

No. 20
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House Chamber, Lansing, Thursday, February 28, 2013.

12:00 Noon.

The House was called to order by the Speaker.

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

Abed—present	Genetski—present	Lauwers—present	Roberts—present
Ananich—present	Gardon—present	LaVoy—present	Robinson—present
Banks—present	Goike—present	Leonard—present	Rogers—present
Barnett—present	Graves—present	Lipton—present	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—e/d/s	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. Frank Foster, from the 107th District, offered the following invocation:

“Heavenly Father, we thank Thee for the powers that are ordained of God.

We pray for the lawmakers gathered here today that You will give us wisdom and guidance in the awesome responsibilities that we have; give us the courage and decisiveness to do that which is right; and bless us as we represent all the citizens of the great state of Michigan.

These things I ask and pray in Your name.

Amen.”

Motions and Resolutions

Reps. Franz, Darany, Durhal, Howrylak, Kelly, Kowall, Lamonte and O’Brien offered the following resolution:

House Resolution No. 38.

A resolution to declare June 8, 2013, as Remember The USS *Liberty* Day in the state of Michigan.

Whereas, It is the actions of the brave that allow us to live free in this great democracy that we so treasure; and

Whereas, Veterans throughout our history have answered the clarion call to duty, defended America and built this land of incomparable greatness for the generations to come; and

Whereas, No one has given more to our nation and to the cause of freedom than the men and women of the United States military, many of whom have made the ultimate sacrifice; and

Whereas, We remember and honor the men of the USS *Liberty*; and

Whereas, The USS *Liberty*, AGTR5, a US Navy intelligence gathering ship, was operating in international waters off the Sinai Peninsula on June 8, 1967; and

Whereas, The Six-Day War was in progress; and

Whereas, The USS *Liberty* was clearly marked and flying the American Flag; and

Whereas, The USS *Liberty* was strafed and torpedoed with devastating consequence; and

Whereas, Those military and civilian personnel who suffered casualties, including thirty-four fatalities and 172 injured, will never be forgotten; and

Whereas, The commanding officer, Captain William McGonagle and the valiant crew attempted to save the ship from total destruction while awaiting US Navy assistance; and

Whereas, On that day, the USS *Liberty*’s crew responded valiantly. Captain William McGonagle earned the Congressional Medal of Honor for extraordinary heroism and his ship received the Presidential Unit Citation; and

Whereas, We will remember the service of the crew of the USS *Liberty*, patriots united in their mission, patriots who embraced the cause of all who serve to make our world safe for democracy; and

Whereas, It is appropriate that we recognize all who are standing today at this very hour in harm’s way in the frontlines in defense of freedom, affording us all the opportunity to hold dear and fully enjoy our inalienable rights of life, liberty and the pursuit of happiness; now, therefore, be it

Resolved by the House of Representatives, That the members of this legislative body declare June 8, 2013, as Remember The USS *Liberty* Day in the state of Michigan.

The resolution was referred to the Committee on Government Operations.

Reps. Hovey-Wright, Brown, Abed, Geiss, Brinks, Schor, Switalski, Banks, Townsend, Kivela, Dianda, Singh, Yanez, Kosowski, Smiley, Lane, Faris, Cochran, Driskell, Lamonte, Brunner, Price, Slavens, Stanley, Hobbs, Ananich, Robinson, Kandreas, Roberts, Lipton, Knezek, Zemke, Daley, Heise, Denby, Jacobsen, Pagel, Lori, Kowall, Oakes, Barnett, Darany and Durhal offered the following resolution:

House Resolution No. 39.

A resolution to declare March 2013 as Social Work Month in the state of Michigan.

Whereas, The social work profession creates pathways to full participation in society; and

Whereas, The primary mission of social work is to enhance human well-being and help meet the basic needs of all people, especially the most vulnerable; and

Whereas, For over 100 years social workers have helped America’s leaders weave the nation’s social safety net; and

Whereas, Social workers address the emotional, psychological, economic, and/or physical needs of millions of people every day; and

Whereas, Social workers help clients use their strengths, resilience, and self-advocacy to navigate life challenges; and

Whereas, Social workers help people function better in their environments, improve their relationships with others, and solve personal and family problems through a wide range of psychosocial services. They also assist individuals and families in every stage of life from all communities and advocate for fairness and access to resources that benefit the most people; and

Whereas, Social work is currently one of the fastest growing professions in the United States; and
 Whereas, Social workers are employed in many different organizations and industries including private and public agencies, hospices and hospitals, schools and universities, businesses and foundations, and military branches and veterans centers as well as national and local public elected offices; and

Whereas, Social workers celebrate the courage, strength, and determination of the human spirit and work to empower others to hope, dream, and believe in their own potential; and

Whereas, Our nation would be less successful without the contributions of America’s 650,000 social workers; now, therefore, be it

Resolved by the House of Representatives, That the members of this legislative body declare March 2013 as Social Work Month in the state of Michigan. We call upon all citizens to join with the National Association of Social Workers in celebration and support of the social work profession.

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

The Speaker called the Speaker Pro Tempore to the Chair.

Third Reading of Bills

House Bill No. 4111, entitled

A bill to make, supplement, and adjust appropriations for various state departments and agencies for the fiscal year ending September 30, 2013; and to provide for the expenditure of the appropriations.

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

Roll Call No. 11

Yeas—78

Abed	Foster	LaVoy	Santana
Ananich	Geiss	Lipton	Schmidt
Banks	Glardon	Lori	Schor
Barnett	Greimel	Lyons	Segal
Bolger	Haines	MacGregor	Singh
Brinks	Haugh	MacMaster	Slavens
Brown	Haveman	McCann	Smiley
Brunner	Heise	McCready	Stallworth
Callton	Hobbs	Nathan	Stamas
Cavanagh	Hovey-Wright	Oakes	Stanley
Clemente	Irwin	Pagel	Switalski
Cochran	Jacobsen	Poleski	Talabi
Crawford	Kandrevas	Potvin	Tlaib
Darany	Kesto	Price	Townsend
Denby	Kivela	Pscholka	VerHeulen
Dillon	Knezek	Roberts	Walsh
Driskell	Kosowski	Robinson	Yanez
Durhal	Kowall	Rogers	Zemke
Faris	Lamonte	Rutledge	Zorn
Forlini	Lane		

Nays—31

Bumstead	Graves	Lauwers	Outman
Cotter	Hooker	Leonard	Pettalia
Daley	Howrylak	Lund	Rendon

Dianda	Jenkins	McBroom	Shirkey
Farrington	Johnson	McMillin	Somerville
Franz	Kelly	Muxlow	Victory
Genetski	Kurtz	Nesbitt	Yonker
Goike	LaFontaine	O'Brien	

In The Chair: Walsh

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

Rep. Olumba entered the House Chambers.

House Bill No. 4037, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 310 (MCL 257.310), as amended by 2008 PA 36.

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

Roll Call No. 12

Yeas—110

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

Nays—0

In The Chair: Walsh

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

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

A bill to amend 1949 PA 300, entitled “Michigan vehicle code,” by amending section 310 (MCL 257.310), as amended by 2012 PA 498.

The motion prevailed.

The House agreed to the title as amended.

Reps. Ananich, Banks, Barnett, Brinks, Brown, Brunner, Cavanagh, Clemente, Cotter, Crawford, Daley, Darany, Denby, Dianda, Dillon, Driskell, Durhal, Faris, Farrington, Forlini, Foster, Franz, Geiss, Genetski, Glardon, Goike, Graves, Greimel, Haines, Haugh, Heise, Hobbs, Hovey-Wright, Howrylak, Jacobsen, Johnson, Kandrevas, Kelly, Kesto, Kivela, Knezek, Kosowski, Kowall, Kurtz, LaFontaine, Lamonte, Lane, Lauwers, LaVoy, Leonard, Lori, Lund, Lyons, MacGregor, MacMaster, McCann, McCready, Muxlow, O’Brien, Oakes, Outman, Pagel, Pettalia, Poleski, Price, Rendon, Roberts, Robinson, Rogers, Rutledge, Santana, Schmidt, Schor, Segal, Shirkey, Singh, Slavens, Smiley, Somerville, Stanley, Switalski, Tlaib, VerHeulen, Victory, Walsh, Yanez, Yonker, Zemke and Zorn were named co-sponsors of the bill.

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.

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

Roll Call No. 13**Yeas—110**

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

Nays—0

In The Chair: Walsh

The House agreed to the title of the bill.

Reps. Abed, Ananich, Banks, Barnett, Brinks, Brown, Brunner, Cavanagh, Clemente, Cochran, Cotter, Daley, Denby, Dianda, Driskell, Durhal, Faris, Forlini, Franz, Geiss, Genetski, Glardon, Goike, Graves, Greimel, Haines, Haveman, Heise, Hobbs, Hooker, Hovey-Wright, Howrylak, Jacobsen, Jenkins, Johnson, Kandrevas, Kelly, Kesto, Kivela, Kosowski, Kowall, Kurtz, Lamonte, Lane, Lauwers, LaVoy, Leonard, Lipton, Lori, Lund, Lyons, MacMaster, McCann, McCready, Muxlow, Nathan, O'Brien, Oakes, Outman, Pagel, Pettalia, Poleski, Price, Pscholka, Rendon, Roberts, Robinson, Rogers, Santana, Schmidt, Schor, Shirkey, Singh, Slavens, Smiley, Somerville, Stamas, Stanley, Switalski, Talabi, VerHeulen, Victory, Walsh, Yanez, Yonker and Zorn were named co-sponsors of the bill.

House Bill No. 4052, entitled

A bill to amend 1950 (Ex Sess) PA 27, entitled "Motor vehicle sales finance act," by amending section 2 (MCL 492.102), as amended by 1995 PA 166.

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

Roll Call No. 14**Yeas—109**

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

Nays—1

Robinson

In The Chair: Walsh

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

House Bill No. 4053, entitled

A bill to amend 1966 PA 224, entitled "Retail installment sales act," by amending section 2 (MCL 445.852), as amended by 1995 PA 167.

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

Roll Call No. 15

Yeas—109

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

Nays—1

Robinson

In The Chair: Walsh

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

Senate Bill No. 61, entitled

A bill to amend 1980 PA 350, entitled “The nonprofit health care corporation reform act,” by amending the title and sections 218, 401e, and 414b (MCL 550.1218, 550.1401e, and 550.1414b), the title as amended by 1994 PA 169, section 218 as added by 2002 PA 559, section 401e as added by 1996 PA 516, and section 414b as added by 2006 PA 413, and by adding sections 201a, 220, 400, 401m, 410b, 501c, and 620 and part 6A.

The bill was read a third time.

The question being on the passage of the bill,

Rep. Schor moved to amend the bill as follows:

1. Amend page 5, following line 4, by striking out all of subsection (5) and inserting:

“(5) NOTWITHSTANDING ANYTHING IN THIS ACT TO THE CONTRARY, IF THE MERGER OF A HEALTH CARE CORPORATION AND A NONPROFIT MUTUAL DISABILITY INSURER BECOMES EFFECTIVE AS DESCRIBED IN SUBSECTION (2), THE PROPERTY OF THE HEALTH CARE CORPORATION IS SUBJECT TO THE COLLECTION OF GENERAL AD VALOREM TAXES AND APPLICABLE SPECIFIC TAXES UNDER THE GENERAL PROPERTY TAX ACT, 1893 PA 206, MCL 211.1 TO 211.155, BEGINNING DECEMBER 31, 2013. AS PROVIDED IN SECTION 201, THE PROPERTY OF A HEALTH CARE CORPORATION IS EXEMPT FROM TAXATION BEFORE DECEMBER 31, 2013. THIS ACT DOES NOT CONFER AN EXEMPTION FROM TAXATION ON A NONPROFIT MUTUAL DISABILITY INSURER THAT MERGES WITH A HEALTH CARE CORPORATION.”

The motion was seconded and the amendment was 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. 16**Yeas—92**

Ananich	Genetski	LaVoy	Rogers
Banks	Glardon	Leonard	Rutledge
Barnett	Goike	Lori	Santana
Bolger	Graves	Lund	Schmidt
Brown	Greimel	Lyons	Schor
Brunner	Haines	MacGregor	Segal
Bumstead	Haugh	MacMaster	Shirkey
Callton	Haveman	McBroom	Singh
Cavanagh	Heise	McCann	Slavens
Clemente	Hobbs	McCready	Smiley
Cotter	Hovey-Wright	Muxlow	Somerville
Crawford	Irwin	Nathan	Stallworth
Daley	Jacobsen	Nesbitt	Stamas
Darany	Jenkins	O’Brien	Stanley
Denby	Kandreas	Oakes	Talabi
Dillon	Kelly	Olumba	Tlaib
Durhal	Kivela	Outman	Townsend
Faris	Knezek	Pagel	VerHeulen
Farrington	Kosowski	Pettalia	Victory
Forlini	Kowall	Poleski	Walsh
Foster	Kurtz	Price	Yonker
Franz	LaFontaine	Pscholka	Zemke
Geiss	Lane	Rendon	Zorn

Nays—18

Abed	Hooker	Lauwers	Roberts
Brinks	Howrylak	Lipton	Robinson
Cochran	Johnson	McMillin	Switalski

Dianda
Driskell

Kesto
Lamonte

Potvin

Yanez

In The Chair: Walsh

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

“An act to provide for the incorporation of nonprofit health care corporations; to provide their rights, powers, and immunities; to prescribe the powers and duties of certain state officers relative to the exercise of those rights, powers, and immunities; to prescribe certain conditions for the transaction of business by those corporations in this state; to define the relationship of health care providers to nonprofit health care corporations and to specify their rights, powers, and immunities with respect thereto; to provide for a Michigan caring program; to provide for the regulation and supervision of nonprofit health care corporations by the commissioner of insurance; to prescribe powers and duties of certain other state officers with respect to the regulation and supervision of nonprofit health care corporations; to provide for the imposition of a regulatory fee; to regulate the merger or consolidation of certain corporations; to prescribe an expeditious and effective procedure for the maintenance and conduct of certain administrative appeals relative to provider class plans; to provide for certain administrative hearings relative to rates for health care benefits; to provide for certain causes of action; to prescribe penalties and to provide civil fines for violations of this act; and to repeal certain acts and parts of acts,”

The House agreed to the full title.

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

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

Rep Hooker, 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:

In a previous BCBS reform, we had attached a opt-in bill to make sure abortion coverage was not included without an additional rider. The governor vetoed the opt-in portion. I do not believe in health insurance without making abortion coverage an opt-in instead of opt-out coverage. I am sending a message back to the Governor of my displeasure. I am not directly opposed to the reform. As a 100% pro-life representative, I could not support this bill.”

Senate Bill No. 62, entitled

A bill to amend 1956 PA 218, entitled “The insurance code of 1956,” by amending sections 2213b, 2242, 3426, 3705, 3712, 5008, 5104, 5209, 5800, and 5824 (MCL 500.2213b, 500.2242, 500.3426, 500.3705, 500.3712, 500.5008, 500.5104, 500.5209, 500.5800, and 500.5824), section 2213b as amended by 1998 PA 457, section 2242 as amended by 1990 PA 305, section 3426 as added by 2006 PA 412, sections 3705 and 3712 as added by 2003 PA 88, section 5008 as amended by 1994 PA 226, section 5104 as amended by 1999 PA 211, and section 5800 as amended by 2000 PA 8, and by adding sections 3405a, 3428, 3472, 3474a, 3612a, 5801, 5805, 5825, and 5826.

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

Roll Call No. 17

Yeas—92

Ananich	Genetski	LaVoy	Rogers
Banks	Glardon	Leonard	Rutledge
Barnett	Goike	Lori	Santana
Bolger	Graves	Lund	Schmidt
Brown	Greimel	Lyons	Schor
Brunner	Haines	MacGregor	Segal
Bumstead	Haugh	MacMaster	Shirkey
Callton	Haveman	McBroom	Singh
Cavanagh	Heise	McCann	Slavens

Clemente	Hobbs	McCready	Smiley
Cotter	Hovey-Wright	Muxlow	Somerville
Crawford	Irwin	Nathan	Stallworth
Daley	Jacobsen	Nesbitt	Stamas
Darany	Jenkins	O'Brien	Stanley
Denby	Kandrevas	Oakes	Talabi
Dillon	Kelly	Olumba	Tlaib
Durhal	Kivela	Outman	Townsend
Faris	Knezek	Pagel	VerHeulen
Farrington	Kosowski	Pettalia	Victory
Forlini	Kowall	Poleski	Walsh
Foster	Kurtz	Price	Yonker
Franz	LaFontaine	Pscholka	Zemke
Geiss	Lane	Rendon	Zorn

Nays—18

Abed	Hooker	Lauwers	Roberts
Brinks	Howrylak	Lipton	Robinson
Cochran	Johnson	McMillin	Switalski
Dianda	Kesto	Potvin	Yanez
Driskell	Lamonte		

In The Chair: Walsh

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

“An act to revise, consolidate, and classify the laws relating to the insurance and surety business; to regulate the incorporation or formation of domestic insurance and surety companies and associations and the admission of foreign and alien companies and associations; to provide their rights, powers, and immunities and to prescribe the conditions on which companies and associations organized, existing, or authorized under this act may exercise their powers; to provide the rights, powers, and immunities and to prescribe the conditions on which other persons, firms, corporations, associations, risk retention groups, and purchasing groups engaged in an insurance or surety business may exercise their powers; to provide for the imposition of a privilege fee on domestic insurance companies and associations and the state accident fund; to provide for the imposition of a tax on the business of foreign and alien companies and associations; to provide for the imposition of a tax on risk retention groups and purchasing groups; to provide for the imposition of a tax on the business of surplus line agents; to provide for the imposition of regulatory fees on certain insurers; to provide for assessment fees on certain health maintenance organizations; to modify tort liability arising out of certain accidents; to provide for limited actions with respect to that modified tort liability and to prescribe certain procedures for maintaining those actions; to require security for losses arising out of certain accidents; to provide for the continued availability and affordability of automobile insurance and homeowners insurance in this state and to facilitate the purchase of that insurance by all residents of this state at fair and reasonable rates; to provide for certain reporting with respect to insurance and with respect to certain claims against uninsured or self-insured persons; to prescribe duties for certain state departments and officers with respect to that reporting; to provide for certain assessments; to establish and continue certain state insurance funds; to modify and clarify the status, rights, powers, duties, and operations of the nonprofit malpractice insurance fund; to provide for the departmental supervision and regulation of the insurance and surety business within this state; to provide for regulation over worker’s compensation self-insurers; to provide for the conservation, rehabilitation, or liquidation of unsound or insolvent insurers; to provide for the protection of policyholders, claimants, and creditors of unsound or insolvent insurers; to provide for associations of insurers to protect policyholders and claimants in the event of insurer insolvencies; to prescribe educational requirements for insurance agents and solicitors; to provide for the regulation of multiple employer welfare arrangements; to create an automobile theft prevention authority to reduce the number of automobile thefts in this state; to prescribe the powers and duties of the automobile theft prevention authority; to provide certain powers and duties upon certain officials, departments, and

authorities of this state; to provide for an appropriation; to repeal acts and parts of acts; and to provide penalties for the violation of this act,”

The House agreed to the full title.

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

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



Rep Hooker, 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:

In a previous BCBS reform, we had attached a opt-in bill to make sure abortion coverage was not included without an additional rider. The governor vetoed the opt-in portion. I do not believe in health insurance without making abortion coverage an opt-in instead of opt-out coverage. I am sending a message back to the Governor of my displeasure. I am not directly opposed to the reform. As a 100% pro-life representative, I could not support this bill.”

Second Reading of Bills

House Bill No. 4094, entitled

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” (MCL 324.101 to 324.90106) by adding section 40109a.

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

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

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

The motion prevailed.

By unanimous consent the House returned to the order of

Motions and Resolutions

Rep. Shirkey moved to suspend that portion of Rule 41 requiring bills to be handed to the Clerk three hours prior to calling the House to order.

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



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

Announcement by the Clerk of Printing and Enrollment

The Clerk announced that the following bills and joint resolutions had been printed and placed upon the files of the members on Thursday, February 28:

House Bill Nos.	4328	4329	4330	4331	4332	4333	4334	4335	4336	4337	4338	4339	4340
Senate Bill Nos.	222	223	224	225	226	227	228	229	230	231	232	233	234
Senate Joint Resolutions	M	N											

Reports of Standing Committees

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Thursday, February 28, 2013

Present: Reps. Cotter, Kesto, Heise, Jacobsen, Johnson, LaFontaine, Leonard, Cavanagh, Lipton, Irwin and Clemente

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Poleski, Chair, of the Committee on Financial Liability Reform, was received and read:

Meeting held on: Thursday, February 28, 2013

Present: Reps. Poleski, Victory, Denby, McMillin, Shirkey, Callton, Cavanagh, Talabi, Irwin and Robinson

Absent: Rep. Schmidt

Excused: Rep. Schmidt

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Thursday, February 28, 2013

Present: Reps. Pettalia, Goike, Crawford, Genetski, Pagel, Kosowski, Brunner and Kivela

Absent: Rep. Rendon

Excused: Rep. Rendon

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Price, Chair, of the Committee on Local Government, was received and read:

Meeting held on: Thursday, February 28, 2013

Present: Reps. Price, Pagel, Daley, Franz, Pettalia, Somerville, Graves, Rutledge, Stanley, Banks and Talabi

Absent: Rep. Rendon

Excused: Rep. Rendon

Notices

February 28, 2013

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

Dear Mr. Clerk:

The following Members have requested the seat changes as listed below, and I concur with these changes, effective today.

Rep. Olumba to Seat 90

Rep. Santana to Seat 83

Rep. Singh to Seat 91

Rep. Kosowski to Seat 77

Sincerely,
Jase Bolger, Speaker
Michigan House of Representatives

Introduction of Bills

Rep. Lori introduced

House Bill No. 4341, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 2652 (MCL 333.2652), as amended by 2006 PA 301.

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

Reps. Ananich and Talabi introduced

House Bill No. 4342, entitled

A bill to establish a saving Michigan matching grant program; to establish the \$ave Michigan grant fund; to authorize certain grants; to prescribe the powers and duties of certain state agencies and officials; and to provide for an appropriation.

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

Rep. Nathan introduced

House Bill No. 4343, entitled

A bill to amend 1990 PA 271, entitled "Limousine transportation act," by amending section 7 (MCL 257.1907), as amended by 2000 PA 487.

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

Reps. Stallworth, Talabi, Rutledge, Kosowski, Yanez, Stanley, Tlaib, Greimel and Durhal introduced

House Bill No. 4344, entitled

A bill to amend 1965 PA 203, entitled "Commission on law enforcement standards act," by amending section 2 (MCL 28.602), as amended by 2004 PA 379.

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

Reps. Stallworth, Talabi, Rutledge, Kosowski, Knezek, Brown, Lipton, Tlaib, Greimel and Durhal introduced

House Bill No. 4345, entitled

A bill to amend 1978 PA 368, entitled "Public health code," (MCL 333.1101 to 333.25211) by adding section 5474d.

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

Reps. Stallworth, Tlaib, Talabi, Rutledge, Greimel, Walsh, Pettalia and Durhal introduced

House Bill No. 4346, entitled

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

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

Reps. Price, Denby, Jacobsen, Daley, O'Brien and Poleski introduced

House Bill No. 4347, entitled

A bill to amend 1893 PA 206, entitled "The general property tax act," by amending section 27a (MCL 211.27a), as amended by 2012 PA 497.

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

Rep. Nesbitt introduced

House Bill No. 4348, entitled

A bill to amend 1967 PA 288, entitled "Land division act," by amending section 108 (MCL 560.108), as added by 1996 PA 591.

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

Rep. Crawford introduced

House Bill No. 4349, entitled

A bill to amend 1927 PA 372, entitled "An act to regulate and license the selling, purchasing, possessing, and carrying of certain firearms, gas ejecting devices, and electro-muscular disruption devices; to prohibit the buying, selling, or carrying of certain firearms, gas ejecting devices, and electro-muscular disruption devices without a license or other authorization; to provide for the forfeiture of firearms and electro-muscular disruption devices under certain circumstances; to provide for penalties and remedies; to provide immunity from civil liability under certain circumstances; to prescribe the powers and duties of certain state and local agencies; to prohibit certain conduct against individuals who apply for or receive a license to carry a concealed pistol; to make appropriations; to prescribe certain conditions for the appropriations; and to repeal all acts and parts of acts inconsistent with this act," by amending sections 2 and 2a (MCL 28.422 and 28.422a), as amended by 2012 PA 377.

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

Reps. Leonard, Outman, Kesto, Kurtz, Kelly, Haines, Lauwers, Johnson and LaVoy introduced

House Bill No. 4350, entitled

A bill to amend 1927 PA 372, entitled "An act to regulate and license the selling, purchasing, possessing, and carrying of certain firearms, gas ejecting devices, and electro-muscular disruption devices; to prohibit the buying, selling, or

carrying of certain firearms, gas ejecting devices, and electro-muscular disruption devices without a license or other authorization; to provide for the forfeiture of firearms and electro-muscular disruption devices under certain circumstances; to provide for penalties and remedies; to provide immunity from civil liability under certain circumstances; to prescribe the powers and duties of certain state and local agencies; to prohibit certain conduct against individuals who apply for or receive a license to carry a concealed pistol; to make appropriations; to prescribe certain conditions for the appropriations; and to repeal all acts and parts of acts inconsistent with this act," by amending section 5o (MCL 28.425o), as amended by 2012 PA 123.

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

Reps. Singh, Kivela, Zemke, Kelly, LaVoy, Knezek, Howrylak and Cavanagh introduced

House Bill No. 4351, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending section 1335 (MCL 600.1335), as amended by 2004 PA 12.

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

Reps. Lyons, Graves, Haines, Walsh and Lipton introduced

House Bill No. 4352, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending sections 17745, 17751, 17754, and 17757 (MCL 333.17745, 333.17751, 333.17754, and 333.17757), sections 17745 and 17757 as amended by 2011 PA 210 and sections 17751 and 17754 as amended by 2012 PA 209, and by adding section 17744a.

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

Reps. Lyons, Graves, Haines, Walsh and Lipton introduced

House Bill No. 4353, entitled

A bill to amend 1976 PA 451, entitled "The revised school code," by amending sections 1178 and 1179 (MCL 380.1178 and 380.1179), section 1178 as amended by 2006 PA 48 and section 1179 as amended by 2004 PA 73, and by adding section 1179a.

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

Reps. Walsh, Howrylak, Haines, Lyons and Johnson introduced

House Bill No. 4354, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," (MCL 600.101 to 600.9947) by adding section 2912i.

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

Reps. Clemente and Poleski introduced

House Bill No. 4355, entitled

A bill to amend 1978 PA 59, entitled "Condominium act," by amending section 57 (MCL 559.157).

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

Rep. Hobbs introduced

House Bill No. 4356, entitled

A bill to amend 1939 PA 288, entitled "Probate code of 1939," (MCL 710.21 to 712A.32) by adding section 19d to chapter XIIA.

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

Reps. Heise, Graves, Slavens and Knezek introduced

House Bill No. 4357, entitled

A bill to amend 1893 PA 206, entitled "The general property tax act," by amending section 9o (MCL 211.9o), as added by 2012 PA 402.

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

Rep. Schmidt introduced

House Bill No. 4358, entitled

A bill to amend 1980 PA 119, entitled "Motor carrier fuel tax act," by amending sections 2 and 6a (MCL 207.212 and 207.216a), section 2 as amended by 2006 PA 346 and section 6a as added by 1996 PA 584.

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

Rep. Schmidt introduced

House Bill No. 4359, entitled

A bill to amend 2000 PA 403, entitled "Motor fuel tax act," by amending sections 2, 6, 8, and 152 (MCL 207.1002, 207.1006, 207.1008, and 207.1152), section 2 as amended by 2002 PA 668 and section 8 as amended by 2006 PA 268.

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

Reps. Knezek, Santana, Kosowski, Yanez, Dianda, Stallworth, Ananich, Darany, Segal, Brinks, Crawford, Hooker, Barnett, Slavens, Singh, Lane, Banks, Zemke, Cavanagh, Kelly, Haines, Driskell, Zorn, Haugh, LaVoy, Rutledge, Cochran, Dillon, Hobbs, Townsend, Robinson, Smiley, Brown, Stanley, Brunner, Geiss, Lipton, Outman, Genetski, Kesto, Muxlow, Tlaib, Roberts, MacGregor and Oakes introduced

House Joint Resolution L, entitled

A joint resolution proposing an amendment to the state constitution of 1963, by amending sections 5 and 6 of article VIII, to require public universities to consider certain veterans of the armed forces residents of this state for determining their tuition rates.

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

Reps. Knezek, Santana, Kosowski, Yanez, Dianda, Stallworth, Ananich, Darany, Segal, Brinks, Crawford, Hooker, Barnett, Slavens, Singh, Lane, Banks, Zemke, Cavanagh, Kelly, Haines, Driskell, Zorn, Haugh, LaVoy, Cochran, Dillon, Rutledge, Hobbs, Townsend, Robinson, Smiley, Brown, Stanley, Brunner, Geiss, Lipton, Outman, Kesto, Muxlow, Tlaib, Roberts, MacGregor and Oakes introduced

House Joint Resolution M, entitled

A joint resolution proposing an amendment to the state constitution of 1963, by amending section 7 of article VIII, to require each public community and junior college to consider active duty members and honorably discharged veterans of the armed forces as residents of that college's district for determining their tuition rates.

The joint resolution 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 **House Bill No. 4111**, from Rep. Irwin:

I continue to object to the imprecise 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.

The Clerk received the following dissent on **House Bill No. 4052**, from Rep. Irwin:

I continue to object to the imprecise 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.

The Clerk received the following dissent on **House Bill No. 4053**, from Rep. Irwin:

I continue to object to the imprecise 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.

The Clerk received the following dissent on **Senate Bill No. 61**, from Rep. Irwin:

I continue to object to the imprecise procedure of the House of Representatives. Motions for immediate effect are routinely gaveled 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.

The Clerk received the following dissent on **Senate Bill No. 62**, from Rep. Irwin:

I continue to object to the imprecise procedure of the House of Representatives. Motions for immediate effect are routinely gaveled 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. Schor moved that the House adjourn.
The motion prevailed, the time being 1:40 p.m.

The Speaker Pro Tempore declared the House adjourned until Tuesday, March 5, at 1:30 p.m.

GARY L. RANDALL
Clerk of the House of Representatives