

No. 36
STATE OF MICHIGAN
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House of Representatives
90th Legislature
REGULAR SESSION OF 2000

House Chamber, Lansing, Wednesday, April 26, 2000.

2:00 p.m.

The House was called to order by Associate Speaker Pro Tempore Patterson.

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—e/d/s	Kukuk—present	Rivet—present
Basham—present	Garza—present	LaForge—present	Rocca—present
Birkholz—present	Geiger—present	LaSata—present	Sanborn—present
Bisbee—present	Gielegthem—present	Law—excused	Schauer—present
Bishop—present	Gilbert—present	Lemmons—present	Schermesser—present
Bogardus—present	Godchaux—present	Lockwood—present	Scott—present
Bovin—excused	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—present	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—present	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—present	Thomas—present
Clark—present	Jansen—present	Pestka—present	Toy—present
Clarke—present	Jelinek—present	Price—present	Vander Roest—present
Daniels—present	Jellema—present	Prusi—present	Van Woerkom—present
DeHart—present	Johnson, Rick—present	Pumford—present	Vaughn—present
Dennis—present	Johnson, Ruth—present	Quarles—present	Vear—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

Rep. Wayne Kuipers, from the 90th District, offered the following invocation:

“Father in Heaven, on this beautiful spring day, we come before You to ask Your blessing upon the deliberations in this House. We thank You for the responsibility that You have placed on each one of us to represent not only our districts, but to represent You in what we do here. We ask that You would grant us wisdom and understanding. We ask that the power of Your spirit will come over us and fill us with calmness and serenity so that we may do Your work in this world. We pray these things in Jesus’ name. Amen.”

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

Rep. Scott moved that Rep. Bovin be excused from today’s session.
The motion prevailed.

Second Reading of Bills

House Bill No. 4207, entitled

A bill to amend 1961 PA 236, entitled “Revised judicature act of 1961,” by amending section 8123 (MCL 600.8123), as amended by 1990 PA 54.

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

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

Rep. Cassis 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. Raczkowski 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. 4207, entitled

A bill to amend 1961 PA 236, entitled “Revised judicature act of 1961,” by amending section 8123 (MCL 600.8123), as amended by 1990 PA 54.

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

Roll Call No. 300

Yeas—102

Allen	Faunce	Kowall	Rison
Baird	Frank	Kuipers	Rivet
Basham	Garza	Kukuk	Rocca
Birkholz	Geiger	LaForge	Sanborn
Bisbee	Gielegthem	LaSata	Schauer
Bishop	Gilbert	Lemmons	Schermesser
Bogardus	Godchaux	Lockwood	Scott
Bradstreet	Gosselin	Mans	Scranton
Brater	Green	Martinez	Shackleton
Brewer	Hager	Mead	Sheltrown
Brown, B.	Hale	Middaugh	Shulman
Brown, C.	Hanley	Minore	Spade
Byl	Hansen	Mortimer	Stamas

Callahan	Hart	Neumann	Switalski
Cassis	Howell	O'Neil	Tabor
Caul	Jacobs	Pappageorge	Tesanovich
Cherry	Jamnick	Patterson	Thomas
Clark, I.	Jansen	Pestka	Toy
Clarke, H.	Jelinek	Price	Van Woerkom
Daniels	Jellema	Prusi	Vander Roest
DeHart	Johnson, Rick	Pumford	Vaughn
Dennis	Johnson, Ruth	Raczkowski	Vear
DeRossett	Julian	Reeves	Voorhees
DeVuyst	Kelly	Richardville	Wojno
DeWeese	Kilpatrick	Richner	Woronchak
Ehardt	Koetje		

Nays—3

Hardman	Quarles	Woodward
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In The Chair: Patterson

The House agreed to the title of the bill.

Second Reading of Bills

Senate Bill No. 392, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 627a (MCL 257.627a), as amended by 1996 PA 574.

Was read a second time, and the question being on the adoption of the proposed amendments previously recommended by the Committee on Transportation (for amendments, see House Journal No. 24, p. 427),

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

Rep. Raczkowski 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. Raczkowski 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. 392, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 627a (MCL 257.627a), as amended by 1996 PA 574.

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

Roll Call No. 301

Yeas—105

Allen	Garza	Kuipers	Rivet
Baird	Geiger	Kukuk	Rocca
Basham	Gielegghem	LaForge	Sanborn
Birkholz	Gilbert	LaSata	Schauer
Bisbee	Godchaux	Lemmons	Schermesser

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

Nays—0

In The Chair: Patterson

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

“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.”.

The House agreed to the full title.

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

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

Second Reading of Bills

House Bill No. 5029, entitled

A bill to amend 1978 PA 368, entitled “Public health code,” by amending section 5119 (MCL 333.5119), as amended by 1994 PA 75.

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

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

Rep. Gosselin moved to substitute (H-2) the bill.

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

Rep. Gosselin 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. Raczkowski 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. 5029, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 5119 (MCL 333.5119), as amended by 1994 PA 75.

The bill was read a third time.
The question being on the passage of the bill,

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

Second Reading of Bills

House Bill No. 4423, entitled

A bill to amend 1951 PA 33, entitled "An act to provide police and fire protection for townships and for certain areas in townships, certain incorporated villages, and cities under 15,000 population; to authorize contracting for fire and police protection; to authorize the purchase of fire and police equipment, and the maintenance and operation of the equipment; to provide for defraying the cost of the equipment; to authorize the creation of special assessment districts and the levying and collecting of special assessments; to authorize the issuance of special assessment bonds in anticipation of the collection of special assessments and the advancement of the amount necessary to pay such bonds, and to provide for reimbursement for such advances by reassessment if necessary; to authorize the collection of fees for certain emergency services in townships and other municipalities; to authorize the creation of administrative boards and to prescribe their powers and duties; to provide for the appointment of traffic officers and to prescribe their powers and duties; and to repeal certain acts and parts of acts," by amending section 6a (MCL 41.806a), as added by 1990 PA 102.

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

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

Rep. Ehardt 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. Raczkowski 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. 4423, entitled

A bill to amend 1951 PA 33, entitled "An act to provide police and fire protection for townships and for certain areas in townships, certain incorporated villages, and cities under 15,000 population; to authorize contracting for fire and police protection; to authorize the purchase of fire and police equipment, and the maintenance and operation of the equipment; to provide for defraying the cost of the equipment; to authorize the creation of special assessment districts and the levying and collecting of special assessments; to authorize the issuance of special assessment bonds in anticipation of the collection of special assessments and the advancement of the amount necessary to pay such bonds, and to provide for reimbursement for such advances by reassessment if necessary; to authorize the collection of fees for certain emergency services in townships and other municipalities; to authorize the creation of administrative boards and to prescribe their powers and duties; to provide for the appointment of traffic officers and to prescribe their powers and duties; and to repeal certain acts and parts of acts," by amending section 6a (MCL 41.806a), as added by 1990 PA 102.

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

Roll Call No. 302**Yeas—105**

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

Nays—0

In The Chair: Patterson

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

Rep. Garcia entered the House Chambers.

The House returned to the consideration of
House Bill No. 5029, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 5119 (MCL 333.5119), as amended by 1994 PA 75.

(The bill was considered earlier today, see today's journal, p. 762.)

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. 303**Yeas—65**

Allen	Frank	Kowall	Rocca
Baird	Garcia	Kuipers	Sanborn

Bisbee	Geiger	Kukuk	Schermesser
Bishop	Gilbert	LaSata	Shackleton
Bradstreet	Godchaux	Lockwood	Sheltrown
Brewer	Gosselin	Mans	Shulman
Brown, B.	Green	Neumann	Spade
Byl	Hart	O'Neil	Stamas
Cassis	Howell	Pappageorge	Switalski
Caul	Jansen	Perricone	Tabor
Cherry	Jelinek	Pestka	Tesanovich
DeHart	Jellema	Pumford	Toy
DeRossett	Johnson, Rick	Raczkowski	Van Woerkom
DeVuyst	Johnson, Ruth	Richardville	Vear
DeWeese	Julian	Richner	Voorhees
Ehardt	Koetje	Rison	Woronchak
Faunce			

Nays—42

Basham	Gielegthem	Lemmons	Rivet
Birkholz	Hager	Martinez	Schauer
Bogardus	Hale	Mead	Scott
Brater	Hanley	Middaugh	Scranton
Brown, C.	Hansen	Mortimer	Stallworth
Callahan	Hardman	Patterson	Thomas
Clark, I.	Jacobs	Price	Vander Roest
Clarke, H.	Jamnick	Prusi	Vaughn
Daniels	Kelly	Quarles	Wojno
Dennis	Kilpatrick	Reeves	Woodward
Garza	LaForge		

In The Chair: Patterson

The House agreed to the title of the bill.

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

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

Second Reading of Bills

House Bill No. 5484, entitled

A bill to amend 1998 PA 386, entitled "Estates and protected individuals code," by amending sections 1103, 1105, 1106, 1107, 1213, 1303, 1402, 2114, 2202, 2203, 2205, 2504, 2519, 2702, 2718, 2807, 3102, 3204, 3301, 3401, 3412, 3414, 3505, 3806, 3807, 3901, 3902, 3917, 3921, 3956, 5101, 5204, 5213, 5219, 5308, 5406, 6302, 6306, 7206, 7409, 7501, and 7507 (MCL 700.1103, 700.1105, 700.1106, 700.1107, 700.1213, 700.1303, 700.1402, 700.2114, 700.2202, 700.2203, 700.2205, 700.2504, 700.2519, 700.2702, 700.2718, 700.2807, 700.3102, 700.3204, 700.3301, 700.3401, 700.3412, 700.3414, 700.3505, 700.3806, 700.3807, 700.3901, 700.3902, 700.3917, 700.3921, 700.3956, 700.5101, 700.5204, 700.5213, 700.5219, 700.5308, 700.5406, 700.6302, 700.6306, 700.7206, 700.7409, 700.7501, and 700.7507); and to repeal acts and parts of acts.

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

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

Rep. Richner moved to amend the bill as follows:

1. Amend page 10, line 2, after "claims" and inserting "AND ALLOWANCES".
2. Amend page 11, line 8, after the second "FOR" by inserting "REASONABLE".

3. Amend page 16, line 17, after the first “FOR” by striking out “DOWER” and inserting “REASONABLE FUNERAL AND BURIAL EXPENSES”.

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

Rep. Richner 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. Raczkowski 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. 5484, entitled

A bill to amend 1998 PA 386, entitled “Estates and protected individuals code,” by amending sections 1103, 1105, 1106, 1107, 1213, 1303, 1402, 2114, 2202, 2203, 2205, 2504, 2519, 2702, 2718, 2807, 3102, 3204, 3301, 3401, 3412, 3414, 3505, 3806, 3807, 3901, 3902, 3917, 3921, 3956, 5101, 5204, 5213, 5219, 5308, 5406, 6302, 6306, 7206, 7409, 7501, and 7507 (MCL 700.1103, 700.1105, 700.1106, 700.1107, 700.1213, 700.1303, 700.1402, 700.2114, 700.2202, 700.2203, 700.2205, 700.2504, 700.2519, 700.2702, 700.2718, 700.2807, 700.3102, 700.3204, 700.3301, 700.3401, 700.3412, 700.3414, 700.3505, 700.3806, 700.3807, 700.3901, 700.3902, 700.3917, 700.3921, 700.3956, 700.5101, 700.5204, 700.5213, 700.5219, 700.5308, 700.5406, 700.6302, 700.6306, 700.7206, 700.7409, 700.7501, and 700.7507); and to repeal acts and parts of acts.

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

Roll Call No. 304

Yeas—98

Allen	Frank	Kukuk	Rivet
Baird	Garcia	LaForge	Rocca
Basham	Geiger	LaSata	Sanborn
Birkholz	Gielegthem	Lemmons	Schauer
Bisbee	Godchaux	Lockwood	Schermesser
Bishop	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	Hart	Neumann	Stamas
Callahan	Howell	O’Neil	Switalski
Cassis	Jacobs	Pappageorge	Tabor
Caul	Jansen	Patterson	Tesanovich
Cherry	Jelinek	Perricone	Thomas
Clarke, H.	Jellema	Pestka	Toy
Daniels	Johnson, Rick	Price	Van Woerkom
DeHart	Johnson, Ruth	Prusi	Vander Roest
Dennis	Julian	Pumford	Vear
DeRossett	Kelly	Raczkowski	Voorhees
DeVuyst	Kilpatrick	Richardville	Wojno
DeWeese	Koetje	Richner	Woodward
Ehardt	Kowall	Rison	Woronchak
Faunce	Kuipers		

Nays—9

Bogardus	Hardman	Quarles	Scott
Clark, I.	Jamnick	Reeves	Vaughn
Garza			

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 1998 PA 386, entitled "Estates and protected individuals code," by amending sections 1103, 2402, 2403, 2404, 2517, 3805, 3807, 3987, 3988, 7503, and 7508 (MCL 700.1103, 700.2402, 700.2403, 700.2404, 700.2517, 700.3805, 700.3807, 700.3987, 700.3988, 700.7503, and 700.7508), sections 1103 and 3807 as amended by 2000 PA 54.

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.

Reps. Callahan, DeRossett, DeWeese, Faunce, Hart, Howell, Ruth Johnson, Julian, Kowall, Kukuk, Middaugh, Pappageorge, Patterson, Raczkowski, Richardville, Rocca, Shackleton, Tabor, Vander Roest, Vear, Voorhees and Woodward were named co-sponsors of the bill.

Rep. Gilbert, under Rule 32(b), made the following statement:

"Mr. Speaker and members of the House:

I did not vote on Roll Call No. 304 because of a possible conflict of interest."

Second Reading of Bills

House Bill No. 4784, entitled

A bill to amend 1953 PA 232, entitled "An act to revise, consolidate, and codify the laws relating to probationers and probation officers, to pardons, reprieves, commutations, and paroles, to the administration of correctional institutions, correctional farms, and probation recovery camps, to prisoner labor and correctional industries, and to the supervision and inspection of local jails and houses of correction; to provide for the siting of correctional facilities; to create a state department of corrections, and to prescribe its powers and duties; to provide for the transfer to and vesting in said department of powers and duties vested by law in certain other state boards, commissions, and officers, and to abolish certain boards, commissions, and offices the powers and duties of which are transferred by this act; to allow for the operation of certain facilities by private entities; to prescribe the powers and duties of certain other state departments and agencies; to provide for the creation of a local lockup advisory board; to prescribe penalties for the violation of the provisions of this act; to make certain appropriations; to repeal certain parts of this act on specific dates; and to repeal all acts and parts of acts inconsistent with the provisions of this act," by amending section 62b (MCL 791.262b), as amended by 1988 PA 492.

The bill was read a second time.

Rep. Allen 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. Raczkowski 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. 4784, entitled

A bill to amend 1953 PA 232, entitled "An act to revise, consolidate, and codify the laws relating to probationers and probation officers, to pardons, reprieves, commutations, and paroles, to the administration of correctional institutions, correctional farms, and probation recovery camps, to prisoner labor and correctional industries, and to the supervision and inspection of local jails and houses of correction; to provide for the siting of correctional facilities; to create a state department of corrections, and to prescribe its powers and duties; to provide for the transfer to and vesting in said department of powers and duties vested by law in certain other state boards, commissions, and officers, and to abolish certain boards, commissions, and offices the powers and duties of which are transferred by this act; to allow for the operation of certain facilities by private entities; to prescribe the powers and duties of certain other state departments and agencies; to provide for the creation of a local lockup advisory board; to prescribe penalties for the violation of the provisions of this act; to make certain appropriations; to repeal certain parts of this act on specific

dates; and to repeal all acts and parts of acts inconsistent with the provisions of this act,” by amending section 62b (MCL 791.262b), as amended by 1988 PA 492.

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

Roll Call No. 305**Yeas—107**

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

Nays—0

In The Chair: Patterson

The House agreed to the title of the bill.

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

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

Second Reading of Bills**House Bill No. 5212, entitled**

A bill to amend 1976 PA 451, entitled “The revised school code,” by amending section 1204a (MCL 380.1204a), as amended by 1996 PA 159.

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

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

Rep. Bogardus moved to amend the bill as follows:

1. Amend page 9, following line 12, by inserting:

“(12) NOT LATER THAN 60 DAYS AFTER THE EFFECTIVE DATE OF THE AMENDATORY ACT THAT ADDED THIS SUBSECTION, THE STATE BOARD, IN COLLABORATION WITH THE SUPERINTENDENT OF

PUBLIC INSTRUCTION AND THE STATE TREASURER, SHALL ESTABLISH OBJECTIVE ACCOUNTABILITY STANDARDS FOR SCHOOL DISTRICTS AND THEIR INDIVIDUAL SCHOOLS FOR THE PURPOSES OF THIS SUBSECTION AND SUBSECTIONS (13) TO (21) AND PROCEDURES FOR EVALUATING SCHOOL DISTRICTS AND THEIR INDIVIDUAL SCHOOLS AGAINST THESE ACCOUNTABILITY STANDARDS. THESE PROCEDURES SHALL INCLUDE A SYSTEM OF RANDOM PERFORMANCE AUDITS TO ENSURE THE ACCURACY OF INFORMATION SUBMITTED TO THE STATE BOARD FOR THE PURPOSES OF THIS SUBSECTION AND SUBSECTIONS (13) TO (21). THE ACCOUNTABILITY STANDARDS SHALL ADDRESS AT LEAST ALL OF THE FOLLOWING, AS APPLICABLE:

(A) LEVEL OF PARENTAL INVOLVEMENT.

(B) A COMPARISON OF GRADUATION RATES, DROPOUT RATES, AND ATTENDANCE RATES TO THE STATEWIDE AVERAGE FOR EACH.

(C) ADEQUACY OF FACILITIES AS MEASURED BY SAFETY, SIZE, AND OVERALL LEARNING ENVIRONMENT.

(D) QUALITY OF INSTRUCTIONAL STAFF, INCLUDING AT LEAST ALL OF THE FOLLOWING FACTORS:

(i) NUMBER OF TEACHERS TEACHING IN A SUBJECT AREA IN WHICH HE OR SHE MAJORED.

(ii) ONGOING PROFESSIONAL DEVELOPMENT.

(iii) TEACHER EVALUATION PROCESS.

(iv) TEACHER KNOWLEDGE OF CORE ACADEMIC CURRICULUM CONTENT STANDARDS, AS MEASURED BY MICHIGAN EDUCATION ASSESSMENT PROGRAM (MEAP) TEST SCORES.

(v) TEACHER AVAILABILITY, AS MEASURED BY THE RATE OF USE AND AVAILABILITY OF SUBSTITUTE TEACHERS.

(vi) MANAGERIAL ABILITY OF DISTRICT AND BUILDING LEVEL ADMINISTRATORS.

(E) ADEQUACY OF INSTRUCTIONAL MATERIALS, INCLUDING AT LEAST ALL OF THE FOLLOWING FACTORS:

(i) WHETHER TEXTBOOKS ARE CURRENT.

(ii) EQUITABLE AND TIMELY DISTRIBUTION OF INSTRUCTIONAL MATERIALS THROUGHOUT THE SCHOOL DISTRICT.

(F) ADEQUACY OF CAREER PREPARATION SYSTEM, INCLUDING AT LEAST ALL OF THE FOLLOWING BENCHMARKS:

(i) AVAILABILITY OF TECHNOLOGY AND WHETHER THE TECHNOLOGY IS CURRENT.

(ii) STANDARDIZED TEST SCORES.

(iii) PERCENTAGE OF GRADUATING PUPILS ENTERING HIGHER LEARNING PROGRAMS.

(iv) AVAILABILITY OF ADULT EDUCATION PROGRAMS.

(v) OTHER BENCHMARKS ESTABLISHED BY THE DEPARTMENT.

(G) IMPLEMENTATION OF CONTINUOUS IMPROVEMENT PROCESSES.

(H) IMPLEMENTATION OF BUILDING LEVEL DECISION MAKING PROCESSES.

(13) IF THE SUPERINTENDENT OF PUBLIC INSTRUCTION DETERMINES THAT A SCHOOL DISTRICT DOES NOT MEET THE ACCOUNTABILITY STANDARDS ESTABLISHED BY THE STATE BOARD UNDER SUBSECTION (12), THE SCHOOL DISTRICT SHALL BE CONSIDERED A TRANSITIONAL SCHOOL DISTRICT AND IS SUBJECT TO THE MEASURES UNDER SUBSECTIONS (12) TO (21).

(14) NOT LATER THAN JULY 1 EACH YEAR, THE SUPERINTENDENT OF PUBLIC INSTRUCTION SHALL REPORT TO THE STATE BOARD AND TO THE GENERAL PUBLIC EACH SCHOOL DISTRICT THAT MEETS THE CONDITIONS FOR BEING CONSIDERED A TRANSITIONAL SCHOOL DISTRICT UNDER SUBSECTION (13).

(15) WITHIN 10 DAYS AFTER A SCHOOL DISTRICT IS IDENTIFIED AS A TRANSITIONAL SCHOOL DISTRICT UNDER SUBSECTIONS (12) TO (21), THE SUPERINTENDENT OF PUBLIC INSTRUCTION SHALL APPOINT A SCHOOL IMPROVEMENT TRANSITION TEAM FOR THE SCHOOL DISTRICT. THE SCHOOL IMPROVEMENT TRANSITION TEAM SHALL CONSIST OF THE SAME TYPES OF PEOPLE THE DEPARTMENT USES FOR PROVIDING TECHNICAL ASSISTANCE TO UNACCREDITED SCHOOLS UNDER SECTION 1280(10) AND SHALL ALSO CONSIST OF AT LEAST 1 REPRESENTATIVE OF EACH OF THE FOLLOWING:

(A) THE FAMILY INDEPENDENCE AGENCY.

(B) THE BEHAVIORAL HEALTH AGENCY OF THE DEPARTMENT OF COMMUNITY HEALTH.

(C) THE DEPARTMENT OF STATE POLICE.

(D) A STATE UNIVERSITY THAT HAS A TEACHER PREPARATION PROGRAM.

(E) A COMMUNITY COLLEGE.

(F) THE INTERMEDIATE SCHOOL DISTRICT IN WHICH THE SCHOOL DISTRICT IS LOCATED.

(16) A SCHOOL IMPROVEMENT TRANSITION TEAM APPOINTED UNDER SUBSECTION (15) SHALL BEGIN ITS WORK UNDER SUBSECTIONS (12) TO (21) AS SOON AS POSSIBLE AFTER APPOINTMENT AND

SHALL COMPLETE ITS ASSESSMENT AND OTHER ACTIVITIES UNDER SUBSECTIONS (12) TO (21) NOT LATER THAN 180 DAYS AFTER APPOINTMENT. THE SCHOOL IMPROVEMENT TRANSITION TEAM SHALL WORK WITH THE GOVERNING BOARD AND STAFF OF THE SCHOOL DISTRICT TO DO ALL OF THE FOLLOWING:

(A) IDENTIFY REASONS WHY THE SCHOOL DISTRICT MAY NOT MEET THE ACCOUNTABILITY STANDARDS UNDER SUBSECTION (12), CONSIDERING AT LEAST ALL OF THE FOLLOWING FACTORS:

- (i) PARENTAL INVOLVEMENT.
- (ii) SCHOOL SAFETY.
- (iii) CURRICULUM.
- (iv) TEACHING TECHNIQUES.
- (v) ADMINISTRATION, ORGANIZATION, AND STAFFING OF THE SCHOOL DISTRICT.
- (vi) STATUS OF SCHOOL IMPROVEMENT PLANS UNDER SECTION 1277.
- (vii) SOCIOECONOMIC STATUS OF THE COMMUNITY.

(B) IDENTIFY SOLUTIONS FOR ENSURING THAT THE SCHOOL DISTRICT MEETS THE ACCOUNTABILITY STANDARDS UNDER SUBSECTION (12), AS DETERMINED BY RANDOM PERFORMANCE AUDITS AND BY THE COMPREHENSIVE QUALITATIVE EVALUATION AND ANALYSIS UNDER SUBSECTION (21), AND PROVIDE NECESSARY RESOURCES FOR DEVELOPING THESE SOLUTIONS AND DEMONSTRATING HOW THEY CAN BE IMPLEMENTED.

(C) PROVIDE MENTORING TO THE GOVERNING BOARD AND STAFF ON IMPLEMENTATION OF CURRICULAR AND OTHER CHANGES DESIGNED TO ENSURE THAT ALL SCHOOLS OF THE SCHOOL DISTRICT MEET THE ACCOUNTABILITY STANDARDS UNDER SUBSECTION (12).

(D) SUBJECT TO SUBSECTION (17), ORGANIZE AND ESTABLISH A COMMUNITY ASSISTANCE TEAM THAT WILL WORK IN TANDEM WITH THE SCHOOL IMPROVEMENT TRANSITION TEAM TO ADDRESS COMMUNITY ISSUES THAT AFFECT THE SCHOOL DISTRICT'S ABILITY TO MEET ACCOUNTABILITY STANDARDS AND TO IMPLEMENT RECOMMENDATIONS OF THE SCHOOL IMPROVEMENT TRANSITION TEAM THAT REQUIRE COMMUNITY INVOLVEMENT. A COMMUNITY ASSISTANCE TEAM SHALL INCLUDE REPRESENTATIVES OF AT LEAST ALL OF THE FOLLOWING:

- (i) COUNTY OR LOCAL SOCIAL SERVICES AGENCIES.
- (ii) COMMUNITY DEVELOPMENT OR URBAN DEVELOPMENT BOARDS.
- (iii) LOCAL WORKFORCE DEVELOPMENT BOARDS.
- (iv) NONPROFIT ORGANIZATIONS THAT HAVE A PROGRAMMATIC PRESENCE IN THE SCHOOL DISTRICT.

(17) IN ADDITION TO ITS OTHER RESPONSIBILITIES UNDER SUBSECTION (16), A COMMUNITY ASSISTANCE TEAM IS RESPONSIBLE FOR DEVELOPING AND IMPLEMENTING WITHIN THE SCHOOL DISTRICT A COHESIVE, FULL-SERVICE COMMUNITY SCHOOL PROGRAM THAT ADDRESSES THE NEEDS AND CONCERNS THAT ARE UNIQUE TO THE POPULATION OF THE SCHOOL DISTRICT. ACCORDINGLY, EACH COMMUNITY ASSISTANCE TEAM SHALL DO ALL OF THE FOLLOWING:

(A) DEVELOP AND IMPLEMENT WITHIN THE SCHOOL DISTRICT HEALTH, FAMILY, COMMUNITY, CULTURAL, AND RECREATIONAL INITIATIVES TO ASSURE THAT THE ACADEMIC MISSION OF EACH SCHOOL IS COMPLEMENTED AND SUCCESSFUL.

(B) ASSIST THE SCHOOLS WITHIN THE SCHOOL DISTRICT IN THE COORDINATION AND COLLABORATION OF RESOURCES AND SERVICES FROM NONPROFIT ORGANIZATIONS, LOCAL UNITS OF GOVERNMENT, AND OTHER ENTITIES TO ENHANCE THE CURRICULAR ACHIEVEMENTS OF PUPILS.

(18) UPON COMPLETION OF ITS ASSESSMENT AND OTHER ACTIVITIES UNDER SUBSECTION (16), A SCHOOL IMPROVEMENT TRANSITION TEAM SHALL SUBMIT A REPORT DETAILING ITS RECOMMENDATIONS AND ACTIVITIES TO THE BOARD OF THE SCHOOL DISTRICT, THE STATE BOARD, THE SUPERINTENDENT OF PUBLIC INSTRUCTION, AND THE LEGISLATURE. THE BOARD OF THE SCHOOL DISTRICT SHALL MAKE THIS REPORT AVAILABLE TO THE PUBLIC.

(19) THE GOVERNING BOARD, EMPLOYEES, AND SCHOOL IMPROVEMENT PLAN PARTICIPANTS OF A SCHOOL DISTRICT FOR WHICH A SCHOOL IMPROVEMENT TRANSITION TEAM HAS BEEN APPOINTED UNDER SUBSECTIONS (12) TO (21) SHALL COOPERATE WITH THE SCHOOL IMPROVEMENT TRANSITION TEAM IN ITS EFFORTS TO PROVIDE ASSISTANCE UNDER THIS SECTION.

(20) IT IS THE INTENT OF THE LEGISLATURE IN ENACTING SUBSECTIONS (12) TO (21) THAT THE LEGISLATURE SHALL APPROPRIATE MONEY TO PAY FOR THE COMPENSATION AND EXPENSES OF THE SCHOOL IMPROVEMENT TRANSITION TEAM APPOINTED UNDER THIS SECTION, AND THAT FUNDS OF THE SCHOOL DISTRICT SHALL NOT BE USED FOR THIS PURPOSE.

(21) THE STATE BOARD SHALL DEVELOP CRITERIA FOR RANDOM PERFORMANCE AUDITS OF TRANSITIONAL SCHOOL DISTRICTS TO EVALUATE THE SUCCESS OF THE MEASURES IMPLEMENTED UNDER SUBSECTIONS (12) TO (20). IN ADDITION, THE STATE BOARD SHALL DEVELOP CRITERIA FOR A COMPREHENSIVE QUALITATIVE EVALUATION AND ANALYSIS OF A TRANSITIONAL SCHOOL DISTRICT

TO BE CONDUCTED 5 YEARS AFTER THE APPOINTMENT OF A SCHOOL IMPROVEMENT TRANSITION TEAM FOR THE SCHOOL DISTRICT. THE LEGISLATIVE AUDITOR GENERAL SHALL CONDUCT BOTH THE RANDOM PERFORMANCE AUDITS AND THE COMPREHENSIVE QUALITATIVE EVALUATION AND ANALYSIS REQUIRED UNDER THIS SUBSECTION.” and renumbering the remaining subsection.

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

Rep. Bogardus demanded the yeas and nays.

The demand was supported.

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

The amendment was not adopted, a majority of the members serving not voting therefor, by yeas and nays, as follows:

Roll Call No. 306

Yeas—53

Baird	Garza	Lockwood	Rocca
Basham	Gielegthem	Mans	Schauer
Bogardus	Hale	Martinez	Schermesser
Brater	Hanley	Minore	Scott
Brewer	Hansen	Neumann	Sheltrown
Brown, B.	Hardman	O’Neil	Spade
Callahan	Jacobs	Pestka	Stallworth
Cherry	Jamnick	Price	Switalski
Clark, I.	Johnson, Ruth	Prusi	Tesanovich
Clarke, H.	Kelly	Quarles	Thomas
Daniels	Kilpatrick	Reeves	Vaughn
DeHart	LaForge	Rison	Wojno
Dennis	Lemmons	Rivet	Woodward
Frank			

Nays—55

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

In The Chair: Patterson

Rep. Spade moved to amend the bill as follows:

1. Amend page 4, line 7, after “(ACT)” by inserting “OR THE SCHOLASTIC APTITUDE TEST (SAT); FOR EACH OF THOSE TESTS”.

2. Amend page 4, line 8, after “TEST” by striking out the comma and inserting a semicolon.

3. Amend page 4, line 8, after “AND” by inserting a comma and “FOR EACH OF THOSE TESTS.”.

4. Amend page 4, line 9, after “TEST.” by inserting “HOWEVER, THIS SUBDIVISION DOES NOT APPLY FOR A PARTICULAR TEST FOR A PARTICULAR YEAR UNLESS AT LEAST 2 PUPILS AT THE SCHOOL TOOK THAT TEST DURING THAT YEAR.”.

5. Amend page 4, line 12, after "TEST." by inserting "HOWEVER, THIS SUBDIVISION DOES NOT APPLY FOR A PARTICULAR YEAR UNLESS AT LEAST 2 PUPILS AT THE SCHOOL TOOK THE ACT WORK KEYS TEST DURING THAT YEAR."

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

Rep. Allen moved to amend the bill as follows:

1. Amend page 8, line 12, after "(J)," by striking out "AND (K)" and inserting "(K), AND (L)".

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

Rep. Mead moved to amend the bill as follows:

1. Amend page 9, following line 15, by inserting:

"Enacting section 1. This amendatory act does not take effect unless the state budget director files a statement with the secretary of state not later than October 1, 2000 certifying that the enacted increase from the immediately preceding state fiscal year in intermediate school district operating funding under section 81 of the state school aid act of 1979, 1979 PA 94, MCL 388.1681, is at least 3.5% each fiscal year for 2000-2001, 2001-2002, and 2002-2003."

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

Rep. Godchaux moved to amend the bill as follows:

1. Amend page 9, following line 12, by inserting:

"(12) THIS SECTION DOES NOT PRECLUDE AN INTERMEDIATE SCHOOL DISTRICT FROM WORKING IN COOPERATION WITH A CONSTITUENT SCHOOL DISTRICT OR PUBLIC SCHOOL ACADEMY THAT PRODUCES AND DISTRIBUTES A SCHOOL REPORT SIMILAR TO THE ANNUAL EDUCATIONAL REPORT CARD REQUIRED UNDER THIS SECTION, AND DOES NOT PRECLUDE AN INTERMEDIATE SCHOOL DISTRICT FROM USING THAT CONSTITUENT SCHOOL DISTRICT'S OR PUBLIC SCHOOL ACADEMY'S DISTRIBUTION OF ITS OWN SCHOOL REPORT TO SATISFY THE INTERMEDIATE SCHOOL DISTRICT'S OBLIGATION UNDER THIS SECTION TO PROVIDE AN ANNUAL EDUCATIONAL REPORT CARD TO THE PARENTS AND LEGAL GUARDIANS OF PUPILS OF THAT CONSTITUENT SCHOOL DISTRICT OR PUBLIC SCHOOL ACADEMY, IF ALL OF THE FOLLOWING ARE MET:

(A) THE SCHOOL DISTRICT'S OR PUBLIC SCHOOL ACADEMY'S OWN SCHOOL REPORT CONTAINS ALL OF THE SAME INFORMATION AS REQUIRED FOR THE ANNUAL EDUCATIONAL REPORT CARD UNDER THIS SECTION AND IS DISTRIBUTED TO AT LEAST ALL OF THE SAME PERSONS AS REQUIRED FOR THE ANNUAL EDUCATIONAL REPORT CARD UNDER THIS SECTION.

(B) THE SCHOOL DISTRICT OR PUBLIC SCHOOL ACADEMY PROVIDES A COPY OF ITS SCHOOL REPORT TO THE INTERMEDIATE SCHOOL DISTRICT IN THE FORM AND MANNER PRESCRIBED BY THE INTERMEDIATE SCHOOL DISTRICT." and renumbering the remaining subsection.

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

Rep. LaSata moved to amend the bill as follows:

1. Amend page 6, line 14, after "DISTRICT" by inserting a comma and "AND FOR EACH PUBLIC SCHOOL ACADEMY LOCATED WITHIN THE INTERMEDIATE SCHOOL DISTRICT,".

2. Amend page 6, line 23, after "DISTRICT" by inserting "OR PUBLIC SCHOOL ACADEMY".

3. Amend page 7, line 2, after "DISTRICT" by inserting "OR PUBLIC SCHOOL ACADEMY".

4. Amend page 8, following line 20, by inserting:

"(9) AN INTERMEDIATE SCHOOL DISTRICT MAY SATISFY THE REQUIREMENT UNDER SUBSECTION (4)(C) TO PROVIDE A COPY OF THE ANNUAL EDUCATIONAL REPORT CARD TO PARENTS AND LEGAL GUARDIANS BY PROVIDING SUFFICIENT COPIES TO SCHOOL DISTRICTS AND PUBLIC SCHOOL ACADEMIES WITH INSTRUCTIONS TO DISTRIBUTE THE COPIES IN A MANNER REASONABLY CALCULATED TO ENSURE THAT A COPY IS DELIVERED TO THE PARENT OR LEGAL GUARDIAN OF EACH PUPIL BY OCTOBER 15 OF THE UPCOMING SCHOOL YEAR. THIS DISTRIBUTION MAY BE ACCOMPLISHED IN A MANNER DETERMINED BY THE SCHOOL DISTRICT OR PUBLIC SCHOOL ACADEMY, INCLUDING, BUT NOT LIMITED TO, 1 OR MORE OF THE FOLLOWING:

(A) SENDING THE COPY TO A PUPIL'S PARENT OR LEGAL GUARDIAN WITH THE PUPIL'S REPORT CARD.

(B) DISTRIBUTING THE COPY WITH A SCHOOL OR SCHOOL DISTRICT NEWSLETTER OR SIMILAR PUBLICATION THAT IS GENERALLY DISTRIBUTED TO PARENTS AND GUARDIANS.

(C) INCLUDING THE COPY WITH THE DISTRIBUTION OF ITS PUPIL HANDBOOK." and renumbering the remaining subsections.

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

Rep. LaSata 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. Raczkowski 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. 5212, entitled

A bill to amend 1976 PA 451, entitled “The revised school code,” by amending section 1204a (MCL 380.1204a), as amended by 1996 PA 159.

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

Roll Call No. 307

Yeas—88

Allen	Faunce	Kuipers	Rison
Baird	Frank	Kukuk	Rocca
Basham	Garcia	LaSata	Sanborn
Birkholz	Geiger	Lemmons	Schauer
Bisbee	Gilbert	Lockwood	Schermesser
Bishop	Godchaux	Mans	Scranton
Bogardus	Gosselin	Martinez	Shackleton
Bradstreet	Green	Mead	Shulman
Brewer	Hager	Middaugh	Spade
Brown, B.	Hanley	Mortimer	Stamas
Brown, C.	Hart	Neumann	Switalski
Byl	Howell	O’Neil	Tabor
Callahan	Jacobs	Pappageorge	Tesanovich
Cassis	Jansen	Patterson	Thomas
Caul	Jelinek	Perricone	Toy
Cherry	Jellema	Pestka	Van Woerkom
DeHart	Johnson, Rick	Price	Vander Roest
Dennis	Johnson, Ruth	Prusi	Vear
DeRossett	Julian	Pumford	Voorhees
DeVuyst	Kelly	Rackowski	Wojno
DeWeese	Koetje	Richardville	Woodward
Ehardt	Kowall	Richner	Woronchak

Nays—20

Brater	Gielegheem	Kilpatrick	Rivet
Clark, I.	Hale	LaForge	Scott
Clarke, H.	Hansen	Minore	Sheltrown
Daniels	Hardman	Quarles	Stallworth
Garza	Jamnick	Reeves	Vaughn

In The Chair: Patterson

The House agreed to the title of the bill.

Rep. Rackowski 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

THIS RESOLUTION IS OFFERED TO COMPLY WITH MCL §§ 830.415 AND 830.417 AND REQUIRES A RECORD ROLL CALL VOTE.

Rep. Jellema offered the following concurrent resolution:

House Concurrent Resolution No. 93.

A concurrent resolution approving the conveyance of property to the State Building Authority and approving a lease between the State of Michigan and the State Building Authority relative to the Family Independence Agency W.J. Maxey Training School.

Whereas, Section 5 of 1964 PA 183, as amended, being MCL § 830.415, requires the approval of the State Administrative Board, the Attorney General, 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 State of Michigan (the "State") may be conveyed to the State Building Authority (the "Authority"); and

Whereas, The site for the Family Independence Agency W.J. Maxey Training School (the "Facility") is currently owned by the State; 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 the 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 may enter into a lease with the Authority upon a showing of a public purpose; and

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

Whereas, A lease between the Authority and the State has been prepared providing for the leasing of the Facility by the Authority to the State (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 for the Family Independence Agency W.J. Maxey Training School shall not exceed \$37,607,000, (the Authority share is \$37,231,000 and the State General Fund/General Purpose share is \$376,000), 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 \$37,231,000, 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 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 \$3,700,000 and \$6,400,000, as shall reflect variations that may occur in the components upon which the appraisal of true rental was 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 between the State 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 a copy of this concurrent resolution be transmitted to the Governor, the Secretary of State, the Authority, and the State Budget Director.

The concurrent resolution was referred to the Committee on Appropriations.

THIS RESOLUTION IS OFFERED TO COMPLY WITH MCL §§ 830.415 AND 830.417 AND REQUIRES A RECORD ROLL CALL VOTE.

Rep. Jellema offered the following concurrent resolution:

House Concurrent Resolution No. 94.

A concurrent resolution approving the conveyance of property to the State Building Authority and approving a lease between the State of Michigan and the State Building Authority relative to the Department of Agriculture Geagley Laboratory.

Whereas, Section 5 of 1964 PA 183, as amended, being MCL § 830.415, requires the approval of the State Administrative Board, the Attorney General, 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 State of Michigan (the "State") may be conveyed to the State Building Authority (the "Authority"); and

Whereas, The site for the Department of Agriculture Geagley Laboratory located in Ingham County (the "Facility") is currently owned by the State; 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 the 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 may enter into a lease with the Authority upon a showing of a public purpose; and

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

Whereas, A lease between the Authority and the State has been prepared providing for the leasing of the Facility by the Authority to the State (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 for the Department of Agriculture Geagley Laboratory shall not exceed \$12,000,000, (the Authority share is \$11,900,000 and State General Fund/General Purpose share is \$100,000), 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 \$11,900,000, 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 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 \$1,200,000 and \$2,100,000, as shall reflect variations that may occur in the components upon which the appraisal of true rental was 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 between the State 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 a copy of this concurrent resolution be transmitted to the Governor, the Secretary of State, the Authority, and the State Budget Director.

The concurrent resolution was referred to the Committee on Appropriations.

THIS RESOLUTION IS OFFERED TO COMPLY WITH MCL §§ 830.415 AND 830.417 AND REQUIRES A RECORD ROLL CALL VOTE.

Rep. Jellema offered the following concurrent resolution:

House Concurrent Resolution No. 95.

A concurrent resolution approving the conveyance of property to the State Building Authority and approving a lease between the State of Michigan and the State Building Authority relative to the Department of Corrections Multilevel Correctional Facility at Ionia.

Whereas, Section 5 of 1964 PA 183, as amended, being MCL § 830.415, requires the approval of the State Administrative Board, the Attorney General, 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 State of Michigan (the "State") may be conveyed to the State Building Authority (the "Authority"); and

Whereas, The site of the Department of Corrections Multilevel Correctional Facility at Ionia, located in Ionia County, (the "Facility") is currently owned by the State; 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 the 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 may enter into a lease with the Authority upon a showing of a public purpose; and

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

Whereas, A lease between the Authority and the State has been prepared providing for the leasing of the Facility by the Authority to the State (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 for the Department of Corrections Multilevel Correctional Facility at Ionia shall not exceed \$80,500,000, (the Authority share is \$33,479,900, the State General Fund/General Purpose share is \$100, and the Federal Restricted Funds share is \$47,020,000), 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 \$33,479,900, 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 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 \$3,200,000 and \$5,500,000, as shall reflect variations that may occur in the components upon which the appraisal of true rental was 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 between the State 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 a copy of this concurrent resolution be transmitted to the Governor, the Secretary of State, the Authority, and the State Budget Director.

The concurrent resolution was referred to the Committee on Appropriations.

THIS RESOLUTION IS OFFERED TO COMPLY WITH MCL §§ 830.415 AND 830.417 AND REQUIRES A RECORD ROLL CALL VOTE.

Rep. Jellema offered the following concurrent resolution:

House Concurrent Resolution No. 96.

A concurrent resolution approving the conveyance of property to the State Building Authority and approving a lease between the State of Michigan and the State Building Authority relative to the Department of Corrections Cooper Street Correctional Facility Additional Housing Units.

Whereas, 1998 PA 273 established the Department of Corrections Cooper Street Correctional Facility Additional Housing Units in Jackson County (the "Facility") at a Total Project Cost of \$7,100,000, of which the State Building Authority (the "Authority") share was to be \$5,000,000, the State General Fund/General Purpose share was to be \$120,000, and the Federal Restricted Funds share was to be \$1,980,000; and

Whereas, 1999 PA 265 decreased the Total Facility Cost by \$1,000,000, establishing a Total Cost of \$6,100,000, of which the Authority's share is \$4,000,000, the State General Fund/General Purpose share is \$120,000, and the Federal Restricted Funds share is \$1,980,000; and

Whereas, Section 5 of 1964 PA 183, as amended, being MCL § 830.415, requires the approval of the State Administrative Board, the Attorney General, 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 State of Michigan (the "State") may be conveyed to the State Building Authority; and

Whereas, The site for the Department of Corrections Cooper Street Correctional Facility Additional Housing Units in Jackson County is currently owned by the State; 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 the 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 may enter into a lease with the Authority upon a showing of a public purpose; and

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

Whereas, A lease between the Authority and the State has been prepared providing for the leasing of the Facility by the Authority to the State (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 for the Department of Corrections Cooper Street Correctional Facility Additional Housing Units in Jackson County shall not exceed \$6,100,000, (the Authority share is \$4,000,000, State General Fund/General Purpose share is \$120,000, and the Federal Restricted Funds share is \$1,980,000), 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 \$4,000,000, 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 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 \$360,000 and \$610,000, as shall reflect variations that may occur in the components upon which the appraisal of true rental was 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 between the State 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 a copy of this concurrent resolution be transmitted to the Governor, the Secretary of State, the Authority, and the State Budget Director.

The concurrent resolution was referred to the Committee on Appropriations.

THIS RESOLUTION IS OFFERED TO COMPLY WITH MCL §§ 830.415 AND 830.417 AND REQUIRES A RECORD ROLL CALL VOTE.

Rep. Jellema offered the following concurrent resolution:

House Concurrent Resolution No. 97.

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 Lake Michigan College relative to the Lake Michigan College Financial and Student Services Center.

Whereas, 1993 PA 19 established the Lake Michigan College's (the "College") South Campus Center (the "Center") at a Total Project Cost of \$4,761,200, of which the State Building Authority (the "Authority") share was to be \$2,380,500, the College share was to be \$2,380,600, and the State General Fund/General Purpose share was to be \$100; and

Whereas, 1997 PA 116 added a second component to the College's South Campus Center project by including a Financial and Student Services Center (the "Facility") at the College's Napier Campus and increased the Total Project Cost to \$8,761,200, of which the Authority share is \$4,380,500, the College share is \$4,380,600, and the State General Fund/General Purpose share remains \$100; and

Whereas, Section 5 of 1964 PA 183, as amended, being MCL § 830.415, requires the approval of the College, 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 College may be conveyed to the State Building Authority (the "Authority"); and

Whereas, The site for the Lake Michigan College Financial and Student Services Center is currently owned by the College and the Facility is now under construction; 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 the 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 a public purpose; and

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

Whereas, A lease among the Authority, the State, and the College has been prepared providing for the leasing of the Facility by the Authority to the State and the College (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 Project Cost for the Lake Michigan College South Campus Center, consisting of both the South Campus Center and the Financial and Student Services Center, shall not exceed \$8,761,200, of which the Authority share is \$4,380,500, the College share is \$4,380,600 and the State General Fund/General Purpose share remains \$100; and be it further

Resolved, That the Total Facility Cost for the Financial and Student Service Center shall not exceed \$4,000,000 (the Authority share is \$2,000,000 and the College share is \$2,000,000), 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 \$2,000,000, 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 portion of the Total Project Cost for the College's South Campus Center component shall not exceed \$4,761,200, of which the Authority share is \$2,380,500, the State General Fund/General Purpose share is \$100, and the College share is \$2,380,600; 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 College 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 \$180,000 and \$310,000, as shall reflect variations that may occur in the components upon which the appraisal of true rental was 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 College, 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 a copy of this concurrent resolution be transmitted to the Governor, the Secretary of State, the Authority, the College and the State Budget Director.

The concurrent resolution was referred to the Committee on Appropriations.

THIS RESOLUTION IS OFFERED TO COMPLY WITH MCL §§ 830.415 AND 830.417 AND REQUIRES A RECORD ROLL CALL VOTE.

Rep. Jellema offered the following concurrent resolution:

House Concurrent Resolution No. 98.

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 State University relative to the Michigan State University Science Building Renovations.

Whereas, Section 5 of 1964 PA 183, as amended, being MCL § 830.415, requires the approval of the Board of Trustees of Michigan State 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 Michigan State University Science Building Renovations (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 the 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 a 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 for the Michigan State University Science Building Renovations shall not exceed \$93,000,000 (the Authority share is \$69,749,900, the State General Fund/General Purpose share is \$100, and the Educational Institution share is \$23,250,000), 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 \$69,749,900, 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 \$6,800,000 and \$12,000,000, as shall reflect variations that may occur in the components upon which the appraisal of true rental was 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 a copy of this concurrent resolution be transmitted to the Governor, the Secretary of State, the Authority, the Board of Trustees of Michigan State University and the State Budget Director.

The concurrent resolution was referred to the Committee on Appropriations.

THIS RESOLUTION IS OFFERED TO COMPLY WITH MCL §§ 830.415 AND 830.417 AND REQUIRES A RECORD ROLL CALL VOTE.

Rep. Jellema offered the following concurrent resolution:

House Concurrent Resolution No. 99.

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 the Regents of the University of Michigan relative to the University of Michigan-Dearborn General Campus Classroom Renovations (Phase III) College of Arts, Sciences & Letters.

Whereas, 1996 PA 480 originally established the University of Michigan's (the "University") Dearborn Campus General Campus Classroom Renovations (Phase III) (the "General Campus Renovations") for the construction of the University's College of Arts, Sciences & Letters building (the "Facility") and the renovation of the University's existing University Mall (the "University Mall Facility") at a Total Project Cost of \$43,400,000, of which the State Building Authority (the "Authority") share was to be \$32,549,900, the University share was to be \$10,850,000, and the State General Fund/General Purpose share was to be \$100; and

Whereas, 1997 PA 116 added a third component to the University's General Campus Renovations project by including the construction of an Environmental Interpretive Center (the "Environmental Facility") at the University's Dearborn Campus and increased the Total Project Cost to \$46,900,000, of which the Authority share is \$35,174,900, the University share is \$11,725,000, and the State General Fund/General Purpose share remains \$100; and

Whereas, Section 5 of 1964 PA 183, as amended, being MCL § 830.415, requires the approval of the Regents of the University of Michigan, 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 University may be conveyed to the Authority; and

Whereas, The site for the Facility is currently owned by the University and the Facility is now under construction; and

Whereas, Section 7 of Act No. 183 of the Public Acts of 1964, 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 the 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 a public purpose; and

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

Whereas, A lease among the Authority, the State, and the University has been prepared providing for the leasing of the Facility by the Authority to the State and the University (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 University's General Campus Renovations Total Project Cost, consisting of the Facility, the Environmental Facility, and the University Mall Facility at the University's Dearborn Campus, shall not exceed \$46,900,000, of which the Authority share is \$35,174,900, the University share is \$11,725,000 and the State General Fund/General Purpose share remains \$100; and be it further

Resolved, That the Total Facility Cost shall not exceed \$31,900,000 (the Authority share is \$23,924,900, the State General Fund/General Purpose share is \$100, and the University share is \$7,975,000), 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 \$23,924,900, 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 Total Project Cost of the University's Environmental Facility Project shall not exceed \$4,062,000, of which the Authority share is \$3,046,500 and the University share is \$1,015,500; and be it further

Resolved, That the Total Project Cost of the University's University Mall Facility Project shall not exceed \$10,938,000, of which the Authority share is \$8,203,500 and the University share is \$2,734,500; 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 University and hereby determines that the leasing of the Facility from the Authority is for a public purpose as authorized by Act No. 183 of the Public Acts of 1964, 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 \$2,300,000 and \$3,900,000, as shall reflect variations that may occur in the components upon which the appraisal of true rental was 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 University 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 a copy of this concurrent resolution be transmitted to the Governor, the Secretary of State, the Authority, the University, and the State Budget Director.

The concurrent resolution was referred to the Committee on Appropriations.

THIS RESOLUTION IS OFFERED TO COMPLY WITH MCL §§ 830.415 AND 830.417 AND REQUIRES A RECORD ROLL CALL VOTE.

Rep. Jellema offered the following concurrent resolution:

House Concurrent Resolution No. 100.

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 the Regents of the University of Michigan relative to the University of Michigan-Dearborn General Campus Classroom Renovations (Phase III) Environmental Interpretive Center.

Whereas, 1996 PA 480 originally established the University of Michigan's (the "University") Dearborn Campus General Campus Classroom Renovations (Phase III) (the "General Campus Renovations") for the construction of the University's College of Arts, Sciences & Letters building (the "CASL Facility") and the renovation of the University's existing University Mall (the "University Mall Facility") at a Total Project Cost of \$43,400,000, of which the State Building Authority (the "Authority") share was to be \$32,549,900, the University share was to be \$10,850,000, and the State General Fund/General Purpose share was to be \$100; and

Whereas, 1997 PA 116 added a third component to the University's General Campus Renovations project by including the construction of an Environmental Interpretive Center (the "Facility") at the University's Dearborn Campus and increased the Total Project Cost to \$46,900,000, of which the Authority share is \$35,174,900, the University share is \$11,725,000, and the State General Fund/General Purpose share remains \$100; and

Whereas, Section 5 of 1964 PA 183, as amended, being MCL § 830.415, requires the approval of the University, 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 University may be conveyed to the Authority; and

Whereas, The site for the Facility is currently owned by the University and the Facility is now under construction; 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 the 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 ("State") may enter into a lease with the Authority upon a showing of a public purpose; and

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

Whereas, A lease among the Authority, the State, and the University has been prepared providing for the leasing of the Facility by the Authority to the State and the University (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 University's General Campus Renovations Total Project Cost, consisting of the Facility, the CASL Facility, and the University Mall Facility at the University's Dearborn Campus, shall not exceed \$46,900,000, of which the Authority share is \$35,174,900, the University share is \$11,725,000, and the State General Fund/General Purpose share remains \$100; and be it further

Resolved, That the Total Facility Cost shall not exceed \$4,062,000 (the Authority share is \$3,046,500, and the University share is \$1,015,500), 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 \$3,046,500, 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 Total Project Cost of the University's CASL Facility Project shall not exceed \$31,900,000, of which the Authority share is \$23,924,900, the State General Fund/General Purpose share is \$100, and the University share is \$7,975,000; and be it further

Resolved, That the Total Project Cost of the University's University Mall Facility Project shall not exceed \$10,938,000, of which the Authority share is \$8,203,500, and the University share is \$2,734,500; 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 University 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 \$290,000 and \$500,000, as shall reflect variations that may occur in the components upon which the appraisal of true rental was 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 University, 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 a copy of this concurrent resolution be transmitted to the Governor, the Secretary of State, the Authority, the University, and the State Budget Director.

The concurrent resolution was referred to the Committee on Appropriations.

THIS RESOLUTION IS OFFERED TO COMPLY WITH MCL §§ 830.415 AND 830.417 AND REQUIRES A RECORD ROLL CALL VOTE.

Rep. Jellema offered the following concurrent resolution:

House Concurrent Resolution No. 101.

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 the Regents of the University of Michigan relative to the University of Michigan-Flint Professional Studies and Classroom Building.

Whereas, Section 5 of 1964 PA 183, as amended, being MCL § 830.415, requires the approval of the Regents of the University of Michigan (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 University of Michigan-Flint Professional Studies and Classroom Building (the "Facility") is 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 the 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 a 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 shall not exceed \$35,623,000 (the Authority share is \$25,942,100, the State General Fund/General Purpose share is \$100, and the Educational Institution share is \$9,680,800), 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 \$25,942,100, 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 \$2,600,000 and \$4,500,000, as shall reflect variations that may occur in the components upon which the appraisal of true rental was based, which amounts shall be certified by the appraiser and therefore 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 a copy of this concurrent resolution be transmitted to the Governor, the Secretary of State, the Authority, the Educational Institution, and the State Budget Director.

The concurrent resolution was referred to the Committee on Appropriations.

Reports of Standing Committees

The Committee on Transportation, by Rep. Rick Johnson, Chair, reported

House Bill No. 5669, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 801 (MCL 257.801), as amended by 2000 PA 47.

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 5669 To Report Out:

Yeas: Reps. Rick Johnson, Gilbert, DeVuyst, Garcia, Ruth Johnson, Middaugh, Patterson, Shackleton, Tabor, Brewer,
Nays: Reps. Kilpatrick, Jamnick, Reeves, Schermesser.

The Committee on Transportation, by Rep. Rick Johnson, Chair, reported

Senate Bill No. 1143, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by repealing part 51 (MCL 324.5101 to 324.5103).

The committee recommended that the bill be referred to the Committee on Conservation and Outdoor Recreation.

Favorable Roll Call

SB 1143 To Report Out:

Yeas: Reps. Rick Johnson, Gilbert, DeVuyst, Garcia, Ruth Johnson, Middaugh, Shackleton, Tabor, Bovin, Brewer, Jamnick, Schermesser,

Nays: None.

The recommendation was concurred in and the bill was referred to the Committee on Conservation and Outdoor Recreation.

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Tuesday, April 25, 2000, at 3:40 p.m.,

Present: Reps. Rick Johnson, Gilbert, DeVuyst, Garcia, Ruth Johnson, Middaugh, Patterson, Shackleton, Tabor, Kilpatrick, Bovin, Brewer, Jamnick, Reeves, Schermesser,

Absent: Reps. Hart, Lemmons,

Excused: Reps. Hart, Lemmons.

The Committee on Senior Health, Security and Retirement, by Rep. Vander Roest, Chair, reported

House Bill No. 4128, entitled

A bill to provide for standards for contracts involving certain residential and care services; and to provide for remedies.

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

HB 4128 To Report Out:

Yeas: Reps. Vander Roest, Voorhees, Cassis, Faunce, Rocca, Tabor, Woronchak, Hardman, Spade,

Nays: None.

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Vander Roest, Chair of the Committee on Senior Health, Security and Retirement, was received and read:

Meeting held on: Wednesday, April 26, 2000, at 9:00 a.m.,

Present: Reps. Vander Roest, Voorhees, Cassis, Faunce, Rocca, Tabor, Woronchak, DeHart, Hardman, Spade,

Absent: Rep. Bovin,

Excused: Rep. Bovin.

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, Wednesday, April 26:

House Bill Nos. 5675 5676 5677 5678 5679 5680 5681 5682

Communications from State Officers

The following communications from the Secretary of State were received and read:

Notices of Filing
Administrative Rules

April 11, 2000

In accordance with the provisions of Section 46(1) of Act 306, Public Acts of 1969, as amended, and Executive Order 1995-6 this is to advise you that the Office of Regulatory Reform, Legal Division filed at 1:50 P.M. this date, administrative rule (00-04-01) for the Department of Consumer and Industry Services, Director's Office, entitled "*Part 21. Powered Industrial Trucks*", effective 15 days hereafter.

April 11, 2000

In accordance with the provisions of Section 46(1) of Act 306, Public Acts of 1969, as amended, and Executive Order 1995-6 this is to advise you that the Office of Regulatory Reform, Legal Division filed at 1:52 P.M. this date, administrative rule (00-04-02) for the Department of State, Michigan Historical Center, entitled "*Historic Preservation Certification*", effective 15 days hereafter.

April 11, 2000

In accordance with the provisions of Section 46(1) of Act 306, Public Acts of 1969, as amended, and Executive Order 1995-6 this is to advise you that the Office of Regulatory Reform, Legal Division filed at 1:54 P.M. this date, administrative rule (00-04-03) for the Department of Consumer and Industry Services, Director's Office, entitled "*Part 32. Aerial Work Platforms*", effective 15 days hereafter.

April 11, 2000

In accordance with the provisions of Section 46(1) of Act 306, Public Acts of 1969, as amended, and Executive Order 1995-6 this is to advise you that the Office of Regulatory Reform, Legal Division filed at 1:56 P.M. this date, administrative rule (00-04-04) for the Department of Consumer and Industry Services, Director's Office, entitled "*Vinyl Chloride*", effective 15 days hereafter.

April 11, 2000

In accordance with the provisions of Section 46(1) of Act 306, Public Acts of 1969, as amended, and Executive Order 1995-6 this is to advise you that the Office of Regulatory Reform, Legal Division filed at 2:00 P.M. this date, administrative rule (00-04-05) for the Department of Environmental Quality, Land and Water Management Division, entitled "*Wetlands Protection*", effective 15 days hereafter.

Sincerely,
Candice S. Miller
Secretary of State
James Fackler, Acting Supervisor
Office of the Great Seal

April 18, 2000

In accordance with the provisions of Section 46(1) of Act 306, Public Acts of 1969, as amended, and Executive Order 1995-6 this is to advise you that the Office of Regulatory Reform, Legal Division filed at 2:45 P.M. this date, administrative rule (00-04-06) for the Department of Consumer and Industry Services, Director's Office, entitled "*Chiropractic*", effective 15 days hereafter.

April 19, 2000

In accordance with the provisions of Section 46(1) of Act 306, Public Acts of 1969, as amended, and Executive Order 1995-6 this is to advise you that the Office of Regulatory Reform, Legal Division filed at 1:30 P.M. this date, administrative rule (00-04-07) for the Department of Consumer and Industry Services, Director's Office, entitled "*Part 6. Fire Exits*", effective 15 days hereafter.

Sincerely,
Candice S. Miller
Secretary of State
Elena L. Beasley, Supervisor
Office of the Great Seal

The communications were referred to the Clerk.

Introduction of Bills

Reps. Woodward, Dennis, Wojno, Baird, Switalski, Jacobs, Lockwood, Spade, Kilpatrick, Frank, Schauer, Rivet, Bogardus, Brater, Price, Hansen, Clarke, Bovin, Gielegem, Neumann, Rison, Scott, Basham, Reeves, Bob Brown, Minore, Hale, Pestka, Cherry, Mans and LaForge introduced

House Bill No. 5683, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending sections 20124, 21013, and 21035 (MCL 333.20124, 333.21013, and 333.21035), section 21013 as amended by 1982 PA 354 and section 21035 as added by 1996 PA 472, and by adding sections 21035a, 21035b, and 21035c; and to repeal acts and parts of acts.

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

Reps. Brater, Raczkowski, Baird, Quarles, Scott, Lockwood, Hansen, Jacobs, Dennis, Woodward, Bovin, Cherry, Martinez, DeHart, Pestka, Schauer, Shulman, Minore and LaForge introduced

House Bill No. 5684, entitled

A bill to amend 1846 RS 83, entitled "Of marriage and the solemnization thereof," by amending sections 7 and 16 (MCL 551.7 and 551.16), section 7 as amended by 1983 PA 64.

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

Reps. Brater, Raczkowski, Baird, Quarles, Scott, Lockwood, Hansen, Jacobs, Dennis, Woodward, Bovin, Cherry, Martinez, DeHart, Schauer, Pestka, Shulman, Minore and LaForge introduced

House Bill No. 5685, entitled

A bill to amend 1887 PA 128, entitled "An act establishing the minimum ages for contracting marriages; to require a civil license in order to marry and its registration; to provide for the implementation of federal law; and to provide a penalty for the violation of this act," by amending sections 1, 3, 4, and 6 (MCL 551.101, 551.103, 551.104, and 551.106), section 3 as amended by 1984 PA 346.

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

Rep. Gilbert moved that the House adjourn.

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

Associate Speaker Pro Tempore Patterson declared the House adjourned until Thursday, April 27, at 12:00 Noon.

GARY L. RANDALL
Clerk of the House of Representatives.

