

No. 24
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House Chamber, Lansing, Wednesday, March 7, 2012.

1:30 p.m.

The House was called to order by the Speaker Pro Tempore.

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

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

e/d/s = entered during session

Rep. Matt Lori, from the 59th District, offered the following invocation:

“Then King Darius wrote to all the nations and peoples of every language in all the earth:
 ‘I issue a decree that in every part of my kingdom people must fear and reverence the God of Daniel.
 For He is the living God and He endures forever;
 His kingdom will not be destroyed,
 His dominion will never end.
 He rescues and He saves;
 He performs signs and wonders
 In the heavens and on the earth.
 He has rescued Daniel
 From the power of the lions.’
 Amen.”

Motions and Resolutions

Reps. Slavens, Barnett, Byrum, Constan, Cotter, Darany, Denby, Durhal, Goike, Haines, Heise, Hooker, Knollenberg, LeBlanc, Liss, Poleski, Segal and Talabi offered the following resolution:

House Resolution No. 204.

A resolution to declare March 2012 as Red Cross Month in the state of Michigan.

Whereas, The Red Cross has over 700 chapters across the country that provide emergency assistance, disaster relief, and education to citizens in need;

Whereas, The American Red Cross has evolved to be a charitable organization that is unmatched in terms of its volunteer support, its core membership, and its historic tradition as a force of goodwill and humanitarianism in the face of crisis; and

Whereas, More than one million Red Cross volunteers and 30,000 employees mobilize annually to provide relief to people affected by more than 67,000 disasters; and

Whereas, The American Red Cross supplies more than 40 percent of the blood supply in the United States; now, therefore, be it

Resolved by the House of Representatives, That the members of this legislative body declare March 2012 as Red Cross Month in the state of Michigan. We urge all citizens to observe this important occasion.

The question being on the adoption of the resolution,

The resolution was adopted.

Reps. Slavens, Barnett, Brown, Byrum, Constan, Darany, Denby, Durhal, Goike, Haines, Knollenberg, LeBlanc, Liss, Poleski, Segal and Talabi offered the following resolution:

House Resolution No. 205.

A resolution to declare March 2012 as Colorectal Cancer Awareness Month in the state of Michigan.

Whereas, Colorectal cancer is the second leading cause of cancer-related deaths in the United States; and

Whereas, It is estimated that as many as 60 percent of colorectal cancer deaths could be prevented if all men and women aged 50 years or older were screened routinely; and

Whereas, Screening tests can find colorectal cancer early when treatment works best; and

Whereas, Studies show that increased physical activity and maintaining a healthy weight may decrease the risk for colorectal cancer; and

Whereas, The U.S. Preventive Services Task Force (USPSTF) recommends screening for colorectal cancer for all people until they reach 75 years old and for some people when they are older than 75; now, therefore, be it

Resolved by the House of Representatives, That the members of this legislative body declare March 2012 as Colorectal Cancer Awareness Month in the state of Michigan. We urge all citizens to observe this important occasion.

The question being on the adoption of the resolution,

The resolution was adopted.

Reps. Barnett, Segal, Brown, Constan, Darany, Durhal, Liss, Poleski, Slavens and Talabi offered the following resolution:

House Resolution No. 206.

A resolution to declare March 1-7, 2012, as Choir Therapy Awareness Week in Michigan.

Whereas, It is known that the citizenship of Michigan is comprised of challenged and disabled people; and

Whereas, It is known that the disabled portion includes those with physical, mental, genetic, and traumatically acquired challenges; and

Whereas, Among these broad afflictions of dysfunction are the more commonly known categories of people with such things as Down's syndrome, autism, traumatic brain injuries, cognitive impairments from birth accidents, emotional illness, and substance abuse disorders, to name just a few; and

Whereas, It has been documented that music and singing have a healing effect on these and other conditions; and

Whereas, Choir therapy is the assembling of individuals who share a common challenge, so that they can experience the joy of singing with others. While providing this pleasure, choir therapy also aids the individuals' recovery through two different mediums: the music itself and the camaraderie of the group; and

Whereas, Some of the benefits are increased self-esteem, improved memory and related cognitive functions, and enhanced social skills. In addition, choir therapy members gain the opportunity to construct interpersonal relationships and obtain personal enjoyment through membership in a group which is supportive, educational, and congenial; and

Whereas, The Therapy Choirs of Michigan (TCM), is a Michigan non-profit organization, with the objective of aiding the rehabilitation of those in need through singing in a choir; and

Whereas, The goal of TCM is to create an exceptional group of vocalists, not necessarily in sound, but in spirit. It aims to provide a therapeutic experience to all who are involved with us, singers and volunteers and audiences alike. All potential members need is a positive attitude and a willingness to have fun. Through the choirs, they aim to inspire people to enjoy all aspects of their life and to build their hope for their future; and

Whereas, The promotion of awareness of the therapy choirs of Michigan is a medium by which so many have, and can continue to benefit; and

Whereas, The goals of choir therapy are to provide an environment wherein members feel safe, cared about, develop ability to care for others, and become positively engaged in one area of life; and

Whereas, The observance of Choir Therapy Awareness Week will subsequently promote the application of choir therapy in Michigan; now, therefore, be it

Resolved by the House of Representatives, That the members of this legislative body declare March 1-7, 2012, as Choir Therapy Awareness Week in the state of Michigan.

The question being on the adoption of the resolution,

The resolution was adopted.

Rep. Stamas moved to vacate the enrollment of **House Bill No. 4978**.

The motion prevailed.

Messages from the Senate

House Bill No. 4978, entitled

A bill to amend 1949 PA 300, entitled "An act to provide for the registration, titling, sale, transfer, and regulation of certain vehicles operated upon the public highways of this state or any other place open to the general public or generally accessible to motor vehicles and distressed vehicles; to provide for the licensing of dealers; to provide for the examination, licensing, and control of operators and chauffeurs; to provide for the giving of proof of financial responsibility and security by owners and operators of vehicles; to provide for the imposition, levy, and collection of specific taxes on vehicles, and the levy and collection of sales and use taxes, license fees, and permit fees; to provide for the regulation and use of streets and highways; to create certain funds; to provide penalties and sanctions for a violation of this act; to provide for civil liability of owners and operators of vehicles and service of process on residents and nonresidents; to regulate the introduction and use of certain evidence; to provide for the levy of certain assessments; to provide for the enforcement of this act; to provide for the creation of and to prescribe the powers and duties of certain state and local agencies; to impose liability upon the state or local agencies; to provide appropriations for certain purposes; to repeal all other acts or parts of acts inconsistent with this act or contrary to this act; and to repeal certain parts of this act on a specific date," by amending sections 307 and 811k (MCL 257.307 and 257.811k), section 307 as amended by 2011 PA 159 and section 811k as amended by 2006 PA 298, and by adding section 811s; and to repeal acts and parts of acts.

(The bill was enrolled on February 21, see House Journal No. 17, p. 224.)

Rep. Stamas moved that Rule 63 be suspended.

The motion prevailed, 3/5 of the members present voting therefor.

Rep. Stamas moved to reconsider the vote by which the House concurred in the Senate amendment.

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

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

The Senate requested the return of

House Bill No. 4978, entitled

A bill to amend 1949 PA 300, entitled “An act to provide for the registration, titling, sale, transfer, and regulation of certain vehicles operated upon the public highways of this state or any other place open to the general public or generally accessible to motor vehicles and distressed vehicles; to provide for the licensing of dealers; to provide for the examination, licensing, and control of operators and chauffeurs; to provide for the giving of proof of financial responsibility and security by owners and operators of vehicles; to provide for the imposition, levy, and collection of specific taxes on vehicles, and the levy and collection of sales and use taxes, license fees, and permit fees; to provide for the regulation and use of streets and highways; to create certain funds; to provide penalties and sanctions for a violation of this act; to provide for civil liability of owners and operators of vehicles and service of process on residents and nonresidents; to regulate the introduction and use of certain evidence; to provide for the levy of certain assessments; to provide for the enforcement of this act; to provide for the creation of and to prescribe the powers and duties of certain state and local agencies; to impose liability upon the state or local agencies; to provide appropriations for certain purposes; to repeal all other acts or parts of acts inconsistent with this act or contrary to this act; and to repeal certain parts of this act on a specific date,” by amending sections 307 and 811k (MCL 257.307 and 257.811k), section 307 as amended by 2011 PA 159 and section 811k as amended by 2006 PA 298, and by adding section 811s; and to repeal acts and parts of acts.

Rep. Stamas moved that the request of the Senate be granted.

The motion prevailed.

Third Reading of Bills

House Bill No. 4859, 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. 94

Yeas—90

Agema	Graves	Lindberg	Potvin
Ananich	Greimel	Liss	Price
Bauer	Haines	Lori	Pscholka
Bledsoe	Hammel	Lund	Rendon
Bolger	Haugh	Lyons	Rogers
Bumstead	Haveman	MacGregor	Rutledge
Byrum	Heise	MacMaster	Schmidt, R.
Callton	Hobbs	McBroom	Schmidt, W.
Clemente	Hooker	McCann	Segal
Cotter	Horn	McMillin	Shaughnessy
Crawford	Howze	Meadows	Shirkey
Daley	Hughes	Moss	Smiley
Damrow	Huuki	Muxlow	Somerville
Denby	Irwin	Nesbitt	Stallworth
Dillon	Jacobsen	O’Brien	Stamas
Farrington	Jenkins	Oakes	Stanley
Forlini	Johnson	Olson	Townsend
Foster	Knollenberg	Opsommer	Tyler
Franz	Kowall	Ouimet	Walsh
Genetski	Kurtz	Outman	Womack
Gilbert	LaFontaine	Pettalia	Yonker
Glardon	Lane	Poleski	Zorn
Goike	LeBlanc		

Nays—20

Barnett	Darany	Kandrevas	Slavens
Brown	Durhal	Lipton	Stapleton
Brunner	Geiss	Nathan	Switalski
Cavanagh	Hovey-Wright	Olumba	Talabi
Constan	Jackson	Santana	Tlaib

In The Chair: Walsh

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

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

House Bill No. 4929, entitled

A bill to amend 1947 PA 336, entitled “An act to prohibit strikes by certain public employees; to provide review from disciplinary action with respect thereto; to provide for the mediation of grievances and the holding of elections; to declare and protect the rights and privileges of public employees; to require certain provisions in collective bargaining agreements; and to prescribe means of enforcement and penalties for the violation of the provisions of this act,” by amending section 10 (MCL 423.210).

The Senate has substituted (S-3) the bill.

The Senate has passed the bill as substituted (S-3), ordered that it be given immediate effect and amended the title to read as follows:

A bill to amend 1947 PA 336, entitled “An act to prohibit strikes by certain public employees; to provide review from disciplinary action with respect thereto; to provide for the mediation of grievances and the holding of elections; to declare and protect the rights and privileges of public employees; to require certain provisions in collective bargaining agreements; and to prescribe means of enforcement and penalties for the violation of the provisions of this act,” by amending the title and section 10 (MCL 423.210), the title as amended by 2011 PA 9.

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

Rep. Stamas moved that Rule 42 be suspended.

The motion prevailed, 3/5 of the members present voting therefor.

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

The substitute (S-3) was concurred in, a majority of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 95**Yeas—56**

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

Nays—54

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

In The Chair: Walsh

The House agreed to the title as amended.

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

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

“Mr. Speaker and members of the House:

Thank you for this chance to explain my vote. My original explanation is found at House Journal 70, page 2203. My view is not altered from that explanation.

Thank you Mr. Speaker.”

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

“Mr. Speaker and members of the House:

I voted ‘no’ on House Bill 4929 on September 15, 2011 because it is an unnecessary and impractical bill. By prohibiting school districts from administering automatic payroll deductions for union dues, the bill will dismantle a system that is simple, fair and efficient.

The current system is simple because the deductions process is largely automated, fair because the decision to administer these deductions is made at the local level through collective bargaining and efficient because employees do not have to write checks and mail in their union dues each year.

Further, as noted by the House Fiscal Agency, the bill’s sponsor, and other interested parties, the bill will have only a minimal fiscal impact on our state’s school districts.

House Bill 4929 represents another assault on our public school employees and will in no way improve our state’s schools.

For these reasons, I did not support House Bill 4929. I also did not support granting Immediate Effect to House Bill 4929.”

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

“Mr. Speaker and members of the House:

I voted ‘no’ on House Bill 4929 because it is an unnecessary and impractical bill. By prohibiting school districts from administering automatic payroll deductions for union dues, the bill will dismantle a system that is simple, fair and efficient.

The current system is simple because the deductions process is largely automated, fair because the decision to administer these deductions is made at the local level through collective bargaining and efficient because employees do not have to write checks and mail in their union dues each year.

Further, as noted by the House Fiscal Agency, the bill’s sponsor, and other interested parties, the bill will have only a minimal fiscal impact on our state’s school districts.

House Bill 4929 represents another assault on our public school employees and will in no way improve our state’s schools.

For these reasons, I cannot support House Bill 4929. I also voted ‘no’ on granting Immediate Effect to House Bill 4929.”

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

“Mr. Speaker and members of the House:

I voted no today on concurrence with the Senate version of HB 4929 because the bill contains the same flaws as the original bill, plus some additional flaws.

Most importantly, the question of whether or not an employer deducts union dues from employees’ checks should be decided by the parties to a collective bargaining agreement as part of the collective bargaining process. HB 4929 undermines the collective bargaining process by prohibiting the parties from bargaining over dues deduction.

Dues deduction, when agreed to by the parties to a collective bargaining agreement, is a simple, fair, and efficient method of deducting union dues and has only a minimal fiscal impact on our state’s school districts.

Furthermore, the Senate version has added an appropriation for no clear purpose other than to prevent Michigan’s residents from forcing a referendum on the bill. This is an attempt to circumvent residents’ constitutional right to a referendum and is grounds enough to vote against the bill.

Finally, the one reasonable piece of this legislation that was added by the Senate committee, language allowing for dues deduction to continue if employees pay for the administrative cost, was removed prior to final passage. The House refused to restore that language.

House Bill 4929 is yet another assault on our public school employees, on labor unions, and on collective bargaining. It has absolutely nothing to do with improving our state’s schools.

For these reasons, I cannot support House Bill 4929. I also do not support immediate effect for HB 4929.”

Third Reading of Bills

Senate Bill No. 634, entitled

A bill to amend 1893 PA 206, entitled “The general property tax act,” by amending section 51 (MCL 211.51), as amended by 2009 PA 189.

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

Roll Call No. 96

Yeas—110

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

Nays—0

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 assessment of rights and interests, including leasehold interests, in property and the levy and collection of taxes on property, and for the collection of taxes levied; making those taxes a lien on the property taxed, establishing and continuing the lien, providing for the sale or forfeiture and conveyance of property delinquent for taxes, and for the inspection and disposition of lands bid off to the state and not redeemed or purchased; to provide for the establishment of a delinquent tax revolving fund and the borrowing of money by counties and the issuance of notes; to define and limit the jurisdiction of the courts in proceedings in connection with property delinquent for taxes; to limit the time within which actions may be brought; to prescribe certain limitations with respect to rates of taxation; to prescribe certain powers and duties of certain officers, departments, agencies, and political subdivisions of this state; to provide for certain reimbursements of certain expenses incurred by units of local government; to provide penalties for the violation of this act; and to repeal acts and parts of acts.”

The House agreed to the full title.

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

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

By unanimous consent the House returned to the order of

Messages from the Senate**House Bill No. 4246, entitled**

A bill to amend 1947 PA 336, entitled “An act to prohibit strikes by certain public employees; to provide review from disciplinary action with respect thereto; to provide for the mediation of grievances and the holding of elections; to declare and protect the rights and privileges of public employees; and to prescribe means of enforcement and penalties for the violation of the provisions of this act,” by amending the title and section 15 (MCL 423.215), section 15 as amended by 2009 PA 201, and by adding section 15a.

The Senate has substituted (S-1) the bill.

The Senate has passed the bill as substituted (S-1), ordered that it be given immediate effect and amended the title to read as follows:

A bill to amend 1947 PA 336, entitled “An act to prohibit strikes by certain public employees; to provide review from disciplinary action with respect thereto; to provide for the mediation of grievances and the holding of elections; to declare and protect the rights and privileges of public employees; to require certain provisions in collective bargaining agreements; and to prescribe means of enforcement and penalties for the violation of the provisions of this act,” by amending sections 1 and 15 (MCL 423.201 and 423.215), section 1 as amended by 1999 PA 204 and section 15 as amended by 2012 PA 12.

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

Rep. Stamas moved that Rule 42 be suspended.

The motion prevailed, 3/5 of the members present voting therefor.

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

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

Roll Call No. 97**Yeas—63**

Agema	Goike	Lori	Poleski
Bolger	Graves	Lund	Potvin
Bumstead	Haines	Lyons	Price
Callton	Haveman	MacGregor	Pscholka
Cotter	Heise	MacMaster	Rendon
Crawford	Hooker	McBroom	Rogers
Daley	Horn	McMillin	Schmidt, W.
Damrow	Hughes	Moss	Shaughnessy
Denby	Huuki	Muxlow	Shirkey

Farrington	Jacobsen	Nesbitt	Somerville
Forlini	Jenkins	O'Brien	Stamas
Foster	Johnson	Olson	Tyler
Franz	Knollenberg	Opsommer	Walsh
Genetski	Kowall	Ouimet	Yonker
Gilbert	Kurtz	Outman	Zorn
Glardon	LaFontaine	Pettalia	

Nays—47

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

In The Chair: Walsh

The House agreed to the title as amended.

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

Reps. Liss, Howze, Stallworth, Bauer, Darany, Tlaib, Stapleton, Kandrevas, Cavanagh, McCann, Lindberg, Womack, Hovey-Wright, Brown, Roy Schmidt, Santana, Rutledge, Barnett, Lipton, Constan, Slavens and Segal, having reserved the right to explain their nay vote, made the following statement:

“Mr. Speaker and members of the House:

I voted no on House Bill 4246 for several reasons. Among them, the Senate substitute contains a change of purpose from the original HB 4246. The new bill embodies the provisions of SB 971 which bans graduate student research assistants from organizing while the original bill dealt with Emergency Mangers.

I also oppose the new content because this legislation removes the decision making authority in these matters from the Michigan Employment Relations Commission. The Commission has worked well for decades deciding just these kinds of employment issues, it rules in a timely manner, and the legislature ought not involve itself in deciding case by case administrative decisions regarding employment law.

I also did not vote for immediate effect on HB 4246.”

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

“Mr. Speaker and members of the House:

I voted no because the legislation concurred in violates Art. IV, sec 24 and Art. IV. sec 27.”

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

“Mr. Speaker and members of the House:

I voted no on House Bill 4246 for several reasons. Among them, the Senate substitute contains a change of purpose from the original HB 4246. The new bill embodies the provisions of SB 971 which bans graduate student research assistants from organizing while the original bill dealt with Emergency Mangers.

I also oppose the new content because this legislation removes the decision making authority in these matters from the Michigan Employment Relations Commission. The Commission has worked well for decades deciding just these kinds of employment issues, it rules in a timely manner, and the legislature ought not involve itself in deciding case by case administrative decisions regarding employment law.”

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

“Mr. Speaker and members of the House:

I voted no on House Bill 4246 for several reasons. Among them, the Senate substitute contains a change of purpose from the original HB 4246. The new bill embodies the provisions of SB 971, which bans graduate student research assistants from organizing themselves into labor unions, while the original bill dealt with emergency managers.

I also oppose the new content because this legislation removes the decision-making authority in these matters from the Michigan Employment Relations Commission (MERC). As such, this legislation is an improper and unnecessary interference with administrative procedure and law. MERC has worked well for decades deciding just these kinds of employment issues. MERC rules in a timely manner, and the legislature ought not involve itself in deciding case-by-case administrative decisions regarding employment law.

I also did not vote for immediate effect on HB 4246.”

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

The Chair ruled the motion was out of order as the bill had been ordered enrolled and was out of the House Chamber.

Rep. Segal appealed the decision of the Chair.

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

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

Roll Call No. 98

Yeas—62

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

Nays—47

Ananich	Durhal	LeBlanc	Segal
Barnett	Geiss	Lindberg	Slavens
Bauer	Greimel	Lipton	Smiley
Bledsoe	Hammel	Liss	Stallworth
Brown	Haugh	McCann	Stanley
Brunner	Hobbs	Meadows	Stapleton
Byrum	Hovey-Wright	Nathan	Switalski
Cavanagh	Howze	Oakes	Talabi

Clemente
Constan
Darany
Dillon

Irwin
Jackson
Kandrevas
Lane

Olumba
Rutledge
Santana
Schmidt, R.

Tlaib
Townsend
Womack

In The Chair: Walsh

Explanation of “No” Votes

Rep. Irwin, having reserved the right to explain his protest against the passage of **Senate Bill No. 971**, made the following statement:

“Mr. Speaker and members of the House:

I opposed SB 971 primarily because this legislation was rushed in order to prevent a ruling from the Michigan Employment Relations Commission. Rather than allow a reasoned consideration of whether graduate research assistants are ‘employees’ under the law, the legislature rushed to declare them not to be employees despite the agreement between the employer and the employees that these workers should have the opportunity to vote on forming a union. Additionally, I oppose the legislature engaging in the statutory equivalent of spot zoning, changing the rules for each employee group to suit the political whims of the moment.

Finally, I opposed immediate effect for this bill and I oppose the practice of declaring immediate effect to be passed successfully when the votes are clearly not sufficient to support the motion. We should be accountable for our actions in the Michigan legislature and current practice is an effort to avoid accountability and transparency.”

Rep. Stamas moved that the House adjourn.
The motion prevailed, the time being 3:00 p.m.

The Speaker Pro Tempore declared the House adjourned until Thursday, March 8, at 12:00 Noon.

GARY L. RANDALL
Clerk of the House of Representatives

