

No. 60  
STATE OF MICHIGAN  
JOURNAL  
OF THE  
**House of Representatives**  
96th Legislature  
REGULAR SESSION OF 2012

---

---

House Chamber, Lansing, Tuesday, June 12, 2012.

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.

Agema—present	Gilbert—present	LeBlanc—present	Price—present
Ananich—present	Glardon—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. Thomas F. Stallworth III, from the 8th District, offered the following invocation:

“Dear God,

As we begin our work today, please lift our minds to the realm of Truth.

May we remember and not forget throughout the day that our only work is to love, for Your Sake, that the world might be renewed.

May we think of our great state - it’s people, the circumstances, the situations - and act in accordance with Your voice.

Teach us to Lead and to serve with dignity, sensitivity, and selflessness.

Guide us to withdraw our judgments, interpretations and agendas and to act only to be a healing force.

Focus our actions such that they uplift the communities we serve and are a source of inspiration to others.

If we are tempted to judge or criticize anyone, please heal us of our limited vision so that we may only see the truth.

May we work with integrity and excellence and the full force of Your power within us, that we may know our true strength and contribute it to this world.

May our presence here be a blessing on others and on ourselves.

We ask that You continue to wrap Your arms around us, protect us and show us the way now and forever.

Amen.”

---

The Speaker called the Speaker Pro Tempore to the Chair.

### Motions and Resolutions

Reps. MacGregor, Barnett, Bauer, Constan, Crawford, Denby, Durhal, Heise, Jacobsen, Knollenberg, Kowall, Liss, O’Brien, Poleski, Pscholka, Segal, Slavens, Switalski and Tyler offered the following resolution:

**House Resolution No. 290.**

A resolution to declare July 2012 as Craft Beer Month in the state of Michigan.

Whereas, Michigan craft brewers are a vibrant affirmation and expression of Michigan’s entrepreneurial traditions, operating as community-based small businesses and providing employment for more than 1,000 workers; and

Whereas, Michigan has craft brewers in every region of the state and more than 100 craft brewers statewide; and

Whereas, The Michigan Brewers Guild celebrates Michigan Craft Beer Month each year by hosting a Summer Festival in July; and

Whereas, Michigan craft brewers support Michigan agriculture by purchasing hops, wheat, beet sugar, cherries, apples, and numerous other fruits, herbs, and vegetables grown in Michigan; and

Whereas, Michigan craft brewers promote Michigan’s spirit of independence through a renaissance in hand-crafted beers like those first brought to Michigan by European settlers and produced here by our forefathers, including Bernhard Stroh, for the enjoyment of the citizenry; and

Whereas, Michigan craft brewers strive to educate legal drinking-age residents about the differences in beer flavor, aroma, color, alcohol content, body, and other complex variables, as well as historic brewing traditions, beer history, and gastronomic qualities of beer; and

Whereas, Michigan craft brewers champion the message of responsible enjoyment to their customers and work within their communities to prevent alcohol abuse and underage drinking; and

Whereas, Michigan craft brewers produce more than 100 distinct styles of flavorful beers, the quality and diversity of which have made Michigan the envy of many states, contributing to balanced trade with increased Michigan exports, and promoting Michigan tourism; and

Whereas, Michigan craft brewers have been a successful business model during our state’s economic struggles, thriving and expanding - furthering their economic importance to our state; and

Whereas, Michigan craft brewers are vested in the future, health, and welfare of their communities as employers providing a diverse array of quality local jobs, as contributors to the local tax base, and as committed sponsors of a broad range of vital community institutions and philanthropic causes, including not-for-profit housing development associations, chambers of commerce, humane societies, athletic teams, and medical research; now, therefore, be it

Resolved by the House of Representatives, That the members of this legislative body declare July 2012 as Craft Beer Month in the state of Michigan. We recognize the contributions that Michigan craft brewers have made to the state’s communities, economy, and history; and be it further

Resolved, That we commend Michigan craft brewers for providing jobs, improving the balance of trade, supporting Michigan agriculture, and educating residents about the history and culture of beer while promoting the responsible consumption of beer as a beverage of moderation.

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

Reps. Daley, Callton, Glardon, Hovey-Wright, Tyler, Brunner, McBroom, Rendon, Outman, Denby, Smiley, LaFontaine, Johnson, Hughes, Pettalia, Oakes, Barnett, Bauer, Brown, Byrum, Constan, Crawford, Durhal, Heise, Hooker, Jacobsen, Knollenberg, Kowall, Liss, MacGregor, O'Brien, Poleski, Pscholka, Segal, Slavens and Talabi offered the following resolution:

**House Resolution No. 291.**

A resolution to declare June 12, 2012, as Dairy Foods Awareness Day in the state of Michigan.

Whereas, The mission of the Michigan Dairy Foods Association is to support and promote activities designed to improve and maintain the general well-being of the dairy processing industry; and

Whereas, The Michigan Dairy Foods Association is a trade and membership service organization representing all aspects of the dairy processing industry in Michigan. The association's primary purposes are to assure that a strong environment exists for the creation and maintenance of sound public policy as it relates to all aspects of the dairy processing industry in Michigan; to enhance the position, prestige, and competitive ability of the association's members; and to provide educational programs to enhance members' abilities to process and market fine dairy products, packaged waters, and juices in Michigan and throughout the world; and

Whereas, Dairy Foods Awareness Day was established by the Michigan Dairy Foods Association to demonstrate the importance of the dairy processing industry in Michigan and to promote the 3-A-Day concept of three servings of calcium-rich dairy products per day, which helps ensure a healthy diet. We salute the people of the Michigan Dairy Foods Association for their efforts to expand our awareness and knowledge of the dairy processing industry; now, therefore, be it

Resolved by the House of Representatives, That the members of this legislative body declare June 12, 2012, as Dairy Foods Awareness Day in the state of Michigan; and be it further

Resolved, That a copy of this resolution be transmitted to the organizers of Dairy Foods Awareness Day as evidence of our esteem.

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

Rep. Stamas moved that a respectful message be sent to the Senate requesting the return of **Senate Bill No. 760**.  
The motion prevailed.

Rep. Stamas moved that a respectful message be sent to the Senate requesting the return of **Senate Bill No. 761**.  
The motion prevailed.

### Reports of Standing Committees

The Speaker laid before the House

**House Concurrent Resolution No. 11.**

A concurrent resolution to memorialize Congress to adopt and present to the states for ratification an amendment to the Constitution of the United States to establish fundamental parental rights.

(For text of concurrent resolution, see House Journal No. 39 of 2011, p. 576.)

(The concurrent resolution was reported by the Committee on Families, Children, and Seniors on February 14.)

The question being on the adoption of the concurrent resolution,

Rep. Slavens moved to substitute (H-1) the concurrent resolution as follows:

**Substitute for House Concurrent Resolution No. 11.**

A concurrent resolution to memorialize Congress to adopt and present to the states for ratification an amendment to the Constitution of the United States to establish fundamental parental rights, while protecting the best interests of the child.

Whereas, The rights of parents to direct the upbringing and education of their children is a fundamental right that must be protected by the Constitution of the United States and the Michigan Constitution; and

Whereas, Our nation has historically relied first and foremost on parents to meet the real and constant needs of children; and

Whereas, The interests of children are best served when parents are free to make childrearing decisions about education, religion, and other areas of a child's life without state interference; and

Whereas, The United States Supreme Court in *Wisconsin v. Yoder* (1972) has held that “This primary role of the parents in the upbringing of their children is now established beyond debate as an enduring American tradition”; and

Whereas, However, the United States Supreme Court in *Troxel v. Granville* (2000) produced 6 different opinions on the nature and enforceability of parental rights under the Constitution of the United States; and

Whereas, This decision has created confusion and ambiguity about the fundamental nature of parental rights in the laws and society of several states; and

Whereas, A proposed amendment to the Constitution of the United States (House Joint Resolution 3) has been introduced in the 112th Congress that would prevent erosion of the enduring American tradition of treating parental rights as fundamental rights:

Section One: The liberty of parents to direct the upbringing and education of their children is a fundamental right.

Section Two: Neither the United States nor any state shall infringe upon this right without demonstrating that its governmental interest as applied to the person is of the highest order and not otherwise served.

Section Three: No treaty may be adopted nor shall any source of international law be employed to supercede, modify, interpret, or apply to the rights guaranteed by this article.

; and

Whereas, This amendment would add explicit text to the Constitution of the United States to protect in perpetuity the rights of parents as they are now enjoyed, without substantive change to current state or federal laws respecting these rights; and

Whereas, In any amendment to enumerate the rights of parents, it is imperative that the best interests of the child be safeguarded. Michigan has delineated clearly many factors that influence every child’s chances to pursue the life we hope all children can attain. In MCL 722.23, within the Michigan’s Child Custody Act of 1970, the numerous factors that constitute the best interests of the child include not only the self-evident material elements that promote safety and health, but also the emotional considerations, stability, absence of violence, sense of support, and consistency all children need and deserve. Any provision to recognize parental rights must enhance, rather than diminish, our country’s advancement of the best interests of the child; and

Whereas, Such enumeration of the rights of parents and children in the text of our nation’s constitution would preserve them from being infringed upon by the shifting ideologies and interpretations of the United States Supreme Court; now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That we memorialize Congress to adopt and present to the states for ratification an amendment to the Constitution of the United States to establish fundamental parental rights, while protecting the best interests of the child; and be it further

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

The motion did not prevail and the substitute (H-1) was not adopted, a majority of the members serving not voting therefor.

The question being on the adoption of the concurrent resolution,

Rep. Segal 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. 410

## Yeas—71

Agema	Graves	Liss	Potvin
Bolger	Greimel	Lori	Price
Bumstead	Haines	Lund	Pscholka
Callton	Haveman	Lyons	Rendon
Constan	Heise	MacGregor	Rogers
Cotter	Hooker	MacMaster	Schmidt, R.
Crawford	Horn	McBroom	Schmidt, W.
Daley	Hughes	McMillin	Shaughnessy
Damrow	Huuki	Moss	Shirkey
Denby	Jacobsen	Muxlow	Somerville
Farrington	Jenkins	Nesbitt	Stamas
Forlini	Johnson	O’Brien	Stapleton
Foster	Knollenberg	Olson	Townsend
Franz	Kowall	Opsommer	Tyler

Genetski	Kurtz	Ouimet	Walsh
Gilbert	LaFontaine	Outman	Yonker
Glardon	Lane	Pettalia	Zorn
Goike	LeBlanc	Poleski	

**Nays—39**

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

In The Chair: Walsh

The Speaker laid before the House

**House Resolution No. 111.**

A resolution to memorialize the President and the United States Congress to enact legislation protecting the rights of conscience of students seeking counseling degrees and licensed professional counselors.

(For text of resolution, see House Journal No. 63 of 2011, p. 2001.)

(The resolution was reported by the Committee on Education on March 14.)

The question being on the adoption of the resolution,

The resolution was adopted.

The Speaker laid before the House

**House Resolution No. 112.**

A resolution to urge Michigan's public universities to adopt policies to protect the rights of students in counseling, social work, or psychology programs who are faced with situations that conflict with their religious beliefs.

(For text of resolution, see House Journal No. 63 of 2011, p. 2001.)

(The resolution was reported by the Committee on Education on March 14.)

The question being on the adoption of the resolution,

Rep. Segal demanded the yeas and nays.

The demand was supported.

The question being on the adoption of the resolution,

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

**Roll Call No. 411****Yeas—62**

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

Farrington	Jenkins	Nesbitt	Shaughnessy
Forlini	Johnson	O'Brien	Shirkey
Franz	Knollenberg	Olson	Somerville
Genetski	Kowall	Opsommer	Stamas
Gilbert	Kurtz	Ouimet	Tyler
Glardon	LaFontaine	Outman	Walsh
Goike	LeBlanc	Pettalia	Yonker
Graves	Lori		

### Nays—48

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

In The Chair: Walsh

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

“Mr. Speaker and members of the House:

**No Vote Explanation**

**HR 112**

I voted against House Resolution 112, which requires Michigan’s public universities to adopt policies based on counselors’ religious beliefs, because it takes the easy way out of a very important and complicated situation.

The students and faculty at these universities who seek out psychological help have real needs that should be met, not avoided. A counselor who cannot work with someone slightly different than themselves obviously requires more training, not an exemption from doing their job.

This resolution allows counselors to avoid problems that arise in the course of their duties, rather than provide a solution. Because of that, I cannot vote in favor of this resolution as it is currently written.”

The Speaker laid before the House

**House Concurrent Resolution No. 56.**

A concurrent resolution to declare June 9-17, 2012, as Aquatic Invasive Species Awareness Week in the state of Michigan. (For text of concurrent resolution, see House Journal No. 55, p. 1239.)

(The concurrent resolution was reported by the Committee on Natural Resources, Tourism, and Outdoor Recreation on June 5.)

The question being on the adoption of the concurrent resolution,

Rep. Stamas moved that the concurrent resolution be re-referred to the Committee on Natural Resources, Tourism, and Outdoor Recreation.

The motion prevailed.

**Messages from the Senate**

The Speaker laid before the House

**House Bill No. 5228, entitled**

A bill to amend 1963 PA 181, entitled "Motor carrier safety act of 1963," by amending section 1a (MCL 480.11a), as amended by 2011 PA 160.

(The bill was received from the Senate on June 6, with substitute (S-2), full title inserted and immediate effect given by the Senate, consideration of which, under the rules, was postponed until June 7, see House Journal No. 58, p. 1688.)

The question being on concurring in the substitute (S-2) made to the bill by the Senate,

The substitute (S-2) was concurred in, a majority of the members serving voting therefor, by yeas and nays, as follows:

**Roll Call No. 412****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	Kandrevas	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

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.

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



The Speaker laid before the House

**House Bill No. 5477, entitled**

A bill to amend 1984 PA 270, entitled "Michigan strategic fund act," by amending sections 88d, 88f, and 88q (MCL 125.2088d, 125.2088f, and 125.2088q), section 88d as amended by 2008 PA 571, section 88f as added by 2005 PA 225, and section 88q as amended by 2009 PA 144.

(The bill was received from the Senate on June 7, with substitute (S-1), full title inserted and immediate effect given by the Senate, consideration of which, under the rules, was postponed until today, see House Journal No. 59, p. 1750.)

The question being on concurring in the substitute (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. 413**

**Yeas—98**

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

**Nays—12**

Agema	Franz	Johnson	McMillin
Bumstead	Genetski	LaFontaine	Nesbitt
Cotter	Hooker	MacMaster	Somerville

In The Chair: Walsh

The House agreed to the full title.

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

**Third Reading of Bills**

**House Bill No. 5146, entitled**

A bill to amend 1937 PA 94, entitled "Use tax act," by amending section 3a (MCL 205.93a), as amended by 2008 PA 439. Was read a third time and passed, a majority of the members serving voting therefor, by yeas and nays, as follows:



**Roll Call No. 414****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	Kandrevas	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

The House agreed to the title of the bill.

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

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

**Senate Bill No. 897, entitled**

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 48703 (MCL 324.48703), as amended by 2008 PA 291.

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

**Roll Call No. 415****Yeas—105**

Agema	Glardon	LeBlanc	Price
Ananich	Goike	Lindberg	Pscholka
Bauer	Graves	Lipton	Rendon
Bledsoe	Greimel	Liss	Rogers
Bolger	Haines	Lori	Rutledge
Brown	Haugh	Lund	Santana

Brunner	Haveman	Lyons	Schmidt, R.
Bumstead	Heise	MacGregor	Schmidt, W.
Byrum	Hobbs	MacMaster	Segal
Callton	Hooker	McBroom	Shaughnessy
Cavanagh	Horn	McCann	Shirkey
Clemente	Hovey-Wright	McMillin	Slavens
Constan	Howze	Meadows	Smiley
Cotter	Hughes	Moss	Somerville
Crawford	Huuki	Muxlow	Stallworth
Daley	Irwin	Nathan	Stamas
Damrow	Jackson	Nesbitt	Stanley
Darany	Jacobsen	O'Brien	Stapleton
Denby	Jenkins	Oakes	Switalski
Dillon	Johnson	Olson	Tlaib
Farrington	Kandreas	Opsommer	Townsend
Forlini	Knollenberg	Ouimet	Tyler
Foster	Kowall	Outman	Walsh
Franz	Kurtz	Pettalia	Womack
Geiss	LaFontaine	Poleski	Yonker
Genetski	Lane	Potvin	Zorn
Gilbert			

#### Nays—5

Barnett	Hammel	Olumba	Talabi
Durhal			

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 protect the environment and natural resources of the state; to codify, revise, consolidate, and classify laws relating to the environment and natural resources of the state; to regulate the discharge of certain substances into the environment; to regulate the use of certain lands, waters, and other natural resources of the state; to prescribe the powers and duties of certain state and local agencies and officials; to provide for certain charges, fees, assessments, and donations; to provide certain appropriations; to prescribe penalties and provide remedies; and to repeal acts and parts of acts.”

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.

#### Second Reading of Bills

##### Senate Bill No. 109, entitled

A bill to amend 1939 PA 280, entitled “The social welfare act,” (MCL 400.1 to 400.119b) by adding section 57v.

The bill was read a second time.

Rep. Slavens moved to amend the bill as follows:

1. Amend page 1, following line 5, by inserting:

“(2) A RECIPIENT SHALL NOT PURCHASE LOTTERY TICKETS, ALCOHOL, OR TOBACCO PRODUCTS WITH A MICHIGAN BRIDGE CARD.” and renumbering the remaining subsections.

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

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

The motion prevailed.

**House Bill No. 5040, entitled**

A bill to protect the right of a student to assert conscientious objection to providing certain counseling or other services; to prohibit certain actions by institutions of higher education; and to provide remedies.

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

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

Rep. Brown moved to amend the bill as follows:

1. Amend page 1, line 3, after "3." by inserting "(1)".
2. Amend page 2, following line 2, by inserting:

"(2) Subsection (1) does not apply if the student's actions or inactions endanger the national accreditation of a university's, junior college's, or community college's program as determined by the Michigan board of psychology, Michigan board of counseling, or Michigan board of social work."

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

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

The motion prevailed.

**House Bill No. 5225, entitled**

A bill to amend 1927 PA 372, entitled "An act to regulate and license the selling, purchasing, possessing, and carrying of certain firearms and gas ejecting devices; to prohibit the buying, selling, or carrying of certain firearms and gas ejecting devices without a license or other authorization; to provide for the forfeiture of firearms 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, 5a, and 5d (MCL 28.422, 28.425a, and 28.425d), section 2 as amended by 2010 PA 20, section 5a as added by 2000 PA 381, and section 5d as amended by 2002 PA 719, and by adding section 12c.

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

The substitute (H-3) was not adopted, a majority of the members serving not voting therefor.

Rep. Opsommer moved to substitute (H-4) the bill.

The motion prevailed and the substitute (H-4) was adopted, a majority of the members serving voting therefor.

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

The motion prevailed.

**House Bill No. 5498, entitled**

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending sections 11b and 16m of chapter XVII (MCL 777.11b and 777.16m), section 11b as amended by 2011 PA 257 and section 16m as amended by 2005 PA 106.

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

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

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

The motion prevailed.

**House Bill No. 5499, entitled**

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending sections 223, 224b, 231a, 232a, and 239a (MCL 750.223, 750.224b, 750.231a, 750.232a, and 750.239a), section 223 as amended by 1992 PA 221, sections 224b and 231a as amended by 2008 PA 196, section 232a as amended by 1990 PA 321, and section 239a as amended by 2010 PA 294; and to repeal acts and parts of acts.

The bill was read a second time.

Rep. Franz moved to substitute (H-1) the bill.

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

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

The motion prevailed.

**Senate Bill No. 551, entitled**

A bill to amend 1909 PA 17, entitled "An act to prohibit or limit the access by prisoners and by employees of correctional facilities to certain weapons and wireless communication devices and to alcoholic liquor, drugs, medicines, poisons, and controlled substances in, on, or outside of correctional facilities; to prohibit or limit the bringing into or onto certain facilities and real property, and the disposition of, certain weapons, substances, and wireless communication devices; to prohibit or limit the selling, giving, or furnishing of certain weapons, substances, and wireless communication devices to prisoners; to prohibit the control or possession of certain weapons, substances, and wireless communication devices by prisoners; and to prescribe penalties," by amending section 3a (MCL 800.283a), as added by 2006 PA 540.

Was read a second time, and the question being on the adoption of the proposed substitute (H-4) previously recommended by the Committee on Judiciary,

The substitute (H-4) was adopted, a majority of the members serving voting therefor.

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

The motion prevailed.

**Senate Bill No. 552, entitled**

A bill to amend 1981 PA 7, entitled "An act to prohibit without authorization the bringing into jails and other specified areas any alcoholic liquor, controlled substances, weapons, and certain other items; the selling or furnishing to prisoners, and the improper disposal of any alcoholic liquor, controlled substances, weapons, and certain other items; the possession or control by prisoners of any alcoholic liquor, controlled substances, weapons, and certain other items; to prescribe a penalty; and to repeal certain acts and parts of acts," (MCL 801.261 to 801.267) by adding section 2a.

Was read a second time, and the question being on the adoption of the proposed substitute (H-4) previously recommended by the Committee on Judiciary,

The substitute (H-4) was adopted, a majority of the members serving voting therefor.

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

The motion prevailed.

**Senate Bill No. 861, entitled**

A bill to amend 1953 PA 232, entitled "Corrections code of 1953," by amending section 34a (MCL 791.234a), as added by 2010 PA 194.

The bill was read a second time.

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

The motion prevailed.

**Senate Bill No. 570, entitled**

A bill to amend 1972 PA 230, entitled "Stille-DeRossett-Hale single state construction code act," (MCL 125.1501 to 125.1531) by adding section 13f.

The bill was read a second time.

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

The motion prevailed.

**Senate Bill No. 1044, entitled**

A bill to amend 1984 PA 431, entitled "The management and budget act," by amending section 267 (MCL 18.1267), as amended by 1999 PA 8.

The bill was read a second time.

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

The motion prevailed.

**Senate Bill No. 316, entitled**

A bill to amend 1979 PA 94, entitled "The state school aid act of 1979," by amending section 6 (MCL 388.1606), as amended by 2012 PA 29.

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

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

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

The motion prevailed.

**Senate Bill No. 698, entitled**

A bill to amend 1846 RS 83, entitled "Of marriage and the solemnization thereof," by amending section 7 (MCL 551.7), as amended by 2008 PA 47.

The bill was read a second time.

Rep. Meadows moved to amend the bill as follows:

1. Amend page 3, line 4, after the second "clerk" by striking out "shall" and inserting "**MAY**".

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

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

The motion prevailed.

**Senate Bill No. 699, entitled**

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending section 874 (MCL 600.874).

The bill was read a second time.

Rep. Meadows moved to amend the bill as follows:

1. Amend page 1, line 3, by striking out all of subdivision (a) and relettering the remaining subdivisions.

2. Amend page 2, following line 1, by inserting:

"**(2) THE PROBATE COURT MAY CHARGE AND COLLECT A FEE OF \$10.00 FOR PERFORMING A MARRIAGE CEREMONY.**" and renumbering the remaining subsections.

3. Amend page 2, line 5, after "**SUBSECTION**" by striking out "**(1)(A)**" and inserting "**(2)**".

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

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

The motion prevailed.

**Senate Bill No. 700, entitled**

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending section 8316 (MCL 600.8316).

The bill was read a second time.

Rep. Meadows moved to amend the bill as follows:

1. Amend page 1, line 2, after "and" by striking out "shall" and inserting "**MAY**".

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

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

The motion prevailed.

**Senate Bill No. 248, entitled**

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 503 and 2132 (MCL 324.503 and 324.2132), section 503 as amended by 2004 PA 587 and section 2132 as amended by 1998 PA 117.

Was read a second time, and the question being on the adoption of the proposed substitute (H-4) previously recommended by the Committee on Natural Resources, Tourism, and Outdoor Recreation,

The substitute (H-4) was not adopted, a majority of the members serving not voting therefor.

Rep. Haugh moved to substitute (H-5) the bill.

The motion did not prevail and the substitute (H-5) was not adopted, a majority of the members serving not voting therefor.

Rep. Foster moved to substitute (H-6) the bill.

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

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

The motion prevailed.

By unanimous consent the House returned to the order of

**Reports of Standing Committees**

The Committee on Families, Children, and Seniors, by Rep. Kurtz, Chair, reported

**Senate Bill No. 884, entitled**

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 20155 (MCL 333.20155), as amended by 2006 PA 195, and by adding section 20155a.

With the recommendation that the substitute (H-3) 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. Kurtz, O'Brien, Heise, Hooker, Rendon, Slavens and Lane

Nays: None

## COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Kurtz, Chair, of the Committee on Families, Children, and Seniors, was received and read:

Meeting held on: Tuesday, June 12, 2012

Present: Reps. Kurtz, O'Brien, Heise, Hooker, Rendon, Slavens and Lane

Absent: Reps. Haines and Stapleton

Excused: Reps. Haines and Stapleton

## Second Reading of Bills

**Senate Bill No. 751, entitled**

A bill to amend 1954 PA 116, entitled "Michigan election law," by amending sections 509r, 509aa, 658, 659, 661, and 761 (MCL 168.509r, 168.509aa, 168.658, 168.659, 168.661, and 168.761), section 509r as amended by 2003 PA 302, section 509aa as amended by 2004 PA 92, section 659 as amended by 2004 PA 296, section 661 as amended by 1982 PA 2, and section 761 as amended by 2005 PA 71, and by adding section 764c.

Was read a second time, and the question being on the adoption of the proposed amendments previously recommended by the Committee on Redistricting and Elections (for amendments, see House Journal No. 50, p. 902),

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

Rep. Nathan moved to amend the bill as follows:

1. Amend page 7, following line 6, by inserting:

**"(6) THE PROVISIONS OF SUBSECTION (5) SHALL BE CONDUCTED BY THE SECRETARY OF STATE IN COMPLIANCE WITH FEDERAL LAW."**

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

Rep. Lund moved to amend the bill as follows:

1. Amend page 16, following line 16, by striking out all of enacting section 1 and inserting:

"Enacting section 1. This amendatory act takes effect August 15, 2012."

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

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

The motion prevailed.

**Senate Bill No. 752, entitled**

A bill to amend 1954 PA 116, entitled "Michigan election law," by amending sections 569a, 671, 792a, and 871 (MCL 168.569a, 168.671, 168.792a, and 168.871), section 569a as added by 1985 PA 24, section 671 as amended by 1995 PA 261, section 792a as amended by 2005 PA 71, and section 871 as amended by 2000 PA 207, and by adding section 686b.

The bill was read a second time.

Rep. Tyler moved to amend the bill as follows:

1. Amend page 3, line 24, by striking out "**IF**" and inserting "**FOR ELECTIONS CONDUCTED BEFORE JULY 1, 2014, IF**".

2. Amend page 3, line 26, after "**VILLAGE**" by striking out "**SHALL**" and inserting "**MAY**".

3. Amend page 4, line 1, after "**VILLAGE.**" by inserting "**FOR ELECTIONS CONDUCTED ON OR AFTER JULY 1, 2014, IF A CITY, TOWNSHIP, OR VILLAGE DECIDES TO USE ABSENT VOTER COUNTING BOARDS, THE BOARD OF ELECTION COMMISSIONERS OF THAT CITY, TOWNSHIP, OR VILLAGE SHALL ESTABLISH AN ABSENT VOTER COUNTING BOARD FOR EACH ELECTION DAY PRECINCT IN THAT CITY, TOWNSHIP, OR VILLAGE.**".



4. Amend page 15, line 16, by striking out all of enacting section 1.

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

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

The motion prevailed.

**Senate Bill No. 753, entitled**

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 11e of chapter XVII (MCL 777.11e), as added by 2002 PA 31.

Was read a second time, and the question being on the adoption of the proposed amendment previously recommended by the Committee on Redistricting and Elections (for amendment, see House Journal No. 50, p. 903),

The amendment was not adopted, a majority of the members serving not voting therefor.

Rep. Lund moved to amend the bill as follows:

1. Amend page 2, line 4, by striking out all of enacting section 1 and inserting:

"Enacting section 1. This amendatory act takes effect December 30, 2012."

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

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

The motion prevailed.

**Senate Bill No. 754, entitled**

A bill to amend 1954 PA 116, entitled "Michigan election law," by amending section 509v (MCL 168.509v), as added by 1994 PA 441, and by adding section 497c.

Was read a second time, and the question being on the adoption of the proposed amendments previously recommended by the Committee on Redistricting and Elections (for amendments, see House Journal No. 50, p. 903),

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

Rep. Byrum moved to amend the bill as follows:

1. Amend page 3, line 5, after "STATE" by striking out the balance of the line through "AND" on line 6 and inserting a period and "**THE DEPARTMENT OF STATE SHALL MAKE REGISTRATION FOR THIRD-PARTY VOTER REGISTRATION ORGANIZATIONS AVAILABLE ON AN INTERNET WEBSITE MAINTAINED BY THE DEPARTMENT OF STATE. A THIRD-PARTY VOTER REGISTRATION ORGANIZATION**".

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

Rep. Byrum moved to amend the bill as follows:

1. Amend page 5, following line 25, by inserting:

"**(D) AN ORGANIZATION THAT IS EXEMPT FROM FEDERAL INCOME TAX UNDER SECTION 501(C)(3) OF THE INTERNAL REVENUE CODE OF 1986, 26 USC 501, OR ANY SUCCESSOR STATUTE, AND THAT HAS DISTRIBUTED AND COLLECTED VOTER REGISTRATION APPLICATIONS FOR 5 YEARS OR MORE.**" and relettering the remaining subdivision.

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

Rep. Byrum moved to amend the bill as follows:

1. Amend page 5, following line 25, by inserting:

"**(D) AN ORGANIZATION THAT DOES NOT PAY REGISTRATION AGENTS BY THE NUMBER OF VOTER REGISTRATION APPLICATIONS OBTAINED.**" and relettering the remaining subdivision.

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

Rep. Byrum moved to substitute (H-1) the bill.

The motion did not prevail and the substitute (H-1) was not adopted, a majority of the members serving not voting therefor.

Rep. Nathan moved to amend the bill as follows:

1. Amend page 3, line 21, after "SHALL" by inserting "IMMEDIATELY".

2. Amend page 3, line 26, after "PROGRAM" by striking out the balance of the line and inserting a period and "**THE SECRETARY OF STATE SHALL MAKE THE VOTER REGISTRATION TRAINING PROGRAM FOR THIRD-PARTY VOTER REGISTRATION ORGANIZATIONS AVAILABLE ONLINE ON AN INTERNET WEBSITE**".



**MAINTAINED BY THE SECRETARY OF STATE AND SHALL ALSO PROVIDE THE TRAINING IN THE CITY OF LANSING. IN ADDITION, EACH COUNTY CLERK SHALL, AT LEAST ONCE A WEEK,”.**

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

Rep. Nathan moved to amend the bill as follows:

1. Amend page 4, line 1, after **“PROGRAM.”** by inserting **“IN ADDITION, ANY ORGANIZATION THAT IS EXEMPT FROM FEDERAL INCOME TAX UNDER SECTION 501(C)(3) OF THE INTERNAL REVENUE CODE OF 1986, 26 USC 501, OR ANY SUCCESSOR STATUTE, AND THAT HAS DISTRIBUTED AND COLLECTED VOTER REGISTRATION APPLICATIONS FOR 5 YEARS OR MORE MAY PROVIDE TRAINING TO THIRD-PARTY VOTER REGISTRATION ORGANIZATIONS THAT IS CONSISTENT WITH THE VOTER REGISTRATION TRAINING PROGRAM.”.**

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

Rep. Nathan moved to amend the bill as follows:

1. Amend page 5, line 16, after **“THAT”** by striking out the balance of the line through **“RESIDES.”** on line 19 and inserting **“HAS 25 OR MORE INDIVIDUALS DISTRIBUTING AND COLLECTING VOTER REGISTRATION APPLICATIONS.”.**

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

Rep. Nathan moved to amend the bill as follows:

1. Amend page 5, following line 25, by inserting:

**“(D) A PERSON WHO REGISTERS A MEMBER OF HIS OR HER IMMEDIATE FAMILY, INDIVIDUALS IN HIS OR HER WORKPLACE, OR STUDENTS AT A SCHOOL WHERE THE PERSON IS EMPLOYED AS A TEACHER.”** and by relettering the remaining subdivision.

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

Rep. Nathan moved to amend the bill as follows:

1. Amend page 2, following line 9, by inserting:

~~“Sec. 509u. (1) Not later than the thirtieth day after the effective date of this section, the governor shall provide a list to the secretary of state designating the executive departments, state agencies, or other offices that will perform voter registration activities in this state.~~

**(1) EACH EXECUTIVE DEPARTMENT AND STATE AGENCY OF THIS STATE SHALL PERFORM VOTER REGISTRATION ACTIVITIES IN THIS STATE.**

(2) Pursuant to the national voter registration act of 1993, a recruitment office of the armed forces of the United States is a designated voter registration agency under this act.”.

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

Rep. Nathan moved to amend the bill as follows:

1. Amend page 6, following line 2, by striking out all of enacting section 1.

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

Rep. Stanley moved to amend the bill as follows:

1. Amend page 1, line 1, after **“497C.”** by striking out **“(1)”**.

2. Amend page 2, line 3, after **“CARD”** by inserting a comma and **“OR BY PRESENTING A CURRENT UTILITY BILL, BANK STATEMENT, PAYCHECK, GOVERNMENT CHECK, OR OTHER GOVERNMENT DOCUMENT”**.

3. Amend page 2, line 4, by striking out all of subsection (2).

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

Rep. Stanley moved to amend the bill as follows:

1. Amend page 2, following line 9, by inserting:

**“SEC. 499A. BEGINNING ON THE EFFECTIVE DATE OF THE AMENDATORY ACT THAT ADDED THIS SECTION, THE SECRETARY OF STATE MAY MAKE ONLINE VOTER REGISTRATION AVAILABLE TO ELECTORS ON AN INTERNET WEBSITE MAINTAINED BY THE DEPARTMENT OF STATE. IN ADDITION, BEGINNING ON THE EFFECTIVE DATE OF THE AMENDATORY ACT THAT ADDED THIS SECTION, EACH COUNTY, CITY, AND TOWNSHIP CLERK MAY MAKE ONLINE VOTER REGISTRATION AVAILABLE TO ELECTORS ON AN INTERNET WEBSITE MAINTAINED BY THE COUNTY, CITY, OR TOWNSHIP.”.**

The question being on the adoption of the amendment offered by Rep. Stanley, Rep. Stanley demanded the yeas and nays.  
The demand was not supported.  
The question being on the adoption of the amendment offered by Rep. Stanley, The amendment was not adopted, a majority of the members serving not voting therefor.

Rep. Lund moved to amend the bill as follows:

1. Amend page 6, following line 2, by striking out all of enacting section 1 and inserting:  
“Enacting section 1. This amendatory act takes effect on July 1, 2012.”.

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

Rep. Lund moved to amend the bill as follows:

1. Amend page 5, line 9, after “**WITHIN**” by striking out the balance of the sentence and inserting “**2 BUSINESS DAYS AFTER RECEIVING THE APPLICATION, BUT NOT LATER THAN THE CLOSE OF REGISTRATION.**”.

2. Amend page 5, line 15, after “**SECTION**” by striking out the balance of the line through “**MEANS**” on line 16 and inserting a colon and:

“(A) “**REGISTRATION AGENT**” MEANS AN EMPLOYEE OR VOLUNTEER OF A THIRD-PARTY VOTER REGISTRATION ORGANIZATION WHO IS ENGAGED IN REGISTRATION TRANSACTIONS WITH VOTER REGISTRATION APPLICANTS.

(B) “**THIRD-PARTY VOTER REGISTRATION ORGANIZATION**” MEANS”.

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

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

The motion prevailed.

### **Senate Bill No. 803, entitled**

A bill to amend 1954 PA 116, entitled “Michigan election law,” by amending sections 523, 759, and 761 (MCL 168.523, 168.759, and 168.761), sections 523 and 761 as amended by 2005 PA 71 and section 759 as amended by 1995 PA 261, and by adding section 766a.

Was read a second time, and the question being on the adoption of the proposed amendments previously recommended by the Committee on Redistricting and Elections (for amendments, see House Journal No. 50, p. 904),

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

Rep. Byrum moved to amend the bill as follows:

1. Amend page 6, following line 21, by inserting:

“**ARE YOU A UNIFORMED SERVICES VOTER OR AN OVERSEAS VOTER EXEMPT FROM ANSWERING THE CITIZENSHIP QUESTION BELOW (IF YES, YOU ARE NOT REQUIRED TO ANSWER THE CITIZENSHIP QUESTION)? [ ] YES [ ] NO**”.

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

Rep. Lund moved to amend the bill as follows:

1. Amend page 15, following line 20, by striking out all of enacting section 1 and inserting:

“Enacting section 1. This amendatory act takes effect August 15, 2012.”.

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

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

The motion prevailed.

### **Senate Bill No. 823, entitled**

A bill to amend 1954 PA 116, entitled “Michigan election law,” by amending sections 53, 55, 56, 93, 95, 96, 133, 135, 136, 163, 165, 166, 193, 195, 196, 198, 224, 226, 227, 254, 255, 257, 303, 322, 326, 349, 352, 354, 357, 381, 409b, 413, 413a, 426d, 433, 433a, 467b, 467c, 551, 591, 624, 644e, 644f, 712, 737a, 931, and 973 (MCL 168.53, 168.55, 168.56, 168.93, 168.95, 168.96, 168.133, 168.135, 168.136, 168.163, 168.165, 168.166, 168.193, 168.195, 168.196, 168.198, 168.224, 168.226, 168.227, 168.254, 168.255, 168.257, 168.303, 168.322, 168.326, 168.349, 168.352, 168.354, 168.357, 168.381, 168.409b, 168.413, 168.413a, 168.426d, 168.433, 168.433a, 168.467b, 168.467c, 168.551, 168.591, 168.624, 168.644e, 168.644f, 168.712, 168.737a, 168.931, and 168.973), sections 53, 163, 193, 224, 254, 349, 409b, 413a, 426d, 433a, 467c, 624, and 644f as amended by 1999 PA 218, sections 93 and 133 as amended by 2000 PA 491, section 165 as amended by 1994 PA 152, section 303 as added by 2003 PA 302, section 322 as amended by 2010 PA 183, section 381 as amended by 2010 PA 184, section 413 as amended by 2009 PA 206, section 433 as amended by 2009 PA 208,

section 467b as amended by 2009 PA 207, section 551 as amended by 1990 PA 7, section 591 as amended by 1990 PA 109, section 644e as amended by 2010 PA 44, section 737a as amended by 2006 PA 87, and section 931 as amended by 1996 PA 583, and by adding sections 483a, 932c, and 932e; and to repeal acts and parts of acts.

Was read a second time, and the question being on the adoption of the proposed amendments previously recommended by the Committee on Redistricting and Elections (for amendments, see House Journal No. 50, p. 904),

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

Rep. Nathan moved to amend the bill as follows:

1. Amend page 45, following line 19, by inserting:

“Sec. 509o. (1) The secretary of state shall direct and supervise the establishment and maintenance of a statewide qualified voter file. The secretary of state shall establish the technology to implement the qualified voter file on or before January 1, 1997. The qualified voter file ~~shall be~~ **IS** the official file for the conduct of all elections held in this state on or after January 1, 1998. The secretary of state may direct that all or any part of the city, township, or village registration files shall be used in conjunction with the qualified voter file at the first state primary and election held after the creation of the qualified voter file.

(2) Notwithstanding any other provision of law to the contrary, beginning January 1, 1998, a person who appears to vote in an election and whose name appears in the qualified voter file for that city, township, village, or school district is considered a registered voter of that city, township, village, or school district under this act.

(3) The secretary of state, a designated voter registration agency, or a county, city, township, or village clerk shall not place a name of an individual into the qualified voter file unless that person signs an application as prescribed in section 509r(3). ~~The~~ **EXCEPT AS PROVIDED IN SUBSECTION (4), THE** secretary of state or a designated voter registration agency shall not allow a person to indicate a different address than the address in either the secretary of state’s or designated voter registration agency’s files to be placed in the qualified voter file.

**(4) NOTWITHSTANDING ANY OTHER PROVISION OF LAW TO THE CONTRARY, AN INDIVIDUAL MAY CHANGE THE RESIDENCE ADDRESS ON HIS OR HER OPERATOR’S OR CHAUFFEUR’S LICENSE ISSUED PURSUANT TO THE MICHIGAN VEHICLE CODE, 1949 PA 300, MCL 257.1 TO 257.923, OR OFFICIAL STATE PERSONAL IDENTIFICATION CARD ISSUED PURSUANT TO 1972 PA 222, MCL 28.291 TO 28.300, WITHOUT CHANGING HIS OR HER ADDRESS FOR PURPOSES OF THE QUALIFIED VOTER FILE OR MAY CHANGE HIS OR HER ADDRESS ON THE QUALIFIED VOTER FILE WITHOUT CHANGING THE RESIDENCE ADDRESS ON HIS OR HER OPERATOR’S OR CHAUFFEUR’S LICENSE ISSUED PURSUANT TO THE MICHIGAN VEHICLE CODE, 1949 PA 300, MCL 257.1 TO 257.923, OR OFFICIAL STATE PERSONAL IDENTIFICATION CARD ISSUED PURSUANT TO 1972 PA 222, MCL 28.291 TO 28.300.”**

The question being on the adoption of the amendment offered by Rep. Nathan,

Rep. Nathan demanded the yeas and nays.

The demand was not supported.

The question being on the adoption of the amendment offered by Rep. Nathan,

The amendment was not adopted, a majority of the members serving not voting therefor.

Rep. Stanley moved to amend the bill as follows:

1. Amend page 45, following line 19, by inserting:

“Sec. 491. The **BOARD OF ELECTION** inspectors of election ~~at an election or primary election~~ in this state, or in a district, county, township, city, or village in this state, shall not receive the vote of a person whose name is not registered in the registration book or listed on the computer voter registration precinct list of the township, ward, or precinct in which he or she offers to vote unless the person has met the requirements of section 507b **OR HAS REGISTERED TO VOTE AT THE POLLING PLACE ON THE DAY OF THE ELECTION AS PROVIDED IN SECTION 499E.**

**SEC. 496A. (1) A PERSON MAY PREREGISTER TO VOTE AT A SECRETARY OF STATE OFFICE IF HE OR SHE MEETS ALL OF THE FOLLOWING REQUIREMENTS:**

**(A) IS AT LEAST 16 YEARS OF AGE BUT LESS THAN 17-1/2 YEARS OF AGE.**

**(B) HAS BEEN ISSUED EITHER A GRADUATED LICENSING STATUS TO OPERATE A MOTOR VEHICLE UNDER SECTION 310E OF THE MICHIGAN VEHICLE CODE, 1949 PA 300, MCL 257.310E, OR AN OFFICIAL STATE PERSONAL IDENTIFICATION CARD UNDER 1972 PA 222, MCL 28.291 TO 28.300.**

**(C) IS A CITIZEN OF THE UNITED STATES.**

**(2) THE SECRETARY OF STATE IS AUTHORIZED TO CREATE A PREREGISTRATION TO VOTE APPLICATION. A PERSON SHALL PREREGISTER TO VOTE ON THE APPLICATION PRESCRIBED BY THE SECRETARY OF STATE.**

Sec. 497. (1) A person who is not registered **TO VOTE** but possesses ~~MEETS~~ the qualifications of an elector as set forth ~~PROVIDED~~ in section 492 ~~;~~ may apply for registration to the clerk of the county, township, city, or village in which

he or she resides on a day other than Saturday, Sunday, **OR** a legal holiday, ~~or the day of a regular, primary, school, or special election.~~ Registrations accepted between the thirtieth day ~~preceeding~~ **BEFORE** an election and the day of **BEFORE** the election, unless the thirtieth day falls on a Saturday, Sunday, or legal holiday, in which event registration shall be accepted during the following day, are not valid for the election but are valid for **A** subsequent regular, primary, school, or special elections ~~that are~~ **ELECTION THAT IS** held so that not less **MORE** than 30 days intervene between **AFTER** the date the person registered, and the date of the election. **A PERSON WHO IS NOT REGISTERED TO VOTE BUT MEETS THE QUALIFICATIONS OF AN ELECTOR AS PROVIDED IN SECTION 492 MAY APPLY FOR REGISTRATION TO THE CLERK OF THE TOWNSHIP, CITY, OR VILLAGE, OR AUTHORIZED ASSISTANT TO THE CLERK AT THE POLLING PLACE ON THE DAY OF AN ELECTION AS PROVIDED IN SECTION 499E. A REGISTRATION ACCEPTED AT THE POLLING PLACE ON THE DAY OF AN ELECTION IS VALID FOR THAT ELECTION AND ALL SUBSEQUENT ELECTIONS.**

(2) Except as otherwise provided in **THIS SECTION AND** sections ~~499a to 499c~~ **499E**, 500a to 500j, and ~~504~~ **509V**, an application for registration shall not be executed at a place other than the office of the county, township, city, or village clerk or a public place or places designated by the clerk ~~or deputy registrar~~ for receiving registrations, ~~but the~~ **HOWEVER**, A clerk ~~or deputy registrar~~ **ASSISTANT CLERK** may receive an application wherever he or she may be. If a county, township, city, or village clerk does not regularly keep his or her office open daily during certain hours, the clerk ~~shall~~ **IS** not be required to be at his or her office for the purpose of receiving applications for registration on a particular day nor during specific hours of a day, except as provided in section 498. ~~Registrations~~ **A REGISTRATION** taken after the time of closing registrations before an election need not be processed until the date immediately following that election. ~~A registration~~ **AND** shall not be placed in a precinct registration file until the date immediately following that election. If a person registers at a time that registrations are closed for an election, the person shall be given a notice, signed by the clerk, on a form developed by the secretary of state, informing him or her that, **UNLESS THE PERSON REGISTERS AT THE POLLING PLACE ON THE DAY OF THE ELECTION**, he or she is not eligible to vote in the election and indicating the first date on which he or she is eligible to vote. Except as provided in sections 500a to 500j, the provisions of this section relating to registration shall apply.

Sec. 497a. The 30-day limitation contained in section 497 ~~shall~~ **DOES** not apply to a second school millage election allowable under section 36(3) of the general property tax act, Act No. 206 of the Public Acts of 1893, as amended, being section 211.36 of the Michigan Compiled Laws, or to a first school millage election held under section 36(2) during calendar year 1986 if a school district's operating revenue is less than the total operating revenue for the previous school year **1893 PA 206, MCL 211.36**. For those elections, a registration taken on the days intervening **ACCEPTED** between the tenth day ~~preceeding~~ **BEFORE** the election and the day of **BEFORE** the election ~~shall~~ **IS** not be valid for that election but ~~shall be~~ **IS** valid for a subsequent regular, primary, or special election of the district. **A PERSON MAY REGISTER AT THE POLLING PLACE ON THE DAY OF THE ELECTION AS PROVIDED IN SECTION 499E.**

**SEC. 499E. (1) THE CLERK OF A CITY, TOWNSHIP, OR VILLAGE SHALL BE PRESENT OR HAVE AN ASSISTANT CLERK BE PRESENT AT A POLLING PLACE AT ALL TIMES THE POLLING PLACE IS OPEN ON THE DAY OF AN ELECTION HELD UNDER THIS ACT. THE CLERK OR ASSISTANT CLERK SHALL RECEIVE APPLICATIONS FOR REGISTRATION AS PROVIDED IN THIS SECTION.**

(2) **IN ADDITION TO ALL OTHER RIGHTS TO REGISTRATION UNDER THIS CHAPTER, AN ELECTOR ENTITLED TO REGISTRATION IN AN ELECTION PRECINCT MAY BECOME REGISTERED IN THE PRECINCT BY APPLYING IN PERSON TO A CLERK OR ASSISTANT CLERK AT THE POLLING PLACE ON THE DAY OF AN ELECTION. THE ELECTOR SHALL EXECUTE IN DUPLICATE A REGISTRATION SWORN STATEMENT AND SWEAR TO AND SIGN THE SWORN STATEMENT IN THE PRESENCE OF THE CLERK OR ASSISTANT CLERK.**

(3) **THE CLERK OR ASSISTANT CLERK SHALL REQUIRE THE APPLICANT FOR REGISTRATION TO ANSWER UNDER OATH A QUESTION CONCERNING THE ELECTOR'S QUALIFICATION AS AN ELECTOR. THE CLERK OR ASSISTANT CLERK MAY ADMINISTER OATHS AND SWEAR PERSONS AS TO THE TRUTH OF STATEMENTS CONTAINED IN REGISTRATION SWORN STATEMENTS. THE CLERK MAY EMPLOY AND SWEAR AN INTERPRETER TO INTERPRET ALL QUESTIONS PUT TO AN APPLICANT AND THE ANSWERS TO THOSE QUESTIONS. IF THE APPLICANT, IN ANSWER TO A QUESTION OR IN THE REGISTRATION SWORN STATEMENT, KNOWINGLY MAKES A MATERIAL STATEMENT THAT IS FALSE, THE APPLICANT IS GUILTY OF A MISDEMEANOR.**

(4) **IF THE APPLICANT IS ENTITLED TO REGISTRATION, THE CLERK OR ASSISTANT CLERK SHALL PERSONALLY SIGN AND NOTE ON THE REGISTRATION SWORN STATEMENT THE ACCEPTANCE OF THE REGISTRATION. IF THE REGISTRATION IS REFUSED, THE CLERK OR ASSISTANT CLERK SHALL DESTROY THE APPLICANT'S REGISTRATION SWORN STATEMENT. THE CLERK OR ASSISTANT CLERK SHALL NOT ACCEPT A FEE FROM AN ELECTOR APPLYING FOR REGISTRATION, EITHER FOR THE REGISTERING OF THE ELECTOR OR FOR THE TAKING OF THE ACKNOWLEDGMENT ON THE SWORN STATEMENT. A CLERK OR ASSISTANT CLERK WHO ACCEPTS A FEE IS GUILTY OF A MISDEMEANOR.**

(5) **IMMEDIATELY AFTER APPROVING AN APPLICATION FOR REGISTRATION UNDER SUBSECTION (4), THE CLERK OR ASSISTANT CLERK SHALL PREPARE A REGISTRATION CARD OR AN INSERT TO**



**A REGISTRATION LIST IN A FORM PRESCRIBED BY THE SECRETARY OF STATE. THE CLERK OR ASSISTANT CLERK SHALL HAVE THE REGISTRATION CARD OR INSERT TO A REGISTRATION LIST TRANSFERRED TO THE BOARD OF ELECTION INSPECTORS AT THE POLLING PLACE TO ALLOW THE NEWLY REGISTERED ELECTOR TO APPLY TO VOTE AS PROVIDED IN SECTION 523.**

**(6) THE CLERK SHALL PREPARE AND SEND A VOTER IDENTIFICATION CARD IN THE MANNER PRESCRIBED FOR CORRECTED VOTER IDENTIFICATION CARDS IN SECTION 499 AS SOON AS PRACTICAL AFTER THE ELECTION.”.**

2. Amend page 50, following line 4, by inserting:

“Sec. 720. (1) On the day of any ~~AN~~ election, the polls shall be ~~opened~~ **OPEN** at 7 o'clock ~~in the forenoon, A.M.~~ and shall be continuously open until 8 o'clock ~~in the afternoon and no longer. Every P.M.~~ **EACH** qualified elector present and in line at the polls at the hour prescribed for the closing thereof ~~TIME~~ shall be allowed to vote.

**(2) FOR EARLY VOTING UNDER SECTION 720A, THE POLLS SHALL BE OPEN FROM 7 A.M. UNTIL 5 P.M. EACH WEEKDAY AND FROM 8 A.M. UNTIL 2 P.M. EACH SATURDAY DURING THE EARLY VOTING PERIOD AS PROVIDED IN SECTION 720A. BEFORE EARLY VOTING BEGINS, THE CLERK SHALL POST THE HOURS THAT THE POLLS WILL BE OPEN AT THE CLERK’S OFFICE. THE CLERK SHALL PROVIDE NOTICE TO THE ELECTORS THAT SUBSTANTIALLY COMPLIES WITH THE FORM IN SECTION 653A OF THE DATES AND HOURS THE EARLY VOTING POLLING PLACES WILL BE OPEN.**

**SEC. 720A. (1) EVERY CITY, TOWNSHIP, AND VILLAGE SHALL PROVIDE EARLY VOTING AT 1 OR MORE POLLING PLACES DESIGNATED BY THE CITY, TOWNSHIP, OR VILLAGE CLERK DURING THE PERIOD OF TIME SET FORTH IN THIS SECTION BEFORE A REGULAR OR SPECIAL ELECTION.**

**(2) EARLY VOTING SHALL BEGIN ON THE TWENTY-FIRST DAY BEFORE A REGULAR ELECTION AND END ON THE DAY BEFORE THE ELECTION. FOR PURPOSES OF A SPECIAL ELECTION HELD PURSUANT TO THIS ACT, EARLY VOTING SHALL BEGIN ON THE FOURTEENTH DAY BEFORE A SPECIAL ELECTION AND END ON THE DAY BEFORE THE ELECTION.**

**(3) THE SECRETARY OF STATE SHALL COOPERATE WITH EACH MUNICIPALITY CONDUCTING EARLY VOTING AND PROVIDE TECHNICAL ASSISTANCE TO EACH MUNICIPALITY THAT REQUESTS TECHNICAL ASSISTANCE.**

**(4) EXCEPT AS OTHERWISE PROVIDED, ALL OF THE FOLLOWING PROVISIONS OF THIS ACT APPLY TO EARLY VOTING:**

**(A) ELECTION INSPECTORS.**

**(B) CHALLENGES TO VOTERS.**

**(C) POLL BOOK AND POLL LIST.**

**(D) NOTICES, INSTRUCTIONS, AND PLACARDS.**

**(E) SECURITY OF A VOTING MACHINE OR OTHER VOTING SYSTEM.**

**(F) BALLOT SECURITY, BALLOT CONTAINERS, BALLOT COUNTING, AND BALLOT PRESERVATION.**

**(G) SPOILED BALLOTS.**

**(5) THE POLL BOOK AND POLL LIST FOR EACH PRECINCT SHALL BE MAINTAINED IN ACCORDANCE WITH SECTION 735.**

**(6) EARLY VOTING BALLOTS SHALL BE PROCESSED IN THE SAME MANNER AS BALLOTS CAST ON ELECTION DAY.**

**(7) AS USED IN THIS SECTION, “MUNICIPALITY” MEANS A CITY, TOWNSHIP, OR VILLAGE.**

Sec. 735. (1) At each primary and election, election inspectors shall keep 1 poll book and 1 poll list. An election inspector shall enter in the poll book, in the order in which electors are given ballots, the name of each elector who is given a ballot and immediately after the name, on the same line, shall enter the number of the ballot given to the elector. For an absent voter ballot, when an election inspector removes the ballot from the sealed absent voter envelope, the election inspector shall enter in the poll book the name of the absent voter and the number of the ballot.

**(2) FOR EARLY VOTING UNDER SECTION 720A, THE POLL BOOK SHALL BE DIVIDED BY DATE AND SEPARATE RECORDS SHALL BE MAINTAINED FOR EACH DAY OF EARLY VOTING.**

**(3) (2)-If an elector is issued a provisional ballot, an election inspector shall enter a proper designation in the poll book, including whether the provisional ballot was tabulated in the precinct or was secured for verification after the election.**

**(4) (3)-At the completion of the precinct canvass, an election inspector shall record on the certificate provided in the poll book the number of each metal seal used to seal voting equipment and ballot containers. Each member of the board of election inspectors shall sign the certificate.”.**

3. Amend page 52, following line 11, by inserting:

“Sec. 758. ~~(1) For the purposes of~~ **AS USED IN** this act, “absent voter” means a qualified and registered elector who meets ~~1 or more of the following requirements:~~

**(a) On account of physical disability, cannot without another’s assistance attend VOTES WITHOUT ATTENDING** the polls on the day of an election.

**(b) On account of the tenets of his or her religion, cannot attend the polls on the day of election:**

~~(c) Cannot attend the polls on the day of an election in the precinct in which he or she resides because of being an election precinct inspector in another precinct.~~

~~(d) Is 60 years of age or older.~~

~~(e) Is absent or expects to be absent from the township or city in which he or she resides during the entire period the polls are open for voting on the day of an election.~~

~~(f) Cannot attend the polls on election day because of being confined in jail awaiting arraignment or trial.~~

(2) Subsection (1) does not apply to **ABSENT VOTER DOES NOT INCLUDE** a person who has moved outside of this state, regardless of length of his or her residence outside of this state, and who no longer maintains an actual residence in this state. The storage of personal effects or household goods, the ownership of property that is rented or leased to others, or occasional brief visits to a former domicile in this state while residing outside of this state for most of the year ~~does~~ **DO** not constitute a residence for voting purposes in this state, except for each of the following:

(a) A person described in section 1 of article II of the state constitution of 1963 and statutes enacted under that section.

(b) A person described in section 759a.

Sec. 759. (1) At any time during the 75 days before a primary **ELECTION** or special primary **ELECTION**, but not later than 2 p.m. of the Saturday immediately before the primary **ELECTION** or special primary **ELECTION**, an elector who ~~qualifies~~ **WANTS** to vote as an absent voter ~~as defined in section 758~~, may apply for an absent voter ballot. The elector shall apply in person or by mail with the clerk of the township, city, or village in which the elector is registered. An application received before a primary **ELECTION** or special primary **ELECTION** may be for either that primary **ELECTION** only, or for that primary **ELECTION** and the election that follows.

(2) Except as otherwise provided in subsection (1), at any time during the 75 days before an election, but not later than 2 p.m. of the Saturday before the election, an elector who ~~qualifies~~ **WANTS** to vote as an absent voter ~~as defined in section 758~~, may apply for an absent voter ballot. The elector shall apply in person or by mail with the clerk of the township, city, or village in which the voter is registered.

(3) An application for an absent voter ballot under this section may be made in any of the following ways:

(a) By a written request signed by the ~~voter stating the statutory grounds for making the application~~ **ELECTOR**.

(b) On an absent voter ballot application form provided for that purpose by the clerk of the city, township, or village.

(c) On a federal postcard application.

(4) An applicant for an absent voter ballot shall sign the application. A clerk or assistant clerk shall not deliver an absent voter ballot to an applicant who does not sign the application. A person ~~other than~~ **SHALL NOT BE IN POSSESSION OF A SIGNED ABSENT VOTER BALLOT APPLICATION EXCEPT FOR** the applicant; a member of the applicant's immediate family; a person residing in the applicant's household; a person whose job normally includes the handling of mail, but only during the course of his or her employment; a registered elector requested by the applicant **TO RETURN THE APPLICATION**; or a clerk, assistant of the clerk, or other authorized election official. ~~shall not be in possession of a signed absent voter ballot application.~~ A registered elector who is requested by the applicant to return his or her absent voter ballot application shall sign the certificate on the absent voter ballot application.

(5) The clerk of the city, township, or village shall have absent voter ballot application forms available in the **CLERK'S** office ~~of the clerk~~ at all times and shall furnish an absent voter ballot application form to anyone upon a verbal or written request. The absent voter ballot application shall be in substantially the following form:

"Application for absent voter ballot for:

[ ] The primary **ELECTION** or special primary election to be held on ~~....., 19...~~ \_\_\_\_\_ [DATE].

[ ] The election to be held on ~~....., 19...~~ \_\_\_\_\_ [DATE].

(Check applicable election or elections)

I, \_\_\_\_\_, a qualified and registered elector of the \_\_\_\_\_ precinct of the township of \_\_\_\_\_ or village of \_\_\_\_\_ or of the \_\_\_\_\_ ward of the city of \_\_\_\_\_, in the county of \_\_\_\_\_ and state of Michigan, apply for an official ballot, or ballots, to be voted by me at the election or elections as requested in this application.

The statutory grounds on which I base my request are:

[ ] I expect to be absent from the community in which I am registered for the entire time the polls are open on election day.

[ ] I am physically unable to attend the polls without the assistance of another.

[ ] I cannot attend the polls because of the tenets of my religion.

[ ] I have been appointed an election precinct inspector in a precinct other than the precinct where I reside.

[ ] I am 60 years of age or older.

[ ] I cannot attend the polls because I am confined to jail awaiting arraignment or trial.

(Check applicable reason)

**Send absent voter ballot to me at:**

.....  
(Street No. or R.R.)

.....  
(Post Office) (State) (ZIP CODE)

My registered address .....  
 (Street No. or R.R.)  
 .....  
 (Post Office) (State) (ZIP CODE)

Date.....  
 I declare-CERTIFY that the statements in this absent voter  
 ballot application are true.

.....  
 (Signature)

#### WARNING

A person making a false statement in this absent voter ballot application is guilty of a misdemeanor. It is a violation of Michigan election law for a person other than those listed in the instructions to return, offer to return, agree to return, or solicit to return your absent voter ballot application to the clerk. An assistant authorized by the clerk who receives absent voter ballot applications at a location other than the **CLERK'S** office of the clerk must have credentials signed by the clerk. Ask to see his or her credentials before entrusting your application with a person claiming to have the clerk's authorization to return your application.

#### **Certificate of Authorized Registered Elector Returning Absent Voter Ballot Application**

I certify that my name is ....., my address is ....., and my date of birth is .....; that I am delivering the absent voter ballot application of ..... at his or her request; that I did not solicit or request to return the application; that I have not made any markings on the application; that I have not altered the application in any way; that I have not influenced the applicant; and that I am aware that a false statement in this certificate is a violation of Michigan election law.

\_\_\_\_\_  
 (Date)

\_\_\_\_\_  
 (Signature)"

(6) The following instructions for an applicant for an absent voter ballot shall be included with each application furnished an applicant:

#### **INSTRUCTIONS FOR APPLICANTS FOR ABSENT VOTER BALLOTS**

Step 1. After completely filling out the application, sign and date the application in the place designated. Your signature must appear on the application or you will not receive an absent voter ballot.

Step 2. Deliver the application by 1 of the following methods:

(a) Place the application in an envelope addressed to the appropriate clerk and place the necessary postage upon the return envelope and deposit it in the United States mail or with another public postal service, express mail service, parcel post service, or common carrier.

(b) Deliver the application personally to the office of the clerk, to the clerk, or to an authorized assistant of the clerk.

(c) In either (a) or (b), a member of the immediate family of the voter including a father-in-law, mother-in-law, brother-in-law, sister-in-law, son-in-law, daughter-in-law, grandparent, or grandchild or a person residing in the voter's household may mail or deliver the application to the clerk for the applicant.

(d) ~~In the event~~ **IF** an applicant cannot return the application in any of the above methods, the applicant may select any registered elector to return the application. The person returning the application must sign and return the certificate at the bottom of the application.

(7) A person who prints and distributes absent voter ballot applications shall print on the application the warning, certificate of authorized registered elector returning absent voter ballot application, and instructions required by this section.

(8) A person who makes a false statement in an absent voter ballot application is guilty of a misdemeanor. A person who forges a signature on an absent voter ballot application is guilty of a felony. A person who is not authorized in this act and who both distributes absent voter ballot applications to absent voters and returns those absent voter ballot applications to a clerk or assistant of the clerk is guilty of a misdemeanor.

Sec. 759b. (1) ~~Any~~ **A** registered elector may apply for **AN** absent voter ballots **BALLOT** at any time prior to ~~BEFORE~~ 4 p.m. on election day if he shall have become physically disabled or shall be absent from the city or township because of sickness or death in the family which **AN EVENT** has occurred at a time which has **THAT** made it impossible to apply for **AN** absent voter ballots **BALLOT** by the statutory deadline. The application shall be called an emergency absent voter **BALLOT** application.

(2) Emergency absent voter **BALLOT** applications may be made by letter or on a form **PRESCRIBED BY THE SECRETARY OF STATE AND** provided by the clerk. The application shall set forth that the voter is qualified to vote in the election, stating the statutory reason for applying for an emergency absent voter ballot and that the reason for applying after the statutory deadline **AN EVENT** occurred at such a time to make it impossible to file an application for **AN** absent voter ballots **BALLOT** by the statutory deadline.

(3) ~~Any~~ **A** person intentionally making a false statement in such **AN EMERGENCY ABSENT VOTER BALLOT** application is guilty of a felony. ~~Any~~ **A** person aiding or abetting ~~any~~ **ANOTHER** person to make a false statement on such **IN AN EMERGENCY ABSENT VOTER BALLOT** application is guilty of a felony.



(4) Upon receipt by the clerk of a valid application for an emergency absent voter ballot, the clerk may deliver the ~~ballots~~ **ABSENT VOTER BALLOT** to the applicant in person, through a deputy or an election assistant, or ~~he may deliver them at his OR HER office to a person named by the applicant in the EMERGENCY ABSENT VOTER BALLOT application.~~ The ~~ABSENT voter may return the ballots~~ **ABSENT VOTER BALLOT** to the clerk ~~in the sealed envelope provided therefor in any manner. he sees fit. To~~ **HOWEVER, TO** be valid, ~~ballots must be returned~~ **THE ABSENT VOTER SHALL RETURN THE ABSENT VOTER BALLOT** to the clerk **IN THE SEALED ENVELOPE PROVIDED FOR THAT REASON AND** in time to be delivered to the polls ~~prior to~~ **BEFORE 8 p.m. on election day.”.**

The question being on the adoption of the amendments offered by Rep. Stanley,

Rep. Stanley demanded the yeas and nays.

The demand was not supported.

The question being on the adoption of the amendments offered by Rep. Stanley,

The amendments were not adopted, a majority of the members serving not voting therefor.

Rep. Byrum moved to amend the bill as follows:

1. Amend page 46, following line 4, by inserting:

**“SEC. 560C. IF A PERSON HOLDING PUBLIC OFFICE SEEKS REELECTION FOR THAT OFFICE AND THAT PERSON CHANGES HIS OR HER POLITICAL PARTY AFFILIATION WHEN FILING FOR REELECTION TO THAT OFFICE, THE ELECTION BALLOT SHALL STATE THE FOLLOWING AFTER THAT CANDIDATE’S NAME:**

**“FORMERLY A [NAME OF FORMER POLITICAL PARTY].”.**

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

Rep. Lund moved to amend the bill as follows:

1. Amend page 60, following line 7, by striking out all of enacting section 2 and inserting:

“Enacting section 2. This amendatory act takes effect August 15, 2012.”.

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

Rep. Dillon moved to amend the bill as follows:

1. Amend page 60, following line 7, by inserting:

“Enacting section 3. This amendatory act does not take effect unless all of the following bills of the 96th Legislature are enacted into law:

(a) House Bill No. 5721.

(b) House Bill No. 5722.”.

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

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

The motion prevailed.

#### **Senate Bill No. 824, entitled**

A bill to amend 1976 PA 388, entitled “Michigan campaign finance act,” by amending sections 15, 32, 34, 36, 47, and 55 (MCL 169.215, 169.232, 169.234, 169.236, 169.247, and 169.255), sections 15 and 47 as amended by 2001 PA 250, section 32 as amended by 1999 PA 236, section 34 as amended by 1999 PA 238, section 36 as amended by 1996 PA 590, and section 55 as amended by 1995 PA 264.

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

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

Rep. Byrum moved to amend the bill as follows:

1. Amend page 13, following line 2, by inserting:

“Sec. 33. (1) A committee, other than an independent committee or a political committee required to file with the secretary of state, supporting or opposing a candidate shall file complete campaign statements as required by this act and the rules promulgated under this act. The campaign statements shall be filed according to the following schedule:

(a) A preelection campaign statement shall be filed not later than the eleventh day before an election. The closing date for a campaign statement filed under this subdivision shall be the sixteenth day before the election.

(b) A postelection campaign statement shall be filed not later than the thirtieth day following the election. The closing date for a campaign statement filed under this subdivision shall be the twentieth day following the election. A committee supporting a candidate who loses the primary election shall file closing campaign statements in accordance with this section. If all liabilities of ~~such a~~ **THAT** candidate or committee are paid before the closing date and additional contributions are not expected, the campaign statement may be filed at any time after the election, but not later than the thirtieth day following the election.

**(C) IN AN ODD NUMBERED YEAR:**

**(i) NOT LATER THAN JANUARY 31 WITH A CLOSING DATE OF DECEMBER 31 OF THE PREVIOUS YEAR.**

**(ii) NOT LATER THAN APRIL 25 WITH A CLOSING DATE OF APRIL 20 OF THAT YEAR.**

**(iii) NOT LATER THAN JULY 25 WITH A CLOSING DATE OF JULY 20 OF THAT YEAR.**

**(iv) NOT LATER THAN OCTOBER 25 WITH A CLOSING DATE OF OCTOBER 20 OF THAT YEAR.**

**(D) IN AN EVEN NUMBERED YEAR, NOT LATER THAN APRIL 30 WITH A CLOSING DATE OF APRIL 20 OF THAT YEAR.**

(2) For the purposes of subsection (1):

(a) A candidate committee shall file a preelection campaign statement and a postelection campaign statement for each election in which the candidate seeks nomination or election, except if an individual becomes a candidate after the closing date for the preelection campaign statement only the postelection campaign statement is required for that election.

(b) A committee other than a candidate committee shall file a campaign statement for each period during which expenditures are made for the purpose of influencing the nomination or election of a candidate or for the qualification, passage, or defeat of a ballot question.

(3) An independent committee or a political committee other than a house political party caucus committee or senate political party caucus committee required to file with the secretary of state shall file campaign statements as required by this act according to the following schedule:

(a) In an odd numbered year:

*(i)* Not later than January 31 of that year with a closing date of December 31 of the previous year.

*(ii)* Not later than July 25 with a closing date of July 20 **OF THAT YEAR.**

*(iii)* Not later than October 25 with a closing date of October 20 **OF THAT YEAR.**

(b) In an even numbered year:

*(i)* Not later than April 25 of that year with a closing date of April 20 of that year.

*(ii)* Not later than July 25 with a closing date of July 20 **OF THAT YEAR.**

*(iii)* Not later than October 25 with a closing date of October 20 **OF THAT YEAR.**

(4) A house political party caucus committee or a senate political party caucus committee required to file with the secretary of state shall file campaign statements as required by this act according to the following schedule:

(a) Not later than January 31 of each year with a closing date of December 31 of the immediately preceding year.

(b) Not later than April 25 of each year with a closing date of April 20 of that year.

(c) Not later than July 25 of each year with a closing date of July 20 of that year.

(d) Not later than October 25 of each year with a closing date of October 20 of that year.

(e) For the period beginning on the fourteenth day immediately preceding a primary or special primary election and ending on the day immediately following the primary or special primary election, not later than 4 p.m. each business day with a closing date of the immediately preceding day, only for a contribution received or expenditure made that exceeds \$1,000.00 per day.

(f) For the period beginning on the fourteenth day immediately preceding a general or special election and ending on the day immediately following the general or special election, not later than 4 p.m. each business day with a closing date of the immediately preceding day, only for a contribution received or expenditure made that exceeds \$1,000.00 per day.

(5) Notwithstanding subsection (3) or (4) or section 51, if an independent expenditure is made within 45 days before a special election by an independent committee or a political committee required to file a campaign statement with the secretary of state, a report of the expenditure shall be filed by the committee with the secretary of state within 48 hours after the expenditure. The report shall be made on a form provided by the secretary of state and shall include the date of the independent expenditure, the amount of the expenditure, a brief description of the nature of the expenditure, and the name and address of the person to whom the expenditure was paid. The brief description of the expenditure shall include either the name of the candidate and the office sought by the candidate or the name of the ballot question and shall state whether the expenditure supports or opposes the candidate or ballot question. This subsection does not apply if the committee is required to report the independent expenditure in a campaign statement that is required to be filed before the date of the election for which the expenditure was made.

(6) A candidate committee or a committee other than a candidate committee that files a written statement under section 24(5) or (6) ~~need not~~ **IS NOT REQUIRED TO** file a campaign statement under subsection (1), (3), or (4) unless it received or expended an amount in excess of \$1,000.00. If the committee receives or expends an amount in excess of \$1,000.00 during a period covered by a filing, the committee is then subject to the campaign filing requirements under this act.

(7) A committee, candidate, treasurer, or other individual designated as responsible for the committee's record keeping, report preparation, or report filing who fails to file a statement as required by this section shall pay a late filing fee. If the committee has raised \$10,000.00 or less during the previous 2 years, the late filing fee shall be \$25.00 for each business day the statement remains unfiled, but not to exceed \$500.00. If the committee has raised more than \$10,000.00 during the previous 2 years, the late filing fee shall not exceed \$1,000.00, determined as follows:

(a) Twenty-five dollars for each business day the report remains unfiled.

(b) An additional \$25.00 for each business day after the first 3 business days the report remains unfiled.

(c) An additional \$50.00 for each business day after the first 10 business days the report remains unfiled.

(8) If a candidate, treasurer, or other individual designated as responsible for the committee's record keeping, report preparation, or report filing fails to file 2 statements required by this section or section 35 and both of the statements remain unfiled for more than 30 days, that candidate, treasurer, or other designated individual is guilty of a misdemeanor, punishable by a fine of not more than \$1,000.00, or imprisonment for not more than 90 days, or both.

(9) If a candidate is found guilty of a violation of this section, the circuit court for that county, on application by the attorney general or the prosecuting attorney of that county, may prohibit that candidate from assuming the duties of a public office or from receiving compensation from public funds, or both.

(10) If a treasurer or other individual designated as responsible for a committee's record keeping, report preparation, or report filing knowingly files an incomplete or inaccurate statement or report required by this section, that treasurer or other designated individual is subject to a civil fine of not more than \$1,000.00."

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

Rep. Byrum moved to amend the bill as follows:

1. Amend page 12, line 7, by striking out "OR WAIVE".

2. Amend page 12, line 7, after "PAID" by striking out "OR ASSESSED".

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

Rep. Byrum moved to amend the bill as follows:

1. Amend page 18, following line 6, by inserting:

**"SEC. 45A. A PERSON HOLDING ELECTIVE OFFICE WHO CHANGES HIS OR HER POLITICAL PARTY AFFILIATION AFTER THE TIME HE OR SHE IS ELECTED AND BEFORE THE END OF HIS OR HER TERM OF OFFICE SHALL REIMBURSE, WITH INTEREST, EACH PERSON THAT MADE A CONTRIBUTION TO THE CANDIDATE COMMITTEE OF THAT ELECTED OFFICIAL IN THE PRIOR YEAR, UNLESS THE PERSON HOLDING ELECTIVE OFFICE OBTAINS A WRITTEN WAIVER FROM THE PERSON THAT MADE THE CONTRIBUTION STATING THAT THE PERSON DOES NOT WANT A REIMBURSEMENT UNDER THIS SECTION."**

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

Rep. Brown moved to amend the bill as follows:

1. Amend page 23, following line 2, by inserting:

"Enacting section 1. This amendatory act does not take effect unless House Bill No. 4236 of the 96th Legislature is enacted into law."

The question being on the adoption of the amendment offered by Rep. Brown,

Rep. Brown demanded the yeas and nays.

The demand was not supported.

The question being on the adoption of the amendment offered by Rep. Brown,

The amendment was not adopted, a majority of the members serving not voting therefor.

Rep. Lipton moved to amend the bill as follows:

1. Amend page 23, following line 2, by inserting:

"Enacting section 1. This amendatory act does not take effect unless all of the following bills of the 96th Legislature are enacted into law:

(a) House Bill No. 5348.

(b) House Bill No. 5349.

(c) House Bill No. 5350.

(d) House Bill No. 5351.

(e) House Bill No. 5352.

(f) House Bill No. 5353.

(g) House Bill No. 5354."

The question being on the adoption of the amendment offered by Rep. Lipton,

Rep. Lipton demanded the yeas and nays.

The demand was not supported.

The question being on the adoption of the amendment offered by Rep. Lipton,

The amendment was not adopted, a majority of the members serving not voting therefor.

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

The motion prevailed.

**Senate Bill No. 825, entitled**

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 11d of chapter XVII (MCL 777.11d), as added by 2002 PA 31.

The bill was read a second time.

Rep. Lund moved to amend the bill as follows:

1. Amend page 3, following line 14, by inserting:

"Enacting section 2. This amendatory act takes effect August 15, 2012."

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

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

The motion prevailed.

**Senate Bill No. 193, entitled**

A bill to amend 2011 PA 256, entitled "Michigan fireworks safety act," by amending sections 2, 4, 8, 12, 17, and 18 (MCL 28.452, 28.454, 28.458, 28.462, 28.467, and 28.468) and by adding sections 17a, 18a, 18b, and 18c.

The bill was read a second time.

Rep. Brunner moved to amend the bill as follows:

1. Amend page 9, following line 21, by inserting:

"Sec. 7. (1) Except as provided in this act, a local unit of government shall not enact or enforce an ordinance, code, or regulation pertaining to or in any manner regulating the sale, display, storage, transportation, or distribution of fireworks regulated under this act.

(2) A local unit of government may enact an ordinance regulating the ignition, discharge, and use of consumer fireworks. However, an ordinance enacted under this subsection shall not regulate the use of consumer fireworks on the day preceding, the day of, or the day after a national holiday.

**(3) THE DEPARTMENT SHALL NOTIFY EVERY LOCAL UNIT OF GOVERNMENT OF THE PROVISIONS OF THIS SECTION NO LATER THAN JULY 1, 2012."**

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

Rep. Townsend moved to amend the bill as follows:

1. Amend page 9, following line 21, by inserting:

"Sec. 7. (1) Except as provided in this act, a local unit of government ~~shall not~~ **MAY** enact or enforce an ordinance, code, or regulation pertaining to or in any manner regulating the sale, display, storage, transportation, or distribution of fireworks regulated under this act. **A LOCAL UNIT OF GOVERNMENT THAT ADOPTS AN ORDINANCE DESCRIBED IN THIS SUBSECTION SHALL SEND THE STATE FIRE MARSHAL A COPY OF THAT ORDINANCE NOT MORE THAN 30 DAYS AFTER ITS ENACTMENT.**

(2) A local unit of government may enact an ordinance regulating the ignition, discharge, and use of consumer fireworks. However, an ordinance enacted under this subsection shall not regulate the use of consumer fireworks on the day preceding, the day of, or the day after a national holiday."

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

Rep. Crawford moved to amend the bill as follows:

1. Amend page 11, line 7, after "**ORDERED**" by inserting "**FOR A SECOND OR SUBSEQUENT VIOLATION**".

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

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

The motion prevailed.

---

Rep. Segal moved that Rep. Meadows be excused temporarily from today's session.

The motion prevailed.

By unanimous consent the House returned to the order of

**Third Reading of Bills**

Rep. Stamas moved that **Senate Bill No. 751** be placed on its immediate passage.

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

**Senate Bill No. 751, entitled**

A bill to amend 1954 PA 116, entitled “Michigan election law,” by amending sections 509r, 509aa, 658, 659, 661, and 761 (MCL 168.509r, 168.509aa, 168.658, 168.659, 168.661, and 168.761), section 509r as amended by 2003 PA 302, section 509aa as amended by 2004 PA 92, section 659 as amended by 2004 PA 296, section 661 as amended by 1982 PA 2, and section 761 as amended by 2005 PA 71, and by adding section 764c.

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

**Roll Call No. 416****Yeas—65**

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

**Nays—44**

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

In The Chair: Walsh

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

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

A bill to amend 1954 PA 116, entitled “An act to reorganize, consolidate, and add to the election laws; to provide for election officials and prescribe their powers and duties; to prescribe the powers and duties of certain state departments, state agencies, and state and local officials and employees; to provide for the nomination and election of candidates for public office; to provide for the resignation, removal, and recall of certain public officers; to provide for the filling of vacancies in public office; to provide for and regulate primaries and elections; to provide for the purity of elections; to guard against the abuse of the elective franchise; to define violations of this act; to provide appropriations; to prescribe penalties and provide remedies; and to repeal certain acts and all other acts inconsistent with this act,” by amending sections 509r, 509aa, 658, 659, and 661 (MCL 168.509r, 168.509aa, 168.658, 168.659, and 168.661), section 509r as amended



by 2003 PA 302, section 509aa as amended by 2004 PA 92, section 659 as amended by 2004 PA 296, and section 661 as amended by 1982 PA 2, and by adding section 764c.

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.

---

Reps. Barnett, Geiss, Stallworth, Lindberg, Lipton, Darany, Byrum, Liss, Rutledge, Tlaib, Segal, Nathan, Cavanagh, Stapleton and Brown, having reserved the right to explain their protest against the passage of the bill, made the following statement:

“Mr. Speaker and members of the House:

I voted no on SB751, SB754 and SB803 because these bills will make it more difficult for Michigan citizens to register to vote and to vote, in general. Specifically, the purging of voters from the inactive voter file in Senate Bill 751 may result in disenfranchising eligible voters. Further, I am worried about voters who may not have received the notice or for voters in the inactive file being treated differently when they vote absentee (their ballot becomes an automatic challenged ballot). Senate Bill 754 requires unnecessary, unreasonable and burdensome requirements on organizations that are critical in assisting voters, such as voters in minority communities, in taking the first step to complete the voter registration form. Third-party voter registration organization drives ease the process for voter registration, provide voter information and assist vulnerable residents such as low-income communities and newly naturalized citizens to become engaged in our democratic system. This legislation will make it more difficult for third-party registration drives to increase voter registration and engage Michigan citizens in the elections process.

Finally, I am concerned about the citizenship requirement in SB 803. This unnecessary requirement does nothing to promote fair and safe elections. Voters are already required to declare their citizenship when they register to vote. I am concerned that a voter, who even hesitates at checking the box, could be subject to a harassment or a challenge by a poll challenger. For absent voters who neglect or fail to check the citizenship box, they will be disenfranchised because their ballots will not be counted and the bill does not provide sufficient notice, nor an adequate remedy, of the error.

Furthermore, I did not support the gaveling on of Immediate Effect to SB751, SB754, or SB803 without a roll call vote.”

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

“Mr. Speaker and members of the House:

I voted no on SB751, SB754 and SB803 because these bills will make it more difficult for Michigan citizens to register to vote and to vote, in general. Specifically, the purging of voters from the inactive voter file in Senate Bill 751 may result in disenfranchising eligible voters. Further, I am worried about voters who may not have received the notice or for voters in the inactive file being treated differently when they vote absentee (their ballot becomes an automatic challenged ballot). Senate Bill 754 requires unnecessary, unreasonable and burdensome requirements on organizations that are critical in assisting voters, such as voters in minority communities, in taking the first step to complete the voter registration form. Third-party voter registration organization drives ease the process for voter registration, provide voter information and assist vulnerable residents such as low-income communities and newly naturalized citizens to become engaged in our democratic system. This legislation will make it more difficult for third-party registration drives to increase voter registration and engage Michigan citizens in the elections process. Finally, I am concerned about the citizenship requirement in SB 803. This unnecessary requirement does nothing to promote fair and safe elections. Voters are already required to declare their citizenship when they register to vote. I am concerned that a voter, who even hesitates at checking the box, could be subject to a harassment or a challenge by a poll challenger. For absent voters who neglect or fail to check the citizenship box, they will be disenfranchised because their ballots will not be counted and the bill does not provide sufficient notice, nor an adequate remedy, of the error.

Furthermore, I did not support the gaveling on of Immediate Effect to SB751, SB754, or SB803 without a roll call vote. It is an insult to the voters that the House Journal inaccurately reflects the level of support for immediate effect. Votes were not counted and a 2/3rds majority for immediate effect was not established through any accepted means of counting votes. Votes were not counted by a voice vote, a rising vote or a roll call. Rather, the supermajority is asserted erroneously and all efforts to count votes are rebuffed.”

Reps. Oakes, Bledsoe, Switalski and Townsend, having reserved the right to explain their protest against the passage of the bill, made the following statement:

“Mr. Speaker and members of the House:

I voted no on SB751, SB754 and SB803 because these bills will make it more difficult for Michigan citizens to register to vote and to vote, in general. Specifically, the purging of voters from the inactive voter file in Senate Bill 751

may result in disenfranchising eligible voters. Further, I am worried about voters who may not have received the notice or for voters in the inactive file being treated differently when they vote absentee (their ballot becomes an automatic challenged ballot). Senate Bill 754 requires unnecessary, unreasonable and burdensome requirements on organizations that are critical in assisting voters, such as voters in minority communities, in taking the first step to complete the voter registration form. Third-party voter registration organization drives ease the process for voter registration, provide voter information and assist vulnerable residents such as low-income communities and newly naturalized citizens to become engaged in our democratic system. This legislation will make it more difficult for third-party registration drives to increase voter registration and engage Michigan citizens in the elections process. Finally, I am concerned about the citizenship requirement in SB 803. This unnecessary requirement does nothing to promote fair and safe elections. Voters are already required to declare their citizenship when they register to vote. I am concerned that a voter, who even hesitates at checking the box, could be subject to a harassment or a challenge by a poll challenger. For absent voters who neglect or fail to check the citizenship box, they will be disenfranchised because their ballots will not be counted and the bill does not provide sufficient notice, nor an adequate remedy, of the error. Furthermore, I did not support the gaveling on of Immediate Effect to SB751, SB754, or SB803 without a roll call vote.”

Reps. Ananich and Howze, having reserved the right to explain their protest against the passage of the bill, made the following statement:

“Mr. Speaker and members of the House:

I voted no on SB751, SB754 and SB803 because these bills will make it more difficult for Michigan citizens to register to vote and to vote, in general. Specifically, the purging of voters from the inactive voter file in Senate Bill 751 may result in disenfranchising eligible voters. Further, I am worried about voters who may not have received the notice or for voters in the inactive file being treated differently when they vote absentee (their ballot becomes an automatic challenged ballot). Senate Bill 754 requires unnecessary, unreasonable and burdensome requirements on organizations that are critical in assisting voters, such as voters in minority communities, in taking the first step to complete the voter registration form. Third-party voter registration organization drives ease the process for voter registration, provide voter information and assist vulnerable residents such as low-income communities and newly naturalized citizens to become engaged in our democratic system. This legislation will make it more difficult for third-party registration drives to increase voter registration and engage Michigan citizens in the elections process.

Finally, I am concerned about the citizenship requirement in SB 803. This unnecessary requirement does nothing to promote fair and safe elections. Voters are already required to declare their citizenship when they register to vote. I am concerned that a voter, who even hesitates at checking the box, could be subject to a harassment or a challenge by a poll challenger. For absent voters who neglect or fail to check the citizenship box, they will be disenfranchised because their ballots will not be counted and the bill does not provide sufficient notice, nor an adequate remedy, of the error.”

Rep. Stamas moved that **Senate Bill No. 752** be placed on its immediate passage.  
The motion prevailed, a majority of the members serving voting therefor.

#### **Senate Bill No. 752, entitled**

A bill to amend 1954 PA 116, entitled “Michigan election law,” by amending sections 569a, 671, 792a, and 871 (MCL 168.569a, 168.671, 168.792a, and 168.871), section 569a as added by 1985 PA 24, section 671 as amended by 1995 PA 261, section 792a as amended by 2005 PA 71, and section 871 as amended by 2000 PA 207, and by adding section 686b.

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

#### **Roll Call No. 417**

#### **Yeas—109**

Agema	Gilbert	Lane	Price
Ananich	Glardon	LeBlanc	Pscholka
Barnett	Goike	Lindberg	Rendon
Bauer	Graves	Lipton	Rogers
Bledsoe	Greimel	Liss	Rutledge
Bolger	Haines	Lori	Santana
Brown	Hammel	Lund	Schmidt, R.
Brunner	Haugh	Lyons	Schmidt, W.
Bumstead	Haveman	MacGregor	Segal
Byrum	Heise	MacMaster	Shaughnessy
Callton	Hobbs	McBroom	Shirkey



Cavanagh	Hooker	McCann	Slavens
Clemente	Horn	McMillin	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	Kandrevas	Ouimet	Tyler
Forlini	Knollenberg	Outman	Walsh
Foster	Kowall	Pettalia	Womack
Franz	Kurtz	Poleski	Yonker
Geiss	LaFontaine	Potvin	Zorn
Genetski			

### 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 reorganize, consolidate, and add to the election laws; to provide for election officials and prescribe their powers and duties; to prescribe the powers and duties of certain state departments, state agencies, and state and local officials and employees; to provide for the nomination and election of candidates for public office; to provide for the resignation, removal, and recall of certain public officers; to provide for the filling of vacancies in public office; to provide for and regulate primaries and elections; to provide for the purity of elections; to guard against the abuse of the elective franchise; to define violations of this act; to provide appropriations; to prescribe penalties and provide remedies; and to repeal certain acts and all other acts inconsistent with this act.”

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.

Rep. Stamas moved that **Senate Bill No. 753** be placed on its immediate passage.

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

### Senate Bill No. 753, entitled

A bill to amend 1927 PA 175, entitled “The code of criminal procedure,” by amending section 11e of chapter XVII (MCL 777.11e), as added by 2002 PA 31.

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

### Roll Call No. 418

### Yeas—93

Agema	Genetski	Lane	Potvin
Barnett	Gilbert	LeBlanc	Price
Bauer	Glardon	Lindberg	Pscholka
Bledsoe	Goike	Lipton	Rendon
Bolger	Graves	Liss	Rogers
Brown	Greimel	Lori	Rutledge
Brunner	Haines	Lund	Schmidt, R.
Bumstead	Hammel	Lyons	Schmidt, W.
Byrum	Haugh	MacGregor	Segal

Callton	Haveman	MacMaster	Shaughnessy
Clemente	Heise	McBroom	Shirkey
Constan	Hooker	McCann	Slavens
Cotter	Horn	McMillin	Smiley
Crawford	Hughes	Moss	Somerville
Daley	Huuki	Muxlow	Stamas
Damrow	Jacobsen	Nesbitt	Stapleton
Darany	Jenkins	O'Brien	Switalski
Denby	Johnson	Olson	Tlaib
Dillon	Kandrevas	Opsommer	Townsend
Farrington	Knollenberg	Ouimet	Tyler
Forlini	Kowall	Outman	Walsh
Foster	Kurtz	Pettalia	Yonker
Franz	LaFontaine	Poleski	Zorn
Geiss			

#### Nays—16

Ananich	Hovey-Wright	Nathan	Stallworth
Cavanagh	Howze	Oakes	Stanley
Durhal	Irwin	Olumba	Talabi
Hobbs	Jackson	Santana	Womack

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 codify the laws relating to criminal procedure and to define the jurisdiction, powers, and duties of courts, judges, and other officers of the court under the provisions of this act; to provide laws relative to the rights of persons accused of criminal offenses and ordinance violations; to provide for the arrest of persons charged with or suspected of criminal offenses and ordinance violations; to provide for bail of persons arrested for or accused of criminal offenses and ordinance violations; to provide for the examination of persons accused of criminal offenses; to regulate the procedure relative to grand juries, indictments, informations, and proceedings before trial; to provide for trials of persons complained of or indicted for criminal offenses and ordinance violations and to provide for the procedure in those trials; to provide for judgments and sentences of persons convicted of criminal offenses and ordinance violations; to establish a sentencing commission and to prescribe its powers and duties; to provide for procedure relating to new trials and appeals in criminal and ordinance violation cases; to provide a uniform system of probation throughout this state and the appointment of probation officers; to prescribe the powers, duties, and compensation of probation officers; to provide penalties for the violation of the duties of probation officers; to provide for procedure governing proceedings to prevent crime and proceedings for the discovery of crime; to provide for fees of officers, witnesses, and others in criminal and ordinance violation cases; to set forth miscellaneous provisions as to criminal procedure in certain cases; to provide penalties for the violation of certain provisions of this act; and to repeal all acts and parts of acts inconsistent with or contravening any of the provisions of this act.”

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.

Rep. Stamas moved that **Senate Bill No. 754** be placed on its immediate passage.

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

#### **Senate Bill No. 754, entitled**

A bill to amend 1954 PA 116, entitled “Michigan election law,” by amending section 509v (MCL 168.509v), as added by 1994 PA 441, and by adding section 497c.

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

**Roll Call No. 419****Yeas—66**

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

**Nays—43**

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

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 reorganize, consolidate, and add to the election laws; to provide for election officials and prescribe their powers and duties; to prescribe the powers and duties of certain state departments, state agencies, and state and local officials and employees; to provide for the nomination and election of candidates for public office; to provide for the resignation, removal, and recall of certain public officers; to provide for the filling of vacancies in public office; to provide for and regulate primaries and elections; to provide for the purity of elections; to guard against the abuse of the elective franchise; to define violations of this act; to provide appropriations; to prescribe penalties and provide remedies; and to repeal certain acts and all other acts inconsistent with this act.”

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.

Reps. Barnett, Stallworth, Geiss, Lindberg, Lipton, Darany, Byrum, Liss, Rutledge, Tlaib, Segal, Nathan, Cavanagh, Stapleton and Brown, having reserved the right to explain their protest against the passage of the bill, made the following statement:

“Mr. Speaker and members of the House:

I voted no on SB751, SB754 and SB803 because these bills will make it more difficult for Michigan citizens to register to vote and to vote, in general. Specifically, the purging of voters from the inactive voter file in Senate Bill 751 may result

in disenfranchising eligible voters. Further, I am worried about voters who may not have received the notice or for voters in the inactive file being treated differently when they vote absentee (their ballot becomes an automatic challenged ballot). Senate Bill 754 requires unnecessary, unreasonable and burdensome requirements on organizations that are critical in assisting voters, such as voters in minority communities, in taking the first step to complete the voter registration form. Third-party voter registration organization drives ease the process for voter registration, provide voter information and assist vulnerable residents such as low-income communities and newly naturalized citizens to become engaged in our democratic system. This legislation will make it more difficult for third-party registration drives to increase voter registration and engage Michigan citizens in the elections process.

Finally, I am concerned about the citizenship requirement in SB 803. This unnecessary requirement does nothing to promote fair and safe elections. Voters are already required to declare their citizenship when they register to vote. I am concerned that a voter, who even hesitates at checking the box, could be subject to a harassment or a challenge by a poll challenger. For absent voters who neglect or fail to check the citizenship box, they will be disenfranchised because their ballots will not be counted and the bill does not provide sufficient notice, nor an adequate remedy, of the error.

Furthermore, I did not support the gaveling on of Immediate Effect to SB751, SB754, or SB803 without a roll call vote.”

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

“Mr. Speaker and members of the House:

I voted no on SB751, SB754 and SB803 because these bills will make it more difficult for Michigan citizens to register to vote and to vote, in general. Specifically, the purging of voters form the inactive voter file in Senate Bill 751 may result in disenfranchising eligible voters. Further, I am worried about voters who may not have received the notice or for voters in the inactive file being treated differently when they vote absentee (their ballot becomes an automatic challenged ballot). Senate Bill 754 requires unnecessary, unreasonable and burdensome requirements on organizations that are critical in assisting voters, such as voters in minority communities, in taking the first step to complete the voter registration form. Third-party voter registration organization drives ease the process for voter registration, provide voter information and assist vulnerable residents such as low-income communities and newly naturalized citizens to become engaged in our democratic system. This legislation will make it more difficult for third-party registration drives to increase voter registration and engage Michigan citizens in the elections process. Finally, I am concerned about the citizenship requirement in SB 803. This unnecessary requirement does nothing to promote fair and safe elections. Voters are already required to declare their citizenship when they register to vote. I am concerned that a voter, who even hesitates at checking the box, could be subject to a harassment or a challenge by a poll challenger. For absent voters who neglect or fail to check the citizenship box, they will be disenfranchised because their ballots will not be counted and the bill does not provide sufficient notice, nor an adequate remedy, of the error.

Furthermore, I did not support the gaveling on of Immediate Effect to SB751, SB754, or SB803 without a roll call vote. It is an insult to the voters that the House Journal inaccurately reflects the level of support for immediate effect. Votes were not counted and a 2/3rds majority for immediate effect was not established through any accepted means of counting votes. Votes were not counted by a voice vote, a rising vote or a roll call. Rather, the supermajority is asserted erroneously and all efforts to count votes are rebuffed.”

Reps. Oakes, Bledsoe, Switalski and Townsend, having reserved the right to explain their protest against the passage of the bill, made the following statement:

“Mr. Speaker and members of the House:

I voted no on SB751, SB754 and SB803 because these bills will make it more difficult for Michigan citizens to register to vote and to vote, in general. Specifically, the purging of voters form the inactive voter file in Senate Bill 751 may result in disenfranchising eligible voters. Further, I am worried about voters who may not have received the notice or for voters in the inactive file being treated differently when they vote absentee (their ballot becomes an automatic challenged ballot). Senate Bill 754 requires unnecessary, unreasonable and burdensome requirements on organizations that are critical in assisting voters, such as voters in minority communities, in taking the first step to complete the voter registration form. Third-party voter registration organization drives ease the process for voter registration, provide voter information and assist vulnerable residents such as low-income communities and newly naturalized citizens to become engaged in our democratic system. This legislation will make it more difficult for third-party registration drives to increase voter registration and engage Michigan citizens in the elections process. Finally, I am concerned about the citizenship requirement in SB 803. This unnecessary requirement does nothing to promote fair and safe elections. Voters are already required to declare their citizenship when they register to vote. I am concerned that a voter, who even hesitates at checking the box, could be subject to a harassment or a challenge by a poll challenger. For absent voters who neglect or fail to check the citizenship box, they will be disenfranchised because their ballots will not be counted and the bill does not provide sufficient notice, nor an adequate remedy, of the error. Furthermore, I did not support the gaveling on of Immediate Effect to SB751, SB754, or SB803 without a roll call vote.”

Reps. Ananich and Howze, having reserved the right to explain their protest against the passage of the bill, made the following statement:

“Mr. Speaker and members of the House:

I voted no on SB751, SB754 and SB803 because these bills will make it more difficult for Michigan citizens to register to vote and to vote, in general. Specifically, the purging of voters from the inactive voter file in Senate Bill 751 may result in disenfranchising eligible voters. Further, I am worried about voters who may not have received the notice or for voters in the inactive file being treated differently when they vote absentee (their ballot becomes an automatic challenged ballot). Senate Bill 754 requires unnecessary, unreasonable and burdensome requirements on organizations that are critical in assisting voters, such as voters in minority communities, in taking the first step to complete the voter registration form. Third-party voter registration organization drives ease the process for voter registration, provide voter information and assist vulnerable residents such as low-income communities and newly naturalized citizens to become engaged in our democratic system. This legislation will make it more difficult for third-party registration drives to increase voter registration and engage Michigan citizens in the elections process.

Finally, I am concerned about the citizenship requirement in SB 803. This unnecessary requirement does nothing to promote fair and safe elections. Voters are already required to declare their citizenship when they register to vote. I am concerned that a voter, who even hesitates at checking the box, could be subject to a harassment or a challenge by a poll challenger. For absent voters who neglect or fail to check the citizenship box, they will be disenfranchised because their ballots will not be counted and the bill does not provide sufficient notice, nor an adequate remedy, of the error.”

#### Point of Order

Rep. Segal requested a ruling of the Chair on why, according to Article 4 Section 18 of the Constitution, one-fifth of the members are not being recognized.

The Chair ruled that Article 4 Section 18 is not being violated.

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. 420

#### Yeas—64

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, R.
Damrow	Hughes	Moss	Schmidt, W.
Denby	Huuki	Muxlow	Shaughnessy
Farrington	Jacobsen	Nesbitt	Shirkey
Forlini	Jenkins	O’Brien	Somerville
Foster	Johnson	Olson	Stamas
Franz	Knollenberg	Opsommer	Tyler
Genetski	Kowall	Ouimet	Walsh
Gilbert	Kurtz	Outman	Yonker
Glardon	LaFontaine	Pettalia	Zorn

#### Nays—46

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		

In The Chair: Walsh

Rep. Stamas moved that **Senate Bill No. 803** be placed on its immediate passage.  
The motion prevailed, a majority of the members serving voting therefor.

**Senate Bill No. 803, entitled**

A bill to amend 1954 PA 116, entitled “Michigan election law,” by amending sections 523, 759, and 761 (MCL 168.523, 168.759, and 168.761), sections 523 and 761 as amended by 2005 PA 71 and section 759 as amended by 1995 PA 261, and by adding section 766a.

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

**Roll Call No. 421**

**Yeas—67**

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

**Nays—43**

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

In The Chair: Walsh



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

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

A bill to amend 1954 PA 116, entitled "An act to reorganize, consolidate, and add to the election laws; to provide for election officials and prescribe their powers and duties; to prescribe the powers and duties of certain state departments, state agencies, and state and local officials and employees; to provide for the nomination and election of candidates for public office; to provide for the resignation, removal, and recall of certain public officers; to provide for the filling of vacancies in public office; to provide for and regulate primaries and elections; to provide for the purity of elections; to guard against the abuse of the elective franchise; to define violations of this act; to provide appropriations; to prescribe penalties and provide remedies; and to repeal certain acts and all other acts inconsistent with this act," by amending sections 523 and 759 (MCL 168.523 and 168.759), section 523 as amended by 2005 PA 71 and section 759 as amended by 1995 PA 261, and by adding section 766a.

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.

---

Reps. Barnett, Stallworth, Geiss, Lindberg, Lipton, Darany, Byrum, Liss, Rutledge, Tlaib, Segal, Nathan, Cavanagh, Stapleton, Meadows and Brown, having reserved the right to explain their protest against the passage of the bill, made the following statement:

"Mr. Speaker and members of the House:

I voted no on SB751, SB754 and SB803 because these bills will make it more difficult for Michigan citizens to register to vote and to vote, in general. Specifically, the purging of voters from the inactive voter file in Senate Bill 751 may result in disenfranchising eligible voters. Further, I am worried about voters who may not have received the notice or for voters in the inactive file being treated differently when they vote absentee (their ballot becomes an automatic challenged ballot). Senate Bill 754 requires unnecessary, unreasonable and burdensome requirements on organizations that are critical in assisting voters, such as voters in minority communities, in taking the first step to complete the voter registration form. Third-party voter registration organization drives ease the process for voter registration, provide voter information and assist vulnerable residents such as low-income communities and newly naturalized citizens to become engaged in our democratic system. This legislation will make it more difficult for third-party registration drives to increase voter registration and engage Michigan citizens in the elections process.

Finally, I am concerned about the citizenship requirement in SB 803. This unnecessary requirement does nothing to promote fair and safe elections. Voters are already required to declare their citizenship when they register to vote. I am concerned that a voter, who even hesitates at checking the box, could be subject to a harassment or a challenge by a poll challenger. For absent voters who neglect or fail to check the citizenship box, they will be disenfranchised because their ballots will not be counted and the bill does not provide sufficient notice, nor an adequate remedy, of the error.

Furthermore, I did not support the gaveling on of Immediate Effect to SB751, SB754, or SB803 without a roll call vote."

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

"Mr. Speaker and members of the House:

I voted no on SB751, SB754 and SB803 because these bills will make it more difficult for Michigan citizens to register to vote and to vote, in general. Specifically, the purging of voters from the inactive voter file in Senate Bill 751 may result in disenfranchising eligible voters. Further, I am worried about voters who may not have received the notice or for voters in the inactive file being treated differently when they vote absentee (their ballot becomes an automatic challenged ballot). Senate Bill 754 requires unnecessary, unreasonable and burdensome requirements on organizations that are critical in assisting voters, such as voters in minority communities, in taking the first step to complete the voter registration form. Third-party voter registration organization drives ease the process for voter registration, provide voter information and assist vulnerable residents such as low-income communities and newly naturalized citizens to become engaged in our democratic system. This legislation will make it more difficult for third-party registration drives to increase voter registration and engage Michigan citizens in the elections process. Finally, I am concerned about the citizenship requirement in SB 803. This unnecessary requirement does nothing to promote fair and safe elections. Voters are already required to declare their citizenship when they register to vote. I am concerned that a voter, who even hesitates at checking the box, could be subject to a harassment or a challenge by a poll challenger. For absent voters who neglect or fail to check the citizenship box, they will be disenfranchised because their ballots will not be counted and the bill does not provide sufficient notice, nor an adequate remedy, of the error.

Furthermore, I did not support the gaveling on of Immediate Effect to SB751, SB754, or SB803 without a roll call vote.



It is an insult to the voters that the House Journal inaccurately reflects the level of support for immediate effect. Votes were not counted and a 2/3rds majority for immediate effect was not established through any accepted means of counting votes. Votes were not counted by a voice vote, a rising vote or a roll call. Rather, the supermajority is asserted erroneously and all efforts to count votes are rebuffed.”

Reps. Oakes, Bledsoe, Switalski and Townsend, having reserved the right to explain their protest against the passage of the bill, made the following statement:

“Mr. Speaker and members of the House:

I voted no on SB751, SB754 and SB803 because these bills will make it more difficult for Michigan citizens to register to vote and to vote, in general. Specifically, the purging of voters from the inactive voter file in Senate Bill 751 may result in disenfranchising eligible voters. Further, I am worried about voters who may not have received the notice or for voters in the inactive file being treated differently when they vote absentee (their ballot becomes an automatic challenged ballot). Senate Bill 754 requires unnecessary, unreasonable and burdensome requirements on organizations that are critical in assisting voters, such as voters in minority communities, in taking the first step to complete the voter registration form. Third-party voter registration organization drives ease the process for voter registration, provide voter information and assist vulnerable residents such as low-income communities and newly naturalized citizens to become engaged in our democratic system. This legislation will make it more difficult for third-party registration drives to increase voter registration and engage Michigan citizens in the elections process. Finally, I am concerned about the citizenship requirement in SB 803. This unnecessary requirement does nothing to promote fair and safe elections. Voters are already required to declare their citizenship when they register to vote. I am concerned that a voter, who even hesitates at checking the box, could be subject to a harassment or a challenge by a poll challenger. For absent voters who neglect or fail to check the citizenship box, they will be disenfranchised because their ballots will not be counted and the bill does not provide sufficient notice, nor an adequate remedy, of the error. Furthermore, I did not support the gaveling on of Immediate Effect to SB751, SB754, or SB803 without a roll call vote.”

Reps. Ananich and Howze, having reserved the right to explain their protest against the passage of the bill, made the following statement:

“Mr. Speaker and members of the House:

I voted no on SB751, SB754 and SB803 because these bills will make it more difficult for Michigan citizens to register to vote and to vote, in general. Specifically, the purging of voters from the inactive voter file in Senate Bill 751 may result in disenfranchising eligible voters. Further, I am worried about voters who may not have received the notice or for voters in the inactive file being treated differently when they vote absentee (their ballot becomes an automatic challenged ballot). Senate Bill 754 requires unnecessary, unreasonable and burdensome requirements on organizations that are critical in assisting voters, such as voters in minority communities, in taking the first step to complete the voter registration form. Third-party voter registration organization drives ease the process for voter registration, provide voter information and assist vulnerable residents such as low-income communities and newly naturalized citizens to become engaged in our democratic system. This legislation will make it more difficult for third-party registration drives to increase voter registration and engage Michigan citizens in the elections process.

Finally, I am concerned about the citizenship requirement in SB 803. This unnecessary requirement does nothing to promote fair and safe elections. Voters are already required to declare their citizenship when they register to vote. I am concerned that a voter, who even hesitates at checking the box, could be subject to a harassment or a challenge by a poll challenger. For absent voters who neglect or fail to check the citizenship box, they will be disenfranchised because their ballots will not be counted and the bill does not provide sufficient notice, nor an adequate remedy, of the error.”

Rep. Stamas moved that **Senate Bill No. 823** be placed on its immediate passage.

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

### **Senate Bill No. 823, entitled**

A bill to amend 1954 PA 116, entitled “Michigan election law,” by amending sections 53, 55, 56, 93, 95, 96, 133, 135, 136, 163, 165, 166, 193, 195, 196, 198, 224, 226, 227, 254, 255, 257, 303, 322, 326, 349, 352, 354, 357, 381, 409b, 413, 413a, 426d, 433, 433a, 467b, 467c, 551, 591, 624, 644e, 644f, 712, 737a, 931, and 973 (MCL 168.53, 168.55, 168.56, 168.93, 168.95, 168.96, 168.133, 168.135, 168.136, 168.163, 168.165, 168.166, 168.193, 168.195, 168.196, 168.198, 168.224, 168.226, 168.227, 168.254, 168.255, 168.257, 168.303, 168.322, 168.326, 168.349, 168.352, 168.354, 168.357, 168.381, 168.409b, 168.413, 168.413a, 168.426d, 168.433, 168.433a, 168.467b, 168.467c, 168.551, 168.591, 168.624, 168.644e, 168.644f, 168.712, 168.737a, 168.931, and 168.973), sections 53, 163, 193, 224, 254, 349, 409b, 413a, 426d, 433a, 467c, 624, and 644f as amended by 1999 PA 218, sections 93 and 133 as amended by 2000 PA 491, section 165 as amended by 1994 PA 152, section 303 as added by 2003 PA 302, section 322 as amended by 2010 PA 183, section 381 as amended by 2010 PA 184, section 413 as amended by 2009 PA 206, section 433 as amended by 2009 PA 208,

section 467b as amended by 2009 PA 207, section 551 as amended by 1990 PA 7, section 591 as amended by 1990 PA 109, section 644e as amended by 2010 PA 44, section 737a as amended by 2006 PA 87, and section 931 as amended by 1996 PA 583, and by adding sections 483a, 932c, and 932e; and to repeal acts and parts of acts.

The bill was read a third time.

The question being on the passage of the bill,

Rep. Lund moved to amend the bill as follows:

1. Amend page 60, following line 7, by striking out all of enacting section 2 and inserting:

“Enacting section 2. This amendatory act takes effect August 16, 2012.”.

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. 422

### Yeas—68

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

### Nays—42

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

In The Chair: Walsh

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

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

A bill to amend 1954 PA 116, entitled “An act to reorganize, consolidate, and add to the election laws; to provide for election officials and prescribe their powers and duties; to prescribe the powers and duties of certain state departments, state agencies, and state and local officials and employees; to provide for the nomination and election of candidates for

public office; to provide for the resignation, removal, and recall of certain public officers; to provide for the filling of vacancies in public office; to provide for and regulate primaries and elections; to provide for the purity of elections; to guard against the abuse of the elective franchise; to define violations of this act; to provide appropriations; to prescribe penalties and provide remedies; and to repeal certain acts and all other acts inconsistent with this act," by amending sections 22e, 32, 53, 55, 56, 93, 95, 96, 133, 135, 136, 163, 165, 166, 193, 195, 196, 198, 224, 226, 227, 254, 255, 257, 303, 322, 326, 349, 352, 354, 357, 381, 409b, 413, 413a, 426d, 433, 433a, 467b, 467c, 477, 480, 551, 624, 644e, 644f, 712, 737a, and 973 (MCL 168.22e, 168.32, 168.53, 168.55, 168.56, 168.93, 168.95, 168.96, 168.133, 168.135, 168.136, 168.163, 168.165, 168.166, 168.193, 168.195, 168.196, 168.198, 168.224, 168.226, 168.227, 168.254, 168.255, 168.257, 168.303, 168.322, 168.326, 168.349, 168.352, 168.354, 168.357, 168.381, 168.409b, 168.413, 168.413a, 168.426d, 168.433, 168.433a, 168.467b, 168.467c, 168.477, 168.480, 168.551, 168.624, 168.644e, 168.644f, 168.712, 168.737a, and 168.973), section 22e as added by 1995 PA 261, sections 53, 163, 193, 224, 254, 349, 409b, 413a, 426d, 433a, 467c, 624, and 644f as amended by 1999 PA 218, sections 93 and 133 as amended by 2000 PA 491, section 165 as amended by 1994 PA 152, section 303 as added by 2003 PA 302, section 322 as amended by 2010 PA 183, section 381 as amended by 2010 PA 184, section 413 as amended by 2009 PA 206, section 433 as amended by 2009 PA 208, section 467b as amended by 2009 PA 207, section 477 as amended by 1999 PA 219, section 551 as amended by 1990 PA 7, section 644e as amended by 2010 PA 44, and section 737a as amended by 2006 PA 87, and by adding sections 483a, 932c, and 932e; and to repeal acts and parts of acts.

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.

---

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

Rep. Stamas moved that **Senate Bill No. 824** be placed on its immediate passage.

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

**Senate Bill No. 824, entitled**

A bill to amend 1976 PA 388, entitled "Michigan campaign finance act," by amending sections 15, 32, 34, 36, 47, and 55 (MCL 169.215, 169.232, 169.234, 169.236, 169.247, and 169.255), sections 15 and 47 as amended by 2001 PA 250, section 32 as amended by 1999 PA 236, section 34 as amended by 1999 PA 238, section 36 as amended by 1996 PA 590, and section 55 as amended by 1995 PA 264.

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

**Roll Call No. 423**

**Yeas—65**

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

## Nays—45

Ananich	Durhal	Lane	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			

In The Chair: Opsommer

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

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

A bill to amend 1976 PA 388, entitled “An act to regulate political activity; to regulate campaign financing; to restrict campaign contributions and expenditures; to require campaign statements and reports; to regulate anonymous contributions; to regulate campaign advertising and literature; to provide for segregated funds for political purposes; to provide for the use of public funds for political purposes; to create certain funds; to provide for reversion, retention, or refunding of unexpended balances in certain funds; to require other statements and reports; to regulate acceptance of certain gifts, payments, and reimbursements; to prescribe the powers and duties of certain state departments and state and local officials and employees; to provide appropriations; to prescribe penalties and provide remedies; and to repeal certain acts and parts of acts,” by amending sections 15, 32, 34, 36, 47, and 55 (MCL 169.215, 169.232, 169.234, 169.236, 169.247, and 169.255), section 15 as amended by 2012 PA 31, section 32 as amended by 1999 PA 236, section 34 as amended by 1999 PA 238, section 36 as amended by 1996 PA 590, section 47 as amended by 2001 PA 250, and section 55 as amended by 1995 PA 264.

The motion prevailed.

The House agreed to the title as amended.

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

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

---

Rep. Greimel, having reserved the right to explain his protest against the passage of the bill, made the following statement:  
“Mr. Speaker and members of the House:

I voted no on Senate Bill 824 because, despite the inclusion of some good government reform provisions, the bill reduces transparency and accountability. Specifically, the bill allows for waiving and reimbursing fines for violating laws requiring the disclosure of late campaign contributions. This sets a bad precedent for compliance with campaign finance laws and is likely to lead to inequity in determining whose fees are waived. Moreover, the bill’s provision allowing PAC to PAC contributions opens the door to special interest money being passed around without adequate disclosure because it will make it very difficult to trace the money. For these reasons, I voted no on Senate Bill 824.”

Rep. Stamas moved that **Senate Bill No. 825** be placed on its immediate passage.

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

**Senate Bill No. 825, entitled**

A bill to amend 1927 PA 175, entitled “The code of criminal procedure,” by amending section 11d of chapter XVII (MCL 777.11d), as added by 2002 PA 31.

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

**Roll Call No. 424****Yeas—68**

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

**Nays—42**

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

In The Chair: Opsommer

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

“An act to revise, consolidate, and codify the laws relating to criminal procedure and to define the jurisdiction, powers, and duties of courts, judges, and other officers of the court under the provisions of this act; to provide laws relative to the rights of persons accused of criminal offenses and ordinance violations; to provide for the arrest of persons charged with or suspected of criminal offenses and ordinance violations; to provide for bail of persons arrested for or accused of criminal offenses and ordinance violations; to provide for the examination of persons accused of criminal offenses; to regulate the procedure relative to grand juries, indictments, informations, and proceedings before trial; to provide for trials of persons complained of or indicted for criminal offenses and ordinance violations and to provide for the procedure in those trials; to provide for judgments and sentences of persons convicted of criminal offenses and ordinance violations; to establish a sentencing commission and to prescribe its powers and duties; to provide for procedure relating to new trials and appeals in criminal and ordinance violation cases; to provide a uniform system of probation throughout this state and the appointment of probation officers; to prescribe the powers, duties, and compensation of probation officers; to provide penalties for the violation of the duties of probation officers; to provide for procedure governing proceedings to prevent crime and proceedings for the discovery of crime; to provide for fees of officers, witnesses, and others in criminal and ordinance violation cases; to set forth miscellaneous provisions as to criminal procedure in certain cases; to provide penalties for the violation of certain provisions of this act; and to repeal all acts and parts of acts inconsistent with or contravening any of the provisions of this act.”

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.



Rep. Segal moved that Rep. Lipton be excused temporarily from today's session.  
The motion prevailed.

Rep. Stamas moved that **House Bill No. 5040** be placed on its immediate passage.  
The motion prevailed, a majority of the members serving voting therefor.

**House Bill No. 5040, entitled**

A bill to protect the right of a student to assert conscientious objection to providing certain counseling or other services; to prohibit certain actions by institutions of higher education; and to provide remedies.

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

**Roll Call No. 425**

**Yeas—59**

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

**Nays—50**

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

In The Chair: Opsommer

The House agreed to the title of the bill.

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

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

Reps. Olumba and Roy Schmidt moved that their names be removed as co-sponsors of the bill.

The motion prevailed.

Rep. Irwin, having reserved the right to explain his protest against the passage of the bill, made the following statement:  
 “Mr. Speaker and members of the House:

I oppose a bill that affirms and celebrates discrimination under the cover of religious freedom. It is a sad day when, in their zeal to discriminate against homosexual residents, my colleagues have voted to enshrine this license to discriminate in law. I hope that our citizens don’t utilize this unfortunate license to discriminate against lesbian, gay, bisexual, transgender, christian, muslim, jewish, hindu, alcoholic, vegan, farmer, veteran or any other group that an arguable religious objection could be raised against.”

Rep. Zorn, having reserved the right to explain his protest against the passage of the bill, made the following statement:  
 “Mr. Speaker and members of the House:

I voted against House Bill 5040, which requires Michigan’s public universities to adopt policies based on counselors’ religious beliefs, because it takes the easy way out of a very important and complicated situation.

The students and faculty at these universities who seek out psychological help have real needs that should be met, not avoided. A counselor who cannot work with someone slightly different than themselves obviously requires more training, not an exemption from doing their job.

This resolution allows counselors to avoid problems that arise in the course of their duties, rather than provide a solution. Because of that, I cannot vote in favor of this resolution as it is currently written.”

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

**House Bill No. 5660, entitled**

A bill to amend 1976 IL 1, entitled “A petition to initiate legislation to provide for the use of returnable containers for soft drinks, soda water, carbonated natural or mineral water, other nonalcoholic carbonated drink, and for beer, ale, or other malt drink of whatever alcoholic content, and for certain other beverage containers; to provide for the use of unredeemed bottle deposits; to prescribe the powers and duties of certain state agencies and officials; and to prescribe penalties and provide remedies,” (MCL 445.571 to 445.576) by adding section 1a.

The Senate has amended the bill as follows:

1. Amend page 1, line 2, after “CONTAINER” by inserting:

“**THAT, WHEN FILLED, IS DESIGNED AND INTENDED TO BE FROZEN AND IS**”.

The Senate has passed the bill by a 3/4 vote as amended and ordered that it be given immediate effect.

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 amendment made to the bill by the Senate,

The amendment was concurred in, 3/4 of the members serving voting therefor, by yeas and nays, as follows:

**Roll Call No. 426**

**Yeas—100**

Agema	Gilbert	Lane	Price
Ananich	Glardon	LeBlanc	Pscholka
Barnett	Goike	Liss	Rendon
Bauer	Graves	Lori	Rogers
Bledsoe	Greimel	Lund	Rutledge
Bolger	Haines	Lyons	Santana
Brunner	Hammel	MacGregor	Schmidt, R.
Bumstead	Haugh	MacMaster	Schmidt, W.
Byrum	Haveman	McBroom	Segal
Callton	Heise	McCann	Shaughnessy
Cavanagh	Hobbs	McMillin	Shirkey
Clemente	Hooker	Moss	Smiley
Constan	Horn	Muxlow	Somerville
Cotter	Howze	Nathan	Stallworth
Crawford	Hughes	Nesbitt	Stamas

Daley	Huuki	O'Brien	Stanley
Damrow	Jackson	Oakes	Stapleton
Denby	Jacobsen	Olson	Switalski
Dillon	Jenkins	Olumba	Talabi
Durhal	Johnson	Opsommer	Townsend
Farrington	Kandrevas	Ouimet	Tyler
Forlini	Knollenberg	Outman	Walsh
Franz	Kowall	Pettalia	Womack
Geiss	Kurtz	Poleski	Yonker
Genetski	LaFontaine	Potvin	Zorn

**Nays—8**

Brown	Foster	Lindberg	Slavens
Darany	Irwin	Meadows	Tlaib

In The Chair: Opsommer

Rep. Segal 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 amendment was concurred in, 3/4 of the members serving voting therefor, by yeas and nays, as follows:

**Roll Call No. 427****Yeas—98**

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

**Nays—11**

Bauer	Foster	Lindberg	Slavens
Brown	Hovey-Wright	Meadows	Tlaib
Darany	Irwin	Olumba	

In The Chair: Opsommer

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

**Third Reading of Bills**

Pending the Third Reading of

**House Bill No. 4631, entitled**

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

Rep. Stamas moved that the bill be referred to the Committee on Government Operations.

The motion prevailed.

**Second Reading of Bills**

Pending the Second Reading of

**Senate Bill No. 19, entitled**

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending section 169 (MCL 750.169).

Rep. Stamas moved that the bill be re-referred to the Committee on Judiciary.

The motion prevailed.

Pending the Second Reading of

**House Bill No. 4728, entitled**

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 648 (MCL 257.648).

Rep. Stamas moved that the bill be re-referred to the Committee on Transportation.

The motion prevailed.

Pending the Second Reading of

**House Bill No. 5628, entitled**

A bill to amend 1979 PA 94, entitled "The state school aid act of 1979," by amending section 32b (MCL 388.1632b), as amended by 2011 PA 62.

Rep. Stamas moved that the bill be re-referred to the Committee on Education.

The motion prevailed.

By unanimous consent the House returned to the order of

**Motions and Resolutions**

Rep. McMillin moved that the Committee on Energy and Technology be discharged from further consideration of **House Bill No. 5411.**

(For first notice see House Journal No. 59, p. 1754.)

The question being on the motion made by Rep. McMillin,

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

The motion prevailed.

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

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

### Announcement by the Clerk of Printing and Enrollment

The Clerk announced the enrollment printing and presentation to the Governor on Friday, June 8, for his approval of the following bill:

**Enrolled House Bill No. 5130 at 11:20 a.m.**

The Clerk announced that the following bills had been printed and placed upon the files of the members on Friday, June 8:

**House Bill Nos. 5728 5729**

The Clerk announced that the following bills had been printed and placed upon the files of the members on Tuesday, June 12:

**Senate Bill Nos. 1177 1178 1179**

The Clerk announced that the following Senate bills had been received on Tuesday, June 12:

**Senate Bill Nos. 1024 1027**

### Reports of Standing Committees

The Committee on Insurance, by Rep. Lund, Chair, reported

**Senate Bill No. 995, entitled**

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 20934 (MCL 333.20934), as amended by 2000 PA 375.

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. Lund, Shaughnessy, Opsommer, Denby, Glardon, LaFontaine, Lyons, O'Brien, Yonker, Kandrevas, Segal, Howze and Nathan

Nays: None

### COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Tuesday, June 12, 2012

Present: Reps. Lund, Shaughnessy, Opsommer, Denby, Glardon, LaFontaine, Lyons, O'Brien, Yonker, Kandrevas, Segal, Howze and Nathan

Absent: Reps. Johnson, Roy Schmidt, Hovey-Wright and Geiss

Excused: Reps. Johnson, Roy Schmidt, Hovey-Wright and Geiss

The Committee on Redistricting and Elections, by Rep. Lund, Chair, reported

**House Bill No. 4800, entitled**

A bill to amend 1976 PA 451, entitled "The revised school code," by amending section 705 (MCL 380.705), as amended by 2003 PA 299.

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. Lund, McBroom, Tyler, Outman, Pscholka and Nathan

Nays: None

## COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Tuesday, June 12, 2012

Present: Reps. Lund, McBroom, Tyler, Outman, Pscholka, Byrum and Nathan

Absent: Reps. Knollenberg and Stanley

Excused: Reps. Knollenberg and Stanley

The Committee on Tax Policy, by Rep. Gilbert, Chair, reported

**House Bill No. 5729, entitled**

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," by amending section 51 (MCL 206.51), as amended by 2011 PA 38.

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. Gilbert, Walsh, Horn, Farrington, Foster, Lyons, Nesbitt, O'Brien, Olson and Ouimet

Nays: None

## COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Tuesday, June 12, 2012

Present: Reps. Gilbert, Walsh, Horn, Farrington, Foster, Lyons, Nesbitt, O'Brien, Olson, Ouimet, Barnett, Kandrevas, Meadows, Townsend, Cavanagh and Hobbs

Absent: Rep. Constan

Excused: Rep. Constan

The Committee on Transportation, by Rep. Opsommer, Chair, reported

**House Bill No. 5065, entitled**

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 224 (MCL 257.224), as amended by 2006 PA 177.

With the recommendation that the substitute (H-3) 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. Opsommer, Glardon, Wayne Schmidt, Huuki, Jacobsen, Muxlow, Olson, Ouimet, Somerville, Roy Schmidt, Talabi, Liss, Byrum and Smiley

Nays: None

The Committee on Transportation, by Rep. Opsommer, Chair, reported

**Senate Bill No. 988, entitled**

A bill to provide for the designation of the Frank J. Kelley Walkway; and to prescribe the powers of certain state agencies and officials.

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. Opsommer, Glardon, Wayne Schmidt, Huuki, Jacobsen, Muxlow, Olson, Ouimet, Somerville, Roy Schmidt, Talabi, Nathan, Liss, Byrum and Smiley

Nays: None

The Committee on Transportation, by Rep. Opsommer, Chair, reported

**Senate Bill No. 1146, entitled**

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 20a (MCL 257.20a), as added by 1996 PA 404.

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. Opsommer, Glardon, Wayne Schmidt, Huuki, Jacobsen, Muxlow, Olson, Ouimet, Somerville, Roy Schmidt, Talabi, Nathan, Liss and Smiley

Nays: None

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Tuesday, June 12, 2012

Present: Reps. Opsommer, Glardon, Wayne Schmidt, Huuki, Jacobsen, Muxlow, Olson, Ouimet, Somerville, Roy Schmidt, Talabi, Nathan, Liss, Byrum and Smiley

Absent: Reps. Geiss and Santana

Excused: Reps. Geiss and Santana

The Committee on Commerce, by Rep. Wayne Schmidt, Chair, reported

**Senate Bill No. 1094, entitled**

A bill to amend 1936 (Ex Sess) PA 1, entitled "Michigan employment security act," (MCL 421.1 to 421.75) by adding sections 28b, 28c, 28d, 28e, 28f, 28g, 28h, 28i, 28j, 28k, 28l, and 28m.

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

Nays: Rep. Knollenberg

## COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Tuesday, June 12, 2012

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

Absent: Rep. Olumba

## COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Franz, Chair, of the Committee on Military and Veterans Affairs and Homeland Security, was received and read:

Meeting held on: Tuesday, June 12, 2012

Present: Reps. Franz, Zorn, Tyler, Callton, Hughes, Graves, Nathan, Darany, Smiley, Liss, Clemente and Greimel

Absent: Rep. Haines

Excused: Rep. Haines

## Notices

The Speaker appointed as conferees, on the part of the House of Representatives for **House Bill No. 5364**, Reps. Moss, Kowall and LeBlanc.

By unanimous consent the House returned to the order of

**Messages from the Senate****House Bill No. 5364, entitled**

A bill to make, supplement, and adjust appropriations for certain capital outlay projects and for certain state departments and agencies for the fiscal year ending September 30, 2012; to provide for the expenditure of the appropriations; and to prescribe certain conditions for the appropriations.

The Senate has appointed Senators Booher, Kahn and Hood as conferees to join with Representatives Moss, Kowall and LeBlanc.

The bill was referred to the Conference Committee.

**House Bill No. 4656, entitled**

A bill to amend 1954 PA 116, entitled "Michigan election law," (MCL 168.1 to 168.992) by adding section 931a.

The Senate has passed the bill and pursuant to Joint Rule 20, inserted the full title.

The House agreed to the full title.

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

**House Bill No. 5131, entitled**

A bill to amend 1978 PA 368, entitled "Public health code," by amending sections 7405, 17702, 17703, 17708, 17751, 17754, and 17763 (MCL 333.7405, 333.17702, 333.17703, 333.17708, 333.17751, 333.17754, and 333.17763), sections 7405, 17708, 17751, and 17763 as amended by 2011 PA 155 and sections 17702 and 17703 as amended and section 17754 as added by 2006 PA 672, and by adding section 17744.

The Senate has passed the bill, ordered that it be given immediate effect and pursuant to Joint Rule 20, inserted the full title.

The House agreed to the full title.

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

**House Bill No. 5226, entitled**

A bill to amend 1935 PA 220, entitled "An act to provide family home care for children committed to the care of the state, to create the Michigan children's institute under the control of the Michigan social welfare commission, to prescribe

the powers and duties thereof, and to provide penalties for violations of certain provisions of this act,” by amending section 9 (MCL 400.209), as amended by 2011 PA 30.

The Senate has passed the bill and ordered that it be given immediate effect.

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

**House Bill No. 5338, entitled**

A bill to amend 1978 PA 368, entitled “Public health code,” by amending sections 2251 and 7341 (MCL 333.2251 and 333.7341), section 7341 as added by 1984 PA 347.

The Senate has passed the bill, ordered that it be given immediate effect and pursuant to Joint Rule 20, inserted the full title.

The House agreed to the full title.

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

**House Bill No. 5714, entitled**

A bill to amend 1969 PA 306, entitled “Administrative procedures act of 1969,” by amending section 48 (MCL 24.248), as amended by 1999 PA 262.

The Senate has passed the bill, ordered that it be given immediate effect and pursuant to Joint Rule 20, inserted the full title.

The House agreed to the full title.

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

The Senate returned, in accordance with the request of the House

**Senate Bill No. 760, entitled**

A bill to amend 1931 PA 328, entitled “The Michigan penal code,” by amending sections 222 and 223 (MCL 750.222 and 750.223), section 222 as amended by 2001 PA 135 and section 223 as amended by 1992 PA 221.

(The bill was passed on May 31, see House Journal No. 55, p. 1246.)

The Senate returned, in accordance with the request of the House

**Senate Bill No. 761, entitled**

A bill to amend 1927 PA 372, entitled “An act to regulate and license the selling, purchasing, possessing, and carrying of certain firearms and gas ejecting devices; to prohibit the buying, selling, or carrying of certain firearms and gas ejecting devices without a license or other authorization; to provide for the forfeiture of firearms 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 1 (MCL 28.421), as amended by 2008 PA 407.

(The bill was passed on May 31, see House Journal No. 55, p. 1247.)

**Senate Bill No. 1024, entitled**

A bill to prohibit persons who have certain economic relationships with Iran from submitting bids on requests for proposals with this state, political subdivisions of this state, and other public entities; to require bidders for certain public contracts to submit certification of eligibility with the bid; to require reports; and to provide for sanctions for false certification.

The Senate has passed the bill.

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

**Senate Bill No. 1027, entitled**

A bill to amend 1984 PA 270, entitled “Michigan strategic fund act,” (MCL 125.2001 to 125.2094) by adding section 15. The Senate has passed the bill.

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

**Notices**

June 8, 2012

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

Dear Mr. Clerk:

I hereby make the following changes to the House Standing Committees for the 2011-2012 Legislative Session:

**Energy and Technology**

Remove Rep. Harvey Santana

**Transportation**

Remove Rep. Harvey Santana

Sincerely,  
Jase Bolger, Speaker  
Michigan House of Representatives

**Messages from the Governor**

Date: June 7, 2012  
Time: 11:39 a.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

**Enrolled House Bill No. 5362 (Public Act No. 158, I.E.), being**

An act to amend 1956 PA 218, entitled “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,” by amending section 3135 (MCL 500.3135), as amended by 2002 PA 697.

(Filed with the Secretary of State June 7, 2012, at 2:52 p.m.)

**Introduction of Bills**

Rep. Johnson introduced

**House Bill No. 5730, entitled**

A bill to amend 1963 PA 181, entitled "Motor carrier safety act of 1963," by amending section 5 (MCL 480.15), as amended by 2011 PA 160.

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

Reps. LaFontaine, Gilbert, Daley, Kurtz, Jenkins, Rendon, Yonker, Hooker, Pscholka, Heise, Muxlow, Goike, McBroom and Shaughnessy introduced

**House Bill No. 5731, entitled**

A bill to amend 1978 PA 368, entitled "Public health code," by amending sections 16221 and 16226 (MCL 333.16221 and 333.16226), section 16221 as amended by 2011 PA 222 and section 16226 as amended by 2011 PA 224, and by adding sections 17015b and 17515b.

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

Rep. Gilbert introduced

**House Bill No. 5732, entitled**

A bill to amend 2007 PA 36, entitled "Michigan business tax act," by amending section 510 (MCL 208.1510), as amended by 2011 PA 292.

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

---

Rep. Lane moved that the House adjourn.

The motion prevailed, the time being 6:45 p.m.

Associate Speaker Pro Tempore Opsommer declared the House adjourned until Wednesday, June 13, at 10:00 a.m.

GARY L. RANDALL  
Clerk of the House of Representatives