

No. 100
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House of Representatives
94th Legislature
REGULAR SESSION OF 2007

House Chamber, Lansing, Saturday, September 29, 2007.

2:00 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	Dillon—present	Lahti—present	Pearce—present
Acciavatti—present	Donigan—present	LaJoy—present	Polidori—present
Agema—excused	Ebli—present	Law, David—present	Proos—present
Amos—present	Elsenheimer—present	Law, Kathleen—present	Robertson—present
Angerer—present	Emmons—present	LeBlanc—present	Rocca—present
Ball—present	Espinoza—present	Leland—present	Sak—present
Bauer—present	Farrah—present	Lemmons—present	Schuitmaker—present
Bennett—present	Gaffney—present	Lindberg—present	Scott—present
Bieda—present	Garfield—present	Marleau—present	Shaffer—present
Booher—present	Gillard—present	Mayes—present	Sheen—present
Brandenburg—present	Gonzales—present	McDowell—present	Sheltrown—present
Brown—present	Green—present	Meadows—present	Simpson—present
Byrnes—present	Griffin—present	Meekhof—present	Smith, Alma—present
Byrum—present	Hammel—present	Meisner—present	Smith, Virgil—present
Calley—present	Hammon—present	Melton—present	Spade—present
Casperson—present	Hansen—present	Meltzer—present	Stahl—present
Caswell—present	Hildenbrand—present	Miller—present	Stakoe—present
Caul—present	Hood—present	Moolenaar—present	Steil—present
Cheeks—present	Hoogendyk—present	Moore—present	Tobocman—present
Clack—present	Hopgood—present	Moss—present	Vagnozzi—present
Clemente—present	Horn—present	Nitz—present	Valentine—present
Condino—present	Huizenga—present	Nofs—present	Walker—present
Constan—present	Hune—present	Opsommer—present	Ward—present
Corriveau—present	Jackson—present	Palmer—present	Warren—present
Coulouris—present	Johnson—present	Palsrok—present	Wenke—present
Cushingberry—present	Jones, Rick—present	Pastor—present	Wojno—present
Dean—present	Jones, Robert—present	Pavlov—present	Young—present
DeRoche—present	Knollenberg—present		

e/d/s = entered during session

Rep. Kate. Ebli, from the 56th District, offered the following invocation:

“May I become at all times, both now and forever
A protector for those without protection
A guide for those who have lost their way
A ship for those with oceans to cross
A bridge for those with rivers to cross
A sanctuary for those in danger
A lamp for those without light
A place of refuge for those who lack shelter
And a servant to all in need.
Make me strong in spirit, Courageous in action, Gentle of heart,
Let me act in wisdom, Conquer my fear and doubt, Discover my own hidden gifts,
Meet others with compassion, Be a source of healing energies, And face each day with hope and joy. Amen.”

Rep. Booher moved that Rep. Agema be excused from today’s session.
The motion prevailed.

Motions and Resolutions

Reps. Gonzales, Ball, Bieda, Clack, Constan, Dean, Farrah, Garfield, Hammel, Hansen, Johnson, Lahti, Kathleen Law, LeBlanc, Leland, Lemmons, Mayes, Polidori, Proos, Sak, Shaffer, Spade, Vagnozzi, Valentine and Warren offered the following resolution:

House Resolution No. 194.

A resolution recognizing October 15 through October 19, 2007, as National School Lunch Week.

Whereas, National School Lunch Week was established in 1963 by presidential proclamation. This week is dedicated to raising awareness of, and support for, the role that the National School Lunch Program and nutrition education play in the lives of children; and

Whereas, The National School Lunch Program, administered by United States Department of Agriculture’s (USDA) Food and Nutrition Service, is a meal program that provides federal assistance to more than 100,000 schools and residential childcare institutions. Over 29 million children each school day are served nutritionally balanced, low-cost or free lunches through the program; and

Whereas, Unhealthy children become unhealthy adults, and we have the responsibility to give our children every opportunity to grow up in a safe and healthy environment; and

Whereas, It is an undisputed fact that health care costs around the country are skyrocketing. The prevalence of obesity, diabetes and heart disease in the United States continues to climb, placing an enormous burden on state health care budgets; and

Whereas, By helping our children make healthy choices about food, we can reduce the rates of childhood obesity and diabetes and help prevent heart disease, stroke, and other diseases later in life. Nutritious meals can also improve students’ concentration and help them succeed in school; now, therefore, be it

Resolved by the House of Representatives, That the members of this legislative body recognizes October 15-19, 2007 as National School Lunch Week. We are devoted to the recognition of the dedicated parents, school officials, community leaders, and food service professionals for their efforts to ensure that our children are provided with nutritious meals each day.

Pending the reference of the resolution to a committee,

Rep. Tobocman moved that Rule 71 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.

Reps. Sheen, Condino, Bieda, Booher, Dean, Farrah, Garfield, Gonzales, Hammel, Hansen, Hopgood, Rick Jones, Lahti, LeBlanc, Lemmons, Mayes, Palmer, Polidori, Proos, Sak, Shaffer, Green and LaJoy offered the following resolution:

House Resolution No. 195.

A resolution proclaiming September 2007 as Life Insurance Awareness Month.

Whereas, Life insurance provides financial security for families in the event of death by helping surviving family members to meet immediate, ongoing, and future financial obligations and objectives; and

Whereas, Surveys consistently indicate that the vast majority of Americans believe that life insurance is an essential part of a sound financial plan; and

Whereas, The unfortunate reality today is that 44 percent of United States households say they lack adequate life insurance protection; and

Whereas, When someone who provides for other family members dies prematurely, insufficient life insurance coverage often results in financial hardship for surviving family members, forcing them to take such measures as working additional jobs or longer hours, borrowing money from family and friends, scaling back educational plans for children, spending down money from savings and investment accounts, and moving to less expensive housing; and

Whereas, Determining how much and what kind of insurance to buy is one of the most important financial decisions consumers will ever make. Individuals, families, and businesses can benefit greatly from the expert advice of a qualified life insurance professional; and

Whereas, The Life and Health Insurance Foundation for Education, the National Association of Insurance and Financial Advisors, and a coalition representing hundreds of leading life insurance companies and organizations have designated September 2007 as Life Insurance Awareness Month. The goal is to make consumers more aware of their life insurance needs, seek professional advice, and take the actions necessary to achieve the financial security of their loved ones; now, therefore, be it

Resolved by the House of Representatives, That the members of this legislative body declare September 2007 as Life Insurance Awareness Month, and urge our citizens to learn more about life insurance and its benefits.

Pending the reference of the resolution to a committee,

Rep. Tobocman moved that Rule 71 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.

Reps. Ward, Rick Jones, Green, Meisner, Vagnozzi, Ball, Brandenburg, Accavitti, Elsenheimer, Schuitmaker, Horn and Acciavatti offered the following resolution:

House Resolution No. 196.

A resolution to memorialize the Congress of the United States to adopt and submit to the states for ratification an amendment to the United States Constitution to require a balanced budget.

Whereas, Preparing an annual budget is a primary responsibility of the legislative branch of government. This process not only prioritizes the tasks a society wishes to carry out, it also projects a financial commitment that should be based on sound thinking and a deep understanding of the long-term ramifications of spending decisions; and

Whereas, Runaway federal spending is a serious threat to the long-term stability of our nation. Mounting debt has the potential to impede our country's progress in many areas, in a manner similar to the way unchecked spending can do harm to an individual family or business; and

Whereas, Unlike the states, which must wrestle each year with how to match resources with needs, the federal government does not have to balance its budget. Clearly, unchecked federal spending exerts negative pressures on our economy and our ability to compete with other nations; and

Whereas, Adding a balanced budget requirement to our federal constitution would greatly strengthen our country. With less money diverted to service the nation's debt, more of our country's resources can be directed to address the greatest challenges before us; now, therefore, be it

Resolved by the House of Representatives, That we memorialize the Congress of the United States to adopt and submit to the states for ratification an amendment to the United States Constitution to require a balanced budget; 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 Government Operations.

Reps. Ward, Rick Jones, Green, Meisner, Schuitmaker, Vagnozzi, Ball, Brandenburg, Accavitti, Elsenheimer, Pastor, Horn, Acciavatti and Emmons offered the following concurrent resolution:

House Concurrent Resolution No. 50.

A concurrent resolution to memorialize the Congress of the United States to adopt and submit to the states for ratification an amendment to the United States Constitution to require a balanced budget.

Whereas, Preparing an annual budget is a primary responsibility of the legislative branch of government. This process not only prioritizes the tasks a society wishes to carry out, it also projects a financial commitment that should be based on sound thinking and a deep understanding of the long-term ramifications of spending decisions; and

Whereas, Runaway federal spending is a serious threat to the long-term stability of our nation. Mounting debt has the potential to impede our country's progress in many areas, in a manner similar to the way unchecked spending can do harm to an individual family or business; and

Whereas, Unlike the states, which must wrestle each year with how to match resources with needs, the federal government does not have to balance its budget. Clearly, unchecked federal spending exerts negative pressures on our economy and our ability to compete with other nations; and

Whereas, Adding a balanced budget requirement to our federal constitution would greatly strengthen our country. With less money diverted to service the nation's debt, more of our country's resources can be directed to address the greatest challenges before us; now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That we memorialize the Congress of the United States to adopt and submit to the states for ratification an amendment to the United States Constitution to require a balanced budget; 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 concurrent resolution was referred to the Committee on Government Operations.

Announcement by the Clerk of Printing and Enrollment

The Clerk announced the enrollment printing and presentation to the Governor on Saturday, September 29, for her approval of the following bills:

Enrolled House Bill No. 5242 at 4:04 p.m.
Enrolled House Bill No. 4228 at 4:06 p.m.
Enrolled House Bill No. 4668 at 9:02 p.m.
Enrolled House Bill No. 4842 at 9:04 p.m.
Enrolled House Bill No. 4849 at 9:06 p.m.
Enrolled House Bill No. 4860 at 9:08 p.m.
Enrolled House Bill No. 4863 at 9:10 p.m.
Enrolled House Bill No. 4864 at 9:12 p.m.
Enrolled House Bill No. 4865 at 9:14 p.m.
Enrolled House Bill No. 4866 at 9:16 p.m.

The Clerk announced that the following bills had been printed and placed upon the files of the members on Saturday, September 29:

House Bill Nos. 5271 5272 5273

The Clerk announced that the following Senate bill had been received on Saturday, September 29:

Senate Bill No. 799

Messages from the Senate

House Bill No. 5198, entitled

A bill to amend 1937 PA 94, entitled "Use tax act," by amending the title and sections 3a and 5 (MCL 205.93a and 205.95), sections 3a and 5 as amended by 2004 PA 172, and by adding section 4z.

The Senate has appointed Senators Garcia, Kuipers and Prusi as conferees to join with Representatives Bieda, Condino and Palsrok.

The bill was referred to the Conference Committee on September 28, 2007.

Senate Bill No. 799, entitled

A bill to amend 1984 PA 22, entitled "Michigan civilian conservation corps act," by amending the title and section 12a (MCL 409.312a), the title as amended by 1994 PA 394 and section 12a as amended by 2002 PA 57.

The Senate has passed the bill.

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

Notices

I hereby give notice that on the next legislative session day I will move to discharge the Conference Committee on House Bill No. 5194 from further consideration of **House Bill No. 5194**.

Rep. Tobocman

I hereby give notice that on the next legislative session day I will move to discharge the Conference Committee on House Bill No. 5198 from further consideration of **House Bill No. 5198**.

Rep. Tobocman

I hereby give notice that on the next legislative session day I will move to discharge the Committee on Health Policy from further consideration of **Senate Bill No. 1**.

Rep. Tobocman

I hereby give notice that on the next legislative session day I will move to discharge the Committee on Government Operations from further consideration of **Senate Bill No. 395**.

Rep. Tobocman

I hereby give notice that on the next legislative session day I will move to discharge the Committee on Government Operations from further consideration of **Senate Bill No. 396**.

Rep. Tobocman

I hereby give notice that on the next legislative session day I will move to discharge the Committee on Government Operations from further consideration of **Senate Bill No. 397**.

Rep. Tobocman

I hereby give notice that on the next legislative session day I will move to discharge the Committee on Government Operations from further consideration of **Senate Bill No. 398**.

Rep. Tobocman

I hereby give notice that on the next legislative session day I will move to discharge the Committee on Education from further consideration of **Senate Bill No. 546**.

Rep. Tobocman

I hereby give notice that on the next legislative session day I will move to discharge the Committee on Education from further consideration of **Senate Bill No. 547**.

Rep. Tobocman

I hereby give notice that on the next legislative session day I will move to discharge the Committee on Appropriations from further consideration of **Senate Bill No. 796**.

Rep. Tobocman

I hereby give notice that on the next legislative session day I will move to discharge the Committee on Judiciary from further consideration of **Senate Bill No. 632**.

Rep. Tobocman

I hereby give notice that on the next legislative session day I will move to discharge the Committee on Judiciary from further consideration of **Senate Bill No. 622**.

Rep. Tobocman

September 29, 2007

Richard J. Brown, Clerk of the House
Ground Floor, Capitol
Lansing, MI 48913

Dear Mr. Brown:

I hereby replace Rep. Ball with Rep. Acciavatti on the Conference Committee on Senate Bill No. 418.

Sincerely,
Andy Dillon
Speaker of the House

September 29, 2007

Richard J. Brown, Clerk of the House
Ground Floor, Capitol
Lansing, MI 48913

Dear Mr. Brown:

I hereby replace Rep. Meadows with Rep. Cushingberry on the Conference Committee on Senate Bill No. 418.

Sincerely,
Andy Dillon
Speaker of the House

By unanimous consent the House returned to the order of
Motions and Resolutions

Rep. Tobocman moved that when the House adjourns today it stand adjourned until Sunday, September 30, at 12:01 a.m.
The motion prevailed.

Rep. Calley moved that the House adjourn.
The motion prevailed, the time being 11:59 p.m.

The Speaker Pro Tempore declared the House adjourned until Sunday, September 30, at 12:01 a.m.

RICHARD J. BROWN
Clerk of the House of Representatives