

No. 9
STATE OF MICHIGAN
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House of Representatives
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House Chamber, Lansing, Wednesday, February 9, 2000.

2:00 p.m.

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

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

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

e/d/s = entered during session

Pastor Emil Saliata, from The Holy Land, offered the following invocation:

“Heavenly Father, We praise Your name, as we gather today in Your presence and under the guidance of Your Holy Spirit, to proclaim Your glory and salvation to all people. Lord, You have come to our world as one of us, to redeem us and to bring us back dignity and true life. Grant us, O Lord, and grant Your servants gathered in this House of people of this state, the light and inspiration so that they will be able to work together, through all the debates, to find the best ways to serve the beloved people of Michigan. Lord, it seems that our mission never comes to an end. We still have to work in this world and bring it to a better condition with dignity through studying family, labor, education, ecology and politics. Help us, Father, with the guidance of Your Spirit, to work heart and mind for the benefit of our people and to proclaim the glory of Your name. In Jesus’ name, we pray. Amen.”

Rep. Scott moved that Reps. Daniels, Garza and Hardman be excused from today’s session.
The motion prevailed.

Second Reading of Bills

Senate Bill No. 755, entitled

A bill to amend 1970 PA 29, entitled “An act relating to potatoes; to create a potato commission; to prescribe its powers and duties and authority; to impose an assessment on the privilege of introducing potatoes into the channels of trade and commerce; to provide for the collection of the assessment; to provide for penalties; and to repeal certain acts and parts of acts,” by amending section 2 (MCL 290.422), as amended by 1992 PA 135.

The bill was read a second time.

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

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

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

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

By unanimous consent the House returned to the order of

Third Reading of Bills

Senate Bill No. 755, entitled

A bill to amend 1970 PA 29, entitled “An act relating to potatoes; to create a potato commission; to prescribe its powers and duties and authority; to impose an assessment on the privilege of introducing potatoes into the channels of trade and commerce; to provide for the collection of the assessment; to provide for penalties; and to repeal certain acts and parts of acts,” by amending section 2 (MCL 290.422), as amended by 1992 PA 135.

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

Roll Call No. 25

Yeas—105

Allen	Frank	Kuipers	Rivet
Baird	Garcia	Kukuk	Rocca
Basham	Geiger	LaForge	Sanborn
Birkholz	Gielegghem	LaSata	Schauer
Bisbee	Gilbert	Law	Schermesser
Bishop	Godchaux	Lemmons	Scott
Bogardus	Gosselin	Lockwood	Scranton
Bovin	Green	Mans	Shackleton
Bradstreet	Hager	Martinez	Sheltrown
Brater	Hale	Mead	Shulman
Brewer	Hanley	Middaugh	Spade

Brown, B.	Hansen	Minore	Stallworth
Brown, C.	Hart	Mortimer	Stamas
Byl	Howell	Neumann	Switalski
Callahan	Jacobs	Pappageorge	Tabor
Cassis	Jamnick	Patterson	Tesanovich
Caul	Jansen	Pestka	Thomas
Cherry	Jelinek	Price	Toy
Clark, I.	Jellema	Prusi	Van Woerkom
Clarke, H.	Johnson, Rick	Pumford	Vander Roest
DeHart	Johnson, Ruth	Quarles	Vaughn
Dennis	Julian	Raczkowski	Vear
DeRossett	Kelly	Reeves	Voorhees
DeVuyst	Kilpatrick	Richardville	Wojno
DeWeese	Koetje	Richner	Woodward
Ehardt	Kowall	Rison	Woronchak
Faunce			

Nays—0

In The Chair: Patterson

The House agreed to the title of the bill.

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

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

Second Reading of Bills

House Bill No. 5145, entitled

A bill to amend 1939 PA 288, entitled “Probate code of 1939,” by amending sections 13b, 19a, and 19b of chapter XIIA (MCL 712A.13b, 712A.19a, and 712A.19b), section 13b of chapter XIIA as added and section 19a of chapter XIIA as amended by 1997 PA 163 and section 19b of chapter XIIA as amended by 1998 PA 530.

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

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

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

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

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

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

By unanimous consent the House returned to the order of

Third Reading of Bills

House Bill No. 5145, entitled

A bill to amend 1939 PA 288, entitled “Probate code of 1939,” by amending sections 13b, 19a, and 19b of chapter XIIA (MCL 712A.13b, 712A.19a, and 712A.19b), section 13b of chapter XIIA as added and section 19a of chapter XIIA as amended by 1997 PA 163 and section 19b of chapter XIIA as amended by 1998 PA 530.

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

Roll Call No. 26

Yeas—105

Allen	Frank	Kuipers	Rivet
Baird	Garcia	Kukuk	Rocca
Basham	Geiger	LaForge	Sanborn
Birkholz	Gielegghem	LaSata	Schauer

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

Nays—0

In The Chair: Patterson

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

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

A bill to amend 1939 PA 288, entitled “Probate code of 1939,” by amending sections 1, 13b, 19a, 19b, and 19c of chapter XIIA (MCL 712A.1, 712A.13b, 712A.19a, 712A.19b, and 712A.19c), section 1 as amended by 1998 PA 478, section 13b as added and section 19a as amended by 1997 PA 163, section 19b as amended by 1998 PA 530, and section 19c as amended by 1998 PA 479.

The motion prevailed.

The House agreed to the title as amended.

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

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

Reps. Basham, Birkholz, Bisbee, Bishop, Callahan, Cassis, Caul, Clark, DeHart, Dennis, DeWeese, Ehardt, Gilbert, Gosselin, Hart, Howell, Jacobs, Jansen, Jelinek, Ruth Johnson, Julian, Koetje, Kowall, Kukuk, Law, Lemmons, Mans, Mead, Middaugh, Pappageorge, Patterson, Raczkowski, Richner, Sanborn, Shackleton, Shulman, Stallworth, Tabor, Toy, Vander Roest, Vear, Wojno and Woodward were named co-sponsors of the bill.

Reps. Perricone and O’Neil entered the House Chambers.

Second Reading of Bills

House Bill No. 5083, entitled

A bill to amend 1961 PA 236, entitled “Revised judicature act of 1961,” by amending section 931 (MCL 600.931), as amended by 1989 PA 100.

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

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

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

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

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

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

By unanimous consent the House returned to the order of

Third Reading of Bills

House Bill No. 5083, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending section 931 (MCL 600.931), as amended by 1989 PA 100.

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

Roll Call No. 27

Yeas—93

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

Nays—13

Bogardus	Hale	Prusi	Sheltrown
Bovin	Kelly	Rivet	Tesanovich
Brewer	Martinez	Scott	Vaughn
Cherry			

In The Chair: Patterson

The House agreed to the title of the bill.

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

The motion prevailed, 2/3 of the members serving voting therefor.
Rep. Birkholz was named co-sponsor of the bill.

Rep. Vander Roest moved that Rep. Garcia be excused from the balance of today's session.
The motion prevailed.

Second Reading of Bills

House Bill No. 5144, entitled

A bill to amend 1975 PA 238, entitled "Child protection law," by amending sections 2, 7, 8, and 8d (MCL 722.622, 722.627, 722.628, and 722.628d), section 2 as amended by 1998 PA 531, section 7 as amended by 1998 PA 485, and section 8 as amended and section 8d as added by 1998 PA 484.

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

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

Rep. Jacobs moved to amend the bill as follows:

1. Amend page 9, line 4, by striking out all of subdivision (Q) and inserting:

"(Q) A CITIZEN REVIEW PANEL ESTABLISHED BY THE DEPARTMENT. ACCESS UNDER THIS SUBDIVISION SHALL BE LIMITED TO INFORMATION THE DEPARTMENT DETERMINES IS NECESSARY FOR THE PANEL TO CARRY OUT ITS PRESCRIBED DUTIES."

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

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

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

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

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

By unanimous consent the House returned to the order of

Third Reading of Bills

House Bill No. 5144, entitled

A bill to amend 1975 PA 238, entitled "Child protection law," by amending sections 2, 7, 8, and 8d (MCL 722.622, 722.627, 722.628, and 722.628d), section 2 as amended by 1998 PA 531, section 7 as amended by 1998 PA 485, and section 8 as amended and section 8d as added by 1998 PA 484.

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

Roll Call No. 28

Yeas—105

Allen	Frank	LaForge	Rivet
Baird	Geiger	LaSata	Rocca
Basham	Gielegghem	Law	Sanborn
Birkholz	Gilbert	Lemmons	Schauer
Bisbee	Godchaux	Lockwood	Schermesser
Bishop	Gosselin	Mans	Scott
Bogardus	Green	Martinez	Scranton
Bovin	Hager	Mead	Shackleton
Bradstreet	Hale	Middaugh	Sheltrown
Brater	Hanley	Minore	Shulman
Brewer	Hansen	Mortimer	Spade
Brown, B.	Hart	Neumann	Stallworth

Brown, C.	Howell	O'Neil	Stamas
Byl	Jacobs	Pappageorge	Switalski
Callahan	Jamnick	Patterson	Tabor
Cassis	Jansen	Perricone	Tesanovich
Caul	Jelinek	Pestka	Thomas
Cherry	Jellema	Price	Toy
Clark, I.	Johnson, Rick	Prusi	Van Woerkom
Clarke, H.	Johnson, Ruth	Pumford	Vander Roest
DeHart	Julian	Quarles	Vaughn
Dennis	Kelly	Raczkowski	Vear
DeRossett	Koetje	Reeves	Voorhees
DeVuyst	Kowall	Richardville	Wojno
DeWeese	Kuipers	Richner	Woodward
Ehardt	Kukuk	Rison	Woronchak
Faunce			

Nays—0

In The Chair: Patterson

The House agreed to the title of the bill.

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

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

Reps. Basham, Birkholz, Bishop, Bovin, Callahan, DeHart, DeRossett, Hager, Hart, Kowall, Kukuk, Middaugh, O'Neil, Pappageorge, Patterson, Raczkowski, Rivet, Rocca, Sanborn, Schermesser, Scott, Shackleton, Tabor, Toy, Vander Roest and Vaughn were named co-sponsors of the bill.

Rep. Middaugh 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. Raczkowski, Voorhees, Gosselin, Kukuk, Koetje, Vander Roest, Mead, Birkholz, Faunce, Bishop, DeRossett, Julian, Scranton, DeVuyst, Green, Vear, Caul, Cassis, Jansen, Vaughn, Richner, Hager, Kowall, Sanborn, Lemmons and Pappageorge offered the following resolution:

House Resolution No. 268.

A resolution to encourage Michigan's health care providers and institutions to recognize and utilize the benefits of complementary and alternative medicine therapies and to encourage research in this area.

Whereas, Demand for complementary and alternative medicine by the general public is increasing, despite the fact that it is largely paid for by the consumer "out of pocket." This evolving consumer movement is taking place within the broader context of a health care delivery system that is in need of reform; and

Whereas, We are now in an era of cost containment strategies and managed care that is putting pressure on evidence-based cost-effective care. Cost containment considerations demand new ways of thinking about the delivery and organization of health services, particularly as the general population ages and medical costs rise. The key to reforming health care will be improved clinical outcomes, preventative care, and proven cost-effective treatments; and

Whereas, Without further investigation of issues surrounding credentialing, licensure and accreditation, standards of care, and malpractice, the public will continue to be at risk from deceptive, and at worst, harmful practices. Few standards exist to define basic requirements for practice among different alternative providers, health systems, and hospitals. Traditional medical service institutions have been reluctant to include complementary and alternative practitioners on their staffs. This reluctance creates a barrier to entry into the market controlled by the conventional delivery system, denies access to proven health care services, and severely limits the possibility of insurance coverage; and

Whereas, Cost analyses must be conducted to determine the usefulness of complementary and alternative medicine therapies on individual treatments, as well as on combinations of allopathic and complementary treatments. This data will also address the obstacles to integration that managed care organizations have outlined. Hospitals and clinics are ideal settings for researchers to test efficacy as well as costs and benefits. Successful partnerships will need to be created between employers, payers, public and private clinical facilities, and researchers to conduct studies in this area of outcomes and complementary and alternative medicine; and

Whereas, Michigan should embrace the opportunity for leadership in the field of complementary and alternative medicine. These therapies can address the need for health service reforms and improve the health of our citizens. Key partners already exist throughout our state, including nationally recognized physicians practicing complementary and alternative medicine and research in this field being funded by the National Institutes of Health at the University of Michigan; now, therefore, be it

Resolved by the House of Representatives, That we encourage Michigan's health care providers and institutions to recognize and utilize the benefits of complementary and alternative medicines therapies and encourage research in this area; and be it further

Resolved, That a copy of this resolution be transmitted to the Complementary and Alternative Medicine Research Center at the University of Michigan and to the Born Clinic in Grand Rapids.

The resolution was referred to the Committee on Health Policy.

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

Rep. Jellema offered the following concurrent resolution:

House Concurrent Resolution No. 80.

A concurrent resolution approving the conveyance of property to the State Building Authority and approving a lease between the State of Michigan and the State Building Authority relative to the Department of State Police Two-Way Radio System and Microwave Backbone System Phase III.

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, Section 7 of 1964 PA 183, as amended, being MCL § 830.417, requires 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 showing a public purpose; and

Whereas, Providing facilities and equipment to be used by the State pursuant to a lease for the Facilities is a recognized public purpose; and

Whereas, 1995 PA 128 appropriated \$187,276,000 (State Building Authority share \$184,426,000; state general fund share \$2,850,000) to complete plans and construct the Department of State Police public safety communications system; and

Whereas, The public safety communication system known as the Department of State Police Two-Way Radio System and Microwave Backbone System is to be constructed in four phases; and

Whereas, By Senate Concurrent Resolution No. 288 of 1996, adopted by the Senate and House of Representatives on December 3 and December 11, 1996, respectively, the Legislature approved the conveyance of property and a Lease for Phase I of the Department of State Police Two-Way Radio System and Microwave Backbone System at a total cost not to exceed \$35,211,085, plus interest charges on monies advanced by the State, of which not more than \$34,890,000 plus interest charges on monies advanced by the State, shall be financed from bonds issued by the Authority; and

Whereas, By Senate Concurrent Resolution No. 100 of 1998, passed by the Senate and House of Representatives on December 2 and December 8, 1998, respectively, the Legislature approved the conveyance of property and a Lease for Phase II of the Department of State Police Two-Way Radio System and Microwave Backbone System at a total cost not to exceed \$42,660,808, plus interest charges on monies advanced by the State of which not more than \$42,660,808, plus interest charges on monies advanced by the State, shall be financed from bonds issued by the Authority; and

Whereas, The sites for Phase III of the Department of State Police Two-Way Radio System and Microwave Backbone System are located in Alcona, Alpena, Antrim, Arenac, Benzie, Charlevoix, Cheboygan, Crawford, Emmett, Grand Traverse, Huron, Iosco, Kalkaska, Kent, Lake, Leelanau, Macomb, Manistee, Mecosta, Midland, Missaukee, Montmorency, Muskegon, Ogemaw, Oscoda, Otsego, Presque Isle, Roscommon, Saginaw, and Wexford Counties (the sites and related equipment together, the "Facilities") and are currently owned by the State; and

Whereas, A lease between the Authority and the State has been prepared providing for the leasing of the Facilities 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 cost of the Department of State Police Two-Way Radio System and Microwave Backbone System Phase III consisting of the Facilities shall not exceed \$58,964,403, plus interest charges on monies advanced to meet the construction cash flow requirements of the Facilities, if any, of which not more than \$58,964,403, plus interest charges on monies advanced by the State to meet the construction cash flow requirements of the Facilities, 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 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 approves the Authority acquiring the Facilities and leasing them to the State and determines that the leasing of the Facilities 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 Facilities shall not be less than \$6,824,000 and not more than \$13,937,000, as shall reflect variations that may occur in the components upon which the appraisal of true rental was based, which amount 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 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 approving the Lease between the State and the Authority, the Legislature agrees to appropriate annually sufficient amounts to pay the rent as obligated pursuant to the Lease; and be it further

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

The concurrent resolution was referred to the Committee on Appropriations.

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

Rep. Jellema offered the following concurrent resolution:

House Concurrent Resolution No. 81.

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 Oakland University relative to the Oakland University Classroom/Business School Building.

Whereas, Section 5 of 1964 PA 183, as amended, being MCL § 830.415, requires the approval of the Board of Trustees of Oakland 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 Oakland University Classroom/Business School 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 House of Representatives (the Senate concurring), That the Total Facility Cost for the Oakland University Classroom/Business School Building shall not exceed \$17,500,000 (the Authority share is \$13,124,900, the State General Fund/General Purpose share is \$100, and the Educational Institution share is \$4,375,000), 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 \$13,124,900, 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 \$1,240,000 to \$2,125,000, 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 Oakland University, and the State Budget Director.

The concurrent resolution was referred to the Committee on Appropriations.

THIS RESOLUTION IS OFFERED TO COMPLY WITH MCL § 18.1246.

Rep. Jellema offered the following concurrent resolution:

House Concurrent Resolution No. 82.

A concurrent resolution to change the scope of the Technology Education Building project at Washtenaw Community College.

Whereas, The Washtenaw Community College Technology Education Building project was authorized with a total cost of \$21,000,000 in 1996 PA 480; and

Whereas, Washtenaw Community College has estimated that the total cost to complete the Technology Education Building has increased to \$21,121,600; and

Whereas, Washtenaw Community College has agreed to fund the increase in the project cost of \$121,600, with the state commitment remaining at \$10,500,000; and

Whereas, Pursuant to section 246 of 1984 PA 431, as amended, being MCL § 18.1246, the authorized cost of projects shall only be established or revised by specific reference in a budget act, by concurrent resolution adopted by both houses of the legislature, or inferred by the total amount of any appropriations made to complete plans and construction; now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That the Michigan Legislature recognizes the need to increase the total authorized cost for the Washtenaw Community College Technology Education Building project to an amount not to exceed \$21,121,600 (State Building Authority share \$10,499,900; State General Fund/General Purpose share \$100; and Washtenaw Community College share \$10,621,600) and that the legislature intends to continue to appropriate funds for construction subject to the limitations herein stated, in amounts not to exceed the authorized cost, subject to the ordinary vicissitudes of the legislative process; and be it further

Resolved, That copies of this resolution be transmitted to the State Budget Director, the Director of the Department of Management and Budget, and Washtenaw Community College.

The concurrent resolution was referred to the Committee on Appropriations.

Reports of Standing Committees

The Committee on Regulatory Reform, by Rep. Rocca, Chair, reported

House Bill No. 4752, entitled

A bill to amend 1998 PA 58, entitled "Michigan liquor control code of 1998," by amending section 203 (MCL 436.1203).

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 4752 To Report Out:

Yeas: Reps. Rocca, Vear, Faunce, Woronchak, Scott, Vaughn, Hale,

Nays: Rep. Kuipers.

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Rocca, Chair of the Committee on Regulatory Reform, was received and read:

Meeting held on: Tuesday, February 8, 2000, at 3:15 p.m.,
 Present: Reps. Rocca, Vear, Faunce, Kuipers, Woronchak, Scott, Vaughn, Hale,
 Absent: Rep. Wojno,
 Excused: Rep. Wojno.

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Tuesday, February 8, 2000, at 3:12 p.m.,
 Present: Reps. Rick Johnson, Gilbert, DeVuyst, Garcia, Hart, Ruth Johnson, Middaugh, Shackleton, Tabor, Kilpatrick, Bovin, Jamnick, Lemmons, Reeves, Schermesser,
 Absent: Reps. Patterson, Brewer,
 Excused: Reps. Patterson, Brewer.

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Wednesday, February 9, 2000, at 10:30 a.m.,
 Present: Reps. Middaugh, Bradstreet, Birkholz, Bisbee, Cassis, Garcia, Gosselin, Howell, Kowall, Kuipers, Richardville, Shulman, Thomas, Bob Brown, Hansen, Lemmons, Neumann, Schauer, Woodward,
 Absent: Reps. Daniels, Quarles,
 Excused: Reps. Daniels, Quarles.

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, Thursday, February 3:

Senate Bill Nos. 949 950 951 952 953 954 955 956 957 958

The Clerk announced that the following bills and joint resolution had been printed and placed upon the files of the members, Friday, February 4:

Senate Bill Nos. 959 960 961 962
Senate Joint Resolution R

The Clerk announced that the following bills had been printed and placed upon the files of the members, Wednesday, February 9:

House Bill Nos. 5273 5274 5275 5276 5277 5278 5279 5280 5281 5282 5283 5284 5285 5286
5287 5288 5289

The Clerk announced that the following Senate bill had been received on Wednesday, February 9:

Senate Bill No. 910

By unanimous consent the House returned to the order of

Messages from the Senate**Senate Bill No. 910, entitled**

A bill to designate the Bristol road overpass that spans the railroad tracks located on Michigan highway M-121 in Genesee county as the "Preston Schmidt Overpass"; and to prescribe the duties of the state transportation department.

The Senate has passed the bill.

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

Introduction of Bills

Reps. DeWeese, Vander Roest, Van Woerkom, Birkholz, Dennis, Schermesser, DeHart, Rocca, Gielegghem, Faunce, Bovin, Brater, Voorhees, Martinez, Green, Scranton and Spade introduced

House Bill No. 5326, entitled

A bill to amend 1984 PA 218, entitled "Third party administrator act," (MCL 550.901 to 550.962) by adding section 33a.

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

Reps. Godchaux, Vander Roest, Van Woerkom, Birkholz, Dennis, Schermesser, DeHart, Rocca, Gielegghem, Faunce, Bovin, Brater, Voorhees, Martinez, DeWeese, Green, Scranton and Spade introduced

House Bill No. 5327, entitled

A bill to amend 1978 PA 368, entitled "Public health code," (MCL 333.1101 to 333.25211) by adding section 21053g.

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

Reps. Ruth Johnson, Gielegghem, Birkholz, Vander Roest, Van Woerkom, Faunce, Bovin, Brater, Voorhees, Martinez, DeWeese, Green, Scranton and Spade introduced

House Bill No. 5328, entitled

A bill to amend 1980 PA 350, entitled "The nonprofit health care corporation reform act," (MCL 550.1101 to 550.1704) by adding section 416c.

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

Reps. Vander Roest, Van Woerkom, Birkholz, Dennis, Schermesser, DeHart, Rocca, Gielegghem, Faunce, Bovin, Brater, Voorhees, Martinez, Green, DeWeese, Scranton and Spade introduced

House Bill No. 5329, entitled

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," (MCL 500.100 to 500.8302) by adding section 3406p.

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

Reps. Frank, Neumann, Pestka, Bob Brown, Kelly, Prusi, Cherry, O'Neil, Spade, Mans, Price, Martinez, Bogardus and Hale introduced

House Bill No. 5330, entitled

A bill to make, supplement, and adjust appropriations for the department of state police for the fiscal year ending September 30, 2000; to provide for the expenditure of the appropriations; and to prescribe certain conditions for the appropriations.

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

Reps. Richner and Law introduced

House Bill No. 5331, entitled

A bill to amend 1980 PA 299, entitled "Occupational code," by amending sections 1305, 1307, and 1308 (MCL 339.1305, 339.1307, and 339.1308), sections 1305 and 1307 as amended by 1988 PA 463.

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

Rep. Bisbee introduced

House Bill No. 5332, entitled

A bill to amend 1976 PA 331, entitled "Michigan consumer protection act," by amending section 4 (MCL 445.904), as amended by 1993 PA 10.

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

Rep. Ehardt introduced

House Bill No. 5333, entitled

A bill to amend 1986 PA 157, entitled "Michigan export development act," by amending section 2 (MCL 447.152), as amended by 1990 PA 304.

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

Rep. Patterson introduced

House Bill No. 5334, entitled

A bill to amend 1960 PA 136, entitled "Sale of checks act," by amending section 4 (MCL 487.904), as amended by 1990 PA 81.

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

Rep. Sanborn introduced

House Bill No. 5335, entitled

A bill to amend 1996 PA 354, entitled "Savings bank act," by amending section 102 (MCL 487.3102).

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

Rep. Wojno introduced

House Bill No. 5336, entitled

A bill to amend 1998 PA 386, entitled "Estates and protected individuals code," by amending section 1214 (MCL 700.1214).

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

Reps. Sanborn, Gosselin, Julian, Voorhees and Jansen introduced

House Bill No. 5337, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 625a (MCL 257.625a), as amended by 1998 PA 351.

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

Rep. Bradstreet moved that the House adjourn.

The motion prevailed, the time being 3:40 p.m.

Associate Speaker Pro Tempore Patterson declared the House adjourned until Thursday, February 10, at 12:00 Noon.

GARY L. RANDALL

Clerk of the House of Representatives.

