

No. 42
STATE OF MICHIGAN

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House of Representatives

91st Legislature
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House Chamber, Lansing, Wednesday, May 8, 2002.

2:00 p.m.

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

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

Adamini—present	Garza—present	Lockwood—present	Schauer—present
Allen—present	George—present	Mans—present	Schermesser—present
Anderson—present	Gielegghem—present	McConico—present	Scranton—present
Basham—present	Gilbert—present	Mead—present	Shackleton—present
Bernero—present	Godchaux—present	Meyer—present	Sheltrown—present
Birkholz—excused	Gosselin—present	Middaugh—present	Shulman—present
Bisbee—present	Hager—present	Minore—present	Spade—present
Bishop—present	Hale—present	Mortimer—present	Stallworth—present
Bogardus—present	Hansen—present	Murphy—present	Stamas—present
Bovin—present	Hardman—present	Neumann—present	Stewart—present
Bradstreet—present	Hart—present	Newell—present	Switalski—present
Brown, Bob—present	Howell—present	O’Neil—present	Tabor—present
Brown, Cameron—present	Hummel—present	Palmer—present	Thomas—present
Brown, Rich—present	Jacobs—present	Pappageorge—present	Toy—present
Callahan—present	Jamnick—present	Patterson—present	Van Woerkom—present
Cassis—present	Jansen—present	Pestka—present	Vander Roest—present
Caul—present	Jelinek—present	Phillips—present	Vander Veen—excused
Clark—present	Johnson, Rick—present	Plakas—present	Vear—present
Clarke—present	Johnson, Ruth—excused	Pumford—present	Voorhees—present
Daniels—present	Julian—present	Quarles—present	Waters—excused
Dennis—present	Koetje—present	Raczkowski—present	Whitmer—present
DeRossett—present	Kolb—present	Reeves—present	Williams—present
DeVuyst—present	Kooiman—present	Richardville—present	Wojno—present
DeWeese—present	Kowall—present	Richner—present	Woodward—present
Drolet—present	Kuipers—excused	Rison—present	Woronchak—present
Ehardt—present	LaSata—present	Rivet—present	Zelenko—present
Faunce—present	Lemmons—present	Rocca—present	
Frank—present	Lipsey—present		

e/d/s = entered during session

Rev. Dr. Tyrone B. Martin, Pastor of Greater Morning Star Missionary Baptist Church in Mt. Clemens, offered the following invocation:

“Our Father and Our God, we thank You for Your presence. As we invoke Your wisdom, may we seek understanding to carefully and righteously govern Your people. God, we pray that You will utilize Your wisdom in this place. May the men and women who come to represent the people better appreciate and be able to give good judgement to those who make the laws of this state. In the name of Jesus, we pray. Amen.”

Rep. Vander Roest moved that Reps. Birkholz, Ruth Johnson, Kuipers and Vander Veen be excused from today’s session.

The motion prevailed.

Rep. Jacobs moved that Rep. Waters be excused from today’s session.

The motion prevailed.

Second Reading of Bills

House Bill No. 5154, entitled

A bill to amend 1931 PA 328, entitled “The Michigan penal code,” by amending section 50a (MCL 750.50a), as added by 1994 PA 42.

The bill was read a second time.

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

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

Rep. Richardville moved that consideration of the bill be postponed for the day.

The motion prevailed.

Senate Bill No. 517, entitled

A bill to amend 1978 PA 368, entitled “Public health code,” by amending section 16221 (MCL 333.16221), as amended by 2000 PA 29.

(The bill was read a second time, substitute (H-2) adopted and bill postponed temporarily on May 7, see House Journal No. 41, p. 1397.)

Reps. LaSata and Switalski moved to amend the bill as follows:

1. Amend page 5, following line 27, by inserting:

“(v) FOR A PHYSICIAN WHO MAKES 1 OR MORE REFERRALS PURSUANT TO SECTION 1877 OF PART D OF TITLE XVIII OF THE SOCIAL SECURITY ACT, 42 U.S.C. 1395nn, OR A REGULATION PROMULGATED UNDER THAT SECTION, REQUIRING AN INDIVIDUAL TO PROVIDE PAYMENT OR REFUSING TO ACCEPT PAYMENT FROM MEDICAID OR MEDICARE AS PAYMENT IN FULL FOR A DRUG, DEVICE, TREATMENT, PROCEDURE, OR SERVICE OR AS A CONDITION OF PROVIDING TREATMENT TO AN INDIVIDUAL. A PHYSICIAN WHO OWNS ALL OR PART OF A FACILITY IN WHICH HE OR SHE PROVIDES SURGICAL SERVICES IS NOT SUBJECT TO THIS SUBPARAGRAPH IF A REFERRED SURGICAL PROCEDURE HE OR SHE PERFORMS IN THE FACILITY IS NOT FULLY REIMBURSABLE BY MEDICAID OR MEDICARE.”.

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

Rep. Patterson moved to reconsider the vote by which the amendment was adopted.

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

The question being on the adoption of the amendment offered by Reps. LaSata and Switalski,

Rep. LaSata withdrew the amendment.

Reps. Scranton and Adamini moved to amend the bill as follows:

1. Amend page 5, following line 27, by inserting:

“(F) BEGINNING 1 YEAR AFTER THE EFFECTIVE DATE OF THIS ACT, THE DEPARTMENT OF CONSUMER AND INDUSTRY SERVICES SHALL PREPARE THE FIRST OF 3 ANNUAL REPORTS ON THE EFFECT OF THIS AMENDATORY ACT ON ACCESS TO CARE FOR THE UNINSURED AND MEDICAID

PATIENTS. THE DEPARTMENT SHALL REPORT ON THE NUMBER OF REFERRALS BY LICENSEES OF UNINSURED AND MEDICAID PATIENTS TO PURCHASE OR SECURE A DRUG, DEVICE, TREATMENT, PROCEDURE, OR SERVICE FROM ANOTHER PERSON, PLACE, FACILITY, OR BUSINESS IN WHICH THE LICENSEE HAS A FINANCIAL INTEREST.” and relettering the remaining subdivisions.

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

Reps. Switalski and LaSata moved to amend the bill as follows:

1. Amend page 5, following line 27, by inserting:

“(v) FOR A PHYSICIAN WHO MAKES REFERRALS PURSUANT TO SECTION 1877 OF PART D OF TITLE XVIII OF THE SOCIAL SECURITY ACT, 42 U.S.C. 1395nn, OR A REGULATION PROMULGATED UNDER THAT SECTION, REFUSING TO ACCEPT A REASONABLE PROPORTION OF PATIENTS ELIGIBLE FOR MEDICAID AND REFUSING TO ACCEPT PAYMENT FROM MEDICAID OR MEDICARE AS PAYMENT IN FULL FOR A TREATMENT, PROCEDURE, OR SERVICE FOR WHICH THE PHYSICIAN REFERS THE INDIVIDUAL AND IN WHICH THE PHYSICIAN HAS A FINANCIAL INTEREST. A PHYSICIAN WHO OWNS ALL OR PART OF A FACILITY IN WHICH HE OR SHE PROVIDES SURGICAL SERVICES IS NOT SUBJECT TO THIS SUBPARAGRAPH IF A REFERRED SURGICAL PROCEDURE HE OR SHE PERFORMS IN THE FACILITY IS NOT REIMBURSED AT A MINIMUM OF THE APPROPRIATE MEDICAID OR MEDICARE OUTPATIENT FEE SCHEDULE, INCLUDING THE COMBINED TECHNICAL AND PROFESSIONAL COMPONENTS.”.

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

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

The motion prevailed.

Senate Bill No. 776, entitled

A bill to amend 1988 PA 161, entitled “Consumer financial services act,” by amending sections 2 and 17 (MCL 487.2052 and 487.2067), as amended by 1999 PA 275, and by adding sections 10f, 10g, 10h, 10i, 10j, and 10k.

The bill was read a second time.

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

The motion prevailed.

Senate Bill No. 777, entitled

A bill to amend 1987 PA 173, entitled “Mortgage brokers, lenders, and servicers licensing act,” by amending sections 1a, 11, and 22 (MCL 445.1651a, 445.1661, and 445.1672), sections 1a and 22 as amended by 1996 PA 210, and by adding sections 18a, 18b, 18c, 18d, and 18e.

The bill was read a second time.

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

The motion prevailed.

Senate Bill No. 778, entitled

A bill to amend 1981 PA 125, entitled “The secondary mortgage loan act,” by amending sections 1, 6b, and 24 (MCL 493.51, 493.56b, and 493.74), sections 1 and 24 as amended and section 6b as added by 1997 PA 91, and by adding sections 14a, 14b, 14c, 14d, and 14e.

The bill was read a second time.

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

The motion prevailed.

Senate Bill No. 779, entitled

A bill to amend 1939 PA 21, entitled “Regulatory loan act of 1963,” by amending sections 1, 9, 12, and 18 (MCL 493.1, 493.9, 493.12, and 493.18), section 1 as amended by 1996 PA 184, section 12 as amended by 1991 PA 14, and section 18 as amended by 1995 PA 165, and by adding sections 9a, 9b, 9c, 9d, 9e, 9f, and 9g.

The bill was read a second time.

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

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

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

The motion prevailed.

Senate Bill No. 780, entitled

A bill to amend 1960 PA 136, entitled "Sale of checks act," by amending sections 2, 12, and 15 (MCL 487.902, 487.912, and 487.915), sections 2 and 12 as amended by 1986 PA 275, and by adding sections 12b, 12c, 12d, 12e, 12f, 12g, and 12h.

The bill was read a second time.

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

The motion prevailed.

House Bill No. 5361, entitled

A bill to amend 1974 PA 300, entitled "Motor vehicle service and repair act," by amending section 17 (MCL 257.1317), as amended by 1988 PA 254.

The bill was read a second time.

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

The motion prevailed.

House Bill No. 5362, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 803 (MCL 257.803).

Was read a second time, and the question being on the adoption of the proposed amendment previously recommended by the Committee on Commerce (for amendment, see House Journal No. 29, p. 905),

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

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

The motion prevailed.

House Bill No. 5364, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 11 (MCL 257.11), as amended by 1990 PA 154, and by adding section 248j.

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

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

Rep. Gilbert moved to amend the bill as follows:

1. Amend page 2, line 19, by striking out all of subsection (3) and inserting:

"(3) Dealer does not include a ANY OF THE FOLLOWING:

(A) A FINANCIAL INSTITUTION, AS DEFINED IN SECTION 10 OF 1909 PA 99, MCL 129.40, OR AN ENTITY WHOLLY OWNED BY 1 OR MORE FINANCIAL INSTITUTIONS.

(B) A BANK HOLDING COMPANY.

(C) A person who buys or sells remanufactured vehicle engine and transmission salvageable vehicle parts or who receives in exchange used engines or transmissions if the primary business of the person is the selling of new vehicle parts and the person is not engaged in any other activity that requires a dealer license under this act.

(D) FOR PURPOSES OF DEALER LICENSING, A PERSON WHO NEGOTIATES THE LEASE OF A VEHICLE OF A TYPE REQUIRED TO BE TITLED UNDER THIS ACT FOR A LEASE TERM OF LESS THAN 120 DAYS.

(E) A PERSON WHOSE BUSINESS IS THE FINANCING OF THE PURCHASE, SALE, OR LEASE OF VEHICLES OF A TYPE REQUIRED TO BE TITLED UNDER THIS ACT AND THAT IS NOT OTHERWISE ENGAGED IN ACTIVITIES DESCRIBED IN SUBSECTION (1).

(F) AN EMPLOYEE OR AGENT OF A DEALER ACTING IN THE SCOPE OF HIS OR HER EMPLOYMENT OR AGENCY.

(G) AN INSURER, AS DEFINED IN SECTION 106 OF THE INSURANCE CODE OF 1956, 1956 PA 218, MCL 500.106.

(H) A PERSON THAT LEASES 5 OR MORE VEHICLES, OR ANY NUMBER OF VEHICLES WITH A GROSS VEHICLE WEIGHT OF 26,001 OR MORE POUNDS, TO A SINGLE ENTITY FOR COMMERCIAL BUSINESS, OR OTHER NONHOUSEHOLD USE."

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

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

The motion prevailed.

House Bill No. 5365, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending sections 217 and 234 (MCL 257.217 and 257.234), section 217 as amended by 2000 PA 397 and section 234 as amended by 2000 PA 151.

The bill was read a second time.

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

The motion prevailed.

House Bill No. 5804, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending sections 217, 222, and 251 (MCL 257.217, 257.222, and 257.251), as amended by 2000 PA 397, and by adding section 17c.

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

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

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

The motion prevailed.

Senate Bill No. 1019, entitled

A bill to amend 1962 PA 213, entitled "An act to encourage the raising of started pullets; to provide for the inspection and certification as to the age, condition and health of started pullets; to define certain terms; to provide authority to establish and collect fees; to impose certain responsibilities on the department of agriculture; to grant authority to make rules and regulations to carry out the purpose of this act; and to prescribe penalties for violation thereof," by repealing section 4 (MCL 287.174).

The bill was read a second time.

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

The motion prevailed.

Senate Bill No. 1025, entitled

A bill to repeal 1865 PA 165, entitled "An act making it obligatory upon banks and bankers in this state to stamp counterfeit, altered and worthless bank bills," (MCL 487.651 to 487.652).

The bill was read a second time.

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

The motion prevailed.

House Bill No. 5363, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending sections 11, 213, 216, 217, 217c, 222, 226, 226a, 233b, 244, 248, 249, 251, and 251a (MCL 257.11, 257.213, 257.216, 257.217, 257.217c, 257.222, 257.226, 257.226a, 257.233b, 257.244, 257.248, 257.249, 257.251, and 257.251a), section 11 as amended by 1990 PA 154, section 216 as amended by 1996 PA 141, sections 217, 222, and 251 as amended by 2000 PA 397, sections 217c and 249 as amended by 1993 PA 300, section 226 as amended by 2000 PA 36, section 226a as amended by 1998 PA 384, section 233b as added by 1994 PA 305, section 244 as amended by 2000 PA 369, section 248 as amended by 1999 PA 172, and section 251a as added by 1990 PA 265.

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

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

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

The motion prevailed and the substitute (H-5) was adopted, a majority of the members serving voting therefor.

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

The motion prevailed.

Senate Bill No. 834, entitled

A bill to amend 1994 PA 53, entitled "An act to authorize internally pooled investments by certain local governmental units," by amending section 1 (MCL 123.931).

The bill was read a second time.

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

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

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

The motion prevailed.

Senate Bill No. 840, entitled

A bill to amend 1971 PA 140, entitled "Glenn Steil state revenue sharing act of 1971," by amending section 17a (MCL 141.917a), as amended by 1987 PA 283.

The bill was read a second time.

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

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

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

The motion prevailed.

Senate Bill No. 863, entitled

A bill to amend 1980 PA 243, entitled "Emergency municipal loan act," by amending section 4 (MCL 141.934), as amended by 1998 PA 528.

The bill was read a second time.

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

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

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

The motion prevailed.

Senate Bill No. 870, entitled

A bill to amend 1956 PA 40, entitled "The drain code of 1956," by amending sections 275, 278, 280, 434, 435, 479, and 531 (MCL 280.275, 280.278, 280.280, 280.434, 280.435, 280.479, and 280.531), section 280 as amended by 1983 PA 176 and section 434 as amended by 1980 PA 297.

The bill was read a second time.

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

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

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

The motion prevailed.

Senate Bill No. 977, entitled

A bill to amend 1957 PA 185, entitled "An act to authorize the establishing of a department and board of public works in counties; to prescribe the powers and duties of any municipality subject to the provisions of this act; to authorize the incurring of contract obligations and the issuance and payment of bonds or notes; to provide for a pledge by a municipality of its full faith and credit and the levy of taxes without limitation as to rate or amount to the extent necessary; to validate obligations issued; and to prescribe a procedure for special assessments and condemnation," by amending sections 11, 12, and 25 (MCL 123.741, 123.742, and 123.755).

The bill was read a second time.

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

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

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

The motion prevailed.

Senate Bill No. 1064, entitled

A bill to amend 1990 PA 72, entitled "Local government fiscal responsibility act," by amending sections 12, 21, and 33 (MCL 141.1212, 141.1221, and 141.1233), section 33 as amended by 1992 PA 265.

The bill was read a second time.

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

The motion prevailed.

Senate Bill No. 1067, entitled

A bill to amend 1971 PA 182, entitled "An act to permit a city or village owning and operating a public utility to borrow money for a term not to exceed 5 years for the purpose of purchasing, acquiring, constructing, improving, enlarging, extending or repairing the facilities of the public utility; to issue notes or other evidences of indebtedness

therefor; to repay such borrowing from the revenues of the utility; to permit the pledging or assignment of bonds or other securities or evidences of debt held as investments for said public utility to secure such borrowings; and to provide other powers, rights and duties,” by amending sections 1 and 2 (MCL 460.461 and 460.462), section 2 as amended by 1983 PA 121.

The bill was read a second time.

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

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

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

The motion prevailed.

Senate Bill No. 1073, entitled

A bill to amend 1929 PA 312, entitled “The metropolitan district act,” by amending sections 4 and 5 (MCL 119.4 and 119.5).

The bill was read a second time.

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

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

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

The motion prevailed.

Senate Bill No. 1076, entitled

A bill to amend 1989 PA 292, entitled “Metropolitan councils act,” by amending section 19 (MCL 124.669), as amended by 1998 PA 373.

The bill was read a second time.

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

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

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

The motion prevailed.

Senate Bill No. 1078, entitled

A bill to amend 1978 PA 639, entitled “Hertel-Law-T. Stopczynski port authority act,” by amending sections 14 and 18 (MCL 120.114 and 120.118), as amended by 1983 PA 23.

The bill was read a second time.

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

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

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

The motion prevailed.

Senate Bill No. 1079, entitled

A bill to amend 1996 PA 381, entitled “Brownfield redevelopment financing act,” by amending sections 7, 12, and 17 (MCL 125.2657, 125.2662, and 125.2667), section 7 as amended by 2000 PA 145.

The bill was read a second time.

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

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

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

The motion prevailed.

Senate Bill No. 1080, entitled

A bill to amend 1987 PA 204, entitled “Low-level radioactive waste authority act,” by amending section 20a (MCL 333.26220a).

The bill was read a second time.

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

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

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

The motion prevailed.

Associate Speaker Pro Tempore Julian assumed the Chair.

Senate Bill No. 1082, entitled

A bill to amend 1947 PA 235, entitled "An act to regulate the ownership, extension, improvement and operation of public water and sewage disposal systems lying within 2 or more public corporations; to authorize the acquisition, by any public corporation, of that part of a public water or sewage disposal system lying within its boundaries; and to provide for the payment and security of revenue bonds issued for the construction, acquisition, extension and improvement of such systems," by amending sections 6 and 10 (MCL 123.336 and 123.340).

The bill was read a second time.

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

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

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

The motion prevailed.

Senate Bill No. 1167, entitled

A bill to amend 1967 PA 266, entitled "An act to authorize and provide for the issuance of notes of the state, including refunding notes and commercial paper; to provide funds to meet obligations incurred pursuant to appropriations for fiscal years; to provide for the payment of such notes from revenues received during the same fiscal years; and to exempt certain notes and interest on those notes from taxation," by amending section 4 (MCL 17.454).

The bill was read a second time.

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

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

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

The motion prevailed.

Rep. Richardville moved that House Committees be given leave to meet during the balance of today's session.

The motion prevailed.

By unanimous consent the House returned to the order of

Motions and Resolutions

Reps. Vander Veen, Cassis, Toy, Rocca, Richardville, Hale, Julian, Faunce, Lemmons, Dennis, Hansen, Howell, Adamini, Phillips, Drolet, Gosselin, Spade, Bovin, Lockwood, Rich Brown, DeRossett, Vander Roest, Daniels, Middaugh, Van Woerkom, Jamnick, Bradstreet, Shulman, Meyer, Mead, Voorhees, Jansen, Switalski, Shackleton, Wojno, Raczkowski, Zelenko, Bishop, Pappageorge, Basham, DeWeese, Hager, Koetje, Vear and Kowall offered the following resolution:

House Resolution No. 436.

A resolution honoring the life of Eunice Bareham.

Whereas, It was with deep sadness that we learned of the passing of Eunice Bareham, a dedicated activist and caring person who enriched many lives. With genuine respect for her legacy of accomplishments, we join with the community in extending our condolences to her family and many friends; and

Whereas, In 1972, Eunice Bareham became the first woman commissioner in Ottawa County. During her seven years as commissioner, she assumed leadership positions, including vice chairwoman of the county board. She chaired a number of committees, including finance, improvement, and equalization. Eunice also served on the tax allocation board, community mental health board, and the legislative committee of the Michigan Association of Counties. She was appointed treasurer of Ottawa County in 1979 and served until 1992; and

Whereas, Eunice Bareham, a deeply insightful woman and a charismatic volunteer who was very involved in the community, was very active in the republican party and, at one time, chaired the Ottawa County Republican Party. She was a member of the state Republican Party Committee and was a delegate to the national GOP conventions. Eunice dedicated much of her free time to volunteering for the republican party; and

Whereas, Her willingness to get involved and work hard in all kinds of activities endeared her to all who knew her. Ms. Bareham was considered a proponent for justice, not just at the political level, but on a personal level. She was loyal and thoughtful to her family and friends. Clearly, Eunice was a significant asset to her community and played a considerable role in her family and friend's lives; now, therefore, be it

Resolved by the House of Representatives, That the members of this legislative body honor the life of Eunice Bareham; and be it further

Resolved, That a copy of this document be presented to her family as evidence of our deep respect and sincere condolences.

The question being on the adoption of the resolution,

The resolution was adopted.

Reps. Scranton, Raczkowski, Cassis, Toy, Richardville, Hale, Lemmons, Howell, Lipsey, Lockwood, Rich Brown, Vander Roest, Daniels, Middaugh, Palmer, Van Woerkom, Meyer, Voorhees, Jansen, Shackleton, Jacobs, Zelenko, Pappageorge, Basham, Hager, Koetje and Vear offered the following resolution:

House Resolution No. 437.

A resolution to memorialize the Congress of the United States to amend the Internal Revenue Code to permit unused funds from cafeteria plans or flexible spending accounts to be distributed to the participant.

Whereas, Cafeteria plans and flexible spending arrangements provide greater choices in the workplace. Employees can match resources to vital family needs in health care, insurance, and medical services. These options have proven to be effective ways for workers to save money and tailor their resources to their unique needs; and

Whereas, The current provisions of federal law call for unused portions of cafeteria or flexible spending accounts to be forfeited when the tax year is over. The forfeiture of unused funds also applies when a person loses their job. This requirement hampers the full utilization of this mechanism to use benefits better and bring more stability to health care costs in our country. People who may be interested in taking advantage of cafeteria benefit plans or flexible spending accounts in many cases do not participate or do so at a greatly reduced rate because of the fear of losing money at the year's end if expenses did not match a person's projections; and

Whereas, In addition to fostering greater participation, amending federal law to permit the return of unused cafeteria plan and flexible spending funds will also encourage more rational health care spending. Under the current restrictions, people who have not used up all their yearly funds often spend the money on services they likely would not otherwise. The "use it or lose it" thinking does not help control costs or encourage wise financial choices; and

Whereas, Congress is considering legislation to amend the Internal Revenue Code to permit the distribution of unused funds from cafeteria plans and flexible spending accounts; now, therefore, be it

Resolved by the House of Representatives, That we memorialize the Congress of the United States to amend the Internal Revenue Code to permit unused funds from cafeteria plans or flexible spending accounts to be distributed to the participant; and be it further

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

The resolution was referred to the Committee on Tax Policy.

Reps. Kowall, Cassis, Toy, Sheltrown, Rocca, Richardville, Hale, Thomas, Neumann, Julian, Bernero, Faunce, Lemmons, Dennis, Hansen, Howell, Anderson, Schauer, Adamini, Phillips, Drolet, Gosselin, Lipsey, Spade, Bovin, Lockwood, Minore, Rich Brown, DeRossett, McConico, Bogardus, Vander Roest, Gielegghem, Daniels, Stewart, Van Woerkom, Jamnick, Bradstreet, Shulman, Meyer, Mead, Voorhees, Switalski, Shackleton, Wojno, Raczkowski, Jacobs, Zelenko, Bishop, Pappageorge, Basham, Kolb, DeWeese, Hager, Koetje, Rivet and Vear offered the following resolution:

House Resolution No. 438.

A resolution congratulating Judy Ellis of White Lake Township upon her selection for the 2002 Woman of Distinction Award by the Girl Scouts of the Huron Valley Council of Ann Arbor, Michigan.

Whereas, It is with great pleasure that we join with the family, friends, peers, and the entire community in congratulating Judy Ellis of Oakland County as she receives the 2002 Woman of Distinction Award from the Huron Valley Council Girl Scouts. This honor recognizes her exceptional abilities in many areas, including her strong sense of compassion and leadership within her community; and

Whereas, The receipt of this award signifies the excellent model she has set for young women. It reflects the high moral and ethical conduct and the willingness to help others which parallel the Girl Scouts' philosophy; and

Whereas, Ms. Ellis has served 23 years with First Step, the Western Wayne County Project on Domestic Violence and Sexual Assault, including the past 16 years as executive director. During her career which started as a community services coordinator and outreach speaker, she has helped First Step grow from a one-building, grass roots agency into a comprehensive, multi-site facility; and

Whereas, First Step has expanded to include sexual assault services, children's services, prevention programs, nine community-based sites, legal services, more than two dozen collaborative efforts, training and education components, a diversified and stable funding base, a staff of 54 employees, and more than 200 volunteers; and

Whereas, The interagency collaborations have coordinated programs with local police departments and prosecutor offices for STOP grants, Department of Justice grants, and Byrne Memorial grants, as well as, opened up avenues for law enforcement, hospitals, and counselors to work together to help victims of violence; and

Whereas, In addition to her career of helping others, Judy is also an active volunteer. She volunteers as a First Step crisis line worker, does community presentations, and serves as volunteer legal advocate, accompanying domestic violence victims to court and other legal proceedings. Some of her other volunteer efforts include the Michigan Cancer Foundation Board, Bible School teacher, and lay reader and Eucharistic minister at her church. She serves on numerous volunteer committees such as the Michigan Coalition Against Domestic Violence, Wayne County Coordination Council Against Child Abuse, and the United Community Service Western Wayne Division. She is also a charter member of the Wayne County Council Against Family Violence; and

Whereas, Judy works closely with many Girl Scout troops, welcoming many Scouts to First Step to work on service projects and Gold Award programs. She also works at Stepping Out, the Girl Scouts event that collects items needed at the shelter; and

Whereas, Her selflessness and commitment enriches local communities and the state by touching thousands of lives, either those in need or the countless others who have looked to her as a beacon on how to meet those needs; now, therefore, be it

Resolved by the House of Representatives, That the members of this legislative body congratulate Judy Ellis of White Lake Township upon her selection for the 2002 Woman of Distinction Award by the Girl Scouts of the Huron Valley Council of Ann Arbor, Michigan. We encourage her to continue her pursuit of excellence and leadership in service to others; and be it further

Resolved, That a copy of this resolution be transmitted to Judy Ellis as a token of our esteem.

Pending the reference of the resolution to a committee,

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

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

The question being on the adoption of the resolution,

The resolution was adopted.

Reps. Gielegheem, Toy, Sheltrown, Rocca, Richardville, Hale, Thomas, Neumann, Bernero, Faunce, Lemmons, Dennis, Hansen, Howell, Callahan, Anderson, Schauer, Adamini, Phillips, Drolet, Gosselin, Lipsey, Spade, Bovin, Lockwood, Minore, Rich Brown, Garza, McConico, Bogardus, Vander Roest, Plakas, Daniels, Van Woerkom, Jammick, Frank, Shulman, Meyer, Mead, Voorhees, Switalski, Shackleton, Wojno, Raczkowski, Jacobs, Hardman, Zelenko, Bishop, Pappageorge, Basham, Clark, Kolb, DeWeese, Hager, Koetje, Rivet and Vear offered the following resolution:

House Resolution No. 439.

A resolution recognizing the National Association of Letter Carriers' 10th Annual National Food Drive on May 11, 2002 and its efforts to stamp out hunger.

Whereas, On May 11, 2002, in every state in the United States, the National Association of Letter Carriers (NALC) will be collecting nonperishable food as well as delivering the mail when they walk and drive their postal routes. Postal customers everywhere will participate in the 10th annual National Food Drive by putting food donations near their mailboxes for pick-up and delivery to local community food banks, pantries, and shelters; and

Whereas, Through the concerted effort of the NALC, United States Postal Service, Campbell Soup Company, America's Second Harvest, Saturn/United Auto Workers Union Partnership Initiative and Saturn retailers, and the local United Way agencies, over 98 million postcard flyers were delivered throughout the country this week to encourage public participation in Saturday's drive. Community donors only need to place a box or can of nonperishable food next to their mailbox before their usual Saturday mail delivery and postal carriers will do the rest. The food donations are taken back to the postal station, sorted, and delivered to an area food bank, pantry, or shelter; and

Whereas, Letter carriers have long been a part of the tradition of community service. They collect funds for a specific charity, watch over the elderly through the Carrier Alert program, and assist the American Red Cross during disasters. When this coordinated food collection effort was piloted in the early 1990s, food banks and pantries suggested that late spring would be an ideal time for a national effort because most food banks in the country start running out of holiday donations by then; and

Whereas, Since this nationwide effort kicked off on May 15, 1993, on-the-route food collections have grown from 11,000,000 pounds to an amazing 69,100,000 pounds last year. With the dedicated efforts and assistance of its partners, the annual National Food Drive has contributed 462,400,000 pounds to food banks, pantries, and shelters over the past nine years; and

Whereas The National Association of Letter Carriers has clearly helped put into action the highest standards of citizenship and concern for those in need. This year, the call to participate in this campaign to stamp out hunger is even greater, as many families are facing difficult economic times from events over the past year. Food banks reported a significant increase in demand following last September and, with the ensuing economic uncertainty, donations decreased. Of the more than 32,000 emergency food recipients surveyed, 38.9% of the households had one or more adults currently employed; now, therefore, be it

Resolved by the House of Representatives, That the members of this legislative body recognize the National Association of Letter Carriers' 10th Annual National Food Drive on May 11, 2002 and its efforts to stamp out hunger; and be it further

Resolved, That a copy of this resolution be transmitted to National Association of Letter Carriers as evidence of our best wishes for the future.

Pending the reference of the resolution to a committee,

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

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

The question being on the adoption of the resolution,

The resolution was adopted.

Reps. Adamini, Rich Brown, Bovin, Toy, Sheltroun, Rocca, Hale, Thomas, Neumann, Bernero, Faunce, Lemmons, Dennis, Hansen, Howell, Anderson, Schauer, Phillips, Drolet, Lipsey, Spade, Lockwood, Minore, DeRossett, Garza, McConico, Bogardus, Vander Roest, Gielegheem, Plakas, Daniels, Stewart, Van Woerkom, Jamnick, Frank, Shulman, Meyer, Mead, Voorhees, Switalski, Shackleton, Wojno, Raczkowski, Jacobs, Hardman, Zelenko, Bishop, Pappageorge, Basham, Clark, Kolb, DeWeese, Koetje, Rivet and Vear offered the following resolution:

House Resolution No. 440.

A resolution honoring Mandy Frantti upon receiving the 2001 Presidential Award for Excellence and for her valuable contributions to the educational system of the Great Lakes State.

Whereas, Mandy Frantti is an enthusiastic and caring high school mathematics and science teacher at Munising High School and has enriched countless young lives. Due to her exemplary abilities, she has been chosen as a recipient of the 2001 Presidential Award for Excellence, an honor she has truly earned. This designation brings honor to the entire Upper Peninsula community and is an appropriate recognition of the excellence demonstrated by Ms. Frantti in every aspect of her work; and

Whereas, Mandy Frantti grew up in the Laurium area and graduated from Michigan Technological University. After Ms. Frantti graduated from Michigan Technological University, she moved to Munising. She attended and completed her master's studies at Northern Michigan University. In 1999, she received Northern's Sigma Xi Outstanding Upper Peninsula Science Teacher Award and received the Seaborg Center outstanding graduating graduate student award in 2000. Mandy has been teaching in Munising for nine years; and

Whereas, The Presidential Award for Excellence is the nation's highest award for science and mathematics teachers and is administered by the National Science Foundation. She was selected from more than 600 national finalists from all 50 states, Puerto Rico, District of Columbia, United States territories, and the United States Department of Defense schools. Ms. Frantti is the only Upper Peninsula teacher to be presented with this honor since the inception of the program. It is fitting to recognize Mandy Frantti for her leadership and success in inspiring students to learn; and

Whereas, Determined that all students should find math and science as interesting as she does, Ms. Frantti brings science and mathematics to life in the classroom and nurtures curiosity in youth through innovative and creative approaches to teaching. Her enthusiasm for this subject is uncontainable and contagious. Her classroom is alive with excitement and with fascinating activities. It is apparent to all that Mandy Frantti loves teaching. Students and certainly everyone at Munising High School appreciate her and her wonderful attitude; now, therefore, be it

Resolved by the House of Representatives, That the members of this legislative body honor Mandy Frantti upon receiving the 2001 Presidential Award for Excellence and for her valuable contributions to the educational system of the Great Lakes State. We are proud to join with her many admirers in honoring her; and be it further

Resolved, That a copy of this resolution be transmitted to her as a token of our esteem.

Pending the reference of the resolution to a committee,

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

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

The question being on the adoption of the resolution,

The resolution was adopted.

Reps. Adamini, Rich Brown, Bovin, Toy, Sheltroun, Rocca, Richardville, Hale, Thomas, Neumann, Bernero, Faunce, Lemmons, Dennis, Hansen, Howell, Anderson, Schauer, Phillips, Drolet, Lipsey, Spade, Lockwood, Minore, DeRossett, McConico, Bogardus, Vander Roest, Gielegem, Plakas, Daniels, Stewart, Van Woerkom, Jamnick, Frank, Shulman, Meyer, Mead, Voorhees, Jansen, Switalski, Shackleton, Wojno, Raczkowski, Jacobs, Hardman, Zelenko, Bishop, Pappageorge, Basham, Clark, Kolb, DeWeese, Koetje, Rivet and Vear offered the following resolution:

House Resolution No. 441.

A resolution honoring the Greater Ishpeming Pioneer Kiwanis Club for 25 years of service to their community.

Whereas, It is a distinct privilege to commemorate the 25th anniversary of the Greater Ishpeming Pioneer Kiwanis Club. This milestone will be observed with a celebration on May 18, 2002, at the Bethany Lutheran Church of Ishpeming; and

Whereas, Organized on May 17, 1977, and chartered by Kiwanis International on May 23, 1977, the Greater Ishpeming Pioneer Kiwanis Club has been a dynamic force in the community ever since. The club has proven that caring citizens can make a difference. Since its founding, the organization has been tireless in helping others. These good citizens created several effective programs to serve others and assisted in a broad range of community efforts including work bees at the Bay Cliff Health Camp and the Ishpeming Senior Citizen Center. They have built ramps for the disabled, conducted monthly blood pressure clinics, supervised bingo at area nursing homes, sponsored a Christmas party for special needs people, and presented a musical program at the Mather Nursing Home, along with an annual picnic for their residents. The many members of the club also volunteer at the annual Naquamelon ski race and the Gus Macker basketball tournament. The club also turns out talented bellringers every holiday season as they lend a hand in the Salvation Army's kettle drive and have provided numerous scholarships to promising students; and

Whereas, It is with pride and gratitude that we salute these stalwart citizens for the many ways, both large and small, in which they have given of their time and energies to help whenever the need arose; and

Whereas, Today, there are new faces and names, but charter members Isaac Palomaki, Arnold Palomaki, and Walter Palomaki still remain. The present officers of the club are Reverend Rudy Kemppainen, President; Jack Boase, Vice President; Wes Wentela, Secretary; Helmer Mattson, Treasurer; Maurice Hanson, President-elect; and Theodore Swanson, Immediate Past President. Their efforts impact the community in a positive way and are just as noble and valuable today as they were in 1977. While the members have enjoyed much camaraderie, gained valuable knowledge, and made many friends through the organization, they have also enriched countless lives by their good works; now, therefore, be it

Resolved by the House of Representatives, That the members of this legislative body honor the Greater Ishpeming Pioneer Kiwanis Club for 25 years of service to their community. May the members, both present and past, know of our appreciation and gratitude for their contributions to the community and of our best wishes for a long and prosperous future; and be it further

Resolved, That a copy of this resolution be transmitted to the Greater Ishpeming Pioneer Kiwanis Club as a token of our esteem.

Pending the reference of the resolution to a committee,

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

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

The question being on the adoption of the resolution,

The resolution was adopted.

Reports of Standing Committees

The Committee on House Oversight and Operations, by Rep. Patterson, Chair, reported

Senate Bill No. 891, entitled

A bill to repeal 1881 PA 182, entitled "An act to provide for the incorporation of pipe line companies, and to define their powers and duties," (MCL 483.201 to 483.228).

Without amendment and with the recommendation that the bill pass.

The bill was referred to the order of Second Reading of Bills.

Favorable Roll Call

SB 891 To Report Out:

Yeas: Reps. Patterson, Julian, Jacobs,

Nays: None.

The Committee on House Oversight and Operations, by Rep. Patterson, Chair, reported

Senate Bill No. 893, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending sections 2123, 2558, 6458, and 6461 (MCL 600.2123, 600.2558, 600.6458, and 600.6461), section 2558 as amended by 1996 PA 214.

Without amendment and with the recommendation that the bill pass.

The bill was referred to the order of Second Reading of Bills.

Favorable Roll Call

SB 893 To Report Out:

Yeas: Reps. Patterson, Julian, Jacobs,

Nays: None.

The Committee on House Oversight and Operations, by Rep. Patterson, Chair, reported

Senate Bill No. 917, entitled

A bill to amend 1907 PA 130, entitled "An act to provide for refunding to purchasers the price paid to the state on sale of land by the commissioner of the state land office, under section 131 of Act 206 of Public Acts of 1893, as amended by Act 141 of Public Acts of 1901, in cases where the land sold did not belong to the class of lands liable to sale thereunder; for cancelling the conveyance of such lands to the state and restoring the tax liens thereon in favor of the state, which were erroneously cancelled," by amending sections 1, 2, 3, and 4 (MCL 211.451, 211.452, 211.453, and 211.454).

Without amendment and with the recommendation that the bill pass.

The bill was referred to the order of Second Reading of Bills.

Favorable Roll Call

SB 917 To Report Out:

Yeas: Reps. Patterson, Julian, Jacobs,

Nays: None.

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Wednesday, May 8, 2002, at 10:00 a.m.,

Present: Reps. Patterson, Julian, Jacobs,

Absent: Reps. Kuipers, Lipsey,

Excused: Reps. Kuipers, Lipsey.

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

House Bill No. 5354, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," (MCL 257.1 to 257.923) by adding section 803r.

Without amendment and with the recommendation that the bill pass.

The bill was referred to the order of Second Reading of Bills.

Favorable Roll Call

HB 5354 To Report Out:

Yeas: Reps. Gilbert, George, DeRossett, Drolet, Hart, Hummel, Julian, Palmer, Anderson, Bovin, Jamnick, Murphy, Neumann,

Nays: None.

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

House Bill No. 5962, entitled

A bill to amend 1969 PA 296, entitled "An act to provide for the transfer of jurisdiction over highways; to provide for the final determination of disputes involving transfers of highway jurisdiction; and to supersede certain acts and parts of acts," by amending section 5 (MCL 247.855), as amended by 1980 PA 12, and by adding section 3a.

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 5962 To Report Out:

Yeas: Reps. Gilbert, George, DeRossett, Drolet, Hart, Hummel, Julian, Palmer, Scranton,

Nays: Reps. Anderson, Bovin, Daniels, Jamnick, Schermesser.

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

House Bill No. 5990, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 628 (MCL 257.628), as amended by 2000 PA 167.

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 5990 To Report Out:

Yeas: Reps. Gilbert, George, DeRossett, Drolet, Hummel, Palmer, Anderson, Bovin, Daniels, Jamnick, Murphy, Neumann, Schermesser,

Nays: None.

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Wednesday, May 8, 2002, at 8:30 a.m.,

Present: Reps. Gilbert, George, DeRossett, Drolet, Hart, Hummel, Julian, Palmer, Scranton, Anderson, Bovin, Daniels, Jamnick, Murphy, Neumann, Schermesser,

Absent: Rep. Ruth Johnson,

Excused: Rep. Ruth Johnson.

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

House Bill No. 5857, entitled

A bill to amend 1975 PA 228, entitled "Single business tax act," (MCL 208.1 to 208.145) by adding section 81.

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 5857 To Report Out:

Yeas: Reps. Cassis, Vear, Drolet, Faunce, Gosselin, Kowall, Meyer, Richardville, Quarles, Basham, Bob Brown, Minore, O'Neil, Wojno,

Nays: None.

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

House Bill No. 5992, entitled

A bill to amend 1933 PA 167, entitled "General sales tax act," by amending section 3 (MCL 205.53), as amended by 1980 PA 164.

Without amendment and with the recommendation that the bill pass.

The bill was referred to the order of Second Reading of Bills.

Favorable Roll Call

HB 5992 To Report Out:

Yeas: Reps. Cassis, Vear, Drolet, Faunce, Gosselin, Kowall, Meyer, Richardville, Woronchak, Quarles, Basham, Bob Brown, Hale, Minore, O'Neil, O'Neil,

Nays: None.

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

Senate Bill No. 859, entitled

A bill to amend 1967 (Ex Sess) PA 7, entitled "Urban cooperation act of 1967," by amending section 7 (MCL 124.507), as amended by 1985 PA 10.

Without amendment and with the recommendation that the bill pass.

The bill was referred to the order of Second Reading of Bills.

Favorable Roll Call

SB 859 To Report Out:

Yeas: Reps. Cassis, Vear, Drolet, Faunce, Gosselin, Kowall, Richardville, Woronchak, Quarles, Basham, Bob Brown, Minore, O'Neil,

Nays: None.

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

Senate Bill No. 987, entitled

A bill to amend 1957 PA 4, entitled "Charter water authority act," by amending sections 15 and 16 (MCL 121.15 and 121.16); and to repeal acts and parts of acts.

Without amendment and with the recommendation that the bill pass.

The bill was referred to the order of Second Reading of Bills.

Favorable Roll Call

SB 987 To Report Out:

Yeas: Reps. Cassis, Vear, Drolet, Faunce, Gosselin, Kowall, Richardville, Woronchak, Quarles, Basham, Bob Brown, Minore, O'Neil,

Nays: None.

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Wednesday, May 8, 2002, at 10:30 a.m.,

Present: Reps. Cassis, Vear, Drolet, Faunce, Gosselin, Kowall, Meyer, Richardville, Woronchak, Quarles, Basham, Bob Brown, Hale, Minore, O'Neil, Wojno,

Absent: Rep. Newell,

Excused: Rep. Newell.

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Howell, Chair of the Committee on Civil Law and the Judiciary, was received and read:

Meeting held on: Tuesday, May 7, 2002, at 4:09 p.m.,

Present: Reps. Howell, Hummel, Faunce, Koetje, Palmer, Richner, Voorhees, Adamini, Lipsey, McConico, Waters.

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Hart, Chair of the Committee on Family and Children Services, was received and read:

Meeting held on: Tuesday, May 7, 2002, at 4:10 p.m.,

Present: Reps. Hart, Vander Veen, DeWeese, Hager, Tabor, Murphy, Bernero, Rison,

Absent: Rep. Garza,

Excused: Rep. Garza.

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Wednesday, May 8, 2002, at 9:00 a.m.,

Present: Reps. Bradstreet, Middaugh, Bisbee, Bishop, Howell, Kowall, Richardville, Bob Brown, Lemmons, Rivet, Woodward,

Absent: Reps. Birkholz, Cassis, Vander Veen, Bovin, Daniels, Schauer,

Excused: Reps. Birkholz, Cassis, Vander Veen, Bovin, Daniels, Schauer.

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Wednesday, May 8, 2002, at 10:30 a.m.,

Present: Reps. Richner, Bisbee, DeWeese, Ehardt, Hager, Hummel, Middaugh, Scranton, Van Woerkom, Wojno, Anderson, Clark, Daniels, Schermesser, Woodward.

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, Friday, May 3:

Senate Bill Nos. 1255 1265 1266 1267 1268 1269

The Clerk announced the enrollment printing and presentation to the Governor on Monday, May 6, for his approval of the following bills:

Enrolled House Bill No. 5440 at 4:17 p.m.

Enrolled House Bill No. 5441 at 4:19 p.m.

Enrolled House Bill No. 5442 at 4:21 p.m.

Enrolled House Bill No. 5443 at 4:23 p.m.

Enrolled House Bill No. 5601 at 4:25 p.m.

By unanimous consent the House returned to the order of

Messages from the Senate**Senate Bill No. 645, entitled**

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending sections 303, 310e, 319, and 732 (MCL 257.303, 257.310e, 257.319, and 257.732), sections 303 and 319 as amended by 2001 PA 159, section 310e as amended by 2000 PA 456, and section 732 as amended by 2001 PA 134.

The Senate has amended the House substitute (H-3) as follows:

1. Amend page 1, line 2, after "following" by inserting "PERSONS DESCRIBED IN SUBDIVISIONS (A) THROUGH (L)".

2. Amend page 4, following line 3, by inserting:

"(M) THE SECRETARY OF STATE MAY DENY ISSUANCE OF AN OPERATOR'S LICENSE UNTIL THE AGE OF 17 TO A PERSON NOT LICENSED UNDER THIS ACT WHO WAS CONVICTED OF OR RECEIVED A JUVENILE DISPOSITION FOR VIOLATING OR ATTEMPTING TO VIOLATE SECTION 411A(2) OF THE MICHIGAN PENAL CODE, 1931 PA 328, MCL 750.411A, INVOLVING A SCHOOL WHEN HE OR SHE WAS LESS THAN 14 YEARS OF AGE. A PERSON NOT ISSUED A LICENSE UNDER THIS SUBDIVISION IS NOT ELIGIBLE TO BEGIN GRADUATED LICENSING TRAINING UNTIL HE OR SHE ATTAINS 16 YEARS OF AGE.

(N) THE SECRETARY OF STATE MAY DENY ISSUANCE OF AN OPERATOR'S LICENSE TO A PERSON LESS THAN 21 YEARS OF AGE NOT LICENSED UNDER THIS ACT WHO WAS CONVICTED OF OR HAS RECEIVED A JUVENILE DISPOSITION FOR VIOLATING OR ATTEMPTING TO VIOLATE SECTION 411A(2) OF THE MICHIGAN PENAL CODE, 1931 PA 328, MCL 750.411A, INVOLVING A SCHOOL WHEN HE OR SHE WAS 14 YEARS OF AGE OR OLDER, UNTIL 3 YEARS AFTER THE DATE OF THE CONVICTION OR JUVENILE DISPOSITION. A PERSON NOT ISSUED A LICENSE UNDER THIS SUBDIVISION IS NOT ELIGIBLE TO BEGIN GRADUATED LICENSING TRAINING OR OTHERWISE OBTAIN AN ORIGINAL OPERATOR'S OR CHAUFFEUR'S LICENSE UNTIL 3 YEARS AFTER THE DATE OF THE CONVICTION OR JUVENILE DISPOSITION."

3. Amend page 7, following line 25, by striking out all of section 303A.

The Senate has concurred in the House substitute (H-3) as amended and ordered that the bill be given immediate effect.

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

Senate Concurrent Resolution No. 55.

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 Grand Tower.

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 Grand Tower 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 Senate (the House of Representatives concurring), That the Total Facility Cost for the Grand Tower shall not exceed \$45,000,000 (the Authority share is \$45,000,000 and the State General Fund/General Purpose share is \$0), 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 \$45,000,000, 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 \$3,513,000 and \$4,463,000, 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 Senate has adopted the concurrent resolution.

The concurrent resolution was referred to the Committee on Appropriations.

Senate Concurrent Resolution No. 56.

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 Kellogg Community College relative to the Kellogg Community College Computer Technology and Academic Center.

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

Whereas, The site for the Kellogg Community College Computer Technology and Academic Center (the "Facility") is currently owned by the Educational Institution; and

Whereas, Section 7 of 1964 PA 183, as amended, being MCL § 830.417, requires the approval of the State Administrative Board and the Michigan Legislature by concurrent resolution concurred in by a majority of 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 Senate (the House of Representatives concurring), That the Total Facility Cost for the Kellogg Community College Computer Technology and Academic Center shall not exceed \$13,767,000 (the Authority share is \$5,999,900, the State General Fund/General Purpose share is \$100, and the Educational Institution share is \$7,767,000), 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 \$5,999,900, 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 \$468,000 and \$595,000, 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 Kellogg Community College, and the State Budget Director.

The Senate has adopted the concurrent resolution.

The concurrent resolution was referred to the Committee on Appropriations.

Senate Concurrent Resolution No. 57.

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 Board of Control of Saginaw Valley State University relative to the Saginaw Valley State University Instructional Facility Number 4 and Library Renovations.

Whereas, Section 5 of 1964 PA 183, as amended, being MCL § 830.415, requires the approval of the Board of Control of Saginaw Valley 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 Saginaw Valley State University Instructional Facility Number 4 and Library 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 Senate (the House of Representatives concurring), That the Total Facility Cost for the Saginaw Valley State University Instructional Facility Number 4 and Library Renovations shall not exceed \$40,000,000 (the Authority share is \$29,999,800, the State General Fund/General Purpose share is \$200, and the Educational Institution share is \$10,000,000), 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 \$29,999,800, 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 \$2,342,000 and \$2,975,000, 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 Control of Saginaw Valley State University, and the State Budget Director.

The Senate has adopted the concurrent resolution.

The concurrent resolution was referred to the Committee on Appropriations.

Senate Concurrent Resolution No. 58.

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-Ann Arbor Central Campus Renovation Phase II-West Hall.

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-Ann Arbor Central Campus Renovation Phase II-West Hall (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 Senate (the House of Representatives concurring), That the Total Facility Cost for the University of Michigan-Ann Arbor Central Campus Renovation Phase II-West Hall shall not exceed \$15,000,000 (the Authority share is \$9,230,769, the State General Fund/General Purpose share is \$0, and the Educational Institution share is \$5,769,231), 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 \$9,230,769, 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 \$721,000 and \$915,000, 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 Regents of the University of Michigan, and the State Budget Director.

The Senate has adopted the concurrent resolution.

The concurrent resolution was referred to the Committee on Appropriations.

Senate Concurrent Resolution No. 59.

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 Board of Governors of Wayne State University relative to the Wayne State University Welcome Center.

Whereas, Section 5 of 1964 PA 183, as amended, being MCL § 830.415, requires the approval of the Board of Governors of Wayne 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 Wayne State University Welcome Center (the "Facility") is currently owned by the Educational Institution; and

Whereas, Section 7 of 1964 PA 183, as amended, being MCL § 830.417, requires the approval of the State Administrative Board and the Michigan Legislature by concurrent resolution concurred in by a majority of 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 Senate (the House of Representatives concurring), That the Total Facility Cost for the Wayne State University Welcome Center shall not exceed \$18,500,000 (the Authority share is \$13,874,800, the State General Fund/General Purpose share is \$200, and the Educational Institution share is \$4,625,000), 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 \$13,874,800, 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 \$1,083,000 and \$1,376,000, 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 Governors of Wayne State University, and the State Budget Director.

The Senate has adopted the concurrent resolution.

The concurrent resolution was referred to the Committee on Appropriations.

Senate Concurrent Resolution No. 60.

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 Board of Trustees of Western Michigan University relative to the Western Michigan University Engineering and Applied Sciences Building.

Whereas, Section 5 of 1964 PA 183, as amended, being MCL § 830.415, requires the approval of the Board of Trustees of Western Michigan 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 Western Michigan University Engineering and Applied Sciences Building (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 Senate (the House of Representatives concurring), That the Total Facility Cost for the Western Michigan University Engineering and Applied Sciences Building shall not exceed \$72,500,000 (the Authority share is \$37,499,900, the State General Fund/General Purpose share is \$100, and the Educational Institution share is \$35,000,000), 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 \$37,499,900, plus interest charges on monies advanced by the State to meet the construction cash flow requirements of the Facility, if any, shall be financed from bonds issued by the Authority, exclusive of amounts necessary for reserves, interest, or other nonconstruction costs; and be it further

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

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

Resolved, That the annual amounts of "True Rental" for the Facility shall be within or below the range of \$2,928,000 and \$3,719,000, 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 Western Michigan University, and the State Budget Director.

The Senate has adopted the concurrent resolution.

The concurrent resolution was referred to the Committee on Appropriations.

Senate Concurrent Resolution No. 61.

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 Board of Trustees of Western Michigan University relative to the Western Michigan University Lake Michigan College Southwest Center.

Whereas, Section 5 of 1964 PA 183, as amended, being MCL § 830.415, requires the approval of the Board of Trustees of Western Michigan 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 Western Michigan University Lake Michigan College Southwest Center (the "Facility") is currently owned by the Educational Institution; and

Whereas, Section 7 of 1964 PA 183, as amended, being MCL § 830.417, requires the approval of the State Administrative Board and the Michigan Legislature by concurrent resolution concurred in by a majority of 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 Senate (the House of Representatives concurring), That the Total Facility Cost for the Western Michigan University Lake Michigan College Southwest Center shall not exceed \$8,486,000 (the Authority share is \$6,364,300, the State General Fund/General Purpose share is \$200, and the Educational Institution share is \$2,121,500), 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 \$6,364,300, 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 \$497,000 and \$631,000, 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 Western Michigan University, and the State Budget Director.

The Senate has adopted the concurrent resolution.

The concurrent resolution was referred to the Committee on Appropriations.

Communications from State Officers

The following communications from the Auditor General were received and read:

May 7, 2002

Enclosed is a copy of the following audit report and/or executive digest:
Performance Audit of
North Central Michigan College
May 2002

May 7, 2002

Enclosed is a copy of the following audit report and/or executive digest:
Performance Audit of
State Activities Related to Nonprofit Organizations
Department of Attorney General and
Department of Consumer and Industry Services
May 2002

Sincerely,
Thomas H. McTavish, C.P.A.
Auditor General

The communications were referred to the Clerk and the accompanying reports referred to the Committee on House Oversight and Operations.

Introduction of Bills

Rep. Mortimer introduced

House Bill No. 6028, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending section 224a (MCL 750.224a). The bill was read a first time by its title and referred to the Committee on Criminal Justice.

Rep. Callahan introduced

House Bill No. 6029, entitled

A bill to amend 1939 PA 3, entitled "An act to provide for the regulation and control of public utilities and other services affected with a public interest within this state; to provide for alternative energy suppliers; to provide for licensing; to include municipally owned utilities and other providers of energy under certain provisions of this act; to create a public service commission and to prescribe and define its powers and duties; to abolish the Michigan public utilities commission and to confer the powers and duties vested by law on the public service commission; to provide for the continuance, transfer, and completion of certain matters and proceedings; to abolish automatic adjustment clauses; to prohibit certain rate increases without notice and hearing; to qualify residential energy conservation programs permitted under state law for certain federal exemption; to create a fund; to provide for a restructuring of the manner in which energy is provided in this state; to encourage the utilization of resource recovery facilities; to prohibit certain acts and practices of providers of energy; to allow for the securitization of stranded costs; to reduce rates; to provide for appeals; to provide appropriations; to declare the effect and purpose of this act; to prescribe remedies and penalties; and to repeal acts and parts of acts," by repealing sections 10 to 10cc (MCL 460.10 to 460.10cc).

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

Rep. Callahan introduced

House Bill No. 6030, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 8807 (MCL 324.8807), as added by 1998 PA 287, and by adding section 8807a.

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

Rep. Callahan introduced

House Bill No. 6031, entitled

A bill to amend 1976 PA 442, entitled "Freedom of information act," by amending section 13 (MCL 15.243), as amended by 2002 PA 130.

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

Reps. Julian and Vear introduced

House Bill No. 6032, entitled

A bill to amend 1996 PA 236, entitled "Regulated occupation support enforcement act," by amending section 2 (MCL 338.3432).

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

Rep. George introduced

House Bill No. 6033, entitled

A bill to amend 1980 PA 350, entitled "The nonprofit health care corporation reform act," by amending section 419a (MCL 550.1419a), as added by 1995 PA 238.

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

Rep. Shackleton introduced

House Bill No. 6034, entitled

A bill to amend 1995 PA 239, entitled "Group health plan act," by amending section 7 (MCL 550.1807).

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

Rep. Rocca introduced

House Bill No. 6035, entitled

A bill to amend 1846 RS 84, entitled "Of divorce," by amending sections 15, 23, 24, and 45 (MCL 552.15, 552.23, 552.24, and 552.45), section 15 as amended by 2001 PA 107 and section 23 as amended and section 24 as added by 1999 PA 159.

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

Rep. LaSata introduced

House Bill No. 6036, entitled

A bill to amend 1913 PA 379, entitled "An act to facilitate the collection of alimony and support and maintenance for minor children or for children who are 18 years of age or older ordered to be paid in suits for divorce or separate maintenance," by amending sections 2 and 6 (MCL 552.152 and 552.156), section 2 as amended and section 6 as added by 1999 PA 153.

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

Rep. Bradstreet introduced

House Bill No. 6037, entitled

A bill to amend 1962 PA 60, entitled "An act to provide for the day parole of prisoners in county jails to permit them to be gainfully employed outside the jail or pursue other activities; to provide for the granting of reductions in terms of imprisonment and the regulation thereof; and to provide for the disposition of earnings from such employment," by amending sections 2, 3, 4, and 6 (MCL 801.252, 801.253, 801.254, and 801.256).

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

Rep. Richardville introduced

House Bill No. 6038, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending sections 1021, 1043, 2529, 2530, 2538, 2950, 2950a, 5073, 5078, and 9947 (MCL 600.1021, 600.1043, 600.2529, 600.2530, 600.2538, 600.2950, 600.2950a, 600.5073, 600.5078, 600.9947), section 1021 as amended by 2000 PA 56, section 1043 as added by 1996 PA 388, section 2529 as amended by 2001 PA 202, section 2530 as amended by 1996 PA 302, section 2538 as amended by 1999 PA 151, section 2950 as amended by 2001 PA 200, section 2950a as amended by 2001 PA 201, section 5073 as added by 2000 PA 419, section 5078 as added by 2000 PA 420, and section 9947 as amended by 1996 PA 374; and to repeal acts and parts of acts.

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

Reps. Spade, Hansen, Anderson, Bernero, Lockwood, Woodward, Waters, Rich Brown, Adamini, Lipsey, Wojno, Neumann, Plakas, Sheltroun, Gielegem, Hale, Kolb, Zelenko, Bovin, O'Neil, Clark, Quarles, Bogardus, Schermesser, Jacobs, Stallworth, Mans, Rocca, Clarke and Lemmons introduced

House Joint Resolution X, entitled

A joint resolution proposing an amendment to the state constitution of 1963, by amending section 1 of article II, to provide that citizens who become 18 years old on or before the first Tuesday after the first Monday in November may vote in any election during that calendar year.

The joint resolution was read a first time by its title and referred to the Committee on Redistricting and Elections.

Rep. Hummel moved that the House adjourn.

The motion prevailed, the time being 4:25 p.m.

Associate Speaker Pro Tempore Julian declared the House adjourned until Thursday, May 9, at 12:00 Noon.

GARY L. RANDALL
Clerk of the House of Representatives.