505), as amended by 1985 PA 10.

(The bill was received from the Senate on November 2, with an amendment to the House substitute (H-3) to the Senate substitute (S-3), consideration of which, under the rules, was postponed until today, see House Journal No. 89, p. 2545.)

The question being on concurring in the amendment to the House substitute (H-3) to the Senate substitute (S-3) made to the bill by the Senate,

The amendment was concurred in, a majority of the members serving voting therefor, by yeas and nays, as follows:

**Roll Call No. 453**

**Yeas—79**

Agema	Genetski	Lane	Price
Ananich	Gilbert	Liss	Pscholka
Bauer	Glardon	Lori	Rendon
Bledsoe	Goike	Lund	Rogers
Bolger	Haines	Lyons	Rutledge
Brown	Haveman	MacGregor	Schmidt, R.
Bumstead	Heise	MacMaster	Schmidt, W.
Byrum	Hobbs	McBroom	Scott
Callton	Hooker	McMillin	Shaughnessy
Constan	Horn	Moss	Shirkey
Cotter	Hughes	Muxlow	Slavens
Crawford	Huuki	Nesbitt	Somerville
Daley	Irwin	O'Brien	Stamas
Damrow	Jacobsen	Olson	Switalski
Denby	Jenkins	Opsommer	Townsend
Dillon	Johnson	Ouimet	Tyler
Farrington	Knollenberg	Outman	Walsh
Forlini	Kowall	Pettalia	Yonker
Foster	Kurtz	Poleski	Zorn
Franz	LaFontaine	Potvin	

**Nays—28**

Barnett	Hammel	Lipton	Segal
Brunner	Hovey-Wright	McCann	Smiley
Cavanagh	Howze	Meadows	Stanley
Clemente	Jackson	Nathan	Stapleton
Darany	Kandrevas	Oakes	Talabi
Durhal	LeBlanc	Olumba	Tlaib
Geiss	Lindberg	Santana	Womack

In The Chair: Opsommer

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



**Third Reading of Bills****Senate Bill No. 427, entitled**

A bill to amend 1976 PA 451, entitled "The revised school code," by amending sections 4, 5, and 614 (MCL 380.4, 380.5, and 380.614), section 4 as amended by 2008 PA 1, section 5 as amended by 2009 PA 205, and section 614 as amended by 2004 PA 419.

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

**Roll Call No. 454****Yeas—70**

Agema	Haines	Lori	Potvin
Bauer	Haveman	Lund	Price
Bolger	Heise	Lyons	Pscholka
Callton	Hooker	MacGregor	Rendon
Constan	Horn	MacMaster	Rogers
Cotter	Hughes	McMillin	Santana
Crawford	Huuki	Meadows	Schmidt, W.
Daley	Jackson	Moss	Scott
Damrow	Jacobsen	Muxlow	Shaughnessy
Denby	Jenkins	Nesbitt	Shirkey
Farrington	Johnson	O'Brien	Somerville
Forlini	Knollenberg	Olson	Stamas
Foster	Kowall	Opsommer	Switalski
Franz	Kurtz	Ouimet	Tyler
Genetski	LaFontaine	Outman	Walsh
Gilbert	Lane	Pettalia	Yonker
Gardon	LeBlanc	Poleski	Zorn
Goike	Liss		

**Nays—37**

Ananich	Dillon	Lindberg	Segal
Barnett	Durhal	Lipton	Slavens
Bledsoe	Geiss	McBroom	Smiley
Brown	Hammel	McCann	Stanley
Brunner	Hobbs	Nathan	Stapleton
Bumstead	Hovey-Wright	Oakes	Talabi
Byrum	Howze	Olumba	Tlaib
Cavanagh	Irwin	Rutledge	Townsend
Clemente	Kandrevas	Schmidt, R.	Womack
Darany			

In The Chair: Opsommer

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

"An act to provide a system of public instruction and elementary and secondary schools; to revise, consolidate, and clarify the laws relating to elementary and secondary education; to provide for the organization, regulation, and maintenance of schools, school districts, public school academies, intermediate school districts, and other public school entities; to prescribe rights, powers, duties, and privileges of schools, school districts, public school academies, intermediate school districts, and other public school entities; to provide for the regulation of school teachers and certain other school employees; to provide for school elections and to prescribe powers and duties with respect thereto; to provide for the levy and collection of taxes; to provide for the borrowing of money and issuance of bonds and other evidences of indebtedness;

to establish a fund and provide for expenditures from that fund; to provide for and prescribe the powers and duties of certain state departments, the state board of education, and certain other boards and officials; to provide for licensure of boarding schools; to prescribe penalties; 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.

### House Bill No. 4701, entitled

A bill to amend 1943 PA 240, entitled “State employees’ retirement act,” by amending sections 1b, 20, 27, 35, 38, 47, 48, 49, 50, 55, 64, 65, 67a, 68, and 68c (MCL 38.1b, 38.20, 38.27, 38.35, 38.38, 38.47, 38.48, 38.49, 38.50, 38.55, 38.64, 38.65, 38.67a, 38.68, and 38.68c), sections 1b, 20, and 48 as amended by 2002 PA 93, sections 27 and 67a as amended by 2004 PA 109, section 35 as added and sections 38, 68, and 68c as amended by 2010 PA 185, section 47 as amended by 2002 PA 743, section 49 as amended by 2008 PA 353, sections 50 and 65 as added by 1996 PA 487, section 55 as amended by 2010 PA 256, and section 64 as amended by 2004 PA 33, and by adding sections 20j, 35a, 50a, 68b, and 68e.

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

### Roll Call No. 455

### Yeas—63

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

### Nays—45

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

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 1943 PA 240, entitled "State employees' retirement act," by amending sections 1b, 20, 27, 35, 38, 47, 48, 49, 50, 55, 64, 65, 67a, 68, and 68c (MCL 38.1b, 38.20, 38.27, 38.35, 38.38, 38.47, 38.48, 38.49, 38.50, 38.55, 38.64, 38.65, 38.67a, 38.68, and 38.68c), sections 1b, 20, and 48 as amended by 2002 PA 93, sections 27 and 67a as amended by 2004 PA 109, section 35 as added and sections 38, 68, and 68c as amended by 2010 PA 185, section 47 as amended by 2002 PA 743, section 49 as amended by 2008 PA 353, sections 50 and 65 as added by 1996 PA 487, section 55 as amended by 2010 PA 256, and section 64 as amended by 2004 PA 33, and by adding sections 20j, 35a, 50a, 63a, 68b, and 68e.

The motion prevailed.

The House agreed to the title as amended.

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

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

#### House Bill No. 4702, entitled

A bill to amend 2010 PA 77, entitled "Public employee retirement health care funding act," by amending the title and sections 1, 2, 3, 4, 8, 10, 11, and 14 (MCL 38.2731, 38.2732, 38.2733, 38.2734, 38.2738, 38.2740, 38.2741, and 38.2744) and by adding sections 2a, 2b, and 10a.

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

#### Roll Call No. 456

#### Yeas—63

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

#### Nays—44

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

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.

### Point of Order

Rep. Segal requested a ruling of the Chair on whether, under House Rule 12 and Article 4, § 18 of the Michigan Constitution, a sufficient number of signatures had been submitted to demonstrate support for a record roll call vote on immediate effect.

The Chair ruled that there was not a motion for a roll call on immediate effect and so the validity of the signatures are mute and denied.

Rep. Segal appealed the decision of the Chair.

The question being, "Shall the judgment of the Chair stand as the judgment of the House?"

The judgment of the Chair stood as the judgment of the House, a majority of the members present voting therefor, by yeas and nays, as follows:

### Roll Call No. 457

### Yeas—63

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

### Nays—45

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

Reps. Irwin, Bauer, Townsend, Cavanagh, Hobbs, Ananich, Stapleton, Brunner, Hovey-Wright, Hammel, Smiley, Barnett, Roy Schmidt, Rutledge, Santana, Slavens, Howze, Lipton, Tlaib and Talabi, having reserved the right to explain their nay vote, made the following statement:

“Mr. Speaker and members of the House:

I opposed the judgment of the Speaker in denying a roll call vote despite the submission of sufficient written intention from myself and other members to call for a roll call vote. The Michigan Constitution and House Rules make clear the right of the members under Article IV, Section 18 (House Rule 12).”

Rep. Constan, having reserved the right to explain his nay vote, made the following statement:

“Mr. Speaker and members of the House:

I opposed the judgment of the Speaker in denying a roll call vote despite the submission of sufficient written intention from myself and other members to call for a roll call vote. The Michigan Constitution and House Rules make clear the right of the members of the House under Article IV, Section 18 (House Rule 12).”

Rep. Segal, having reserved the right to explain her nay vote, made the following statement:

“Mr. Speaker and members of the House:

I strongly opposed the judgment of the Speaker in denying a roll call vote despite the submission of sufficient written intention from myself and other members to call for a roll call vote. The Michigan Constitution and House Rules clearly state the right of the members under Article IV, Section 18 (House Rule 12).”

### Point of Order

Rep. Segal requested a ruling of the Chair on her notice to reconsider the vote by which House Bill No. 4072 was passed would be honored.

The Chair ruled that the notice to reconsider was not timely in that the bill was already out of the chamber.

Rep. Segal appealed the decision of the Chair.

The question being, “Shall the judgment of the Chair stand as the judgment of the House?”

The judgment of the Chair stood as the judgment of the House, a majority of the members present voting therefor, by yeas and nays, as follows:

### Roll Call No. 458

### Yeas—63

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

### Nays—45

Ananich	Durhal	LeBlanc	Schmidt, R.
Barnett	Geiss	Lindberg	Segal
Bauer	Hammel	Lipton	Slavens
Bledsoe	Haugh	Liss	Smiley

Brown	Hobbs	McCann	Stanley
Brunner	Hovey-Wright	Meadows	Stapleton
Byrum	Howze	Nathan	Switalski
Cavanagh	Irwin	Oakes	Talabi
Clemente	Jackson	Olumba	Tlaib
Constan	Kandrevas	Rutledge	Townsend
Darany	Lane	Santana	Womack
Dillon			

In The Chair: Opsommer

### Second Reading of Bills

#### 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.

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

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

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

The motion prevailed.

#### House Bill No. 4115, entitled

A bill to amend 1846 RS 16, entitled "Of the powers and duties of townships, the election and duties of township officers, and the division of townships," by amending section 64b (MCL 41.64b), as added by 1989 PA 77.

The bill was read a second time.

Rep. Jenkins 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.

By unanimous consent the House returned to the order of

### Announcement by the Clerk of Printing and Enrollment

The Clerk announced that the following bills had been printed and placed upon the files of the members on Thursday, November 3:

<b>House Bill Nos.</b>	<b>5143</b>	<b>5144</b>			
<b>Senate Bill Nos.</b>	<b>791</b>	<b>792</b>	<b>793</b>	<b>794</b>	

The Clerk announced that the following Senate bills had been received on Thursday, November 3:

<b>Senate Bill Nos.</b>	<b>194</b>	<b>456</b>	<b>460</b>	<b>462</b>	<b>463</b>	<b>569</b>	<b>604</b>	<b>605</b>	<b>706</b>	<b>777</b>
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### Reports of Standing Committees

The Committee on Health Policy, by Rep. Haines, Chair, reported

#### House Bill No. 5131, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending sections 7405, 17702, 17703, 17708, 17751, 17754, and 17763 (MCL 333.7405, 333.17702, 333.17703, 333.17708, 333.17751, 333.17754, and 333.17763), sections 7405,

17708, 17751, and 17763 as amended by 2011 PA 155 and sections 17702 and 17703 as amended and section 17754 as added by 2006 PA 672, and by adding section 17744.

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

Nays: None

#### 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, November 3, 2011

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

Absent: Reps. Scott and Stallworth

Excused: Reps. Scott and Stallworth

#### 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, November 3, 2011

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. Walsh, Chair, of the Committee on Judiciary, was received and read:

Meeting held on: Thursday, November 3, 2011

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

Absent: Rep. Olumba

Excused: Rep. Olumba

#### Messages from the Senate

##### House Bill No. 4005, entitled

A bill to amend 1954 PA 116, entitled "Michigan election law," by amending sections 302 and 644g (MCL 168.302 and 168.644g), section 302 as amended by 2005 PA 71 and section 644g as amended by 2004 PA 293, and by adding section 642c.

The Senate has amended the bill as follows:

1. Amend page 3, following line 6, by inserting:

"Sec. 642. (1) Except as otherwise provided in this section and section 642a, on the effective date of this act, a city shall hold its regular election or regular primary election as follows:

(a) A city shall hold its regular election for a city office at the odd year general election.

(b) A city shall hold its regular election primary at the odd year primary election.

(c) A city that holds its regular election for a city office annually or in the even year on the November regular election date shall continue holding elections on that schedule.

(d) A city that holds its regular election primary for a city office annually or in the even year on the August regular primary election date shall continue holding primary elections on that schedule.

(2) If, on September 1, 2004, a city holds its regular election at other than a regular November election date, the city council may choose to hold the regular election on the May regular election date by adopting a resolution in compliance with this section. Except as provided in section 642a, if a city council adopts the resolution in compliance with this section to hold its regular election on the May regular election date, after December 31, 2004, the city's regular election is on the May regular election date. If a city's regular election is held on the May regular election date, the city's regular election primary shall be held on the February regular election date immediately before its regular election.

(3) If, on September 1, 2004, a city holds its regular election annually or in the even year on the November regular election date, the city council may choose to hold the regular election at the odd year general election by adopting a resolution in compliance with this section. Except as provided in section 642a, if a city council adopts the resolution in compliance with this section to hold its regular election at the odd year general election, after December 31, 2004, the city's regular election is at the odd year election. If a city's regular election is held at the odd year general election, the city's regular election primary shall be held at the odd year primary election.

(4) If, on September 1, 2004, a city holds its regular election annually on the November regular election date, the city council may choose to hold the regular election at the even year general election by adopting a resolution in compliance with this section. Except as provided in section 642a, if a city council adopts the resolution in compliance with this section to hold its regular election at the even year general election, after December 31, 2004, the city's regular election is at the even year election. If a city's regular election is held at the even year general election, the city's regular election primary shall be held at the even year primary election.

(5) If, on September 1, 2004, a city holds its regular election primary at the September primary election, the city council may choose to continue holding its regular election primary at the September primary election by adopting a resolution in compliance with this section. Except as provided in section 642a(2), if a city council adopts the resolution in compliance with this section to hold its regular election primary at the September primary election, after December 31, 2004, the city's regular election primary is at the September primary election.

(6) Except as otherwise provided in this section and section 642a, on September 1, 2004, a village shall hold its regular election as follows:

(a) A village shall hold its regular election for a village office at the general election and the appropriate township clerk shall conduct the election.

(b) A village shall not hold a regular primary election.

(7) A village council may make a 1-time choice to hold the regular election at the September primary election by adopting a resolution in compliance with this section. Except as provided in section 642a, if a village council adopts the resolution in compliance with this section to hold its regular election at the September primary election, after December 31, 2004, the village's regular election is at the September primary election and the village clerk shall conduct the election. The resolution may provide for the terms of office and for staggered terms. If a village's regular or special election is held in conjunction with another election conducted by a township, the village shall pay the township a proportionate share of the election expenses. If a village's regular or special election is not held in conjunction with another election conducted by a township, the village shall pay the township 100% of the actual costs of conducting the village's regular or special election. The township shall make voting equipment available to a village if the village conducts an election. If the village is located in more than 1 township, the township with the largest number of village electors shall furnish the voting equipment.

~~(8) Except as otherwise provided in this section and section 642a, on September 1, 2004, a school district shall hold its regular election for the office of school board member at the odd year general election.~~

~~(9) If, on September 1, 2004, a school district holds its regular election at other than the odd year general election, the school district's school board may choose to hold its regular election on 1 of the following by adopting a resolution in compliance with this section:~~

~~(a) The odd year May regular election date;~~

~~(b) The November regular election date in both even and odd years;~~

~~(c) The May regular election date in both even and odd years.~~

~~(8) (10) A resolution permitted under this section or section 642a is valid only if a city council, OR village council, or school board adopts the resolution in compliance with all of the following:~~

~~(a) The resolution is adopted before 1 of the following:~~

~~(i) If the resolution is permitted under subsection (2), (3), (4), (5), OR (7), or (9) of this section, January 1, 2005.~~

~~(ii) If the resolution is permitted under section 642a(1), OR (2), or (3), January 1 of the year in which the change in the date of the election takes effect.~~

~~(b) Before adopting the resolution, the council or school board holds at least 1 public hearing on the resolution. The public hearing may be held on the same day and immediately before considering the adoption of the resolution.~~

~~(c) The council or school board gives notice of each public hearing on the resolution in a manner designed to reach the largest number of the jurisdiction's qualified electors in a timely fashion, and the notice states at least the following, as applicable:~~

~~(i) That the hearing is being held on the issue of whether to schedule the city's regular election on the May regular election date and that, if the resolution is not adopted, the city's regular election will be held at the odd year general election.~~



~~(ii) That the hearing is being held on the issue of whether to schedule the city's regular election primary at the September primary election and that, if the resolution is not adopted, the city's regular election primary will be held on the odd year primary election.~~

~~(iii) That the hearing is being held on the issue of whether to schedule the village's regular election at the September primary election and that, if the resolution is not adopted, the village's regular election will be held at the general election.~~

~~(iv) That the hearing is being held on the issue of whether to schedule the school district's regular election at other than the odd year general election and that, if the resolution is not adopted, the school district's regular election will be held at the odd year general election. The notice shall specifically state the regular election date permitted under subsection (8) on which the school board is proposing that the school district's regular election be held.~~

~~(v) That the hearing is being held on the issue of whether to schedule the school district's regular election at the odd year general election and that, if the resolution is not adopted, the school district's regular election will continue to be held on the date on which it is currently being held.~~

~~(d) The council or school board votes on the resolution and, on a record roll call vote, a majority of the council's or school board's members, elected or appointed, and serving, adopt the resolution.~~

~~(e) The council or school board files the resolution with the secretary of state.~~

~~(H) This section takes effect September 1, 2004.~~

Sec. 642a. (1) After December 31, 2004, a city council that adopted a resolution so that its regular election is held on the May regular election date may change its regular election to the odd year general election by adopting a resolution in compliance with section 642. If a city council adopts the resolution in compliance with section 642 to hold its regular election at the odd year general election, after December 31 of the year in which the resolution is adopted, the city's regular election is at the odd year general election.

(2) After December 31, 2004, a city council that holds its regular election for city offices annually or in the even year on the November regular election date may change its regular election schedule to the odd year general election and the odd year primary election by adopting a resolution in compliance with section 642. If a city council adopts the resolution in compliance with section 642, the city's regular election is at the odd year general election and its primary is at the odd year primary election.

(3) After December 31, 2010, a city that adopted a resolution so that its regular election primary is held at the September election shall hold its regular election primary at the odd year primary election.

~~(4) After December 31, 2004, a school district's school board that adopted a resolution so that its regular election is held on a date other than at the odd year general election may change its regular election to the odd year general election, the general November election, the November regular election date in both even and odd years, or the odd year May regular election date by adopting a resolution in compliance with section 642. If a school board adopts the resolution in compliance with section 642 to hold its regular election at the odd year general election, the general November election, the November regular election date in both even and odd years, or the odd year May regular election date, after December 31 of the year in which the resolution is adopted, the school board's school district shall hold its regular election on the election date adopted in the resolution.~~

~~(5) After December 31, 2009, a school district's school board that holds its regular election for the office of school board member at the odd year general election may change its regular election to the general November election by adopting a resolution in compliance with section 642. If a school board adopts the resolution in compliance with section 642 to hold its regular election at the general November election, after December 31 of the year in which the resolution is adopted, the school board's school district shall hold its regular election at the general November election.~~

~~(4) (6) After December 31, 2004, a village council that adopted a resolution so that its regular election is held on the September election date may change its regular election to the November regular election date by adopting a resolution in compliance with section 642. If a village council adopts the resolution in compliance with section 642 to hold its regular election at the November regular election date, after December 31 of the year in which the resolution is adopted, the village's regular election is at the November regular election date."~~

2. Amend page 4, following line 10, by inserting:

"Enacting section 2. This amendatory act does not take effect unless Senate Bill No. 427 of the 96th Legislature is enacted into law."

The Senate has passed the bill as amended, ordered that it be given immediate effect and amended the title to read as follows:

A bill to amend 1954 PA 116, entitled "An act to reorganize, consolidate, and add to the election laws; to provide for election officials and prescribe their powers and duties; to prescribe the powers and duties of certain state departments, state agencies, and state and local officials and employees; to provide for the nomination and election of candidates for public office; to provide for the resignation, removal, and recall of certain public officers; to provide for the filling of vacancies in public office; to provide for and regulate primaries and elections; to provide for the purity of elections; to guard against the abuse of the elective franchise; to define violations of this act; to provide appropriations; to prescribe penalties and provide remedies; and to repeal certain acts and all other acts inconsistent with this act," by amending sections 302, 642, 642a, and 644g (MCL 168.302, 168.642, 168.642a, and 168.644g), section 302 as amended by 2005 PA 71, section 642 as amended by 2004 PA 292, section 642a as amended by 2010 PA 222, and section 644g as amended by 2004 PA 293, and by adding section 642c.

The Speaker announced that pursuant to Rule 42, the bill was laid over one day.

**House Bill No. 4411, entitled**

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 16245 (MCL 333.16245), as amended by 2006 PA 26.

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. 4412, entitled**

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 16226 (MCL 333.16226), as amended by 2004 PA 214.

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. 194, entitled**

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 11b of chapter XVII (MCL 777.11b), as amended by 2011 PA 19.

The Senate has passed the bill.

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

**Senate Bill No. 456, entitled**

A bill to amend 1996 PA 354, entitled "Savings bank act," (MCL 487.3101 to 487.3804) by adding section 435.

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. 460, entitled**

A bill to amend 1968 PA 41, entitled "An act to regulate credit union multiple-party accounts; and to repeal certain acts and parts of acts," (MCL 490.51 to 490.65) by adding section 14b.

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. 462, entitled**

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 21771 (MCL 333.21771).

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.

**Senate Bill No. 463, entitled**

A bill to amend 1939 PA 280, entitled "The social welfare act," by amending sections 11 and 11a (MCL 400.11 and 400.11a), as amended by 1990 PA 122.

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.

**Senate Bill No. 569, entitled**

A bill to amend 1984 PA 270, entitled "Michigan strategic fund act," by amending sections 9, 29a, and 29d (MCL 125.2009, 125.2029a, and 125.2029d), section 9 as amended by 1987 PA 278 and sections 29a and 29d as added by 2008 PA 75, and by adding section 29h.

The Senate has passed the bill.

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

**Senate Bill No. 604, entitled**

A bill to amend 1999 PA 276, entitled "Banking code of 1999," (MCL 487.11101 to 487.15105) by adding section 4103a.

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. 605, entitled**

A bill to amend 1980 PA 307, entitled "Savings and loan act of 1980," (MCL 491.102 to 491.1202) by adding section 629.

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. 706, entitled**

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," (MCL 500.100 to 500.8302) by adding section 2007a.

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.

**Senate Bill No. 777, entitled**

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," (MCL 500.100 to 500.8302) by adding chapter 41C.

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.

**Notices**

November 3, 2011

Mr. Gary L. Randall, Clerk  
Michigan House of Representatives  
State Capitol Building  
Lansing, Michigan 48913

Dear Mr. Clerk:

Pursuant to PA 4 of 2011, I am nominating Mr. Rob A. Bovitz CPA of Canton to the Highland Park School District Review Team.

Sincerely,  
Jase Bolger, Speaker  
Michigan House of Representatives

**Public Hearing****Committee on Judiciary**

Date: Monday, November 7, 2011  
Time: 10:00 a.m.  
Place: Mackinaw County Courthouse  
100 Marley St.  
St. Ignace, MI 49781

Rep. John Walsh,  
Chair

Agenda:	HB 5071 Walsh	Courts; judges; certain district court judgeships; reduce in number.
	HB 5072 Heise	Courts; judges; certain district court judgeships; reduce in number.
	HB 5094 Oakes	Courts; judges; certain district court judgeships; reduce in number.
	HB 5095 Roy Schmidt	Courts; judges; certain circuit court and district court judgeships; reduce in number.
	HB 5101 Walsh	Courts; judges; certain trial court judgeships; reduce in number.
	HB 5106 Cavanagh	Courts; judges; certain circuit court and district court judgeships; reduce in number.
	HB 5108 Irwin	Courts; judges; probate court judgeships; reduce in number.

OR ANY BUSINESS PROPERLY BEFORE THIS COMMITTEE

### Explanation of “No” Votes

Rep. Darany, having reserved the right to explain his protest against the passage of **House Bill No. 5002**, made the following statement:

“Mr. Speaker and members of the House:

I voted no on House Bill 5002 because, for among other reasons, if enacted this bill will lead to a worker comp system staffed by magistrates without valid experience and beholden as political appointees; it will modify the definition of wages such that injured workers could be penalized based on imaginary wages they could have earned; and it will allow the employer to dictate to injured workers the medical providers from which they may seek treatment.

Therefore, I voted ‘no’ on House Bill 5002. I also voted ‘no’ on granting Immediate Effect to House Bill 5002.”

### Introduction of Bills

Reps. Stallworth, Liss, Ananich, Rutledge, Howze and Durhal introduced

**House Bill No. 5145, entitled**

A bill to amend 1931 PA 328, entitled “The Michigan penal code,” by amending section 316 (MCL 750.316), as amended by 2006 PA 415.

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

Reps. MacGregor, Haveman, Roy Schmidt and Lyons introduced

**House Bill No. 5146, entitled**

A bill to amend 1937 PA 94, entitled “Use tax act,” by amending section 3a (MCL 205.93a), as amended by 2008 PA 439.

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

Rep. Poleski introduced

**House Bill No. 5147, entitled**

A bill to amend 1972 PA 239, entitled “McCauley-Traxler-Law-Bowman-McNeely lottery act,” by amending section 12 (MCL 432.12), as amended by 2006 PA 625.

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

Rep. Lori introduced

**House Bill No. 5148, entitled**

A bill to amend 1980 PA 299, entitled “Occupational code,” by repealing section 1812 (MCL 339.1812).

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

Reps. Irwin, Dillon, Heise, Rutledge, Kandrevas, Meadows and Brown introduced

**House Bill No. 5149, entitled**

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” by amending section 32727 (MCL 324.32727), as amended by 2008 PA 183.

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

Reps. Dillon, Meadows, Irwin, Rutledge, Kandrevas and Brown introduced

**House Bill No. 5150, entitled**

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” (MCL 324.101 to 324.90106) by adding section 61505b.

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

Reps. Meadows, Dillon, Irwin, Heise, Rutledge and Kandrevas introduced

**House Bill No. 5151, entitled**

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” by amending section 61501 (MCL 324.61501), as amended by 1998 PA 303, and by adding sections 61528, 61529, and 61530.

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

Reps. McMillin, Goike, Knollenberg, Heise, Hooker, Yonker, Daley, Kowall, Somerville, Scott, Rendon, Opsommer, Huuki, Crawford and MacGregor introduced

**House Joint Resolution HH, entitled**

A joint resolution proposing an amendment to the state constitution of 1963, by adding section 28 to article I, to establish the right to life of all human beings from the beginning of their biological development.

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



Rep. Durhal moved that the House adjourn.  
The motion prevailed, the time being 3:30 p.m.

Associate Speaker Pro Tempore Opsommer declared the House adjourned until Tuesday, November 8, at 1:30 p.m.

GARY L. RANDALL  
Clerk of the House of Representatives

