

No. 63
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House Chamber, Lansing, Wednesday, June 20, 2007.

10:00 a.m.

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

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

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

e/d/s = entered during session

Rep. Chuck Moss, from the 40th District, offered the following invocation:

“I’d like to read a prayer written by General George Washington, on June 8th 1783.

I now make it my earnest prayer that God would have you, and the State over which you preside, in his protection, that He would incline the hearts of the Citizens to entertain a brotherly affection and love for one another, for their fellow citizens at large, and particularly for their brethren who have served in the field, and finally that He would dispose us all to do justice, to love mercy, and to comport ourselves with that Charity, humility, and pacific temper of mind which were the characteristics of the Divine Author, and without a humble imitation of whose example we can never hope to be a happy nation.

In His name we ask Your blessing...Amen.”

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

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

The Speaker Pro Tempore assumed the Chair.

Rep. Hoogendyk moved that Reps. Brandenburg, Pavlov, Sheen and Acciavatti be excused temporarily from today’s session.
The motion prevailed.

Rep. Tobocman moved that Reps. Cheeks and Cushingberry be excused temporarily from today’s session.
The motion prevailed.

Messages from the Senate

The Speaker laid before the House

House Bill No. 4556, entitled

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

provide for the powers and duties of certain state and local agencies and officials; to provide for the making of loans for transportation purposes by the state transportation department and for the receipt and repayment by local units and agencies of those loans from certain specified sources; and to repeal acts and parts of acts,” by amending section 11f (MCL 247.661f), as added by 2006 PA 140.

(The bill was received from the Senate on June 19, with substitute (S-1) and immediate effect given by the Senate, consideration of which, under the rules, was postponed until today, see House Journal No. 62, p. 954.)

The question being on concurring in the substitute (S-1) made to the bill by the Senate,

The substitute (S-1) was concurred in, a majority of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 217

Yeas—100

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

Nays—2

Caswell	Meekhof
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In The Chair: Sak

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

Third Reading of Bills

House Bill No. 4737, entitled

A bill to amend 1939 PA 288, entitled “Probate code of 1939,” by amending section 13a of chapter XIIA (MCL 712A.13a), as amended by 2004 PA 475.

(The bill was read a third time and postponed for the day on June 14, see House Journal No. 61, p. 924.)

The question being on the passage of the bill,

The bill was then passed, a majority of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 218**Yeas—103**

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

Nays—2

Hoogendyk Palmer

In The Chair: Sak

The House agreed to the title of the bill.

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

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

Rep. DeRoche entered the House Chambers.

House Bill No. 4736, entitled

A bill to amend 1994 PA 203, entitled "Foster care and adoption services act," by amending section 4a (MCL 722.954a), as added by 1997 PA 172.

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

Roll Call No. 219**Yeas—106**

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

Nays—1

Vagnozzi

In The Chair: Sak

The House agreed to the title of the bill.

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

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

House Bill No. 4861, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending section 321 (MCL 600.321), as amended by 2005 PA 326.

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

Roll Call No. 220**Yeas—65**

Accavitti	Dillon	Jones, Robert	Opsommer
Angerer	Donigan	Knollenberg	Palmer
Ball	Espinoza	Lahti	Polidori
Bauer	Farrah	Law, Kathleen	Sak

Bennett	Gaffney	LeBlanc	Scott
Bieda	Gillard	Leland	Sheltrown
Booher	Gonzales	Lemmons	Smith, Alma
Byrnes	Griffin	Lindberg	Smith, Virgil
Casperson	Hammel	Mayes	Spade
Caul	Hammon	McDowell	Stakoe
Cheeks	Hansen	Meadows	Tobocman
Clack	Hood	Meisner	Vagnozzi
Clemente	Hopgood	Melton	Warren
Condino	Huizenga	Miller	Wenke
Constan	Jackson	Moss	Wojno
Coulouris	Johnson	Nofs	Young
Cushingberry			

Nays—43

Agema	Elsenheimer	Marleau	Robertson
Amos	Emmons	Meekhof	Rocca
Brandenburg	Garfield	Meltzer	Schuitmaker
Brown	Green	Moolenaar	Shaffer
Byrum	Hildenbrand	Moore	Sheen
Calley	Hoogendyk	Nitz	Simpson
Caswell	Horn	Palsrok	Stahl
Corriveau	Hune	Pastor	Valentine
Dean	Jones, Rick	Pavlov	Walker
DeRoche	LaJoy	Pearce	Ward
Ebli	Law, David	Proos	

In The Chair: Sak

The House agreed to the title of the bill.

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

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

Senate Bill No. 134, entitled

A bill to authorize the state administrative board to convey certain parcels of state owned property in Ingham county and Wayne county; to prescribe conditions for the conveyances; to provide for certain powers and duties of certain state departments and agencies in relation to the conveyances; to provide for disposition of revenue derived from the conveyances; and to provide for the release of certain property rights held by the state.

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

Roll Call No. 221**Yeas—106**

Accavitti	DeRoche	Knollenberg	Pavlov
Acciavatti	Dillon	Lahti	Pearce
Agema	Donigan	LaJoy	Polidori
Amos	Ebli	Law, David	Proos
Angerer	Elsenheimer	Law, Kathleen	Robertson
Ball	Emmons	LeBlanc	Rocca
Bauer	Espinoza	Leland	Sak
Bennett	Farrar	Lemmons	Schuitmaker
Bieda	Gaffney	Lindberg	Scott

Booher	Garfield	Marleau	Sheen
Brandenburg	Gillard	Mayes	Sheltrown
Brown	Gonzales	McDowell	Simpson
Byrnes	Green	Meadows	Smith, Alma
Byrum	Griffin	Meekhof	Smith, Virgil
Calley	Hammel	Meisner	Spade
Casperson	Hammon	Melton	Stahl
Caswell	Hansen	Meltzer	Stakoe
Caul	Hildenbrand	Miller	Tobocman
Cheeks	Hood	Moolenaar	Vagnozzi
Clack	Hoogendyk	Moore	Valentine
Clemente	Hopgood	Moss	Walker
Condino	Huizenga	Nitz	Ward
Constan	Hune	Nofs	Warren
Corriveau	Jackson	Opsommer	Wenke
Coulouris	Johnson	Palmer	Wojno
Cushingberry	Jones, Rick	Palsrok	Young
Dean	Jones, Robert		

Nays—1

Pastor

In The Chair: Sak

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

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

A bill to authorize the state administrative board to convey certain parcels of state owned property in Ingham county, Wayne county, and Tuscola county; to prescribe conditions for the conveyances; to provide for certain powers and duties of certain state departments and agencies in relation to the conveyances; to provide for disposition of revenue derived from the conveyances; and to provide for the release of certain property rights held by the state.

The motion prevailed.

The House agreed to the title as amended.

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

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

By unanimous consent the House returned to the order of

Motions and Resolutions

Rep. Tobocman moved that when the House adjourns today it stand adjourned until Thursday, June 21, at 10:00 a.m.
The motion prevailed.

Reps. Calley, Marleau, Ball, Booher, Casperson, Elsenheimer, Garfield, Hansen, Lemmons, Meekhof, Nitz, Opsommer, Pearce, Proos, Shaffer and Stahl offered the following concurrent resolution:

House Concurrent Resolution No. 33.

A concurrent resolution to create an ad hoc committee to study and recommend standards regarding the use of policy advocacy Internet websites by elected officials.

Whereas, The resources of the state of Michigan are meant to promote the well-being of all the citizens of our state in a fair and reasonable manner; and

Whereas, Elected officials have a need and a right to express their policy positions and to make those expressions known and available to the public at large; and

Whereas, Internet websites operated under the auspices of the state of Michigan are an important tool for elected officials to express and advocate for their policy positions; and

Whereas, When issues or matters of policy arise where citizens—including legislators, executive officials, and other state employees—disagree, advocacy for such matters should be reserved for websites and other forums that are not part of the official institutional websites for the state of Michigan; and

Whereas, Recent incidents involving state of Michigan websites, both executive and legislative, as well as staff time and computer assets being utilized to promote only one side of a controversial issue, have exposed potential conflicts of interest that are troubling to many Michigan taxpayers; and

Whereas, The use of such state-sponsored forums, including on-line petitions, which gather identifying information about individual citizens that can later be exploited for political or commercial purposes, represents a breach in public service ethics and a betrayal of the goodwill of unsuspecting citizens who are not warned that their information can be obtained by political organizations, commercial marketers, or other private interests; now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That there be created an ad hoc committee to study and recommend standards regarding the use of policy advocacy Internet websites by elected officials. This ad hoc committee is to be comprised of five members of the House of Representatives, appointed in the same manner as standing committees of the House are appointed, and five members of the Senate, appointed in the same manner as standing committees of the Senate are appointed. It is charged with the task of issuing a report that includes standards for website advocacy and shall address the issue of properly notifying citizens who provide identifying information that such information will be a matter of public record that can be obtained by private parties for political, charitable, or commercial use. The committee shall complete its report no later than March 31, 2008; and be it further

Resolved, That copies of this resolution be transmitted to the Office of the Governor, the Michigan Attorney General, the Michigan Secretary of State, the Chief Justice of the Michigan Supreme Court, and the head of each of the departments within the executive branch.

The concurrent resolution was referred to the Committee on Oversight and Investigations.

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

Rep. Hood offered the following concurrent resolution:

House Concurrent Resolution No. 34.

A concurrent resolution approving the conveyance of property to the State Building Authority and approving a lease among the State of Michigan, the State Building Authority, and Alpena Community College relative to the Alpena Community College Instructional Addition/Renovation.

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

Whereas, The site for the Alpena Community College Instructional Addition/Renovation (the “Facility”) is currently owned by the Educational Institution; and

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

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

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

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

Resolved by the House of Representatives (the Senate concurring), That the Total Facility Cost for the Alpena Community College Instructional Addition/Renovation shall not exceed \$4,105,500 (the Authority share is \$1,667,300, the State General Fund/General Purpose share is \$200, and the Educational Institution share is \$2,438,000), 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 \$1,667,300, 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 \$111,000 and \$145,000, 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 copies of this concurrent resolution be transmitted to the Governor, the Secretary of State, the Authority, the Board of Trustees of Alpena Community College, and the State Budget Director.

The concurrent resolution was referred to the Committee on Appropriations.

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

Rep. Hood offered the following concurrent resolution:

House Concurrent Resolution No. 35.

A concurrent resolution approving a lease between the State of Michigan and the State Building Authority relative to the Department of Management and Budget State Facility Preservation Projects, Phase I, Phase II, Group E, Special Maintenance Projects (the "Facility").

Whereas, Section 7 of 1964 PA 183, as amended, being MCL § 830.417, requires that before a lease between the State of Michigan (the "State") and the State Building Authority (the "Authority") that is only for capital maintenance improvements is executed, the general form of the lease shall be approved by a concurrent resolution concurred in by a majority of the members elected to and serving in each house of the Michigan Legislature, with the votes and names of the members voting thereon entered in the journal. The description of the property to be leased and the rental to be paid by the State shall be approved by the State Administrative Board; and

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

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

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

Resolved by the House of Representatives (the Senate concurring), That the Total Facility Cost for the Department of Management and Budget State Facility Preservation Projects, Phase I, Phase II, Group E, Special Maintenance Projects shall not exceed \$47,296,000 (the Authority share is \$47,296,000 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 \$47,296,000, 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 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 \$3,636,000 and \$4,605,000, as shall reflect variations that may occur in the components upon which the appraisal of True Rental was based, which amounts shall be certified by the appraiser and thereafter approved by the State Administrative Board and the Authority as authorized by 1964 PA 183, as amended; and be it further

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

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

Resolved, That a copy of this concurrent resolution be transmitted to the Governor, the Secretary of State, the Authority, and the State Budget Director.

The concurrent resolution was referred to the Committee on Appropriations.

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

Rep. Griffin offered the following concurrent resolution:

House Concurrent Resolution No. 36.

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 Jackson Community College relative to the Jackson Community College Health Program Expansion and Information Commons.

Whereas, Section 5 of 1964 PA 183, as amended, being MCL § 830.415, requires the approval of the Board of Trustees of Jackson 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 Jackson Community College Health Program Expansion and Information Commons (the "Facility") is currently owned by the Educational Institution; and

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

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

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

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

Resolved by the House of Representatives (the Senate concurring), That the Total Facility Cost for the Jackson Community College Health Program Expansion and Information Commons shall not exceed \$17,300,000 (the Authority share is \$7,499,800, the State General Fund/General Purpose share is \$200, and the Educational Institution share is \$9,800,000), plus interest charges on monies advanced by the State to meet the construction cash flow requirements of the Facility, if any, of which not more than \$7,499,800, 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 \$505,000 and \$660,000, 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 copies of this concurrent resolution be transmitted to the Governor, the Secretary of State, the Authority, the Board of Trustees of Jackson Community College, and the State Budget Director.

The concurrent resolution was referred to the Committee on Appropriations.

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

Reps. Warren, Hood, Byrnes, Alma Smith, Mayes, Hammon, Hansen and Coulouris offered the following concurrent resolution:

House Concurrent Resolution No. 37.

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 Observatory Lodge Renovations.

Whereas, Section 5 of 1964 PA 183, as amended, being MCL § 830.415, requires the approval of the Board of 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 Observatory Lodge Renovations (the "Facility") is currently owned by the Educational Institution; and

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

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

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

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

Resolved by the House of Representatives (the Senate concurring), That the Total Facility Cost for the University of Michigan-Ann Arbor Observatory Lodge Renovations shall not exceed \$11,500,000 (the Authority share is \$7,819,800, the State General Fund/General Purpose share is \$200, and the Educational Institution share is \$3,680,000), plus interest charges on monies advanced by the State to meet the construction cash flow requirements of the Facility, if any, of which not more than \$7,819,800, 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 \$521,000 and \$681,000, 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 copies of this concurrent resolution be transmitted to the Governor, the Secretary of State, the Authority, the Board of Regents of the University of Michigan, and the State Budget Director.

The concurrent resolution was referred to the Committee on Appropriations.

Announcement by the Clerk of Printing and Enrollment

The Clerk announced that the following bills had been printed and placed upon the files of the members on Tuesday, June 19:

Senate Bill Nos. 592 593 594

The Clerk announced that the following bills had been printed and placed upon the files of the members on Wednesday, June 20:

**House Bill Nos. 4928 4929 4930 4931 4932 4933 4934 4935 4936 4937 4938 4939 4940 4941
4942 4943 4944 4945 4946 4947 4948 4949 4950 4951 4952 4953 4954 4955**

The Clerk announced that the following Senate bills had been received on Wednesday, June 20:

Senate Bill Nos. 447 448 501 503 504 588

Reports of Standing Committees

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Wednesday, June 20, 2007

Present: Reps. Condino, Coulouris, Bieda, Corriveau, Meadows, Meisner, Scott, Warren, Schuitmaker, David Law, Elsenheimer, Rick Jones and Rocca

Absent: Reps. Virgil Smith and Stakoe

Excused: Reps. Virgil Smith and Stakoe

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Wednesday, June 20, 2007

Present: Reps. Accavitti, Mayes, Angerer, Brown, Clemente, Ebli, Hammon, Hopgood, Lemmons, Lindberg, Melton, Miller, Palsrok, Garfield, Huizenga, Moolenaar, Horn and Opsommer

Absent: Rep. Nofs

Excused: Rep. Nofs

Messages from the Senate

House Bill No. 4261, entitled

A bill relating to the promotion of convention business and tourism in this state and certain metropolitan areas of this state; to provide for tourism and convention marketing and promotion programs in certain metropolitan areas; to provide for imposition and collection of assessments on the owners of transient facilities to support tourism and convention marketing and promotion programs; to provide for the disbursement of the assessments; to establish the functions and duties of certain state departments and employees; and to prescribe penalties and remedies.

The Senate has passed the bill and ordered that it be given immediate effect.

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

House Bill No. 4177, entitled

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," by amending sections 2118 and 2120 (MCL 500.2118 and 500.2120), section 2118 as amended by 2002 PA 492 and section 2120 as amended by 1984 PA 350, and by adding section 2116a.

The Senate has amended the bill as follows:

1. Amend page 1, line 8, after "STATES" by inserting "FOR AT LEAST 30 CONSECUTIVE DAYS".

The Senate has passed the bill as amended, ordered that it be given immediate effect and pursuant to Joint Rule 20, inserted the full title.

The Speaker announced that pursuant to Rule 42, the bill was laid over one day.

Senate Bill No. 447, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 3112 (MCL 324.3112), as amended by 2005 PA 33.

The Senate has passed the bill.

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

Senate Bill No. 448, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 3115 (MCL 324.3115), as amended by 2004 PA 143, and by adding section 3113a.

The Senate has passed the bill.

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

Senate Bill No. 501, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," (MCL 324.101 to 324.90106) by adding section 8613.

The Senate has passed the bill.

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

Senate Bill No. 503, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," (MCL 324.101 to 324.90106) by adding part 86.

The Senate has passed the bill.

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

Senate Bill No. 504, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 3101, 3109, 5303, 8201, 8202, 8203, 8206, 8801, 8802, and 8803 (MCL 324.3101, 324.3109, 324.5303, 324.8201, 324.8202, 324.8203, 324.8206, 324.8801, 324.8802, and 324.8803), section 3101 as amended by 2006 PA 97, section 3109 as amended by 2005 PA 241, section 5303 as amended by 2002 PA 398, sections 8201, 8202, 8203, and 8206 as added by 2001 PA 176, and sections 8801, 8802, and 8803 as added by 1998 PA 287, and by adding sections 3113b, 3113c, and 8209.

The Senate has passed the bill.

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

Senate Bill No. 588, entitled

A bill to amend 2005 PA 280, entitled "Corridor improvement authority act," by amending sections 3, 5, 11, 17, and 18 (MCL 125.2873, 125.2875, 125.2881, 125.2887, and 125.2888) and by adding section 29.

The Senate has passed the bill.

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

Notices

Pursuant to Rule 41, the Speaker has made the following reassignments:

House Bill No. 4946 referred to the Committee on Great Lakes and Environment.

House Bill No. 4947 referred to the Committee on Great Lakes and Environment.

House Bill No. 4949 referred to the Committee on Great Lakes and Environment.

Introduction of Bills

Rep. Mayes introduced

House Bill No. 4956, entitled

A bill to amend 2000 PA 92, entitled "Food law of 2000," by amending sections 1105, 1107, 1109, 2111, 2113, 2119, 2123, 2125, 2129, 3103, 3119, 3121, 3123, 3125, 3127, 3135, 3137, 3139, 4101, 4103, 4105, 4107, 4111, 4113, 4116, 4117, 4125, 5101, 5105, 5107, 6101, 6115, 6129, 6137, 6147, 6149, 7105, 7113, 7115, 7119, 7125, 7137, 8105, and 8107 (MCL 289.1105, 289.1107, 289.1109, 289.2111, 289.2113, 289.2119, 289.2123, 289.2125, 289.2129, 289.3103, 289.3119, 289.3121, 289.3123, 289.3125, 289.3127, 289.3135, 289.3137, 289.3139, 289.4101, 289.4103, 289.4105, 289.4107, 289.4111, 289.4113, 289.4116, 289.4117, 289.4125, 289.5101, 289.5105, 289.5107, 289.6101, 289.6115, 289.6129, 289.6137, 289.6147, 289.6149, 289.7105, 289.7113, 289.7115, 289.7119, 289.7125, 289.7137, 289.8105, and 289.8107), sections 1109, 3119, 4111, 4117, 6101, and 6149 as amended by 2002 PA 487 and section 4116 as added by 2004 PA 267, and by adding sections 6140 and 7106; and to repeal acts and parts of acts.

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

Reps. Agema, Rocca, Garfield, Moss, Meekhof, Palsrok, Nofs, Rick Jones, Moore, Emmons, Calley, Marleau, Pavlov, Green, Hildenbrand, Shaffer, Casperson, Moolenaar, Booher, Walker, Elsenheimer, Stakoe, LaJoy, Pastor, Horn, Hoogendyk, Nitz, Pearce, Stahl, Hune, Gaffney, Sheen, DeRoche, David Law, Hansen, Knollenberg, Palmer, Acciavatti, Meadows, Ward, Caul and Ball introduced

House Bill No. 4957, entitled

A bill to amend 1972 PA 222, entitled "An act to provide for an official personal identification card; to provide for its form, issuance and use; to regulate the use and disclosure of information obtained from the card; to prescribe the powers and duties of the secretary of state; to prescribe fees; to prescribe certain penalties for violations; and to provide an appropriation for certain purposes," by amending sections 1, 1a, and 2 (MCL 28.291, 28.291a, and 28.292), sections 1 and 2 as amended by 2005 PA 143 and section 1a as added by 1997 PA 99, and by adding sections 2a and 2b.

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

Rep. Green introduced

House Bill No. 4958, entitled

A bill to amend 1917 PA 167, entitled "Housing law of Michigan," by amending sections 1 and 126 (MCL 125.401 and 125.526), section 126 as amended by 2000 PA 479.

The bill was read a first time by its title and referred to the Committee on Intergovernmental, Urban and Regional Affairs.

Reps. Calley, Rick Jones, Agema, Marleau, Palmer and Meltzer introduced

House Bill No. 4959, entitled

A bill to amend 1893 PA 206, entitled "The general property tax act," by amending section 27a (MCL 211.27a), as amended by 2006 PA 446.

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

Rep. Calley introduced

House Bill No. 4960, entitled

A bill to amend 1893 PA 206, entitled "The general property tax act," by amending section 27 (MCL 211.27), as amended by 2003 PA 274.

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

Reps. Calley, Rick Jones and Marleau introduced

House Bill No. 4961, entitled

A bill to amend 1976 PA 225, entitled "An act to defer the collection of special assessments on homestead properties; to provide for conditions of eligibility for such a deferment; to prescribe the powers and duties of the department of treasury, local assessing officers, and local collecting officers; to provide for the advancement of moneys by the state to indemnify special assessment districts for losses from deferment of collections; to provide for the advancement of money by the state to an owner for the repayment of loans used by the owner to pay special assessments; to provide for the collection of deferred special assessments and interest thereon, and the disposition of these collections; to make an appropriation; and to prescribe penalties," by amending the title and sections 1, 2, 3, 4, 5, 6, 7, 8, 8a, 9, and 10 (MCL 211.761, 211.762, 211.763, 211.764, 211.765, 211.766, 211.767, 211.768, 211.768a, 211.769, and 211.770), the title and sections 2, 3, 4, and 10 as amended by 1980 PA 403 and section 8a as amended by 1981 PA 59, and by adding section 4a.

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

Rep. Calley introduced

House Bill No. 4962, entitled

A bill to amend 1893 PA 206, entitled "The general property tax act," by amending section 7dd (MCL 211.7dd), as amended by 2006 PA 114.

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

Reps. Calley, Rick Jones, Agema, Marleau, Palmer and Meltzer introduced

House Joint Resolution Q, entitled

A joint resolution proposing an amendment to the state constitution of 1963, by amending section 3 of article IX, to limit the increase in taxable value of real property under certain circumstances.

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

Rep. Horn moved that the House adjourn.
The motion prevailed, the time being 2:30 p.m.

The Speaker Pro Tempore declared the House adjourned until Thursday, June 21, at 10:00 a.m.

RICHARD J. BROWN
Clerk of the House of Representatives

