

No. 21
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House of Representatives
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House Chamber, Lansing, Tuesday, March 5, 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—present	Rutledge—present
Bolger—present	Greimel—present	Lori—present	Santana—present
Brinks—present	Haines—present	Lund—present	Schmidt—present
Brown—present	Haugh—excused	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—excused	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. Joseph Graves, from the 51st District, offered the following invocation:

“Heavenly Father we thank You for this opportunity to serve the people of this great state. We ask for Your blessing and wisdom as we serve our duty together here. We pray for guidance in the matters at hand and ask that You would clearly show us how to conduct our work with a spirit of joy and enthusiasm. Help us to work together and encourage each other as we continue down the path of righteousness. We ask this in the name of the Lord Jesus Christ. Amen.”

Rep. Hobbs moved that Reps. Haugh and Nathan be excused from today’s session.
The motion prevailed.

Motions and Resolutions

Reps. Kelly, Barnett, Brown, Darany, Geiss, Heise, Schmidt and Slavens offered the following resolution:

House Resolution No. 40.

A resolution to declare March 2013 as Vitamin D Awareness Month in the state of Michigan.

Whereas, The nutrient and pre-hormone vitamin D is manufactured in the skin during exposure to ultraviolet B light from high-angle sunshine; and

Whereas, The American Academy of Pediatrics (AAP) recommended in a 2008 clinical report, “Prevention of Rickets and Vitamin D Deficiency in Infants, Children, and Adolescents”, that all children receive 400 IU of vitamin D a day, beginning in the first few days of life; and

Whereas, A 2010 article published in the American Journal of Clinical Nutrition reported that a study of a group of Japanese school children who received 1,200 IU of vitamin D a day showed a 50 percent reduction in the incidence of influenza compared to other school children; and

Whereas, A 2010 article published in the Journal of Alternative and Complementary Medicine reported that a study in Egypt found that children without autism had blood serum levels of vitamin D averaging 40.1 ng/ml and children with autism had significantly lower blood serum levels of vitamin D, averaging 28.5 ng/ml; and

Whereas, Sara B. Arnaud, M.D., found that infants and children with blood serum levels of vitamin D of at least 18 ng/ml have a 99 percent prevention rate of the bone disease rickets; and

Whereas, A 2001 study published in The Lancet found that children in Finland who received 2,000 IU a day of vitamin D for the first year of life were 80 percent less likely to develop type 1 diabetes by age 30 compared to children receiving 400 IU of vitamin D a day; and

Whereas, A 2007 study published in The Journal of Clinical Endocrinology and Metabolism found that females who received regular vitamin D supplementation during the first year of life are 50 percent less likely to develop preeclampsia in their first pregnancy; and

Whereas, A 2009 article published in The Journal of Clinical Endocrinology and Metabolism found that pregnant women with low blood serum levels of vitamin D were nearly four times more likely to deliver by cesarean section than women with blood serum levels of vitamin D of at least 15 ng/ml; and

Whereas, A 2009 study at the Medical University of South Carolina found that pregnant women who took 4,000 IU of vitamin D a day during pregnancy had a 50 percent reduction in the rate of premature births and delivered fewer babies with low birth weight than women who took 400 IU of vitamin D a day; and

Whereas, A 2007 article published in the American Journal of Clinical Nutrition reported that a study which compared cancer rates of a group of postmenopausal women taking 1,100 IU of vitamin D supplements in combination with calcium to cancer rates of a group taking a placebo found the risk of developing any cancer after four years was 60 percent lower in the group taking vitamin D supplements; and

Whereas, A study presented at the 2008 annual meeting of the American Association for Cancer Research found that blood serum levels of vitamin D of at least 50 ng/ml were associated with an 83 percent reduction in the incidence of breast cancer compared to blood serum levels of vitamin D of 25 ng/ml; and

Whereas, A 2007 article published in the American Journal of Preventative Medicine reported that a study found that a group with blood serum levels of vitamin D of at least 42 ng/ml had a 60 percent reduction in the incidence of colorectal cancer compared to a group with blood serum levels of vitamin D of 25 ng/ml; and

Whereas, A study referenced by Michael F. Holick, Ph.D., M.D., in The Vitamin D Solution found that men with prostate cancer who received 2,000 IU of vitamin D a day for two years had a 50 percent reduction in the rise of prostate-specific antigen, an indicator of prostate cancer activity; and

Whereas, A 2001 study published in The Lancet found that a group with blood serum levels of vitamin D of 52 ng/ml had a 66 percent reduction in the incidence of type 1 diabetes compared to a group with blood serum levels of vitamin D of 25 ng/ml; and

Whereas, A 2006 study published in Diabetes Care found that taking 800 IU of vitamin D in combination with calcium resulted in a 33 percent reduction in the risk of type 2 diabetes; and

Whereas, A 2010 article in The Lancet reported that the risk of multiple sclerosis increases with latitude and with low blood serum levels of vitamin D; and

Whereas, Elderly persons are at high risk for vitamin D deficiency because of indoor lifestyle and the reduced ability of aging skin to manufacture vitamin D; and

Whereas, A 2005 article published in the Journal of the American Medical Association reported that elderly persons who had blood serum levels of vitamin D of at least 45 ng/ml experienced a 50 percent reduction of fractures and a 2007 article published in the Journal of the American Geriatrics Society reported that elderly persons who had blood serum levels of vitamin D of at least 30 ng/ml experienced a 72 percent reduction in falls compared to those who had blood serum levels of vitamin D below 25 ng/ml; and

Whereas, A 2009 article published in the Journal of Alzheimer's Disease reported that vitamin D reduces the risk of several types of diseases that have been identified as risk factors for or precursors to dementia; and

Whereas, A 2007 article published in the Journal of Photochemistry and Photobiology estimated that the United States economic burden due to vitamin D deficiency from inadequate exposure to ultraviolet B light, inadequate diet, and lack of supplements was estimated between 40 and 56 billion dollars in 2004; and

Whereas, A 2010 article published in Molecular Nutrition and Food Research regarding the rate of premature death and the economic burden in Canada found that annual deaths could be reduced by 37,000 and the economic burden reduced by 6.9 percent or 14.4 billion dollars blood serum levels of vitamin D of the population were adequate; and

Whereas, Part of the budget of each state is used to treat illnesses that could potentially be prevented with adequate blood serum levels of vitamin D; and

Whereas, The above studies and findings taken in aggregate provide significant evidence for the benefits of vitamin D supplements and vitamin D supplementation is relatively inexpensive and cost-beneficial; now, therefore, be it

Resolved by the House of Representatives, That the members of this legislative body declare March 2013 as Vitamin D Awareness Month in the state of Michigan. We encourage states to increase awareness of vitamin D deficiency and blood testing and to promote awareness of the potential long-term health benefits of and increased chances of cancer survival with sufficient levels of vitamin D; and be it further

Resolved, That we encourage vitamin D supplementation for pregnant women and infants to prevent pregnancy complications, preterm births, type 1 diabetes, and rickets; and be it further

Resolved, That we encourage vitamin D supplements for elderly persons potentially to prevent bone loss, falls, fractures, and other age-related health problems.

The question being on the adoption of the resolution,

The resolution was adopted.

Reps. Jenkins, O'Brien, Price, Lauwers, Kurtz, Barnett, Daley, Kowall, Knezek, Brown, Geiss, Heise, Hooker, Howrylak, Lori, Schmidt and Slavens offered the following resolution:

House Resolution No. 41.

A resolution to declare September 9, 2013, as Fetal Alcohol Spectrum Disorders Awareness Day in the state of Michigan.

Whereas, Healthy children are the most important resource in the great state of Michigan and Fetal Alcohol Spectrum Disorders (FASD) pose a serious threat to the potential health of our future generations; and

Whereas, More than 30 years have passed since Fetal Alcohol Syndrome (FAS) was identified and named as a birth disorder by United States researchers; and

Whereas, Prenatal exposure to alcohol can cause birth defects, mental retardation, learning disabilities, and attention deficits; and

Whereas, The estimated number of FASD per year is over 30,000; and

Whereas, The incidence rate of full FAS is estimated at 1 out of 1,000 live births and the incidence rate of FASD is estimated at 1 out of every 100 live births; and

Whereas, Individuals with FASD often have secondary hardships such as trouble with the law, substance abuse issues, disrupted school experiences, employment problems, and homelessness; and

Whereas, FASD is entirely preventable; and

Whereas, People around the world began observing International FAS Awareness Day on September 9 of each year beginning in 1999 in order that on the ninth day of the ninth month of the year the world will remember that a woman should abstain from alcohol during the nine months of pregnancy; and

Whereas, The U.S. Senate has passed a resolution designating September 9 as National Fetal Alcohol Spectrum Disorders Awareness Day and has called upon all states to observe FASD Awareness Day; now, therefore, be it

Resolved by the House of Representatives, That the members of this legislative body declare September 9, 2013, as Fetal Alcohol Spectrum Disorders Awareness Day in the state of Michigan. We strongly urge all citizens to increase their knowledge of the effects of prenatal exposure to alcohol, to increase their level of compassion for individuals affected by FASD, and to do all which may lie in their power to reduce the incidence of FASD in the state of Michigan in the future. The resolution was referred to the Committee on Health Policy.

Reps. Jenkins, Price, Lauwers, Kurtz, Barnett, Daley, Kowall, Knezek, Brown, Crawford, Darany, Geiss, Heise, Lori, Schmidt and Slavens offered the following resolution:

House Resolution No. 42.

A resolution to declare March 12, 2013, as Girl Scout Day in the state of Michigan.

Whereas, March 12, 2013, marks the 101st anniversary of the Girl Scouts of the United States of America, founded by Juliette Gordon Low in Savannah, Georgia, in 1912; and

Whereas, The purpose of Girl Scouting is to inspire girls with the highest ideals of character, conduct, patriotism, and service so that they may become happy and resourceful citizens; and

Whereas, Throughout the organization's distinguished history, Girl Scouting has instilled millions of girls and women with the courage, confidence, and character to make the world a better place; and

Whereas, Through participation in a Girl Scout troop, girls develop the skills that will serve them throughout their lives so that they may contribute to their communities; and

Whereas, Girl Scouting takes an active role in increasing girls' awareness of the opportunities in math, science, sports, technology, and many other fields of interest that can expand their horizons; and

Whereas, For over 100 years, Girl Scouting has served as a voice for girls in Michigan while providing the opportunity to become better friends, stronger women, and empowered leaders; now, therefore, be it

Resolved by the House of Representatives, That the members of this legislative body declare March 12, 2013, as Girl Scout Day in the state of Michigan; and be it further

Resolved, That the members of this legislative body commend and congratulate all the girls and women in Michigan who participate in Girl Scouting.

The question being on the adoption of the resolution,

The resolution was adopted.

Reps. Jenkins, O'Brien, Price, Lauwers, Kurtz, Barnett, Kowall, Daley, Knezek, Brown, Darany, Geiss, Heise, Howrylak, Lori, Schmidt and Slavens offered the following resolution:

House Resolution No. 43.

A resolution to declare September 15-21, 2013, as Teen Cancer Awareness Week in the state of Michigan.

Whereas, Cancer among adolescents is rare, but is still the leading cause of death from disease in teenagers between 15 and 19 years of age; and

Whereas, While teens should receive treatment at pediatric hospitals, only one-third of adolescent cancer patients are treated at pediatric oncology centers. They often feel out of place because they are too old to be mixed in with younger children and most pediatric oncology programs focus on the clinical and psychosocial needs of younger patients; and

Whereas, When teen cancer patients receive treatment in adult cancer facilities, they feel out of place because they are too young to be treated as adults and account for only one percent of the population treated by medical oncologists; and

Whereas, Teens with cancer are thus stranded between two medical systems and neither of them adequately addresses their clinical and psychosocial needs; and

Whereas, While the five-year survival rates of children with cancer have increased in the last 20 years, survival rates for teenagers and young adults with cancer are dismally low in comparison. The disparity is partly due to the fact that 40 percent of cancer patients 14 and younger are enrolled in clinical trials compared with an average of only nine percent of cancer patients between the ages of 15 and 24; and

Whereas, Teens with cancer have unique concerns about their education, social lives, body image, and infertility, among other things, and their needs too often are not understood or acknowledged; and

Whereas, Many adolescent cancer survivors have difficulty re-adjusting to school and social settings, and experience anxiety and increased learning difficulties; and

Whereas, There exists an undeniable need to not only understand the biology and clinical needs of teens with cancer, but also to increase awareness in the larger community about the unique challenges facing teens with cancer; now, therefore, be it

Resolved by the House of Representatives, That the members of this legislative body declare September 15-21, 2013, as Teen Cancer Awareness Week in the state of Michigan.

The resolution was referred to the Committee on Health Policy.

Reps. Stamas, Barnett, Brown, Darany, Geiss, Haines, Heise, Hooker, Howrylak, Lori, Schmidt and Slavens offered the following resolution:

House Resolution No. 44.

A resolution to declare March 2013 as Athletic Trainer Month in the state of Michigan.

Whereas, Athletic trainers have a long history of providing quality health care for athletes and those engaged in physical activity and have acquired specific knowledge and skills acquired through their nationally regulated educational processes; and

Whereas, Athletic trainers provide recognition and prevention of injuries, evaluation and treatment, rehabilitation, health care administration, and education and guidance; and

Whereas, The National Athletic Trainers Association represents and supports 35,000 members of the athletic training profession employed in professional sports, colleges and universities, high schools, clinics and hospitals, corporate and industrial settings, performing arts centers, and military branches; and

Whereas, Leading organizations concerned with athletic training and health care have joined together in a common desire to raise public awareness of the importance of the athletic training profession and to emphasize the importance of quality health care within the aforementioned settings; and

Whereas, Such an effort will improve health care for athletes and those engaged in physical activity and promote the athletic training profession; now, therefore, be it

Resolved by the House of Representatives, That the members of this legislative body declare March 2013 as Athletic Trainer Month in the state of Michigan.

The question being on the adoption of the resolution,

The resolution was adopted.

Reps. Lauwers, Glardon, Victory, Daley, Hovey-Wright, Pagel, Johnson, Smiley, Kurtz, LaVoy, Barnett, Brown, Crawford, Darany, Geiss, Heise, Howrylak, Lori, O'Brien, Schmidt and Slavens offered the following resolution:

House Resolution No. 45.

A resolution to declare March 20, 2013, as Agriculture Day in the state of Michigan.

Whereas, Agriculture is the second largest industry in the state of Michigan and agriculture has grown during our most recent economic hardships; and

Whereas, Michigan is a national leader in the production of commodities with more than 200 separate commodities produced on a commercial basis. Our state is the leading producer in 17 of those commodities; and

Whereas, Michigan's agricultural economy is stronger than the economy in general. There are 55,000 farms and over 500 food processors in Michigan; and

Whereas, Michigan farmers contribute more than \$71.3 billion in high-quality food, fiber, and floriculture annually to the state's economy; and

Whereas, Michigan's many microclimates permit the growing of grains, corn, beans, celery, apples, cherries and grapes among others; and

Whereas, Michigan's livestock and dairy sectors produce superior quality beef, poultry, pork, and dairy products enjoyed throughout the world; and

Whereas, Our abundant natural resources continue to make Michigan a great place to live, work, and play. As the state continues to recover from the most recent economic struggles, agriculture will continue to play a vital role in our long-term recovery; and

Whereas, Michigan agriculture is a renewable economic resource for the state, employing more than one million people and creating income that is replenished every year in the state; and

Whereas, Michigan agriculture is a family affair with families or partners owning the overwhelming majority of the state's farms and agricultural facilities; now, therefore, be it

Resolved by the House of Representatives, That the members of this legislative body declare March 20, 2013, as Agriculture Day in the state of Michigan. We recognize and honor the achievements and contributions of farmers and the thousands of people involved in jobs relating to Michigan agriculture.

The question being on the adoption of the resolution,

Rep. Stamas moved that consideration of the resolution be postponed for the day.

The motion prevailed.

Reps. Lauwers, Daley, Glardon, Victory, Cotter, Hovey-Wright, Pagel, Johnson, Smiley, Kurtz, LaVoy, Barnett, Brown, Geiss, Heise, Howrylak, Lori and Schmidt offered the following resolution:

House Resolution No. 46.

A resolution to declare May 30, 2013, as Silo Safety Awareness Day in the state of Michigan.

Whereas, Silos play an important role in the storage of agricultural products, but can pose a significant risk to those who work within them; and

Whereas, Accidents occur in Michigan and throughout the country each year within silos. Many of these tragedies could have been avoided with additional caution and an awareness of safety measures; and

Whereas, Workers within silos must always be conscious of basic silo safety rules. These rules include: ropes or safety harnesses are essential, crusted grain should never be walked on, a silo should never be entered from the bottom when material is collected to the sides of the bin or bridged overhead, tools that are used should not conduct electricity nor create sparks, and other workers should be present to assist and supervise if at all possible; and

Whereas, In memory of those who have been injured or killed while working in silos, it is our intent to help raise awareness about the inherent dangers that are present; now, therefore, be it

Resolved by the House of Representatives, That the members of this legislative body declare May 30, 2013, as Silo Safety Awareness Day in the state of Michigan.

The question being on the adoption of the resolution,

The resolution was adopted.

Reps. Pettalia, Farrington, Somerville, Kelly, Stanley, Lane, Nathan, Haugh, Barnett, Lyons, Lamonte, Callton, Johnson, Brown, Darany, Geiss, Heise, Howrylak, Lori, Schmidt and Slavens offered the following resolution:

House Resolution No. 47.

A resolution to declare April 2013 as Youth Financial Literacy Month in the state of Michigan.

Whereas, The informed use of credit and other financial products and services benefits individual consumers and promotes economic growth; and

Whereas, Financial literacy and learning these skills at an early age encourages greater economic self-sufficiency, higher levels of successful homeownership, and enhanced retirement security, particularly among low and moderate-income citizens; and

Whereas, The past decade has seen declining personal savings rates, increased bankruptcy filings, soaring home foreclosures, and rising percentages of family income devoted to servicing household debt; and

Whereas, Given the current economic conditions facing Michigan, personal financial education and money management skills are crucial to ensure that our young people are prepared to manage credit and debt and become responsible workers, heads of households, homeowners, investors, entrepreneurs, business leaders, and productive citizens; and

Whereas, The young people of our state represent the nation's single greatest resource who, in the years ahead, will assume leadership positions and responsibility for advancement of our society; and

Whereas, Youth Financial Literacy Month highlights the commitment of credit unions throughout the nation to strengthen the financial knowledge of our youth and to prepare them for a fiscally-responsible future; now, therefore, be it

Resolved by the House of Representatives, That the members of this legislative body declare April 2013 as Youth Financial Literacy Month in the state of Michigan. We encourage raising public awareness about the need for increased financial literacy in our schools and among our children and the serious problems that are associated with a lack of understanding of personal finances; and be it further

Resolved, That we call on each parent, school, business, community organization, and unit of government to observe the month with appropriate programs and activities.

The question being on the adoption of the resolution,

The resolution was adopted.

Reps. Pettalia, Victory, Somerville, Haines, Pagel, Genetski, MacGregor, Rogers, Foster, Lori, Pscholka, Jenkins, Daley, Lauwers, Rendon, Graves, Kowall, Forlini, VerHeulen, Muxlow, Potvin, Yonker, Hooker, Kurtz, Cotter, Lyons, Santana, Outman, Callton, Johnson, Franz, Ananich, Kandrevas, Greimel, Barnett, Brown, Darany and Geiss offered the following resolution:

House Resolution No. 48.

A resolution to call for Michigan laborers and manufactured materials to be used in the design and construction of the New International Trade Crossing.

Whereas, As Michigan's economy continues to grow stronger, construction of the New International Trade Crossing is crucial to our state's continued recovery and economic stability. The state should continue to support the construction of this bridge to bolster trade and provide much needed jobs; and

Whereas, Michigan laborers should be utilized in the design and construction phases of the project. By many estimates, the bridge construction has the potential to put 10,000 Michiganders to work over its duration. This is more than any other single endeavor, public or private, in the state. It would help to lower Michigan's unemployment rate, one key to our economic recovery; and

Whereas, The New International Trade Crossing construction should use Michigan and American manufactured materials. Excellent Michigan-made cement, concrete, aggregates, and other materials are essential ingredients for success in the construction of the bridge. Furthermore, any bridge project involving the United States should use American-made steel; and,

Whereas, Michigan employers and manufacturers have contributed to the state's economic resurgence by their investment in the people and products of Michigan. Their commitment should be encouraged and rewarded with the utilization of those products and people. This will cement our pathway to a sustainable economic future for Michigan; now, therefore, be it

Resolved by the House of Representatives, That we call for Michigan laborers and manufactured materials to be used in the design and construction of the New International Trade Crossing; and be it further

Resolved, That copies of this resolution be transmitted to the Governor, the Director of the Michigan Department of Transportation, and the Board of Directors of the Michigan Strategic Fund.

The resolution was referred to the Committee on Transportation and Infrastructure.

Reps. Pettalia, Victory, Somerville, Haines, Pagel, Genetski, MacGregor, Rogers, Foster, Lori, Pscholka, Jenkins, Daley, Lauwers, Rendon, Graves, Kowall, Forlini, VerHeulen, Muxlow, Potvin, Yonker, Hooker, Kurtz, Cotter, Lyons, Santana, Outman, Callton, Johnson, Franz, Ananich, Kandrevas, Greimel, Barnett, Brown, Darany and Geiss offered the following concurrent resolution:

House Concurrent Resolution No. 2.

A concurrent resolution to call for Michigan laborers and manufactured materials to be used in the design and construction of the New International Trade Crossing.

Whereas, As Michigan's economy continues to grow stronger, construction of the New International Trade Crossing is crucial to our state's continued recovery and economic stability. The state should continue to support the construction of this bridge to bolster trade and provide much needed jobs; and

Whereas, Michigan laborers should be utilized in the design and construction phases of the project. By many estimates, the bridge construction has the potential to put 10,000 Michiganders to work over its duration. This is more than any other single endeavor, public or private, in the state. It would help to lower Michigan's unemployment rate, one key to our economic recovery; and

Whereas, The New International Trade Crossing construction should use Michigan and American manufactured materials. Excellent Michigan-made cement, concrete, aggregates, and other materials are essential ingredients for success in the construction of the bridge. Furthermore, any bridge project involving the United States should use American-made steel; and,

Whereas, Michigan employers and manufacturers have contributed to the state's economic resurgence by their investment in the people and products of Michigan. Their commitment should be encouraged and rewarded with the utilization of those products and people. This will cement our pathway to a sustainable economic future for Michigan; now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That we call for Michigan laborers and manufactured materials to be used in the design and construction of the New International Trade Crossing; and be it further

Resolved, That copies of this resolution be transmitted to the Governor, the Director of the Michigan Department of Transportation, and the Board of Directors of the Michigan Strategic Fund.

The concurrent resolution was referred to the Committee on Transportation and Infrastructure.

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

Reports of Standing Committees

The Speaker laid before the House

Senate Concurrent Resolution No. 5.

A concurrent resolution to urge the United States Department of Energy and the Nuclear Regulatory Commission to fulfill their obligation to establish a permanent repository for high-level nuclear waste.

(For text of concurrent resolution, see House Journal No. 16, p. 182.)

(The concurrent resolution was reported by the Committee on Energy and Technology on February 26.)

The question being on the adoption of the concurrent resolution,

The concurrent resolution was adopted.

The Speaker laid before the House

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.

(For text of concurrent resolution, see House Journal No. 15, p. 170.)

(The concurrent resolution was reported by the Committee on Energy and Technology on February 26.)

The question being on the adoption of the concurrent resolution,

Rep. Nesbitt demanded the yeas and nays.

The demand was supported.

The question being on the adoption of the concurrent resolution,

The concurrent resolution was adopted, a majority of the members present voting therefor, by yeas and nays, as follows:

Roll Call No. 18

Yeas—88

Abed	Franz	LaFontaine	Pettalia
Ananich	Genetski	Lamonte	Poleski
Barnett	Gardon	Lane	Potvin
Bolger	Goike	Lauwers	Price
Brinks	Graves	LaVoy	Pscholka
Brown	Greimel	Leonard	Rendon
Brunner	Haines	Lori	Rogers
Bumstead	Haveman	Lund	Santana
Callton	Heise	Lyons	Schmidt
Cavanagh	Hobbs	MacGregor	Schor
Clemente	Hooker	MacMaster	Shirkey
Cochran	Howrylak	McBroom	Slavens
Cotter	Jacobsen	McCann	Somerville
Crawford	Jenkins	McCready	Stallworth
Daley	Johnson	McMillin	Stamas
Denby	Kelly	Muxlow	Stanley
Dianda	Kesto	Nesbitt	VerHeulen
Dillon	Kivela	O'Brien	Victory
Driskell	Knezek	Oakes	Walsh
Farrington	Kosowski	Olumba	Yanez
Forlini	Kowall	Outman	Yonker
Foster	Kurtz	Pagel	Zorn

Nays—20

Banks	Hovey-Wright	Robinson	Switalski
Darany	Irwin	Rutledge	Talabi
Durhal	Kandrevas	Segal	Tlaib
Faris	Lipton	Singh	Townsend
Geiss	Roberts	Smiley	Zemke

In The Chair: Cotter

Third Reading of Bills

House Bill No. 4054, entitled

A bill to amend 1991 PA 46, entitled "Eligible domestic relations order act," by amending section 2 (MCL 38.1702), as amended by 2008 PA 348.

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

Roll Call No. 19**Yeas—107**

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

Nays—1

Howrylak

In The Chair: Cotter

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 1991 PA 46, entitled "Eligible domestic relations order act," by amending sections 2 and 10 (MCL 38.1702 and 38.1710), section 2 as amended by 2008 PA 348.

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. 4123, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," (MCL 600.101 to 600.9947) by adding section 2977.

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

Roll Call No. 20**Yeas—103**

Abed	Franz	Lamonte	Rendon
Ananich	Genetski	Lane	Roberts

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

Nays—5

Geiss	Robinson	Santana	Tlaib
Lipton			

In The Chair: Cotter

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

By unanimous consent the House returned to the order of

Announcement by the Clerk of Printing and Enrollment

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

Senate Bill Nos. 235 236 237 238 239 240 241

The Clerk announced that the following bills and joint resolutions had been printed and placed upon the files of the members on Friday, March 1:

House Bill Nos. 4341 4342 4343 4344 4345 4346 4347 4348 4349 4350 4351 4352 4353 4354
4355 4356 4357 4358 4359

House Joint Resolutions L M

The Clerk announced the enrollment printing and presentation to the Governor on Monday, March 4, for his approval of the following bill:

Enrolled House Bill No. 4153 at 9:57 a.m.

The Clerk announced that the following Senate bill had been received on Tuesday, March 5:

Senate Bill No. 78

The Clerk announced that the following bill had been printed and placed upon the files of the members on Tuesday, March 5:

Senate Bill No. 243

Reports of Standing Committees

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

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.

Without amendment and with the recommendation that the bill pass.

The bill was referred to the order of Second Reading of Bills.

Favorable Roll Call

To Report Out:

Yeas: Reps. Haines, Callton, Crawford, Genetski, Foster, Hooker, Graves, Kesto, Darany, Knezek, Ananich, Segal and Brinks

Nays: Rep. Yonker

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

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.

With the recommendation that the substitute (H-1) be adopted and that the bill then pass.

The bill and substitute were referred to the order of Second Reading of Bills.

Favorable Roll Call

To Report Out:

Yeas: Reps. Haines, Callton, Crawford, Genetski, Shirkey, Foster, Hooker, Graves, Kesto, Darany, Knezek, Ananich, Segal and Brinks

Nays: Rep. Yonker

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Haines, Chair, of the Committee on Health Policy, was received and read:

Meeting held on: Tuesday, March 5, 2013

Present: Reps. Haines, Callton, Crawford, Genetski, Shirkey, Foster, Hooker, Yonker, Graves, Kesto, Darany, Knezek, Ananich, Segal and Brinks

Absent: Reps. Zorn and Stallworth

Excused: Reps. Zorn and Stallworth

The Committee on Transportation and Infrastructure, by Rep. Schmidt, Chair, reported

House Bill No. 4254, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 33 (MCL 257.33), as amended by 2002 PA 494, and by adding section 13d.

Without amendment and with the recommendation that the bill pass.

The bill was referred to the order of Second Reading of Bills.

Favorable Roll Call

To Report Out:

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

Nays: None

The Committee on Transportation and Infrastructure, by Rep. Schmidt, Chair, reported

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.

With the recommendation that the bill be referred to the Committee on Tourism.

Favorable Roll Call

To Report Out:

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

Nays: None

The recommendation was concurred in and the bill was referred to the Committee on Tourism.

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, March 5, 2013

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

The Committee on Elections and Ethics, by Rep. Lyons, Chair, reported

House Bill No. 4169, entitled

A bill to amend 1895 PA 3, entitled "The general law village act," by amending section 18a of chapter XIV (MCL 74.18a), as amended by 2003 PA 305.

Without amendment and with the recommendation that the bill pass.

The bill was referred to the order of Second Reading of Bills.

Favorable Roll Call

To Report Out:

Yeas: Reps. Lyons, Cotter, Heise, Callton, Outman, Yonker, Lane and Schor

Nays: None

The Committee on Elections and Ethics, by Rep. Lyons, Chair, reported

House Bill No. 4170, entitled

A bill to amend 1966 PA 331, entitled "Community college act of 1966," by amending sections 21, 37, and 57 (MCL 389.21, 389.37, and 389.57), as amended by 2003 PA 306.

Without amendment and with the recommendation that the bill pass.

The bill was referred to the order of Second Reading of Bills.

Favorable Roll Call

To Report Out:

Yeas: Reps. Lyons, Cotter, Heise, Callton, Outman, Yonker, Lane and Schor

Nays: None

The Committee on Elections and Ethics, by Rep. Lyons, Chair, reported

House Bill No. 4171, entitled

A bill to amend 1954 PA 116, entitled "Michigan election law," by amending sections 24a, 30g, 307, 308, 323, 347, 355, 360, 426c, 426f, 426l, 792, 806, 809, 822, 823, 826, 866, 867, and 868 (MCL 168.24a, 168.30g, 168.307, 168.308, 168.323, 168.347, 168.355, 168.360, 168.426c, 168.426f, 168.426l, 168.792, 168.806, 168.809, 168.822, 168.823, 168.826, 168.866, 168.867, and 168.868), section 24a as amended by 2010 PA 52, section 307 as amended by 2010 PA 55, section 308 as added by 2003 PA 302, section 426f as amended by 1990 PA 32, sections 809 and 868 as amended by 1995 PA 261, section 826 as amended by 2003 PA 119, section 866 as amended by 2010 PA 53, and section 867 as amended by 1980 PA 200; and to repeal acts and parts of acts.

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. Lyons, Cotter, Heise, Callton, Outman, Yonker, Lane and Schor

Nays: None

The Committee on Elections and Ethics, by Rep. Lyons, Chair, reported

House Bill No. 4307, 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 section 12 (MCL 46.412), as amended by 1982 PA 504, and by adding section 13.

Without amendment and with the recommendation that the bill pass.

The bill was referred to the order of Second Reading of Bills.

Favorable Roll Call

To Report Out:

Yeas: Reps. Lyons, Cotter, Heise, Callton, Outman, Yonker, Lane and Schor

Nays: None

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Lyons, Chair, of the Committee on Elections and Ethics, was received and read:

Meeting held on: Tuesday, March 5, 2013

Present: Reps. Lyons, Cotter, Heise, Callton, Outman, Yonker, Lane and Schor

Absent: Rep. Haugh

Excused: Rep. Haugh

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, March 5, 2013

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

Absent: Rep. Franz

Excused: Rep. Franz

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, March 5, 2013

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

Absent: Reps. Haugh and Stanley

Excused: Reps. Haugh and Stanley

Messages from the Senate

Senate Bill No. 78, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 504, 35101, 35501, 35502, 35503, and 52502 (MCL 324.504, 324.35101, 324.35501, 324.35502, 324.35503, and 324.52502), section 504 as amended by 2009 PA 47, section 35101 as amended by 1996 PA 290, sections 35501, 35502, and 35503 as added by 1995 PA 59, and section 52502 as added by 2004 PA 125; and to repeal acts and parts of acts.

The Senate has passed the bill.

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

Explanation of "No" Votes

Reps. Lamonte, Dianda and Brinks, having reserved the right to explain their protest against the passage of **Senate Bill Nos. 61 and 62**, made the following statement:

"Mr. Speaker and members of the House:

I voted on February 28, 2013 against SB 61 and SB 62, a proposal to convert Blue Cross/Blue Shield of Michigan from a nonprofit health care corporation to a nonprofit mutual disability insurer. The proposals contain measures that will make it more difficult and expensive for seniors to obtain comprehensive insurance, specifically, the proposal that ends Blue Cross and Blue Shield of Michigan's obligation to subsidize the cost of Medigap insurance after 2016.

I voted no on these bills because I'm opposed to putting increased financial burdens on Michigan's seniors, who are already struggling to pay a new tax on retirement income and have had tax credits and deductions reduced or eliminated."

Rep. Driskell, having reserved the right to explain her protest against the passage of **Senate Bill Nos. 61 and 62**, made the following statement:

"Mr. Speaker and members of the House:

I voted on February 28, 2013 against SB 61 and SB 62, a proposal to convert Blue Cross/Blue Shield of Michigan from a nonprofit health care corporation to a nonprofit mutual disability insurer. The proposals contain measures that will make it more difficult and expensive for seniors to obtain comprehensive insurance, specifically, the proposal that ends Blue Cross and Blue Shield of Michigan's obligation to subsidize the cost of Medigap insurance after 2016."

Introduction of Bills

Reps. Haines, Foster, Lyons, Jacobsen, Kowall, O'Brien, Graves, Rogers, Genetski, Lori, McBroom, LaFontaine, Johnson, Kurtz, Heise and Tlaib introduced

House Bill No. 4360, entitled

A bill to amend 1998 PA 58, entitled "Michigan liquor control code of 1998," (MCL 436.1101 to 436.2303) by adding section 903a.

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

Reps. Victory, Johnson, Daley, Heise, Kowall, Lauwers and Hooker introduced

House Bill No. 4361, entitled

A bill to amend 1972 PA 239, entitled "McCauley-Traxler-Law-Bowman-McNeely lottery act," (MCL 432.1 to 432.47) by adding section 24.

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

Reps. Victory, Yonker, Price and Pagel introduced

House Bill No. 4362, entitled

A bill to amend 1974 PA 300, entitled "Motor vehicle service and repair act," by amending sections 21a and 22 (MCL 257.1321a and 257.1322), section 21a as added and section 22 as amended as added by 1988 PA 254.

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

Reps. Price, Johnson, Zorn, Pagel and McMillin introduced

House Bill No. 4363, entitled

A bill to amend 1976 PA 267, entitled "Open meetings act," by amending section 3 (MCL 15.263), as amended by 1988 PA 278.

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

Reps. Yonker, Victory and Muxlow introduced

House Bill No. 4364, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending sections 249 and 249a (MCL 257.249 and 257.249a), section 249 as amended by 2004 PA 495 and section 249a as amended by 1993 PA 300, and by adding sections 49c and 710h.

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

Reps. Genetski, MacMaster, Franz, Kelly, Haines, Pscholka, Nesbitt, Victory, Schmidt, McBroom, Muxlow, Outman, Graves, Daley, Jacobsen, Price, Howrylak, Heise and McMillin introduced

House Bill No. 4365, entitled

A bill to amend 1976 PA 451, entitled "The revised school code," (MCL 380.1 to 380.1852) by adding section 1531j. The bill was read a first time by its title and referred to the Committee on Education.

Reps. Durhal, Dillon, Haugh, Stallworth, Rutledge, Brunner, Geiss, Faris, Talabi, Banks and Cavanagh introduced

House Bill No. 4366, entitled

A bill to prohibit certain inquiries in employment applications; and to provide remedies. The bill was read a first time by its title and referred to the Committee on Commerce.

Reps. Schor, Zemke, Abed, Driskell, LaVoy, Brown and Lane introduced

House Bill No. 4367, entitled

A bill to amend 1954 PA 116, entitled "Michigan election law," by amending sections 559, 561, 562, 570, 572, 575, 576, 582, and 795 (MCL 168.559, 168.561, 168.562, 168.570, 168.572, 168.575, 168.576, 168.582, and 168.795), section 561 as amended by 2002 PA 163, section 570 as amended by 1985 PA 160, section 576 as amended by 1996 PA 213, section 582 as amended by 1980 PA 160, and section 795 as amended by 2004 PA 92; and to repeal acts and parts of acts.

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

Reps. Zemke, Schor, Irwin, Callton, LaVoy, Singh, Kosowski, McCann, Ananich, Townsend, Knezek, Cavanagh, Kesto, Driskell and Switalski introduced

House Bill No. 4368, 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 Tax Policy.

Reps. Lyons, Price, Haveman, Franz, McMillin, Yonker and Crawford introduced

House Bill No. 4369, entitled

A bill to amend 1976 PA 451, entitled "The revised school code," by amending sections 3, 4, 5, 11a, 501, 502, 654, 921, 1147, 1212, 1228, 1229, and 1280c (MCL 380.3, 380.4, 380.5, 380.11a, 380.501, 380.502, 380.654, 380.921, 380.1147, 380.1212, 380.1228, 380.1229, and 380.1280c), section 3 as amended by 2007 PA 45, sections 4 and 5 as amended by 2011 PA 232, section 11a as amended by 2010 PA 91, sections 501 and 502 as amended by 2011 PA 277, section 1147 as amended by 2012 PA 198, section 1212 as amended by 2003 PA 299, section 1228 as added by 1995 PA 289, section 1229 as amended by 2011 PA 105, and section 1280c as amended by 2011 PA 8, and by adding section 1701b and part 7c.

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

Reps. Cochran, Abed, Zemke, Kivela, Haugh, Darany, Lane, Roberts, Yanez, Dianda, Smiley, Driskell, Cavanagh, Brunner, Faris, Ananich and Schor introduced

House Bill No. 4370, entitled

A bill to amend 1968 PA 2, entitled "Uniform budgeting and accounting act," (MCL 141.421 to 141.440a) by adding section 3a.

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

Reps. Abed, Ananich, Zemke, Kivela, Darany, Haugh, Lane, Roberts, Yanez, Cochran, Smiley, Driskell, Brunner, Cavanagh, Faris, Schor, Slavens, Knezek and Brinks introduced

House Bill No. 4371, entitled

A bill to amend 1984 PA 431, entitled "The management and budget act," by amending section 261 (MCL 18.1261), as amended by 2012 PA 555.

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

Announcements by the Clerk

The Clerk received the following dissent on **House Bill No. 4054**, from Rep. Irwin:

I continue to object to the abuse of procedural tricks to subvert the Constitutional rights of citizens to know accurately the actions 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 **House Bill No. 4123**, from Rep. Irwin:

I continue to object to the abuse of procedural tricks to subvert the Constitutional rights of citizens to know accurately the actions 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. Schmidt moved that the House adjourn.
The motion prevailed, the time being 3:05 p.m.

Associate Speaker Pro Tempore Cotter declared the House adjourned until Wednesday, March 6, at 1:30 p.m.

GARY L. RANDALL
Clerk of the House of Representatives