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Senate Chamber, Lansing, Tuesday, April 24, 2007.

10:00 a.m.

The Senate was called to order by the President, Lieutenant Governor John D. Cherry, Jr.

The roll was called by the Secretary of the Senate, who announced that a quorum was present.

Allen—present  
Anderson—present  
Barcia—present  
Basham—present  
Birkholz—present  
Bishop—present  
Brater—present  
Brown—present  
Cassis—present  
Cherry—present  
Clark-Coleman—present  
Clarke—present  
Cropsey—present

Garcia—present  
George—present  
Gilbert—present  
Gleason—present  
Hardiman—present  
Hunter—present  
Jacobs—present  
Jansen—present  
Jelinek—present  
Kahn—present  
Kuipers—present  
McManus—present  
Olshove—present

Pappageorge—present  
Patterson—present  
Prusi—present  
Richardville—present  
Sanborn—present  
Schauer—present  
Scott—present  
Stamas—present  
Switalski—present  
Thomas—present  
Van Woerkom—present  
Whitmer—present

Senator Samuel Buzz Thomas III of the 4th District offered the following invocation:

Heavenly Father, today we come before You with heads bowed low and hearts humbled. We recognize Your great works and ceaseless love, and we ask that You bestow upon us the wisdom to do what is right and what is just.

We ask that You give us the power to look upon our fellow men and women and not judge them upon the color of their skin or their political party, but whether they are carrying out Your wishes and Your plans; for You are the source for all that is right and just in this world. You have the power to move mountains and move hearts of entire nations.

We have only You to thank for this day and every day that is given to us. I pray that we spend today and every day doing Your work.

In this we ask Your blessing. Amen.

The President, Lieutenant Governor Cherry, led the members of the Senate in recital of the *Pledge of Allegiance*.

### Motions and Communications

Senators Patterson and Garcia entered the Senate Chamber.

Senator Thomas moved that Senator Barcia be temporarily excused from today's session.

The motion prevailed.

Senator Cropsey moved that the rules be suspended and that the following bill, now on Committee Reports, be placed on the General Orders calendar for consideration today:

**House Bill No. 4143**

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

Senator Cropsey moved that the rules be suspended and that the following resolution, now on Committee Reports, be placed on the Resolutions calendar for consideration today:

**Senate Resolution No. 33**

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

The Secretary announced that the following official bills were printed on Thursday, April 19, and are available at the legislative website:

<b>Senate Bill Nos.</b>	<b>401</b>	<b>402</b>	<b>403</b>	<b>404</b>	<b>405</b>	<b>406</b>	<b>407</b>	<b>408</b>	<b>409</b>	<b>410</b>	<b>411</b>	<b>412</b>	<b>413</b>	<b>414</b>
<b>House Bill Nos.</b>	<b>4606</b>	<b>4607</b>	<b>4608</b>											

The Secretary announced that the following official bills were printed on Friday, April 20, and are available at the legislative website:

<b>Senate Bill Nos.</b>	<b>415</b>	<b>416</b>	<b>417</b>	<b>418</b>	<b>419</b>	<b>420</b>	<b>421</b>	<b>422</b>	<b>423</b>					
<b>House Bill Nos.</b>	<b>4609</b>	<b>4610</b>	<b>4611</b>	<b>4612</b>	<b>4613</b>	<b>4614</b>	<b>4615</b>	<b>4616</b>	<b>4617</b>	<b>4618</b>	<b>4619</b>	<b>4620</b>	<b>4621</b>	<b>4622</b>
	<b>4623</b>	<b>4624</b>	<b>4625</b>	<b>4626</b>	<b>4627</b>	<b>4628</b>								

### Messages from the House

Senator Barcia entered the Senate Chamber.

**Senate Bill No. 220, entitled**

A bill to make, supplement, and adjust appropriations for various state departments and agencies, the legislative branch, and the judicial branch for the fiscal year ending September 30, 2007; to provide for the expenditure of the appropriations; and to repeal acts and parts of acts.

Substitute (H-1).

The question being on concurring in the substitute made to the bill by the House,

The substitute was not concurred in, a majority of the members serving not voting therefor, as follows:

**Roll Call No. 63**

**Yeas—0**

**Nays—38**

Allen	Clark-Coleman	Jansen	Richardville
Anderson	Clarke	Jelinek	Sanborn
Barcia	Cropsey	Kahn	Schauer
Basham	Garcia	Kuipers	Scott
Birkholz	George	McManus	Stamas
Bishop	Gilbert	Olshove	Switalski
Brater	Gleason	Pappageorge	Thomas
Brown	Hardiman	Patterson	Van Woerkom
Cassis	Hunter	Prusi	Whitmer
Cherry	Jacobs		

**Excused—0**

**Not Voting—0**

In The Chair: President

**Senate Bill No. 221, entitled**

A bill to amend 1979 PA 94, entitled “The state school aid act of 1979,” by amending sections 3, 11, 11g, 11j, 22a, 22b, 26b, 31a, 51a, 51c, 65, 81, and 147 (MCL 388.1603, 388.1611, 388.1611g, 388.1611j, 388.1622a, 388.1622b, 388.1626b, 388.1631a, 388.1651a, 388.1651c, 388.1665, 388.1681, and 388.1747), sections 3, 11, 11g, 11j, 22a, 22b, 26b, 31a, 51a, 51c, 81, and 147 as amended and section 65 as added by 2006 PA 342; and to repeal acts and parts of acts.

Substitute (H-3).

The question being on concurring in the substitute made to the bill by the House,

The substitute was concurred in, a majority of the members serving voting therefor, as follows:

**Roll Call No. 64**

**Yeas—37**

Allen	Clark-Coleman	Jacobs	Richardville
Anderson	Clarke	Jansen	Sanborn
Barcia	Cropsey	Jelinek	Schauer
Basham	Garcia	Kuipers	Scott
Birkholz	George	McManus	Stamas
Bishop	Gilbert	Olshove	Switalski
Brater	Gleason	Pappageorge	Thomas
Brown	Hardiman	Patterson	Van Woerkom
Cassis	Hunter	Prusi	Whitmer
Cherry			

**Nays—1**

Kahn

**Excused—0**

**Not Voting—0**

In The Chair: President

Senator Cropsey moved that the bill be given immediate effect.  
 The motion prevailed, 2/3 of the members serving voting therefor.  
 The Senate agreed to the title as amended.  
 The bill was referred to the Secretary for enrollment printing and presentation to the Governor.

**Third Reading of Bills**

Senator Cropsey moved that the following bills be placed at the head of the Third Reading of Bills calendar:  
**Senate Bill No. 400**  
**Senate Bill No. 210**  
**Senate Bill No. 211**  
 The motion prevailed.

The following bill was read a third time:  
**Senate Bill No. 400, entitled**

A bill to amend 1974 PA 198, entitled “An act to provide for the establishment of plant rehabilitation districts and industrial development districts in local governmental units; to provide for the exemption from certain taxes; to levy and collect a specific tax upon the owners of certain facilities; to impose and provide for the disposition of an administrative fee; to provide for the disposition of the tax; to provide for the obtaining and transferring of an exemption certificate and to prescribe the contents of those certificates; to prescribe the powers and duties of the state tax commission and certain officers of local governmental units; and to provide penalties,” by amending section 2 (MCL 207.552), as amended by 2005 PA 267.

The question being on the passage of the bill,  
 The bill was passed, a majority of the members serving voting therefor, as follows:

**Roll Call No. 65****Yeas—38**

Allen	Clark-Coleman	Jansen	Richardville
Anderson	Clarke	Jelinek	Sanborn
Barcia	Cropsey	Kahn	Schauer
Basham	Garcia	Kuipers	Scott
Birkholz	George	McManus	Stamas
Bishop	Gilbert	Olshove	Switalski
Brater	Gleason	Pappageorge	Thomas
Brown	Hardiman	Patterson	Van Woerkom
Cassis	Hunter	Prusi	Whitmer
Cherry	Jacobs		

**Nays—0****Excused—0****Not Voting—0**

In The Chair: President

The Senate agreed to the title of the bill.

The following bill was read a third time:

**Senate Bill No. 210, entitled**

A bill to amend 1949 PA 300, entitled “Michigan vehicle code,” by amending section 806 (MCL 257.806), as amended by 2006 PA 526.

The question being on the passage of the bill,

The bill was passed, a majority of the members serving voting therefor, as follows:

**Roll Call No. 66**

**Yeas—37**

Allen	Clark-Coleman	Jacobs	Richardville
Anderson	Clarke	Jansen	Sanborn
Barcia	Cropsey	Jelinek	Schauer
Basham	Garcia	Kuipers	Scott
Birkholz	George	McManus	Stamas
Bishop	Gilbert	Olshove	Switalski
Brater	Gleason	Pappageorge	Thomas
Brown	Hardiman	Patterson	Van Woerkom
Cassis	Hunter	Prusi	Whitmer
Cherry			

**Nays—1**

Kahn

**Excused—0**

**Not Voting—0**

In The Chair: President

The Senate agreed to the title of the bill.

The following bill was read a third time:

**Senate Bill No. 211, entitled**

A bill to amend 1949 PA 300, entitled “Michigan vehicle code,” by amending section 809 (MCL 257.809), as amended by 2005 PA 141.

The question being on the passage of the bill,

The bill was passed, a majority of the members serving voting therefor, as follows:

**Roll Call No. 67**

**Yeas—37**

Allen	Clark-Coleman	Jacobs	Richardville
Anderson	Clarke	Jansen	Sanborn
Barcia	Cropsey	Jelinek	Schauer
Basham	Garcia	Kuipers	Scott
Birkholz	George	McManus	Stamas
Bishop	Gilbert	Olshove	Switalski
Brater	Gleason	Pappageorge	Thomas

Brown  
Cassis  
Cherry

Hardiman  
Hunter

Patterson  
Prusi

Van Woerkom  
Whitmer

**Nays—1**

Kahn

**Excused—0**

**Not Voting—0**

In The Chair: President

The Senate agreed to the title of the bill.

By unanimous consent the Senate proceeded to the order of

**Resolutions**

Senator Cropsey moved that consideration of the following resolution be postponed for today:

**Senate Resolution No. 25**

The motion prevailed.

The question was placed on the adoption of the following resolution consent calendar:

**Senate Resolution No. 45**

The resolution consent calendar was adopted.

Senators Cropsey, Kahn and Brater offered the following resolution:

**Senate Resolution No. 45.**

A resolution to memorialize the United States Congress to enact the Second Chance Act to help juvenile and adult ex-offenders to successfully reenter their communities.

Whereas, The transition from confinement to release presents both great risks and opportunities for young ex-offenders and the communities in which they live. Unsuccessful transitions into the community can result in an alarmingly high recidivism rate for offenders. Effective reentry programs can reduce recidivism rates by providing the necessary support and resources to guide ex-offenders through a successful transition from confinement to community life; and

Whereas, Comprehensive reentry programs are especially effective among young people. With their development still in progress, young ex-offenders are more amenable to effective behavior modification interventions, thus saving lives, anguish, and public tax dollars. An example of an effective program that reduces recidivism is Multidimensional Treatment Foster Care (MTFC). This program provides services to youth and their families to assist in the transition from confinement to reentry into the community. MTFC includes ongoing supervision, frequent contact, and coordination of services with the youth's probation officer, teachers, and other involved adults. Studies show that youths in MTFC were less likely to turn back to crime compared to ex-offenders in residential group homes; and

Whereas, Research-based reentry programs such as MTFC not only reduce crime, but they are also cost effective. Currently, many young people are released unconditionally when they "age-out" of juvenile court jurisdiction and are not provided access to family reunification or aftercare services. Such unconditional releases increase the likelihood that ex-offenders will return to crime. MTFC and similar programs could save taxpayers thousands of dollars and could save innocent people the heartache of suffering from a criminal attack; and

Whereas, The Second Chance Act calls for an authorization of around \$200 million over two years to assist ex-offenders in making a successful transition from confinement to release into the community. The United States Department of Justice would administer demonstration grants to states and local governments to provide and coordinate reentry programs for juvenile and adult offenders. This legislation includes family reunification services, job training, education, housing,

and substance abuse and mental health services. This legislation would establish a federal interagency task force on offender reentry, provide research on reentry, and create a national resource center to collect and disseminate information on best practices in offender reentry; now, therefore, be it

Resolved by the Senate, That we memorialize the United States Congress to enact the Second Chance Act to help juvenile and adult ex-offenders to successfully reenter their communities; and be it further

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

Senators Cherry, Clarke, Kuipers, Prusi and Schauer were named co-sponsors of the resolution.

**Senate Resolution No. 33.**

A resolution designating April 22 - May 1, 2007, as Michigan Conservation Week.

The question being on adoption of the resolution,

The resolution was adopted.

Senator Birkholz asked and was granted unanimous consent to make a statement and moved that the statement be printed in the Journal.

The motion prevailed.

Senator Birkholz's statement is as follows:

The resolution before us today, Senate Resolution No. 33, is a resolution declaring April 22 through May 1 as Conservation Week in Michigan. This is a way for us to celebrate and honor the conservation ethic and the large number of groups and individuals in our state who are responsible for conserving our natural resources. This is an effort whose time has come.

For several years, we talked about conservation. We have talked about Earth Day, but we have not really honored a conservation week. And it's a way for us to honor the people who work so hard at all levels of government and at all levels of community effort to honor our historic and natural resources and to hold them up as something that should, first of all, be acknowledged, and secondly, preserved for those who come after us.

So I would urge you all to help us celebrate Conservation Week by, first of all, voting for the resolution before us, and then secondly, joining in all the activities of this week. You have on your desks seedlings which honor the beginning of Conservation Week in Michigan, and we will have other activities throughout the week.

So I hope you will join me in supporting this resolution.

Senators Richardville, Kahn and Birkholz offered the following resolution:

**Senate Resolution No. 43.**

A resolution to memorialize the Congress of the United States to enact legislation to provide funding for the continuing restoration and protection of the Great Lakes.

Whereas, The Great Lakes constitute a resource of the utmost importance, connecting the American Midwest to the international community. Domestic and foreign vessels ship raw materials, industrial products, and food among ports on the Great Lakes and the rest of the world. In addition, the Great Lakes hold 20 percent of the world's fresh surface water and 95 percent of the United States' fresh surface water. The quality and quantity of this fresh water treasure are vital to the health and commercial well-being of millions of Americans; and

Whereas, Despite Michigan's efforts, the Great Lakes are ailing from a multitude of stressors, including aquatic invasive species, toxic contamination of river and lake sediments, partially or inadequately treated sewage discharges, pollution from nonpoint sources, and coastal habitat loss. Combined, these stressors will have long-lasting effects on the Great Lakes, Michigan's economy, and our way of life; and

Whereas, In the past, the Congress of the United States has provided support for numerous projects to protect and conserve our natural resources. Most prominently, Congress enacted legislation to fund the restoration of the Everglades and the South Florida ecosystem, including several billion dollars in funding to the state of Florida. While the Everglades and the South Florida ecosystem are clearly a unique resource, the Great Lakes have even greater national and international economic significance; and

Whereas, With the Great Lakes at the heart of American industrial and agricultural production and the source of recreation for millions of people, the United States of America must do all it can to ensure the viability and health of the lakes; now, therefore, be it

Resolved by the Senate, That we memorialize the Congress of the United States to fund the restoration and protection of the Great Lakes with similar appropriations that have been afforded the Florida Everglades and the South Florida ecosystem; and be it further

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

Pending the order that, under rule 3.204, the resolution be referred to the Committee on Government Operations and Reform,

Senator Cropsey moved that the rule be suspended.

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

The question being on the adoption of the resolution,

Senator Cropsey moved that the resolution be referred to the Committee on Natural Resources and Environmental Affairs.

The motion prevailed.

Senators Anderson, Barcia, Cherry, Clarke, Gilbert, Kuipers and Prusi were named co-sponsors of the resolution.

Senators Anderson, Whitmer, Thomas, Hunter, Basham, Gleason, Schauer, Cherry, Prusi, Barcia, Switalski, Clark-Coleman, Jacobs and Scott offered the following resolution:

**Senate Resolution No. 44.**

A resolution to memorialize the Congress of the United States to advance legislation to address the problem of bullying in schools through the reauthorization of the No Child Left Behind Act, by amending the Safe and Drug-Free Schools Act.

Whereas, The widespread problem of bullying affects one out of three American children in sixth through the tenth grades. It can lead to more serious consequences, including violent crime and death; and

Whereas, The most serious bullies are seven times more likely than other children to carry a weapon to school. Moreover, one study demonstrated that four of every ten boys who bullied others as a child had three or four criminal convictions by the time they turned age 24; and

Whereas, Fortunately, there are cost-effective, evidence-based programs that can prevent bullying and later crime and violence. For example, the Olweus Bullying Prevention Program produced a 50 percent reduction in bullying in Norway and a 20 percent reduction when it was replicated in South Carolina; and

Whereas, The Office of Juvenile Justice and Delinquency Prevention (OJJDP) and the Substance Abuse and Mental Health Services Administration (SAMHSA) have recognized this approach as a model program. Key components include:

- A school survey to determine the prevalence of bullying;
- Training, through a school conference day, for all school personnel and parent and student representatives, to review the survey results and plan program implementation;
- A bullying prevention committee (including a school administrator, a teacher from each grade, a guidance counselor, a school-based mental health professional or school psychologist, and parent and student representatives) to implement the program;
- School rules prohibiting bullying and outlining appropriate behaviors and appropriate consequences for those who engage in bullying as well as guidelines for those who help prevent bullying;
- Adequate adult supervision of outdoor areas, hallways, the lunchroom, and other specific areas where bullying is likely to take place;
- Class meetings to discuss the problem of bullying;
- Individual interventions with the bully, parents, and school staff, and interventions with the bullied child, parents, and school staff; and
- Parent involvement through participation in meetings, trainings, and individual interventions, as well as through information dissemination.

; now, therefore, be it

Resolved by the Senate, That we hereby memorialize the Congress of the United States to advance legislation to address the problem of bullying in our nation's schools as part of the Congress' reauthorization of the No Child Left Behind Act, by amending the Safe and Drug-Free Schools Act to facilitate the implementation of these important evidence-based, bullying-prevention program components in every school district across the nation; and be it further

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

Pending the order that, under rule 3.204, the resolution be referred to the Committee on Government Operations and Reform,

Senator Cropsey moved that the rule be suspended.

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

The question being on the adoption of the resolution,

Senator Cropsey moved that the resolution be referred to the Committee on Education.

The motion prevailed.

Senator Clarke was named co-sponsor of the resolution.



Senators Kahn, Richardville and Birkholz offered the following concurrent resolution:

**Senate Concurrent Resolution No. 9.**

A concurrent resolution to memorialize the Congress of the United States to enact legislation to provide funding for the continuing restoration and protection of the Great Lakes.

Whereas, The Great Lakes constitute a resource of the utmost importance, connecting the American Midwest to the international community. Domestic and foreign vessels ship raw materials, industrial products, and food among ports on the Great Lakes and the rest of the world. In addition, the Great Lakes hold 20 percent of the world's fresh surface water and 95 percent of the United States' fresh surface water. The quality and quantity of this fresh water treasure are vital to the health and commercial well-being of millions of Americans; and

Whereas, Despite Michigan's efforts, the Great Lakes are ailing from a multitude of stressors, including aquatic invasive species, toxic contamination of river and lake sediments, partially or inadequately treated sewage discharges, pollution from nonpoint sources, and coastal habitat loss. Combined, these stressors will have long-lasting effects on the Great Lakes, Michigan's economy, and our way of life; and

Whereas, In the past, the Congress of the United States has provided support for numerous projects to protect and conserve our natural resources. Most prominently, Congress enacted legislation to fund the restoration of the Everglades and the South Florida ecosystem, including several billion dollars in funding to the state of Florida. While the Everglades and the South Florida ecosystem are clearly a unique resource, the Great Lakes have even greater national and international economic significance; and

Whereas, With the Great Lakes at the heart of American industrial and agricultural production and the source of recreation for millions of people, the United States of America must do all it can to ensure the viability and health of the lakes; now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That we memorialize the Congress of the United States to fund the restoration and protection of the Great Lakes with similar appropriations that have been afforded the Florida Everglades and the South Florida ecosystem; and be it further

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

Pending the order that, under rule 3.204, the concurrent resolution be referred to the Committee on Government Operations and Reform,

Senator Cropsey moved that the rule be suspended.

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

The question being on the adoption of the concurrent resolution,

Senator Cropsey moved that the concurrent resolution be referred to the Committee on Natural Resources and Environmental Affairs.

The motion prevailed.

Senators Anderson, Barcia, Cherry, Clarke, Gilbert, Kuipers and Prusi were named co-sponsors of the concurrent resolution.

**House Concurrent Resolution No. 8.**

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 A, Special Maintenance Roof Repairs (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, before the State may enter into a lease with the Authority upon a showing of a public purpose; 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 A, Special Maintenance Roof Repairs shall not exceed \$5,296,000 (the Authority share is \$5,295,800 and the State General Fund/General Purpose share is \$200), plus interest charges on monies advanced by the State to meet the construction cash flow requirements

of the Facility, if any, of which not more than \$5,295,800, 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 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 \$407,000 and \$516,000, 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 House of Representatives has adopted the concurrent resolution.

Pending the order that, under rule 3.204, the concurrent resolution be referred to the Committee on Government Operations and Reform,

Senator Cropsey moved that the rule be suspended.

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

The question being on the adoption of the concurrent resolution,

Senator Cropsey moved that the concurrent resolution be referred to the Committee on Appropriations.

The motion prevailed.

Senators Cherry, Clarke and Schauer were named co-sponsors of the concurrent resolution.

### **House Concurrent Resolution No. 9.**

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 Management and Budget State Facility Preservation Phase I, Phase II, Group D, Joint Operations Center.

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

Whereas, The site for the Department of Management and Budget State Facility Preservation Phase I, Phase II, Group D, Joint Operations Center, located in Ingham County, (the "Facility") is currently owned by the State; and

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

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

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

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

Resolved by the House of Representatives (the Senate concurring), That the Total Facility Cost for the Department of Management and Budget State Facility Preservation Phase I, Phase II, Group D, Joint Operations Center shall not exceed \$3,000,000 (the Authority share is \$3,000,000 and the State General Fund/General Purpose share is \$0), plus interest charges on monies advanced by the State to meet the construction cash flow requirements of the Facility, if any, of which not more than \$3,000,000, plus interest charges on monies advanced by the State to meet the construction cash flow requirements of the Facility, if any, shall be financed from bonds issued by the Authority, exclusive of amounts necessary for reserves, interest, or other nonconstruction costs; and be it further

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

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

Resolved, That the annual amounts of "True Rental" for the Facility shall be within or below the range of \$231,000 and \$292,000, 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 House of Representatives has adopted the concurrent resolution.

Pending the order that, under rule 3.204, the concurrent resolution be referred to the Committee on Government Operations and Reform,

Senator Cropsey moved that the rule be suspended.

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

The question being on the adoption of the concurrent resolution,

Senator Cropsey moved that the concurrent resolution be referred to the Committee on Appropriations.

The motion prevailed.

Senators Cherry, Clarke and Schauer were named co-sponsors of the concurrent resolution.

#### **House Concurrent Resolution No. 10.**

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 Bay de Noc Community College relative to the Bay de Noc Community College West Campus Facility.

Whereas, Section 5 of 1964 PA 183, as amended, being MCL § 830.415, requires the approval of the Board of Trustees of Bay de Noc 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 Bay de Noc Community College West Campus Facility (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 Bay de Noc Community College West Campus Facility shall not exceed \$12,048,000 (the Authority share is \$5,874,100, the State General Fund/General Purpose share is \$200, and the Educational Institution share is \$6,173,700), plus interest charges on monies advanced by the State to meet the construction cash flow requirements of the Facility, if any, of which not more than \$5,874,100, plus interest charges on monies advanced by the State to meet the construction cash flow requirements of the Facility, if any, shall be financed from bonds issued by the Authority, exclusive of amounts necessary for reserves, interest, or other nonconstruction costs; and be it further

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

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

Resolved, That the annual amounts of "True Rental" for the Facility shall be within or below the range of \$391,000 and \$512,000, 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 Bay de Noc Community College, and the State Budget Director.

The House of Representatives has adopted the concurrent resolution.

Pending the order that, under rule 3.204, the concurrent resolution be referred to the Committee on Government Operations and Reform,

Senator Cropsey moved that the rule be suspended.

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

The question being on the adoption of the concurrent resolution,

Senator Cropsey moved that the concurrent resolution be referred to the Committee on Appropriations.

The motion prevailed.

Senators Cherry, Clarke, Prusi and Schauer were named co-sponsors of the concurrent resolution.

### **House Concurrent Resolution No. 11.**

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 Southwestern Michigan College relative to the Southwestern Michigan College Information Technology Center Renovations.

Whereas, Section 5 of 1964 PA 183, as amended, being MCL § 830.415, requires the approval of the Board of Trustees of Southwestern Michigan 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 Southwestern Michigan College Information Technology Center 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 Southwestern Michigan College Information Technology Center Renovations shall not exceed \$5,047,700 (the Authority share is \$2,249,800, the State General Fund/General Purpose share is \$200, and the Educational Institution share is \$2,797,700), plus interest charges on monies advanced by the State to meet the construction cash flow requirements of the Facility, if any, of which not more than \$2,249,800, 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 \$150,000 and \$196,000, 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 Southwestern Michigan College, and the State Budget Director.

The House of Representatives has adopted the concurrent resolution.

Pending the order that, under rule 3.204, the concurrent resolution be referred to the Committee on Government Operations and Reform,

Senator Cropsey moved that the rule be suspended.

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

The question being on the adoption of the concurrent resolution,

Senator Cropsey moved that the concurrent resolution be referred to the Committee on Appropriations.

The motion prevailed.

Senators Cherry, Clarke and Schauer were named co-sponsors of the concurrent resolution.

### **House Concurrent Resolution No. 12.**

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 Lansing Community College relative to the Lansing Community College University Center.

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

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

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

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

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

Resolved by the House of Representatives (the Senate concurring), That the Total Facility Cost for the Lansing Community College University Center shall not exceed \$11,000,000 (the Authority share is \$4,999,800, the State General Fund/General Purpose share is \$200, and the Educational Institution share is \$6,000,000), plus interest charges on monies advanced by the State to meet the construction cash flow requirements of the Facility, if any, of which not more than \$4,999,800, plus interest charges on monies advanced by the State to meet the construction cash flow requirements of the Facility, if any, shall be financed from bonds issued by the Authority, exclusive of amounts necessary for reserves, interest, or other nonconstruction costs; and be it further

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

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

Resolved, That the annual amounts of "True Rental" for the Facility shall be within or below the range of \$333,000 and \$436,000, 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 Lansing Community College, and the State Budget Director.

The House of Representatives has adopted the concurrent resolution.

Pending the order that, under rule 3.204, the concurrent resolution be referred to the Committee on Government Operations and Reform,

Senator Cropsey moved that the rule be suspended.

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

The question being on the adoption of the concurrent resolution,

Senator Cropsey moved that the concurrent resolution be referred to the Committee on Appropriations.

The motion prevailed.

Senators Cherry, Clarke and Schauer were named co-sponsors of the concurrent resolution.

### **House Concurrent Resolution No. 13.**

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 Mid Michigan Community College relative to the Mid Michigan Community College Science and Technology Center.

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

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

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

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

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

Resolved by the House of Representatives (the Senate concurring), That the Total Facility Cost for the Mid Michigan Community College Science and Technology Center shall not exceed \$16,475,000 (the Authority share is \$8,237,300, the State General Fund/General Purpose share is \$200, and the Educational Institution share is \$8,237,500), plus interest charges on monies advanced by the State to meet the construction cash flow requirements of the Facility, if any, of which not more than \$8,237,300, 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 \$554,000 and \$725,000, 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 Mid Michigan Community College, and the State Budget Director.

The House of Representatives has adopted the concurrent resolution.

Pending the order that, under rule 3.204, the concurrent resolution be referred to the Committee on Government Operations and Reform,

Senator Cropsey moved that the rule be suspended.

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

The question being on the adoption of the concurrent resolution,

Senator Cropsey moved that the concurrent resolution be referred to the Committee on Appropriations.

The motion prevailed.

Senators Barcia, Cherry, Clarke and Schauer were named co-sponsors of the concurrent resolution.

**House Concurrent Resolution No. 14.**

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 Montcalm Community College relative to the Montcalm Community College Life Science Training Facility.

Whereas, Section 5 of 1964 PA 183, as amended, being MCL § 830.415, requires the approval of the Board of Trustees of Montcalm 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 Montcalm Community College Life Science Training Facility (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 Montcalm Community College Life Science Training Facility shall not exceed \$7,500,000 (the Authority share is \$2,999,800, the State General Fund/General Purpose share is \$200, and the Educational Institution share is \$4,500,000), plus interest charges on monies advanced by the State to meet the construction cash flow requirements of the Facility, if any, of which not more than \$2,999,800, plus interest charges on monies advanced by the State to meet the construction cash flow requirements of the Facility, if any, shall be financed from bonds issued by the Authority, exclusive of amounts necessary for reserves, interest, or other nonconstruction costs; and be it further

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

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

Resolved, That the annual amounts of "True Rental" for the Facility shall be within or below the range of \$200,000 and \$261,000, 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 Montcalm Community College, and the State Budget Director.

The House of Representatives has adopted the concurrent resolution.

Pending the order that, under rule 3.204, the concurrent resolution be referred to the Committee on Government Operations and Reform,

Senator Cropsey moved that the rule be suspended.

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

The question being on the adoption of the concurrent resolution,

Senator Cropsey moved that the concurrent resolution be referred to the Committee on Appropriations.

The motion prevailed.

Senators Cherry, Clarke and Schauer were named co-sponsors of the concurrent resolution.

**House Concurrent Resolution No. 15.**

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 Saginaw Valley State University relative to the Saginaw Valley State University Pioneer Hall Renovations.

Whereas, Section 5 of 1964 PA 183, as amended, being MCL § 830.415, requires the approval of the Board of Control of Saginaw Valley State University (the "Educational Institution"), the State Administrative Board, and the Michigan

Legislature by concurrent resolution concurred in by a majority of the members elected to and serving in each house, with the votes and names of the members voting thereon entered in the journal, before land owned by the Educational Institution may be conveyed to the State Building Authority (the "Authority"); and

Whereas, The site for the Saginaw Valley State University Pioneer Hall 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 Saginaw Valley State University Pioneer Hall Renovations shall not exceed \$16,000,000 (the Authority share is \$11,999,800, the State General Fund/General Purpose share is \$200, and the Educational Institution share is \$4,000,000), plus interest charges on monies advanced by the State to meet the construction cash flow requirements of the Facility, if any, of which not more than \$11,999,800, plus interest charges on monies advanced by the State to meet the construction cash flow requirements of the Facility, if any, shall be financed from bonds issued by the Authority, exclusive of amounts necessary for reserves, interest, or other nonconstruction costs; and be it further

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

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

Resolved, That the annual amounts of "True Rental" for the Facility shall be within or below the range of \$799,000 and \$1,045,000, 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 Control of Saginaw Valley State University, and the State Budget Director.

The House of Representatives has adopted the concurrent resolution.

Pending the order that, under rule 3.204, the concurrent resolution be referred to the Committee on Government Operations and Reform,

Senator Cropsey moved that the rule be suspended.

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

The question being on the adoption of the concurrent resolution,

Senator Cropsey moved that the concurrent resolution be referred to the Committee on Appropriations.

The motion prevailed.

Senators Cherry, Clarke and Schauer were named co-sponsors of the concurrent resolution.

### **House Concurrent Resolution No. 16.**

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 Schoolcraft College relative to the Schoolcraft College Technical Services Facility.

Whereas, Section 5 of 1964 PA 183, as amended, being MCL § 830.415, requires the approval of the Board of Trustees of Schoolcraft 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 Schoolcraft College Technical Services Facility (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 Schoolcraft College Technical Services Facility shall not exceed \$12,700,000 (the Authority share is \$5,019,700, the State General Fund/General Purpose share is \$200, and the Educational Institution share is \$7,680,100), plus interest charges on monies advanced by the State to meet the construction cash flow requirements of the Facility, if any, of which not more than \$5,019,700, 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 \$334,000 and \$437,000, 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 Schoolcraft College, and the State Budget Director.

The House of Representatives has adopted the concurrent resolution.

Pending the order that, under rule 3.204, the concurrent resolution be referred to the Committee on Government Operations and Reform,

Senator Cropsey moved that the rule be suspended.

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

The question being on the adoption of the concurrent resolution,

Senator Cropsey moved that the concurrent resolution be referred to the Committee on Appropriations.

The motion prevailed.

Senators Cherry, Clarke and Schauer were named co-sponsors of the concurrent resolution.

### **House Concurrent Resolution No. 17.**

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 Ferris State University relative to the Ferris State University Instructional Resource Center.

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

Whereas, The site for the Ferris State University Instructional Resource Center (the "Facility") is currently owned by the Educational Institution; and

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

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

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

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

Resolved by the House of Representatives (the Senate concurring), That the Total Facility Cost for the Ferris State University Instructional Resource Center shall not exceed \$8,500,000 (the Authority share is \$5,624,800, the State General Fund/General Purpose share is \$200, and the Educational Institution share is \$2,875,000), plus interest charges on monies advanced by the State to meet the construction cash flow requirements of the Facility, if any, of which not more than \$5,624,800, 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 \$375,000 and \$490,000, 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 Ferris State University, and the State Budget Director.

The House of Representatives has adopted the concurrent resolution.

Pending the order that, under rule 3.204, the concurrent resolution be referred to the Committee on Government Operations and Reform,

Senator Cropsey moved that the rule be suspended.

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

The question being on the adoption of the concurrent resolution,

Senator Cropsey moved that the concurrent resolution be referred to the Committee on Appropriations.

The motion prevailed.

Senators Cherry, Clarke and Schauer were named co-sponsors of the concurrent resolution.

By unanimous consent the Senate returned to the order of

### **Motions and Communications**

Senator Cropsey moved that the rules be suspended and that the following bill, now on Committee Reports, be placed on the General Orders calendar for consideration today:

#### **Senate Bill No. 404**

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

The following communication was received and read:

Office of the Senate Majority Leader

April 24, 2007

Pursuant to Joint Rule 3, the Senate having non-concurred in the House substitute (H-1) to Senate Bill 220 appoints the following members to sit on the conference committee:

Senator Michael D. Bishop, Chair

Senator Ron Jelinek

Senator Michael Switalski

Thank you for your prompt consideration of this matter.

Sincerely,  
Senator Michael D. Bishop  
Majority Leader  
State Senate, 12th District

The communication was referred to the Secretary for record.

By unanimous consent the Senate proceeded to the order of  
**General Orders**

Senator Cropsey moved that the Senate resolve itself into the Committee of the Whole for consideration of the General Orders calendar.

The motion prevailed, and the President, Lieutenant Governor Cherry, designated Senator Hunter as Chairperson.

After some time spent therein, the Committee arose; and, the President pro tempore, Senator Richardville, having assumed the Chair, the Committee reported back to the Senate, favorably and with a substitute therefor, the following bill:

**Senate Bill No. 404, entitled**

A bill to make, supplement, and adjust appropriations for various state departments and agencies for the fiscal year ending September 30, 2007; and to provide for the expenditure of the appropriations.

Substitute (S-2).

The Senate agreed to the substitute recommended by the Committee of the Whole, and the bill as substituted was placed on the order of Third Reading of Bills.

The Committee of the Whole reported back to the Senate, favorably and with a substitute therefor, the following bill:  
**Senate Bill No. 360, 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 sections 11e and 11f (MCL 247.661e and 247.661f), section 11e as amended by 2006 PA 141 and section 11f as added by 2006 PA 140.

Substitute (S-2).

The Senate agreed to the substitute recommended by the Committee of the Whole, and the bill as substituted was placed on the order of Third Reading of Bills.

The Committee of the Whole reported back to the Senate, favorably and with a substitute therefor, the following bill:  
**House Bill No. 4143, entitled**

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 80114, 80122, 80124, 80144, 80145, 80146, 80149, 80151, 80152, 80155, 80169, 80180, 80198b, 80205, and 80209 (MCL 324.80114, 324.80122, 324.80124, 324.80144, 324.80145, 324.80146, 324.80149, 324.80151, 324.80152, 324.80155, 324.80169, 324.80180, 324.80198b, 324.80205, and 324.80209), sections 80114, 80122, 80124, 80144, 80145, 80146, 80149, 80151, 80155, 80169, and 80198b as added by 1995 PA 58, section 80152 as amended by 1999 PA 19, section 80180 as amended by 1996 PA 174, section 80205 as amended by 2004 PA 27, and section 80209 as added by 2000 PA 229.

Substitute (S-1).

The following is the amendment to the substitute recommended by the Committee of the Whole:

1. Amend page 22, following line 16, by inserting:

"Enacting section 1. Enacting section 1 of 2004 PA 547 is repealed."

The Senate agreed to the substitute, as amended, recommended by the Committee of the Whole, and the bill as substituted was placed on the order of Third Reading of Bills.

By unanimous consent the Senate returned to the order of

**Third Reading of Bills**

Senator Cropsey moved that the rules be suspended and that the following bills, now on the order of Third Reading of Bills, be placed on their immediate passage at the head of the Third Reading of Bills calendar:

**Senate Bill No. 404**

**House Bill No. 4143**

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

The following bill was read a third time:

**Senate Bill No. 404, entitled**

A bill to make, supplement, and adjust appropriations for various state departments and agencies and for capital outlay for the fiscal year ending September 30, 2007; to provide for the expenditure of the appropriations; and to repeal acts and parts of acts.

The question being on the passage of the bill,

The bill was passed, a majority of the members serving voting therefor, as follows:

**Roll Call No. 68**

**Yeas—38**

Allen	Clark-Coleman	Jansen	Richardville
Anderson	Clarke	Jelinek	Sanborn
Barcia	Cropsey	Kahn	Schauer
Basham	Garcia	Kuipers	Scott
Birkholz	George	McManus	Stamas
Bishop	Gilbert	Olshove	Switalski
Brater	Gleason	Pappageorge	Thomas
Brown	Hardiman	Patterson	Van Woerkom
Cassis	Hunter	Prusi	Whitmer
Cherry	Jacobs		

**Nays—0**

**Excused—0**

**Not Voting—0**

In The Chair: Richardville

The Senate agreed to the title of the bill.

The following bill was read a third time:

**House Bill No. 4143, entitled**

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 80114, 80122, 80124, 80144, 80145, 80146, 80149, 80151, 80169, 80180, 80198b, and 80205 (MCL 324.80114, 324.80122, 324.80124, 324.80144, 324.80145, 324.80146, 324.80149, 324.80151, 324.80169, 324.80180, 324.80198b, and 324.80205), sections 80114, 80122, 80124, 80144, 80145, 80146, 80149, 80151, 80169, and 80198b as added by 1995 PA 58, section 80180 as amended by 1996 PA 174, and section 80205 as amended by 2004 PA 27.

The question being on the passage of the bill,

The bill was passed, a majority of the members serving voting therefor, as follows:

**Roll Call No. 69****Yeas—38**

Allen	Clark-Coleman	Jansen	Richardville
Anderson	Clarke	Jelinek	Sanborn
Barcia	Cropsey	Kahn	Schauer
Basham	Garcia	Kuipers	Scott
Birkholz	George	McManus	Stamas
Bishop	Gilbert	Olshove	Switalski
Brater	Gleason	Pappageorge	Thomas
Brown	Hardiman	Patterson	Van Woerkom
Cassis	Hunter	Prusi	Whitmer
Cherry	Jacobs		

**Nays—0****Excused—0****Not Voting—0**

In The Chair: Richardville

The question being on concurring in the committee recommendation to give the bill immediate effect,

The recommendation was concurred in, 2/3 of the members serving voting therefor.

Senator Birkholz offered to amend the title to read as follows:

A bill to amend 1994 PA 451, entitled "An act to protect the environment and natural resources of the state; to codify, revise, consolidate, and classify laws relating to the environment and natural resources of the state; to regulate the discharge of certain substances into the environment; to regulate the use of certain lands, waters, and other natural resources of the state; to prescribe the powers and duties of certain state and local agencies and officials; to provide for certain charges, fees, assessments, and donations; to provide certain appropriations; to prescribe penalties and provide remedies; and to repeal acts and parts of acts," by amending sections 80114, 80122, 80124, 80144, 80145, 80146, 80149, 80151, 80169, 80180, 80198b, and 80205 (MCL 324.80114, 324.80122, 324.80124, 324.80144, 324.80145, 324.80146, 324.80149, 324.80151, 324.80169, 324.80180, 324.80198b, and 324.80205), sections 80114, 80122, 80124, 80144, 80145, 80146, 80149, 80151, 80169, and 80198b as added by 1995 PA 58, section 80180 as amended by 1996 PA 174, and section 80205 as amended by 2004 PA 27; and to repeal acts and parts of acts.

The amendment to the title was adopted.

The Senate agreed to the title as amended.

By unanimous consent the Senate proceeded to the order of

**Introduction and Referral of Bills**

Senators Allen, Gleason, Barcia, Stamas, Basham and Garcia introduced

**Senate Joint Resolution C, entitled**

A joint resolution proposing an amendment to the state constitution of 1963, by amending section 11 of article IX, to require that all local school districts receive the same amount of total state and local per pupil revenue for school operating purposes.

The joint resolution was read a first and second time by title and referred to the Committee on Appropriations.

Senators Prusi, Clark-Coleman, Gleason, Basham, Cherry, Schauer, Switalski, Jacobs, Scott and Whitmer introduced **Senate Bill No. 424, 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.

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

Senators Jelinek, Basham, Garcia, Kahn, Cassis and Allen introduced

**Senate Bill No. 425, entitled**

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 801 (MCL 257.801), as amended by 2006 PA 562.

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

Senators Allen, Kuipers and McManus introduced

**Senate Bill No. 426, entitled**

A bill to amend 1939 PA 3, entitled "An act to provide for the regulation and control of public and certain private utilities and other services affected with a public interest within this state; to provide for alternative energy suppliers; to provide for licensing; to include municipally owned utilities and other providers of energy under certain provisions of this act; to create a public service commission and to prescribe and define its powers and duties; to abolish the Michigan public utilities commission and to confer the powers and duties vested by law on the public service commission; to provide for the continuance, transfer, and completion of certain matters and proceedings; to abolish automatic adjustment clauses; to prohibit certain rate increases without notice and hearing; to qualify residential energy conservation programs permitted under state law for certain federal exemption; to create a fund; to provide for a restructuring of the manner in which energy is provided in this state; to encourage the utilization of resource recovery facilities; to prohibit certain acts and practices of providers of energy; to allow for the securitization of stranded costs; to reduce rates; to provide for appeals; to provide appropriations; to declare the effect and purpose of this act; to prescribe remedies and penalties; and to repeal acts and parts of acts," by amending section 6n (MCL 460.6n), as added by 1984 PA 49.

The bill was read a first and second time by title and referred to the Committee on Energy Policy and Public Utilities.

Senators Kuipers and Allen introduced

**Senate Bill No. 427, entitled**

A bill to amend 1939 PA 3, entitled "An act to provide for the regulation and control of public and certain private utilities and other services affected with a public interest within this state; to provide for alternative energy suppliers; to provide for licensing; to include municipally owned utilities and other providers of energy under certain provisions of this act; to create a public service commission and to prescribe and define its powers and duties; to abolish the Michigan public utilities commission and to confer the powers and duties vested by law on the public service commission; to provide for the continuance, transfer, and completion of certain matters and proceedings; to abolish automatic adjustment clauses; to prohibit certain rate increases without notice and hearing; to qualify residential energy conservation programs permitted under state law for certain federal exemption; to create a fund; to provide for a restructuring of the manner in which energy is provided in this state; to encourage the utilization of resource recovery facilities; to prohibit certain acts and practices of providers of energy; to allow for the securitization of stranded costs; to reduce rates; to provide for appeals; to provide appropriations; to declare the effect and purpose of this act; to prescribe remedies and penalties; and to repeal acts and parts of acts," by amending the title and section 6j (MCL 460.6j), the title as amended by 2005 PA 190 and section 6j as amended by 1987 PA 81, and by adding section 6q.

The bill was read a first and second time by title and referred to the Committee on Energy Policy and Public Utilities.

Senators McManus, Kuipers and Allen introduced

**Senate Bill No. 428, entitled**

A bill to amend 1939 PA 3, entitled "An act to provide for the regulation and control of public and certain private utilities and other services affected with a public interest within this state; to provide for alternative energy suppliers; to provide for licensing; to include municipally owned utilities and other providers of energy under certain provisions of this act; to create a public service commission and to prescribe and define its powers and duties; to abolish the Michigan public utilities commission and to confer the powers and duties vested by law on the public service commission; to provide for the continuance, transfer, and completion of certain matters and proceedings; to abolish automatic adjustment clauses; to prohibit certain rate increases without notice and hearing; to qualify residential energy conservation programs permitted under state law for certain federal exemption; to create a fund; to provide for a restructuring of the manner in which energy is provided in this state; to encourage the utilization of resource recovery facilities; to prohibit certain acts and practices of providers of energy; to allow for the securitization of stranded costs; to reduce rates; to provide for appeals; to provide appropriations; to declare the effect and purpose of this act; to prescribe remedies and penalties; and to repeal acts and parts of acts," (MCL 460.1 to 460.10cc) by amending the title, as amended by 2005 PA 190, and by adding section 6q.

The bill was read a first and second time by title and referred to the Committee on Energy Policy and Public Utilities.

Senators McManus, Birkholz, Prusi and Allen introduced

**Senate Bill No. 429, entitled**

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 41508 (MCL 324.41508), as added by 1995 PA 57, and by adding section 74127.

The bill was read a first and second time by title and referred to the Committee on Natural Resources and Environmental Affairs.

Senators Birkholz, McManus, Prusi and Allen introduced

**Senate Bill No. 430, entitled**

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," (MCL 324.101 to 324.90106) by adding section 74130.

The bill was read a first and second time by title and referred to the Committee on Natural Resources and Environmental Affairs.

Senators Prusi, McManus, Birkholz and Allen introduced

**Senate Bill No. 431, entitled**

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," (MCL 324.101 to 324.90106) by adding section 74129.

The bill was read a first and second time by title and referred to the Committee on Natural Resources and Environmental Affairs.

Senators Richardville and Sanborn introduced

**Senate Bill No. 432, entitled**

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending sections 14h and 14p of chapter XVII (MCL 777.14h and 777.14p), section 14h as amended by 2006 PA 594 and section 14p as amended by 2006 PA 251.

The bill was read a first and second time by title and referred to the Committee on Banking and Financial Institutions.

### Statements

Senators Brater, Scott, Jacobs, Clark-Coleman, Gleason and Thomas asked and were granted unanimous consent to make statements and moved that the statements be printed in the Journal.

The motion prevailed.

Senator Brater's statement is as follows:

Mr. President and colleagues, today I rise to acknowledge and mark the day that is known as Pay Equity Day. Today is the day that women have to work through to match the monies that were earned in the twelve months of the calendar year of the past year. So women have to work from January 2006 through April 2007 to match the earnings of men from January to December 2006. In other words, women on an average are earning 77 percent of the wages that men earn for comparable work. This is an outdated and unacceptable situation.

We have introduced legislation, Senate Bill No. 417, to address this issue, to call for equal pay for comparable work, and there are some more bills in the House. This is to address the fact that professions that tend to be female-dominated are paid less than professions that are male-dominated. For example, social workers get paid less than parole officers; clerk typists in schools get paid less than custodians; and a dining hall coordinator might get paid less than an automotive parts technician. So they take jobs with what is called comparable worth and try to analyze the amount of money people get paid and then try to direct that pay for women would be adjusted accordingly.

This, according to legislation, would be done without reducing anybody's pay. It is the right thing to do. It is not a frivolous option for women to go into the workforce. Women are depended upon whether in a two-earner family or the many single-parent, female-headed households that we have in the state of Michigan and across the country. Families are depending on the livelihood of women.

I urge the Majority Leader to ask that this legislation be taken up in committee. I hope that we can move it this year.

Senator Scott's statement is as follows:

I, too, want to talk about pay equity. The medium income for a woman who is employed full-time is now \$31,800.00, and that is if she is fortunate enough to have a job. But the inequities don't just occur between men and women; they are also apparent amongst ethnic women.

In 2005, the earnings for African-American women were more than \$2,000.00 less than the national women's medium income. For Latina's the medium is almost \$7,600.00 less than the national women's medium wage. And the statistics on percentages in comparison to men are equally—employers must actively recruit women into male-dominated fields that pay well compared to female-dominated jobs that pay less but require similar skills and education.

Employers must regularly evaluate their pay policies to be sure that men and women in similar jobs are paid equally. Government at all levels must assure a level playing field when enforcing equal employment opportunity laws. Government must educate workers about their rights to work in an environment free from discrimination and harassment. Both employers and governments must improve the family-friendliness of their workplace by providing family leave and childcare facilities, and health care coverage must be improved through greater use of publicly-funded programs and greater incentives to businesses to provide that coverage. There is much work to be done here, my friends. It is our children and our children's children who are going to experience true equality in the workplace.

And my next one is on insurance, as usual. I'd like you to hear the words of Dr. Martin Luther King in a speech given in Montgomery, Alabama, in 1955. And Dr. King said, "If we are wrong, the Supreme Court of the United States is wrong. If we are wrong, God Almighty is wrong. If we are wrong, Jesus of Nazareth was merely a Utopian dreamer who never came down to earth. If we are wrong, then justice is a lie."

We were not wrong, my friends, about justice and equality, and we are not wrong about providing an affordable product at a fair and equitable price. So I am asking you to do the right thing and move my insurance legislation.

Senator Jacobs' statement is as follows:

I also rise today on 2007 Pay Equity Day with good news and bad news. The good news is that women's earnings in 2005 were 77 percent of men's, up from 68.5 percent in 1989. The bad news, that figure is statistically unchanged from last year.

The good news is that the female/male wage ratio has increased in every one of the 50 states, falling only in the District of Columbia. The bad news, there is still not one state where the typical full-time female worker earns as much as the typical man.

The good news is that women have almost achieved parity with men in the proportion of women with a four-year college degree, with 26.5 percent of women over 25 having bachelor's degrees compared to a little over 29.1 percent of men. The bad news, the poverty rate among women in 15 states has increased and in another 15 states the women's poverty rate dropped by less than one percent.

The good news is that a higher share of businesses is now owned by women, and a higher proportion of women than men work in managerial and professional jobs. That's 35.5 percent of women compared to almost 29 percent of working men. The bad news? Median earnings for women of color continue to be lower, in general, than earnings for men as a whole. And even worse news? The share of women without health insurance has increased in 43 states since 2002, leaving 14 million women without health insurance.

While women's wages have gone up in all states since 1989, which is certainly heartening, at this rate we won't close the wage gap until 2057. I doubt I'll ever live to see it, and I doubt whether many of you will either.

So let's think of our daughters and our granddaughters. How old will they be before they can earn a fair and equal wage? How long will they have to wait?

Senator Clark-Coleman's statement is as follows:

Clearly, the wage gaps continue to be one of the blatant examples of discrimination in the United States today, and Michigan sadly is no exception. Local, state, and national policies continue to lag behind the 21st century reality of women's lives, and that lag slows economic growth. Studies have shown that states with long-term commitments to public investments, like education, tend to have strong economic policies favorable to women, and that's why it is so important that we invest more in education at all levels. That's why in Michigan we are working so hard to protect K-12 public education; and that's why we are stressing post-high school education for our young people; and that's why we are attempting to keep tuition at our public universities low; and that's why we are investing in training in the use of new technologies that will improve the economy for all Michigan residents. But it is also why we must ensure equal access to these opportunities for women, for blacks, and for all disadvantaged populations.

Frederick Douglass advised us to educate your sons and your daughters. Send them to school and show them that beside the cartridge box, the ballot box, and the jewelry box, you also have the knowledge box. That was well over 100 years ago—educate your sons and your daughters. Thurgood Marshall's definition of equality was for two people to get the same thing at the same time at the same place. That goes for education and earnings.

Senator Gleason's statement is as follows:

I stand before you as a recipient of an organ donation five and a half years ago. I invite you to join the families of previous donors as well out on the front lawn this afternoon at a memorial tree for donor families. This presentation today is sponsored by the Michigan Donor Family Advocacy and Advisory Committee and the Gift of Life of Michigan.



Just as a reminder, I intend to speak on this frequently in the next few years, but an average of 18 people a day die waiting for an organ donation, a life-saving gift. We would ask that you—as Organ Donation Awareness Month comes to a close here in April—would join others in the life-saving effort of getting on the organ donation registry list. You can do that at the Secretary of State’s office or the Gift of Life.

We would ask you to please to join the donor families, who are themselves indeed heroes, by offering life-saving gifts to others; not only to their family members, but more and more often today strangers are receiving organ donation gifts. It’s a great and wonderful event. I would ask that you would join that. Of course, we have a great guest speaker today. We would ask you, again, to please join this worthwhile event on the front lawn.

Senator Thomas’ statement is as follows:

Mr. President and colleagues, this week the state of Michigan is participating in an event known as Money Smart Week. It is the fourth annual Money Smart Week. It’s a program sponsored by the Federal Reserve Bank of Chicago, Detroit branch.

Over the next several days, the state of Michigan and its constituents will enjoy free seminars, more than 225 free seminars, promoting and expanding financial literacy opportunities, particularly for the working poor in the state of Michigan. This Senate has, in fact, passed resolutions in support of and promoting Money Smart Week in Michigan.

Mr. President, my district, like a number of districts across the state, is at a crossroad, particularly when it comes to financial literacy. We are deeply troubled that as you drive around cities like Detroit and other older communities, you see more payday-lending establishments, more check-cashing establishments, and more refund-anticipation loan establishments than you do actual banks and credit unions. To address this concern and to promote Money Smart Week, today Representative Steve Tobocman and I are introducing legislation regulating the practice of refund-anticipation loans.

As millions of Americans filed their tax returns last week as a part of their responsibility as citizens, millions more were actually receiving refund-anticipation loans. This is a quickie loan based on an advance for your anticipated refund from the federal IRS. In Michigan, approximately 1 in 13 citizens will receive a refund-anticipation loan. Over 60 percent of all refund-anticipation loan recipients or borrowers are earned income tax credit recipients, although they only represent about 17 percent of the taxpaying population. These loans target the working poor. They cost anywhere from \$30 to \$125 in off-the-top fees on the loan, plus the lenders of these loans generally charge up to a \$40 processing fee. This equates, when you actually do the math, to an effective interest rate of over 500 percent. Ten states across the nation are now regulating refund-anticipation loans. Michigan needs to be a leader in this regulation. To equate the full dollar figure, we are looking at more than \$590 million in lost revenue due to national taxpayers—the working poor—paying for these refund-anticipation loans, not recognizing that they are, in essence, dealing with loan sharks.

So, as a part to stand up for Money Smart Week and to improve financial literacy, we are advocating very strongly that Michigan be the 11th state in the nation to regulate refund-anticipation loans and to make sure that all of our citizens, regardless of income, know of their financial rights and that this is a very, very dangerous transaction for them.

### Committee Reports

The Committee on Natural Resources and Environmental Affairs reported

#### **House Bill No. 4143, entitled**

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” by amending sections 80114, 80122, 80124, 80144, 80145, 80146, 80149, 80151, 80152, 80155, 80169, 80180, 80198b, 80205, and 80209 (MCL 324.80114, 324.80122, 324.80124, 324.80144, 324.80145, 324.80146, 324.80149, 324.80151, 324.80152, 324.80155, 324.80169, 324.80180, 324.80198b, 324.80205, and 324.80209), sections 80114, 80122, 80124, 80144, 80145, 80146, 80149, 80151, 80155, 80169, and 80198b as added by 1995 PA 58, section 80152 as amended by 1999 PA 19, section 80180 as amended by 1996 PA 174, section 80205 as amended by 2004 PA 27, and section 80209 as added by 2000 PA 229.

With the recommendation that the substitute (S-1) be adopted and that the bill then pass.

The committee further recommends that the bill be given immediate effect.

Patricia L. Birkholz  
Chairperson

To Report Out:

Yeas: Senators Birkholz, Van Woerkom, Patterson, Basham and Prusi

Nays: None

The bill and the substitute recommended by the committee were referred to the Committee of the Whole.

The Committee on Natural Resources and Environmental Affairs reported  
**Senate Resolution No. 33.**

A resolution designating April 22 - May 1, 2007, as Michigan Conservation Week.  
 (For text of resolution, see Senate Journal No. 29, p. 391.)

With the recommendation that the resolution be adopted.

Patricia L. Birkholz  
 Chairperson

To Report Out:

Yeas: Senators Birkholz, Van Woerkom, Patterson, Basham and Prusi

Nays: None

The resolution was placed on the order of Resolutions.

#### COMMITTEE ATTENDANCE REPORT

The Committee on Natural Resources and Environmental Affairs submitted the following:  
 Meeting held on Wednesday, April 18, 2007, at 1:00 p.m., Room 110, Farnum Building  
 Present: Senators Birkholz (C), Van Woerkom, Patterson, Basham and Prusi

The Committee on Appropriations reported  
**Senate Concurrent Resolution No. 5.**

A concurrent resolution to memorialize the United States Congress to reauthorize the State Children's Health Insurance Program (SCHIP) for the State of Michigan.

(For text of resolution, see Senate Journal No. 12, p. 154.)

With the recommendation that the resolution be adopted.

Ron Jelinek  
 Chairperson

To Report Out:

Yeas: Senators Jelinek, Pappageorge, Hardiman, Kahn, Cropsey, George, Jansen, Brown, McManus, Stamas, Switalski, Anderson, Barcia, Brater, Cherry, Clark-Coleman and Scott

Nays: None

The resolution was placed on the order of Resolutions.

#### COMMITTEE ATTENDANCE REPORT

The Committee on Appropriations submitted the following:  
 Meeting held on Wednesday, April 18, 2007, at 2:00 p.m., Senate Appropriations Room, 3rd Floor, Capitol Building  
 Present: Senators Jelinek (C), Pappageorge, Hardiman, Kahn, Cropsey, Garcia, George, Jansen, Brown, McManus, Stamas, Switalski, Anderson, Barcia, Brater, Cherry, Clark-Coleman and Scott

The Committee on Energy Policy and Public Utilities reported  
**Senate Concurrent Resolution No. 8.**

A concurrent resolution to urge the President of the United States, the United States Congress, and the United States Department of Energy to restore funding for the Weatherization Assistance Program in Fiscal Year 2008 and to consider increasing future funding for this important federal program.

(For text of resolution, see Senate Journal No. 29, p. 393.)

With the recommendation that the concurrent resolution be adopted.

Bruce Patterson  
 Chairperson

To Report Out:

Yeas: Senators Patterson, Brown, Richardville, Olshove and Thomas

Nays: None

The concurrent resolution was placed on the order of Resolutions.

The Committee on Energy Policy and Public Utilities reported  
**Senate Resolution No. 36.**

A resolution to urge the President of the United States, the United States Congress, and the United States Department of Energy to restore funding for the Weatherization Assistance Program in Fiscal Year 2008 and to consider increasing future funding for this important federal program.

(For text of resolution, see Senate Journal No. 29, p. 392.)

With the recommendation that the resolution be adopted.

Bruce Patterson  
Chairperson

To Report Out:

Yeas: Senators Patterson, Brown, Richardville, Olshove and Thomas

Nays: None

The resolution was placed on the order of Resolutions.

#### COMMITTEE ATTENDANCE REPORT

The Committee on Energy Policy and Public Utilities submitted the following:

Meeting held on Thursday, April 19, 2007, at 1:00 p.m., Room 210, Farnum Building

Present: Senators Patterson (C), Brown, Birkholz, Kuipers, Richardville, Olshove, Prusi and Thomas

The Committee on Appropriations reported

**Senate Bill No. 404, entitled**

A bill to make, supplement, and adjust appropriations for various state departments and agencies for the fiscal year ending September 30, 2007; and to provide for the expenditure of the appropriations.

With the recommendation that the substitute (S-2) be adopted and that the bill then pass.

The committee further recommends that the bill be given immediate effect.

Ron Jelinek  
Chairperson

To Report Out:

Yeas: Senators Jelinek, Pappageorge, Hardiman, Kahn, Cropsey, Garcia, George, Jansen, Brown, McManus, Stamas, Switalski, Anderson, Brater, Cherry, Clark-Coleman and Scott

Nays: None

The bill and the substitute recommended by the committee were referred to the Committee of the Whole.

#### COMMITTEE ATTENDANCE REPORT

The Committee on Appropriations submitted the following:

Meeting held on Tuesday, April 24, 2007, at 9:45 a.m., Senate Appropriations Room, 3rd Floor, Capitol Building

Present: Senators Jelinek (C), Pappageorge, Hardiman, Kahn, Cropsey, Garcia, George, Jansen, Brown, McManus, Stamas, Switalski, Anderson, Brater, Cherry, Clark-Coleman and Scott

Absent: Senator Barcia

#### COMMITTEE ATTENDANCE REPORT

The Joint Subcommittee on Capital Outlay submitted the following:

Meeting held on Thursday, April 19, 2007, at 9:00 a.m., House Appropriations Room, 3rd Floor, Capitol Building

Present: Senators McManus (C), Jelinek, Brown, Cropsey, Hardiman, Pappageorge, Switalski, Cherry, Clark-Coleman and Scott

#### COMMITTEE ATTENDANCE REPORT

The Subcommittee on Department of Environmental Quality submitted the following:

Meeting held on Thursday, April 19, 2007, at 1:00 p.m., Room 405, Capitol Building

Present: Senators Garcia (C), Cropsey and Brater

## COMMITTEE ATTENDANCE REPORT

The Subcommittee on Department of Community Health submitted the following:

Meeting held on Thursday, April 19, 2007 at 2:00 p.m., Senate Hearing Room, Ground Floor, Boji Tower

Present: Senators Kahn (C), Pappageorge, George, Stamas, Cherry, Barcia and Switalski

## COMMITTEE ATTENDANCE REPORT

The Committee on Education submitted the following:

Meeting held on Thursday, April 19, 2007, at 2:30 p.m., Room 210, Farnum Building

Present: Senators Kuipers (C), Van Woerkom, Cassis, Whitmer and Gleason

## COMMITTEE ATTENDANCE REPORT

The Subcommittee on Higher Education submitted the following:

Meeting held on Friday, April 20, 2007, at 10:00 a.m., Saginaw Valley State University, Curtiss Hall, Emeriti Room, 7400 Bay Road, University Center

Present: Senators Stamas (C), Barcia, Anderson and Brater

Excused: Senators George, Hardiman and McManus

### Scheduled Meetings

**Agriculture** - Thursday, April 26, 9:00 a.m., Room 110, Farnum Building (373-1635)

**Appropriations** - Wednesday, April 25, 1:00 p.m., and Thursday, April 26, 1:00 p.m., Senate Appropriations Room, 3rd Floor, Capitol Building (373-6960)

#### Subcommittees -

**Community Colleges** - Friday, May 11, 9:00 a.m., Bay de Noc Community College, Joseph Heirman University Center, 2001 N. Lincoln Road, Escanaba; and Wednesday, May 16, 9:30 a.m., Senate Appropriations Room, 3rd Floor, Capitol Building (373-2768)

**Community Health Department** - Thursdays, April 26, May 3 and May 17, 2:00 p.m., Senate Hearing Room, Ground Floor, Boji Tower (373-2768)

**Environmental Quality Department** - Thursdays, April 26, 9:00 a.m., May 3 and May 10, 1:00 p.m. and Tuesday, May 15, 4:00 p.m., Room 405, Capitol Building (373-2768)

**Higher Education** - Thursday, April 26, 12:00 noon, Senate Appropriations Room, 3rd Floor, Capitol Building; Friday, April 27, 10:00 a.m., Calvin College, Bunker Interpretive Center, 1750 East Beltline, Grand Rapids; and Friday, May 11, 2:00 p.m., Michigan Technological University, Advanced Technology Development Center, 1402 East Sharon Avenue, Houghton (373-2768)

**Judiciary and Corrections** - Wednesdays, May 2, May 9 and May 16, 3:00 p.m., Rooms 402 and 403, Capitol Building (373-2768)

**K-12, School Aid, Education** - Tuesdays, May 1, May 8 and May 15, 2:00 p.m., Senate Appropriations Room, 3rd Floor, Capitol Building (373-2768)

**Natural Resources Department** - Tuesdays, May 1, May 8 and May 15, 12:00 noon, Room 405, Capitol Building (373-2768)

**Banking and Financial Institutions** - Wednesday, April 25, 9:00 a.m., Room 210, Farnum Building (373-3543)

**Education** - Thursday, April 26, 2:30 p.m., Room 210, Farnum Building (373-6920)

**Energy Policy and Public Utilities** - Thursday, April 26, 1:00 p.m., Room 210, Farnum Building (373-7350)

**Finance** - Thursday, April 26, 11:00 a.m. or later immediately following session, Room 110, Farnum Building (373-1758)

**Homeland Security and Emerging Technologies** - Tuesdays, May 1 and May 8, 1:00 p.m., Room 100, Farnum Building (373-5932)

**Natural Resources and Environmental Affairs** - Wednesday, April 25, 1:00 p.m., Room 110, Farnum Building (373-3447)

**Senior Citizens and Veterans Affairs** - Wednesday, April 25, 9:00 a.m., Room 100, Farnum Building (373-2413)

Senator Cropsey moved that the Senate adjourn.  
The motion prevailed, the time being 11:15 a.m.

The President pro tempore, Senator Richardville, declared the Senate adjourned until Wednesday, April 25, 2007, at 10:00 a.m.

CAROL MOREY VIVENTI  
Secretary of the Senate

