

No. 15
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House Chamber, Lansing, Tuesday, February 19, 2013.

1:30 p.m.

The House was called to order by the Speaker.

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

Abed—present	Genetski—present	Lauwers—present	Roberts—present
Ananich—present	Glaridon—present	LaVoy—present	Robinson—present
Banks—present	Goike—present	Leonard—present	Rogers—present
Barnett—present	Graves—present	Lipton—excused	Rutledge—present
Bolger—present	Greimel—present	Lori—present	Santana—present
Brinks—present	Haines—present	Lund—present	Schmidt—present
Brown—present	Haugh—present	Lyons—present	Schor—present
Brunner—present	Haveman—present	MacGregor—present	Segal—present
Bumstead—present	Heise—present	MacMaster—present	Shirkey—present
Callton—present	Hobbs—present	McBroom—present	Singh—present
Cavanagh—present	Hooker—present	McCann—present	Slavens—present
Clemente—present	Hovey-Wright—present	McCready—present	Smiley—present
Cochran—present	Howrylak—present	McMillin—present	Somerville—present
Cotter—present	Irwin—present	Muxlow—present	Stallworth—present
Crawford—present	Jacobsen—present	Nathan—present	Stamas—present
Daley—present	Jenkins—present	Nesbitt—present	Stanley—present
Darany—present	Johnson—present	O'Brien—present	Switalski—present
Denby—present	Kandrevas—present	Oakes—present	Talabi—present
Dianda—present	Kelly—present	Olumba—present	Tlaib—present
Dillon—present	Kesto—present	Outman—present	Townsend—present
Driskell—present	Kivela—present	Pagel—present	VerHeulen—present
Durhal—present	Knezek—present	Pettalia—present	Victory—present
Faris—present	Kosowski—present	Poleski—present	Walsh—present
Farrington—present	Kowall—present	Potvin—present	Yanez—present
Forlini—present	Kurtz—present	Price—present	Yonker—present
Foster—present	LaFontaine—present	Pscholka—present	Zemke—present
Franz—present	Lamonte—present	Rendon—present	Zorn—present
Geiss—present	Lane—present		

e/d/s = entered during session

Rep. Brandon Dillon, from the 75th District, offered the following invocation:

“Dear Lord,

We thank You for the opportunity to serve under Your watchful eye, and the watchful eyes of the people of Michigan. We humbly ask that You grant us the wisdom and courage to make prudent and benevolent decisions, and we pray that You will unite us in our goal of providing for the general welfare of the people of our great state. Lord, please keep in our hearts the words of the *Epistle to the Romans*, stating: ‘We who are strong ought to bear the infirmities of the weak, and not to please ourselves. Let every one of us please his neighbor for his good to edification.’

Amen.”

The Speaker called the Speaker Pro Tempore to the Chair.

Rep. Hobbs moved that Rep. Lipton be excused from today’s session.
The motion prevailed.

Motions and Resolutions

Rep. Olumba offered the following resolution:

House Resolution No. 31.

A resolution to urge the Speaker to recognize the Independent Urban Democracy Caucus, and provide it with the opportunity to negotiate the terms and privileges of the caucus, consistent with that of the two major party caucuses.

Whereas, Article IV, Section 16 of the *Constitution of the State of Michigan of 1963* states:

Each house, except as otherwise provided in this constitution, shall choose its own officers and determine the rules of its proceedings...

; and

Whereas, Under the Standing Rules of the House of Representatives, the Speaker serves as the leader and chief administrator of the House of Representatives; and

Whereas, Traditionally, the Speaker recognizes and authorizes funding to support the two major party caucuses represented in the House; and

Whereas, Under the two major party system, the fullest breadth and scope of constituent concerns, needs and policy messages may not be adequately represented or realized in our legislative discourse. Furthermore, the needs and concerns of some communities may be ignored or not prioritized in deference to the agendas of the two major party caucuses; and

Whereas, To fulfill the responsibilities of these elected offices, it is necessary that members of the House of Representatives be permitted to form independent political caucuses, organized around and united by a common philosophy and interest, that through its discussions and advocacy, advance the message, concerns and needs of the communities represented in this body. In order to affect these outcomes, independent political caucuses require the resources, status, and privileges afforded to the two major party caucuses; now, therefore, be it

Resolved by the House of Representatives, That we urge the Speaker to recognize the Independent Urban Democracy Caucus, and provide it with the opportunity to negotiate the terms and privileges of the caucus, consistent with that of the two major party caucuses.

The resolution was referred to the Committee on Government Operations.

Third Reading of Bills

Senate Bill No. 44, entitled

A bill to amend 1994 PA 295, entitled “Sex offenders registration act,” by amending section 8 (MCL 28.728), as amended by 2011 PA 18.

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

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

By unanimous consent the House returned to the order of

Announcement by the Clerk of Printing and Enrollment

The Clerk announced that the following bills had been printed and placed upon the files of the members on Friday, February 15:

House Bill Nos. 4254 4255 4256 4257 4258 4259 4260 4261 4262 4263 4264 4265

Reports of Standing Committees

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Thursday, February 14, 2013

Present: Reps. Schmidt, Glardon, Daley, Heise, Jacobsen, Pettalia, Lauwers, McCready, Lane, Dianda, Rutledge, Driskell, Cochran and Smiley

Absent: Rep. O'Brien

Excused: Rep. O'Brien

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Crawford, Chair, of the Committee on Regulatory Reform, was received and read:

Meeting held on: Tuesday, February 19, 2013

Present: Reps. Crawford, McBroom, Denby, McMillin, LaFontaine, Rendon, Yonker, Kelly, Kesto, Haugh, Abed, Dianda, Nathan and Schor

Absent: Rep. Stanley

Excused: Rep. Stanley

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Tuesday, February 19, 2013

Present: Reps. Nesbitt, Shirkey, Farrington, Franz, Jacobsen, Outman, Pettalia, Price, Schmidt, Zorn, Graves, Lauwers, Stallworth, Hobbs, Nathan, LaVoy, Brunner, Yanez and Lamonte

Absent: Rep. Lane

Excused: Rep. Lane

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Tuesday, February 19, 2013

Present: Reps. Schmidt, Glardon, Daley, Heise, Jacobsen, O'Brien, Pettalia, Lauwers, McCready, Lane, Dianda, Rutledge, Driskell, Cochran and Smiley

Messages from the Senate

Senate Concurrent Resolution No. 6.

A concurrent resolution to memorialize the President and the Congress of the United States to support the continued and increased development and importation of oil derived from North American reserves and to urge the United States Secretary of State to approve the newly-routed Keystone XL pipeline application from TransCanada.

Whereas, The United States relies—and will continue to rely for many years—on gasoline, diesel, and jet fuel, as well as renewable and alternative sources of energy. In order to fuel our economy, the United States will need more oil and natural gas while also requiring additional alternative energy sources; and

Whereas, The United States accounts for 20 percent of world energy consumption and is the world's largest petroleum consumer. The U.S. consumes more than 18 million barrels of oil each day, and forecasts suggest this will not change for decades. Current imports amount to over 8 million barrels each day, approximately 50 percent of the United States' requirements. Even with new technology, oil discoveries, alternative fuels, and conservation efforts, the U.S. will remain dependent on imported energy for decades to come. A secure supply of crude oil is not only needed for Americans to continue to heat their homes, cook their food, and drive their vehicles, but to allow the U.S. economy to thrive and grow free from the potential threats and disruptions of crude oil supply from less secure parts of the world; and

Whereas, The growing production of conflict-free oil from Canada's oil sands and the Bakken Formation in Saskatchewan, Montana, North Dakota, and South Dakota can replace crude imported from countries that do not share American values. However, additional pipeline capacity to refineries in the U.S. Midwest and Gulf Coast is required; and

Whereas, Increasing energy imports from Canada makes sense for the United States. Canada is a trusted neighbor with a stable democratic government, strong environmental standards—equal to that of the U.S.—and some of the most stringent human rights and worker protection legislation in the world; and

Whereas, Improvements in production technology have reduced the carbon footprint of Canadian oil sands development by 26 percent on a per-barrel basis since 1990. Oil sands production accounts for 6.9 percent of Canada's greenhouse gas (GHG) emissions and 0.1 percent, or one-thousandth, of global GHG emissions. Total emissions from Canada's oil sands sector was 48 megatons in 2010, equivalent to 0.5 percent of U.S. GHG emissions. Oil sands crude has similar carbon dioxide emissions to other heavy oils and is 9 percent more carbon-intensive than the average crude refined in the U.S. on a wells-to-wheels basis; and

Whereas, The 57 refineries in the Gulf Coast region provide a total refining capacity of approximately 8.7 million barrels per day (bpd), or half of U.S. refining capacity. In 2011, these refineries imported approximately 5 million bpd of crude oil from more than 30 countries, with the top four suppliers being Mexico (22 percent), Saudi Arabia (17 percent), Venezuela (16 percent), and Nigeria (9 percent). Imports from Mexico and Venezuela are declining as production from these countries decreases and supply contracts expire. Once completed, TransCanada's Keystone XL and Gulf Coast Expansion projects could displace roughly 40 percent of the oil the U.S. currently imports from the Persian Gulf and Venezuela; and

Whereas, The Keystone XL pipeline project has been subject to the most thorough public consultation process of any proposed U.S. pipeline. It has also been the focus of multiple environmental impact statements and several U.S. Department of State studies. These analyses have concluded that it poses the least impact to the environment and is much safer than other modes of transporting crude oil; and

Whereas, Pipelines are the safest method for the transportation of petroleum products when compared to other methods of transportation. The Keystone XL pipeline will replace the equivalent of 200 ocean tankers per year. This will reduce greenhouse gas emissions by as much as 19 million tons, or the equivalent of taking almost 4 million cars off the road; and

Whereas, The original Keystone pipeline, which spans across the northern part of Missouri, supplies over 435,000 barrels of North American crude oil to American refineries in the Midwest. The Keystone XL pipeline will, when completed, carry 700,000 barrels of North American crude oil to American refineries in the Gulf Coast region which will make its way back to Missouri in the form of gasoline, diesel, and jet fuel; and

Whereas, The Keystone XL project will create approximately 9,000 construction jobs. The Gulf Coast project is a \$2.3 billion project that will create approximately 4,000 construction jobs. Combined, they support yet another 7,000 manufacturing jobs. Seventy-five percent of the pipe used to build the Keystone XL in the U.S. will come from North American mills, including half made by U.S. workers. Goods for the pipeline, valued at approximately \$800 million, have already been sourced from U.S. manufacturers; now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That we:

1. Support continued and increased development and delivery of oil derived from North American oil reserves to American refineries;
2. Urge the United States Congress to support continued and increased development and delivery of oil from Canada to the United States;
3. Urge the President of the United States to support the continued and increased importation of oil derived from the Bakken Formation in Saskatchewan, Montana, North Dakota, and South Dakota, as well as Canadian oil sands; and
4. Urge the U.S. Secretary of State to approve the newly-routed pipeline application from TransCanada to reduce dependence on unstable governments, create new jobs, improve our national security, and strengthen ties with an important ally; and be it further

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

The Senate has adopted the concurrent resolution.

Reps. Crawford, Heise, Howrylak, Jacobsen and Lori were named co-sponsors of the concurrent resolution.

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

Introduction of Bills

Reps. Cavanagh, Santana, Faris, Smiley, Tlaib, Brunner, Roberts, Brown, Driskell, Zemke, Banks, Talabi, Slavens, Darany, Schor and Hovey-Wright introduced

House Bill No. 4266, entitled

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," by amending section 272 (MCL 206.272), as amended by 2011 PA 38.

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

Reps. Nathan, Tlaib, Hobbs, Townsend, Rutledge, Stallworth, Talabi, Switalski, Darany, Banks, LaVoy, Cavanagh, Segal, Slavens, Dillon, Greimel, Hovey-Wright, Haugh, Barnett, Knezek, Lipton, Stanley, Geiss and Oakes introduced

House Bill No. 4267, entitled

A bill to establish the Detroit college promise fund in the department of treasury; to provide for the distribution of the money from the fund; to prescribe the powers and duties of certain agencies and officials; and to provide for appropriations.

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

Reps. Nathan, Tlaib, Hobbs, Townsend, Rutledge, Stallworth, Talabi, Switalski, Darany, Banks, LaVoy, Cavanagh, Segal, Slavens, Dillon, Greimel, Hovey-Wright, Haugh, Barnett, Knezek, Lipton, Stanley, Geiss and Oakes introduced

House Bill No. 4268, entitled

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," by amending section 435 (MCL 206.435), as amended by 2012 PA 154.

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

Reps. Nathan, Tlaib, Hobbs, Townsend, Rutledge, Stallworth, Talabi, Switalski, Lamonte, Cochran, Dianda, Abed, Driskell, Knezek, Yanez, Brinks, Brown, Segal, Slavens, Dillon, Roberts, Greimel, Hovey-Wright, Haugh, Barnett, Lipton, Stanley, Geiss, Walsh, Cavanagh and Oakes introduced

House Bill No. 4269, entitled

A bill to amend 1976 PA 451, entitled "The revised school code," (MCL 380.1 to 380.1852) by adding section 1307.

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

Reps. Ananich, Cavanagh, Durhal and Knezek introduced

House Bill No. 4270, entitled

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," (MCL 206.1 to 206.713) by adding section 253.

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

Reps. Callton, McMillin, Pettalia, Bumstead, Foster, Daley, Irwin, Dillon, Stanley, Hovey-Wright, MacMaster, Ananich, Stallworth, Cavanagh, Singh, Yonker and Potvin introduced

House Bill No. 4271, entitled

A bill to regulate medical marihuana provisioning centers and other related entities; to provide for the powers and duties of certain state and local governmental officers and entities; to provide immunity for persons engaging in certain activities in compliance with this act; to prescribe penalties and sanctions and provide remedies; and to allow the promulgation of rules.

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

Reps. Haines, Slavens, Crawford, Johnson, MacMaster, Jacobsen, Hovey-Wright, Kesto, Kurtz, Victory, Hobbs, Kowall, Lori, Ananich, Darany, Cavanagh and Zorn introduced

House Bill No. 4272, entitled

A bill to amend 1941 PA 207, entitled "Fire prevention code," by amending section 19 (MCL 29.19), as amended by 2006 PA 337.

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

Reps. Haines, Crawford, Johnson, Slavens, MacMaster, Jacobsen, Genetski, Hovey-Wright, Kesto, Kurtz, Hobbs, Kowall, Lori, Ananich, Darany, Cavanagh and Zorn introduced

House Bill No. 4273, entitled

A bill to amend 1978 PA 368, entitled "Public health code," (MCL 333.1101 to 333.25211) by adding sections 9157 and 9158.

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

Reps. Haines, Jacobsen, Kesto, Schmidt, Segal, Callton, Lori and Ananich introduced

House Bill No. 4274, entitled

A bill to amend 1980 PA 350, entitled "The nonprofit health care corporation reform act," (MCL 550.1101 to 550.1704) by adding section 402d.

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

Rep. Haines introduced

House Bill No. 4275, entitled

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," (MCL 500.100 to 500.8302) by adding section 2212c.

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

Reps. McMillin, Hooker, McBroom, Somerville and Howrylak introduced

House Bill No. 4276, entitled

A bill to amend 1976 PA 451, entitled "The revised school code," by amending section 1278 (MCL 380.1278), as amended by 2004 PA 596, and by adding section 1278c.

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

Reps. Franz, Howrylak, Kelly, McMillin, Potvin, MacMaster, Forlini, Bumstead, Yonker, Callton, Foster and Shirkey introduced

House Bill No. 4277, entitled

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

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

Reps. Tlaib, Banks, Roberts, Faris, Geiss, Durhal and Robinson introduced

House Bill No. 4278, entitled

A bill to amend 1976 PA 451, entitled "The revised school code," (MCL 380.1 to 380.1852) by adding section 1264.

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

Reps. Tlaib, Roberts, Kosowski, Geiss, Durhal, Talabi, Stallworth, Santana, Lane, Hovey-Wright, Banks and Switalski introduced

House Bill No. 4279, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 8901 (MCL 324.8901), as amended by 2004 PA 494, and by adding sections 8905d and 8905e.

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

Reps. Tlaib, Roberts, Kosowski, Geiss, Durhal, Talabi, Santana, Lane, Hovey-Wright, Banks and Switalski introduced

House Bill No. 4280, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending section 8831 (MCL 600.8831), as added by 1995 PA 54.

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

Reps. McCready, Kesto, Schor, Heise, Pscholka, Callton, MacMaster and Townsend introduced

House Bill No. 4281, entitled

A bill to amend 1976 PA 451, entitled "The revised school code," by amending section 1212 (MCL 380.1212), as amended by 2003 PA 299.

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

Rep. Kelly introduced

House Bill No. 4282, entitled

A bill to amend 1986 PA 268, entitled "Legislative council act," (MCL 4.1101 to 4.1901) by adding section 204h.

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

Rep. Lori introduced

House Bill No. 4283, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 43526 (MCL 324.43526), as amended by 1996 PA 585.

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

Rep. Johnson introduced

House Bill No. 4284, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 81131 and 81133 (MCL 324.81131 and 324.81133), section 81131 as amended by 2011 PA 107 and section 81133 as amended by 2012 PA 340.

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

Rep. Johnson introduced

House Bill No. 4285, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 502 (MCL 324.502), as amended by 2004 PA 587, and by adding section 2154a.

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

Reps. Kosowski, Knezek, Schor, Ananich, Roberts, Driskell, Pagel, Hovey-Wright, Irwin, Lane, Cavanagh, Singh, Kivela, Dillon, Darany, Switalski, Geiss, Santana, Stallworth, Brunner, Zemke, LaVoy, Banks, Durhal, Dianda and Brown introduced

House Bill No. 4286, entitled

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," (MCL 206.1 to 206.713) by adding section 268.

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

Rep. Darany introduced

House Bill No. 4287, entitled

A bill to amend 1972 PA 222, entitled "An act to provide for an official personal identification card; to provide for its form, issuance and use; to regulate the use and disclosure of information obtained from the card; to prescribe the powers and duties of the secretary of state; to prescribe fees; to prescribe certain penalties for violations; and to provide an appropriation for certain purposes," by amending section 2 (MCL 28.292), as amended by 2011 PA 158.

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

Announcements by the Clerk

The Clerk received the following dissent on **Senate Bill No. 44**, from Rep. Irwin:

I continue to object to the sloppy procedure of the House of Representatives. Motions for immediate effect are routinely gavelled through without even a pretense of vote counting. This motion requires support from 2/3rds of the members and there is no genuine effort to ascertain the level of support for immediate effect. I object to this practice and I object to the erroneous assertions printed in the House Journal that suggest an authentic counting of votes occurred on the House floor.

Rep. Smiley moved that the House adjourn.

The motion prevailed, the time being 5:00 p.m.

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

GARY L. RANDALL
Clerk of the House of Representatives