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**House of Representatives**  
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REGULAR SESSION OF 2010

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House Chamber, Lansing, Wednesday, August 18, 2010.

1:30 p.m.

The House was called to order by the Speaker Pro Tempore.

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

Agema—present	Durhal—present	Kurtz—present	Proos—present
Amash—present	Ebli—present	Lahti—present	Roberts—present
Angerer—present	Elsenheimer—present	LeBlanc—present	Rocca—present
Ball—present	Espinoza—present	Leland—present	Rogers—present
Barnett—present	Geiss—present	Lemmons—present	Schmidt, R.—present
Bauer—present	Genetski—present	Lindberg—present	Schmidt, W.—present
Bennett—present	Gonzales—present	Lipton—present	Schuitmaker—present
Bledsoe—present	Green—present	Liss—present	Scott, B.—present
Bolger—present	Gregory—present	Lori—present	Scott, P.—present
Booher—present	Griffin—present	Lund—present	Scripps—present
Brown, L.—present	Haase—present	Marleau—excused	Segal—present
Brown, T.—present	Haines—present	Mayes—present	Sheltrown—present
Byrnes—present	Hammel—present	McDowell—present	Slavens—present
Byrum—present	Hansen—present	McMillin—present	Slezak—present
Calley—present	Haugh—present	Meadows—present	Smith—present
Caul—present	Haveman—present	Meekhof—present	Spade—present
Clemente—present	Hildenbrand—present	Melton—excused	Stamas—present
Constan—present	Horn—present	Meltzer—present	Stanley—present
Corriveau—present	Huckleberry—present	Miller—present	Switalski—present
Crawford—present	Jackson—present	Moss—present	Tlaib—present
Cushingberry—present	Johnson—present	Nathan—present	Tyler—present
Daley—present	Jones, Rick—present	Nerat—present	Valentine—present
Dean—present	Jones, Robert—present	Neumann—present	Walsh—present
Denby—present	Kandrevas—present	Opsommer—present	Warren—present
DeShazor—present	Kennedy—present	Pavlov—present	Womack—present
Dillon—present	Knollenberg—present	Pearce—present	Young—present
Donigan—present	Kowall—present	Polidori—present	

e/d/s = entered during session

Rep. Fred Durhal, Jr., from the 6th District, offered the following invocation:

“Precious Lord we come to Thee with bowed heads and humble hearts. We come because we seek a better relationship with You. We come beseeching Your tolerance of us mere mortals who believe that we are the power and that we, as elected representatives of the people of this wonderful and beautiful state of Michigan, are in charge of its constitution and laws and policies, when in reality we are but small instruments of Thy will.

Bless us today Lord as we come together to deliberate and vote on issues that will affect the ten million people of this state. Touch each and every person in this House chamber and State Capitol who work daily to make life better in Michigan. Clutch close our House leadership teams on both sides of the aisle so that Your will can more easily become their will power.

Grant comfort to the families of those fallen soldiers at home and abroad who have given the last full measure of their lives in order that we may continue to have a democracy to participate in and celebrate. Grant safe passage to those who are this day on the front lines in a world full of trouble and danger. Bless the down-trodden and faint; shelter those who are homeless, those who are helpless, those who are hopeless. Lord, feed the hungry; bless the babies and our seniors; bless the sick and the affected; bless those who are incarcerated and show them the way of repentance and redemption.

Finally Lord, bless the Michigan Legislature, our House of Representatives, our present and past serving members who are a rich part of the history of Michigan. May Your spirit dwell deep inside of us as we work today to transact the people’s business. Bless them as they depart for home tonight and keep them in your presence in the midnight hour.

We ask that You accept our prayer, grant us Your peace and bestow Your great love upon us this day and every day, in the name of Jesus Christ we pray.

Amen.”

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Rep. Angerer moved that Rep. Melton be excused from today’s session.  
The motion prevailed.

Rep. Opsommer moved that Rep. Marleau be excused from today’s session.  
The motion prevailed.

### Messages from the Senate

The Speaker laid before the House

#### House Bill No. 5273, entitled

A bill to amend 1961 PA 236, entitled “Revised judicature act of 1961,” (MCL 600.101 to 600.9947) by adding section 1084.

(The bill was received from the Senate on July 28, with substitute (S-1), full title inserted and immediate effect given by the Senate, consideration of which, under the rules, was postponed until August 4, see House Journal No. 69, p. 1240.)

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. 356

#### Yeas—101

Agema	Durhal	Knollenberg	Proos
Angerer	Ebli	Kowall	Roberts
Ball	Elsenheimer	Kurtz	Rocca
Barnett	Espinoza	Lahti	Schmidt, R.
Bauer	Geiss	LeBlanc	Schmidt, W.
Bennett	Genetski	Leland	Schuitmaker
Bledsoe	Gonzales	Lemmons	Scott, B.
Bolger	Green	Lindberg	Scott, P.
Booher	Gregory	Lipton	Scripps

Brown, L.	Griffin	Liss	Segal
Brown, T.	Haase	Lori	Sheltrown
Byrnes	Haines	Lund	Slavens
Byrum	Hammel	Mayes	Slezak
Calley	Hansen	McDowell	Smith
Caul	Haugh	Meadows	Spade
Clemente	Haveman	Meekhof	Stamas
Constan	Hildenbrand	Meltzer	Stanley
Corriveau	Horn	Miller	Switalski
Crawford	Huckleberry	Moss	Tlaib
Cushingberry	Jackson	Nerat	Tyler
Daley	Johnson	Neumann	Valentine
Dean	Jones, Rick	Opsommer	Walsh
Denby	Jones, Robert	Pavlov	Warren
DeShazor	Kandrevas	Pearce	Womack
Dillon	Kennedy	Polidori	Young
Donigan			

#### Nays—4

Amash	McMillin	Nathan	Rogers
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In The Chair: Byrnes

The House agreed to the full title.

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

Rep. McMillin, having reserved the right to explain his nay vote, made the following statement:

“Mr. Speaker and members of the House:

Upon further review and discussion regarding this bill, I decided to vote ‘no’ because the law will now apply differently to those convicted of crimes that apply, depending which county the crime was committed. This inequality of justice does not seem appropriate.”

Rep. Amash, having reserved the right to explain his nay vote, made the following statement:

“Mr. Speaker and members of the House:

HB 5273 violates Article I, Section 2, of the Constitution of Michigan and the Fourteenth Amendment to the Constitution of the United States of America (Equal Protection Clauses).”

By unanimous consent the House returned to the order of

#### Motions and Resolutions

Rep. Angerer moved that Rule 42 be suspended.

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

Rep. Angerer moved that the Committee on Commerce be discharged from further consideration of **Senate Bill No. 1324**.

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

The bill was placed on the order of Second Reading of Bills.

### Second Reading of Bills

#### Senate Bill No. 1324, entitled

A bill to provide for the procedure for allocation, reallocation, and waiver of federal bond limitations under certain bond programs; and to prescribe certain powers and duties of certain state agencies and public officers.

The bill was read a second time.

Rep. Robert Jones 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. Angerer moved that the bill be placed on the order of Third Reading of Bills.

The motion prevailed.

Rep. Angerer moved that the bill be placed on its immediate passage.

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

By unanimous consent the House returned to the order of

### Third Reading of Bills

#### Senate Bill No. 1324, entitled

A bill to provide for the procedure for allocation, reallocation, and waiver of federal bond limitations under certain bond programs; and to prescribe certain powers and duties of certain state agencies and public officers.

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

#### Roll Call No. 357

#### Yeas—76

Angerer	Donigan	Kandrevas	Schmidt, R.
Ball	Durhal	Kennedy	Schmidt, W.
Barnett	Ebli	Lahti	Scott, B.
Bauer	Espinoza	LeBlanc	Scripps
Bennett	Geiss	Leland	Segal
Bledsoe	Gonzales	Lemmons	Sheltrown
Brown, L.	Green	Lindberg	Slavens
Brown, T.	Gregory	Lipton	Slezak
Byrnes	Griffin	Liss	Smith
Byrum	Haase	Mayes	Spade
Caul	Hammel	McDowell	Stamas
Clemente	Hansen	Meadows	Stanley
Constan	Haugh	Miller	Switalski
Corriveau	Haveman	Nathan	Tlaib
Crawford	Horn	Nerat	Valentine
Cushingberry	Huckleberry	Neumann	Walsh
Dean	Jackson	Polidori	Warren
Denby	Johnson	Roberts	Womack
Dillon	Jones, Robert	Rogers	Young

#### Nays—29

Agema	Genetski	Lori	Pavlov
Amash	Haines	Lund	Pearce
Bolger	Hildenbrand	McMillin	Proos
Booher	Jones, Rick	Meekhof	Rocca
Calley	Knollenberg	Meltzer	Schuitmaker
Daley	Kowall	Moss	Scott, P.
DeShazor	Kurtz	Opsommer	Tyler
Elsenheimer			

In The Chair: Byrnes

The House agreed to the title of the bill.  
Rep. Angerer 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. Bennett moved that the Committee on Regulatory Reform be discharged from further consideration of **House Concurrent Resolution No. 54**.

(For first notice see House Journal No. 69, p. 1230.)

The question being on the motion made by Rep. Bennett,

Rep. Angerer moved that consideration of the motion be postponed for the day.  
The motion prevailed.

Reps. Polidori, Constan, Gonzales, Griffin, Kandrevas, Miller and Tlaib offered the following resolution:

#### **House Resolution No. 316.**

A resolution wishing Muslims in Michigan and beyond a happy and meaningful observance of Ramadan, a month of reflection and prayer.

Whereas, Muslims, who make up nearly 1.5 billion people worldwide and nearly 300,000 in the United States, have observed the holy month of Ramadan; and

Whereas, This month is observed in celebration of the Islamic faith and in commemoration of the month in which the Muslim holy book, the Koran, was revealed to Muhammad; and

Whereas, Muslims around the world will observe Ramadan by refraining from food, drink, and other activities during daylight hours; and

Whereas, Muslims spend this time in reflection and prayer, while strengthening the bonds of family and friendship; and

Whereas, This month of sacrifice and contemplation begins at sunset on Wednesday, August 11, 2010, and continues through Friday, September 20, 2010, with Eid al-Fitr, a day of joyous celebration; now, therefore, be it

Resolved by House of Representatives, That the members of this legislative body extend its warmest wishes to Muslims in Michigan and beyond on the observance of Ramadan and then the celebration of Eid al-Fitr, when we will wish our Muslim friends and neighbors *Eid Mubarak!*

The question being on the adoption of the resolution,

The resolution was adopted.

Reps. Rick Jones, Bauer, Constan, Denby, Gonzales, Hansen, Hildenbrand, Kandrevas, Kurtz, Mayes, Pearce and Stamas offered the following resolution:

#### **House Resolution No. 317.**

A resolution to declare September 2010 as National Alcohol and Drug Addiction Recovery Month in the state of Michigan.

Whereas, Substance use disorders are a problem that affect everyone regardless of social, economic, or ethnic background; and

Whereas, Based on information from the 2005 National Survey on Drug Use and Health, an estimated 22.2 million persons in the United States, which is 9.1 percent of the population, aged 12 or older, were classified with substance dependence or abuse in the past year. This figure exceeds the number of people living with coronary heart disease, cancer, or Alzheimer's combined; and

Whereas, Effective evidence-based treatment and support for the person, families, and children affected by substance abuse and dependence can help our young people succeed in school, provide children with capable and caring parents, reduce the incidence of drug-related crime, and help people get their lives back through restored health and productivity, thereby saving both lives and dollars; and

Whereas, Studies have consistently found that individualized treatment is essential for people to be successful in their path of recovery. Substance abuse and alcohol addictions adversely affect millions of lives annually, without regard for social, economic, or ethnic background. It results in enormous financial and human costs including absenteeism, impaired work productivity, property damage, incarceration, accidents, medical expenses, dependence on public assistance, child neglect, bodily injury, destruction of family ties, and loss of life; and

Whereas, Real accounts of long-term recovery with positive results can inspire others to ask for help and improve their own lives, the lives of their families, and benefit the entire community; and

Whereas, It is critical that we educate our community members to understand that substance abuse disorders are treatable; yet sometimes create serious health care problems if not resolved. The resolution of dependence, with proper support, care, and treatment, improves the quality of life for all throughout our communities; and

Whereas, There is a need to erode social stigmas about addiction and educate the public, community organizations, public officials, and civic leaders about the impact of alcohol and other drugs on our community, the value of treatment, and the hope of recovery; and

Whereas, To help achieve this goal, the U.S. Department of Health and Human Services, the Substance Abuse and Mental Health Services Administration’s Center for Substance Abuse Treatment, and the White House Office of National Drug Control Policy invite all persons to participate in National Alcohol and Drug Addiction Recovery Month each September; and

Whereas, The National Alcohol and Drug Addiction Recovery Month is a national initiative and annual observance that highlights the societal benefits of substance abuse treatment, celebrates people in recovery, recognizes those in the treatment field who dedicate their lives to helping people recover from addiction, and promotes the message that recovery from substance abuse is possible; now, therefore, be it

Resolved by the House of Representatives, That the members of this legislative body declare September 2010 as National Alcohol and Drug Addiction Recovery Month in the state of Michigan.

The question being on the adoption of the resolution,  
The resolution was adopted.

Reps. Lisa Brown, Constan, Gonzales, Kandrevas and Tlaib offered the following resolution:

**House Resolution No. 318.**

A resolution to memorialize the Congress of the United States to pass and the President of the United States to sign the National Childhood Brain Tumor Prevention Network Act of 2009.

Whereas, Tumors kill more children than any other disease, and brain tumors are the second most common type of cancer in children. Childhood brain tumors are the leading cause of death from solid tumors in children. The causes of the overwhelming majority of childhood brain tumors are unknown; and

Whereas, No single institution has a sufficient number of patients to independently conduct research that will adequately address the causes of childhood brain tumors. It is also significant to note that comprehensive studies of all the relevant data are lacking. Serious and comprehensive gathering and analysis of information about childhood brain tumors could identify risk factors and point the way to more and better treatment options; and

Whereas, Congress is considering legislation that would directly address this serious health care threat to children. The National Childhood Brain Tumor Prevention Network Act of 2009, H.R.653, would provide grants and promote research. This measure would instruct the National Cancer Institute to establish, administer, and coordinate a National Childhood Brain Tumor Prevention Network. This network would facilitate standards and reporting that are greatly needed to fight this condition; now, therefore, be it

Resolved by the House of Representatives, That we memorialize the Congress of the United States to pass and the President of the United States to sign the National Childhood Brain Tumor Prevention Network Act of 2009; and be it further

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

The resolution was referred to the Committee on Health Policy.

**Announcement by the Clerk of Printing and Enrollment**

The Clerk announced that the following Senate bills had been received on Wednesday, August 11:

**Senate Bill Nos. 749 1014 1093**

The Clerk announced that the following bills had been printed and placed upon the files of the members on Thursday, August 12:

**House Bill Nos. 6364 6365 6366 6367 6368 6369 6370 6371**  
**Senate Bill Nos. 1444 1445 1446 1447 1448 1449 1450 1451 1452**

The Clerk announced that the following Senate bills had been received on Tuesday, August 17:

**Senate Bill Nos. 437 1345 1346 1347 1348 1349**

The Clerk announced that the following bills had been printed and placed upon the files of the members on Wednesday, August 18:

**Senate Bill Nos. 1453 1454 1455 1456 1457 1458 1459 1460 1461 1462 1463**

### **Reports of Standing Committees**

The Committee on Labor, by Rep. Lindberg, Chair, reported

#### **House Bill No. 4917, entitled**

A bill to amend 1947 PA 336, entitled "An act to prohibit strikes by certain public employees; to provide review from disciplinary action with respect thereto; to provide for the mediation of grievances and the holding of elections; to declare and protect the rights and privileges of public employees; and to prescribe means of enforcement and penalties for the violation of the provisions of this act," by amending section 15 (MCL 423.215), as amended by 1994 PA 112.

With the recommendation that the substitute (H-3) 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

To Report Out:

Yeas: Reps. Lindberg, Liss, Bettie Scott, Young, Daley, Haveman and McMillin

Nays: Rep. Kandrevas

### COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Wednesday, August 18, 2010

Present: Reps. Lindberg, Kennedy, Kandrevas, Liss, Bettie Scott, Slezak, Young, Amash, Daley, Haveman and McMillin

### COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Wednesday, August 18, 2010

Present: Reps. Meadows, Lipton, Lisa Brown, Byrnes, Constan, Corriveau, Kandrevas, Bettie Scott, Warren, Schuitmaker, Amash, Haveman, Rick Jones, Kowall and Rocca

### **Messages from the Senate**

#### **House Bill No. 5830, entitled**

A bill to amend 1980 PA 497, entitled "Construction lien act," by amending the title and sections 104, 106, and 118 (MCL 570.1104, 570.1106, and 570.1118), the title and sections 104 and 106 as amended by 2006 PA 497 and section 118 as amended by 1982 PA 17, and by adding section 118a; and to repeal acts and parts of acts.

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

The House agreed to the full title.

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

#### **House Bill No. 5831, entitled**

A bill to amend 1956 PA 217, entitled "Electrical administrative act," by amending sections 3b, 8b, and 8e (MCL 338.883b, 338.888b, and 338.888e), sections 3b and 8e as added by 1990 PA 246 and section 8b as amended by 1992 PA 130.

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

The House agreed to the full title.

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

**House Bill No. 5832, entitled**

A bill to amend 1984 PA 192, entitled "Forbes mechanical contractors act," by amending sections 6, 11, and 16 (MCL 338.976, 338.981, and 338.986), section 6 as amended by 2004 PA 271 and section 11 as amended by 1990 PA 5.

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

The House agreed to the full title.

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

**House Bill No. 5833, entitled**

A bill to amend 2002 PA 733, entitled "State plumbing act," by amending sections 21, 43, and 47 (MCL 338.3531, 338.3553, and 338.3557).

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

The House agreed to the full title.

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

**House Bill No. 5834, entitled**

A bill to amend 1980 PA 299, entitled "Occupational code," by amending sections 2404, 2409, and 2411 (MCL 339.2404, 339.2409, and 339.2411), sections 2404 and 2411 as amended by 2007 PA 157 and section 2409 as amended by 1988 PA 463.

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

The House agreed to the full title.

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

**House Bill No. 5835, entitled**

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 15b of chapter XVII (MCL 777.15b), as added by 2002 PA 206.

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

The House agreed to the full title.

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

**Senate Bill No. 437, entitled**

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 20126 and 20126a (MCL 324.20126 and 324.20126a), section 20126 as amended by 1999 PA 196 and section 20126a as added by 1995 PA 71, and by adding section 20114e.

The Senate has passed the bill.

The bill was read a first time by its title and referred to the Committee on New Economy and Quality of Life.

**Senate Bill No. 749, entitled**

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 803e (MCL 257.803e), as amended by 2003 PA 30.

The Senate has passed the bill.

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

**Senate Bill No. 1014, entitled**

A bill to amend 1976 PA 451, entitled "The revised school code," (MCL 380.1 to 380.1852) by adding section 1531f.

The Senate has passed the bill.

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



**Senate Bill No. 1093, entitled**

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 803i (MCL 257.803i), as amended by 1998 PA 68.

The Senate has passed the bill.

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

**Senate Bill No. 1345, entitled**

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 20114a, 20120a, 20120b, 20120c, and 20120d (MCL 324.20114a, 324.20120a, 324.20120b, 324.20120c, and 324.20120d), section 20114a as amended by 1996 PA 115, sections 20120a, 20120b, and 20120c as added by 1995 PA 71, and section 20120d as amended by 1996 PA 383, and by adding sections 20114b, 20114c, 20114d, 20120, and 20120e; and to repeal acts and parts of acts.

The Senate has passed the bill.

The bill was read a first time by its title and referred to the Committee on New Economy and Quality of Life.

**Senate Bill No. 1346, entitled**

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 20101, 20104, and 20104a (MCL 324.20101, 324.20104, and 324.20104a), section 20101 as amended and section 20104a as added by 1996 PA 383 and section 20104 as amended by 1995 PA 71.

The Senate has passed the bill.

The bill was read a first time by its title and referred to the Committee on New Economy and Quality of Life.

**Senate Bill No. 1347, entitled**

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 20112a, 20113, and 20114 (MCL 324.20112a, 324.20113, and 324.20114), section 20112a as added and section 20114 as amended by 1995 PA 71 and section 20113 as amended by 1996 PA 383.

The Senate has passed the bill.

The bill was read a first time by its title and referred to the Committee on New Economy and Quality of Life.

**Senate Bill No. 1348, entitled**

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 20129, 20137, and 20139 (MCL 324.20129, 324.20137, and 324.20139), as amended by 1995 PA 71.

The Senate has passed the bill.

The bill was read a first time by its title and referred to the Committee on New Economy and Quality of Life.

**Senate Bill No. 1349, entitled**

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 20107a and 20108b (MCL 324.20107a and 324.20108b), section 20107a as amended and section 20108b as added by 1996 PA 383.

The Senate has passed the bill.

The bill was read a first time by its title and referred to the Committee on New Economy and Quality of Life.

**Senate Concurrent Resolution No. 46.**

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 West Shore Community College relative to the West Shore Community College Arts and Sciences Center/Remodeling and Additions.

Whereas, Section 5 of 1964 PA 183, as amended, being MCL § 830.415, requires the approval of the Board of Trustees of West Shore 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 West Shore Community College Arts and Sciences Center/Remodeling and Additions (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 West Shore Community College Arts and Sciences Center/Remodeling and Additions shall not exceed \$6,900,000 (the Authority share is \$3,449,800, the State General Fund/General Purpose share is \$200, and the Educational Institution share is \$3,450,000), plus interest charges on monies advanced by the State to meet the construction cash flow requirements of the Facility, if any, of which not more than \$3,449,800, 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 \$237,000 and \$309,000, 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 West Shore 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. 51.**

A concurrent resolution to urge the Department of Natural Resources and Environment, the United States Fish and Wildlife Service, the United States Environmental Protection Agency, Enbridge Energy Partners, and local authorities to respond swiftly and thoroughly to the oil pipeline spill in Marshall Township.

Whereas, A malfunctioning pipeline has spewed about 840,000 gallons of oil into Talmadge Creek, a tributary of the 166-mile long Kalamazoo River, whose watershed is home to tens of thousands of people in cities such as Battle Creek, Kalamazoo, Plainwell, Allegan, and Saugatuck. The oil reached the Kalamazoo River shortly after the spill occurred. A thick layer of oil is now making its way west, leaking past the barriers set up to contain it; and

Whereas, The potential impact of this spill on downriver communities could be significant. Dead fish have already washed up on the banks of the river, and downriver residents can smell the oil as far west as Battle Creek. Some people have been evacuated from their homes, and people have been told not to fish or swim in the river. These are distressing consequences for people who live in downriver communities; and

Whereas, The spill threatens fish and wildlife that depend on the river. The Kalamazoo area thrives with abundant fish and wildlife species, and parts of the river are designated as a "wild scenic river" under the Natural Rivers Protection Program. Oil from this spill could potentially reach all the way to Lake Michigan; and

Whereas, It is imperative that those responsible for the spill, as well as federal, state, and local authorities, act decisively and spare no resource to contain and clean up the oil. Let the response to this spill be a positive example of how federal, state, and local officials can work with a private company to address an environmental emergency. All who live in the Kalamazoo River watershed—both people and wildlife—deserve no less; now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That we urge the Department of Natural Resources and Environment, the United States Fish and Wildlife Service, the United States Environmental Protection Agency, Enbridge Energy Partners, and local authorities to respond swiftly and thoroughly to the oil pipeline spill in Marshall Township; and be it further

Resolved, That copies of this resolution be transmitted to the director of the Michigan Department of Natural Resources and Environment, the director of the United States Fish and Wildlife Service, the director of the United States Environmental Protection Agency, the Board of Directors of Enbridge Energy Partners, and the Calhoun County Sheriff's Department.

The Senate has adopted the concurrent resolution.

Reps. Bauer, Constan, Denby, Gonzales, Hansen, Hildenbrand, Horn, Kandrevas, Kurtz, Mayes, Pearce, Stamas and Tlaib were named co-sponsors of the concurrent resolution.

The concurrent resolution was referred to the Committee on Great Lakes and Environment.

### Notices

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

**House Bill No. 6364** referred to the Committee on Military and Veterans Affairs and Homeland Security on August 18, 2010.

### Introduction of Bills

Rep. Ball introduced

**House Bill No. 6372, entitled**

A bill to amend 1970 PA 169, entitled "Local historic districts act," by amending section 4 (MCL 399.204), as amended by 1992 PA 96.

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

Rep. Bledsoe introduced

**House Bill No. 6373, entitled**

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 8325 (MCL 324.8325), as amended by 2008 PA 18.

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

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Rep. Johnson moved that the House adjourn.

The motion prevailed, the time being 2:45 p.m.

The Speaker Pro Tempore declared the House adjourned until Thursday, August 19, at 12:00 Noon.

RICHARD J. BROWN  
Clerk of the House of Representatives

