

**No. 11**  
**STATE OF MICHIGAN**  
**Journal of the Senate**  
**92nd Legislature**  
**REGULAR SESSION OF 2003**

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Senate Chamber, Lansing, Tuesday, February 11, 2003.

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 not present.

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

Emerson—present  
Garcia—present  
George—present  
Gilbert—present  
Goschka—present  
Hammerstrom—present  
Hardiman—present  
Jacobs—present  
Jelinek—present  
Johnson—excused  
Kuipers—present  
Leland—present  
McManus—present

Olshove—present  
Patterson—present  
Prusi—present  
Sanborn—present  
Schauer—present  
Scott—present  
Sikkema—present  
Stamas—present  
Switalski—present  
Thomas—present  
Toy—present  
Van Woerkom—present

Senator Martha G. Scott of the 2nd District offered the following invocation:

O Heavenly Father, we thank You for this day, a day that we've never seen before. Father, we ask You to give us the wisdom and the knowledge to help Your people in the state of Michigan; Lord, those whom You talk about, the have nots; those who cannot help themselves. Lord, may we govern ourselves that we will look at the total person, Lord, and help those. O Heavenly Father, we just thank You for the opportunity to serve in this wonderful body. And, Lord, we ask this in Your name. Amen.

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

### Recess

Senator Hammerstrom moved that the Senate recess subject to the call of the Chair  
The motion prevailed, the time being 10:03 a.m.

10:10 a.m.

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

During the recess, Senators Brown, Van Woerkom, Gilbert, McManus, Hardiman, Birkholz, Cropsey, Kuipers, Garcia, Patterson, Bishop, Stamas, Goschka, Sikkema, Cassis, Toy, George, Jelinek and Sanborn entered the Senate Chamber.

A quorum of the Senate was present.

### Motions and Communications

Senator Hammerstrom moved that Senator Johnson be excused from today's session.  
The motion prevailed.

The following communications were received:  
Department of State

#### Administrative Rules Notices of Filing

January 21, 2003

In accordance with the provisions of Section 46(1) of Act 306, Public Acts of 1969, as amended, and Executive Order 1995-6, this is to advise you that the Office of Regulatory Reform, Legal Division filed at 11:20 a.m. this date, administrative rule (03-01-06) for the Department of Environmental Quality, Drinking Water and Radiological Protection Division, entitled "*Supplying Water to the Public - Part 10. Treatment Systems and Pumping Facilities,*" effective 7 days hereafter.

January 21, 2003

In accordance with the provisions of Section 46(1) of Act 306, Public Acts of 1969, as amended, and Executive Order 1995-6, this is to advise you that the Office of Regulatory Reform, Legal Division filed at 11:24 a.m. this date, administrative rule (03-01-08) for the Department of Environmental Quality, Drinking Water and Radiological Protection Division, entitled "*Supplying Water to the Public - Part 6. State Drinking Water Standards and Analytical,*" effective 7 days hereafter.

January 21, 2003

In accordance with the provisions of Section 46(1) of Act 306, Public Acts of 1969, as amended, and Executive Order 1995-6, this is to advise you that the Office of Regulatory Reform, Legal Division filed at 11:26 a.m. this date, administrative rule (03-01-09) for the Department of Environmental Quality, Drinking Water and Radiological Protection Division, entitled "*Supplying Water to the Public - Part 4. Public Notification and Public Education,*" effective 7 days hereafter.

January 21, 2003

In accordance with the provisions of Section 46(1) of Act 306, Public Acts of 1969, as amended, and Executive Order 1995-6, this is to advise you that the Office of Regulatory Reform, Legal Division filed at 11:28 a.m. this date, administrative rule (03-01-10) for the Department of Environmental Quality, Drinking Water and Radiological Protection Division, entitled "Supplying Water to the Public - Part 3. Variances and Exemptions," effective 7 days hereafter.

January 21, 2003

In accordance with the provisions of Section 46(1) of Act 306, Public Acts of 1969, as amended, and Executive Order 1995-6, this is to advise you that the Office of Regulatory Reform, Legal Division filed at 11:30 a.m. this date, administrative rule (03-01-11) for the Department of Environmental Quality, Drinking Water and Radiological Protection Division, entitled "Supplying Water to the Public - Part 1. General Provisions," effective 7 days hereafter.

Sincerely,  
Terri Lynn Land  
Secretary of State  
Elena L. Beasley, Manager  
Office of the Great Seal

The communications were referred to the Secretary for record.

The Secretary announced the printing and placement in the members' files on Thursday, February 6, of:  
**House Joint Resolution C**

The Secretary announced the printing and placement in the members' files on Friday, February 7, of:  
**Senate Bill Nos. 148 149 150 151 152 153 154**

**Third Reading of Bills**

The following bill was read a third time:

**Senate Bill No. 1, entitled**

A bill to amend 1991 PA 179, entitled "Michigan telecommunications act," by amending section 310 (MCL 484.2310), as amended by 2000 PA 295.

The question being on the passage of the bill,

Senator Goschka offered the following amendments:

- 1. Amend page 3, line 1, after "charge." by striking out the balance of the line through "(8)." on line 5.
- 2. Amend page 3, line 20, by striking out all of subsection (9).

The question being on the adoption of the amendments,

Senator Goschka requested the yeas and nays.

The yeas and nays were not ordered, 1/5 of the members present not voting therefor.

The amendments were not adopted, a majority of the members serving not voting therefor.

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. 11**

**Yeas—28**

Allen	Cassidy	Hammerstrom	Patterson
Basham	Cherry	Hardiman	Sanborn
Bernero	Clarke	Jacobs	Schauer
Birkholz	Cropsey	Jelinek	Sikkema
Bishop	Garcia	Kuipers	Stamas
Brater	George	McManus	Toy
Brown	Goschka	Olshove	Van Woerkom

**Nays—9**

Barcia	Gilbert	Prusi	Switalski
Clark-Coleman	Leland	Scott	Thomas
Emerson			

**Excused—1**

Johnson

**Not Voting—0**

In The Chair: President

The Senate agreed to the title of the bill.  
Senator Hammerstrom moved to reconsider the vote by which the bill was passed.  
The motion did not prevail, a majority of the members serving not voting therefor.

**Resolutions****Senate Resolution No. 6.**

A resolution to memorialize the Congress of the United States to establish a minimum rate of return of 95 percent of Michigan's federal transportation funding for highway and transit programs.

The question being on the adoption of the resolution,

The resolution was not adopted.

Senator Hammerstrom moved to reconsider the vote by which the resolution was not adopted.

The motion prevailed.

The question being on the adoption of the resolution,

The resolution was adopted.

Senator Bishop was named co-sponsor of the resolution.

**Senate Concurrent Resolution No. 1.**

A concurrent resolution to memorialize the Congress of the United States to establish a minimum rate of return of 95 percent of Michigan's federal transportation funding for highway and transit programs.

The question being on the adoption of the concurrent resolution,

The concurrent resolution was adopted.

Senator Bishop was named co-sponsor of the concurrent resolution.

Senators Cassis, Birkholz, Kuipers, Patterson, Goschka, McManus, Allen, Garcia, Brown and Van Woerkom offered the following concurrent resolution:

**Senate Concurrent Resolution No. 4.**

A concurrent resolution to memorialize the Congress of the United States to repeal the federal excise tax on telephone and other communications services.

Whereas, The federal tax on telephone service was put in place in 1898 as a temporary luxury tax on the new technology of the telephone. At that time, the government needed money to help pay for the Spanish-American War. Over the past century, this tax, which is now three percent, has been changed many times; and

Whereas, Recently, a focal point of tax policy has been the question of taxing another emerging communications technology, the Internet. This discussion has caused some observers to reexamine the nature of certain taxes. There is a strong parallel between the notion of taxing some aspect of the Internet and the tax applied to the telephone a century ago; and

Whereas, The federal excise tax on telephone services provides an example of poor public policy. This tax is regressive in that all taxpayers, regardless of ability to do so, pay the same rate even though a phone is a necessity of modern life. Unlike other federal excise taxes, the telephone tax is not an attempt to reduce public use of a product like tobacco or alcohol that can be harmful and is not needed. In addition, the money raised from this excise tax does not go to any specific purpose related to telecommunications; now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That we memorialize the Congress of the United States to repeal the federal excise tax on telephone and other communications services; 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 concurrent resolution be referred to the Committee on Government Operations,

Senator Hammerstrom 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 Hammerstrom moved that the concurrent resolution be referred to the Committee on Finance.

The motion prevailed.

Senators Jelinek and Clark-Coleman were named co-sponsors of the concurrent resolution.

Senators Birkholz, Patterson, Hammerstrom, Gilbert, Hardiman, Bishop, McManus, George, Cassis, Garcia, Goschka, Toy, Stamas, Sikkema, Van Woerkom and Brater offered the following concurrent resolution:

**Senate Concurrent Resolution No. 5.**

A concurrent resolution calling for the creation of a Great Lakes Legislative Caucus.

Whereas, The challenges facing the Great Lakes can only be met successfully through a well-coordinated and systematic approach. Issues as diverse as aquatic nuisance species, pollution, water levels, and water diversions and consumptive uses will be addressed in the coming years by dozens of laws and regulations in each of the Great Lakes states and provinces; and

Whereas, Legislation impacting the Great Lakes will be far more effective if it is based on information developed and shared by policymakers from the entire Great Lakes region. An organization to bring key Great Lakes lawmakers together regularly to share knowledge and hear other perspectives would be invaluable in improving the impact and uniformity of practices established in statute; and

Whereas, Regular meetings of legislative leaders from each of the Great Lakes states and provinces will bring many benefits. Regularly exchanging information can bring immediacy to the work of dealing with Great Lakes issues. The current practice of legislative bodies relying primarily on regional forums can be supplemented significantly through a legislative caucus working directly with experts to develop model legislation. Clearly, there will be a stronger sense of urgency brought to Great Lakes issues by a Great Lakes legislative caucus than is sometimes the case now; and

Whereas, Another benefit of a Great Lakes legislative caucus will be a more unified and stronger voice on specific issues. This can only help in articulating the unique situations facing the Great Lakes basin; now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That we call for the creation of a Great Lakes Legislative Caucus. We call on the legislatures of Illinois, Indiana, Minnesota, New York, Ohio, Pennsylvania, and Wisconsin and the legislative bodies of Ontario and Quebec to join us in developing this vehicle to address the many Great Lakes issues that cross jurisdictional boundaries; and be it further

Resolved, That copies of this resolution be transmitted to the leadership of each of the legislative bodies of the Great Lakes states and provinces, the Great Lakes Commission, the International Joint Commission, the National Conference of State Legislatures, the Michigan Office of the Great Lakes, and the members of the congressional delegations from the Great Lakes states.

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

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

The motion prevailed.

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

Senators Van Woerkom, Birkholz, Hardiman, Garcia, Jelinek, Toy, Cassis, Stamas, Sanborn, Gilbert, Johnson, Sikkema, Brater, Hammerstrom, Goschka, Kuipers, Allen, Bishop, Olshove, Clarke, Clark-Coleman, Bernero and Leland offered the following concurrent resolution:

**Senate Concurrent Resolution No. 6.**

A concurrent resolution to urge the International Joint Commission to maintain its vigilance in opposing diversion of Great Lakes water and to support the prompt resolution of all issues related to the finalization of Annex 2001.

Whereas, Protection of the Great Lakes is a challenge of unsurpassed significance and scope to the people of Michigan and all of the states and provinces that comprise the region. This monumental challenge includes working to safeguard the quality of the waters to protect these freshwater resources from threats of out of basin water diversion and to continue to enable our use and enjoyment of this water resource within the basin; and

Whereas, The International Water Uses Review Task Force recently submitted to the International Joint Commission its report, entitled "Protection of the Waters of the Great Lakes." This project, part of a three-year review by the International Joint Commission, cites data to indicate that the issue of consumptive use problems "has been consistently and significantly overstated for the past three decades." The report also says that long-distance, large-scale removals are, for the near and mid-term, "highly improbable." The study encourages support for a more deliberative approach to finalizing the Annex 2001 agreement to establish protection of the waters of the Great Lakes from diversions; and

Whereas, With the uncertainties of the future, including in the area of technology, and the magnitude of the value of the Great Lakes, it would be a mistake to abandon the ongoing efforts to prevent the bulk diversion of Great Lakes water outside of the basin. Such policies should be made proactively, before a crisis is upon us; and

Whereas, Michigan has established its interest on numerous occasions to affirm its opposition to the diversion of Great Lakes water from the basin. Our state is well aware of the projections of water shortages for other regions. We are also well aware of the role that the Great Lakes network plays in contributing to the strength of the American and Canadian economies and the vitality of the states and provinces along its shores. This commitment must remain unshakeable; now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That we encourage the International Joint Commission to maintain its participation in developing feasible and defensible strategies and policies that protect the Great Lakes water from out-of-basin diversions and to continue to support the Annex 2001 process in a deeply considered and scientifically informed manner; and be it further

Resolved, That copies of this resolution be transmitted to the International Joint Commission, the Great Lakes Commission, the congressional delegation from the Great Lakes states, the Michigan Office of the Great Lakes, the Council of Great Lakes Governors, and the legislative leadership from the Great Lakes states and provinces.

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

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

The motion prevailed.

Senators Patterson, Jacobs, Cherry and Thomas were named co-sponsors of the concurrent resolution.

Senators Patterson, Birkholz, Hammerstrom, Gilbert, Hardiman, Bishop, McManus, George, Cassis, Garcia, Goschka, Toy, Stamas, Sikkema, Van Woerkom and Brater offered the following resolution:

**Senate Resolution No. 9.**

A resolution calling for the creation of a Great Lakes Legislative Caucus.

Whereas, The challenges facing the Great Lakes can only be met successfully through a well-coordinated and systematic approach. Issues as diverse as aquatic nuisance species, pollution, water levels, and water diversions and consumptive uses will be addressed in the coming years by dozens of laws and regulations in each of the Great Lakes states and provinces; and

Whereas, Legislation impacting the Great Lakes will be far more effective if it is based on information developed and shared by policymakers from the entire Great Lakes region. An organization to bring key Great Lakes lawmakers together regularly to share knowledge and hear other perspectives would be invaluable in improving the impact and uniformity of practices established in statute; and

Whereas, Regular meetings of legislative leaders from each of the Great Lakes states and provinces will bring many benefits. Regularly exchanging information can bring immediacy to the work of dealing with Great Lakes issues. The current practice of legislative bodies relying primarily on regional forums can be supplemented significantly through a legislative caucus working directly with experts to develop model legislation. Clearly, there will be a stronger sense of urgency brought to Great Lakes issues by a Great Lakes legislative caucus than is sometimes the case now; and

Whereas, Another benefit of a Great Lakes legislative caucus will be a more unified and stronger voice on specific issues. This can only help in articulating the unique situations facing the Great Lakes basin; now, therefore, be it

Resolved by the Senate, That we call for the creation of a Great Lakes Legislative Caucus. We call on the legislatures of Illinois, Indiana, Minnesota, New York, Ohio, Pennsylvania, and Wisconsin and the legislative bodies of Ontario and Quebec to join us in developing this vehicle to address the many Great Lakes issues that cross jurisdictional boundaries; and be it further

Resolved, That copies of this resolution be transmitted to the leadership of each of the legislative bodies of the Great Lakes states and provinces, the Great Lakes Commission, the International Joint Commission, the National Conference of State Legislatures, the Michigan Office of the Great Lakes, and the members of the congressional delegations from the Great Lakes states.

Pending the order that, under rule 3.204, the resolution be referred to the Committee on Government Operations, Senator Hammerstrom 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 Hammerstrom moved that the resolution be referred to the Committee on Natural Resources and Environmental Affairs.

The motion prevailed.

Senators Clarke, Jelinek, Schauer, Allen, Jacobs, Cherry and Thomas were named co-sponsors of the resolution.

Senators Brater, Birkholz, Scott, Prusi, Jacobs, Switalski, Jelinek, Patterson, Cropsey, Hardiman, McManus, Van Woerkom, Johnson, Cherry, Barcia, Schauer, Allen, Leland, Thomas, Bernero, Clark-Coleman, Sikkema, Hammerstrom, Emerson, Bishop, Goschka, Kuipers, Stamas, Garcia, George, Cassis and Toy offered the following resolution:

**Senate Resolution No. 10.**

A resolution to urge the International Joint Commission to maintain its vigilance in opposing diversion of Great Lakes water and to support the prompt resolution of all issues related to the finalization of Annex 2001.

Whereas, Protection of the Great Lakes is a challenge of unsurpassed significance and scope to the people of Michigan and all of the states and provinces that comprise the region. This monumental challenge includes working to safeguard the quality of the waters to protect these freshwater resources from threats of out of basin water diversion and to continue to enable our use and enjoyment of this water resource within the basin; and

Whereas, The International Water Uses Review Task Force recently submitted to the International Joint Commission its report, entitled "Protection of the Waters of the Great Lakes." This project, part of a three-year review by the International Joint Commission, cites data to indicate that the issue of consumptive use problems "has been consistently and significantly overstated for the past three decades." The report also says that long-distance, large-scale removals are, for the near and mid-term, "highly improbable." The study encourages support for a more deliberative approach to finalizing the Annex 2001 agreement to establish protection of the waters of the Great Lakes from diversions; and

Whereas, With the uncertainties of the future, including in the area of technology, and the magnitude of the value of the Great Lakes, it would be a mistake to abandon the ongoing efforts to prevent the bulk diversion of Great Lakes water outside of the basin. Such policies should be made proactively, before a crisis is upon us; and

Whereas, Michigan has established its interest on numerous occasions to affirm its opposition to the diversion of Great Lakes water from the basin. Our state is well aware of the projections of water shortages for other regions. We are also well aware of the role that the Great Lakes network plays in contributing to the strength of the American and Canadian economies and the vitality of the states and provinces along its shores. This commitment must remain unshakeable; now, therefore, be it

Resolved by the Senate, That we encourage the International Joint Commission to maintain its participation in developing feasible and defensible strategies and policies that protect the Great Lakes water from out-of-basin diversions and to continue to support the Annex 2001 process in a deeply considered and scientifically informed manner; and be it further

Resolved, That copies of this resolution be transmitted to the International Joint Commission, the Great Lakes Commission, the congressional delegation from the Great Lakes states, the Michigan Office of the Great Lakes, the Council of Great Lakes Governors, and the legislative leadership from the Great Lakes states and provinces.

Pending the order that, under rule 3.204, the resolution be referred to the Committee on Government Operations, Senator Hammerstrom 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 Hammerstrom moved that the resolution be referred to the Committee on Natural Resources and Environmental Affairs.

The motion prevailed.

Senator Clarke was named co-sponsor of the resolution.

### **Introduction and Referral of Bills**

Senators Scott, Schauer, Goschka, Clark-Coleman, Cherry, Barcia and Leland introduced

**Senate Bill No. 155, entitled**

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," (MCL 206.1 to 206.532) by adding section 270. The bill was read a first and second time by title and referred to the Committee on Finance.

Senators Scott, Clark-Coleman, Leland and Barcia introduced

**Senate Bill No. 156, entitled**

A bill to amend 1984 PA 431, entitled "The management and budget act," by amending section 227 (MCL 18.1227). The bill was read a first and second time by title and referred to the Committee on Local, Urban and State Affairs.

Senators Scott, Clark-Coleman, Leland and Barcia introduced

**Senate Bill No. 157, entitled**

A bill to amend 1976 PA 451, entitled "The revised school code," by amending section 375 (MCL 380.375), as added by 1999 PA 10.

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

Senators Patterson, Kuipers, Bishop, Birkholz and Cropsey introduced

**Senate Bill No. 158, entitled**

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending section 5759 (MCL 600.5759). The bill was read a first and second time by title and referred to the Committee on Judiciary.

Senators Patterson, Kuipers, Bishop, Birkholz, Allen, Garcia, Cropsey, Schauer and Goschka introduced

**Senate Bill No. 159, entitled**

A bill to amend 1937 PA 153, entitled "An act relative to printing for this state; to establish the requirements of responsible bidders; to provide exemptions from this act; to prescribe penalties for the violation of the provisions of this act; and to repeal all acts and parts of acts inconsistent with the provisions of this act," (MCL 24.61 to 24.62) by adding section 1b.

The bill was read a first and second time by title and referred to the Committee on Local, Urban and State Affairs.

Senators Patterson, Kuipers, Bishop, Birkholz, Allen, Garcia, Cropsey and Goschka introduced

**Senate Bill No. 160, entitled**

A bill to provide for the audit and examination of this state and state funds; to provide for the audit and examination of the books and accounts of all branches, departments, offices, boards, commissions, agencies, authorities, and institutions of this state; to prescribe powers and duties of certain state officers and employees; to provide for access to certain records; to provide for the subpoena of witnesses and production of documents and records; and to provide for the administration of this act.

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

Senators Bishop, Kuipers, Allen, Garcia, Patterson, Birkholz, Brater, Basham, Van Woerkom, Jelinek, Brown, Toy, Olshove, Goschka, Hardiman and Johnson introduced

**Senate Bill No. 161, entitled**

A bill to amend 1931 PA 328, entitled "The Michigan penal code," (MCL 750.1 to 750.568) by adding section 360b. The bill was read a first and second time by title and referred to the Committee on Judiciary.

Senators Bishop, Cassis, Patterson, Kuipers, Allen, Toy and Johnson introduced

**Senate Bill No. 162, entitled**

A bill to amend 1979 PA 94, entitled "The state school aid act of 1979," by amending section 6 (MCL 388.1606), as amended by 2002 PA 521.

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

Senators Van Woerkom, Birkholz, Toy, Kuipers, Gilbert, Brown, Jelinek, Stamas, Goschka, Bishop, Allen and Garcia introduced

**Senate Bill No. 163, entitled**

A bill to amend 1996 PA 376, entitled "Michigan renaissance zone act," by amending sections 6, 8, and 8c (MCL 125.2686, 125.2688, and 125.2688c), section 6 as amended by 2002 PA 478, section 8 as amended by 1999 PA 139, and section 8c as added by 2000 PA 259.

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



Senators Gilbert, Kuipers, Basham, Goschka, Birkholz and Brown introduced

**Senate Bill No. 164, entitled**

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," by amending section 30 (MCL 206.30), as amended by 2002 PA 615.

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

Senators Goschka, Barcia, Patterson, Cropsey, Bishop, Basham, Brown, Prusi, Schauer, Scott, Cherry, Bernero, Kuipers and Emerson introduced

**Senate Bill No. 165, entitled**

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," by amending section 30 (MCL 206.30), as amended by 2002 PA 615.

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

Senators Stamas, Birkholz, Kuipers, Jelinek, Van Woerkom, Gilbert, Goschka and McManus introduced

**Senate Bill No. 166, entitled**

A bill to amend 1893 PA 206, entitled "The general property tax act," by amending section 34c (MCL 211.34c), as amended by 2002 PA 620.

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

Senators Garcia, Kuipers, Bishop, Cassis, McManus, Cropsey, Toy, Jelinek, Van Woerkom, Stamas and Allen introduced

**Senate Bill No. 167, entitled**

A bill to amend 1972 PA 284, entitled "Business corporation act," by amending sections 801, 817, 831, 915, 922, and 925 (MCL 450.1801, 450.1817, 450.1831, 450.1915, 450.1922, and 450.1925), sections 801 and 817 as amended by 1997 PA 118, sections 831 and 925 as amended by 1989 PA 121, section 915 as amended by 1996 PA 196, and section 922 as amended by 1993 PA 91.

The bill was read a first and second time by title and referred to the Committee on Economic Development, Small Business and Regulatory Reform.

Senator Thomas introduced

**Senate Bill No. 168, 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, critical 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 10c, 10h, 10l, and 10n (MCL 247.660c, 247.660h, 247.660l, and 247.660n), sections 10c and 10h as amended by 2002 PA 498, section 10l as amended by 1987 PA 234, and section 10n as amended by 2002 PA 329.

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

Senator Thomas introduced  
**Senate Bill No. 169, entitled**

A bill to create the Detroit area regional transportation authority; to transfer certain powers of authorities to the Detroit area regional transportation authority; to provide regional transportation for senior citizens, citizens with disabilities, citizens without the economic means to provide their own personal transportation, and all other citizens; to continue the suburban mobility authority for regional transportation; to prescribe certain powers and duties of the authorities; to provide for the addition and withdrawal of certain local entities from the authority; to provide for the powers and duties of certain state agencies with respect to the authority; to provide for the issuance of bonds and notes; to provide for the state to guarantee payment of certain claims against the authority and give the state a lien in satisfaction of payment; to protect the rights of employees of existing public transportation systems; to provide for the pledge of taxes, revenues, assessments, tax levies, and other funds for bond and note payments; to authorize certain local entities to levy property taxes and make special assessments to fulfill their obligations under certain contracts with the authority; and to repeal acts and parts of acts.

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

Senator Thomas introduced  
**Senate Bill No. 170, entitled**

A bill to amend 1982 PA 432, entitled "Motor bus transportation act," by amending section 4 (MCL 474.104), as amended by 1989 PA 233.

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

Senators Garcia, Cassis, Kuipers, Toy and Goschka introduced  
**Senate Bill No. 171, entitled**

A bill to amend 2000 PA 321, entitled "Recreational authorities act," by amending sections 3 and 5 (MCL 123.1133 and 123.1135).

The bill was read a first and second time by title and referred to the Committee on Local, Urban and State Affairs.

Senator Thomas introduced  
**Senate Bill No. 172, entitled**

A bill to require certain disclosures by sellers of real property.

The bill was read a first and second time by title and referred to the Committee on Economic Development, Small Business and Regulatory Reform.

Senators Johnson, Stamas, Hammerstrom, Bishop, Goschka, Kuipers, Cropsey, Hardiman, Jelinek, Birkholz, Patterson, Gilbert, Toy, Garcia, George, McManus, Sikkema, Brown, Van Woerkom, Allen, Sanborn and Cassis introduced

**Senate Bill No. 173, entitled**

A bill to amend 1984 PA 431, entitled "The management and budget act," by amending section 451 (MCL 18.1451), as amended by 1999 PA 8.

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

### Committee Reports

The Committee on Families and Human Services reported  
**Senate Resolution No. 7.**

A resolution to express support for the proposed federal rules change to permit faith-based human service organizations to compete for grants through the United States Department of Housing and Urban Development.

(For text of resolution, see Senate Journal No. 8, p. 95.)

With the recommendation that the resolution be adopted.

Bill Hardiman  
Chairperson

To Report Out:

Yeas: Senators Hardiman, Hammerstrom and Sanborn

Nays: Senators Jacobs and Clark-Coleman

The resolution was placed on the order of Resolutions.

**COMMITTEE ATTENDANCE REPORT**

The Committee on Families and Human Services submitted the following:  
Meeting held on Thursday, February 6, 2003, at 8:30 a.m., Room 210, Farnum Building  
Present: Senators Hardiman (C), Hammerstrom, Sanborn, Jacobs and Clark-Coleman

**COMMITTEE ATTENDANCE REPORT**

The Committee on Banking and Financial Institutions submitted the following:  
Meeting held on Thursday, February 6, 2003, at 1:00 p.m., Room 100, Farnum Building  
Present: Senators Bishop (C), Van Woerkom, Sanborn, Stamas, Leland, Olshove and Clark-Coleman

**COMMITTEE ATTENDANCE REPORT**

The Committee on Education submitted the following:  
Meeting held on Thursday, February 6, 2003, at 2:00 p.m., Room 210, Farnum Building  
Present: Senators Kuipers (C), Cassis, Van Woerkom, Clark-Coleman and Leland

**Scheduled Meetings**

**Agriculture, Forestry and Tourism** - Thursday, February 13, 8:30 a.m., Room 110, Farnum Building (373-1635)

**Appropriations -****Subcommittees -**

**Environmental Quality Department** - Wednesday, February 19, 3:00 p.m., Room 110, Farnum Building (373-1725)

**General Government** - Tuesdays, February 18 and February 25, 1:00 p.m., Rooms 402 and 403, Capitol Building (373-2420)

**History, Arts, and Libraries** - Tuesday, February 18, 1:00 p.m., Room 100, Farnum Building (373-0793)

**Natural Resources Department** - Wednesday, February 19, 4:00 p.m., Room 110, Farnum Building (373-1725)

**State Police and Military Affairs** - Tuesday, February 18, 1:00 p.m., Room 405, Capitol Building (373-5932)

**Banking and Financial Institutions** - Thursday, February 13, 1:00 p.m., Room 100, Farnum Building (373-2417)

**Education** - Thursday, February 13, 2:00 p.m., Room 210, Farnum Building (373-6920)

**Finance** - Wednesday, February 12, 10:30 a.m. or later immediately following session, Room 110, Farnum Building (373-1758)

**Government Operations** - Wednesday, February 12, 1:00 p.m., Senate Hearing Room, Ground Floor, Boji Tower (formerly Michigan National Tower) (373-0797)

**Local, Urban and State Affairs** - Thursday, February 13, 1:00 p.m., Room 110, Farnum Building (373-1707)

**Technology and Energy** - Wednesday, February 12, 3:00 p.m., Room 210, Farnum Building (373-7350)

Senator Hammerstrom moved that the Senate adjourn.  
The motion prevailed, the time being 10:36 a.m.

The President, Lieutenant Governor Cherry, declared the Senate adjourned until Wednesday, February 12, 2003, at 10:00 a.m.

