

No. 99
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House Chamber, Lansing, Thursday, December 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	Genetski—present	LeBlanc—present	Price—present
Ananich—present	Gilbert—present	Lindberg—present	Pscholka—present
Barnett—present	Glardon—present	Lipton—present	Rendon—present
Bauer—present	Goike—present	Liss—present	Rogers—present
Bledsoe—present	Haines—present	Lori—present	Rutledge—present
Bolger—present	Hammel—present	Lund—present	Santana—present
Brown—present	Haugh—present	Lyons—present	Schmidt, R.—present
Brunner—present	Haveman—present	MacGregor—present	Schmidt, W.—present
Bumstead—present	Heise—present	MacMaster—present	Segal—present
Byrum—present	Hobbs—present	McBroom—present	Shaughnessy—present
Callton—present	Hooker—present	McCann—present	Shirkey—present
Cavanagh—present	Horn—present	McMillin—present	Slavens—present
Clemente—present	Hovey-Wright—present	Meadows—present	Smiley—present
Constan—present	Howze—present	Moss—present	Somerville—present
Cotter—present	Hughes—present	Muxlow—present	Stallworth—present
Crawford—present	Huuki—present	Nathan—present	Stamas—present
Daley—present	Irwin—present	Nesbitt—present	Stanley—present
Damrow—present	Jackson—present	O’Brien—present	Stapleton—present
Darany—present	Jacobsen—present	Oakes—present	Switalski—present
Denby—present	Jenkins—present	Olson—present	Talabi—present
Dillon—present	Johnson—present	Olumba—present	Tlaib—present
Durhal—present	Kandrevas—present	Opsommer—present	Townsend—present
Farrington—present	Knollenberg—present	Ouimet—present	Tyler—present
Forlini—present	Kowall—present	Outman—present	Walsh—present
Foster—present	Kurtz—present	Pettalia—present	Womack—present
Franz—present	LaFontaine—present	Poleski—present	Yonker—present
Geiss—present	Lane—present	Potvin—present	Zorn—present

e/d/s = entered during session

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

“Eternal God and Heavenly Father, we are grateful for this day. It is the day that You have made and might we find those areas, O God, where we can rejoice and be glad in it. Speak to each one of our hearts, be with our homes, give us understanding and wisdom; as so often we pray, and we do pray this in Your name. Amen.”

Messages from the Senate

The Speaker laid before the House

House Bill No. 4770, entitled

A bill to prohibit public employers from providing certain benefits to public employees.

(The bill was received from the Senate on December 7, with amendments and immediate effect given by the Senate, consideration of which, under the rules, was postponed until today, see House Journal No. 98, p. 2774.)

The question being on concurring in the amendments made to the bill by the Senate,

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

Roll Call No. 531

Yeas—63

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

Nays—45

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

In The Chair: Walsh

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

Reps. Stapleton, Lindberg, Roy Schmidt, Byrum, Irwin, Lipton, Stallworth, Rutledge, Oakes and Cavanagh, having reserved the right to explain their nay vote, made the following statement:

“Mr. Speaker and members of the House:

I voted no on HB 4770 because, despite the fact that the Senate removed reference to University and Community College employees, there remain questions and serious problems with this bill. First and foremost the bill appears to be in violation of Article XI, Section 5 of Michigan’s Constitution which gives the Michigan Civil Service Commission plenary authority to regulate conditions of employment for classified service. It also violates Michigan’s long-held principles of local control and is discriminatory.”

The Speaker laid before the House

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, 63a, 68b, and 68e.

(The bill was received from the Senate on December 7, with substitute (S-1), title amendment and immediate effect given by the Senate, consideration of which, under the rules, was postponed until today, see House Journal No. 98, p. 2774.)

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

Rep. Rogers moved to amend the Senate substitute (S-1) as follows:

1. Amend page 48, line 8, after “**68B**” by inserting “**OR WAS FIRST EMPLOYED AND ENTERED ON THE PAYROLL OF HIS OR HER EMPLOYER ON OR AFTER JANUARY 1, 2012**”.

The motion prevailed and the amendment was adopted, a majority of the members serving voting therefor.

Reps. Bauer and Stapleton moved to amend the Senate substitute (S-1) as follows:

1. Amend page 15, line 6, after “ending” by striking out “**NO LATER THAN THE SECOND PAY DATE AFTER**” and inserting “**WITH THE LAST PAY DATE BEFORE**”.

2. Amend page 16, line 3, after “(2)” by striking out “**ON OR BEFORE THE BEGINNING DATE FOR MEMBER CONTRIBUTIONS UNDER SECTION 35A(1)**” and inserting “**WITHIN 14 DAYS AFTER THE EFFECTIVE DATE OF THE AMENDATORY ACT THAT ADDED THIS SUBSECTION**”.

The motion did not prevail and the amendments were not adopted, a majority of the members serving not voting therefor.

Rep. McCann moved to amend the Senate substitute (S-1) as follows:

1. Amend page 53, line 25, after “**ACCOUNT**” by striking out the balance of the subsection and inserting a period.

The motion did not prevail and the amendment was not adopted, a majority of the members serving not voting therefor.

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

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

Roll Call No. 532

Yeas—62

Agema	Goike	Lund	Poleski
Bolger	Haines	Lyons	Potvin
Bumstead	Haveman	MacGregor	Price
Callton	Heise	MacMaster	Pscholka
Cotter	Hooker	McBroom	Rendon
Crawford	Horn	McMillin	Rogers
Daley	Hughes	Moss	Schmidt, W.
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		

Nays—46

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

In The Chair: Walsh

The House agreed to the title as amended.

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

Third Reading of Bills**House Bill No. 5085, entitled**

A bill to amend 1978 PA 390, entitled “An act to regulate the time and manner of payment of wages and fringe benefits to employees; to prescribe rights and responsibilities of employers and employees, and the powers and duties of the department of labor; to require keeping of records; to provide for settlement of disputes regarding wages and fringe benefits; to prohibit certain practices by employers; to prescribe penalties and remedies; and to repeal certain acts and parts of acts,” by amending section 7 (MCL 408.477), as amended by 1995 PA 278.

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

Roll Call No. 533**Yeas—62**

Agema	Goike	Lund	Poleski
Bolger	Haines	Lyons	Potvin
Bumstead	Haveman	MacGregor	Price
Callton	Heise	MacMaster	Pscholka
Cotter	Hooker	McBroom	Rendon
Crawford	Horn	McMillin	Rogers
Daley	Hughes	Moss	Schmidt, W.

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		

Nays—46

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

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.

House Bill No. 5086, entitled

A bill to amend 1976 PA 388, entitled "Michigan campaign finance act," by amending sections 6, 11, 15, and 57 (MCL 169.206, 169.211, 169.215, and 169.257), section 6 as amended by 2003 PA 69, section 11 as amended by 1996 PA 590, and sections 15 and 57 as amended by 2001 PA 250, and by adding section 57a.

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

Roll Call No. 534**Yeas—62**

Agema	Goike	Lund	Poleski
Bolger	Haines	Lyons	Potvin
Bumstead	Haveman	MacGregor	Price
Callton	Heise	MacMaster	Pscholka
Cotter	Hooker	McBroom	Rendon
Crawford	Horn	McMillin	Rogers
Daley	Hughes	Moss	Schmidt, W.
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		

Nays—46

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

In The Chair: Opsommer

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 1976 PA 388, entitled “Michigan campaign finance act,” by amending sections 4, 6, 11, 15, and 57 (MCL 169.204, 169.206, 169.211, 169.215, and 169.257), section 4 as amended by 1989 PA 95, section 6 as amended by 2003 PA 69, section 11 as amended by 1996 PA 590, and sections 15 and 57 as amended by 2001 PA 250.

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. 5030, entitled

A bill to amend 1974 PA 154, entitled “Michigan occupational safety and health act,” (MCL 408.1001 to 408.1094) by adding section 13a.

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

Roll Call No. 535**Yeas—62**

Agema	Goike	Lund	Poleski
Bolger	Haines	Lyons	Potvin
Bumstead	Haveman	MacGregor	Price
Callton	Heise	MacMaster	Pscholka
Cotter	Hooker	McBroom	Rendon
Crawford	Horn	McMillin	Rogers
Daley	Hughes	Moss	Schmidt, W.
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		

Nays—46

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

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.

House Bill No. 5087, entitled

A bill to amend 1998 PA 58, entitled "Michigan liquor control code of 1998," by amending sections 411, 537, and 603 (MCL 436.1411, 436.1537, and 436.1603), section 411 as added by 2000 PA 395 and sections 537 and 603 as amended by 2010 PA 213.

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

Roll Call No. 536**Yeas—107**

Agema	Genetski	Lindberg	Pscholka
Ananich	Gilbert	Lipton	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	Segal
Bumstead	Heise	McBroom	Shaughnessy
Byrum	Hobbs	McCann	Shirkey
Callton	Horn	McMillin	Slavens
Cavanagh	Hovey-Wright	Meadows	Smiley
Clemente	Howze	Moss	Somerville
Constan	Hughes	Muxlow	Stallworth
Cotter	Huuki	Nathan	Stamas
Crawford	Irwin	Nesbitt	Stanley
Daley	Jackson	O'Brien	Stapleton
Damrow	Jacobsen	Oakes	Switalski
Darany	Jenkins	Olson	Talabi
Denby	Johnson	Olumba	Tlaib

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

Nays—1

Hooker

In The Chair: Opsommer

The House agreed to the title of the bill.

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

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

Reps. Barnett, Bledsoe, Callton, Cotter, Daley, Damrow, Darany, Dillon, Durhal, Foster, Geiss, Genetski, Haugh, Heise, Horn, Howze, Kandrevas, Liss, Lyons, MacGregor, McCann, Nesbitt, Olson, Pettalia, Pscholka, Shirkey, Smiley, Stallworth, Yonker and Zorn were named co-sponsors of the bill.

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.

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

Roll Call No. 537**Yeas—107**

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

Forlini	Kurtz	Pettalia	Womack
Foster	LaFontaine	Poleski	Yonker
Franz	Lane	Potvin	Zorn
Geiss	LeBlanc	Price	

Nays—1

Hooker

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.

House Bill No. 5071, entitled

A bill to amend 1961 PA 236, entitled “Revised judicature act of 1961,” by amending sections 8149 and 8151 (MCL 600.8149 and 600.8151), section 8151 as amended by 2000 PA 38.

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

Roll Call No. 538**Yeas—79**

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

Nays—29

Bledsoe	Hovey-Wright	Nathan	Smiley
Darany	Howze	Olumba	Stallworth
Durhal	Jackson	Potvin	Stanley
Franz	Kandrevas	Rendon	Stapleton
Geiss	Lane	Santana	Talabi

Hammel
Haugh
Hobbs

Lindberg
Lipton

Schmidt, W.
Segal

Townsend
Womack

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.

Rep. Potvin, having reserved the right to explain his protest against the passage of the bill, made the following statement:

“Mr. Speaker and members of the House:

My NO vote on HB 5071 was because this vote by lawmakers totally eliminated the only district court in the 84th District. This makes no sense. The current work load in the 84th District is 3.7 judgeships and 4 judges currently serve our growing community. This judgeship could have been combined with a neighboring District or kept the same at 4 judgeships.

Rural Michigan does not have the skilled judges to step in and hear the normal cases of a District Court. Thus, a great disservice has been placed on Missaukee and Wexford Counties. Thus, my NO vote on HB 5071.”

House Bill No. 5073, entitled

A bill to amend 1961 PA 236, entitled “Revised judicature act of 1961,” by amending sections 8125 and 8134 (MCL 600.8125 and 600.8134), section 8125 as amended by 1995 PA 112 and section 8134 as amended by 2001 PA 253.

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

Roll Call No. 539

Yeas—96

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

Nays—12

Darany	Hammel	Lindberg	Smiley
Durhal	Howze	Olumba	Stanley
Geiss	Jackson	Santana	Womack

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.

House Bill No. 5074, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending section 8133 (MCL 600.8133).
 Was read a third time and passed, a majority of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 540**Yeas—96**

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

Nays—12

Darany	Hammel	Lindberg	Santana
Geiss	Howze	Nesbitt	Smiley
Glaridon	Jackson	Olumba	Stanley

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.

Rep. Glardon, having reserved the right to explain his protest against the passage of the bill, made the following statement:

“Mr. Speaker and members of the House:

The 35th Circuit Court that encompasses Shiawassee County has four judges: 1 circuit, 1 probate, and 2 district judges. The Judicial Resources Report (JRR) reports that this circuit is over-judged by 0.9 District and under-judged by 0.2 Circuit/Probate, which nets 0.7. Based on this analysis, the Supreme Court Administrative Office estimates that the courts in Shiawassee County can operate with 3.3 judges. Eliminating one district judgeship as proposed in House Bill 5074 would leave the number of judges at 3 and could potentially leave Shiawassee County under-judged.

For this reason, I cannot support this bill at this time.”

Rep. Nesbitt, having reserved the right to explain his protest against the passage of the bill, made the following statement:

“Mr. Speaker and members of the House:

I believe there is a need for consistency and integrity on reviewing the cut off figure for the elimination of judicial positions throughout the state. A reduction of a judge with anything less than an excess of one is simply not a rational or reasonable expectation. Each one of these bills contained judge elimination that I could not support.”

House Bill No. 5075, entitled

A bill to amend 1961 PA 236, entitled “Revised judicature act of 1961,” by amending sections 528 and 8144 (MCL 600.528 and 600.8144), section 528 as amended by 1988 PA 134 and section 8144 as amended by 2002 PA 92.

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

Roll Call No. 541

Yeas—97

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

Nays—11

Durhal	Howze	Olumba	Stanley
Geiss	Jackson	Santana	Womack
Hammel	Lindberg	Smiley	

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.

House Bill No. 5093, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending sections 803 and 8116 (MCL 600.803 and 600.8116), section 803 as amended by 2002 PA 715.

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

Roll Call No. 542**Yeas—63**

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

Nays—45

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

In The Chair: Opsommer

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 1961 PA 236, entitled "Revised judicature act of 1961," by amending sections 8116 and 8117 (MCL 600.8116 and 600.8117), section 8117 as amended by 2005 PA 237.

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.

Rep. Segal moved that her name be removed as sponsor of the bill.

The motion prevailed.

Rep. Walsh was named sponsor of the bill.

Rep. Nesbitt, having reserved the right to explain his protest against the passage of the bill, made the following statement:

"Mr. Speaker and members of the House:

I believe there is a need for consistency and integrity on reviewing the cut off figure for the elimination of judicial positions throughout the state. A reduction of a judge with anything less than an excess of one is simply not a rational or reasonable expectation. Each one of these bills contained judge elimination that I could not support."

House Bill No. 5094, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending sections 8152, 8153, and 8154 (MCL 600.8152, 600.8153, and 600.8154), section 8152 as amended by 2008 PA 137.

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

Roll Call No. 543

Yeas—95

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

Nays—13

Geiss	Lindberg	Potvin	Smiley
Hammel	Olumba	Santana	Stanley
Howze	Pettalia	Schmidt, W.	Womack
Jackson			

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.

House Bill No. 5101, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending sections 524, 8146, and 8148 (MCL 600.524, 600.8146, and 600.8148), as amended by 2002 PA 92.

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

Roll Call No. 544**Yeas—98**

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

Nays—10

Geiss	Jackson	Santana	Stanley
Hammel	Lindberg	Smiley	Womack
Howze	Olumba		

In The Chair: Opsommer

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 1961 PA 236, entitled "Revised judicature act of 1961," by amending sections 524, 8146, 8147, and 8148 (MCL 600.524, 600.8146, 600.8147, and 600.8148), as amended by 2002 PA 92.

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. 5102, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending sections 525, 549d, and 550a (MCL 600.525, 600.549d, and 600.550a), section 550a as amended by 2002 PA 92.

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

Roll Call No. 545

Yeas—97

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

Nays—11

Damrow	Howze	Olumba	Stanley
Geiss	Jackson	Santana	Womack
Hammel	Lindberg	Smiley	

In The Chair: Opsommer

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 1961 PA 236, entitled "Revised judicature act of 1961," by amending sections 525 and 549d (MCL 600.525 and 600.549d).

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. 5103, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending sections 8121 and 8123 (MCL 600.8121 and 600.8123), section 8121 as amended by 2001 PA 258 and section 8123 as amended by 2000 PA 448.

The bill was read a third time.

The question being on the passage of the bill,

Rep. Walsh moved to amend the bill as follows:

1. Amend page 5, line 18, after "**JANUARY 2,**" by striking out "**2015**" and inserting "**2013**".
2. Amend page 5, line 24, after "**JANUARY 2,**" by striking out "**2015**" and inserting "**2013**".
3. Amend page 6, line 8, after "**JANUARY 2,**" by striking out "**2015**" and inserting "**2013**".

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. 546

Yeas—87

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

Nays—21

Barnett	Hammel	Lindberg	Stallworth
Brown	Hobbs	Nesbitt	Stanley
Clemente	Howze	Olumba	Talabi
Darany	Jackson	Santana	Tlaib
Durhal	Kandrevas	Smiley	Womack
Geiss			

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.

Rep. Nesbitt, having reserved the right to explain his protest against the passage of the bill, made the following statement:

“Mr. Speaker and members of the House:

I believe there is a need for consistency and integrity on reviewing the cut off figure for the elimination of judicial positions throughout the state. A reduction of a judge with anything less than an excess of one is simply not a rational or reasonable expectation. Each one of these bills contained judge elimination that I could not support.”

House Bill No. 5104, entitled

A bill to amend 1961 PA 236, entitled “Revised judicature act of 1961,” by amending sections 519 and 8139 (MCL 600.519 and 600.8139).

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

Roll Call No. 547

Yeas—88

Agema	Glardon	Liss	Price
Ananich	Goike	Lori	Pscholka
Bauer	Haines	Lund	Rendon
Bledsoe	Haugh	Lyons	Rogers
Bolger	Haveman	MacGregor	Rutledge
Bumstead	Heise	MacMaster	Schmidt, R.
Cavanagh	Hobbs	McBroom	Schmidt, W.
Clemente	Hooker	McCann	Segal
Constan	Horn	McMillin	Shaughnessy
Cotter	Hughes	Meadows	Shirkey
Crawford	Huuki	Moss	Slavens
Daley	Irwin	Muxlow	Somerville
Damrow	Jacobsen	Nathan	Stallworth
Darany	Jenkins	O’Brien	Stamas
Denby	Johnson	Oakes	Stapleton
Dillon	Knollenberg	Olson	Switalski
Farrington	Kowall	Opsommer	Talabi
Forlini	Kurtz	Quimet	Townsend
Foster	LaFontaine	Outman	Tyler
Franz	Lane	Pettalia	Walsh
Genetski	LeBlanc	Poleski	Yonker
Gilbert	Lipton	Potvin	Zorn

Nays—20

Barnett	Durhal	Jackson	Santana
Brown	Geiss	Kandrevas	Smiley
Brunner	Hammel	Lindberg	Stanley
Byrum	Hovey-Wright	Nesbitt	Tlaib
Callton	Howze	Olumba	Womack

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

Rep. Nesbitt, having reserved the right to explain his protest against the passage of the bill, made the following statement:

“Mr. Speaker and members of the House:

I believe there is a need for consistency and integrity on reviewing the cut off figure for the elimination of judicial positions throughout the state. A reduction of a judge with anything less than an excess of one is simply not a rational or reasonable expectation. Each one of these bills contained judge elimination that I could not support.”

House Bill No. 5107, entitled

A bill to amend 1961 PA 236, entitled “Revised judicature act of 1961,” by amending sections 543 and 8140 (MCL 600.543 and 600.8140).

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

Roll Call No. 548

Yeas—95

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

Nays—13

Durhal	Jackson	Olumba	Stallworth
Geiss	Lindberg	Santana	Stanley
Hammel	Nesbitt	Smiley	Womack
Howze			

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 1961 PA 236, entitled "Revised judicature act of 1961," by amending section 8140 (MCL 600.8140).

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.

Rep. Nesbitt, having reserved the right to explain his protest against the passage of the bill, made the following statement:

"Mr. Speaker and members of the House:

I believe there is a need for consistency and integrity on reviewing the cut off figure for the elimination of judicial positions throughout the state. A reduction of a judge with anything less than an excess of one is simply not a rational or reasonable expectation. Each one of these bills contained judge elimination that I could not support."

House Bill No. 5105, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending sections 504, 8123, and 8136 (MCL 600.504, 600.8123, and 600.8136), section 504 as amended by 2002 PA 715 and section 8123 as amended by 2000 PA 448.

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

Roll Call No. 549

Yeas—70

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

Nays—37

Ananich	Durhal	Jackson	Santana
Bauer	Franz	Kandrevas	Smiley
Bledsoe	Geiss	Lindberg	Stallworth
Brown	Hammel	Lipton	Stanley
Brunner	Haugh	Nathan	Stapleton
Byrum	Hobbs	Nesbitt	Talabi

Cavanagh
Clemente
Darany
Dillon

Hovey-Wright
Howze
Irwin

Oakes
Olumba
Opsommer

Tlaib
Townsend
Womack

In The Chair: Opsommer

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 1961 PA 236, entitled "Revised judicature act of 1961," by amending sections 504, 803, 805, 810a, 8121, 8123, 8132, 8136, 8138, and 8150 (MCL 600.504, 600.803, 600.805, 600.810a, 600.8121, 600.8123, 600.8132, 600.8136, 600.8138, and 600.8150), sections 504 and 803 as amended by 2002 PA 715, section 805 as amended by 1988 PA 134, section 810a as amended by 2004 PA 492, section 8121 as amended by 2001 PA 258, section 8123 as amended by 2000 PA 448, section 8132 as amended by 1998 PA 47, and section 8138 as amended by 1998 PA 46.

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.

Rep. Slavens, under Rule 31, made the following statement:

"Mr. Speaker and members of the House:

I did not vote on Roll Call No. 549 because of a possible conflict of interest."

Rep. Nesbitt, having reserved the right to explain his protest against the passage of the bill, made the following statement:

"Mr. Speaker and members of the House:

I believe there is a need for consistency and integrity on reviewing the cut off figure for the elimination of judicial positions throughout the state. A reduction of a judge with anything less than an excess of one is simply not a rational or reasonable expectation. Each one of these bills contained judge elimination that I could not support."

House Bill No. 5066, entitled

A bill to amend 2007 PA 36, entitled "Michigan business tax act," by amending section 413 (MCL 208.1413), as amended by 2007 PA 145.

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

Roll Call No. 550

Yeas—68

Bolger
Brown
Bumstead
Callton
Constan
Cotter
Crawford
Daley
Damrow

Glardon
Goike
Haines
Haveman
Heise
Horn
Hughes
Irwin
Jacobsen

Lund
Lyons
MacGregor
MacMaster
McBroom
McMillin
Moss
Muxlow
Nesbitt

Price
Pscholka
Rendon
Rogers
Rutledge
Schmidt, R.
Schmidt, W.
Shaughnessy
Shirkey

Denby	Jenkins	O'Brien	Somerville
Dillon	Johnson	Olson	Stamas
Farrington	Knollenberg	Opsommer	Switalski
Forlini	Kowall	Ouimet	Townsend
Foster	Kurtz	Outman	Tyler
Franz	LaFontaine	Pettalia	Walsh
Genetski	Liss	Poleski	Yonker
Gilbert	Lori	Potvin	Zorn

Nays—40

Agema	Durhal	Kandrevas	Santana
Ananich	Geiss	Lane	Segal
Barnett	Hammel	LeBlanc	Slavens
Bauer	Haugh	Lindberg	Smiley
Bledsoe	Hobbs	Lipton	Stallworth
Brunner	Hooker	McCann	Stanley
Byrum	Hovey-Wright	Meadows	Stapleton
Cavanagh	Howze	Nathan	Talabi
Clemente	Huuki	Oakes	Tlaib
Darany	Jackson	Olumba	Womack

In The Chair: Opsommer

The House agreed to the title of the bill.

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

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

House Bill No. 5067, entitled

A bill to amend 1976 PA 451, entitled "The revised school code," by amending section 1211 (MCL 380.1211), as amended by 2010 PA 216.

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

Roll Call No. 551**Yeas—68**

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

Nays—40

Agema	Durhal	Lane	Segal
Ananich	Geiss	LeBlanc	Slavens
Barnett	Hammel	Lindberg	Smiley
Bauer	Haugh	Lipton	Stallworth
Bledsoe	Hobbs	McCann	Stanley
Brunner	Hooker	Meadows	Stapleton
Byrum	Hovey-Wright	Nathan	Switalski
Cavanagh	Howze	Oakes	Talabi
Clemente	Jackson	Olumba	Tlaib
Darany	Kandrevas	Santana	Womack

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.

House Bill No. 5068, entitled

A bill to amend 1993 PA 331, entitled "State education tax act," by amending section 3 (MCL 211.903), as amended by 2007 PA 38.

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

Roll Call No. 552**Yeas—68**

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

Nays—40

Agema	Durhal	Kandrevas	Santana
Ananich	Geiss	Lane	Segal
Barnett	Hammel	LeBlanc	Slavens
Bauer	Haugh	Lindberg	Smiley
Bledsoe	Hobbs	Lipton	Stallworth

Brunner	Hooker	McCann	Stanley
Byrum	Hovey-Wright	Meadows	Stapleton
Cavanagh	Howze	Nathan	Talabi
Clemente	Huuki	Oakes	Tlaib
Darany	Jackson	Olumba	Womack

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.

House Bill No. 5069, entitled

A bill to amend 1974 PA 198, entitled "An act to provide for the establishment of plant rehabilitation districts and industrial development districts in local governmental units; to provide for the exemption from certain taxes; to levy and collect a specific tax upon the owners of certain facilities; to impose and provide for the disposition of an administrative fee; to provide for the disposition of the tax; to provide for the obtaining and transferring of an exemption certificate and to prescribe the contents of those certificates; to prescribe the powers and duties of the state tax commission and certain officers of local governmental units; and to provide penalties," by amending section 14 (MCL 207.564), as amended by 2008 PA 457.

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

Roll Call No. 553

Yeas—68

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

Nays—40

Agema	Durhal	Kandrevas	Santana
Ananich	Geiss	Lane	Segal
Barnett	Hammel	LeBlanc	Slavens
Bauer	Haugh	Lindberg	Smiley
Bledsoe	Hobbs	Lipton	Stallworth
Brunner	Hooker	McCann	Stanley
Byrum	Hovey-Wright	Meadows	Stapleton
Cavanagh	Howze	Nathan	Talabi

Clemente
Darany

Huuki
Jackson

Oakes
Olumba

Tlaib
Womack

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.

Senate Bill No. 798, entitled

A bill to amend 1946 (1st Ex Sess) PA 9, entitled "An act to create the Michigan veterans' trust fund, and to define who shall be eligible to receive assistance therefrom; to provide for the disbursement of the income thereof and surplus therein; to create a board of trustees, and to prescribe its powers and duties; to provide for county and district committees, and their powers, duties, and expenses; to prescribe penalties; and to make appropriations to carry out the provisions of this act," (MCL 35.602 to 35.610) by adding sections 3b and 6a; and to repeal acts and parts of acts.

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

Roll Call No. 554

Yeas—108

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

Nays—0

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.

Senate Bill No. 799, entitled

A bill to amend 1885 PA 152, entitled "An act to authorize the establishment of facilities for former members of the armed forces of the United States in the state of Michigan; to create funds; and to provide for the promulgation of rules," by amending sections 6, 7, and 8 (MCL 36.6, 36.7, and 36.8) and by adding section 2a; and to repeal acts and parts of acts.

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

Roll Call No. 555**Yeas—108**

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

Nays—0

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.

House Bill No. 4940, entitled

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," by amending section 701 (MCL 206.701), as added by 2011 PA 38.

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

Roll Call No. 556**Yeas—66**

Agema	Goike	Lori	Poleski
Bolger	Haines	Lund	Potvin

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

Nays—42

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

In The Chair: Opsommer

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 1967 PA 281, entitled "Income tax act of 1967," by amending section 701 (MCL 206.701), as amended by 2011 PA 194.

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. 4949, entitled

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," by amending section 623 (MCL 206.623), as added by 2011 PA 38.

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

Roll Call No. 557**Yeas—67**

Agema	Glardon	Liss	Poleski
Bolger	Goike	Lori	Potvin
Brown	Haines	Lund	Price
Bumstead	Haveman	Lyons	Pscholka
Callton	Heise	MacGregor	Rendon

Constan	Hooker	MacMaster	Rogers
Cotter	Horn	McBroom	Rutledge
Crawford	Hughes	McMillin	Schmidt, W.
Daley	Huuki	Moss	Shaughnessy
Damrow	Jacobsen	Muxlow	Shirkey
Denby	Jenkins	Nesbitt	Somerville
Farrington	Johnson	O'Brien	Stamas
Forlini	Knollenberg	Olson	Tyler
Foster	Kowall	Opsommer	Walsh
Franz	Kurtz	Ouimet	Yonker
Genetski	LaFontaine	Outman	Zorn
Gilbert	Lane	Pettalia	

Nays—41

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

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.

House Bill No. 4950, entitled

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," by amending section 671 (MCL 206.671), as added by 2011 PA 38.

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

Roll Call No. 558

Yeas—66

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

Genetski	LaFontaine	Outman	Yonker
Gilbert	Lane	Pettalia	Zorn
Glardon	Liss		

Nays—42

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

In The Chair: Opsommer

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 1967 PA 281, entitled "Income tax act of 1967," by amending section 671 (MCL 206.671), as amended by 2011 PA 185.

The motion prevailed.

The House agreed to the title as amended.

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

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

Second Reading of Bills**House Bill No. 5047, entitled**

A bill to amend 1893 PA 206, entitled "The general property tax act," by amending section 42a (MCL 211.42a), as amended by 2002 PA 505.

Was read a second time, and the question being on the adoption of the proposed amendment previously recommended by the Committee on Local, Intergovernmental, and Regional Affairs (for amendment, see House Journal No. 81, p. 2408),

The amendment was adopted, a majority of the members serving voting therefor.

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

The motion prevailed.

Senate Bill No. 725, entitled

A bill to amend 1893 PA 206, entitled "The general property tax act," by amending sections 7dd and 34c (MCL 211.7dd and 211.34c), section 7dd as amended by 2010 PA 17 and section 34c as amended by 2006 PA 646.

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

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

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

The motion prevailed.

The Speaker Pro Tempore resumed the Chair.

House Bill No. 4542, entitled

A bill to amend 1961 PA 236, entitled “Revised judicature act of 1961,” by amending sections 3204 and 3205 (MCL 600.3204 and 600.3205), section 3204 as amended and section 3205 as added by 2009 PA 29.

Was read a second time, and the question being on the adoption of the proposed substitute (H-5) previously recommended by the Committee on Banking and Financial Services,

The substitute (H-5) was adopted, a majority of the members serving voting therefor.

Rep. Knollenberg moved to amend the bill as follows:

1. Amend page 4, line 4, after “before” by striking out “**JULY 1, 2015**” and inserting “**DECEMBER 31, 2012**”.

The motion prevailed and the amendment was adopted, a majority of the members serving voting therefor.

Rep. Womack moved to amend the bill as follows:

1. Amend page 4, line 4, after “2009” by striking out the balance of the line and inserting a period.

The motion did not prevail and the amendment was not adopted, a majority of the members serving not voting therefor.

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

The motion prevailed.

Rep. Stamas moved that the bill be placed on its immediate passage.

The motion prevailed, a majority of the members serving voting therefor.

By unanimous consent the House returned to the order of

Third Reading of Bills**House Bill No. 4542, entitled**

A bill to amend 1961 PA 236, entitled “Revised judicature act of 1961,” by amending sections 3204 and 3205 (MCL 600.3204 and 600.3205), section 3204 as amended and section 3205 as added by 2009 PA 29.

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

Roll Call No. 559**Yeas—108**

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

Nays—0

In The Chair: Walsh

The question being on agreeing to the title of the bill,

Rep. Stamas moved to amend the title to read as follows:

A bill to amend 1961 PA 236, entitled “Revised judicature act of 1961,” by amending sections 3204, 3205, and 3212 (MCL 600.3204, 600.3205, and 600.3212), section 3204 as amended by 2011 PA 72, section 3205 as added by 2009 PA 29, and section 3212 as amended by 2004 PA 186, and by adding section 3278.

The motion prevailed.

The House agreed to the title as amended.

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

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

Second Reading of Bills**House Bill No. 4543, entitled**

A bill to amend 1961 PA 236, entitled “Revised judicature act of 1961,” by amending sections 3205a, 3205b, 3205d, and 3205e (MCL 600.3205a, 600.3205b, 600.3205d, and 600.3205e), sections 3205a and 3205b as added by 2009 PA 30 and sections 3205d and 3205e as added by 2009 PA 31.

Was read a second time, and the question being on the adoption of the proposed substitute (H-6) previously recommended by the Committee on Banking and Financial Services,

The substitute (H-6) was adopted, a majority of the members serving voting therefor.

Rep. Knollenberg moved to amend the bill as follows:

1. Amend page 11, line 4, by striking out “**JULY 1, 2015**” and inserting “**DECEMBER 31, 2012**”.

The motion prevailed and the amendment was adopted, a majority of the members serving voting therefor.

Rep. Knollenberg moved to amend the bill as follows:

1. Amend page 7, line 7, after “situated.” by striking out the balance of the section.

The motion prevailed and the amendment was adopted, a majority of the members serving voting therefor.

Rep. Womack moved to amend the bill as follows:

1. Amend page 11, following line 13, by inserting:

“Enacting section 3. Section 3205e of the revised judicature act of 1961, 1961 PA 236, MCL 600.3205e, is repealed.”.

The motion did not prevail and the amendment was not adopted, a majority of the members serving not voting therefor.

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

The motion prevailed.

Rep. Stamas moved that the bill be placed on its immediate passage.

The motion prevailed, a majority of the members serving voting therefor.

By unanimous consent the House returned to the order of

Third Reading of Bills**House Bill No. 4543, entitled**

A bill to amend 1961 PA 236, entitled “Revised judicature act of 1961,” by amending sections 3205a, 3205b, 3205d, and 3205e (MCL 600.3205a, 600.3205b, 600.3205d, and 600.3205e), sections 3205a and 3205b as added by 2009 PA 30 and sections 3205d and 3205e as added by 2009 PA 31.

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

Roll Call No. 560**Yeas—108**

Agema
Ananich

Genetski
Gilbert

LeBlanc
Lindberg

Price
Pscholka

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

Nays—0

In The Chair: Walsh

The question being on agreeing to the title of the bill,

Rep. Stamas moved to amend the title to read as follows:

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending sections 3205a, 3205b, 3205c, 3205d, and 3205e (MCL 600.3205a, 600.3205b, 600.3205c, 600.3205d, and 600.3205e), sections 3205a and 3205b as added by 2009 PA 30, sections 3205c and 3205d as added by 2009 PA 31, and section 3205e as amended by 2011 PA 72.

The motion prevailed.

The House agreed to the title as amended.

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

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

Second Reading of Bills

House Bill No. 4544, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending section 3240 (MCL 600.3240), as amended by 2010 PA 303.

Was read a second time, and the question being on the adoption of the proposed substitute (H-3) previously recommended by the Committee on Banking and Financial Services,

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

Rep. Lyons moved to amend the bill as follows:

1. Amend page 6, line 8, after "**COMMENCED**" by inserting "**AND RECORDS AN AFFIDAVIT WITH THE REGISTER OF DEEDS FOR THE COUNTY IN WHICH THE PROPERTY IS LOCATED STATING THAT THE PROOF HAS BEEN DELIVERED**".

2. Amend page 6, line 9, after “**PROOF**” by striking out “**AS DESCRIBED IN**” and inserting “**AND RECORD AN AFFIDAVIT AS REQUIRED BY**”.

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

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

The motion prevailed.

Rep. Stamas moved that the bill be placed on its immediate passage.

The motion prevailed, a majority of the members serving voting therefor.

By unanimous consent the House returned to the order of

Third Reading of Bills

House Bill No. 4544, entitled

A bill to amend 1961 PA 236, entitled “Revised judicature act of 1961,” by amending section 3240 (MCL 600.3240), as amended by 2010 PA 303.

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

Roll Call No. 561

Yeas—108

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

By unanimous consent the House returned to the order of

Reports of Standing Committees

The Committee on Local, Intergovernmental, and Regional Affairs, by Rep. Ouimet, Chair, reported

House Bill No. 4874, entitled

A bill to amend 1909 PA 279, entitled "The home rule city act," by amending sections 5, 5i, and 35a (MCL 117.5, 117.5i, and 117.35a), section 5 as amended by 2002 PA 201 and sections 5i and 35a as amended by 2001 PA 173.

With the recommendation that the substitute (H-2) 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. Ouimet, Pettalia, Crawford, Daley, Hughes, LaFontaine, Price, Shaughnessy, Rendon, Stanley, Constan, Townsend, Rutledge and Lane

Nays: None

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, December 8, 2011

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

Absent: Rep. Stapleton

Excused: Rep. Stapleton

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Thursday, December 8, 2011

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

Absent: Rep. Knollenberg

Excused: Rep. Knollenberg

Second Reading of Bills

House Bill No. 5122, entitled

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," (MCL 206.1 to 206.713) by adding section 31a.

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

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

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

The motion prevailed.

Rep. Stamas moved that the bill be placed on its immediate passage.

The motion prevailed, a majority of the members serving voting therefor.

By unanimous consent the House returned to the order of

Third Reading of Bills

House Bill No. 5122, entitled

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," (MCL 206.1 to 206.713) by adding section 31a.

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

Roll Call No. 562**Yeas—105**

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

Nays—3

Agema	Cotter	Shirkey
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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**House Bill No. 5157, entitled**

A bill to amend 1996 PA 376, entitled "Michigan renaissance zone act," by amending section 9 (MCL 125.2689), as amended by 2008 PA 495.

The bill was read a second time.

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

The motion prevailed.

Rep. Stamas moved that the bill be placed on its immediate passage.

The motion prevailed, a majority of the members serving voting therefor.

By unanimous consent the House returned to the order of
Third Reading of Bills

House Bill No. 5157, entitled

A bill to amend 1996 PA 376, entitled "Michigan renaissance zone act," by amending section 9 (MCL 125.2689), as amended by 2008 PA 495.

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

Roll Call No. 563

Yeas—104

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

Nays—4

Agema	Cotter	McMillin	Shirkey
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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. 5187, entitled

A bill to amend 1966 PA 261, entitled "An act to provide for the apportionment of county boards of commissioners; to prescribe the size of the board; to provide for appeals; to prescribe the manner of election of the members of the county board of commissioners; to provide for compensation of members; to prescribe penalties and provide remedies; and to repeal acts and parts of acts," by amending sections 1, 2, and 3 (MCL 46.401, 46.402, and 46.403), section 2 as amended by 2004 PA 369.

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

Roll Call No. 564**Yeas—58**

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

Nays—50

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

In The Chair: Walsh

The House agreed to the title of the bill.

Reps. Segal, Townsend, Irwin, Ananich, Hammel, Hovey-Wright, Stapleton, Byrum, Lindberg, Oakes, Meadows, Santana, Darany, Brown, Durhal, Lipton, Barnett, Talabi, Olumba, Stallworth, Cavanagh, Tlaib, Geiss, Roy Schmidt, Howze, Smiley, Bledsoe, Kandrevas, Lane and Brunner, having reserved the right to explain their protest against the passage of the bill, made the following statement:

“Mr. Speaker and members of the House:

I voted no on House Bill 5187 because the bill is an outrageously partisan bill that would undo Oakland County’s Apportionment Commission’s fair process of redistricting resulting in a map that has already been upheld by the Michigan Court of Appeals as constitutional and in compliance with the law. While other states are moving redistricting out of the hands of elected officials and to independent, non-partisan commissions, the majority in this House is proposing that county elected officials pick their own districts. The bill is also flawed because it is a local act that only applies to Oakland County. The statute does not refer to Oakland County by name but applies to a county with a population of 1,000,000 or more that has adopted a unified form of county government with a county executive. The language of the bill only applies to Oakland County.

Such population-based statutes have been upheld against claims that they constitute local acts where it is possible that other municipalities or counties can qualify for inclusion if their populations changes. See *State v. Wayne*, 466 Mich 640, 642-643 (2002); *Irishman's Lot, Inc. v. Secretary of State*, 338 Mich 662, 666-668 (1954). However, where the statute cannot apply to other units of government, that is fatal to its status as a general act. See *State at 643*; *Mulloy v. Wayne Co. Bd. Supervisors*, 246 Mich 632, 637-640 (1929). That is the case here. In the bill, the language is limited to Oakland County. No other county would qualify under the bill. Oakland County is a closed class. Therefore, it is a local act and each chamber of the Legislature is required to get a two-thirds vote on a local or special act as required under Article 4, Section 29 of the Michigan Constitution. Members of this body took an oath to uphold the Michigan Constitution. The Majority was informed of the constitutional obstacle in this bill but are proceeding in an unconstitutional manner in violation of their oath.

Therefore, I voted 'no' on House Bill 5187. I also voted 'no' on granting Immediate Effect to House Bill 5187 because, as I stated above, the bill requires a two-thirds vote under the Michigan Constitution as a local or special act (Art. 4, Sec. 29). The bill did not receive a two-thirds vote and, therefore, did not effectively pass the House."

Rep. Bauer, having reserved the right to explain her protest against the passage of the bill, made the following statement:

"Mr. Speaker and members of the House:

I voted no on House Bill 5187 because the bill is an outrageously partisan bill that would undo Oakland County's Apportionment Commission's fair process of redistricting resulting in a map that has already been upheld by the Michigan Court of Appeals as constitutional and in compliance with the law. While other states are moving redistricting out of the hands of elected officials and to independent, non-partisan commissions, the majority in this House is proposing that county elected officials pick their own districts. The bill is also flawed because it is a local act that only applies to Oakland County. The statute does not refer to Oakland County by name but applies to a county with a population of 1,000,000 or more that has adopted a unified form of county government with a county executive. The language of the bill only applies to Oakland County."

Rep. Slavens, having reserved the right to explain her protest against the passage of the bill, made the following statement:

"Mr. Speaker and members of the House:

I voted no on House Bill 5187 because the bill is an outrageously partisan bill that would undo Oakland County's Apportionment Commission's fair process of redistricting resulting in a map that has already been upheld by the Michigan Court of Appeals as constitutional and in compliance with the law. While other states are moving redistricting out of the hands of elected officials and to independent, non-partisan commissions, the majority in this House is proposing that county elected officials pick their own districts. The bill is also flawed because it is a local act that only applies to Oakland County. The statute does not refer to Oakland County by name but applies to a county with a population of 1,000,000 or more that has adopted a unified form of county government with a county executive. The language of the bill only applies to Oakland County."

Such population-based statutes have been upheld against claims that they constitute local acts where it is possible that other municipalities or counties can qualify for inclusion if their populations changes. See *State v. Wayne*, 466 Mich 640, 642-643 (2002); *Irishman's Lot, Inc. v. Secretary of State*, 338 Mich 662, 666-668 (1954). However, where the statute cannot apply to other units of government, that is fatal to its status as a general act. See *State at 643*; *Mulloy v. Wayne Co. Bd. Supervisors*, 246 Mich 632, 637-640 (1929). That is the case here. In the bill, the language is limited to Oakland County. No other county would qualify under the bill. Oakland County is a closed class. Therefore, it is a local act and each chamber of the Legislature is required to get a two-thirds vote on a local or special act as required under Article 4, Section 29 of the Michigan Constitution. Members of this body took an oath to uphold the Michigan Constitution. The Majority was informed of the constitutional obstacle in this bill but are proceeding in an unconstitutional manner in violation of their oath."

Rep. Constan, having reserved the right to explain his protest against the passage of the bill, made the following statement:

"Mr. Speaker and members of the House:

I voted no on House Bill 5187 because the bill is a partisan bill that would undo Oakland County's Apportionment Commission's fair process of redistricting resulting in a map that has already been upheld by the Michigan Court of Appeals as constitutional and in compliance with the law. While other states are moving redistricting out of the hands of elected officials and to independent, non-partisan commissions, the majority in this House is proposing that county elected officials pick their own districts. The bill is also flawed because it is a local act that only applies to Oakland County. The statute does not refer to Oakland County by name but applies to a county with a population of 1,000,000 or more that has adopted a unified form of county government with a county executive. The language of the bill only applies to Oakland County."

Such population-based statutes have been upheld against claims that they constitute local acts where it is possible that other municipalities or counties can qualify for inclusion if their populations changes. See *State v. Wayne*, 466 Mich 640, 642-643 (2002); *Irishman's Lot, Inc. v. Secretary of State*, 338 Mich 662, 666-668 (1954). However, where the statute cannot apply to other units of government, that is fatal to its status as a general act. See *State at 643*; *Mulloy v. Wayne Co. Bd. Supervisors*, 246 Mich 632, 637-640 (1929). That is the case here. In the bill, the language is limited to Oakland County. No other county would qualify under the bill. Oakland County is a closed class. Therefore, it is a local act and each chamber of the Legislature is required to get a two-thirds vote on a local or special act as required under Article 4, Section 29 of the Michigan Constitution. Members of this body took an oath to uphold the Michigan Constitution. The Majority was informed of the constitutional obstacle in this bill but are proceeding in an unconstitutional manner in violation of their oath.

Therefore, I voted 'no' on House Bill 5187. I also voted 'no' on granting Immediate Effect to House Bill 5187 because, as I stated above, the bill requires a two-thirds vote under the Michigan Constitution as a local or special act (Art. 4, Sec. 29). The bill did not receive a two-thirds vote and, therefore, did not effectively pass the House."

Rep. Liss, having reserved the right to explain her protest against the passage of the bill, made the following statement:
"Mr. Speaker and members of the House:

I voted no on House Bill 5187 because the bill is a bill that would undo Oakland County's Apportionment Commission's fair process of redistricting resulting in a map that has already been upheld by the Michigan Court of Appeals as constitutional and in compliance with the law. While other states are moving redistricting out of the hands of elected officials and to independent, non-partisan commissions, the majority in this House is proposing that county elected officials pick their own districts. The bill is also flawed because it is a local act that only applies to Oakland County. The statute does not refer to Oakland County by name but applies to a county with a population of 1,000,000 or more that has adopted a unified form of county government with a county executive. The language of the bill only applies to Oakland County.

Such population-based statutes have been upheld against claims that they constitute local acts where it is possible that other municipalities or counties can qualify for inclusion if their populations changes. See *State v. Wayne*, 466 Mich 640, 642-643 (2002); *Irishman's Lot, Inc. v. Secretary of State*, 338 Mich 662, 666-668 (1954). However, where the statute cannot apply to other units of government, that is fatal to its status as a general act. See *State at 643*; *Mulloy v. Wayne Co. Bd. Supervisors*, 246 Mich 632, 637-640 (1929). That is the case here. In the bill, the language is limited to Oakland County. No other county would qualify under the bill. Oakland County is a closed class. Therefore, it is a local act and each chamber of the Legislature is required to get a two-thirds vote on a local or special act as required under Article 4, Section 29 of the Michigan Constitution. Members of this body took an oath to uphold the Michigan Constitution. The Majority was informed of the constitutional obstacle in this bill but are proceeding in an unconstitutional manner in violation of their oath.

Therefore, I voted 'no' on House Bill 5187. I also voted 'no' on granting Immediate Effect to House Bill 5187 because, as I stated above, the bill requires a two-thirds vote under the Michigan Constitution as a local or special act (Art. 4, Sec. 29). The bill did not receive a two-thirds vote and, therefore, did not effectively pass the House."

Rep. Rutledge, having reserved the right to explain his protest against the passage of the bill, made the following statement:

"Mr. Speaker and members of the House:

I voted no on House Bill 5187 because the bill is an outrageously partisan bill that would undo Oakland County's Apportionment Commission's fair process of redistricting resulting in a map that has already been upheld by the Michigan Court of Appeals as constitutional and in compliance with the law. While other states are moving redistricting out of the hands of elected officials and to independent, non-partisan commissions, the majority in this House is proposing that county elected officials pick their own districts. The bill is also flawed because it is a local act that only applies to Oakland County. The statute does not refer to Oakland County by name but applies to a county with a population of 1,000,000 or more that has adopted a unified form of county government with a county executive. The language of the bill only applies to Oakland County. Such population-based statutes have been upheld against claims that they constitute local acts where it is possible that other municipalities or counties can qualify for inclusion if their populations changes. See *State v. Wayne*, 466 Mich 640, 642-643 (2002); *Irishman's Lot, Inc. v. Secretary of State*, 338 Mich 662, 666-668 (1954). However, where the statute cannot apply to other units of government, that is fatal to its status as a general act. See *State at 643*; *Mulloy v. Wayne Co. Bd. Supervisors*, 246 Mich 632, 637-640 (1929). That is the case here. In the bill, the language is limited to Oakland County. No other county would qualify under the bill. Oakland County is a closed class. Therefore, it is a local act and each chamber of the Legislature is required to get a two-thirds vote on a local or special act as required under Article 4, Section 29 of the Michigan Constitution. Members of this body took an oath to uphold the Michigan Constitution. The Majority was informed of the constitutional obstacle in this bill but are proceeding in an unconstitutional manner in violation of their oath. Therefore, I voted 'no' on House Bill 5187. I also voted 'no' on

granting Immediate Effect to House Bill 5187 because, as I stated above, the bill requires a two-thirds vote under the Michigan Constitution as a local or special act (Art. 4, Sec. 29). The bill did not receive a two-thirds vote and, therefore, did not effectively pass the House.”

Rep. Poleski, having reserved the right to explain his protest against the passage of the bill, made the following statement:

“Mr. Speaker and members of the House:

HB 5187 provides a special districting process for specific counties in Michigan. I believe it unwise to have county-specific methods of districting in our State.

I respectfully decline to agree to this special method.

Thank you, Mr. Speaker, for this opportunity to explain my No vote.”

Second Reading of Bills

House Bill No. 4874, entitled

A bill to amend 1909 PA 279, entitled “The home rule city act,” by amending sections 5, 5i, and 35a (MCL 117.5, 117.5i, and 117.35a), section 5 as amended by 2002 PA 201 and sections 5i and 35a as amended by 2001 PA 173.

Was read a second time, and the question being on the adoption of the proposed substitute (H-2) previously recommended by the Committee on Local, Intergovernmental, and Regional Affairs,

The substitute (H-2) was adopted, a majority of the members serving voting therefor.

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

The motion prevailed.

Rep. Stamas moved that the bill be placed on its immediate passage.

The motion prevailed, a majority of the members serving voting therefor.

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

The motion prevailed.

By unanimous consent the House returned to the order of

Third Reading of Bills

House Bill No. 4874, entitled

A bill to amend 1909 PA 279, entitled “The home rule city act,” by amending sections 5, 5i, and 35a (MCL 117.5, 117.5i, and 117.35a), section 5 as amended by 2002 PA 201 and sections 5i and 35a as amended by 2001 PA 173.

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

Roll Call No. 565

Yeas—107

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	Segal
Bumstead	Hobbs	McBroom	Shaughnessy
Byrum	Hooker	McCann	Shirkey
Callton	Horn	McMillin	Slavens
Cavanagh	Hovey-Wright	Meadows	Smiley
Clemente	Howze	Moss	Somerville

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

Nays—0

In The Chair: Walsh

The question being on agreeing to the title of the bill,

Rep. Stamas moved to amend the title to read as follows:

A bill to amend 1909 PA 279, entitled “The home rule city act,” by amending section 5i (MCL 117.5i), as amended by 2001 PA 173.

The motion prevailed.

The House agreed to the title as amended.

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

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

Second Reading of Bills

House Bill No. 5194, entitled

A bill to amend 1976 PA 451, entitled “The revised school code,” by amending section 1225 (MCL 380.1225), as amended by 2006 PA 285.

The bill was read a second time.

Rep. Moss moved to amend the bill as follows:

1. Amend page 2, line 10, after “**FISCAL**” by striking out “**RESPONSIBILITY**” and inserting “**ACCOUNTABILITY**”.

2. Amend page 2, line 11, after “**141.1531,**” by inserting “**OR A LOCAL OR INTERMEDIATE DISTRICT THAT HAS AN APPROVED DEFICIT ELIMINATION PLAN UNDER SECTION 102 OF THE STATE SCHOOL AID ACT OF 1979, MCL 388.1702,**”.

3. Amend page 2, line 12, after “**SECTION**” by striking out “**17A**” and inserting “**17A(4)**”.

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

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

The motion prevailed.

Rep. Stamas moved that the bill be placed on its immediate passage.

The motion prevailed, a majority of the members serving voting therefor.

By unanimous consent the House returned to the order of

Third Reading of Bills

House Bill No. 5194, entitled

A bill to amend 1976 PA 451, entitled “The revised school code,” by amending section 1225 (MCL 380.1225), as amended by 2006 PA 285.

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

Roll Call No. 566**Yeas—105**

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

Nays—1

Franz

In The Chair: Walsh

The House agreed to the title of the bill.

Second Reading of Bills**House Bill No. 5195, entitled**

A bill to amend 1979 PA 94, entitled "The state school aid act of 1979," by amending section 17a (MCL 388.1617a), as amended by 2006 PA 342.

The bill was read a second time.

Rep. Moss moved to amend the bill as follows:

1. Amend page 2, line 18, after "agreement." by inserting:
" (4) " and renumbering the remaining subsections.
2. Amend page 2, line 19, after "**DISTRICT**" by inserting "**FOR WHICH AN EMERGENCY MANAGER HAS BEEN APPOINTED PURSUANT TO THE LOCAL GOVERNMENT AND SCHOOL DISTRICT FISCAL ACCOUNTABILITY ACT, 2011 PA 4, MCL 141.1501 TO 141.1531, OR THAT HAS AN APPROVED DEFICIT ELIMINATION PLAN UNDER SECTION 102,**".
3. Amend page 2, line 20, after "**IN**" by striking out "**THIS SUBSECTION**" and inserting "**SUBSECTION (3)**".
4. Amend page 2, line 20, after "**SECTION**" by striking out "**1225**" and inserting "**1225(2)**".

5. Amend page 2, line 22, after “OF” by striking out “**THE 2011 AMENDATORY ACT THAT AMENDED THIS SECTION**” and inserting “**THIS SUBSECTION**”.

6. Amend page 3, line 6, after the second “OF” by striking out “**THE 2011 AMENDATORY ACT THAT AMENDED THIS SECTION**” and inserting “**THIS SUBSECTION**”.

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

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

The motion prevailed.

Rep. Stamas moved that the bill be placed on its immediate passage.

The motion prevailed, a majority of the members serving voting therefor.

By unanimous consent the House returned to the order of

Third Reading of Bills

House Bill No. 5195, entitled

A bill to amend 1979 PA 94, entitled “The state school aid act of 1979,” by amending section 17a (MCL 388.1617a), as amended by 2006 PA 342.

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

Roll Call No. 567

Yeas—105

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

Nays—2

Franz

Nathan

In The Chair: Walsh

The House agreed to the title of the bill.

Second Reading of Bills

House Bill No. 4932, entitled

A bill to amend 1977 PA 89, entitled "State aid to public libraries act," by amending section 6 (MCL 397.556), as amended by 2005 PA 30.

The bill was read a second time.

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

The motion prevailed.

Rep. Stamas moved that the bill be placed on its immediate passage.

The motion prevailed, a majority of the members serving voting therefor.

By unanimous consent the House returned to the order of

Third Reading of Bills

House Bill No. 4932, entitled

A bill to amend 1977 PA 89, entitled "State aid to public libraries act," by amending section 6 (MCL 397.556), as amended by 2005 PA 30.

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

Roll Call No. 568

Yeas—102

Ananich	Gilbert	Lindberg	Pscholka
Barnett	Glardon	Lipton	Rendon
Bauer	Goike	Liss	Rogers
Bledsoe	Haines	Lori	Rutledge
Bolger	Hammel	Lund	Santana
Brown	Haugh	Lyons	Schmidt, R.
Brunner	Haveman	MacGregor	Schmidt, W.
Bumstead	Heise	McBroom	Segal
Byrum	Hobbs	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	O'Brien	Stamas
Daley	Jackson	Oakes	Stanley
Damrow	Jacobsen	Olson	Stapleton
Darany	Jenkins	Olumba	Switalski
Denby	Johnson	Opsommer	Talabi
Durhal	Kandrevas	Ouimet	Tlaib
Farrington	Knollenberg	Outman	Townsend
Forlini	Kowall	Pettalia	Walsh
Foster	Kurtz	Poleski	Womack
Franz	LaFontaine	Potvin	Yonker
Geiss	Lane	Price	Zorn
Genetski	LeBlanc		

Nays—5

Agema	MacMaster	Nesbitt	Tyler
Hooker			

In The Chair: Walsh

The House agreed to the title of the bill.

By unanimous consent the House returned to the order of
Motions and Resolutions

Rep. Stamas moved that when the House adjourns today it stand adjourned until Tuesday, December 13, at 10:00 a.m.
 The motion prevailed.

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, December 8:

House Bill No. 5203
Senate Bill Nos. 871 872 873 874 875 876

The Clerk announced that the following Senate bills had been received on Thursday, December 8:

Senate Bill Nos. 563 645 723 849 855

Messages from the Senate

House Bill No. 4298, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 2123 and 2124 (MCL 324.2123 and 324.2124), as added by 1995 PA 60, and by adding section 2123a.

The Senate has substituted (S-2) the bill.

The Senate has passed the bill as substituted (S-2), ordered that it be given immediate effect and amended the title to read as follows:

A bill to amend 1994 PA 451, entitled "An act to protect the environment and natural resources of the state; to codify, revise, consolidate, and classify laws relating to the environment and natural resources of the state; to regulate the discharge of certain substances into the environment; to regulate the use of certain lands, waters, and other natural resources of the state; to prescribe the powers and duties of certain state and local agencies and officials; to provide for certain charges, fees, assessments, and donations; to provide certain appropriations; to prescribe penalties and provide remedies; and to repeal acts and parts of acts," by amending sections 2123, 2124, and 2126 (MCL 324.2123, 324.2124, and 324.2126), as added by 1995 PA 60, and by adding section 2123a.

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

Senate Bill No. 563, entitled

A bill to amend 1893 PA 206, entitled "The general property tax act," by amending section 9 (MCL 211.9), as amended by 2008 PA 337.

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. 645, entitled

A bill to amend 1953 PA 232, entitled "Corrections code of 1953," (MCL 791.201 to 791.285) by adding section 69.

The Senate has passed the bill.

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

Senate Bill No. 723, entitled

A bill to amend 1978 PA 368, entitled "Public health code," (MCL 333.1101 to 333.25211) by adding section 10301.

The Senate has passed the bill.

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

Senate Bill No. 849, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending sections 301 and 302 (MCL 600.301 and 600.302), section 301 as amended by 1993 PA 190 and section 302 as amended by 2001 PA 117.

The Senate has passed the bill.

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

Senate Bill No. 855, entitled

A bill to amend 2007 PA 36, entitled "Michigan business tax act," by amending sections 107 and 434 (MCL 208.1107 and 208.1434), section 107 as amended by 2011 PA 209 and section 434 as amended by 2010 PA 114.

The Senate has passed the bill.

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

Explanation of "No" Votes

Reps. Lindberg, Lipton, Stallworth, Stapleton, Oakes, Rutledge and Hobbs, having reserved the right to explain their protest against the passage of **House Bill No. 5189**, made the following statement:

"Mr. Speaker and members of the House:

House Bill 5189 proposes to use leftover federal dollars to temporarily fund heating assistance. I voted no on House Bill 5189 because I consider using TANF funding for a one-time, temporary 'fix' inappropriate when the funding could instead be used toward offsetting cuts and eliminations that have been made to other worthwhile programs serving vulnerable families. Spending in this way is also contrary to the enacted FY 12 budget that says any available funding could be used on a few particular programs. There are better and smarter solutions to provide heating assistance, like HB 5008, which would provide a permanent solution and ensure that low-income families in need of energy assistance stay warm this winter and the winters to come."

Rep. Hovey-Wright, having reserved the right to explain her protest against the passage of **House Bill No. 5189**, made the following statement:

"Mr. Speaker and members of the House:

I voted no on House Bill 5189 because it would end The Low Income and Energy Efficiency Fund (LIEEF) program.

The LIEEF program was created in 2000 under Governor Engler and administrated by the Michigan Public Service Commission. The purpose of LIEEF was to provide protection for low-income customers against utility shut-off and to help promote energy efficiency in every class of energy customers. The money in the fund is collected by certain utilities from their customers and is transmitted to the PSC. It is a process that has worked well at very low cost to residential customers. Hundreds of thousands of our most vulnerable citizens have benefitted from the program and hundreds of thousands of dollars have flowed through Michigan companies to provide efficiency upgrades and supplying jobs to Michigan residents. All efficiency programs will be lost by ending the LIEEF program.

Furthermore, House Bill 5189 would end the LIEEF program with no long term solution in place at a time when there is already a task force review under way that is supposed to propose a long term solution within months."

Reps. Lindberg, Hovey-Wright, Lipton, Stallworth, Irwin, Stapleton, Oakes and Rutledge, having reserved the right to explain their protest against the passage of **House Bill No. 5190**, made the following statement:

"Mr. Speaker and members of the House:

I voted no on House Bill 5190 because it would end The Low Income and Energy Efficiency Fund (LIEEF) program.

The LIEEF program was created in 2000 under Governor Engler and administrated by the Michigan Public Service Commission. The purpose of LIEEF was to provide protection for low-income customers against utility shut-off and to help promote energy efficiency in every class of energy customers. The money in the fund is collected by certain utilities from their customers and is transmitted to the PSC. It is a process that has worked well at very low cost to residential customers. Hundreds of thousands of our most vulnerable citizens have benefitted from the program and hundreds of thousands of dollars have flowed through Michigan companies to provide efficiency upgrades and supplying jobs to Michigan residents. All efficiency programs will be lost by ending the LIEEF program.

Furthermore, House Bill 5190 would end the LIEEF program with no long term solution in place at a time when there is already a task force review under way that is supposed to propose a long term solution within months. It makes no sense to end LIEEF now without a realistic and comprehensive solution in place when such a plan could be just one heating season away."

Introduction of Bills

Reps. Haines, Franz, Kurtz, Zorn, Jenkins, Rendon, Johnson, Hughes, Agema, Opsommer, Rogers, Haugh, Liss and Womack introduced

House Bill No. 5204, entitled

A bill to amend 1978 PA 368, entitled "Public health code," (MCL 333.1101 to 333.25211) by adding section 5410.

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

Reps. Jackson, Womack, Switalski, Dillon and Santana introduced

House Bill No. 5205, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending section 167 (MCL 750.167).
The bill was read a first time by its title and referred to the Committee on Judiciary.

Rep. Clemente moved that the House adjourn.
The motion prevailed, the time being 6:25 p.m.

The Speaker Pro Tempore declared the House adjourned until Tuesday, December 13, at 10:00 a.m.

GARY L. RANDALL
Clerk of the House of Representatives

