

No. 52
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House of Representatives
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House Chamber, Lansing, Thursday, June 3, 1999.

10:00 a.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.

Allen—present	Frank—present	Kuipers—present	Rison—present
Baird—present	Garcia—present	Kukuk—present	Rivet—present
Basham—present	Garza—present	LaForge—present	Rocca—present
Birkholz—present	Geiger—present	LaSata—present	Sanborn—present
Bisbee—present	Gielegem—present	Law—present	Schauer—present
Bishop—present	Gilbert—present	Lemmons—present	Schermesser—present
Bogardus—present	Godchaux—present	Lockwood—present	Scott—present
Bovin—present	Gosselin—present	Mans—present	Scranton—present
Bradstreet—present	Green—present	Martinez—present	Shackleton—present
Brater—present	Hager—present	Mead—present	Sheltrown—present
Brewer—present	Hale—e/d/s	Middaugh—present	Shulman—present
Brown, Bob—present	Hanley—present	Minore—present	Spade—present
Brown, Cameron—present	Hansen—present	Mortimer—present	Stallworth—present
Byl—present	Hardman—present	Neumann—present	Stamas—present
Callahan—e/d/s	Hart—present	O’Neil—present	Switalski—present
Cassis—present	Howell—present	Pappageorge—present	Tabor—present
Caul—present	Jacobs—present	Patterson—present	Tesanovich—present
Cherry—present	Jamnick—present	Perricone—e/d/s	Thomas—present
Clark—e/d/s	Jansen—present	Pestka—present	Toy—present
Clarke—present	Jelinek—present	Price—present	Vander Roest—present
Daniels—e/d/s	Jellema—present	Prusi—present	Van Woerkom—present
DeHart—present	Johnson, Rick—present	Pumford—present	Vaughn—present
Dennis—present	Johnson, Ruth—excused	Quarles—present	Veal—present
DeRossett—present	Julian—present	Raczkowski—present	Voorhees—present
DeVuyst—present	Kelly—present	Reeves—present	Wojno—present
DeWeese—present	Kilpatrick—present	Richardville—present	Woodward—present
Ehardt—present	Koetje—present	Richner—present	Woronchak—present
Faunce—present	Kowall—present		

e/d/s = entered during session

Fred Stefani, President of the Warren Senior Connection, offered the following invocation:

“Dear Lord, we thank You for this day and ask You to bless all of us gathered here today. Bless our state and guide our legislators to do Your work for all the citizens of Michigan. We thank You for all Your blessings and for the blessed Mother and her Son, Jesus Christ. Keep the good Lord and our blessed Mother with you at all times, and you will be in heaven. Amen.”

Rep. DeWeese moved that Rep. Ruth Johnson be excused from today’s session.
The motion prevailed.

Second Reading of Bills

Senate Bill No. 51, entitled

A bill to amend 1954 PA 116, entitled “Michigan election law,” by amending section 613a (MCL 168.613a), as amended by 1995 PA 87.

The bill was read a second time.

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

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

Rep. Middaugh 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

Senate Bill No. 51, entitled

A bill to amend 1954 PA 116, entitled “Michigan election law,” by amending section 613a (MCL 168.613a), as amended by 1995 PA 87.

The bill was read a third time.

The question being on the passage of the bill,

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

The motion prevailed.

By unanimous consent the House returned to the order of

Messages from the Senate

The Speaker laid before the House

House Bill No. 4018, entitled

A bill to amend 1917 PA 138, entitled “An act to authorize the creation of county libraries; to authorize the contracting by the board of supervisors of any county for library service; to authorize the contracting by the board of supervisors of any county or the board of trustees of any regional library with any other municipality for the furnishing of such service; and to provide for a tax for the purposes of this act,” by amending section 2 (MCL 397.302), as amended by 1994 PA 77.

(The bill was received from the Senate on June 2, with substitute (S-1) and immediate effect given by the Senate, consideration of which, under the rules, was postponed until today, see House Journal No. 51, p. 1307.)

The question being on concurring in the adoption of 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. 676

Yeas—80

Allen
Birkholz
Bisbee

Faunce
Frank
Garcia

Kuipers
Kukuk
LaForge

Richardville
Richner
Rison

Bishop	Geiger	LaSata	Rivet
Bogardus	Gilbert	Law	Rocca
Bovin	Godchaux	Lockwood	Sanborn
Bradstreet	Gosselin	Mans	Schauer
Brater	Green	Mead	Scranton
Brewer	Hager	Middaugh	Shackleton
Brown, B.	Hansen	Minore	Sheltrown
Brown, C.	Hardman	Mortimer	Shulman
Cassis	Hart	Neumann	Spade
Caul	Howell	Pappageorge	Stamas
Cherry	Jansen	Patterson	Tabor
Clarke, H.	Jelinek	Pestka	Toy
Dennis	Jellema	Prusi	Van Woerkom
DeRossett	Johnson, Rick	Pumford	Vander Roest
DeVuyst	Julian	Quarles	Vear
DeWeese	Koetje	Raczkowski	Voorhees
Ehardt	Kowall	Reeves	Woronchak

Nays—22

Baird	Jacobs	O'Neil	Switalski
Basham	Jamnick	Price	Tesanovich
DeHart	Kelly	Schermesser	Thomas
Garza	Kilpatrick	Scott	Vaughn
Gielegem	Lemmons	Stallworth	Woodward
Hanley	Martinez		

In The Chair: Birkholz

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

The Speaker laid before the House

House Bill No. 4168, entitled

A bill to amend 1951 PA 51, entitled "An act to provide for the classification of all public roads, streets, and highways in this state, and for the revision of that classification and for additions to and deletions from each classification; to set up and establish the Michigan transportation fund; to provide for the deposits in the Michigan transportation fund of specific taxes on motor vehicles and motor vehicle fuels; to provide for the allocation of funds from the Michigan transportation fund and the use and administration of the fund for transportation purposes; to set up and establish the truck safety fund; to provide for the allocation of funds from the truck safety fund and administration of the fund for truck safety purposes; to set up and establish the Michigan truck safety commission; to establish certain standards for road contracts for certain businesses; to provide for the continuing review of transportation needs within the state; to authorize the state transportation commission, counties, cities, and villages to borrow money, issue bonds, and make pledges of funds for transportation purposes; to authorize counties to advance funds for the payment of deficiencies necessary for the payment of bonds issued under this act; to provide for the limitations, payment, retirement, and security of the bonds and pledges; to provide for appropriations and tax levies by counties and townships for county roads; to authorize contributions by townships for county roads; to provide for the establishment and administration of the state trunk line fund, critical bridge fund, comprehensive transportation fund, and certain other funds; to provide for the deposits in the state trunk line fund, critical bridge fund, comprehensive transportation fund, and certain other funds of money raised by specific taxes and fees; to provide for definitions of public transportation functions and criteria; to define the purposes for which Michigan transportation funds may be allocated; to provide for Michigan transportation fund grants; to provide for review and approval of transportation programs; to provide for submission of annual legislative requests and reports; to provide for the establishment and functions of certain advisory entities; to provide for conditions for grants; to provide for the issuance of bonds and notes for transportation purposes; to provide for the powers and duties of certain state and local agencies and officials; to provide for the making of loans for transportation purposes by the state transportation department and for the receipt and repayment by local units and agencies of those loans from certain specified sources; and to repeal acts and parts of acts," by amending section 15 (MCL 247.665), as amended by 1982 PA 438.

(The bill was received from the Senate on June 2, with substitute (S-2) and immediate effect given by the Senate, consideration of which, under the rules, was postponed until today, see House Journal No. 51, p. 1308.)

The question being on concurring in the adoption of 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. 677**Yeas—100**

Allen	Geiger	LaForge	Rocca
Baird	Gielegem	LaSata	Sanborn
Basham	Gilbert	Law	Schauer
Birkholz	Godchaux	Lockwood	Schermesser
Bisbee	Gosselin	Mans	Scott
Bishop	Green	Martinez	Scranton
Bogardus	Hager	Mead	Shackleton
Bovin	Hanley	Middaugh	Sheltrown
Bradstreet	Hansen	Minore	Shulman
Brater	Hardman	Mortimer	Spade
Brewer	Hart	Neumann	Stallworth
Brown, B.	Howell	O'Neil	Stamas
Brown, C.	Jacobs	Pappageorge	Switalski
Cassis	Jamnick	Patterson	Tabor
Caul	Jansen	Pestka	Tesanovich
Clarke, H.	Jelinek	Price	Thomas
DeHart	Jellema	Prusi	Toy
Dennis	Johnson, Rick	Pumford	Van Woerkom
DeRossett	Julian	Quarles	Vander Roest
DeVuyst	Kelly	Raczkowski	Vaughn
DeWeese	Kilpatrick	Reeves	Vear
Ehardt	Koetje	Richardville	Voorhees
Faunce	Kowall	Richner	Wojno
Garcia	Kuipers	Rison	Woodward
Garza	Kukuk	Rivet	Woronchak

Nays—1

Cherry

In The Chair: Birkholz

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

Rep. Kelly moved that Rep. LaForge be excused temporarily from today's session.

The motion prevailed.

The Speaker laid before the House

House Bill No. 4605, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 676a (MCL 257.676a), as amended by 1998 PA 224.

(The bill was received from the Senate on June 2, with amendments, full title inserted and immediate effect given by the Senate, consideration of which, under the rules, was postponed until today, see House Journal No. 51, p. 1308.)

The question being on concurring in the adoption of the amendments made to the bill by the Senate,

The amendments were concurred in, a majority of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 678**Yeas—102**

Allen	Garza	LaSata	Rocca
Baird	Geiger	Law	Sanborn
Basham	Gielegem	Lemmons	Schauer
Birkholz	Gilbert	Lockwood	Schermesser
Bisbee	Godchaux	Mans	Scott
Bishop	Gosselin	Martinez	Scranton
Bogardus	Green	Mead	Shackleton
Bradstreet	Hager	Middaugh	Sheltrown
Brater	Hanley	Minore	Shulman
Brewer	Hansen	Mortimer	Spade
Brown, B.	Hardman	Neumann	Stallworth
Brown, C.	Hart	O'Neil	Stamas
Byl	Howell	Pappageorge	Switalski
Cassis	Jacobs	Patterson	Tabor
Caul	Jamnick	Pestka	Tesanovich
Cherry	Jansen	Price	Thomas
Clarke, H.	Jelinek	Prusi	Toy
DeHart	Jellema	Pumford	Van Woerkom
Dennis	Johnson, Rick	Quarles	Vander Roest
DeRossett	Julian	Raczkowski	Vaughn
DeVuyst	Kelly	Reeves	Vear
DeWeese	Kilpatrick	Richardville	Voorhees
Ehardt	Koetje	Richner	Wojno
Faunce	Kowall	Rison	Woodward
Frank	Kuipers	Rivet	Woronchak
Garcia	Kukuk		

Nays—0

In The Chair: Birkholz

The House agreed to the full title of the bill.

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

The Speaker laid before the House

House Bill No. 4606, entitled

A bill to amend 1941 PA 205, entitled "An act to provide for the construction, establishment, opening, use, discontinuing, vacating, closing, altering, improvement, and maintenance of limited access highways and facilities ancillary to those highways; to permit the acquiring of property and property rights and the closing or other treatment of intersecting roads for these purposes; to provide for the borrowing of money and for the issuing of bonds or notes payable from special funds for the acquisition, construction or improvement of such highways; and to provide for the receipt and expenditure of funds generated from the facilities," by amending section 2 (MCL 252.52), as amended by 1998 PA 223.

(The bill was received from the Senate on June 2, with amendments and immediate effect given by the Senate, consideration of which, under the rules, was postponed until today, see House Journal No. 51, p. 1308.)

The question being on concurring in the adoption of the amendments made to the bill by the Senate,

The amendments were concurred in, a majority of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 679**Yeas—102**

Allen	Garcia	LaForge	Rocca
Baird	Garza	LaSata	Sanborn
Basham	Geiger	Law	Schauer
Birkholz	Gilbert	Lockwood	Schermesser

Bisbee	Godchaux	Mans	Scott
Bishop	Gosselin	Martinez	Scranton
Bogardus	Green	Mead	Shackleton
Bovin	Hager	Middaugh	Sheltrown
Bradstreet	Hanley	Minore	Shulman
Brater	Hansen	Mortimer	Spade
Brewer	Hardman	Neumann	Stallworth
Brown, B.	Hart	O'Neil	Stamas
Brown, C.	Howell	Pappageorge	Switalski
Byl	Jacobs	Patterson	Tabor
Cassis	Jamnick	Pestka	Tesanovich
Caul	Jansen	Price	Thomas
Cherry	Jelinek	Prusi	Toy
Clarke, H.	Jellema	Pumford	Van Woerkom
DeHart	Johnson, Rick	Quarles	Vander Roest
Dennis	Julian	Raczkowski	Vaughn
DeRossett	Kelly	Reeves	Vear
DeVuyst	Kilpatrick	Richardville	Voorhees
DeWeese	Koetje	Richner	Wojno
Ehardt	Kowall	Rison	Woodward
Faunce	Kuipers	Rivet	Woronchak
Frank	Kukuk		

Nays—0

In The Chair: Birkholz

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

Second Reading of Bills

Senate Bill No. 496, entitled

A bill to authorize the department of natural resources to convey certain state owned property in Macomb county; to prescribe conditions for the conveyance; and to provide for disposition of the revenue from the conveyance.

The bill was read a second time.

Rep. Kukuk moved to amend the bill as follows:

1. Amend page 2, following line 20, by striking out all of section 5.

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

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

The motion prevailed.

Reps. Callahan, Clark, Daniels, Hale and Perricone entered the House Chambers.

By unanimous consent the House returned to the order of

Reports of Standing Committees

The Speaker laid before the House

House Resolution No. 98.

A resolution to oppose the Kyoto Protocol on greenhouse gas emissions and to memorialize the United States Senate not to ratify the Kyoto Climate Treaty.

(For text of resolution, see House Journal No. 43, p. 834.)

(The resolution was reported by the Committee on Conservation and Outdoor Recreation on May 20, consideration of which was postponed until May 25 under the rules.)

The question being on the adoption of the resolution,

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

Substitute for House Resolution No. 98.

A resolution to support responsible action by the United States on greenhouse gas emissions.

Whereas, The people of Michigan join other Americans in the concern that emissions of carbon dioxide and other greenhouse gases may pose a risk of adding to natural long-term changes in climate, such as warming of the Earth, shifts in climate patterns and weather conditions, and other atmospheric aberrations; and

Whereas, Scientists are continuing to investigate and debate the merits of existing evidence of climate change. Researchers are developing more information about the extent, causes, and solutions related to greenhouse gases; and

Whereas, Michigan’s citizens want government leaders to seek affordable, effective ways to address climate change; and

Whereas, The potential impacts of greenhouse gas emissions and resulting climate changes could seriously damage Michigan’s economy and environment and failure to act promptly could unacceptably increase this risk; and

Whereas, There are cost-effective and affordable ways to reduce greenhouse gas emissions that would benefit Michigan’s economy and environment, such as greater investments in energy efficiency, increased use of wind and other renewable energy sources, support for research and development of high-efficiency automobiles and trucks, and other new technologies that could create thousands of Michigan jobs; and

Whereas, The Union of Concerned Scientists (UCS) estimates that a significant national reduction in fossil fuel use and a path toward efficient use of energy from renewable sources, which will also reduce greenhouse gas emissions, will provide net savings nationwide of \$58 billion by the year 2010, which is about \$530 per household. UCS estimates the United States oil import bill will be \$21 billion less than if we stay on the current fossil fuel path. Both of these savings would contribute to expanded employment, resulting in nearly 800,000 new jobs; and

Whereas, Other options for reducing greenhouse gas emissions, such as research and development and voluntary emissions reduction programs, should be investigated and considered. It is vital to use a balanced approach to promoting economic progress and protecting the environment; and

Whereas, Increased energy efficiency, use of renewable energy sources, and increased industrial and automobile fuel efficiency have the potential to reduce greenhouse gas emissions while improving the economic competitiveness of the United States; now, therefore, be it

Resolved by the House of Representatives, That we support responsible action by the United States to reduce greenhouse gas emissions. We urge federal authorities to consider strategies to protect the environment that apply to all nations and encourage alternative, voluntary proposals to reduce greenhouse gases; and be it further

Resolved, That we urge prudent national investments by the United States Congress in measures that will benefit the United States economy and simultaneously reduce greenhouse gas emissions; and be it further

Resolved, That, in deliberating on the international Kyoto Protocol on climate change, we urge the United States Congress to carefully weigh the economic and environmental costs and benefits of the protocol; and be it further

Resolved, That copies of this resolution be transmitted to the President of the United States, 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 question being on the adoption of the substitute (H-1) offered by Rep. Schauer,

Rep. Schauer demanded the yeas and nays.

The demand was supported.

The question being on the adoption of the substitute (H-1) offered by Rep. Schauer,

The substitute (H-1) was not adopted, a majority of the members serving not voting therefor, by yeas and nays, as follows:

Roll Call No. 680

Yeas—47

Baird	DeHart	Kelly	Rison
Basham	Dennis	Kilpatrick	Schauer
Bogardus	Frank	LaForge	Schermesser
Bovin	Garza	Lockwood	Scott
Brater	Gielegem	Mans	Spade
Brewer	Godchaux	Martinez	Stallworth
Brown, B.	Hale	Minore	Switalski
Byl	Hanley	Neumann	Tesanovich
Callahan	Hansen	O’Neil	Vaughn
Clark, I.	Hardman	Pestka	Wojno
Clarke, H.	Jacobs	Price	Woodward
Daniels	Jamnick	Reeves	

Nays—57

Allen	Geiger	Kukuk	Rocca
Birkholz	Gilbert	LaSata	Sanborn
Bisbee	Gosselin	Law	Scranton
Bishop	Green	Mead	Shackleton
Bradstreet	Hager	Middaugh	Sheltrown
Brown, C.	Hart	Mortimer	Shulman
Cassis	Howell	Pappageorge	Stamas
Caul	Jansen	Patterson	Tabor
Cherry	Jelinek	Perricone	Toy
DeRossett	Johnson, Rick	Pumford	Van Woerkom
DeVuyst	Julian	Raczkowski	Vander Roest
DeWeese	Koetje	Richardville	Vear
Ehardt	Kowall	Richner	Voorhees
Faunce	Kuipers	Rivet	Woronchak
Garcia			

In The Chair: Birkholz

The question being on the adoption of the resolution,
Rep. Brater demanded the yeas and nays.

The demand was supported.

The question being on the adoption of the resolution,

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

The motion prevailed.

Messages from the Senate

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

Senate Bill No. 556, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending sections 204a, 219, 233, 258, 303, 310d, 321a, 323, 602a, 605, 625, 625g, 625h, 732, 904, 904c, 904d, and 904e (MCL 257.204a, 257.219, 257.233, 257.258, 257.303, 257.310d, 257.321a, 257.323, 257.602a, 257.605, 257.625, 257.625g, 257.625h, 257.732, 257.904, 257.904c, 257.904d, and 257.904e), sections 204a, 219, 233, and 323 as amended by 1998 PA 346, sections 258 and 602a as amended by 1998 PA 347, section 303 as amended by 1998 PA 351, sections 310d and 321a as amended by 1998 PA 343, section 625 as amended by 1998 PA 350, section 625g as amended by 1994 PA 450, section 625h as amended by 1996 PA 59, section 732 as amended by 1999 PA 21, section 904 as amended by 1998 PA 342, section 904c as added by 1998 PA 359, and sections 904d and 904e as added by 1998 PA 358.

Rep. Raczkowski moved that Rule 67 be suspended.

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

Rep. Raczkowski moved to reconsider the vote by which the House passed the bill.

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

Third Reading of Bills**Senate Bill No. 556, entitled**

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending sections 204a, 219, 233, 258, 303, 310d, 321a, 323, 602a, 605, 625, 625g, 625h, 732, 904, 904c, 904d, and 904e (MCL 257.204a, 257.219, 257.233, 257.258, 257.303, 257.310d, 257.321a, 257.323, 257.602a, 257.605, 257.625, 257.625g, 257.625h, 257.732, 257.904, 257.904c, 257.904d, and 257.904e), sections 204a, 219, 233, and 323 as amended by 1998 PA 346, sections 258 and 602a as amended by 1998 PA 347, section 303 as amended by 1998 PA 351, sections 310d and 321a as amended by

1998 PA 343, section 625 as amended by 1998 PA 350, section 625g as amended by 1994 PA 450, section 625h as amended by 1996 PA 59, section 732 as amended by 1999 PA 21, section 904 as amended by 1998 PA 342, section 904c as added by 1998 PA 359, and sections 904d and 904e as added by 1998 PA 358.

(The bill was passed on May 27, see House Journal No. 49, p. 1140.)

The question being on the passage of the bill,

Rep. Faunce moved to amend the bill as follows:

1. Amend page 34, following line 8, by inserting:

“Sec. 619. The driver of any vehicle who knows or who has reason to believe that he OR SHE has been involved in an accident resulting in injury to or death of any person or damage to any vehicle which is driven or attended by any person shall give his OR HER name, address, and the registration number of the vehicle he OR SHE is driving, also the name and address of the owner, and exhibit his OR HER operator’s or chauffeur’s license to A POLICE OFFICER OR the person struck or the driver or occupants of any vehicle collided with and shall render to any person injured in such accident reasonable assistance in securing medical aid or transportation of injured person or persons.”.

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. 681

Yeas—109

Allen	Frank	Kuipers	Rison
Baird	Garcia	Kukuk	Rivet
Basham	Garza	LaForge	Rocca
Birkholz	Geiger	LaSata	Sanborn
Bisbee	Gielegem	Law	Schauer
Bishop	Gilbert	Lemmons	Schermesser
Bogardus	Godchaux	Lockwood	Scott
Bovin	Gosselin	Mans	Scranton
Bradstreet	Green	Martinez	Shackleton
Brater	Hager	Mead	Sheltrown
Brewer	Hale	Middaugh	Shulman
Brown, B.	Hanley	Minore	Spade
Brown, C.	Hansen	Mortimer	Stallworth
Byl	Hardman	Neumann	Stamas
Callahan	Hart	O’Neil	Switalski
Cassis	Howell	Pappageorge	Tabor
Caul	Jacobs	Patterson	Tesanovich
Cherry	Jamnick	Perricone	Thomas
Clark, I.	Jansen	Pestka	Toy
Clarke, H.	Jelinek	Price	Van Woerkom
Daniels	Jellema	Prusi	Vander Roest
DeHart	Johnson, Rick	Pumford	Vaughn
Dennis	Julian	Quarles	Vear
DeRossett	Kelly	Raczkowski	Voorhees
DeVuyst	Kilpatrick	Reeves	Wojno
DeWeese	Koetje	Richardville	Woodward
Ehardt	Kowall	Richner	Woronchak
Faunce			

Nays—0

In The Chair: Birkholz

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

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

A bill to amend 1949 PA 300, entitled “An act to provide for the registration, titling, sale, transfer, and regulation of certain vehicles operated upon the public highways of this state or any other place open to the general public or

generally accessible to motor vehicles and distressed vehicles; to provide for the licensing of dealers; to provide for the examination, licensing, and control of operators and chauffeurs; to provide for the giving of proof of financial responsibility and security by owners and operators of vehicles; to provide for the imposition, levy, and collection of specific taxes on vehicles, and the levy and collection of sales and use taxes, license fees, and permit fees; to provide for the regulation and use of streets and highways; to create certain funds; to provide penalties and sanctions for a violation of this act; to provide for civil liability of owners and operators of vehicles and service of process on residents and nonresidents; to provide for the levy of certain assessments; to provide for the enforcement of this act; to provide for the creation of and to prescribe the powers and duties of certain state and local agencies; to repeal all other acts or parts of acts inconsistent with this act or contrary to this act; and to repeal certain parts of this act on a specific date," by amending sections 204a, 219, 233, 258, 303, 310d, 321a, 323, 602a, 605, 619, 625, 625g, 625h, 727c, 732, 904, 904c, and 904e (MCL 257.204a, 257.219, 257.233, 257.258, 257.303, 257.310d, 257.321a, 257.323, 257.602a, 257.605, 257.619, 257.625, 257.625g, 257.625h, 257.727c, 257.732, 257.904, 257.904c, and 257.904e), sections 204a, 219, 233, and 323 as amended by 1998 PA 346, sections 258 and 602a as amended by 1998 PA 347, section 303 as amended by 1998 PA 351, sections 310d and 321a as amended by 1998 PA 343, section 625 as amended by 1998 PA 350, section 625g as amended by 1994 PA 450, section 625h as amended by 1996 PA 59, section 727c as amended by 1983 PA 172, section 732 as amended by 1999 PA 21, section 904 as amended by 1998 PA 342, section 904c as added by 1998 PA 359, and section 904e as added by 1998 PA 358.

The motion prevailed.

The House agreed to the title as amended.

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

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

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

Rep. Raczkowski moved that when the House adjourns today it stand adjourned until Tuesday, June 8, at 10:00 a.m.
The motion prevailed.

By unanimous consent the House returned to the order of

Motions and Resolutions

Reps. Hale, Martinez, Stallworth, Basham, Bogardus, Garza, Clark, Rison, Reeves, Quarles, Vaughn, Neumann, Brewer, Hanley, Frank, Jamnick, Clarke, Hansen, Wojno, Switalski, Rocca, Hager, Pumford, Bishop, Vander Roest, Richardville, Callahan, Dennis, Lockwood, Spade, Woodward, Gielegem, Baird, Price, Brater, Scott, Prusi, DeHart, Schermesser, Kelly, LaForge, Kilpatrick, Thomas, Kowall, Lemmons, Bisbee, Gilbert, Law, Godchaux, Toy, DeRossett, Tabor, Julian, DeWeese, Byl, Vear, Ehardt, Mortimer, Garcia, Mead, LaSata, Voorhees, Kukuk, Patterson, Sanborn and Jansen offered the following resolution:

House Resolution No. 115.

A resolution recognizing the Juneteenth commemoration of the Society of Friends and to express appreciation for their valuable contribution to Michigan.

Whereas, On June 19, 1865, Union Army Major General Granger landed at the port of Galveston, Texas with 1,000 soldiers and delivered the historic Emancipation Proclamation, ordering the immediate freedom of all slaves in Texas. Although the Emancipation Proclamation had been signed January 1, 1863, the state of Texas was among the last to learn of the end of the Civil War and to enforce the Proclamation in the United States; and

Whereas, The jubilation of that day is now commemorated each year with a Juneteenth celebration which has become a holiday for former slaves and their descendants. This tradition has remained strong, migrated north, and spread to communities within Michigan and other states throughout this country; and

Whereas, Slavery was outlawed in Michigan during the Civil War. A number of its citizens were abolitionists, and thus, deeply committed to ending this horrific institution. Hence, while former slave Sojourner Truth preached emancipation, others, such as the Quakers, formed links to the Underground Railroad and led escaped slaves to freedom in Canada during the 1840s and 1850s; and

Whereas, Today, as the people of Michigan and elsewhere look back to this period, they do so with an extraordinary appreciation for the strength embodied by the enslaved men, women, and children who endured for generations unspeakable cruelties, and also members of the Quaker community who demonstrated the courage, fortitude, and moral leadership necessary to assist the captives in their pursuit of freedom. Indeed, this is a lesson for every single American today, regardless of background, ethnicity or race; now, therefore, be it

Resolved by the House of Representatives, That the members of this legislative body hereby recognizes the Juneteenth commemoration of the Society of Friends for their unconditional contribution, even under the most adverse circumstances; for their endurance while helping all of the innominate (nameless) slaves that traveled through the state of Michigan to freedom; and for continuing their quest in helping the slaves who endured the most inhumane conditions from atrocities inherent in the institution of slavery; and be it further

Resolved, That copies of this resolution be transmitted to the Society of Friends as evidence of our respect for their courage during one of the most shameful periods in America's history, and to the National Association of Juneteenth Lineage, Inc., and its President, Ms. Lula Briggs-Galloway.

Pending the reference of the resolution to a committee,

Rep. Raczkowski 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.

Reports of Standing Committees

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

Senate Bill No. 573, entitled

A bill to amend 1975 PA 228, entitled "Single business tax act," by amending sections 4, 5, 6, 37c, 37d, and 49 (MCL 208.4, 208.5, 208.6, 208.37c, 208.37d, and 208.49), section 4 as amended by 1995 PA 285, section 5 as amended by 1987 PA 253, and sections 37c and 37d as amended by 1996 PA 470, and by adding section 19.

With the recommendation that the substitute (H-2) be adopted and that the bill then pass.

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

Favorable Roll Call

SB 573 To Report Out:

Yeas: Reps. Cassis, Woronchak, Allen, Faunce, Gilbert, Gosselin, Koetje, Patterson, Vander Roest, Vear, Jamnick, Minore, Switalski,

Nays: None.

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Thursday, June 3, 1999, at 9:00 a.m.,

Present: Reps. Cassis, Woronchak, Allen, Faunce, Gilbert, Gosselin, Koetje, Patterson, Vander Roest, Vear, Quarles, Basham, Garza, Jamnick, Minore, Switalski,

Absent: Rep. O'Neil,

Excused: Rep. O'Neil.

Announcement by the Clerk of Printing and Enrollment

The Clerk announced that the following bill had been printed and placed upon the files of the members, Thursday, June 3:

House Bill No. 4747

By unanimous consent the House returned to the order of

Notices

The Speaker appointed as conferees, on the part of the House of Representatives for **House Bill No. 4298**, Reps. Stamas, Godchaux and Pestka.

The Speaker appointed as conferees, on the part of the House of Representatives for **House Bill No. 4299**, Reps. Geiger, Jansen and Martinez.

The Speaker appointed as conferees, on the part of the House of Representatives for **House Bill No. 4301**, Reps. Jelinek, Stamas and Kelly.

The Speaker appointed as conferees, on the part of the House of Representatives for **House Bill No. 4302**, Reps. Caul, Mead and Price.

Messages from the Governor

The following messages from the Governor, approving and signing the following bills at the times designated below, were received and read:

Date: June 2, 1999

Time: 4:00 p.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 4317 (Public Act No. 34, I.E.), being

An act to amend 1949 PA 300, entitled “An act to provide for the registration, titling, sale, transfer, and regulation of certain vehicles operated upon the public highways of this state or any other place open to the general public or generally accessible to motor vehicles and distressed vehicles; to provide for the licensing of dealers; to provide for the examination, licensing, and control of operators and chauffeurs; to provide for the giving of proof of financial responsibility and security by owners and operators of vehicles; to provide for the imposition, levy, and collection of specific taxes on vehicles, and the levy and collection of sales and use taxes, license fees, and permit fees; to provide for the regulation and use of streets and highways; to create certain funds; to provide penalties and sanctions for a violation of this act; to provide for civil liability of owners and operators of vehicles and service of process on residents and nonresidents; to provide for the levy of certain assessments; to provide for the enforcement of this act; to provide for the creation of and to prescribe the powers and duties of certain state and local agencies; to repeal all other acts or parts of acts inconsistent with this act or contrary to this act; and to repeal certain parts of this act on a specific date,” by amending section 675 (MCL 257.675), as amended by 1998 PA 68.

(Filed with the Secretary of State June 3, 1999, at 9:34 a.m.)

Date: June 2, 1999

Time: 4:02 p.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 4470 (Public Act No. 35, I.E.), being

An act to amend 1994 PA 451, entitled “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, and assessments; to provide certain appropriations; to prescribe penalties and provide remedies; to repeal certain parts of this act on a specific date; and to repeal certain acts and parts of acts,” by amending section 3118 (MCL 324.3118), as amended by 1995 PA 169.

(Filed with the Secretary of State June 3, 1999, at 9:36 a.m.)

Introduction of Bills

Rep. Bisbee introduced

House Bill No. 4753, entitled

A bill to amend 1998 PA 58, entitled “Michigan liquor control code of 1998,” by amending section 205 (MCL 436.1205), as amended by 1998 PA 416.

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

Reps. Thomas, Wojno, Switalski, Rivet, Pappageorge, Howell, Bovin, Hale, DeHart, Schauer, Minore, Jacobs, Jellema, Scott, Brater and Vaughn introduced

House Bill No. 4754, entitled

A bill to amend 1949 PA 300, entitled “Michigan vehicle code,” by amending section 627 (MCL 257.627), as amended by 1990 PA 165.

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

Reps. Thomas, Schermesser, Pappageorge, Wojno, Rivet, Howell, Bovin, Cherry, Baird, Lemmons, Ehardt, Hale, DeHart, Schauer, Minore, Jacobs, Jellema, Scott, Voorhees, Brater, Vaughn and Kilpatrick introduced

House Bill No. 4755, entitled

A bill to amend 1984 PA 22, entitled "Michigan civilian conservation corps act," by amending section 6 (MCL 409.306), as amended by 1998 PA 71.

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

Rep. Richner introduced

House Bill No. 4756, entitled

A bill to amend 1984 PA 218, entitled "Third party administrator act," by amending section 34 (MCL 550.934) and by adding section 35.

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

Rep. Shulman introduced

House Bill No. 4757, entitled

A bill to amend 1980 PA 350, entitled "The nonprofit health care corporation reform act," by amending section 406 (MCL 550.1406) and by adding section 406a.

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

Rep. Hart introduced

House Bill No. 4758, entitled

A bill to amend 1978 PA 368, entitled "Public health code," (MCL 333.1101 to 333.25211) by adding section 21046.

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

Rep. Hart introduced

House Bill No. 4759, entitled

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," (MCL 500.100 to 500.8302) by adding section 3633.

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

By unanimous consent the House returned to the order of

Reports of Standing Committees

The Committee on Appropriations, by Rep. Geiger, Chair, reported

House Bill No. 4075, entitled

A bill to make appropriations for various state departments and agencies for the fiscal year ending September 30, 1999; and to provide for the expenditure of the appropriations.

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

HB 4075 To Report Out:

Yeas: Reps. Geiger, Jellema, Cameron Brown, Byl, Caul, Jansen, Jelinek, Kukuk, LaSata, Mead, Mortimer, Pappageorge, Pumford, Stamas, Toy, Price, Clarke, Frank, Kelly, Martinez, Pestka, Prusi, Stallworth, Tesanovich,

Nays: None.

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Geiger, Chair of the Committee on Appropriations, was received and read:
Meeting held on: Thursday, June 3, 1999, at 9:00 a.m.,

Present: Reps. Geiger, Jellema, Cameron Brown, Byl, Caul, Jansen, Jelinek, Kukuk, LaSata, Mead, Mortimer, Pappageorge, Pumford, Stamas, Toy, Price, Cherry, Clarke, Frank, Kelly, Martinez, Pestka, Prusi, Stallworth, Tesanovich,

Absent: Reps. Godchaux, Scranton,

Excused: Reps. Godchaux, Scranton.

Messages from the Senate

House Bill No. 4298, entitled

A bill to make appropriations for community colleges for the fiscal year ending September 30, 2000; to provide for the expenditure of the appropriations; to establish or continue certain funds, programs, and categories; and to prescribe the powers and duties of certain state departments, officers, and employees.

The Senate has appointed Senators Gast, Goschka and Vaughn as conferees to join with Reps. Stamas, Godchaux and Pestka.

The bill was referred to the Conference Committee on June 3, 1999.

House Bill No. 4299, entitled

A bill to make appropriations for the department of community health and certain state purposes related to mental health, public health, and medical services for the fiscal year ending September 30, 2000; to provide for the expenditure of such appropriations; to create funds; to provide for reports; to prescribe the powers and duties of certain local and state agencies and departments; and to provide for disposition of fees and other income received by the various state agencies.

The Senate has appointed Senators Gougeon, Schwarz and Emerson as conferees to join with Reps. Geiger, Jansen and Martinez.

The bill was referred to the Conference Committee on June 3, 1999.

House Bill No. 4301, entitled

A bill to make appropriations for the department of education and certain other purposes relating to education for the fiscal year ending September 30, 2000; to provide for the expenditure of the appropriations; to prescribe the powers and duties of certain state departments, school districts, and other governmental bodies; and to provide for the disposition of fees and other income received by certain legal entities and state agencies.

The Senate has appointed Senators Bennett, Goschka and Vaughn as conferees to join with Reps. Jelinek, Stamas and Kelly.

The bill was referred to the Conference Committee on June 3, 1999.

House Bill No. 4302, entitled

A bill to make appropriations for the state institutions of higher education and certain state purposes related to education for the fiscal year ending September 30, 2000; to provide for the expenditures of those appropriations; and to prescribe the powers and duties of certain state departments, institutions, agencies, employees, and officers.

The Senate has appointed Senators Schwarz, McManus and Koivisto as conferees to join with Reps. Caul, Mead and Price.

The bill was referred to the Conference Committee on June 3, 1999.

Senate Bill No. 79, entitled

A bill to make appropriations for the department of career development and the Michigan strategic fund and certain other state purposes for the fiscal year ending September 30, 2000; to provide for the expenditure of the appropriations; and to provide for the disposition of fees and other income received by the state agencies.

The Senate has nonconcluded in the House substitute (H-1) and appointed Senators Steil, Gougeon and Emerson as conferees.

The message was referred to the Clerk for record.

Senate Bill No. 357, entitled

A bill to make appropriations for the department of agriculture for the fiscal year ending September 30, 2000; to provide for the expenditure of the appropriations; to create funds; to provide for the imposition of fees; to require reports, audits, and plans; to authorize certain transfers by certain state agencies; and to provide for the disposition of fees and other income received by certain state agencies.

The Senate has nonconcluded in the House substitute (H-1) and appointed Senators McManus, Gast and Koivisto as conferees.

The message was referred to the Clerk for record.

Senate Bill No. 361, entitled

A bill to make appropriations for the department of consumer and industry services and certain other state purposes for the fiscal year ending September 30, 2000; to provide for the expenditure of those appropriations; to provide for the imposition of certain fees; to provide for the disposition of fees and other income received by the state agencies; to provide for reports to certain persons; and to prescribe powers and duties of certain state departments and certain state and local agencies and officers.

The Senate has nonconcurrent in the House substitute (H-1) and appointed Senators Steil, Stille and Young as conferees. The message was referred to the Clerk for record.

Senate Bill No. 364, entitled

A bill to make appropriations for the department of environmental quality for the fiscal year ending September 30, 2000; to provide for the expenditure of those appropriations; to create funds and accounts; to require reports; to prescribe certain powers and duties of certain state agencies and officials; to authorize certain transfers by certain state agencies; and to provide for the disposition of fees and other income received by the various state agencies.

The Senate has nonconcurrent in the House substitute (H-1) and appointed Senators Bennett, North and A. Smith as conferees.

The message was referred to the Clerk for record.

Senate Bill No. 365, entitled

A bill to make appropriations for the family independence agency and certain state purposes related to public welfare services for the fiscal year ending September 30, 2000; to provide for the expenditure of the appropriations; to create funds; to provide for the imposition of fees; to provide for reports; to provide for the disposition of fees and other income received by the state agency; and to provide for the powers and duties of certain individuals, local governments, and state departments, agencies, and officers.

The Senate has nonconcurrent in the House substitute (H-1) and appointed Senators Goschka, Gougeon and Emerson as conferees.

The message was referred to the Clerk for record.

Senate Bill No. 366, entitled

A bill to make appropriations for the departments of attorney general, civil rights, civil service, management and budget, state, and treasury, the executive office, and the legislative branch for the fiscal year ending September 30, 2000; to provide for the expenditure of these appropriations; to provide for the funding of certain work projects; to provide for the imposition of certain fees; to establish or continue certain funds, programs, and categories; to transfer certain funds; to prescribe certain requirements for bidding on state contracts; to provide for disposition of year-end balances for the fiscal year ending September 30, 2000; to prescribe the powers and duties of certain principal executive departments and state agencies, officials, and employees; and to provide for the disposition of fees and other income received by the various principal executive departments and state agencies.

The Senate has nonconcurrent in the House substitute (H-1) and appointed Senators Schwarz, Steil and Young as conferees.

The message was referred to the Clerk for record.

Senate Bill No. 368, entitled

A bill to make appropriations for the judicial branch for the fiscal year ending September 30, 2000; to provide for the expenditure of these appropriations; to place certain restrictions on the expenditure of these appropriations; to prescribe the powers and duties of certain officials and employees; to require certain reports and to provide for the disposition of fees and other income received by the judicial branch.

The Senate has nonconcurrent in the House substitute (H-1) and appointed Senators North, Steil and A. Smith as conferees.

The message was referred to the Clerk for record.

Senate Bill No. 370, entitled

A bill to make appropriations for the department of natural resources for the fiscal year ending September 30, 2000; to provide for the expenditure of those appropriations; to create funds and accounts; to require reports; to prescribe certain powers and duties of certain state agencies and officials; to authorize certain transfers by certain state agencies; and to provide for the disposition of fees and other income received by the various state agencies.

The Senate has nonconcurrred in the House substitute (H-1) and appointed Senators McManus, Gast and DeBeaussaert as conferees.

The message was referred to the Clerk for record.

Senate Bill No. 372, entitled

A bill to make appropriations for the state transportation department and certain transportation purposes for the fiscal year ending September 30, 2000; to provide for the imposition of fees; to provide for reports; to create certain funds and programs; to prescribe requirements for certain railroad and bus facilities; to prescribe certain powers and duties of certain state departments and officials and local units of government; and to provide for the expenditure of the appropriations.

The Senate has nonconcurrred in the House substitute (H-1) and appointed Senators Hoffman, Stille and Young as conferees.

The message was referred to the Clerk for record.

By unanimous consent the House returned to the order of

Motions and Resolutions

PURSUANT TO MCL §§ 830.415 AND 830.417, THIS RESOLUTION REQUIRES A RECORD ROLL CALL VOTE.

Rep. Jellema offered the following concurrent resolution:

House Concurrent Resolution No. 40.

A concurrent resolution approving the conveyance of property to the State Building Authority and approving a lease among the State of Michigan, the State Building Authority, and Michigan Technological University relative to the Michigan Technological University Center for Ecosystem Science.

Whereas, Section 5 of 1964 PA 183, as amended, being MCL § 830.415, requires the approval of the Board of Control of Michigan Technological University (the "Educational Institution"), the State Administrative Board, and the Michigan Legislature by concurrent resolution concurred in by a majority of the members elected to and serving in each house, with the votes and names of the members voting thereon entered in the journal, before land owned by the Educational Institution may be conveyed to the State Building Authority (the "Authority"); and

Whereas, The site for the Center for Ecosystem Science (the "Facility") is currently owned by the Educational Institution; and

Whereas, Section 7 of 1964 PA 183, as amended, being MCL § 830.417, requires the approval of the State Administrative Board and the Michigan Legislature by concurrent resolution concurred in by a majority of members elected to and serving in each house, with the votes and names of the members voting thereon entered in the journal, before the State of Michigan (the "State") may enter into a lease with the Authority upon a showing of public purpose; and

Whereas, Providing additional space to be used by the Educational Institution pursuant to the lease for the Facility is a recognized public purpose; and

Whereas, A lease among the Authority, the State, and the Educational Institution has been prepared providing for the leasing of the Facility by the Authority to the State and the Educational Institution (the "Lease"); and

Whereas, The Executive Director of the Authority has furnished the Joint Capital Outlay Subcommittee of the Legislature with information and documents relative to the Lease; now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That the Total Facility Cost of the Michigan Technological University Center for Ecosystem Science shall not exceed \$10,000,000 (the Authority share is \$7,499,900, the State General Fund/General Purpose share is \$100, and the Educational Institution share is \$2,500,000), plus interest charges on monies advanced by the State to meet the construction cash flow requirements of the Facility, if any, of which not more than \$7,499,900, plus interest charges on monies advanced by the State to meet the construction cash flow requirements of the Facility, if any, shall be financed from bonds issued by the Authority, exclusive of amounts necessary for reserves, interest, or other nonconstruction costs; and be it further

Resolved, That the Legislature hereby approves the necessary conveyances of property to the Authority as more particularly described in the Lease and attachments thereto; and be it further

Resolved, That the Legislature hereby approves the Authority acquiring the Facility and leasing it to the State and the Educational Institution and hereby determines that the leasing of the Facility from the Authority is for a public purpose as authorized by 1964 PA 183, as amended; and be it further

Resolved, That the annual amounts of "True Rental" for the Facility shall be within or below the range of \$742,000 and \$1,258,000, as shall reflect variations that may occur in the components upon which the appraisal of true rental is based, which amounts shall be certified by the appraiser and thereafter approved by the State Administrative Board and the Authority as authorized by 1964 PA 183, as amended; and be it further

Resolved, That the Lease is hereby approved by this concurrent resolution, and the Governor and the Secretary of State are authorized and directed to execute the Lease for and on behalf of the State; and be it further

Resolved, That, by hereby approving the Lease among the State, the Educational Institution, and the Authority, the Legislature agrees to appropriate annually sufficient amounts to pay the rent as obligated pursuant to the Lease; and be it further

Resolved, That copies of this concurrent resolution be transmitted to the Governor, the Secretary of State, the Authority, the Board of Control of Michigan Technological University, and the State Budget Director.

The concurrent resolution was referred to the Committee on Appropriations.

PURSUANT TO MCL §§ 830.415 AND 830.417, THIS RESOLUTION REQUIRES A RECORD ROLL CALL VOTE.

Rep. Jellema offered the following concurrent resolution:

House Concurrent Resolution No. 41.

A concurrent resolution approving the conveyance of property to the State Building Authority and approving a lease among the State of Michigan, the State Building Authority, and Alpena Community College relative to the Alpena Community College Concrete Technology Center.

Whereas, Section 5 of 1964 PA 183, as amended, being MCL § 830.415, requires the approval of the Board of Trustees of Alpena Community College (the "Educational Institution"), the State Administrative Board, and the Michigan Legislature by concurrent resolution concurred in by a majority of the members elected to and serving in each house, with the votes and names of the members voting thereon entered in the journal, before land owned by the Educational Institution may be conveyed to the State Building Authority (the "Authority"); and

Whereas, The site for the Concrete Technology Center (the "Facility") is currently owned by the Educational Institution; and

Whereas, Section 7 of 1964 PA 183, as amended, being MCL § 830.417, requires the approval of the State Administrative Board and the Michigan Legislature by concurrent resolution concurred in by a majority of members elected to and serving in each house, with the votes and names of the members voting thereon entered in the journal, before the State of Michigan (the "State") may enter into a lease with the Authority upon a showing of public purpose; and

Whereas, Providing additional space to be used by the Educational Institution pursuant to the lease for the Facility is a recognized public purpose; and

Whereas, A lease among the Authority, the State, and the Educational Institution has been prepared providing for the leasing of the Facility by the Authority to the State and the Educational Institution (the "Lease"); and

Whereas, The Executive Director of the Authority has furnished the Joint Capital Outlay Subcommittee of the Legislature with information and documents relative to the Lease; now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That the Total Facility Cost of the Alpena Community College Concrete Technology Center shall not exceed \$6,720,000 (the Authority share is \$3,359,900, the State General Fund/General Purpose share is \$100, and the Educational Institution share is \$3,360,000), plus interest charges on monies advanced by the State to meet the construction cash flow requirements of the Facility, if any, of which not more than \$3,359,900, plus interest charges on monies advanced by the State to meet the construction cash flow requirements of the Facility, if any, shall be financed from bonds issued by the Authority, exclusive of amounts necessary for reserves, interest, or other nonconstruction costs; and be it further

Resolved, That the Legislature hereby approves the necessary conveyances of property to the Authority as more particularly described in the Lease and attachments thereto; and be it further

Resolved, That the Legislature hereby approves the Authority acquiring the Facility and leasing it to the State and the Educational Institution and hereby determines that the leasing of the Facility from the Authority is for a public purpose as authorized by 1964 PA 183, as amended; and be it further

Resolved, That the annual amounts of "True Rental" for the Facility shall be within or below the range of \$327,000 and \$547,000, as shall reflect variations that may occur in the components upon which the appraisal of true rental is based, which amounts shall be certified by the appraiser and thereafter approved by the State Administrative Board and the Authority as authorized by 1964 PA 183, as amended; and be it further

Resolved, That the Lease is hereby approved by this concurrent resolution, and the Governor and the Secretary of State are authorized and directed to execute the Lease for and on behalf of the State; and be it further

Resolved, That, by hereby approving the Lease among the State, the Educational Institution, and the Authority, the Legislature agrees to appropriate annually sufficient amounts to pay the rent as obligated pursuant to the Lease; and be it further

Resolved, That copies of this concurrent resolution be transmitted to the Governor, the Secretary of State, the Authority, the Board of Trustees of Alpena Community College, and the State Budget Director.

The concurrent resolution was referred to the Committee on Appropriations.

Rep. Minore moved that the House adjourn.
The motion prevailed, the time being 4:45 p.m.

The Speaker Pro Tempore declared the House adjourned until Tuesday, June 8, at 10:00 a.m.

GARY L. RANDALL
Clerk of the House of Representatives.