

No. 24
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House of Representatives
93rd Legislature
REGULAR SESSION OF 2006

House Chamber, Lansing, Wednesday, March 8, 2006.

1:00 p.m.

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

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

Accavitti—present	Elsenheimer—present	Law, Kathleen—present	Robertson—present
Acciavatti—present	Emmons—present	Leland—present	Rocca—present
Adamini—present	Espinoza—present	Lemmons, III—excused	Sak—present
Amos—present	Farhat—present	Lemmons, Jr.—present	Schuitmaker—present
Anderson—present	Farrah—present	Lipsey—present	Shaffer—present
Angerer—present	Gaffney—present	Marleau—present	Sheen—present
Ball—present	Garfield—present	Mayes—present	Sheltrown—present
Baxter—present	Gillard—present	McConico—present	Smith, Alma—present
Bennett—present	Gleason—present	McDowell—present	Smith, Virgil—present
Bieda—present	Gonzales—present	Meisner—present	Spade—present
Booher—present	Gosselin—present	Meyer—present	Stahl—present
Brandenburg—present	Green—present	Miller—present	Stakoe—present
Brown—present	Hansen—present	Moolenaar—present	Steil—present
Byrnes—present	Hildenbrand—present	Moore—present	Stewart—present
Byrum—present	Hood—present	Mortimer—present	Taub—present
Casperson—present	Hoogendyk—present	Murphy—present	Tobocman—present
Caswell—present	Hopgood—present	Newell—present	Vagnozzi—present
Caul—present	Huizenga—present	Nitz—present	Van Regenmorter—present
Cheeks—present	Hummel—present	Nofs—present	Vander Veen—present
Clack—present	Hune—present	Palmer—excused	Walker—present
Clemente—present	Hunter—present	Palsrok—present	Ward—present
Condino—present	Jones—present	Pastor—present	Waters—present
Cushingberry—present	Kahn—present	Pavlov—present	Wenke—present
DeRoche—present	Kolb—present	Pearce—present	Whitmer—present
Dillon—present	Kooiman—present	Plakas—present	Williams—present
Donigan—present	LaJoy—present	Polidori—present	Wojno—present
Drolet—present	Law, David—present	Proos—present	Zelenko—present

e/d/s = entered during session

Rep. Lee Gonzales, from the 49th District, offered the following invocation:

“O God... It is a humbling honor to offer this invocation as we strive for a better quality of life through mutual trust, cooperation and assistance. Practical solutions that work for all Michigan citizens call for the exercise of leadership. I’m reminded of Sister Joan Chittister’s beautiful ‘Prayer for Leadership.’ Give us insight enough ourselves to discover the deeper meaning of how complex decisions are made in the face of tremendous challenges. Please guide us, Lord, as servants who can tell strength from power, growth from greed, leadership from dominance, and real greatness from the trappings of grandiosity. Give us the vision as a people to know where leadership for our state truly lies, to pursue it diligently, to require it to protect the rights for everyone everywhere in Michigan. And simply put, Lord, let us take advantage of any opportunity to ‘love thy neighbor’ and make a difference to all people. This we pray, and please join me in saying... Amen.”

Rep. Emmons moved that Rep. Palmer be excused from today’s session.
The motion prevailed.

Rep. Sak moved that Rep. Lemmons, III be excused from today’s session.
The motion prevailed.

Reports of Standing Committees

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

House Bill No. 5538, entitled

A bill to amend 1893 PA 206, entitled “The general property tax act,” by amending section 53b (MCL 211.53b), as amended by 2003 PA 105.

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. Sheen, Meyer, Gosselin, Newell, Drolet, Hoogendyk, Stakoe, Jones, Marleau, Bieda, Farrah, Zelenko, Miller, Meisner, Bennett and Mayes

Nays: None

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

Senate Bill No. 859, entitled

A bill to amend 1893 PA 206, entitled “The general property tax act,” by amending section 7dd (MCL 211.7dd), as amended by 2003 PA 140.

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. Sheen, Meyer, Gosselin, Newell, Drolet, Hoogendyk, Stakoe, Jones, Marleau, Bieda, Farrah, Zelenko, Miller, Meisner, Bennett and Mayes

Nays: None

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Wednesday, March 8, 2006

Present: Reps. Sheen, Meyer, Gosselin, Newell, Drolet, Hoogendyk, Stakoe, Jones, Marleau, Bieda, Farrah, Zelenko, Miller, Meisner, Bennett and Mayes

Absent: Rep. Palmer

Excused: Rep. Palmer

The Committee on House Oversight, Elections, and Ethics, by Rep. Ward, Chair, reported

House Bill No. 5813, entitled

A bill to amend 1954 PA 116, entitled "Michigan election law," by amending section 381 (MCL 168.381), as amended by 2005 PA 71.

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. Ward, Gaffney, Meisner and Gillard

Nays: None

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Wednesday, March 8, 2006

Present: Reps. Ward, Gaffney, Meisner and Gillard

Absent: Rep. Elsenheimer

Excused: Rep. Elsenheimer

The Committee on Judiciary, by Rep. Van Regenmorter, Chair, reported

House Bill No. 5747, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," (MCL 750.1 to 750.568) by adding chapter LXVIIA.

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. Van Regenmorter, Schuitmaker, Newell, Nofs, Stakoe, Jones, David Law, Rocca, Lipsey, Condino, Adamini, Bieda and Virgil Smith

Nays: None

The Committee on Judiciary, by Rep. Van Regenmorter, Chair, reported

House Bill No. 5748, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 16w of chapter XVII (MCL 777.16w), as amended by 2004 PA 424.

With the recommendation that the following amendment be adopted and that the bill then pass.

1. Amend page 4, following line 7, by inserting:

"Enacting section 1. This amendatory act takes effect 90 days after the date it is enacted." and renumbering the remaining enacting section.

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

Favorable Roll Call

To Report Out:

Yeas: Reps. Van Regenmorter, Schuitmaker, Newell, Nofs, Stakoe, Jones, David Law, Rocca, Lipsey, Condino, Adamini, Bieda and Virgil Smith

Nays: None

The Committee on Judiciary, by Rep. Van Regenmorter, Chair, reported

House Bill No. 5823, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending sections 49, 159j, and 535a (MCL 750.49, 750.159j, and 750.535a), section 49 as amended by 1998 PA 38, section 159j as added by 1995 PA 187, and section 535a as amended by 1999 PA 185.

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. Van Regenmorter, Schuitmaker, Newell, Nofs, Stakoe, Jones, David Law, Rocca, Lipsey, Condino, Adamini, Bieda and Virgil Smith

Nays: None

The Committee on Judiciary, by Rep. Van Regenmorter, Chair, reported

House Bill No. 5824, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 7523 (MCL 333.7523), as amended by 1990 PA 336.

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. Van Regenmorter, Schuitmaker, Newell, Nofs, Stakoe, Jones, David Law, Rocca, Lipsey, Condino, Adamini, Bieda and Virgil Smith

Nays: None

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Wednesday, March 8, 2006

Present: Reps. Van Regenmorter, Schuitmaker, Newell, Nofs, Stakoe, Jones, David Law, Rocca, Lipsey, Condino, Adamini, Bieda and Virgil Smith

Absent: Reps. Elsenheimer and McConico

Excused: Reps. Elsenheimer and McConico

Second Reading of Bills**House Bill No. 5648, entitled**

A bill to amend 1954 PA 116, entitled "Michigan election law," by amending section 478 (MCL 168.478).

(The bill was read a second time, amended, amendment offered and bill postponed for the day on March 7, see House Journal No. 23, p. 410.)

Rep. Vagnozzi moved to amend the bill as follows:

1. Amend page 2, following line 17, by inserting:

“(g) House Bill No. 4811.”.

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

Point of Order

The chair ruled it is the opinion of the Chair that the amendment is out of order. Rule 76 of the House rules states that in all cases not provided by the constitution or house rules the authority shall be Mason’s Manual of Legislative Procedure. Section 401 of Mason’s states that an amendment that is frivolous or absurd is not in order and it is the opinion of the Chair that this amendment is frivolous in that the minority party has offered a series of similar amendments on over 75 items on the House calendar serves only to impede the work of the House.

Rep. Sak 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. 150

Yeas—57

Acciavatti	Garfield	Marleau	Rocca
Amos	Gosselin	Meyer	Schuitmaker
Ball	Green	Moolenaar	Shaffer
Baxter	Hansen	Moore	Sheen
Booher	Hildenbrand	Mortimer	Stahl
Brandenburg	Hoogendyk	Newell	Stakoe
Casperson	Huizenga	Nitz	Steil
Caswell	Hummel	Nofs	Stewart
Caul	Hune	Palsrok	Taub
DeRoche	Jones	Pastor	Van Regenmorter
Drolet	Kahn	Pavlov	Vander Veen
Elsenheimer	Kooiman	Pearce	Walker
Emmons	LaJoy	Proos	Ward
Farhat	Law, David	Robertson	Wenke
Gaffney			

Nays—49

Accavitti	Cushingberry	Law, Kathleen	Sak
Adamini	Dillon	Leland	Sheltrown
Anderson	Donigan	Lemmons, Jr.	Smith, Alma
Angerer	Espinoza	Lipsey	Smith, Virgil
Bennett	Farrah	Mayes	Spade
Bieda	Gillard	McConico	Tobocman
Brown	Gleason	McDowell	Vagnozzi
Byrnes	Gonzales	Meisner	Waters
Byrum	Hood	Miller	Whitmer
Cheeks	Hopgood	Murphy	Williams
Clack	Hunter	Plakas	Wojno
Clemente	Kolb	Polidori	Zelenko
Condino			

In The Chair: Kooiman

Rep. Schuitmaker moved that the bill be placed on the order of Third Reading of Bills.
The motion prevailed.

Rep. Ward moved that the bill be placed on its immediate passage.
The motion prevailed, a majority of the members serving voting therefor.

By unanimous consent the House returned to the order of
Third Reading of Bills

House Bill No. 5648, entitled

A bill to amend 1954 PA 116, entitled "Michigan election law," by amending section 478 (MCL 168.478).
The bill was read a third time.
The question being on the passage of the bill,

Rep. Ward moved that consideration of the bill be postponed temporarily.
The motion prevailed.

Second Reading of Bills

House Bill No. 5649, entitled

A bill to amend 1954 PA 116, entitled "Michigan election law," by amending section 479 (MCL 168.479).
(The bill was read a second time, amended, amendment offered and bill postponed for the day on March 7, see House Journal No. 23, p. 410.)

Rep. Meisner moved to amend the bill as follows:

1. Amend page 2, following line 10, by inserting:
“(g) House Bill No. 4811.”.

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

Point of Order

The chair ruled it is the opinion of the Chair that the amendment is out of order. Rule 76 of the House rules states that in all cases not provided by the constitution or house rules the authority shall be Mason's Manual of Legislative Procedure. Section 401 of Mason's states that an amendment that is frivolous or absurd is not in order and it is the opinion of the Chair that this amendment is frivolous in that the minority party has offered a series of similar amendments on over 75 items on the House calendar serves only to impede the work of the House.

Rep. Sak 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. 151

Yeas—57

Acciavatti	Garfield	Marleau	Rocca
Amos	Gosselin	Meyer	Schuitmaker
Ball	Green	Moolenaar	Shaffer
Baxter	Hansen	Moore	Sheen
Booher	Hildenbrand	Mortimer	Stahl
Brandenburg	Hoogendyk	Newell	Stakoe
Casperson	Huizenga	Nitz	Steil
Caswell	Hummel	Nofs	Stewart
Caul	Hune	Palsrok	Taub
DeRoche	Jones	Pastor	Van Regenmorter
Drolet	Kahn	Pavlov	Vander Veen

Elsenheimer	Kooiman	Pearce	Walker
Emmons	LaJoy	Proos	Ward
Farhat	Law, David	Robertson	Wenke
Gaffney			

Nays—49

Accavitti	Cushingberry	Law, Kathleen	Sak
Adamini	Dillon	Leland	Sheltrown
Anderson	Donigan	Lemmons, Jr.	Smith, Alma
Angerer	Espinoza	Lipsey	Smith, Virgil
Bennett	Farrah	Mayes	Spade
Bieda	Gillard	McConico	Tobocman
Brown	Gleason	McDowell	Vagnozzi
Byrnes	Gonzales	Meisner	Waters
Byrum	Hood	Miller	Whitmer
Cheeks	Hopgood	Murphy	Williams
Clack	Hunter	Plakas	Wojno
Clemente	Kolb	Polidori	Zelenko
Condino			

In The Chair: Kooiman

Rep. Vander Veen moved that the bill be placed on the order of Third Reading of Bills.
The motion prevailed.

Rep. Ward moved that the bill be placed on its immediate passage.
The motion prevailed, a majority of the members serving voting therefor.

By unanimous consent the House returned to the order of
Third Reading of Bills

House Bill No. 5649, entitled

A bill to amend 1954 PA 116, entitled “Michigan election law,” by amending section 479 (MCL 168.479).

The bill was read a third time.

The question being on the passage of the bill,

Rep. Ward moved that consideration of the bill be postponed temporarily.
The motion prevailed.

Second Reading of Bills

House Bill No. 5650, entitled

A bill to amend 1954 PA 116, entitled “Michigan election law,” by amending section 477 (MCL 168.477), as amended by 1999 PA 219.

(The bill was read a second time, amended, amendment offered and bill postponed for the day on March 7, see House Journal No. 23, p. 411.)

Rep. Condino moved to amend the bill as follows:

1. Amend page 3, following line 10, by inserting:

“(g) House Bill No. 4811.”.

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

Point of Order

The chair ruled it is the opinion of the Chair that the amendment is out of order. Rule 76 of the House rules states that in all cases not provided by the constitution or house rules the authority shall be Mason's Manual of Legislative Procedure. Section 401 of Mason's states that an amendment that is frivolous or absurd is not in order and it is the opinion of the Chair that this amendment is frivolous in that the minority party has offered a series of similar amendments on over 75 items on the House calendar serves only to impede the work of the House.

Rep. Sak 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. 152

Yeas—57

Acciavatti	Garfield	Marleau	Rocca
Amos	Gosselin	Meyer	Schuitmaker
Ball	Green	Moolenaar	Shaffer
Baxter	Hansen	Moore	Sheen
Booher	Hildenbrand	Mortimer	Stahl
Brandenburg	Hoogendyk	Newell	Stakoe
Casperson	Huizenga	Nitz	Steil
Caswell	Hummel	Nofs	Stewart
Caul	Hune	Palsrok	Taub
DeRoche	Jones	Pastor	Van Regenmorter
Drolet	Kahn	Pavlov	Vander Veen
Elsenheimer	Kooiman	Pearce	Walker
Emmons	LaJoy	Proos	Ward
Farhat	Law, David	Robertson	Wenke
Gaffney			

Nays—48

Accavitti	Condino	Kolb	Polidori
Adamini	Cushingberry	Law, Kathleen	Sak
Anderson	Dillon	Leland	Sheltrown
Angerer	Donigan	Lemmons, Jr.	Smith, Virgil
Bennett	Espinoza	Lipsey	Spade
Bieda	Farrah	Mayer	Tobocman
Brown	Gillard	McConico	Vagnozzi
Byrnes	Gleason	McDowell	Waters
Byrum	Gonzales	Meisner	Whitmer
Cheeks	Hood	Miller	Williams
Clack	Hopgood	Murphy	Wojno
Clemente	Hunter	Plakas	Zelenko

In The Chair: Kooiman

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

The motion prevailed.

Rep. Ward moved that the bill be placed on its immediate passage.

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

By unanimous consent the House returned to the order of

Third Reading of Bills

House Bill No. 5650, entitled

A bill to amend 1954 PA 116, entitled “Michigan election law,” by amending section 477 (MCL 168.477), as amended by 1999 PA 219.

The bill was read a third time.

The question being on the passage of the bill,

Rep. Ward moved that consideration of the bill be postponed temporarily.

The motion prevailed.

Second Reading of Bills

Senate Bill No. 208, entitled

A bill to allow reimbursement to municipalities for certain costs for inmates housed in municipal jails or county jails; and to provide certain powers and duties of municipal officials and county officials.

(The bill was read a second time, amended, amendment offered and bill postponed for the day on March 7, see House Journal No. 23, p. 409.)

Rep. Miller moved to amend the bill as follows:

1. Amend page 6, following line 14, by inserting:

“Enacting section 1. This amendatory act does not take effect unless House Bill No. 4811 of the 93rd Legislature is enacted into law.”.

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

Point of Order

The chair ruled it is the opinion of the Chair that the amendment is out of order. Rule 76 of the House rules states that in all cases not provided by the constitution or house rules the authority shall be Mason’s Manual of Legislative Procedure. Section 401 of Mason’s states that an amendment that is frivolous or absurd is not in order and it is the opinion of the Chair that this amendment is frivolous in that the minority party has offered a series of similar amendments on over 75 items on the House calendar serves only to impede the work of the House.

Rep. Sak 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. 153

Yeas—57

Acciavatti	Garfield	Marleau	Rocca
Amos	Gosselin	Meyer	Schuitmaker
Ball	Green	Moolenaar	Shaffer
Baxter	Hansen	Moore	Sheen
Booher	Hildenbrand	Mortimer	Stahl
Brandenburg	Hoogendyk	Newell	Stakoe
Casperson	Huizenga	Nitz	Steil
Caswell	Hummel	Nofs	Stewart
Caul	Hune	Palsrok	Taub
DeRoche	Jones	Pastor	Van Regenmorter
Drolet	Kahn	Pavlov	Vander Veen
Elsenheimer	Kooiman	Pearce	Walker

Emmons
Farhat
Gaffney

LaJoy
Law, David

Proos
Robertson

Ward
Wenke

Nays—49

Accavitti
Adamini
Anderson
Angerer
Bennett
Bieda
Brown
Byrnes
Byrum
Cheeks
Clack
Clemente
Condino

Cushingberry
Dillon
Donigan
Espinoza
Farrah
Gillard
Gleason
Gonzales
Hood
Hopgood
Hunter
Kolb

Law, Kathleen
Leland
Lemmons, Jr.
Lipsev
Mayes
McConico
McDowell
Meisner
Miller
Murphy
Plakas
Polidori

Sak
Sheltrown
Smith, Alma
Smith, Virgil
Spade
Tobocman
Vagnozzi
Waters
Whitmer
Williams
Wojno
Zelenko

In The Chair: Kooiman

Rep. Ward moved that the bill be placed on the order of Third Reading of Bills.
The motion prevailed.

House Bill No. 4807, entitled

A bill to amend 1956 PA 62, entitled “An act to authorize the director of the department of state police to promulgate a uniform traffic code; to authorize a city, township, or village to adopt the uniform traffic code by reference without publication in full; and to prescribe criminal penalties and civil sanctions for violation of the code,” by amending section 1 (MCL 257.951), as amended by 1998 PA 69.

(The bill was read a second time, substitute (H-2) adopted, amended, amendment offered and bill postponed for the day on March 7, see House Journal No. 23, p. 409.)

Rep. Gillard moved to amend the bill as follows:

1. Amend page 3, following line 20, by inserting:

“Enacting section 2. This amendatory act does not take effect unless House Bill No. 4811 of the 93rd Legislature is enacted into law.”.

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

Point of Order

The chair ruled it is the opinion of the Chair that the amendment is out of order. Rule 76 of the House rules states that in all cases not provided by the constitution or house rules the authority shall be Mason’s Manual of Legislative Procedure. Section 401 of Mason’s states that an amendment that is frivolous or absurd is not in order and it is the opinion of the Chair that this amendment is frivolous in that the minority party has offered a series of similar amendments on over 75 items on the House calendar serves only to impede the work of the House.

Rep. Alma Smith 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. 154**Yeas—57**

Acciavatti	Garfield	Marleau	Rocca
Amos	Gosselin	Meyer	Schuitmaker
Ball	Green	Moolenaar	Shaffer
Baxter	Hansen	Moore	Sheen
Booher	Hildenbrand	Mortimer	Stahl
Brandenburg	Hoogendyk	Newell	Stakoe
Casperson	Huizenga	Nitz	Steil
Caswell	Hummel	Nofs	Stewart
Caul	Hune	Palsrok	Taub
DeRoche	Jones	Pastor	Van Regenmorter
Drolet	Kahn	Pavlov	Vander Veen
Elsenheimer	Kooiman	Pearce	Walker
Emmons	LaJoy	Proos	Ward
Farhat	Law, David	Robertson	Wenke
Gaffney			

Nays—47

Accavitti	Condino	Kolb	Sak
Adamini	Cushingberry	Law, Kathleen	Sheltrown
Anderson	Dillon	Leland	Smith, Alma
Angerer	Donigan	Lemmons, Jr.	Spade
Bennett	Espinoza	Lipsey	Tobocman
Bieda	Farrah	Mayes	Vagnozzi
Brown	Gillard	McConico	Waters
Byrnes	Gleason	McDowell	Whitmer
Byrum	Gonzales	Meisner	Williams
Cheeks	Hood	Miller	Wojno
Clack	Hopgood	Plakas	Zelenko
Clemente	Hunter	Polidori	

In The Chair: Kooiman

Rep. Stakoe moved that the bill be placed on the order of Third Reading of Bills.
The motion prevailed.

House Bill No. 5580, entitled

A bill to amend 1954 PA 116, entitled "Michigan election law," by amending sections 24c and 24d (MCL 168.24c and 168.24d).

(The bill was read a second time, substitute (H-1) adopted, amended, amendment offered and bill postponed for the day on March 7, see House Journal No. 23, p. 409.)

Rep. Alma Smith moved to amend the bill as follows:

1. Amend page 4, following line 9, by inserting:

"Enacting section 1. This amendatory act does not take effect unless House Bill No. 4811 of the 93rd Legislature is enacted into law."

The question being on the adoption of the amendment offered previously by Rep. Alma Smith,

Point of Order

The chair ruled it is the opinion of the Chair that the amendment is out of order. Rule 76 of the House rules states that in all cases not provided by the constitution or house rules the authority shall be Mason's Manual of Legislative Procedure. Section 401 of Mason's states that an amendment that is frivolous or absurd is not in order and it is the opinion of the Chair that this amendment is frivolous in that the minority party has offered a series of similar amendments on over 75 items on the House calendar serves only to impede the work of the House.

Rep. Alma Smith 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. 155

Yeas—57

Acciavatti	Garfield	Marleau	Rocca
Amos	Gosselin	Meyer	Schuitmaker
Ball	Green	Moolenaar	Shaffer
Baxter	Hansen	Moore	Sheen
Booher	Hildenbrand	Mortimer	Stahl
Brandenburg	Hoogendyk	Newell	Stakoe
Casperson	Huizenga	Nitz	Steil
Caswell	Hummel	Nofs	Stewart
Caul	Hune	Palsrok	Taub
DeRoche	Jones	Pastor	Van Regenmorter
Drolet	Kahn	Pavlov	Vander Veen
Elsenheimer	Kooiman	Pearce	Walker
Emmons	LaJoy	Proos	Ward
Farhat	Law, David	Robertson	Wenke
Gaffney			

Nays—47

Accavitti	Condino	Kolb	Sak
Adamini	Cushingberry	Law, Kathleen	Sheltrown
Anderson	Dillon	Leland	Smith, Alma
Angerer	Donigan	Lemmons, Jr.	Spade
Bennett	Espinoza	Lipsey	Tobocman
Bieda	Farrah	Mayes	Vagnozzi
Brown	Gillard	McConico	Waters
Byrnes	Gleason	McDowell	Whitmer
Byrum	Gonzales	Meisner	Williams
Cheeks	Hood	Miller	Wojno
Clack	Hopgood	Plakas	Zelenko
Clemente	Hunter	Polidori	

In The Chair: Kooiman

Rep. Hummel moved that the bill be placed on the order of Third Reading of Bills.
The motion prevailed.

House Bill No. 4502, entitled

A bill to amend 1964 PA 283, entitled “Weights and measures act,” by amending section 31a (MCL 290.631a), as added by 2002 PA 208.

(The bill was read a second time, substitute (H-2) adopted, amendment offered and bill postponed for the day on March 7, see House Journal No. 23, p. 408.)

Rep. Donigan moved to amend the bill as follows:

1. Amend page 6, following line 13, by inserting:

“Enacting section 1. This amendatory act does not take effect unless House Bill No. 4811 of the 93rd Legislature is enacted into law.”.

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

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

Rep. Condino moved to amend the bill as follows:

1. Amend page 6, following line 13, by inserting:

“Enacting section 2. This amendatory act does not take effect unless House Bill No. 4811 of the 93rd Legislature is enacted into law and takes effect.”.

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

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

The motion prevailed.

Rep. Ward moved that the bill be placed on its immediate passage.

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

By unanimous consent the House returned to the order of

Third Reading of Bills

House Bill No. 4502, entitled

A bill to amend 1964 PA 283, entitled “Weights and measures act,” by amending section 31a (MCL 290.631a), as added by 2002 PA 208.

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

Roll Call No. 156

Yeas—104

Accavitti	Drolet	LaJoy	Robertson
Acciavatti	Elsenheimer	Law, David	Rocca
Adamini	Emmons	Law, Kathleen	Sak
Amos	Espinoza	Leland	Schuitmaker
Anderson	Farhat	Lemmons, Jr.	Shaffer
Angerer	Farrah	Lipsey	Sheen
Ball	Gaffney	Marleau	Sheltrown
Baxter	Garfield	Mayes	Smith, Alma
Bennett	Gillard	McConico	Spade
Bieda	Gleason	McDowell	Stahl
Booher	Gonzales	Meisner	Stakoe
Brandenburg	Gosselin	Meyer	Steil
Brown	Green	Miller	Stewart
Byrnes	Hansen	Moolenaar	Taub
Byrum	Hildenbrand	Moore	Tobocman
Casperson	Hood	Mortimer	Vagnozzi
Caswell	Hoogendyk	Newell	Van Regenmorter
Caul	Hopgood	Nitz	Vander Veen
Cheeks	Huizenga	Nofs	Walker
Clack	Hummel	Palsrok	Ward
Clemente	Hune	Pastor	Waters
Condino	Hunter	Pavlov	Wenke

Cushingberry	Jones	Pearce	Whitmer
DeRoche	Kahn	Plakas	Williams
Dillon	Kolb	Polidori	Wojno
Donigan	Kooiman	Proos	Zelenko

Nays—0

In The Chair: Kooiman

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

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

A bill to amend 1964 PA 283, entitled “Weights and measures act,” by amending section 31 (MCL 290.631), as amended by 2002 PA 208.

The motion prevailed.

The House agreed to the title as amended.

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

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

The House returned to the consideration of

House Bill No. 5648, entitled

A bill to amend 1954 PA 116, entitled “Michigan election law,” by amending section 478 (MCL 168.478). (The bill was considered earlier today, see today’s Journal p. 432.)

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. 157**Yeas—57**

Acciavatti	Garfield	Marleau	Rocca
Amos	Gosselin	Meyer	Schuitmaker
Ball	Green	Moolenaar	Shaffer
Baxter	Hansen	Moore	Sheen
Booher	Hildenbrand	Mortimer	Stahl
Brandenburg	Hoogendyk	Newell	Stakoe
Casperson	Huizenga	Nitz	Steil
Caswell	Hummel	Nofs	Stewart
Caul	Hune	Palsrok	Taub
DeRoche	Jones	Pastor	Van Regenmorter
Drolet	Kahn	Pavlov	Vander Veen
Elsenheimer	Kooiman	Pearce	Walker
Emmons	LaJoy	Proos	Ward
Farhat	Law, David	Robertson	Wenke
Gaffney			

Nays—49

Accavitti	Cushingberry	Law, Kathleen	Sak
Adamini	Dillon	Leland	Sheltrown
Anderson	Donigan	Lemmons, Jr.	Smith, Alma
Angerer	Espinoza	Lipsey	Smith, Virgil
Bennett	Farrah	Mayes	Spade
Bieda	Gillard	McConico	Tobocman

Brown	Gleason	McDowell	Vagnozzi
Byrnes	Gonzales	Meisner	Waters
Byrum	Hood	Miller	Whitmer
Cheeks	Hopgood	Murphy	Williams
Clack	Hunter	Plakas	Wojno
Clemente	Kolb	Polidori	Zelenko
Condino			

In The Chair: Kooiman

The House agreed to the title of the bill.

The House returned to the consideration of

House Bill No. 5649, entitled

A bill to amend 1954 PA 116, entitled “Michigan election law,” by amending section 479 (MCL 168.479).
(The bill was considered earlier today, see today’s Journal p. 434.)

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. 158

Yeas—57

Acciavatti	Garfield	Marleau	Rocca
Amos	Gosselin	Meyer	Schuitmaker
Ball	Green	Moolenaar	Shaffer
Baxter	Hansen	Moore	Sheen
Booher	Hildenbrand	Mortimer	Stahl
Brandenburg	Hoogendyk	Newell	Stakoe
Casperson	Huizenga	Nitz	Steil
Caswell	Hummel	Nofs	Stewart
Caul	Hune	Palsrok	Taub
DeRoche	Jones	Pastor	Van Regenmorter
Drolet	Kahn	Pavlov	Vander Veen
Elsenheimer	Kooiman	Pearce	Walker
Emmons	LaJoy	Proos	Ward
Farhat	Law, David	Robertson	Wenke
Gaffney			

Nays—49

Accavitti	Cushingberry	Law, Kathleen	Sak
Adamini	Dillon	Leland	Sheltrown
Anderson	Donigan	Lemmons, Jr.	Smith, Alma
Angerer	Espinoza	Lipsey	Smith, Virgil
Bennett	Farrah	Mayes	Spade
Bieda	Gillard	McConico	Tobocman
Brown	Gleason	McDowell	Vagnozzi
Byrnes	Gonzales	Meisner	Waters

Byrum	Hood	Miller	Whitmer
Cheeks	Hopgood	Murphy	Williams
Clack	Hunter	Plakas	Wojno
Clemente	Kolb	Polidori	Zelenko
Condino			

In The Chair: Kooiman

The House agreed to the title of the bill.

The House returned to the consideration of

House Bill No. 5650, entitled

A bill to amend 1954 PA 116, entitled “Michigan election law,” by amending section 477 (MCL 168.477), as amended by 1999 PA 219.

(The bill was considered earlier today, see today’s Journal p. 435.)

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. 159

Yeas—57

Acciavatti	Garfield	Marleau	Rocca
Amos	Gosselin	Meyer	Schuitmaker
Ball	Green	Moolenaar	Shaffer
Baxter	Hansen	Moore	Sheen
Booher	Hildenbrand	Mortimer	Stahl
Brandenburg	Hoogendyk	Newell	Stakoe
Casperson	Huizenga	Nitz	Steil
Caswell	Hummel	Nofs	Stewart
Caul	Hune	Palsrok	Taub
DeRoche	Jones	Pastor	Van Regenmorter
Drolet	Kahn	Pavlov	Vander Veen
Elsenheimer	Kooiman	Pearce	Walker
Emmons	LaJoy	Proos	Ward
Farhat	Law, David	Robertson	Wenke
Gaffney			

Nays—49

Accavitti	Cushingberry	Law, Kathleen	Sak
Adamini	Dillon	Leland	Sheltrown
Anderson	Donigan	Lemmons, Jr.	Smith, Alma
Angerer	Espinoza	Lipsey	Smith, Virgil
Bennett	Farrah	Mayes	Spade
Bieda	Gillard	McConico	Tobocman
Brown	Gleason	McDowell	Vagnozzi
Byrnes	Gonzales	Meisner	Waters
Byrum	Hood	Miller	Whitmer
Cheeks	Hopgood	Murphy	Williams

Clack
Clemente
Condino

Hunter
Kolb

Plakas
Polidori

Wojno
Zelenko

In The Chair: Kooiman

The House agreed to the title of the bill.

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

The Speaker laid before the House

House Bill No. 4446, entitled

A bill to amend 1978 PA 368, entitled “Public health code,” by amending section 17015 (MCL 333.17015), as amended by 2002 PA 685.

(The bill was received from the Senate on December 7, with an amendment, full title inserted and immediate effect given by the Senate, consideration of which, under the rules, was postponed until December 8, see House Journal No. 106 of 2005, p. 2450.)

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

Rep. Robertson moved to amend the Senate amendment as follows:

1. Amend the Senate Amendment, page 6, line 16, after the second “**VIEW**” by striking out the comma and “**OR NOT TO VIEW**,” and inserting “**OR DECLINE TO VIEW**”.

The motion prevailed and the amendment was adopted, 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, as amended, was concurred in, a majority of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 160

Yeas—84

Accavitti	Elsenheimer	Law, David	Sak
Acciavatti	Emmons	Lemmons, Jr.	Schuitmaker
Adamini	Espinoza	Marleau	Shaffer
Amos	Farhat	Mayes	Sheen
Anderson	Farrah	McDowell	Sheltrown
Angerer	Gaffney	Meyer	Spade
Ball	Garfield	Moolenaar	Stahl
Baxter	Gillard	Moore	Stakoe
Bieda	Gleason	Mortimer	Steil
Booher	Gosselin	Murphy	Stewart
Brandenburg	Green	Newell	Taub
Brown	Hansen	Nitz	Vagnozzi
Byrnes	Hildenbrand	Nofs	Van Regenmorter
Byrum	Hoogendyk	Palsrok	Vander Veen
Casperson	Huizenga	Pastor	Walker
Caswell	Hummel	Pavlov	Ward
Caul	Hune	Pearce	Waters
Clemente	Jones	Polidori	Wenke
DeRoche	Kahn	Proos	Williams
Dillon	Kooiman	Robertson	Wojno
Drolet	LaJoy	Rocca	Zelenko

Nays—21

Bennett	Gonzales	Leland	Plakas
Cheeks	Hopgood	Lipse	Smith, Alma
Clack	Hunter	McConico	Smith, Virgil
Condino	Kolb	Meisner	Tobocman
Cushingberry	Law, Kathleen	Miller	Whitmer
Donigan			

In The Chair: Kooiman

The House agreed to the full title of the bill.

Third Reading of Bills**House Bill No. 4455, entitled**

A bill to amend 1978 PA 368, entitled "Public health code," (MCL 333.1101 to 333.25211) by adding section 2227. Was read a third time and passed, a majority of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 161**Yeas—99**

Accavitti	Elsenheimer	Leland	Sak
Acciavatti	Emmons	Lemmons, Jr.	Schuitmaker
Adamini	Espinoza	Lipse	Shaffer
Amos	Farhat	Marleau	Sheen
Anderson	Farrah	Mayer	Sheltrown
Angerer	Gaffney	McConico	Smith, Alma
Ball	Gillard	McDowell	Smith, Virgil
Bennett	Gleason	Meisner	Spade
Bieda	Gonzales	Meyer	Stahl
Booher	Green	Miller	Stakoe
Brandenburg	Hansen	Moolenaar	Steil
Brown	Hildenbrand	Moore	Stewart
Byrnes	Hood	Murphy	Taub
Byrum	Hopgood	Newell	Tobocman
Casperson	Huizenga	Nitz	Vagnozzi
Caswell	Hummel	Nofs	Van Regenmorter
Caul	Hune	Palsrok	Vander Veen
Cheeks	Hunter	Pastor	Walker
Clack	Jones	Pavlov	Waters
Clemente	Kahn	Pearce	Wenke
Condino	Kolb	Plakas	Whitmer
Cushingberry	Kooiman	Polidori	Williams
DeRoche	LaJoy	Proos	Wojno
Dillon	Law, David	Robertson	Zelenko
Donigan	Law, Kathleen	Rocca	

Nays—7

Baxter	Garfield	Hoogendyk	Ward
Drolet	Gosselin	Mortimer	

In The Chair: Kooiman

The House agreed to the title of the bill.

Reps. Waters, Anderson, Stewart, Kolb, Meyer, Adamini, Brown, Gaffney, Virgil Smith, Hunter, Kathleen Law, Bieda, Meisner, Wojno, Vagnozzi, Taub, Accavitti, Stakoe, Gleason, Wenke, Ward, Byrum, Sak, Nitz, Moolenaar, Casperson, Dillon, Angerer, Bennett, Byrnes, Caul, Cheeks, Espinoza, Green, Hansen, Jones, Kahn, David Law, Lemmons, Jr., Marleau, Mayes, McDowell, Miller, Polidori, Proos, Sheltroun and Spade were named co-sponsors of the bill.

House Bill No. 5603, entitled

A bill to amend 1978 PA 368, entitled “Public health code,” (MCL 333.1101 to 333.25211) by adding section 5141.

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

Roll Call No. 162

Yeas—102

Accavitti	Emmons	Lemmons, Jr.	Sak
Acciavatti	Espinoza	Lipsey	Schuitmaker
Adamini	Farhat	Marleau	Shaffer
Amos	Farrah	Mayes	Sheen
Anderson	Gaffney	McConico	Sheltroun
Angerer	Garfield	McDowell	Smith, Alma
Ball	Gillard	Meisner	Smith, Virgil
Bennett	Gleason	Meyer	Spade
Bieda	Gonzales	Miller	Stahl
Booher	Green	Moolenaar	Stakoe
Brandenburg	Hansen	Moore	Steil
Brown	Hildenbrand	Mortimer	Stewart
Byrnes	Hood	Murphy	Taub
Byrum	Hopgood	Newell	Tobocman
Casperson	Huizenga	Nitz	Vagnozzi
Caswell	Hummel	Nofs	Van Regenmorter
Caul	Hune	Palsrok	Vander Veen
Cheeks	Hunter	Pastor	Walker
Clack	Jones	Pavlov	Ward
Clemente	Kahn	Pearce	Waters
Condino	Kolb	Plakas	Wenke
Cushingberry	Kooiman	Polidori	Whitmer
DeRoche	LaJoy	Proos	Williams
Dillon	Law, David	Robertson	Wojno
Donigan	Law, Kathleen	Rocca	Zelenko
Elsenheimer	Leland		

Nays—4

Baxter	Drolet	Gosselin	Hoogendyk
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In The Chair: Kooiman

The House agreed to the title of the bill.

Reps. Waters, McConico, Stewart, Zelenko, Kolb, Lipsey, Adamini, Brown, Gaffney, Hunter, Farrah, Hopgood, Kathleen Law, Clack, Vagnozzi, Accavitti, Gleason, Byrum, Sak, Moolenaar, Angerer, Bennett, Byrnes, Cheeks, Clemente, Cushingberry, Gonzales, Jones, Kahn, Leland, Lemmons, Jr., Mayes, McDowell, Miller, Mortimer, Polidori, Sheltroun, Alma Smith, Spade and Murphy were named co-sponsors of the bill.

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

By unanimous consent the House returned to the order of

Motions and Resolutions

Reps. Stahl, Nofs, Ball, Schuitmaker, LaJoy, Gosselin, Farhat, Baxter, Moore, Nitz, David Law, Proos, Vander Veen, Caswell, Mortimer, Newell, Taub, Sheen, Marleau, Casperson, Accavitti, Bieda, Booher, Brandenburg, Brown, Byrum, Caul, Clack, Condino, Cushingberry, Espinoza, Gillard, Gleason, Green, Hansen, Hopgood, Jones, Kathleen Law, Leland, Lemmons, Jr., Mayes, McDowell, Meyer, Miller, Pastor, Rocca, Shaffer, Sheltroun, Stakoe, Stewart, Wojno and Zelenko offered the following resolution:

House Resolution No. 209.

A resolution to memorialize the United States Congress to provide flexible funding to help states and local communities clean up and deal with the disastrous effects of clandestine methamphetamine labs.

Whereas, There is a meth epidemic in the United States, and it is having a devastating effect on our country. Meth abuse is causing social, economic, and environmental problems. Children residing in homes with meth labs live in danger and often suffer from neglect and abuse. Meth production costs citizens and governments millions of dollars for a variety of reasons, including law enforcement costs, drug treatment for offenders, cleanup of production sites, and placement of endangered children; and

Whereas, Meth labs leave behind a toxic mess of chemicals and pose a significant danger to communities. The manufacture of one pound of methamphetamine results in six pounds of waste. These wastes include corrosive liquids, acid vapors, heavy metals, solvents, and other harmful materials that can disfigure skin or cause death. Hazardous materials from meth labs are typically disposed of illegally and may cause severe damage to the environment; and

Whereas, Between 1992 and 2004, the number of clandestine meth lab-related cleanups increased from 394 to over 10,000 nationwide. The cost of cleaning up clandestine labs in FY 2004 was approximately \$17.8 million; and

Whereas, States and local governments are bearing the burden of funding the clean up efforts. Many local communities are finding and seizing meth labs. But the lab sites remain dangerous to the public because neither the state or the local community has adequate funding to clean them up; and

Whereas, Federal funding that is supposed to help states and local communities bear the burden of cleaning up meth labs is narrowly crafted and many states and local communities are finding it difficult to qualify; and

Whereas, Federal legislation, such as the Clean, Learn, Educate, Abolish, Neutralize, and Undermine Production (CLEAN-UP) of Methamphetamines Act, introduced in the United States House of Representatives, and the Combat Meth Act of 2005, introduced in the United States Senate, contain funding for meth lab cleanup; now, therefore, be it

Resolved by the House of Representatives, That we memorialize the United States Congress to provide funding for meth lab clean up and ensure that the criteria to qualify for the funds is broad enough that states and local communities in the midst of the meth epidemic can access the funds; 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 resolution was referred to the Committee on Family and Children Services.

Reps. Newell, Ball, Schuitmaker, LaJoy, Gosselin, Farhat, Baxter, Moore, Stahl, Nitz, David Law, Proos, Vander Veen, Caswell, Mortimer, Taub, Sheen, Marleau, Casperson, Accavitti, Bieda, Booher, Brandenburg, Brown, Byrum, Caul, Clack, Condino, Cushingberry, Espinoza, Gillard, Gleason, Green, Hansen, Hopgood, Jones, Kathleen Law, Leland, Lemmons, Jr., McDowell, Meyer, Miller, Pastor, Pearce, Rocca, Shaffer, Sheltroun, Stakoe, Stewart, Wojno and Zelenko offered the following resolution:

House Resolution No. 210.

A resolution to encourage the Michigan Department of Education and school districts to educate teachers and administrators on the dangers of methamphetamine.

Whereas, Methamphetamine is a highly addictive central nervous system stimulant. It is the most widely used and illegally produced synthetic drug in the United States. So-called "meth labs" utilizing inexpensive and easily acquired legal ingredients can be quickly set up virtually anywhere. Urban and rural communities are struggling to cope with the health, crime, societal, and even environmental impacts of methamphetamine production and addiction; and

Whereas, Although the Michigan State Legislature has strengthened our laws to combat this deadly drug, stopping and arresting the dealers and producers must be part of a broader effort to prevent our young people from succumbing to this highly addictive drug. Our schools must have a role to play in educating our young people about the dangers of methamphetamine in order to keep them from starting down this dark road to addiction and crime; and

Whereas, School districts are encouraged to teach students about the dangerous and damaging health risks associated with the production of methamphetamine and the hazardous environment created when producing methamphetamine.

The Michigan Department of Education should develop a model instructional program that may be used by school districts in relaying this information to their students. The model program should include the health risks of using, abusing, and producing methamphetamine, the immediate addictive quality of methamphetamine, and other extreme and dangerous consequences that result from exposure to methamphetamine and its production; and

Whereas, As part of a multi-layered approach that includes law enforcement efforts and prevention, we must recognize that some of our young people will become victimized by either using the drug or by being exposed to methamphetamine production. We must be able to help these children early before the damage is too deeply and permanently felt. The Michigan Department of Education should instruct teachers annually on identifying children who have been exposed to methamphetamine production or who are using the drug themselves; now, therefore, be it

Resolved by the House of Representatives, That we encourage the Michigan Department of Education and school districts to educate teachers and administrators on the dangers of methamphetamine; and be it further

Resolved, That copies of this resolution be transmitted to the Michigan Department of Education.

The resolution was referred to the Committee on Family and Children Services.

Reps. Palmer, Accavitti, Acciavatti, Ball, Baxter, Bieda, Booher, Brandenburg, Byrum, Casperson, Caswell, Caul, Condino, Cushingberry, Espinoza, Farhat, Gillard, Gleason, Gosselin, Green, Hansen, Hopgood, Hunter, Jones, Kathleen Law, Lemmons, Jr., Marleau, Mayes, McDowell, Meyer, Miller, Mortimer, Murphy, Newell, Nitz, Pastor, Pearce, Polidori, Proos, Rocca, Sak, Shaffer, Spade, Stahl, Stakoe, Stewart, Taub, Tobocman, Vander Veen, Wojno and Zelenko offered the following resolution:

House Resolution No. 211.

A resolution to recognize April 2006 as Youth Financial Literacy Month in the state of Michigan.

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

Whereas, Financial literacy encourages greater economic self-sufficiency and higher levels of homeownership. It also enhances retirement security, particularly among low to moderate income citizens; and

Whereas, The past decade has seen declining personal savings rates, increased bankruptcy filings, and rising percentage of family income devoted to servicing household debt. Only 26 percent of people who are 13 to 21-years-old report that their parents actively taught them how to manage money; and

Whereas, A 2004 study by the National JumpStart Coalition for Personal Financial Literacy found that high school students still aren't graduating with the personal finance knowledge and skills they need to attain financial security; and

Whereas, A 2004 survey by the National Endowment for Financial Education found as little as ten hours of personal financial instruction not only significantly increased young people's understanding of money management, but also improved their financial behavior in the ensuing months; and

Whereas, Personal financial education is essential to ensure that our youths are prepared to manage money, credit, and become responsible workers, heads of households, investors, entrepreneurs, business leaders, and citizens; now, therefore, be it

Resolved by the House of Representatives, That the members of this legislative body recognize April 2006 as Financial Literacy for Youth Month in the state of Michigan. We support this month in order to raise public awareness about the need for increased financial literacy in our schools and among our children, and the serious problems that are associated with a lack of understanding about personal finances; be it further

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

Pending the reference of the resolution to a committee,

Rep. Ward moved that Rule 77 be suspended and the resolution be considered at this time.

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

The question being on the adoption of the resolution,

The resolution was adopted.

Announcement by the Clerk of Printing and Enrollment

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

House Bill Nos. 5825 5826 5827 5828 5829 5830 5831 5832 5833 5834 5835 5836 5837 5838
5839 5840

Senate Bill Nos. 1120 1121

The Clerk announced that the following Senate bill had been received on Wednesday, March 8:

Senate Bill No. 403

By unanimous consent the House returned to the order of
Reports of Standing Committees

The Committee on Banking and Financial Services, by Rep. Robertson, Chair, reported
House Bill No. 5324, entitled

A bill to amend 1988 PA 161, entitled "Consumer financial services act," by amending sections 2, 5, 6, and 10g (MCL 487.2052, 487.2055, 487.2056, and 487.2060g), section 2 as amended and section 10g as added by 2002 PA 390 and sections 5 and 6 as amended by 1999 PA 275.

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. Robertson, Green, Huizenga, Palsrok, Hunter, Clemente and Mayes

Nays: None

The Committee on Banking and Financial Services, by Rep. Robertson, Chair, reported
House Bill No. 5328, entitled

A bill to regulate the money transmission services business; to require the licensing of persons engaged in providing money transmission services; to prescribe powers and duties of certain state agencies and officials; to prescribe penalties and provide remedies; and to repeal acts and parts of acts.

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. Robertson, Green, Huizenga, Palsrok, Hunter, Clemente and Mayes

Nays: None

The Committee on Banking and Financial Services, by Rep. Robertson, Chair, reported
House Bill No. 5329, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 14p of chapter XVII (MCL 777.14p), as added by 2002 PA 29.

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. Robertson, Green, Huizenga, Palsrok, Hunter, Clemente and Mayes

Nays: None

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Robertson, Chair, of the Committee on Banking and Financial Services, was received and read:

Meeting held on: Wednesday, March 8, 2006

Present: Reps. Robertson, Green, Huizenga, Palsrok, Hunter, Clemente and Mayes

Absent: Reps. Hune and Dillon

Excused: Reps. Hune and Dillon

The Committee on Energy and Technology, by Rep. Nofs, Chair, reported

House Bill No. 5686, entitled

A bill to amend 1929 PA 48, entitled "An act levying a specific tax to be known as the severance tax upon all producers engaged in the business of severing oil and gas from the soil; prescribing the method of collecting the tax; requiring all producers of such products or purchasers thereof to make reports; to provide penalties; to provide exemptions and refunds; to prescribe the disposition of the funds so collected; and to exempt those paying such specific tax from certain other taxes," by amending section 14 (MCL 205.314), as amended by 1994 PA 307.

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. Nofs, Proos, Drolet, Emmons, Garfield, Huizenga, Stahl, Baxter, Moore, Schuitmaker, Accavitti, Murphy, Mayes, Hunter, Hopgood and Clemente

Nays: None

The Committee on Energy and Technology, by Rep. Nofs, Chair, reported

House Bill No. 5687, entitled

A bill to establish the state home heating credit fund in the department of treasury; and to provide certain powers and duties of the department of treasury with respect to the home heating credit fund.

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. Nofs, Proos, Drolet, Emmons, Garfield, Huizenga, Palsrok, Stahl, Baxter, Moore, Schuitmaker, Accavitti, Murphy, Mayes, Hunter, Hopgood and Clemente

Nays: None

The Committee on Energy and Technology, by Rep. Nofs, Chair, reported

House Bill No. 5688, entitled

A bill to amend 1929 PA 48, entitled "An act levying a specific tax to be known as the severance tax upon all producers engaged in the business of severing oil and gas from the soil; prescribing the method of collecting the tax; requiring all producers of such products or purchasers thereof to make reports; to provide penalties; to provide exemptions and refunds; to prescribe the disposition of the funds so collected; and to exempt those paying such specific tax from certain other taxes," (MCL 205.301 to 205.317) by adding section 14a.

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. Nofs, Proos, Drolet, Emmons, Garfield, Huizenga, Palsrok, Stahl, Baxter, Moore, Schuitmaker, Accavitti, Murphy, Mayes, Hunter, Hopgood and Clemente

Nays: None

The Committee on Energy and Technology, by Rep. Nofs, Chair, reported

House Bill No. 5689, entitled

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," by amending section 527a (MCL 206.527a), as amended by 2004 PA 335.

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. Nofs, Proos, Drolet, Emmons, Garfield, Huizenga, Palsrok, Stahl, Baxter, Moore, Schuitmaker, Accavitti, Murphy, Mayes, Hunter, Hopgood and Clemente

Nays: None

The Committee on Energy and Technology, by Rep. Nofs, Chair, reported

House Bill No. 5690, entitled

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," (MCL 206.1 to 206.532) by adding section 527b. 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. Nofs, Proos, Drolet, Emmons, Garfield, Huizenga, Palsrok, Stahl, Baxter, Moore, Schuitmaker, Accavitti, Murphy, Mayes, Hunter, Hopgood and Clemente

Nays: None

The Committee on Energy and Technology, by Rep. Nofs, Chair, reported

House Bill No. 5691, entitled

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," (MCL 206.1 to 206.532) by adding section 275. 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. Nofs, Proos, Drolet, Emmons, Garfield, Huizenga, Palsrok, Stahl, Baxter, Moore, Schuitmaker, Accavitti, Murphy, Mayes, Hunter, Hopgood and Clemente

Nays: None

The Committee on Energy and Technology, by Rep. Nofs, Chair, reported

House Bill No. 5837, entitled

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," (MCL 206.1 to 206.532) by adding section 437. 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. Nofs, Proos, Drolet, Emmons, Garfield, Huizenga, Palsrok, Stahl, Baxter, Moore, Schuitmaker, Accavitti, Murphy, Mayes, Hunter, Hopgood and Clemente

Nays: None

The Committee on Energy and Technology, by Rep. Nofs, Chair, reported

House Resolution No. 182.

A resolution to memorialize the Congress and the President of the United States to increase funding for the Low Income Home Energy Assistance Program (LIHEAP).

(For text of resolution, see House Journal No. 4, p. 29.)

With the recommendation that the resolution be adopted.

The resolution was laid over one day under the rules.

Favorable Roll Call

To Report Out:

Yeas: Reps. Nofs, Proos, Emmons, Garfield, Huizenga, Palsrok, Stahl, Baxter, Moore, Schuitmaker, Accavitti, Murphy, Mayes, Hunter, Hopgood and Clemente

Nays: None

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Wednesday, March 8, 2006

Present: Reps. Nofs, Proos, Drolet, Emmons, Garfield, Huizenga, Palsrok, Stahl, Baxter, Moore, Schuitmaker, Accavitti, Murphy, Mayes, Hunter, Hopgood and Clemente

Absent: Reps. LaJoy and Dillon

Excused: Reps. LaJoy and Dillon

Messages from the Senate

House Bill No. 5744, entitled

A bill to amend 1974 PA 258, entitled "Mental health code," by amending sections 114 and 114a (MCL 330.1114 and 330.1114a), section 114 as amended and section 114a as added by 1995 PA 290.

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. 5745, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 2233 (MCL 333.2233), as amended by 1996 PA 67.

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. 5063, entitled

A bill to amend 1939 PA 280, entitled "The social welfare act," by amending section 109 (MCL 400.109), as amended by 2002 PA 673.

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

The Senate has passed the bill as substituted (S-1), ordered that it be given immediate effect and pursuant to Joint Rule 20, inserted the full title.

The Speaker announced that pursuant to Rule 45, the bill was laid over one day.

House Bill No. 5675, entitled

A bill to amend 1976 PA 451, entitled "The revised school code," by amending sections 1230, 1230a, 1230c, 1230d, 1230g, 1535a, and 1539b (MCL 380.1230, 380.1230a, 380.1230c, 380.1230d, 380.1230g, 380.1535a, and 380.1539b), section 1230 as amended and section 1230c as added by 2005 PA 129, section 1230a as amended by 2005 PA 138, section 1230d as added by 2005 PA 131, and section 1230g as added and sections 1535a and 1539b as amended by 2005 PA 130, and by adding section 1230h.

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

The Senate has passed the bill as substituted (S-1), ordered that it be given immediate effect and pursuant to Joint Rule 20, inserted the full title.

The Speaker announced that pursuant to Rule 45, the bill was laid over one day.

Senate Bill No. 403, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending sections 16131 and 16263 (MCL 333.16131 and 333.16263), as amended by 2004 PA 97, and by adding section 16346 and part 183A.

The Senate has passed the bill.

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

Introduction of Bills

Reps. Schuitmaker, Ball, LaJoy, Gosselin, Farhat, Baxter, Moore, Stahl, Nitz, David Law, Proos, Vander Veen, Caswell, Mortimer, Newell, Taub, Sheen, Marleau and Casperson introduced

House Bill No. 5841, entitled

A bill to create the methamphetamine reporting act; and to prescribe the powers and duties of certain state and local departments and agencies.

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

Reps. Mortimer, Ball, LaJoy, Gosselin, Schuitmaker, Farhat, Baxter, Moore, Stahl, Nitz, David Law, Proos, Vander Veen, Caswell, Newell, Taub, Sheen, Marleau and Casperson introduced

House Bill No. 5842, entitled

A bill to amend 1975 PA 238, entitled "Child protection law," by amending sections 3 and 8 (MCL 722.623 and 722.628), section 3 as amended by 2002 PA 693 and section 8 as amended by 2004 PA 195.

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

Reps. Casperson, Ball, LaJoy, Gosselin, Schuitmaker, Farhat, Baxter, Moore, Stahl, Nitz, David Law, Proos, Vander Veen, Caswell, Mortimer, Newell, Taub, Sheen and Marleau introduced

House Bill No. 5843, entitled

A bill to amend 1975 PA 238, entitled "Child protection law," by amending section 8b (MCL 722.628b), as amended by 1998 PA 484.

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

Reps. Baxter, Ball, LaJoy, Gosselin, Schuitmaker, Farhat, Moore, Stahl, Nitz, David Law, Proos, Vander Veen, Caswell, Mortimer, Newell, Taub, Sheen, Marleau and Casperson introduced

House Bill No. 5844, entitled

A bill to amend 1975 PA 238, entitled "Child protection law," by amending section 3 (MCL 722.623), as amended by 2002 PA 693.

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

Reps. Moore, Ball, LaJoy, Gosselin, Schuitmaker, Farhat, Baxter, Stahl, Nitz, David Law, Proos, Vander Veen, Caswell, Mortimer, Newell, Taub, Sheen, Marleau and Casperson introduced

House Bill No. 5845, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 20101 (MCL 324.20101), as amended by 1996 PA 383.

The bill was read a first time by its title and referred to the Committee on Natural Resources, Great Lakes, Land Use, and Environment.

Reps. Booher, Farhat, Baxter, Moore, Nitz, David Law, Proos, Vander Veen, Caswell, Mortimer, Newell, Taub, Sheen, Marleau and Casperson introduced

House Bill No. 5846, entitled

A bill to prescribe certain duties of the department of state police with respect to certain illegal drug manufacturing laboratories.

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

Reps. Moolenaar, Caul, Kahn, Mayes and Moore introduced

House Bill No. 5847, entitled

A bill to amend 1996 PA 376, entitled "Michigan renaissance zone act," by amending section 8a (MCL 125.2688a), as amended by 2004 PA 430.

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

Rep. Stewart moved that the House adjourn.

The motion prevailed, the time being 4:05 p.m.

The Speaker Pro Tempore declared the House adjourned until Thursday, March 9, at 10:30 a.m.

GARY L. RANDALL
Clerk of the House of Representatives

