

No. 71
STATE OF MICHIGAN
Journal of the Senate
92nd Legislature
REGULAR SESSION OF 2003

Senate Chamber, Lansing, Wednesday, August 13, 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 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—present
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 Michael D. Bishop of the 12th District offered the following invocation:

Almighty and most merciful God, the one who calls the world into being and creates persons in Your own image, we praise and give thanks to You this day for the many wonders of this world; for the beauty and the bounty of this state; for the rich diversity of persons who are our neighbors; for the privilege and responsibility of our democracy; and for the many opportunities and challenges which have, and will, confront this legislative session.

God, we are ever conscious of our many friends and colleagues in this room who are heavy-laden with fear, sadness, or concern. We, therefore, lift up to You the need of each person gathered here today, and especially for those whose needs rest urgently upon their hearts. Minister unto them and to us as we silently express our heartfelt concerns. Guide and inspire each of our thoughts, words, decisions, and actions today and into the future. We are ever mindful that we are not perfect—we do make mistakes—in thought, word, and deed. Now more than ever, we need Your guidance and counsel. Remind us of Your presence in our public and private endeavors, so that we may more nearly do justice, share love, express kindness, and walk humbly with one another and with You.

All this we pray in Your name. Amen.

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

Motions and Communications

Senators Stamas and George entered the Senate Chamber.

Senator Schauer moved that Senators Bernero, Brater and Thomas be temporarily excused from today's session. The motion prevailed.

Senator Hammerstrom moved that Senators Brown and Jelinek be temporarily excused from today's session. The motion prevailed.

Senator Jelinek entered the Senate Chamber.

Senator Hammerstrom 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. 4945

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

Recess

Senator Hammerstrom moved that the Senate recess subject to the call of the Chair. The motion prevailed, the time being 10:05 a.m.

11:19 a.m.

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

During the recess, Senators Bernero, Thomas, Brown and Brater entered the Senate Chamber.

Senator Hammerstrom moved that the Committee on Government Operations be discharged from further consideration of the following appointments:

Michigan Public Service Commission

J. Peter Lark, a Democrat, of 2160 White Owl Way, Okemos, Michigan 48864, county of Ingham, succeeding David Svanda, whose term has expired, for a term commencing on August 4, 2003 and expiring on July 2, 2009.

Pursuant to Section 2 of 1939 PA 3, MCL 460.2, Mr. Lark is designated as Chairperson of the Commission, effective August 4, 2003.

Director of Department of Corrections

Patricia Louise Caruso, 3348 Lakeshore Drive, Sault Sainte Marie, Michigan 49783, county of Chippewa, succeeding William Overton, for a term commencing on June 30, 2003 and expiring at the pleasure of the Governor.

Michigan Liquor Control Commission

Ms. Nida R. Samona of 23708 Hazen Street, Southfield, Michigan 48034, county of Oakland, a Democrat, succeeding Claudia L. Gartin, whose term has expired, for a term commencing August 25, 2003 and expiring June 12, 2007.

Mr. Patrick M. Gagliardi of 31533 East Tourist Road, Drummond Island, Michigan 49726, county of Chippewa, a Democrat, succeeding James E. McBryde, whose term has expired, for a term commencing July 17, 2003 and expiring June 12, 2007.

The motion prevailed, a majority of the members serving voting therefor, and the appointments were placed on the order of Messages from the Governor.

The following communication was received:

Department of Environmental Quality

July 14, 2003

I am pleased to present to the Governor and the Legislature the report on In-Service Mercury Switch Review prepared by the Department of Environmental Quality (DEQ). This report was prepared in accordance with the DEQ budget bill for fiscal year 2003, Public Act 520 of 2002. Under Section 1003, Environmental Assistance, the bill contains the following requirement:

Section 1003. If the department participates, consults, or collaborates on a study regarding removal of automobile components in 2002, it shall review other removal options for similar components by September 30, 2003, including but not limited to, removal from other than end-of-life vehicles.

The provision to conduct a study of the removal of components from other than end-of-life vehicles became a requirement on December 19, 2002, when the DEQ released a cooperative study on removal of mercury convenience lighting switch assemblies from end-of-life or scrapped vehicles. The DEQ has now met that requirement by completing the enclosed review on removing and replacing the mercury pellets from convenience lighting switch assemblies of vehicles still in service. For your additional information, I have enclosed a copy of the report completed last December on end-of-life vehicles.

I trust the members of the Senate will find both these reports informative. If you have comments or questions about this report, please contact Ms. Marcia Horan, Chief of the Pollution Prevention and Compliance Assistance Section, Environmental Science and Services Division, at 517-373-9122, or you may contact me.

Sincerely,
Steven E. Chester
Director
517-373-7917

The communication was referred to the Secretary for record.

The following communication was received:

Department of Corrections

July 16, 2003

Michigan Compiled Laws 791.220g requires the Department of Corrections to report to the Senate and House committees responsible for legislation concerning corrections and to the Clerk of the House of Representatives and the Secretary of the Senate, on the operation of the Michigan Youth Correctional Facility. Attached is a copy of that report as required by statute.

If you have any questions regarding this report, or request additional information, please feel free to contact me.

Patricia L. Caruso
Director
Heidi Washington
Administrative Assistant

The communication was referred to the Secretary for record.

The following communications were received and read:

Office of Senator Sikkema

July 22, 2003

Pursuant to Senate Rule 2.104(c), I am requesting that the Senate Judiciary Committee hold a hearing on the appointment of Patricia Caruso to Director of Department of Corrections, and make a written recommendation to the Government Operations Committee on this appointment.

July 22, 2003

Pursuant to Senate Rule 2.104(c), I am requesting that the Senate Economic Development, Small Business and Regulatory Reform Committee hold a hearing on the appointment of Patrick Gagliardi and Nida Samona to the Michigan Liquor Control Commission, and make a written recommendation to the Government Operations Committee on these appointments.

July 22, 2003

Pursuant to Senate Rule 2.104(c), I am requesting that the Senate Technology and Energy Committee hold a hearing on the appointment of Peter Lark to the Michigan Public Service Commission, and make a written recommendation to the Government Operations Committee on this appointment.

Sincerely,
Senator Ken Sikkema
Chairman, Senate Government Operations Committee

The communications were referred to the Secretary for record.

The following communications were received:
Department of State

Administrative Rules
Notices of Filing

July 22, 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 2:56 p.m. this date, administrative rule (03-07-01) for the Department of Consumer and Industry Services, Director's Office, entitled "*Manufacturing Housing Commission General Rules*," effective August 1, 2003.

July 22, 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 2:58 p.m. this date, administrative rule (03-07-02) for the Department of Consumer and Industry Services, Public Service Commission, entitled "*Additional Safety Requirements for Sour Gas Pipelines*," effective 7 days hereafter.

July 22, 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 3:00 p.m. this date, administrative rule (03-07-03) for the Department of Consumer and Industry Services, Bureau of Workers' & Unemployment Compensation, entitled "*Youth Employment Standards*," effective 7 days hereafter.

July 22, 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 3:02 p.m. this date, administrative rule (03-07-04) for the Department of Consumer and Industry Services, Bureau of Workers' & Unemployment Compensation, entitled "*Payment of Wages and Fringe Benefits*," effective 7 days hereafter.

July 22, 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 3:04 p.m. this date, administrative rule (03-07-05) for the Department of Consumer and Industry Services, Director's Office, entitled "*Child Day Care Licensing - Child Care Center*," effective September 1, 2003.

July 28, 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 2:58 p.m. this date, administrative rule (03-07-06) for the Department of Consumer and Industry Services, Director's Office, entitled "*Hazardous Work in Laboratories*," 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 following communications were received:
Office of the Auditor General

July 23, 2003

Enclosed is a copy of the financial statements, together with the Auditor's Report, for the Bureau of State Lottery for the six-month period ending March 31, 2003.

If you have questions regarding this report, please call me; Scott M. Strong, C.P.A., Director of Audit Operations; or Michael R. Becker, C.P.A., Audit Division Administrator for audits of the Bureau of State Lottery.

August 12, 2003

Enclosed is a copy of the following audit report and/or report summary:
Performance Audit of the Real Estate Support Area, Highway Bureau of Development, Michigan Department of Transportation, August 2003.

Sincerely,
Thomas H. McTavish, C.P.A.
Auditor General

The communications were referred to the Secretary for record.

The following communication was received:
Department of State

July 31, 2003

Pursuant to the provisions of the Campaign Finance Act, 1976 PA 388, as amended, MCL 169.1 *et seq.*, (the "Act"), the various dollar figures specified in section 46 have been reviewed in light of changes in the Consumer Price Index compiled by the United States Department of Labor and the number of registered voters in the state. By this letter I am transmitting the results of that review in accordance with the provisions of section 46. These figures are not recommendations for legislative changes.

The Consumer Price Index for August 2002 was 180.9, which represents an increase in prices of 6.34% since August of 2000. Since October of 2000 there has been a 0.90% decrease in the number of registered voters in the state from 6,859,332 to 6,797,293.

The first column of figures (Current) is the dollar amounts included in current law. The second column (CPI) reflects the current amounts as adjusted by the Consumer Price Index. The third column (CPI and Voters) is adjusted to show the change in the number of registered voters as well as the change in the CPI.

Sincerely,
Terri Lynn Land
Secretary of State

The communication was referred to the secretary for record.

The Secretary announced that pursuant to Rule 2.109 of the Standing Rules of the Senate, the following expense reports have been filed with the Secretary of the Senate for the quarter from January 1, 2003 through March 31, 2003, and are available in the Secretary's office during business hours for public inspection:

Committee
Agriculture, Forestry and Tourism
Appropriations

Chairperson
Senator Gerald Van Woerkom
Senator Shirley Johnson

Banking and Financial Institutions	Senator Valde Garcia
Banking and Financial Institutions	Senator Michael Bishop
Commerce and Labor	Senator Jason Allen
Economic Development, Small Business and Regulatory Reform	Senator Alan Sanborn
Education	Senator Loren Bennett
Education	Senator Wayne Kuipers
Families, Mental Health and Human Services	Senator Beverly Hammerstrom
Families and Human Services	Senator Bill Hardiman
Farming, Agribusiness and Food Systems	Senator George McManus
Finance	Senator Nancy Cassis
Financial Services	Senator Bill Bullard
Gaming and Casino Oversight	Senator Jason Allen
Government Operations	Senator Ken Sikkema
Health Policy	Senator Dale Shugars
Health Policy	Senator Beverly Hammerstrom
Hunting, Fishing and Forestry	Senator Alan Sanborn
Judiciary	Senator William Van Regenmorter
Judiciary	Senator Alan Cropsey
Natural Resources and Environmental Affairs	Senator Ken Sikkema
Natural Resources and Environmental Affairs	Senator Patricia Birkholz
Reapportionment	Senator Bill Schuette
Senior Citizens and Veterans Affairs	Senator Mat Dunaskiss
Senior Citizens and Veterans Affairs	Senator Laura Toy
Technology and Energy	Senator Mat Dunaskiss
Technology and Energy	Senator Bruce Patterson
Transportation and Tourism	Senator Bill Bullard
Transportation	Senator Jud Gilbert
Appropriations Subcommittee on Department of Education	Senator Leon Stille
Appropriations Subcommittee on Family Independence Agency	Senator Mike Goschka
Appropriations Subcommittee on General Government	Senator John Schwarz
Appropriations Subcommittee on Higher Education	Senator John Schwarz
Appropriations Subcommittee on School Aid	Senator Leon Stille

The Secretary announced that the following House bills were received in the Senate and filed on Thursday, July 17:
House Bill Nos. 4245 4284 4360 4658

The Secretary announced the enrollment printing and presentation to the Governor on Tuesday, July 22, for her approval the following bills:

Enrolled Senate Bill No. 129 at 3:32 p.m.
Enrolled Senate Bill No. 130 at 3:34 p.m.
Enrolled Senate Bill No. 463 at 3:36 p.m.
Enrolled Senate Bill No. 135 at 3:38 p.m.
Enrolled Senate Bill No. 399 at 3:40 p.m.
Enrolled Senate Bill No. 132 at 3:42 p.m.
Enrolled Senate Bill No. 131 at 3:44 p.m.

The Secretary announced the enrollment printing and presentation to the Governor on Friday, July 25, for her approval the following bills:

Enrolled Senate Bill No. 133 at 1:50 p.m.
Enrolled Senate Bill No. 277 at 1:52 p.m.
Enrolled Senate Bill No. 288 at 1:54 p.m.
Enrolled Senate Bill No. 134 at 1:56 p.m.
Enrolled Senate Bill No. 561 at 1:58 p.m.
Enrolled Senate Bill No. 281 at 2:00 p.m.
Enrolled Senate Bill No. 266 at 2:02 p.m.
Enrolled Senate Bill No. 289 at 2:04 p.m.
Enrolled Senate Bill No. 539 at 2:06 p.m.
Enrolled Senate Bill No. 391 at 2:08 p.m.

The Secretary announced the enrollment printing and presentation to the Governor on Tuesday, July 29, for her approval the following bills:

- Enrolled Senate Bill No. 279 at 2:36 p.m.**
- Enrolled Senate Bill No. 596 at 2:38 p.m.**
- Enrolled Senate Bill No. 567 at 2:40 p.m.**
- Enrolled Senate Bill No. 270 at 2:42 p.m.**
- Enrolled Senate Bill No. 265 at 2:44 p.m.**

The Secretary announced the enrollment printing and presentation to the Governor on Wednesday, July 30, for her approval the following bills:

- Enrolled Senate Bill No. 509 at 10:55 a.m.**
- Enrolled Senate Bill No. 314 at 10:57 a.m.**
- Enrolled Senate Bill No. 286 at 3:56 p.m.**
- Enrolled Senate Bill No. 283 at 3:58 p.m.**
- Enrolled Senate Bill No. 537 at 4:00 p.m.**
- Enrolled Senate Bill No. 285 at 4:02 p.m.**
- Enrolled Senate Bill No. 575 at 4:04 p.m.**

The Secretary announced the enrollment printing and presentation to the Governor on Thursday, July 31, for her approval the following bills:

- Enrolled Senate Bill No. 540 at 1:45 p.m.**
- Enrolled Senate Bill No. 554 at 1:47 p.m.**

The Secretary announced that the following bills were available at the legislative Web site on Thursday, July 17:

Senate Bill Nos.	619	620	621	622	623	624	625	626	627	628	629	630	631	632
	633	634	635	636	637	638	639							
House Bill Nos.	4961	4962	4963	4964	4965	4966	4967	4968	4969	4970	4971	4972	4973	4974
	4975	4976	4977	4978	4979	4980	4981	4982	4983	4984				

The Secretary announced that the following bills were available at the legislative Web site on Friday, July 18:

House Bill Nos.	4986	4987	4988	4989	4990	4991	4992	4993	4994	4995	4996	4997	4998	4999
	5000	5001	5002	5003	5004	5005	5006	5007	5008	5009				

The Secretary announced that the following bills were available at the legislative Web site on Monday, July 21:

Senate Bill Nos.	640	641	642	643	644	645	646	647
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Messages from the Governor

Michigan Public Service Commission

J. Peter Lark, a Democrat, of 2160 White Owl Way, Okemos, Michigan 48864, county of Ingham, succeeding David Svanda, whose term has expired, for a term commencing on August 4, 2003 and expiring on July 2, 2009.

Pursuant to Section 2 of 1939 PA 3, MCL 460.2, Mr. Lark is designated as Chairperson of the Commission, effective August 4, 2003.

Senator Hammerstrom moved that the Senate advise and consent to the appointment.

The question being on advising and consenting to the said appointment to office,

The Senate advised and consented to the said appointment to office, a majority of the members serving voting therefor, as follows:

Roll Call No. 416

Yeas—38

Allen	Clark-Coleman	Jacobs	Sanborn
Barcia	Clarke	Jelinek	Schauer
Basham	Cropsey	Johnson	Scott
Bernero	Emerson	Kuipers	Sikkema
Birkholz	Garcia	Leland	Stamas

Bishop	George	McManus	Switalski
Brater	Gilbert	Olshove	Thomas
Brown	Goschka	Patterson	Toy
Cassis	Hammerstrom	Prusi	Van Woerkom
Cherry	Hardiman		

Nays—0

Excused—0

Not Voting—0

In The Chair: President

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

The motion prevailed.

Senator Bernero's statement is as follows:

Mr. President and Senate colleagues, I would like to take this opportunity to express my support for the appointment of J. Peter Lark as Chair of the Michigan Public Service Commission.

Mr. Lark is a dedicated public servant. He has served in the Attorney General's office since 1979, most recently as the assistant attorney general in charge of the Special Litigation Division. In this capacity, Mr. Lark participated in rate hearings and other actions that saved Michigan ratepayers more than \$846 million. Mr. Lark's extensive experience with the Attorney General's office and his dedication to serving the residents of the state of Michigan make him an ideal candidate for Chair of the Michigan Public Service Commission.

I hope my colleagues will join me in voting to approve Mr. Lark's appointment.

Director of Department of Corrections

Patricia Louise Caruso, 3348 Lakeshore Drive, Sault Sainte Marie, Michigan 49783, county of Chippewa, succeeding William Overton, for a term commencing on June 30, 2003 and expiring at the pleasure of the Governor.

Senator Hammerstrom moved that the Senate advise and consent to the appointment.

The question being on advising and consenting to the said appointment to office,

The Senate advised and consented to the said appointment to office, a majority of the members serving voting therefor, as follows:

Roll Call No. 417

Yeas—38

Allen	Clark-Coleman	Jacobs	Sanborn
Barcia	Clarke	Jelinek	Schauer
Basham	Cropsey	Johnson	Scott
Bernero	Emerson	Kuipers	Sikkema
Birkholz	Garcia	Leland	Stamas
Bishop	George	McManus	Switalski
Brater	Gilbert	Olshove	Thomas
Brown	Goschka	Patterson	Toy
Cassis	Hammerstrom	Prusi	Van Woerkom
Cherry	Hardiman		

Nays—0

Excused—0

Not Voting—0

In The Chair: President

Senators Brater and Hardiman 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 Senate colleagues, I am proud to stand before you today in support of the appointment of Patricia Caruso as Director of the Michigan Department of Corrections, who, by the way, will be the first woman to head this department.

Ms. Caruso has risen through the ranks of our corrections system, and her excellent performance has been recognized at every stage. Governor Granholm has certainly made an excellent choice in selecting her to continue serving the people of Michigan.

Before her appointment as Director of the Corrections Department, Ms. Caruso served as the state's deputy director for Correctional Facilities Administration. In that role, she was responsible for the operation of the entire prison system, which included 42 prisons and 10 camps which housed 50,000 prisoners and employs 15,000 people. She has demonstrated knowledge and sensitivity to the complex needs and responsibilities of this system.

She served as a regional administrator for the Corrections Department and warden of the Chippewa Correctional Facility. Throughout her career, Ms. Caruso has embraced new and challenging roles and performed admirably. I believe that her experience has prepared her well to accept the new tasks before her and make necessary enhancements to our state's corrections system.

I ask that my colleagues join me in supporting Ms. Caruso's nomination for Director of the Michigan Department of Corrections.

Senator Hardiman's statement is as follows:

Mr. President and my Senate colleagues, I am pleased to introduce today Mr. Sean Hartley. He has worked as an intern in my office over the last four months. This fine looking young man standing next to me has been a friend of mine for perhaps about ten years. You see, he grew up in Kentwood, Michigan, and I've attended some important occasions in his life, such as his Eagle Scout Court of Honor. You can see that he has accomplished much in his life, and has completed the internship in my office and has done a great job. He has worked very well with staff, constituents, and other members of this body. Now he is going on to the Michigan State University Detroit College of Law, which I believe he has just started today. He's going to be a fine lawyer and make great contributions to this state and to this nation, I believe, as well as his community. I have a special tribute here for him. I won't read the whole thing, but I've kind of given you the highlights. I'd like you to help me recognize a fine young man, Mr. Sean Hartley, my good friend.

Senator Schauer moved that Senator Emerson be temporarily excused from the balance of today's session.

The motion prevailed.

Michigan Liquor Control Commission

Ms. Nida R. Samona of 23708 Hazen Street, Southfield, Michigan 48034, county of Oakland, a Democrat, succeeding Claudia L. Gartin, whose term has expired, for a term commencing August 25, 2003 and expiring June 12, 2007.

Senator Hammerstrom moved that the Senate advise and consent to the appointment.

The question being on advising and consenting to the said appointments to office,

The Senate advised and consented to the said appointments to office, a majority of the members serving voting therefor, as follows:

Roll Call No. 418

Yeas—37

Allen
Barcia

Clark-Coleman
Clarke

Jacobs
Jelinek

Sanborn
Schauer

Basham	Cropsey	Johnson	Scott
Bernero	Garcia	Kuipers	Sikkema
Birkholz	George	Leland	Stamas
Bishop	Gilbert	McManus	Switalski
Brater	Goschka	Olshove	Thomas
Brown	Hammerstrom	Patterson	Toy
Cassis	Hardiman	Prusi	Van Woerkom
Cherry			

Nays—0

Excused—1

Emerson

Not Voting—0

In The Chair: President

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

The motion prevailed.

Senator Jacobs' statement is as follows:

I am thrilled to be able to rise and speak in favor of the nomination of Nida Samona, who is a constituent of mine in Southfield. Nida is currently a Macomb County prosecutor, where she has really proven herself as a person who is able to read the law and administer the law. She also serves as a Southfield City Commissioner, and most currently, is the president of the Southfield City Commission. In that role, over a number of years, she really understands how local government works and how local government and the Liquor Control Commission need to work together. She is a woman of dedication, of integrity, of fairness, and I am thrilled with the Governor's choice with her.

I ask for the concurrence of my colleagues.

Senator Emerson entered the Senate Chamber.

Michigan Liquor Control Commission

Mr. Patrick M. Gagliardi of 31533 East Tourist Road, Drummond Island, Michigan 49726, county of Chippewa, a Democrat, succeeding James E. McBryde, whose term has expired, for a term commencing July 17, 2003 and expiring June 12, 2007.

Senator Hammerstrom moved that the Senate advise and consent to the appointment.

The question being on advising and consenting to the said appointment to office,

The Senate advised and consented to the said appointment to office, a majority of the members serving voting therefor, as follows:

Roll Call No. 419

Yeas—37

Allen	Clark-Coleman	Hardiman	Sanborn
Barcia	Clarke	Jacobs	Schauer
Basham	Cropsey	Jelinek	Scott
Bernero	Emerson	Kuipers	Sikkema
Birkholz	Garcia	Leland	Stamas
Bishop	George	McManus	Switalski
Brater	Gilbert	Olshove	Thomas

Brown
Cassis
Cherry

Goschka
Hammerstrom

Patterson
Prusi

Toy
Van Woerkom

Nays—1

Johnson

Excused—0

Not Voting—0

In The Chair: President

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

The motion prevailed.

Senator Basham's statement is as follows:

As a member of the Economic Development, Small Business and Regulatory Reform Committee, I was proud to cast one of the unanimous votes for Pat Gagliardi, who was the Majority Floor Leader when I won a special election in 1997. He certainly made me feel at home winning a special election. He went out of his way to make this greenhorn Representative feel comfortable in the State House. I watched Mr. Gagliardi run the floor in the State House and do exceptional work. Certainly, he has great credentials, and I certainly am going to support his nomination for the Liquor Control Commission.

Senator Hammerstrom moved that consideration of the following bills be postponed for today:

Senate Bill No. 195

Senate Bill No. 364

Senate Bill No. 293

The motion prevailed.

The following messages from the Governor were received:

Date: July 21, 2003

Time: 3:44 p.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 230 (Public Act No. 80), being

An act to amend 1917 PA 167, entitled "An act to promote the health, safety and welfare of the people by regulating the maintenance, alteration, health, safety, and improvement of dwellings; to define the classes of dwellings affected by the act, and to establish administrative requirements; to prescribe procedures for the maintenance, improvement, or demolition of certain commercial buildings; to establish remedies; to provide for enforcement; to provide for the demolition of certain dwellings; and to fix penalties for the violation of this act," by amending section 134 (MCL 125.534).

(Filed with the Secretary of State on July 23, 2003, at 9:14 a.m.)

Date: July 21, 2003

Time: 3:36 p.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 359 (Public Act No. 81), being

An act to amend 1993 PA 23, entitled "An act to provide for the organization and regulation of limited liability companies; to prescribe their duties, rights, powers, immunities, and liabilities; to prescribe the powers and duties of certain state departments and agencies; and to provide for penalties and remedies," by amending section 1101 (MCL 450.5101), as amended by 2002 PA 686.

(Filed with the Secretary of State on July 23, 2003, at 9:16 a.m.)

Date: July 21, 2003
Time: 3:38 p.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 360 (Public Act No. 82), being

An act 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, and assessments; to provide certain appropriations; to prescribe penalties and provide remedies; to repeal certain parts of this act on a specific date; and to repeal certain acts and parts of acts,” by amending section 8317 (MCL 324.8317), as amended by 2002 PA 418.

(Filed with the Secretary of State on July 23, 2003, at 9:18 a.m.)

Date: July 21, 2003
Time: 3:40 p.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 361 (Public Act No. 83), being

An act to amend 1969 PA 287, entitled “An act to regulate pet shops, animal control shelters, and animal protection shelters; to establish uniform procedures and minimum requirements for adoption of dogs, cats, and ferrets; and to prescribe penalties and civil fines and to provide remedies,” by amending section 4 (MCL 287.334).

(Filed with the Secretary of State on July 23, 2003, at 9:20 a.m.)

Date: July 21, 2003
Time: 3:42 p.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 370 (Public Act No. 84), being

An act to amend 1936 (Ex Sess) PA 1, entitled “An act to protect the welfare of the people of this state through the establishment of an unemployment compensation fund, and to provide for the disbursement thereof; to create certain other funds; to create the Michigan employment security commission, and to prescribe its powers and duties; to provide for the protection of the people of this state from the hazards of unemployment; to levy and provide for contributions from employers; to provide for the collection of such contributions; to enter into reciprocal agreements and to cooperate with agencies of the United States and of other states charged with the administration of any unemployment insurance law; to furnish certain information to certain governmental agencies for use in administering public benefit and child support programs and investigating and prosecuting fraud; to provide for the payment of benefits; to provide for appeals from redeterminations, decisions and notices of assessments; and for referees and a board of review to hear and decide the issues arising from redeterminations, decisions and notices of assessment; to provide for the cooperation of this state and compliance with the provisions of the social security act and the Wagner-Peyser act passed by the Congress of the United States of America; to provide for the establishment and maintenance of free public employment offices; to provide for the transfer of funds; to make appropriations for carrying out the provisions of this act; to prescribe remedies and 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.” by amending section 10 (MCL 421.10), as amended by 2002 PA 192.

(Filed with the Secretary of State on July 23, 2003, at 9:22 a.m.)

Date: July 21, 2003
Time: 3:46 p.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 386 (Public Act No. 85), being

An act to amend 1937 PA 284, entitled “An act to prevent the spread of infectious and contagious diseases of livestock; to require persons, associations, partnerships and corporations engaged in the buying, receiving, selling, transporting, exchanging, negotiating, or soliciting sale, resale, exchange or transportation of livestock to be licensed and bonded by the department of agriculture; to keep a producers’ proceeds account; to provide for the refusal, suspension or revocation of such licenses; to provide for weighmasters; to provide for the inspection and disinfection

of yards, premises and vehicles; and to provide penalties for the violation of this act,” by amending section 3 (MCL 287.123).

(Filed with the Secretary of State on July 23, 2003, at 9:24 a.m.)

Date: July 21, 2003

Time: 3:48 p.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 390 (Public Act No. 86), being

An act to amend 1974 PA 93, entitled “An act to license and regulate horse riding stables and sales barns; to prescribe the duties of the department of agriculture; and to provide a penalty,” by amending section 3 (MCL 287.113).

(Filed with the Secretary of State on July 23, 2003, at 9:26 a.m.)

Date: July 21, 2003

Time: 3:50 p.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 431 (Public Act No. 87), being

An act to amend 1979 PA 152, entitled “An act to provide for the establishment and collection of fees for the regulation of certain occupations and professions, and for certain agencies and businesses; to create certain funds; and to prescribe certain powers and duties of certain state agencies and departments,” by amending sections 11, 13, 15, 17, 21, 23, 25, 27, 29, 31, 37, 38, 39, 43, 49, and 62 (MCL 338.2211, 338.2213, 338.2215, 338.2217, 338.2221, 338.2223, 338.2225, 338.2227, 338.2229, 338.2231, 338.2237, 338.2238, 338.2239, 338.2243, 338.2249, and 338.2262), sections 11, 13, 15, 17, 21, 23, 29, 31, 39, 43, 49, and 62 as amended by 1988 PA 461, section 25 as amended by 1997 PA 98, section 27 as amended by 1992 PA 252, section 37 as amended by 2002 PA 623, and section 38 as amended by 1999 PA 171.

(Filed with the Secretary of State on July 23, 2003, at 9:28 a.m.)

Date: July 21, 2003

Time: 3:52 p.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 460 (Public Act No. 88), being

An act to amend 1956 PA 218, entitled “An act to revise, consolidate, and classify the laws relating to the insurance and surety business; to regulate the incorporation or formation of domestic insurance and surety companies and associations and the admission of foreign and alien companies and associations; to provide their rights, powers, and immunities and to prescribe the conditions on which companies and associations organized, existing, or authorized under this act may exercise their powers; to provide the rights, powers, and immunities and to prescribe the conditions on which other persons, firms, corporations, associations, risk retention groups, and purchasing groups engaged in an insurance or surety business may exercise their powers; to provide for the imposition of a privilege fee on domestic insurance companies and associations and the state accident fund; to provide for the imposition of a tax on the business of foreign and alien companies and associations; to provide for the imposition of a tax on risk retention groups and purchasing groups; to provide for the imposition of a tax on the business of surplus line agents; to provide for the imposition of regulatory fees on certain insurers; to provide for assessment fees on certain health maintenance organizations; to modify tort liability arising out of certain accidents; to provide for limited actions with respect to that modified tort liability and to prescribe certain procedures for maintaining those actions; to require security for losses arising out of certain accidents; to provide for the continued availability and affordability of automobile insurance and homeowners insurance in this state and to facilitate the purchase of that insurance by all residents of this state at fair and reasonable rates; to provide for certain reporting with respect to insurance and with respect to certain claims against uninsured or self-insured persons; to prescribe duties for certain state departments and officers with respect to that reporting; to provide for certain assessments; to establish and continue certain state insurance funds; to modify and clarify the status, rights, powers, duties, and operations of the nonprofit malpractice insurance fund; to provide for the departmental supervision and regulation of the insurance and surety business within this state; to provide for regulation over worker’s compensation self-insurers; to provide for the conservation, rehabilitation, or liquidation of unsound or insolvent insurers; to provide for the protection of policyholders, claimants, and creditors of unsound or insolvent insurers; to provide for associations of insurers to protect policyholders and claimants in the event of insurer

insolvencies; to prescribe educational requirements for insurance agents and solicitors; to provide for the regulation of multiple employer welfare arrangements; to create an automobile theft prevention authority to reduce the number of automobile thefts in this state; to prescribe the powers and duties of the automobile theft prevention authority; to provide certain powers and duties upon certain officials, departments, and authorities of this state; to provide for an appropriation; to repeal acts and parts of acts; and to provide penalties for the violation of this act,” by amending section 3406q (MCL 500.3406q), as added by 2002 PA 538, and by adding chapter 37.

(Filed with the Secretary of State on July 23, 2003, at 9:30 a.m.)

Date: July 24, 2003

Time: 9:10 a.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 37 (Public Act No. 89), being

An act to amend 1968 PA 251, entitled “An act to regulate the creation and management of cemeteries; to regulate the sale of cemetery services and merchandise; to provide for a cemetery commissioner, and to prescribe the powers and duties of the commissioner; to require the registration and audit of cemeteries; to regulate persons selling burial, entombment, or columbarium rights, cemetery services, or cemetery merchandise; and to prescribe penalties,” by amending section 16 (MCL 456.536), as amended by 1982 PA 132.

(Filed with the Secretary of State on July 24, 2003, at 11:10 a.m.)

Date: July 24, 2003

Time: 9:12 a.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 38 (Public Act No. 90), being

An act to amend 1869 PA 12, entitled “An act to authorize and encourage the formation of corporations to establish rural cemeteries; to provide for the care and maintenance thereof; to provide for the revision and codification of the laws relating to cemeteries, mausoleums, crypts, vaults, crematoriums, and other means of disposing of the dead; to make an appropriation therefor; and to impose certain duties upon the department of commerce,” by amending section 7a (MCL 456.107a).

(Filed with the Secretary of State on July 24, 2003, at 11:12 a.m.)

Date: July 24, 2003

Time: 9:14 a.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 39 (Public Act No. 91), being

An act to amend 1855 PA 87, entitled “An act relative to burying grounds; and to impose certain duties upon the department of commerce,” by amending sections 35 and 35a (MCL 456.35 and 456.35a).

(Filed with the Secretary of State on July 24, 2003, at 11:14 a.m.)

Date: July 24, 2003

Time: 9:16 a.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 121 (Public Act No. 92), being

An act to amend 1941 PA 122, entitled “An act to establish the revenue collection duties of the department of treasury; to prescribe its powers and duties as the revenue collection agency of the state; to prescribe certain powers and duties of the state treasurer; to regulate the importation, stamping, and disposition of certain tobacco products; to provide for the transfer of powers and duties now vested in certain other state boards, commissions, departments and offices; to prescribe certain duties of and require certain reports from the department of treasury; to provide procedures for the payment, administration, audit, assessment, levy of interests or penalties on, and appeals of taxes and tax liability; to prescribe its powers and duties if an agreement to act as agent for a city to administer, collect, and enforce the city income tax act on behalf of a city is entered into with any city; to provide an appropriation; to abolish the state board of tax administration; to prescribe penalties and provide remedies; and to declare the effect of this act,” by amending section 3 (MCL 205.3), as amended by 2002 PA 657.

(Filed with the Secretary of State on July 24, 2003, at 11:16 a.m.)

Date: July 24, 2003
Time: 9:18 a.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 163 (Public Act No. 93), being

An act to amend 1996 PA 376, entitled “An act to create and expand certain renaissance zones; to foster economic opportunities in this state; to facilitate economic development; to stimulate industrial, commercial, and residential improvements; to prevent physical and infrastructure deterioration of geographic areas in this state; to authorize expenditures; to provide exemptions and credits from certain taxes; to create certain obligations of this state and local governmental units; to require disclosure of certain transactions and gifts; to provide for appropriations; and to prescribe the powers and duties of certain state and local departments, agencies, and officials,” 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.

(Filed with the Secretary of State on July 24, 2003, at 11:18 a.m.)

Date: July 24, 2003
Time: 9:20 a.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 239 (Public Act No. 94), being

An act to amend 1851 PA 156, entitled “An act to define the powers and duties of the county boards of commissioners of the several counties, and to confer upon them certain local, administrative and legislative powers; and to prescribe penalties for the violation of the provisions of this act,” by amending section 11 (MCL 46.11), as amended by 1998 PA 97.

(Filed with the Secretary of State on July 24, 2003, at 11:20 a.m.)

Date: July 24, 2003
Time: 9:22 a.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 434 (Public Act No. 95), being

An act to amend 1961 PA 236, entitled “An act to revise and consolidate the statutes relating to the organization and jurisdiction of the courts of this state; the powers and duties of such courts, and of the judges and other officers thereof; the forms and attributes of civil claims and actions; the time within which civil actions and proceedings may be brought in said courts; pleading, evidence, practice and procedure in civil and criminal actions and proceedings in said courts; to provide remedies and penalties for the violation of certain provisions of this act; to repeal all acts and parts of acts inconsistent with or contravening any of the provisions of this act; and to repeal acts and parts of acts,” by amending sections 8727, 8729, 8731, 8733, 8735, 8827, 8829, and 8835 (MCL 600.8727, 600.8729, 600.8731, 600.8733, 600.8735, 600.8827, 600.8829, and 600.8835), sections 8727, 8729, 8731, and 8733 as added by 1994 PA 12 and sections 8735, 8827, 8829, and 8835 as added by 1995 PA 54.

(Filed with the Secretary of State on July 24, 2003, at 11:22 a.m.)

Date: July 24, 2003
Time: 9:24 a.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 435 (Public Act No. 96), being

An act to amend 1961 PA 236, entitled “An act to revise and consolidate the statutes relating to the organization and jurisdiction of the courts of this state; the powers and duties of such courts, and of the judges and other officers thereof; the forms and attributes of civil claims and actions; the time within which civil actions and proceedings may be brought in said courts; pleading, evidence, practice and procedure in civil and criminal actions and proceedings in said courts; to provide remedies and penalties for the violation of certain provisions of this act; to repeal all acts and parts of acts inconsistent with or contravening any of the provisions of this act; and to repeal acts and parts of acts,” by amending section 8381 (MCL 600.8381), as amended by 1996 PA 374.

(Filed with the Secretary of State on July 24, 2003, at 11:24 a.m.)

Date: July 24, 2003
Time: 9:26 a.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 439 (Public Act No. 97), being

An act to amend 1961 PA 236, entitled “An act to revise and consolidate the statutes relating to the organization and jurisdiction of the courts of this state; the powers and duties of such courts, and of the judges and other officers thereof; the forms and attributes of civil claims and actions; the time within which civil actions and proceedings may be brought in said courts; pleading, evidence, practice and procedure in civil and criminal actions and proceedings in said courts; to provide remedies and penalties for the violation of certain provisions of this act; to repeal all acts and parts of acts inconsistent with or contravening any of the provisions of this act; and to repeal acts and parts of acts,” (MCL 600.101 to 600.9948) by adding section 181.

(Filed with the Secretary of State on July 24, 2003, at 11:26 a.m.)

Date: July 24, 2003
Time: 9:28 a.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 442 (Public Act No. 98), being

An act to amend 1985 PA 87, entitled “An act to establish the rights of victims of crime and juvenile offenses; to provide for certain procedures; to establish certain immunities and duties; to limit convicted criminals from deriving profit under certain circumstances; to prohibit certain conduct of employers or employers’ agents toward victims; and to provide for penalties and remedies,” by amending sections 16a, 44a, and 76a (MCL 780.766a, 780.794a, and 780.826a), as added by 2000 PA 503

(Filed with the Secretary of State on July 24, 2003, at 11:28 a.m.)

Date: July 24, 2003
Time: 9:30 a.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 444 (Public Act No. 99), being

An act to amend 1994 PA 35, entitled “An act to create the state forensic laboratory fund; to authorize local forensic laboratory funds; to provide for assessments against certain criminal defendants; to provide for expenditures from the forensic laboratories funds; to make certain appropriations; and to prescribe the powers and duties of certain departments and agencies and local units of government,” by amending sections 5, 6, and 7 (MCL 12.205, 12.206, and 12.207), section 6 as amended by 1998 PA 98.

(Filed with the Secretary of State on July 24, 2003, at 11:30 a.m.)

Date: July 24, 2003
Time: 9:32 a.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 447 (Public Act No. 100), being

An act to amend 1931 PA 328, entitled “An act to revise, consolidate, codify and add to the statutes relating to crimes; to define crimes and prescribe the penalties therefor; to provide for restitution under certain circumstances; to provide for the competency of evidence at the trial of persons accused of crime; to provide immunity from prosecution for certain witnesses appearing at such trials; and to repeal certain acts and parts of acts inconsistent with or contravening any of the provisions of this act,” by amending section 520m (MCL 750.520m), as amended by 2001 PA 89.

(Filed with the Secretary of State on July 24, 2003, at 11:32 a.m.)

Date: July 24, 2003
Time: 9:34 a.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 448 (Public Act No. 101), being

An act to amend 1927 PA 175, entitled “An act to revise, consolidate, and codify the laws relating to criminal procedure and to define the jurisdiction, powers, and duties of courts, judges, and other officers of the court under the provisions of this act; to provide laws relative to the rights of persons accused of criminal offenses and ordinance

violations; to provide for the arrest of persons charged with or suspected of criminal offenses and ordinance violations; to provide for bail of persons arrested for or accused of criminal offenses and ordinance violations; to provide for the examination of persons accused of criminal offenses; to regulate the procedure relative to grand juries, indictments, informations, and proceedings before trial; to provide for trials of persons complained of or indicted for criminal offenses and ordinance violations and to provide for the procedure in those trials; to provide for judgments and sentences of persons convicted of criminal offenses and ordinance violations; to establish a sentencing commission and to prescribe its powers and duties; to provide for procedure relating to new trials and appeals in criminal and ordinance violation cases; to provide a uniform system of probation throughout this state and the appointment of probation officers; to prescribe the powers, duties, and compensation of probation officers; to provide penalties for the violation of the duties of probation officers; to provide for procedure governing proceedings to prevent crime and proceedings for the discovery of crime; to provide for fees of officers, witnesses, and others in criminal and ordinance violation cases; to set forth miscellaneous provisions as to criminal procedure in certain cases; to provide penalties for the violation of certain provisions of this act; and to repeal all acts and parts of acts inconsistent with or contravening any of the provisions of this act,” by amending section 3 of chapter XI (MCL 771.3), as amended by 1998 PA 520.

(Filed with the Secretary of State on July 24, 2003, at 11:34 a.m.)

Date: July 24, 2003

Time: 9:36 a.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 449 (Public Act No. 102), being

An act to amend 1927 PA 175, entitled “An act to revise, consolidate, and codify the laws relating to criminal procedure and to define the jurisdiction, powers, and duties of courts, judges, and other officers of the court under the provisions of this act; to provide laws relative to the rights of persons accused of criminal offenses and ordinance violations; to provide for the arrest of persons charged with or suspected of criminal offenses and ordinance violations; to provide for bail of persons arrested for or accused of criminal offenses and ordinance violations; to provide for the examination of persons accused of criminal offenses; to regulate the procedure relative to grand juries, indictments, informations, and proceedings before trial; to provide for trials of persons complained of or indicted for criminal offenses and ordinance violations and to provide for the procedure in those trials; to provide for judgments and sentences of persons convicted of criminal offenses and ordinance violations; to establish a sentencing commission and to prescribe its powers and duties; to provide for procedure relating to new trials and appeals in criminal and ordinance violation cases; to provide a uniform system of probation throughout this state and the appointment of probation officers; to prescribe the powers, duties, and compensation of probation officers; to provide penalties for the violation of the duties of probation officers; to provide for procedure governing proceedings to prevent crime and proceedings for the discovery of crime; to provide for fees of officers, witnesses, and others in criminal and ordinance violation cases; to set forth miscellaneous provisions as to criminal procedure in certain cases; to provide penalties for the violation of certain provisions of this act; and to repeal all acts and parts of acts inconsistent with or contravening any of the provisions of this act,” by amending section 22 of chapter XV (MCL 775.22), as added by 1993 PA 343.

(Filed with the Secretary of State on July 24, 2003, at 11:36 a.m.)

Date: July 24, 2003

Time: 9:38 a.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 462 (Public Act No. 103), being

An act to amend 1949 PA 300, entitled “An act to provide for the registration, titling, sale, transfer, and regulation of certain vehicles operated upon the public highways of this state or any other place open to the general public or generally accessible to motor vehicles and distressed vehicles; to provide for the licensing of dealers; to provide for the examination, licensing, and control of operators and chauffeurs; to provide for the giving of proof of financial responsibility and security by owners and operators of vehicles; to provide for the imposition, levy, and collection of specific taxes on vehicles, and the levy and collection of sales and use taxes, license fees, and permit fees; to provide for the regulation and use of streets and highways; to create certain funds; to provide penalties and sanctions for a violation of this act; to provide for civil liability of owners and operators of vehicles and service of process on residents and nonresidents; to provide for the levy of certain assessments; to provide for the enforcement of this act; to provide for the creation of and to prescribe the powers and duties of certain state and local agencies; to impose liability upon the state or local agencies; to provide appropriations for certain purposes; to repeal all other acts or parts of acts inconsistent with this act or contrary to this act; and to repeal certain parts of this act on a specific date,” by amending sections 312b, 312c, 811a, and 811b (MCL 257.312b, 257.312c, 257.811a, and 257.811b), section 312b as amended

by 2000 PA 456, section 312c as amended by 1996 PA 345, section 811a as amended by 1992 PA 59, and section 811b as added by 1987 PA 85.

(Filed with the Secretary of State on July 24, 2003, at 11:38 a.m.)

Date: July 24, 2003

Time: 9:40 a.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 480 (Public Act No. 104), being

An act to amend 1931 PA 189, entitled “An act to regulate the sale and distribution of nursery stock, plants, and plant products; to prevent the introduction into and the dissemination within this state of insect pests and plant diseases; to provide for the destruction and control of insect pests and plant diseases; to provide for the destruction of certain plants by owners of certain fruit trees; to provide for license and to provide for inspection; and imposing certain powers and duties on the director of agriculture; to provide for the promulgation of rules; and to prescribe penalties,” by amending section 9 (MCL 286.209), as amended by 1982 PA 157.

(Filed with the Secretary of State on July 24, 2003, at 11:40 a.m.)

Date: July 24, 2003

Time: 9:42 a.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 520 (Public Act No. 105), being

An act to amend 1893 PA 206, entitled “An act to provide for the assessment of rights and interests, including leasehold interests, in property and the levy and collection of taxes on property, and for the collection of taxes levied; making those taxes a lien on the property taxed, establishing and continuing the lien, providing for the sale or forfeiture and conveyance of property delinquent for taxes, and for the inspection and disposition of lands bid off to the state and not redeemed or purchased; to provide for the establishment of a delinquent tax revolving fund and the borrowing of money by counties and the issuance of notes; to define and limit the jurisdiction of the courts in proceedings in connection with property delinquent for taxes; to limit the time within which actions may be brought; to prescribe certain limitations with respect to rates of taxation; to prescribe certain powers and duties of certain officers, departments, agencies, and political subdivisions of this state; to provide for certain reimbursements of certain expenses incurred by units of local government; to provide penalties for the violation of this act; and to repeal acts and parts of acts,” by amending sections 7cc, 7ee, 24c, and 53b (MCL 211.7cc, 211.7ee, 211.24c, and 211.53b), sections 7cc and 53b as amended by 2002 PA 624, section 7ee as amended by 1996 PA 476, and section 24c as amended by 2002 PA 620.

(Filed with the Secretary of State on July 24, 2003, at 11:42 a.m.)

Date: July 24, 2003

Time: 9:44 a.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 570 (Public Act No. 106), being

An act to amend 1972 PA 284, entitled “An act to provide for the organization and regulation of corporations; to prescribe their duties, rights, powers, immunities and liabilities; to provide for the authorization of foreign corporations within this state; to prescribe the functions of the administrator of this act; to prescribe penalties for violations of this act; and to repeal certain acts and parts of acts,” by amending section 1060 (MCL 450.2060), as amended by 2001 PA 57; and to repeal acts and parts of acts.

(Filed with the Secretary of State on July 24, 2003, at 11:44 a.m.)

Date: July 24, 2003

Time: 9:46 a.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 571 (Public Act No. 107), being

An act to amend 1982 PA 162, entitled “An act to revise, consolidate, and classify the laws relating to the organization and regulation of certain nonprofit corporations; to prescribe their duties, rights, powers, immunities, and

liabilities; to provide for the authorization of foreign nonprofit corporations within this state; to impose certain duties on certain state departments; to prescribe fees; to prescribe penalties for violations of this act; and to repeal certain acts and parts of acts,” by amending section 1060 (MCL 450.3060), as amended by 1984 PA 209; and to repeal acts and parts of acts.

(Filed with the Secretary of State on July 24, 2003, at 11:46 a.m.)

Date: July 24, 2003
Time: 9:48 a.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 572 (Public Act No. 108), being

An act to amend 1961 PA 108, entitled “An act to provide for loans by the state of Michigan to school districts for the payment of principal and interest upon school bonds; to prescribe the terms and conditions of the loans and the conditions upon which levies for bond principal and interest shall be included in computing the amount to be so loaned by the state; to prescribe the powers and duties of the superintendent of public instruction and the state treasurer in relation to such loans; to provide for the repayment of such loans; to provide incentives for repayment of such loans; to provide for other matters in respect to such loans; and to make an appropriation,” (MCL 388.951 to 388.963) by adding section 9c.

(Filed with the Secretary of State on July 24, 2003, at 11:48 a.m.)

Date: July 24, 2003
Time: 9:50 a.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 573 (Public Act No. 109), being

An act to amend 1985 PA 227, entitled “An act to create the Michigan municipal bond authority and to prescribe its powers and duties; to provide for the issuance of, and terms and conditions for, notes and bonds of the authority; to authorize certain forms of assistance to governmental units including the creation and management of investments; to impose conditions on, grant certain powers to political subdivisions of the state and water suppliers regarding, and allow certain agreements regarding obligations of political subdivisions of this state and water suppliers purchased by the authority; to exempt the property, income, and operation of the authority, its bonds and notes, and the interest on its bonds and notes from certain taxes; to grant powers and impose duties on officers and agencies of the state, political subdivisions of this state, and water suppliers; to accept and expend certain appropriations; and to repeal acts and parts of acts,” by amending section 8 (MCL 141.1058), as amended by 2000 PA 416.

(Filed with the Secretary of State on July 24, 2003, at 11:50 a.m.)

Date: July 24, 2003
Time: 9:52 a.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 574 (Public Act No. 111), being

An act 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, and assessments; to provide certain appropriations; to prescribe penalties and provide remedies; to repeal certain parts of this act on a specific date; and to repeal certain acts and parts of acts,” by amending sections 81101, 81115, 81116, 81117, 81118, 81129, and 81130 (MCL 324.81101, 324.81115, 324.81116, 324.81117, 324.81118, 324.81129, and 324.81130), section 81101 as amended by 1998 PA 86, sections 81115, 81117, 81118, 81129, and 81130 as added by 1995 PA 58, and section 81116 as amended by 1995 PA 99; and to repeal acts and parts of acts.

(Filed with the Secretary of State on July 24, 2003, at 11:54 a.m.)

Date: July 24, 2003
Time: 9:54 a.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 578 (Public Act No. 112), being

An act to establish American heroes week in the state of Michigan.

(Filed with the Secretary of State on July 24, 2003, at 11:56 a.m.)

Date: July 24, 2003
Time: 9:58 a.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 589 (Public Act No. 113), being

An act to amend 1978 PA 368, entitled “An act to protect and promote the public health; to codify, revise, consolidate, classify, and add to the laws relating to public health; to provide for the prevention and control of diseases and disabilities; to provide for the classification, administration, regulation, financing, and maintenance of personal, environmental, and other health services and activities; to create or continue, and prescribe the powers and duties of, departments, boards, commissions, councils, committees, task forces, and other agencies; to prescribe the powers and duties of governmental entities and officials; to regulate occupations, facilities, and agencies affecting the public health; to regulate health maintenance organizations and certain third party administrators and insurers; to provide for the imposition of a regulatory fee; to promote the efficient and economical delivery of health care services, to provide for the appropriate utilization of health care facilities and services, and to provide for the closure of hospitals or consolidation of hospitals or services; to provide for the collection and use of data and information; to provide for the transfer of property; to provide certain immunity from liability; to regulate and prohibit the sale and offering for sale of drug paraphernalia under certain circumstances; to provide for the implementation of federal law; to provide for penalties and remedies; to provide for sanctions for violations of this act and local ordinances; to provide for an appropriation and supplements; to repeal certain acts and parts of acts; to repeal certain parts of this act; and to repeal certain parts of this act on specific dates,” by amending section 20161 (MCL 333.20161), as amended by 2002 PA 562.

(Filed with the Secretary of State on July 24, 2003, at 11:58 a.m.)

Date: July 24, 2003
Time: 9:56 a.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 586 (Public Act No. 114), being

An act to amend 1941 PA 122, entitled “An act to establish the revenue collection duties of the department of treasury; to prescribe its powers and duties as the revenue collection agency of the state; to prescribe certain powers and duties of the state treasurer; to regulate the importation, stamping, and disposition of certain tobacco products; to provide for the transfer of powers and duties now vested in certain other state boards, commissions, departments and offices; to prescribe certain duties of and require certain reports from the department of treasury; to provide procedures for the payment, administration, audit, assessment, levy of interests or penalties on, and appeals of taxes and tax liability; to prescribe its powers and duties if an agreement to act as agent for a city to administer, collect, and enforce the city income tax act on behalf of a city is entered into with any city; to provide an appropriation; to abolish the state board of tax administration; to prescribe penalties and provide remedies; and to declare the effect of this act,” by amending section 28 (MCL 205.28), as amended by 2002 PA 657.

(Filed with the Secretary of State on July 24, 2003, at 3:05 p.m.)

Date: July 31, 2003
Time: 2:35 p.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 129 (Public Act No. 126), being

An act to amend 1976 PA 451, entitled “An act to provide a system of public instruction and elementary and secondary schools; to revise, consolidate, and clarify the laws relating to elementary and secondary education; to provide for the organization, regulation, and maintenance of schools, school districts, public school academies, and intermediate school districts; to prescribe rights, powers, duties, and privileges of schools, school districts, public

school academies, and intermediate school districts; to provide for the regulation of school teachers and certain other school employees; to provide for school elections and to prescribe powers and duties with respect thereto; to provide for the levy and collection of taxes; to provide for the borrowing of money and issuance of bonds and other evidences of indebtedness; to establish a fund and provide for expenditures from that fund; to provide for and prescribe the powers and duties of certain state departments, the state board of education, and certain other boards and officials; to provide for licensure of boarding schools; to prescribe penalties; and to repeal acts and parts of acts,” by amending sections 1211 and 1211e (MCL 380.1211 and 380.1211e), section 1211 as amended and section 1211e as added by 1994 PA 258; and to repeal acts and parts of acts.

(Filed with the Secretary of State on August 1, 2003, at 9:44 a.m.)

Date: August 5, 2003

Time: 11:30 a.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 463 (Public Act No. 143), being

An act to amend 1972 PA 222, entitled “An act to provide for an official personal identification card; to provide for its form, issuance and use; to regulate the use and disclosure of information obtained from the card; to prescribe the powers and duties of the secretary of state; to prescribe fees; to prescribe certain penalties for violations; and to provide an appropriation for certain purposes,” by amending section 2 (MCL 28.292), as amended by 2002 PA 553.

(Filed with the Secretary of State on August 5, 2003, at 2:48 p.m.)

Date: August 7, 2003

Time: 3:32 p.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 289 (Public Act No. 148), being

An act 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, and assessments; to provide certain appropriations; to prescribe penalties and provide remedies; to repeal certain parts of this act on a specific date; and to repeal certain acts and parts of acts,” by amending sections 32701, 32705, 32707, 32708, and 32714 (MCL 324.32701, 324.32705, 324.32707, 324.32708, and 324.32714), sections 32701, 32707, and 32708 as amended and section 32714 as added by 1996 PA 434 and section 32705 as added by 1995 PA 59, and by adding part 328.

(Filed with the Secretary of State on August 8, 2003, at 10:42 a.m.)

Date: August 7, 2003

Time: 2:17 p.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 277 (Public Act No. 149), being

A bill to make appropriations for the department of state police and certain other state purposes for the fiscal year ending September 30, 2004; to provide for the expenditure of those appropriations; to provide for certain reports and the consideration of those reports; to provide for the disposition of other income received by the various state agencies; to provide for the testing of certain persons; to provide for certain emergency powers; and to provide for the powers and duties of certain committees, certain state agencies, and certain employees.

(Filed with the Secretary of State on August 8, 2003, at 10:44 a.m.)

Date: August 7, 2003

Time: 3:34 p.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 391 (Public Act No. 150), being

An act to amend 1964 PA 265, entitled “An act to enact the uniform securities act relating to the issuance, offer, sale, or purchase of securities; to prohibit fraudulent practices in relation to securities; to establish civil and criminal

sanctions for violations of the act and civil sanctions for violation of the rules promulgated pursuant to the act; to require the registration of broker-dealers, agents, investment advisers, and securities; to make uniform the law with reference to securities; and to repeal acts and parts of acts,” by amending section 202 (MCL 451.602), as amended by 2000 PA 494.

(Filed with the Secretary of State on August 8, 2003, at 10:46 a.m.)

Date: August 7, 2003

Time: 3:36 p.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 539 (Public Act No. 151), being

An act 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 section 10 (MCL 247.660), as amended by 2000 PA 188.

(Filed with the Secretary of State on August 8, 2003, at 10:48 a.m.)

Date: August 7, 2003

Time: 3:38 p.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 554 (Public Act No. 152), being

An act to amend 1949 PA 300, entitled “An act to provide for the registration, titling, sale, transfer, and regulation of certain vehicles operated upon the public highways of this state or any other place open to the general public or generally accessible to motor vehicles and distressed vehicles; to provide for the licensing of dealers; to provide for the examination, licensing, and control of operators and chauffeurs; to provide for the giving of proof of financial responsibility and security by owners and operators of vehicles; to provide for the imposition, levy, and collection of specific taxes on vehicles, and the levy and collection of sales and use taxes, license fees, and permit fees; to provide for the regulation and use of streets and highways; to create certain funds; to provide penalties and sanctions for a violation of this act; to provide for civil liability of owners and operators of vehicles and service of process on residents and nonresidents; to provide for the levy of certain assessments; to provide for the enforcement of this act; to provide for the creation of and to prescribe the powers and duties of certain state and local agencies; to impose liability upon the state or local agencies; to provide appropriations for certain purposes; to repeal all other acts or parts of acts inconsistent with this act or contrary to this act; and to repeal certain parts of this act on a specific date,” by amending sections 217a, 217d, 226, 226b, 307, 310, 312e, 312h, 320e, 723, 801, 802, 803b, 803m, 804, 806, 807, 810, 811, 811c, 811h, and 812 (MCL 257.217a, 257.217d, 257.226, 257.226b, 257.307, 257.310, 257.312e, 257.312h, 257.320e, 257.723, 257.801, 257.802, 257.803b, 257.803m, 257.804, 257.806, 257.807, 257.810, 257.811, 257.811c, 257.811h,

and 257.812), section 217a as amended by 1988 PA 419, section 217d as amended by 2000 PA 78, section 226 as amended by 2002 PA 642, section 226b and 312h as amended by 1989 PA 299, section 307 as amended by 2002 PA 534, sections 310 and 312e as amended by 2002 PA 652, section 320e as amended by 1998 PA 346, section 723 as amended by 1988 PA 346, section 801 as amended by 2002 PA 417, section 802 as amended by 1998 PA 396, section 803b as amended by 1996 PA 142, section 803m as amended and section 811c as added by 1994 PA 332, section 804 as amended and section 811h as added by 2000 PA 77, section 806 as amended by 2002 PA 497, section 807 as amended by 1998 PA 384, section 810 as amended by 1987 PA 238, section 811 as amended by 2000 PA 456, and section 812 as amended by 1989 PA 280, and by adding sections 803r, 810b, 819a, and 819b; and to repeal acts and parts of acts.

(Filed with the Secretary of State on August 8, 2003, at 10:50 a.m.)

Date: August 7, 2003

Time: 3:40 p.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 561 (Public Act No. 153), being

An act 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, and assessments; to provide certain appropriations; to prescribe penalties and provide remedies; to repeal certain parts of this act on a specific date; and to repeal certain acts and parts of acts,” by amending sections 11507a, 11512, 11516, 11525, 11525a, and 11550 (MCL 324.11507a, 324.11512, 324.11516, 324.11525, 324.11525a, and 324.11550), section 11507a as added by 1996 PA 359, sections 11512 and 11516 as amended and sections 11525a and 11550 as added by 1996 PA 358, and section 11525 as amended by 1996 PA 506.

(Filed with the Secretary of State on August 8, 2003, at 10:52 a.m.)

Date: August 7, 2003

Time: 3:46 p.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 281 (Public Act No. 155), being

An act to make appropriations for the judicial branch for the fiscal year ending September 30, 2004; to provide for the expenditure of these appropriations; to place certain restrictions on the expenditure of these appropriations; to prescribe the powers and duties of certain officials and employees; to require certain reports; and to provide for the disposition of fees and other income received by the judicial branch.

(Filed with the Secretary of State on August 8, 2003, at 10:56 a.m.)

Date: August 7, 2003

Time: 3:50 p.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 266 (Public Act No. 156), being

An act to make appropriations for the department of military and veterans affairs for the fiscal year ending September 30, 2004; to provide for the expenditure of the appropriations; to provide for certain powers and duties of the department of military and veterans affairs, other state agencies, and local units of government related to the appropriations; and to provide for the preparation of certain reports related to the appropriations.

(Filed with the Secretary of State on August 8, 2003, at 10:58 a.m.)

Date: August 11, 2003

Time: 5:37 p.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 567 (Public Act No. 163), being

An act 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, and assessments; to provide certain appropriations; to prescribe penalties and provide remedies; to repeal certain parts of this act on a specific date; and to repeal certain acts and parts of acts,” by amending sections 3104, 8716, 30104, 30109, 32312, and 32513 (MCL 324.3104, 324.8716, 324.30104, 324.30109, 324.32312, and 324.32513), sections 3104, 30104, 30109, and 32312 as amended by 1999 PA 106 and section 32513 as amended by 2003 PA 14.

(Filed with the Secretary of State on August 12, 2003, at 2:14 p.m.)

Date: August 11, 2003

Time: 5:39 p.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 596 (Public Act No. 164), being

An act to amend 1978 PA 368, entitled “An act to protect and promote the public health; to codify, revise, consolidate, classify, and add to the laws relating to public health; to provide for the prevention and control of diseases and disabilities; to provide for the classification, administration, regulation, financing, and maintenance of personal, environmental, and other health services and activities; to create or continue, and prescribe the powers and duties of, departments, boards, commissions, councils, committees, task forces, and other agencies; to prescribe the powers and duties of governmental entities and officials; to regulate occupations, facilities, and agencies affecting the public health; to regulate health maintenance organizations and certain third party administrators and insurers; to provide for the imposition of a regulatory fee; to promote the efficient and economical delivery of health care services, to provide for the appropriate utilization of health care facilities and services, and to provide for the closure of hospitals or consolidation of hospitals or services; to provide for the collection and use of data and information; to provide for the transfer of property; to provide certain immunity from liability; to regulate and prohibit the sale and offering for sale of drug paraphernalia under certain circumstances; to provide for the implementation of federal law; to provide for penalties and remedies; to provide for sanctions for violations of this act and local ordinances; to provide for an appropriation and supplements; to repeal certain acts and parts of acts; to repeal certain parts of this act; and to repeal certain parts of this act on specific dates,” by amending section 12562 (MCL 333.12562), as amended by 1999 PA 41.

(Filed with the Secretary of State on August 12, 2003, at 2:16 p.m.)

Date: August 11, 2003

Time: 4:20 p.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 270 (Public Act No. 161), being

An act to make, supplement, and adjust appropriations for the departments of attorney general, civil rights, civil service, information technology, management and budget, state, and treasury, the executive office, and the legislative branch for the fiscal year ending September 30, 2004; to provide for the expenditure of these appropriations; to provide for the funding of certain work projects; to provide for the imposition of certain fees; to establish or continue certain funds, programs, and categories; to transfer certain funds; to prescribe certain requirements for bidding on state contracts; to provide for disposition of year-end balances for the fiscal year ending September 30, 2003; to prescribe the powers and duties of certain principal executive departments and state agencies, officials, and employees; and to provide for the disposition of fees and other income received by the various principal executive departments and state agencies.

(Filed with the Secretary of State on August 12, 2003, at 2:10 p.m.)

Date: July 31, 2003

Time: 2:37 p.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 130 (Public Act No. 127), being

An act to amend 1992 PA 147, entitled “An act to provide for the development and rehabilitation of residential housing; to provide for the creation of neighborhood enterprise zones; to provide for obtaining neighborhood enterprise zone certificates for a period of time and to prescribe the contents of the certificates; to provide for the exemption of certain taxes; to provide for the levy and collection of a specific tax on the owner of certain facilities; and to prescribe

the powers and duties of certain officers of the state and local governmental units,” by amending section 9 (MCL 207.779), as amended by 2001 PA 217.

(Filed with the Secretary of State on August 1, 2003, at 9:46 a.m.)

Date: July 31, 2003

Time: 2:39 p.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 131 (Public Act No. 128), being

An act to amend 1993 PA 330, entitled “An act to impose a state tax on the transfer of an interest in real property; to provide for the administration of this act; to prescribe the powers and duties of certain state and local officers; to provide for the collection and distribution of the tax; and to prescribe penalties and provide remedies,” by amending section 6 (MCL 207.526), as amended by 2000 PA 203.

(Filed with the Secretary of State on August 1, 2003, at 9:48 a.m.)

Date: July 31, 2003

Time: 2:41 p.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 132 (Public Act No. 129), being

An act to amend 2002 PA 27, entitled “An act to establish procedures for municipalities to designate individual lots or structures as blighting; to purchase or condemn blighting property; to transfer blighting property for development; and to repeal acts and parts of acts,” by amending section 2 (MCL 125.2802).

(Filed with the Secretary of State on August 1, 2003, at 9:50 a.m.)

Date: July 31, 2003

Time: 2:43 p.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 135 (Public Act No. 130), being

An act to amend 1993 PA 92, entitled “An act to require certain disclosures in connection with transfers of residential property,” by amending section 7 (MCL 565.957), as amended by 2000 PA 13.

(Filed with the Secretary of State on August 1, 2003, at 9:52 a.m.)

Date: July 31, 2003

Time: 3:01 p.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 399 (Public Act No. 139), being

An act to amend 1933 PA 167, entitled “An act to provide for the raising of additional public revenue by prescribing certain specific taxes, fees, and charges to be paid to the state for the privilege of engaging in certain business activities; to provide, incident to the enforcement thereof, for the issuance of licenses to engage in such occupations; to provide for the ascertainment, assessment and collection thereof; to appropriate the proceeds thereof; and to prescribe penalties for violations of the provisions of this act,” by amending section 25 (MCL 205.75), as amended by 1993 PA 325.

(Filed with the Secretary of State on August 1, 2003, at 10:10 a.m.)

Date: July 31, 2003

Time: 3:14 p.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 133 (Public Act No. 140), being

An act to amend 1893 PA 206, entitled “An act to provide for the assessment of rights and interests, including leasehold interests, in property and the levy and collection of taxes on property, and for the collection of taxes levied;

making those taxes a lien on the property taxed, establishing and continuing the lien, providing for the sale or forfeiture and conveyance of property delinquent for taxes, and for the inspection and disposition of lands bid off to the state and not redeemed or purchased; to provide for the establishment of a delinquent tax revolving fund and the borrowing of money by counties and the issuance of notes; to define and limit the jurisdiction of the courts in proceedings in connection with property delinquent for taxes; to limit the time within which actions may be brought; to prescribe certain limitations with respect to rates of taxation; to prescribe certain powers and duties of certain officers, departments, agencies, and political subdivisions of this state; to provide for certain reimbursements of certain expenses incurred by units of local government; to provide penalties for the violation of this act; and to repeal acts and parts of acts," by amending sections 7u, 7cc, 7dd, 9, 24c, 27d, and 120 (MCL 211.7u, 211.7cc, 211.7dd, 211.9, 211.24c, 211.27d, and 211.120), sections 7u and 24c as amended by 2002 PA 620, section 7cc as amended by 2002 PA 624, section 7dd as amended and section 27d as added by 1996 PA 476, section 9 as amended by 1996 PA 582, and section 120 as added by 1995 PA 74.

(Filed with the Secretary of State on August 1, 2003, at 10:12 a.m.)

Date: July 31, 2003

Time: 3:16 p.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 134 (Public Act No. 141), being

An act to amend 1979 PA 94, entitled "An act to make appropriations to aid in the support of the public schools and the intermediate school districts of the state; to make appropriations for certain other purposes relating to education; to provide for the disbursement of the appropriations; to supplement the school aid fund by the levy and collection of certain taxes; to authorize the issuance of certain bonds and provide for the security of those bonds; to prescribe the powers and duties of certain state departments, the state board of education, and certain other boards and officials; to prescribe penalties; and to repeal acts and parts of acts," by amending section 20 (MCL 388.1620), as amended by 2002 PA 521.

(Filed with the Secretary of State on August 1, 2003, at 10:14 a.m.)

Date: August 11, 2003

Time: 4:05 p.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 279 (Public Act No. 160), being

An act to make appropriations for the department of history, arts, and libraries for the fiscal year ending September 30, 2004; to provide for the expenditure of those appropriations; to provide for the disposition of fees and other income received by the state agencies; to provide for the disbursement of certain grants; to provide for reports; to prescribe powers and duties of certain state departments and certain state and local agencies and officers; and to repeal acts and parts of acts.

(Filed with the Secretary of State on August 12, 2003, at 2:08 p.m.)

Respectfully,
Jennifer M. Granholm
Governor

The following messages from the Governor were received and read:

July 24, 2003

Today I have approved and filed Enrolled Senate Bill 163, which authorizes, but does not mandate, the State Administrative Board to designate up to 11 new tax-free renaissance zones for agricultural processing facilities. Given the tight budget restraints under which the state must operate, I want to make sure that implementation of the bill does not have a negative fiscal impact on local governments and the state's General Fund.

As Chairperson of the State Administrative Board, I will ensure that the Board reviews any proposed new agricultural processing renaissance zone thoroughly and adequately examines the fiscal impact of any proposal. It is important that the new zones not be approved without a favorable recommendation from the Board of the Michigan Strategic Fund, a comprehensive analysis of the fiscal impact, and a clear demonstration of economic benefits to the State of Michigan.

July 24, 2003

Today I have approved and filed Enrolled Senate Bill 434, which requires a judge or district court magistrate to impose a new justice system assessment when ordering other fines or costs. However, an issue with the collection of

unpaid fines, costs, assessments under the bill has arisen which urges me to suggest the Legislature consider additional amendments to Section 8731 of the Revise Judicature Act of 1961.

Under Section 8731, as amended by Senate Bill 434, if a defendant does not pay a civil fine, costs, or assessments ordered within 30 days, the plaintiff may obtain a lien against the land, building, or structure involved in the violation. The lien is enforced in the same manner as a lien for delinquent taxes under the General Property Tax Act, which authorizes the eventual sale of property to collect amounts owed. While it appears that the Legislature intended to exempt property subject to such liens from sale, unless the property was also subject to sale for delinquent property taxes, statutory references in Section 8371 to the sale process are not consistent with amendments to the General Property Tax Act adopted in 1999 creating a new sale process. As a result, real property, including homes, may unintentionally be subject to forfeiture, foreclosure, and sale. For this reason, I believe corrective legislation is appropriate.

I look forward to working with the Senate and the House of Representatives to address this problem.

August 7, 2003

Today I have approved and filed Enrolled Senate Bill 289, which requires the preparation of a statewide groundwater withdrawal map and inventory and directs further study of groundwater use. This bill is only an initial step. There is an immediate need for comprehensive aquifer protections to protect the public and Michigan's environment from problems caused by water withdrawals.

Several other Great Lakes states have already enacted laws providing the ability to refuse permits for water withdrawals that threaten the public interest or the environment. Without further legislative action Michigan risks falling behind, to the detriment of our environment. As I indicated in my address to the Legislature last February, our water is our defining natural resource, and it should never be for sale.

I look forward to working with the Senate and House of Representatives toward the enactment of additional legislation, including an aquifer protection law, to finish the job and fulfill our responsibility to protect Michigan's water resources.

August 7, 2003

Today I have signed Enrolled Senate Bill 277, the Fiscal Year 2004 appropriations bill for the Department of State Police. My action today provides over \$460.9 million to support the critical law enforcement activities of the Michigan State Police. Among other items, this bill:

- Provides \$20.0 million in new Traffic Law Enforcement and Safety Fund support for at-post trooper operations saving a like amount to the general fund, as well as an additional \$6.3 million from the Highway Safety Fund for the same purpose.
- Provides \$5.0 million in funding support for a trooper school in fiscal year 2004.
- Increases federal funding for the Hazardous Materials Program by \$55 million to reflect anticipated first responder grants awards from the U.S. Department of Justice in conjunction with Homeland Security efforts.

I commend the Legislature for its prompt action and cooperation in completing this budget.

August 7, 2003

Today I have signed Enrolled Senate Bill 281, which provides \$253.6 million to support the operations of the judicial branch of government during fiscal year 2004. This budget replaces \$11.2 million of general fund with restricted revenues through a significant revision to the current system of assessments and costs in criminal cases, and increased civil filing fees achieved through collaborative efforts of the Legislature and the Judiciary.

This bill also provides \$4.6 million of funding for drug treatment courts, which have proven to be an effective way of handling offenders, whose use of alcohol and controlled substances are a primary factor in their criminal behavior. In collaboration with the Department of Corrections, expansion of drug treatment courts will also be used to avoid prison for nonviolent offenders.

Additional funding (\$4.5 million) is authorized for the Judicial Technology Improvement Fund to continue the development of a statewide judicial network to provide courts and the criminal justice system with quick, accurate, and accessible information. This bill also appropriates \$6.6 million in state restricted funding to reimburse local courts for increased juror compensation costs.

I commend the Legislature for its work on this budget. I also wish to express my appreciation to Chief Justice Corrigan and the Judiciary for their leadership in developing an outstanding fee consolidation proposal, and for their support in working with both the Executive and Legislative branches of government to finalize the fiscal year 2004 budget and obtain passage of numerous corresponding fee bills.

August 7, 2003

Today I have signed Enrolled Senate Bill 266, the Fiscal Year 2004 appropriations bill for the Department of Military and Veterans Affairs. My action today provides over \$103.1 million to support the Department of Military and Veterans Affairs. In addition, this bill:

- Maintains state funding support of over \$3.9 million for eleven Veterans' Service Organizations.
- Contains \$1.3 million to continue tuition assistance for National Guard members enrolled at Michigan colleges and universities.
- Provides \$3.3 million for the Michigan Youth Challenge Academy, continuing to serve high school drop-outs between the ages of 16 and 18 and providing life skills and employment potential through military-based training.
- Contains over \$55.4 million for the operation of the Veterans' Homes in Grand Rapids and Marquette, serving over 900 disabled and elderly veterans.

I commend the Legislature for its prompt action and cooperation in completing this budget.

August 11, 2003

Today I have signed Enrolled Senate Bill 270, the fiscal year 2004 General Government budget bill, which provides funding for the departments of Attorney General, Civil Rights, Civil Service, Information Technology, Management and Budget, State, Treasury, the Executive Office, and the Legislature.

My action today provides \$1.4 billion in state revenue sharing to local units of government. Over 1,800 cities, villages, townships, and counties provide essential local services with these unrestricted revenue sharing payments.

Among other items, this bill:

- Provides \$73.3 million for state debt service which ensures prompt payment of current and new debt service obligations. Both Moody's Rating Service and Standard and Poor's recently reaffirmed Michigan's AAA credit rating, citing effective financial management structure, procedures, and policies. Michigan remains the largest state with a AAA rating.
- Provides an additional \$4.5 million to the Department of State for the replacement of their mainframe computer system with a centralized on-line real time system. This will support speedier customer service in branch offices while reducing transaction errors. Implementation of this system will generate long-term savings as it will allow the department to more efficiently utilize existing technology and increase its ability to quickly adapt to state policy and Legislative changes.
- Provides \$2.1 million to the Attorney General for child support enforcement activities.

For the first time, the Legislature has directly appropriated funds (\$58.5 million) for the Motor Transport Fleet, a reduction of \$12.5 million compared to fiscal year 2002 expenditures. Normally, the Motor Transport Fleet operates as an internal service fund under authority granted in the DMB Act (1994 PA 431, MCL 18.1213). DMB provides vehicles to state agencies, who in return, provide funding from their appropriations to DMB for the actual costs of managing the fleet. The Legislature, by appropriating funds for the fleet, duplicates the authorizations contained within the DMB Act and each agency budget. I am leaving this line item intact, however, as your intentions to reduce fleet expenditures are consistent with the actions I have already taken in this regard through Executive Order 2003-3 and Executive Directive 2003-7, and with the understanding that this appropriation does not abrogate the authority granted to DMB under standing statute.

This action completes the fiscal year 2004 General Government appropriation and assures continuation of essential state services. I commend the Legislature for its timely work on this important bill.

August 11, 2003

Today I have signed Enrolled Senate Bill 279, the fiscal year 2004 Department of History, Arts and Libraries appropriation. The budget you have sent to me will provide the funding necessary to promote and preserve Michigan's history and heritage, arts, culture and libraries. I am pleased that, during these tight economic times, we were able to fund library services at \$27.4 million. These funds will enable librarians throughout the state to offer excellent service to the residents of Michigan and continue support for specialized programs for the blind and physically handicapped communities.

I appreciate the Legislature's cooperation in the development of this budget and your efforts to be fiscally responsible in this time of restricted revenue.

Sincerely,
Jennifer M. Granholm
Governor

The following message from the Governor was received on July 30, 2003, and read:

EXECUTIVE ORDER
No. 2003-8

**Governor's Council of Economic Advisors
Department of Consumer and Industry Services**

Whereas, Article V, Section 1 of the Michigan Constitution of 1963 vests the executive power of the State of Michigan in the Governor;

Whereas, Section 1 of 1931 PA 195, MCL 10.51, authorizes and empowers the Governor, at such times and for such purposes as the Governor deems necessary or advisable, to create special advisory bodies consisting of as many members as the Governor deems appropriate;

Whereas, there is a continuing need to improve the economy of the State of Michigan and to encourage actions that increase employment and business activity;

Whereas, the Governor of the State of Michigan is continually faced with policy decisions that impact the economy;

Whereas, it is crucial that the Governor is able to access the best advice and latest findings in making economic policy decisions;

Whereas, a council of economic advisors drawn from members of academia, business, labor, and government can monitor economic conditions, provide an informed view of the economic impact of policy decisions, and make recommendations to the Governor on economic issues;

Now, Therefore, I, Jennifer M. Granholm, Governor of the State of Michigan, pursuant to the powers vested in me by the Michigan Constitution of 1963 and Michigan law, order the following:

I. GOVERNOR'S COUNCIL OF ECONOMIC ADVISORS

A. The Governor's Council of Economic Advisors ("Council") is created as an advisory body within the Department of Consumer and Industry Services.

B. The Governor shall appoint 47 members to the Council. Of the initial members appointed by the Governor, 16 members shall be appointed to 2-year terms, 16 members shall be appointed to 3-year terms, and 15 members shall be appointed to 4-year terms. After the initial appointments, members of the Council shall be appointed to 4-year terms. A vacancy on the Council shall be filled in the same manner as the original appointment.

C. The Director of the Department of Consumer and Industry Services, the Chief Executive Officer of the Michigan Economic Development Corporation, and the State Treasurer, or their designees, shall serve as ex officio, non-voting members of the Council.

II. CHARGE TO THE COUNCIL

A. The Council shall act in an advisory capacity to the Governor and shall do all of the following:

1. Gather timely and authoritative information concerning economic developments and economic trends, both current and prospective, including but not limited to the current and projected economic outlook for the State of Michigan, the region, the nation, and the international economy.

2. Analyze and interpret economic development and economic trends for the purpose of determining whether the trends interfere, or are likely to interfere, with the achievement of economic policy objectives.

3. Evaluate the various programs and activities of state government to determine the extent they contribute, and the extent they impede, the achievement of economic policy objectives that have a significant positive economic impact for Michigan residents, businesses, and workers.

4. Develop and recommend to the Governor economic policies that promote job creation and economic growth and that diminish the effect of economic fluctuation.

5. Provide other information or advice regarding the economy or economic policy as requested by the Governor.

III. OPERATIONS OF THE COUNCIL

A. The Director of the Department of Consumer and Industry Services, or his or her designee, shall serve as the Chairperson of the Council.

B. The Chairperson shall select from among the members of the Council a Vice-Chairperson and a Secretary. Council staff shall assist the Secretary with recordkeeping responsibilities.

C. The Council shall be staffed by personnel from and be assisted by the Department of Consumer and Industry Services.

D. The Council may adopt procedures, not inconsistent with Michigan law and this Order, governing its organization and operations. The Council may establish committees and request public participation on advisory panels as it deems necessary.

E. The Council shall meet at the call of the Chairperson, the Vice-Chairperson, or other designee of the Chairperson, and as may be provided in procedures adopted by the Council.

F. The Council shall act by a majority vote of its serving members. A majority of the members present and voting constitutes a quorum for the transaction of business of the Council at a meeting.

G. In developing recommendations, the Council may, as appropriate, make inquiries, studies, investigations, hold hearings, and receive comments from the public. The Council may consult with outside experts in order to perform its duties, including but not limited to experts in the private sector, organized labor, government agencies, and institutions of higher education.

H. Members of the Council shall serve without compensation. Members of the Council may receive reimbursement for necessary travel and expenses according to relevant statutes and the rules and procedures of the Department of Management and Budget and the Civil Service Commission, subject to available appropriations.

I. The Council may hire or retain such contractors, sub-contractors, advisors, consultants and agents, and may make and enter into contracts necessary or incidental to the exercise of the powers of the Council and the performance of its duties as the Director of the Department of Consumer and Industry Services deems advisable and necessary, in accordance with the relevant statutes, rules, and procedures of the Civil Service Commission and the Department of Management and Budget.

J. The Council may accept donations of labor, services, or other things of value from any public or private agency or person.

K. Members of the Council shall refer all legal, legislative, and media contacts to the Director of the Department of Consumer and Industry Services.

IV. MISCELLANEOUS

A. All departments, committees, commissioners, or officers of this state or of any political subdivision of this state shall give to the Council, or to any member or representative of the Council, any necessary assistance required by the Council, or any member or representative of the Council, in the performance of the duties of the Council so far as is compatible with its, his, or her duties. Free access shall also be given to any books, records, or documents in its, his, or her custody, relating to matters within the scope of inquiry, study, or investigation of the Council.

B. The invalidity of any portion of this Order shall not affect the validity of the remainder of the order.

This Order is effective upon filing.

[SEAL]

Given under my hand and the Great Seal of the
state of Michigan this 30th day of July, 2003.

Jennifer Granholm
Governor

By the Governor:

Terri L. Land

Secretary of State

The Executive Order was referred to the Secretary for record.

The following message from the Governor was received on July 30, 2003, and read:

EXECUTIVE ORDER

No. 2003-9

Committee on Juvenile Justice Family Independence Agency

Amendment of Executive Order No. 1993-14

Whereas, on July 27, 1993, the Committee on Juvenile Justice was established by Executive Order 1993-14, which was subsequently amended by Executive Orders 1994-8 and 1997-11;

Whereas, it is necessary to further amend Executive Order 1993-14 so that the composition of the Committee on Juvenile Justice conforms to the requirements of federal law and reflects both the size and diversity that enables the most effective fulfillment of the Committee's mission;

Now, Therefore, I, Jennifer M. Granholm, Governor of the State of Michigan, pursuant of the powers vested in me by the Michigan Constitution of 1963 and Michigan law, order that Executive Order 1993-14 be amended to read as follows:

Whereas, on May 7, 1976, the Advisory Committee on Juvenile Justice was established by Executive Order 1976-6;

Whereas, on February 6, 1990, the Committee on Juvenile Justice was re-established within the Department of Management and Budget by Executive Order 1990-4;

Whereas, Section 1 of Article V of the Michigan Constitution of 1963 vests the executive power of the State of Michigan in the Governor;

Whereas, Section 2 of Article V of the Michigan Constitution of 1963 empowers the Governor to make changes in the organization of the Executive Branch or in the assignment of functions among its units which the Governor considers necessary for efficient administration;

Whereas, Congress enacted the Juvenile Justice and Delinquency Prevention Act of 1974, 42 USC 5601 to 5785 (“Act”), to provide a comprehensive and coordinated approach to the problems of juvenile delinquency and a funding mechanism for projects and programs intended to reduce and prevent delinquency;

Whereas, the Act makes funds available to participating states to assist in planning, establishing, operating, coordinating and evaluating, either directly or through grants to or contracts with public or private agencies, projects to improve education, training, research, prevention, diversion, treatment, and rehabilitation programs in the area of juvenile justice;

Whereas, 42 USC 5633(a)(3) requires that any state receiving money create an advisory group, appointed by the chief executive officer of the state, in order to advise the state planning agency on juvenile justice and delinquency prevention matters and to advise the state planning agency on the award of grants to state and local government and private non-profit agencies and colleges and universities;

Whereas, it is in the best interests of the State of Michigan to have the advice of a committee constituted to review and recommend policy in the area of reducing juvenile delinquency and improving the state’s system of juvenile justice;

Now, Therefore, pursuant to the Michigan Constitution of 1963, Michigan law, and the Act, it is ordered:

I. CREATION OF COMMITTEE ON JUVENILE JUSTICE

A. The Committee on Juvenile Justice (“Committee”) is created as an advisory body within the Family Independence Agency (“Department”). The Department is designated as the state agency responsible for the supervision, preparation, and administration of the comprehensive Juvenile Justice and Delinquency Prevention Plan required by the Act (“Plan”). The Director of the Department shall provide appropriate staff support for the Committee.

II. RECISSION OF EXECUTIVE ORDERS

A. Executive Orders 1976-6 and 1990-4 are rescinded. The rescissions are effective as of the date of this Order. All records, property, and unexpended balances of appropriations, allocations, and other funds used, held, employed, available, or to be made available to the Department of Management and Budget Grant Management Division, “The State Planning Agency,” are transferred to the Family Independence Agency. Appropriate staff and equipment are transferred from the Department of Management and Budget to the Family Independence Agency.

III. COMMITTEE MEMBERSHIP

A. The Governor shall appoint a Committee on Juvenile Justice consisting of 23 members. Members appointed shall have training, experience, or special knowledge concerning the prevention and treatment of juvenile delinquency, the administration of juvenile justice, or the reduction of juvenile delinquency. The members of the Committee shall be appointed for terms of 3 years. Members appointed shall include representatives of all of the following:

1. At least 1 local elected official representing general purpose local government.
2. At least 2 representatives of law enforcement and juvenile justice agencies, including juvenile and family court judges, prosecutors, counsel for children and youth, and probation workers.
3. At least 2 representatives of public agencies concerned with delinquency prevention or treatment, such as welfare, social services, mental health, education, special education, recreation, and youth services.
4. At least 2 representatives of nonprofit organizations, including persons with a special focus on preserving and strengthening families, parent groups and parent self-help groups, youth development, delinquency prevention and treatment, neglected or dependent children, the quality of juvenile justice, education, and social services for children.
5. At least 2 volunteers who work with delinquents or potential delinquents.
6. At least 2 youth workers involved with programs that are alternatives to incarceration, including programs providing organized recreation activities.
7. At least 2 persons with special experience and competence in addressing problems related to school violence and vandalism and alternatives to suspension and expulsion.
8. At least 2 persons with special experience and competence in addressing problems related to learning disabilities, emotional difficulties, child abuse and neglect, and youth violence.

B. Of the members appointed, a majority of the members may not be full-time employees of federal, state, or local government. At least one-fifth of the members appointed shall be under the age of 24 at the time of appointment. At least 3 of the members appointed must have been or must be at the time of appointment under the jurisdiction of the juvenile justice system. A vacancy on the Committee shall be filled in the same manner as the original appointment.

C. The Governor shall designate a chairperson of the Committee. A quorum shall consist of a majority of the members serving.

D. Members of the Committee shall receive no compensation for their services as members and may be reimbursed only for those actual expenses incurred which are reimbursable under the laws, rules, and practices of the state, subject to available appropriations.

IV. CHARGE TO THE COMMITTEE

A. The Committee shall do all of the following:

1. Participate in the development and review of the federally-required Juvenile Justice and Delinquency Prevention Plan.
2. Advise the Department, its Director, and the Governor on matters relating to the juvenile justice system in this state.
3. Submit at least annually to the Governor and the Legislature recommendations regarding state compliance with federal program requirements under the Act.

4. Contact and seek regular input from juveniles currently under the jurisdiction of the juvenile justice system.
- B. The Committee shall be afforded an opportunity to review and comment, not later than 30 days after submission, on all juvenile justice and delinquency prevention grant applications submitted to the Department.
- C. The Committee may:
1. Participate in monitoring state compliance with federal program requirements as requested by the Department.
 2. Advise on local criminal justice advisory board composition.
 3. Review progress and accomplishments of projects funded under the Plan.
- This Order is effective upon filing.

[SEAL]

Given under my hand and the Great Seal of the
state of Michigan this 30th day of July, 2003.
Jennifer Granholm
Governor

By the Governor:
Terri L. Land
Secretary of State

The Executive Order was referred to the Committee on Government Operations.

The following messages from the Governor were received and read:

July 17, 2003

I respectfully submit to the Senate, pursuant to Section 6 of Article 5 of the Michigan Constitution of 1963, the following appointments to office under Section 9 of the Michigan Exposition and Fairgrounds Act, 1978 PA 361, MCL 285.169:

State Exposition and Fairgrounds Council

Mr. Edward Deeb, an Independent, of 35 Lochmoor Boulevard, Grosse Pointe Shores, Michigan 48236, county of Wayne, representing business, succeeding Mr. Philip M. Novell, who has resigned, for a term commencing July 17, 2003 and expiring June 20, 2004.

Ms. Karen Batchelor, a Democrat, of 460 West Canfield, Loft 304, Detroit, Michigan 48201, county of Wayne, representing business, succeeding Ms. Jody Kay Meagher, whose term has expired, for a term commencing July 17, 2003 and expiring June 20, 2006.

July 21, 2003

I respectfully submit to the Senate, pursuant to Section 6 of Article 5 of the Michigan Constitution of 1963, the following appointment to office under Section 2 of 1960 PA 77, MCL 390.952:

Michigan Higher Education Assistance Authority

Mr. Harvey Bronstein of 22490 Hallcroft Trail, Southfield, Michigan 48034, county of Oakland, representing community colleges, succeeding Earl LeRoy Howser, for a term commencing July 21, 2003 and expiring on May 22, 2007.

July 21, 2003

I respectfully submit to the Senate, pursuant to Section 6 of Article 5 of the Michigan Constitution of 1963, the following appointment to office under Section 1 of 1964 PA 233, MCL 390.941:

State Higher Education Facilities Commission

Glenda D. Price of 19460 Burlington Drive, Detroit, Michigan 48203, county of Wayne, representing private colleges and universities, succeeding David E. Fry, whose term has expired, for a term commencing July 21, 2003 and expiring May 22, 2007.

July 22, 2003

I respectfully submit to the Senate, pursuant to Section 6 of Article 5 of the Michigan Constitution of 1963, the following appointments to office under Section 9 of the Michigan Exposition and Fairgrounds Act, 1978 PA 361, MCL 285.169:

State Exposition and Fairgrounds Council

Mr. Leland Wheaton, a Democrat, of 2201 West Vermontville Highway, Charlotte, Michigan 48813, county of Eaton, representing agriculture, succeeding Mr. Philip J. Korson II, who has resigned, for a term commencing July 22, 2003 and expiring June 20, 2004.

July 28, 2003

I respectfully submit to the Senate, pursuant to Article V of Section 6 of the Michigan Constitution of 1963, the following appointments to office under Section 301 and Section 2502 of the Occupational Code, 1980 PA 299, MCL 339.301 and 339.2502:

Board of Real Estate Brokers and Salespersons

Mr. Brian T. Huggler of 505 Carey Street, Lansing, Michigan 48915, county of Ingham, succeeding Laurie Bush, whose term has expired, representing real estate brokers and salespersons, for a term commencing July 28, 2003 and expiring June 30, 2007.

Mr. Kyrian N. Nwagwu of 26041 Lathrup Boulevard, Lathrup Village, Michigan 48076, county of Oakland, succeeding Edward H. Marsilje, whose term has expired, representing the general public, for a term commencing July 28, 2003 and expiring June 30, 2007.

August 7, 2003

I respectfully submit to the Senate, pursuant to Section 6 of Article 5 of the Michigan Constitution of 1963, the following appointment under Section 21 of the Tax Tribunal Act, 1973 PA 186, MCL 205.721:

Michigan Tax Tribunal

Mr. Jack L. Van Coevering of 6280 Montmorency Drive SE, Caledonia, Michigan 49316, county of Kent, representing attorneys with tax experience, succeeding Thomas J. Hughes, whose term has expired, for a term commencing August 18, 2003 and expiring June 30, 2007.

Pursuant to Executive Order 1991-18, Mr. Van Coevering is designated as Chairperson of the Tax tribunal.

August 8, 2003

I respectfully submit to the Senate, pursuant to Section 6 of Article 5 of the Michigan Constitution of 1963, the following appointments to state office under Section 2 of 1965 PA 278, MCL 390.712.

Saginaw Valley State University Board of Control

David R. Gamez of 3137 Midland Road, Saginaw, Michigan 48603, county of Saginaw, succeeding Sally Stegeman DiCarlo, who has resigned, for a term commencing August 8, 2003 and expiring July 21, 2009.

Kizhakepat P. Karunakaran of 3878 Chipping Norton Lane, Saginaw, Michigan 48603, county of Saginaw, succeeding Robert Vitito, whose term has expired, for a term commencing August 8, 2003 and expiring July 21, 2011.

Lawrence E. Sedrowski of 2717 Scott Street, Midland, Michigan 48642, county of Midland, succeeding Raana Akbar, whose term has expired, for a term commencing August 8, 2003 and expiring July 21, 2011.

August 12, 2003

I respectfully submit to the Senate, pursuant to Section 6 of Article 5 of the Michigan Constitution of 1963, the following appointment to state office under Executive Order 2002-6, MCL 256.571:

Governor's Traffic Safety Advisory Commission

Robert K. Morris of 6535 Lambeth Way, Canton, Michigan 48187, county of Wayne, representing local units of government, succeeding Miles Handy, whose term has expired, for a term commencing August 12, 2003 and expiring May 27, 2006.

Robert K. Morris is designated to serve as Chairperson of the Commission.

Sincerely,
Jennifer M. Granholm
Governor

The appointments were referred to the Committee on Government Operations.

The following message from the Governor was received and read:

APPROPRIATIONS; DEPARTMENT OF TRANSPORTATION

August 12, 2003

Today I have signed Enrolled Senate Bill 265, the FY 2004 appropriations bill for the Department of Transportation. However, I am returning it to you because of items of which I disapprove pursuant to Article V, Section 19, of the Michigan Constitution. The specific vetoes are contained in the attached copy of this bill, which has been filed with the Secretary of State.

This bill will provide support of over \$3.1 billion for the rebuilding, repair and maintenance of Michigan's transportation infrastructure, as well as key intermodal and public transportation programs. My action today:

- Provides over \$2.5 billion in road and bridge construction funds to the Department of Transportation and local road agencies in fiscal year 2004 for the preservation, repair, and maintenance of Michigan's transportation network.

- Includes over \$269 million for public transit and intermodal transportation programs in fiscal year 2004, including \$172.6 million for bus operating assistance grants to local transit agencies.

I have vetoed the following items for the reasons noted below:

1. My action includes the veto of Section 405, which requires that 20 percent of all federal highway bridge replacement and rehabilitation program funds be allocated to the critical bridge fund for the purpose of repairing or replacing bridges in the local off-system and local on-system categories. While sympathetic to the needs of local road agencies, I cannot support the diversion of over \$5.9 million from the Department of Transportation's road and bridge construction program at this time. I remain committed, however, to looking at alternatives that will address local critical bridge needs in the future.

2. I have vetoed sections 613, 614, 615, 616, 617, 618, 619, 620, and 621. The inclusion of these types of special interest projects for feasibility studies, bridge repair and replacement, interchange, and installation of traffic lights undermines the appropriations process and the State Transportation Commission, and is my reason for taking this action today.

3. I also vetoed section 732 in order to hold ferry operators harmless from what may be an invalid appropriation in subsection (2). Section 10c(h) of Public Act 51 of 1951, as amended, specifically exempts "transportation which is exclusively for school purposes" from the definition of public transportation. This exemption would appear to prohibit the expenditure of Comprehensive Transportation Funds for the intended purpose of reimbursing ferry operators. Had I not vetoed this entire section, ferry operators may have been adversely impacted by the farebox prohibition included in subsection (1).

I did not veto language in Section 404 regarding the earmarking of Congressionally designated high priority funds in Kalamazoo County since the language is merely an expression of legislative intent. The Department of Transportation is directed to proceed with the implementation of this Transportation Equity Act for the 21st Century (TEA-21) project in the manner and location they believe best meets the transportation needs of the area.

I thank the Legislature for its work on this important budget bill.

Sincerely,
Jennifer M. Granholm
Governor

This bill was signed by the Governor on August 11, 2003, at 5:10 p.m. (Filed with the Secretary of State on August 12, 2003, at 2:12 p.m.) and assigned Public Act No. 162.

The question being on the passage of the vetoed line items, the objections of the Governor to the contrary notwithstanding,

Senator Hammerstrom moved that further consideration of the bill be postponed for today.

The motion prevailed.

The following message from the Governor was received and read:

APPROPRIATIONS; DEPARTMENT OF AGRICULTURE

August 7, 2003

Today I have signed Enrolled Senate Bill 288, the fiscal year 2004 appropriations bill for the Department of Agriculture.

My action today provides over \$97.2 million in funding to support the agricultural, environmental and food safety responsibilities of the Department of Agriculture. In addition, this bill includes new federal funding of \$7,250,000 for Emerald Ash borer for survey activities in southeast Michigan and other areas in the state that are now being identified with the disease. The bill also appropriates \$4,200,000 to continue the state's efforts to contain the spread of bovine tuberculosis in the state.

In addition, \$316,700 of general fund is replaced with restricted revenues through increases in fees for the nursery, pet shop, and livestock industries.

My action today vetoes four items with which I do not concur:

- I have vetoed language section 224 as funding is contingent on future legislative action. If and when revenue enhancements are enacted, appropriate distribution of any resulting revenues should be determined at that time.
- I have vetoed funding for the Southwest Michigan tourist council—taste of Michigan (\$15,000), and the Northwest Michigan Horticulture research station (\$10,000) as these items are not part of the core functions of the department.
- I have vetoed language section 212 for indemnification of apiarian losses caused by bears since this expands current indemnification responsibilities and no additional funding was appropriated for this purpose.

This bill supports the essential operations of the Department of Agriculture. I commend the Legislature for its work on this budget.

Sincerely,
 Jennifer M. Granholm
 Governor

This bill was signed by the Governor on August 7, 2003, at 3:57 p.m. (Filed with the Secretary of State on August 8, 2003, at 11:00 a.m.) and assigned Public Act No. 157.

The question being on the passage of the vetoed line items, the objections of the Governor to the contrary notwithstanding,

Senator Hammerstrom moved that further consideration of the bill be postponed for today.
 The motion prevailed.

Messages from the House

Senator Sikkema moved to withdraw the conference committee appointments to the following bill:

Senate Bill No. 393

The motion prevailed.

Senate Bill No. 393, entitled

A bill to amend 1976 PA 451, entitled "The revised school code," by amending sections 501, 502, 503, 504, 504a, and 507 (MCL 380.501, 380.502, 380.503, 380.504, 380.504a, and 380.507), sections 501, 502, 503, 504a, and 507 as amended by 1995 PA 289 and section 504 as amended by 1994 PA 416, and by adding sections 503b and 1320.

Substitute (H-5).

(The House substitute was not concurred in on July 17. See Senate Journal No. 70, p. 1551.)

Senator Hammerstrom moved to reconsider the vote by which the House substitute was not concurred in.

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

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. 420

Yeas—22

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

Nays—16

Barcia	Cherry	Jacobs	Schauer
Basham	Clark-Coleman	Leland	Scott
Bernero	Clarke	Olshove	Switalski
Brater	Emerson	Prusi	Thomas

Excused—0

Not Voting—0

The question being on concurring in the committee recommendation to give the bill immediate effect, The recommendation was not concurred in, 2/3 of the members serving not voting therefor. Senator Hammerstrom 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.

Protests

Senators Thomas, Scott and Clark-Coleman, under their constitutional right of protest (Art. 4, Sec. 18), protested against concurring in the House substitute to Senate Bill No. 393 and moved that statements they made during the discussion of the bill be printed as their reasons for voting “no.”

The motion prevailed.

Senator Thomas’ statement is as follows:

I don’t understand why this legislative chamber can’t respect the wishes of the folks who are elected to serve and represent that community in question. We’re all passionate about school reform. We all want what’s best for the kids of all of Michigan cities, but why can’t this chamber respect our wishes as well?

We are telling you there is not the appropriate local accountability to make this work. We want Mr. Thompson to invest money. There are other opportunities for him to invest money. We are not trying to turn away the goose that laid the golden egg. However, we are suggesting that there are other alternatives that are available here, and they should be explored. Simply imposing another mandate on Detroit is not going to improve test scores. It is not going to create more opportunities for kids in cities across the state to do better. It is not going to make the dream a reality for all of Detroit kids.

Fifteen new charter schools is not going to fix urban education in Michigan, so let’s not delude ourselves into believing that this is the savior of education. It is a piece of it. We are simply suggesting that a part of that piece needs to be local control, and you are not creating local control. You are creating a special class of charter schools that doesn’t have the same controls on it that the current charter schools have.

Again, there are no mandates for parental accountability. There are not mandates like other schools to have governing boards which, again, is where you get your local and parental control. Absent that, you have failure. That’s why there is so much resentment over Detroit school reform now because you don’t have community participation and buy-in. So here we are spending this man’s great money, and we are already guaranteeing that you are not going to have the community buy into it. It’s is proven to be a recipe for disaster.

I support charter schools, and I speak at their graduations. I want to be able to support charter schools, however, I want to do it in a way that allows my community and people from my community with kids in those schools to participate, and this simply is not the answer.

Senator Scott’s statement is as follows:

I am really concerned that this Mr. Thompson is so concerned about our children in the Detroit area. If he wants charter schools, why doesn’t he open them up to all the cities in this state? Detroit can take care of its own. We don’t need a Mr. Thompson coming in with these charter schools. Charter schools have not done all that they should do, so I am really, really concerned about this.

Why are my colleagues just dealing with Detroit? If Mr. Thompson, this rich guy, who wants to do all of these things for Detroit—I just want to know why because if he is that concerned, why doesn’t he put the money in our public schools. If he is really and truly concerned, what’s the bottom line to this? I have asked that we be given our votes back for our right to vote for the Detroit school board. We haven’t been able to get that bill to pass yet. Yet, we are ready to reconsider this and to tell Detroit what they have to do.

Well, it’s not going to work, so why do you keep forcing things down to Detroiters? When there are things that we really need, you say we don’t need them, and you take the money away from Detroit and give it to the other areas. So why doesn’t Mr. Thompson take his money to the other areas that need it—not Detroit?

I would hope that you would vote against this bill today.

Senator Clark-Coleman’s statement is as follows:

When I look at this bill, it reminds me of that fateful a.m. in the morning when the so-called reformed efforts were jammed down the throats of the people of the city of Detroit. I don’t see this as being any different. In that particular bill, they did not work with the legislators, the people in the community, or in the city. This Legislature—I should say a certain group of legislators—decided what was best for Detroit, and they made that decision without any input from Detroit. They made a decision to go ahead and jam that down our throats. So I don’t see this particular bill to be any different than that bill.

You make a decision about what is good for the city of Detroit and what's good for the children in the city of Detroit. You don't take into consideration input from the legislators from the city of Detroit and the people from the city of Detroit. You just make a decision on what's best. You can't do that and make it work. When you tried with the school takeover, you jammed that down our throats, and that didn't work. Test scores are worse. So here you go again jamming something else down our throats. When are you going to wake up and smell the roses? You can't do that. You got to include the students, you got to include the parents, and you include the legislators, and the people in that city in order for anything to work. I keep telling you that over and over again.

Now you come through with this privatized effort to open some charter schools in the city of Detroit. Again, only in the city of Detroit. What happened to the rest of the state? Is it only the city of Detroit that is failing badly on the MEAP test? Are there no other schools in this state who are doing worse than Detroit? Then why is it always the city of Detroit?

Now this bill does nothing to address accountability for our current charter schools. This bill does not close the loopholes through which the Bay Mills (tribal) Community College is chartering schools. A recent Auditor General report indicates that the Department of Education is not doing enough to ensure proper oversight over the existing schools. We are proposing to increase the number of schools failing over the undersight of the Department of Education after Superintendent Watkins recently admitted that the department did not have the resources to do its current job.

This bill does not follow the recommendations of the McPherson report. The report laid out that additional oversight is needed if the Legislature increases the number of charter schools. So what is this about? Is this to put our Governor in a position of having to make some uncomfortable choices? Is this what this is really about? If that's what it's really about, then I think you will fail in that effort too. She has always outsmarted you when you have tried to do these things in the past. She will do it again. So, in terms of this effort, I am urging all of my colleagues not to fall for this trap because it is indeed a trap.

It is not in the interest of the students in Detroit to force feed education to them. Include them in the process. Let them have a say in the process. Don't sit there and vote for something for our district when you don't know what we want. We don't do that to your districts, so why should you do it to ours? So I am now encouraging—you know, Mr. Thompson should sit down with the community, talk with the community, and see what the community wants. Don't just make a decision. Don't sit there like he is pious and make a decision, and then give it to us and say this is what's best for you. How would you feel if someone did that to your community? You wouldn't like it. So I am encouraging the people on my side of the aisle. You guys did it last time, and you will do it again this time to vote against this effort. People on my side of the aisle, please vote against this.

Senators Sikkema, Emerson, Cassis and Birkholz asked and were granted unanimous consent to make statements and moved that the statements be printed in the Journal.

The motion prevailed.

Senator Sikkema's statement is as follows:

Well, I just heard that this legislation is opposed by everyone from the city of Detroit. Well, if that is true, then no one will enroll in any of these charter schools. I suspect, though, that the truth is different than that. I suspect this is opposed by the political establishment in the city of Detroit for their own, largely political reason. Time will prove to us that it is not opposed by the parents of the children in the city of Detroit. I am willing to wait and see the truth of that matter.

I have heard today, as I have heard for eight months, what we are against. It is time to say what we are for, and we are for opportunity. This is an opportunity of a lifetime. It has never come in the past, and it will never come again for the city of Detroit in this unique form, where a gentleman with a private foundation is willing to put his money where his mouth is for good schools in the city of Detroit. He wants to make a difference, and the only obstacle in his way right now is the Michigan Senate and the Governor. Today, we're going to remove the obstacle of the Michigan Senate.

The criticism of charter schools—one of the great criticism that I have heard for many years—is that there are so few high schools. This initiative is targeted and focused on high schools. This gentleman proposes to locate 15 high schools in the city of Detroit where the emphasis of those high schools is on graduation and higher education. How can we possibly be opposed to that? I will remind you again that no one in Detroit will be forced to send their children to these schools; that will be up to them. I have heard that there is no oversight. That isn't true. This legislation puts these high schools, like any charter school, under the authority and the oversight of an authorizing body in this state.

It is not true, what I have heard today, that we have given up on charter schools outside the city of Detroit. In fact, we will have a bill within the next few weeks in front of all of us that provides charter opportunity for all the children in this state. Frankly, in all of the conversations that I have had in the last eight months with the administration or representatives of the administration, all I have heard is what they are against. I've never once been given a piece of language or a draft bill or an amendment to a bill saying what they would support. They have basically challenged this body and the Legislature to produce a good charter bill that gives opportunity to children. We are doing that today for the children of Detroit, and come this fall in just a few short weeks, we are going to do that for all the children across this state.

On July 17, when we finished work on the budget and we made the decision to come back today, we did it, really, for three reasons: One is we wanted to exercise our constitutional role of advice and consent, which we have; we wanted to extent unemployment benefits to unemployed workers to the people in this state, which I hope we do today; and the third reason was to come back and pass a charter schools bill. We are going to do that, and I remind you, the only two obstacles in front of opportunity for the children of Detroit are this Senate and the Governor. We are going to remove the Senate obstacle this afternoon.

Why are we doing it in two bills? Why are we doing this bill today and come back in the fall and do another bill? Because I don't have an agreement from the Governor on the larger bill. Once again, I know what she is against, but I don't know what she is for. I don't want the perfect to get in the way of the good. This is a good bill.

Senator Emerson's statement is as follows:

I rise to at least clarify, if not correct, a statement by the Majority Leader that so far the Governor has not put forth a proposal and not told them what they would accept, but only told them what they would not accept. That is not the case. I have been in several meetings where she has indicated to both the Majority Leader and the Speaker of the House what she will accept. The Majority Leader, on several occasions, has indicated to me that he wanted to absent himself from the discussion and put the chair of the Education Committee in charge, and several times we have met and explained to him exactly what would be acceptable. Now those terms were not acceptable to them, and that does not mean that the Governor has not put forth a proposal. The Governor has several times put forth a proposal, and it seems silly to put in legislative form unless there are 20 votes out here to support that. So I feel a need to correct that.

Senator Cassis' statement is as follows:

With all due respect, before us today are two options to continue to support a failing status quo or to welcome a new day of hope for parental and student choice in a city resurrecting itself. For me, the choice is choice.

Senator Birkholz's statement is as follows:

I would like to have my colleagues in the Senate help me recognize today someone who is not only a constituent of mine, but someone who works with us every day in the Senate who has achieved some great things, and that young man is Brent Morton, who works at the Secretary's desk with the Secretary of the Senate.

In May 2003, he graduated from Michigan State University Detroit College of Law magna cum laude with a juris doctor degree, and he has achieved that while working full-time in the Senate.

He has been placed in the *Law Review* Best Brief Competition, received two Distinguished Alumni and Memorial Scholarship Awards, has also received the Detroit College of Law Jurisprudence Award for research, writing, and advocacy; and has been on the dean's list every fall and spring semester.

I am very proud of this young man who has worked hard. He just took his Michigan state bar exam and is awaiting the results. I hope all my colleagues would join me in saying congratulations. We are indeed proud of you, Brent.

Senator Hammerstrom moved that consideration of the following bills be postponed for today:

Senate Bill No. 395

Senate Bill No. 365

The motion prevailed.

House Bill No. 4087, entitled

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, and assessments; to provide certain appropriations; to prescribe penalties and provide remedies; to repeal certain parts of this act on a specific date; and to repeal certain acts and parts of acts," (MCL 324.101 to 324.90106) by adding part 317.

(For text of amendment, see Senate Journal No. 70, p. 1550.)

The question being on concurring in the House amendment made to the Senate substitute,

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

Roll Call No. 421

Yeas—38

Allen
Barcia

Clark-Coleman
Clarke

Jacobs
Jelinek

Sanborn
Schauer

Basham	Cropsey	Johnson	Scott
Bernero	Emerson	Kuipers	Sikkema
Birkholz	Garcia	Leland	Stamas
Bishop	George	McManus	Switalski
Brater	Gilbert	Olshove	Thomas
Brown	Goschka	Patterson	Toy
Cassis	Hammerstrom	Prusi	Van Woerkom
Cherry	Hardiman		

Nays—0

Excused—0

Not Voting—0

In The Chair: President

Senator Hammerstrom moved that the bill be given immediate effect.
The motion prevailed, 2/3 of the members serving voting therefor.

General Orders

Senator Hammerstrom 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 Birkholz as Chairperson.

After some time spent therein, the Committee arose; and, the President, Lieutenant Governor Cherry, having resumed the Chair, the Committee reported back to the Senate, favorably and without amendment, the following bills:

House Bill No. 4453, entitled

A bill to amend 1980 PA 300, entitled “The public school employees retirement act of 1979,” by amending section 68 (MCL 38.1368).

House Bill No. 4945, entitled

A bill to amend 1936 (Ex Sess) PA 1, entitled “Michigan employment security act,” by amending sections 3, 17, 20, and 64 (MCL 421.3, 421.17, 421.20, and 421.64), sections 3 and 20 as amended by 2002 PA 192, section 17 as amended by 1996 PA 535, and section 64 as amended by 1993 PA 275.

The bills were placed on the order of Third Reading of Bills.

By unanimous consent the Senate returned to the order of

Third Reading of Bills

Senator Hammerstrom 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:

House Bill No. 4453

House Bill No. 4945

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

The following bill was read a third time:

House Bill No. 4453, entitled

A bill to amend 1980 PA 300, entitled “The public school employees retirement act of 1979,” by amending section 68 (MCL 38.1368).

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. 422**Yeas—38**

Allen	Clark-Coleman	Jacobs	Sanborn
Barcia	Clarke	Jelinek	Schauer
Basham	Cropsey	Johnson	Scott
Bernero	Emerson	Kuipers	Sikkema
Birkholz	Garcia	Leland	Stamas
Bishop	George	McManus	Switalski
Brater	Gilbert	Olshove	Thomas
Brown	Goschka	Patterson	Toy
Cassis	Hammerstrom	Prusi	Van Woerkom
Cherry	Hardiman		

Nays—0**Excused—0****Not Voting—0**

In The Chair: President

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.

Pursuant to Joint Rule 20, the full title of the act shall be inserted to read as follows:

“An act to provide a retirement system for the public school employees of this state; to create certain funds for this retirement system; to provide for the creation of a retirement board within the department of management and budget; to prescribe the powers and duties of the retirement board; to prescribe the powers and duties of certain state departments, agencies, officials, and employees; to prescribe penalties and provide remedies; and to repeal acts and parts of acts.”.

The Senate agreed to the full title.

The following bill was read a third time:

House Bill No. 4945, entitled

A bill to amend 1936 (Ex Sess) PA 1, entitled “Michigan employment security act,” by amending section 64 (MCL 421.64), as amended by 1993 PA 275.

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. 423**Yeas—38**

Allen	Clark-Coleman	Jacobs	Sanborn
Barcia	Clarke	Jelinek	Schauer
Basham	Cropsey	Johnson	Scott
Bernero	Emerson	Kuipers	Sikkema
Birkholz	Garcia	Leland	Stamas
Bishop	George	McManus	Switalski
Brater	Gilbert	Olshove	Thomas

Brown
Cassis
Cherry

Goschka
Hammerstrom
Hardiman

Patterson
Prusi

Toy
Van Woerkom

Nays—0

Excused—0

Not Voting—0

In The Chair: President

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.

Pursuant to Joint Rule 20, the full title of the act shall be inserted to read as follows:

“An act to protect the welfare of the people of this state through the establishment of an unemployment compensation fund, and to provide for the disbursement thereof; to create certain other funds; to create the Michigan employment security commission, and to prescribe its powers and duties; to provide for the protection of the people of this state from the hazards of unemployment; to levy and provide for contributions from employers; to provide for the collection of such contributions; to enter into reciprocal agreements and to cooperate with agencies of the United States and of other states charged with the administration of any unemployment insurance law; to furnish certain information to certain governmental agencies for use in administering public benefit and child support programs and investigating and prosecuting fraud; to provide for the payment of benefits; to provide for appeals from redeterminations, decisions and notices of assessments; and for referees and a board of review to hear and decide the issues arising from redeterminations, decisions and notices of assessment; to provide for the cooperation of this state and compliance with the provisions of the social security act and the Wagner-Peyser act passed by the Congress of the United States of America; to provide for the establishment and maintenance of free public employment offices; to provide for the transfer of funds; to make appropriations for carrying out the provisions of this act; to prescribe remedies and 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.”

The Senate agreed to the full title.

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

The motion prevailed.

Senator Schauer’s statement is as follows:

I rise in support of House Bill No. 4945, the unemployed worker assistance plan. I want to commend the chairman of the Commerce and Labor Committee for his remarks under General Orders. This is very important, and it’s critical today that we pass this bill and get it to the Governor so that we can take advantage of a very narrow window of time to help workers and families in our state.

It’s important to note that since 2000, Michigan’s unemployment rate has more than doubled from a low of 3.5 percent to the current 7.2 percent that was reported in July. We qualify for these additional federal funds because Michigan has had a running unemployment rate of 6.5 percent or more over the last three months. This plan is very important. By putting up approximately \$23 million, Michigan has the opportunity to draw down \$181 million in extended unemployment benefits for 53,000 unemployed workers in our state.

These are 53,000 families who desperately need our help. This is also important in that these resources will be used for essential purchases by these families and will also help many of the businesses who are struggling at this time as well.

I urge your support. It is important we act today, and send a strong message to working people in our state.

By unanimous consent the Senate proceeded to the order of
Resolutions

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

Senate Resolution No. 136

Senate Resolution No. 137

Senate Resolution No. 138

The resolution consent calendar was adopted.

Senator Sikkema offered the following resolution:

Senate Resolution No. 136.

A resolution commemorating September 2003 as Prostate Cancer Awareness Month in Michigan.

Whereas, The American Cancer Society is the nationwide community-based voluntary health organization working together with Michigan medical educational institutions and hospitals to eliminate cancer as a major health problem, thereby saving lives and diminishing suffering from cancer through research, education, advocacy, and service; and

Whereas, Prostate cancer is the most common nonskin cancer in America, with a new case diagnosed every three minutes. In the last decade alone, over 350,000 people have died of prostate cancer—nearly as many deaths from breast cancer and more than three times the number of individuals killed by AIDS; and

Whereas, Each year, over 30 percent of male cancer deaths nationally are caused by prostate cancer. Sadly, many of these deaths may have been prevented through increased awareness of prostate cancer and preventive measures such as advanced screening. Since the use of early detection tests for prostate cancer became relatively common, the prostate cancer death rate has dropped; and

Whereas, The American Cancer Society estimates that 7,800 Michigan residents will be diagnosed and 1,100 will die with prostate cancer in 2003. One out of every six men alive today will be diagnosed with prostate cancer in their lifetime; now, therefore, be it

Resolved by the Senate, That September 2003 be proclaimed as Prostate Cancer Awareness Month in Michigan to aid health care institutions throughout Michigan in the educational and preventive efforts.

Senator Hammerstrom moved that rule 3.204 be suspended to name the entire membership of the Senate and the Lieutenant Governor as co-sponsors of the resolution.

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

Senator Patterson offered the following resolution:

Senate Resolution No. 137.

A resolution in memory of Canton Township Police Officer Gordon Lewis Stevens.

Whereas, It is with deep regret that the members of the Michigan Senate unite with the family, co-workers, friends, and the Canton Township community to mourn the tragic death in the line of duty of Gordon Lewis Stevens, a 25-year veteran officer of the Canton Public Safety Department; and

Whereas, Officer Stevens attended the police academy training at Schoolcraft College and began as a reserve officer with the township in 1976. He was one of the original officers hired in 1978 when the township began providing full-time police services to the community; and

Whereas, Officer Stevens had a number of assignments, including traffic officer, evidence technician, detective bureau, crime prevention, and police/community relations. He also received a commendation and a certificate of merit during his long career with the force. Most notably, he received a Distinguished Service Medal from the Michigan Association of Chiefs of Police for his successful intervention in an attempted armed robbery; and

Whereas, “Lew,” as he was affectionately known, was 52 years old and married to Karen. He was also known for his easy-going, jovial nature; and

Whereas, A police officer’s job is to ensure our streets, schools, homes, and neighborhoods are safe. The nature of law enforcement often places officers in harm’s way. Throughout their day, they face many unforeseen challenges and dangers. Officer Stevens faced all the challenges posed to him with professionalism and courage; and

Whereas, We extend our sincerest condolences to the family and fellow officers of this dedicated husband and law enforcement professional; now, therefore, be it

Resolved by the Senate, That the members of this legislative body offer this resolution as a memorial for Canton Township Police Officer Gordon Lewis Stevens; and be it further

Resolved, That copies of this resolution be transmitted to the family of Officer Stevens and the Canton Township Public Safety Department as a reflection of how deeply the people of Michigan share in their loss.

Senator Clarke offered the following resolution:

Senate Resolution No. 138.

A resolution honoring BEI Associates, Inc., on their 50th Anniversary.

Whereas, BEI Associates, Inc., was established in 1953 under the name of Hoad Engineers, Inc.; and

Whereas, BEI Associates, Inc., is celebrating 50 years of continuous architectural/engineering practice; and

Whereas, Headquartered in the city of Detroit, BEI Associates, Inc., has been responsible for many of the city's significant structures. It has also provided architectural/engineering services throughout Michigan, the United States, and overseas locations; and

Whereas, BEI Associates, Inc., has demonstrated good corporate citizenship and has been an important participant in the affairs of the city of Detroit, the Detroit metropolitan area, and the state of Michigan; now, therefore, be it

Resolved by the Senate, That we hereby recognize and congratulate BEI Associates, Inc., for 50 years of distinguished professional service and citizenship; and be it further

Resolved, That a copy of this resolution be transmitted to BEI Associates, Inc., as a token of our esteem for this fine organization and the people who represent it.

Senators Hardiman, Van Woerkom, Garcia, Goschka, Jelinek, Cassis, George, Toy, Hammerstrom, Sikkema, Gilbert, Sanborn, Cropsey, Patterson, Birkholz, McManus, Brown, Kuipers, Allen, Bishop, Clarke, Barcia, Thomas, Scott and Olshove offered the following resolution:

Senate Resolution No. 139.

A resolution to express support for the creation of the Office of Faith-Based Initiative in the state of Michigan.

Whereas, The United States and Michigan have been blessed by a commitment of helping individuals, families, and communities who have not fully shared in America's prosperity. Despite efforts from federal and state governments to battle social distress, too many of our neighbors still suffer from poverty and despair; and

Whereas, The faith community in Michigan has transformed many lives with compassion, healing our state's ills, one heart and one act of kindness at a time. In fact, these faith organizations have tirelessly served our communities across the state; and

Whereas, Services provided by faith organizations on behalf of state and local governments have enabled public funds to be stretched even further to fulfill a common mission; and

Whereas, More than \$65 billion in federal grant opportunities are available for states from multiple federal agencies. The problem, however, is many in our faith communities do not know how to make their way through the seemingly convoluted process in order to have access to these monies; and

Whereas, The Office of Faith-Based Initiative would assist the faith community in establishing programs to help those most vulnerable and to access the federal monies needed to maintain such activities; and

Whereas, President Bush believes the indispensable and transforming work of faith-based and other charitable service groups must be encouraged. Government cannot be replaced by charities, but it can and should welcome them as partners. The government must heed the growing consensus across America that successful government social programs work in fruitful partnership with community-serving and faith-based organizations; and

Whereas, President Bush encourages each state to assist in the efforts of creating an Office of Faith-Based Initiative; now, therefore, be it

Resolved by the Senate, That we express support and embrace the creation of the Office of Faith-Based Initiative in the state of Michigan; and be it further

Resolved, That a copy of this resolution be transmitted to the President of the United 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 Families and Human Services.

The motion prevailed.

Senator Stamas offered the following concurrent resolution:

Senate Concurrent Resolution No. 30.

A concurrent resolution to urge the United States Department of Homeland Security to locate its Midwest regional training facility in Alpena and Grayling, Michigan.

Whereas, As our country continues to put in place stronger defenses against terrorism through homeland security measures, a key component will be the establishment of regional training facilities for the United States Department of Homeland Security; and

Whereas, In the Midwest, an excellent site for a regional training facility would be in northern Michigan where the Michigan National Guard has an established combat-readiness training center located in Alpena, near the Alpena

County Airport, and a training camp nearby at Camp Grayling. These facilities offer two military airfields, housing and medical facilities for trainees, and 150,000 acres of training space. Additional advantages these locations offer range from low costs, unsurpassed strategic significance, and facilities that provide access for a swift and smooth transition to the responsibilities of homeland security work; and

Whereas, Located in an area that is strategically sound, the Alpena and Grayling sites would be well positioned to handle quickly any type of task to protect America's people, resources, and infrastructure. Clearly, these locations offer opportunities for enhanced responsiveness to the challenges before us in safeguarding our nation in the years ahead; now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That we urge the United States Department of Homeland Security to locate its Midwestern regional training facility in Alpena and Grayling; and be it further

Resolved, That copies of this concurrent resolution be transmitted to the Secretary of the United States Department of Homeland Security, 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 Senior Citizens and Veterans Affairs.

The motion prevailed.

Senators Allen, Brown, Cropsey, Garcia, Jelinek, Kuipers, Switalski and Van Woerkom were named co-sponsors of the concurrent resolution.

By unanimous consent the Senate proceeded to the order of

Statements

Senators Jacobs, Cassis, Clarke and Leland asked and were granted unanimous consent to make statements and moved that the statements be printed in the Journal.

The motion prevailed.

Senator Jacobs' statement is as follows:

I rise to honor the memory of Jonathan L. Grant, a city commissioner from the city of Farmington Hills, who recently passed away at the age of 51. Jon Grant was born and raised in Farmington Hills and was a graduate of North Farmington High School. He attended Oakland University and Lawrence Technological University and subsequently founded the Reliance Group, where he served as its president. Jon and his beloved wife Deborah raised three children, Dee Dee, Jessica, and Schyler in their home. He was an exemplary husband and father, and he encouraged and uplifted his family, helping them to grow and mature in ways that will help them long into the future.

Serving others was a well-established trait of Jon Grant. His life is a story of deep commitment to his family and his community. Long before his election to the Farmington Hills City Council, he was involved with the Farmington Founders Festival, the Chamber of Commerce, the Committee to Develop Heritage Park, the Planning Commission, the Farmington Area Philharmonic, and the Farmington Area Arts Commission. He also found time to chair the Farmington Family YMCA Board of Directors.

As a member of the Farmington Hills City Council, Jon Grant was an effective leader who represented his constituents with distinction. Though he was taken from this world at a very young age, we are most grateful for that which he shared with us, for the memory of those times will continue to illuminate our lives for years to come.

And I would like to mention that Senator Cassis, Representative Vagnozzi, and myself presented a much longer tribute in Jon Grant's memory to his family at a special council meeting with the city of Farmington Hills earlier this week.

Senator Cassis' statement is as follows:

Mr. President—and also thanks to Senator Jacobs—I, too, rise in memory of Jon Grant. Jon Grant, husband, father, councilman, businessman, and above all, a gentleman. While he resided in Farmington Hills, he left a wide and wholesome mark on so many people in public and private life, old and young alike. I, along with so many others, have been blessed by his friendship. We were touched by his winsome wisdom, generous thoughtfulness, and ability to captivate, entertain, and bring joy.

Jon Grant left us too soon. However, his incredible spirit and remarkable legacy will inspire and continue to motivate all who knew and loved him. Our deepest condolences to all his family and friends.

Senator Clarke's statement is as follows:

Approximately two weeks ago, the state's Supreme Court struck down a statute commonly known as the Grandparents Visitation Law. That law was enacted years ago, and it provided that where a parent refused to allow a grandparent to visit a grandchild, that grandparent had a right to get a court order to see their grandchildren under very limited circumstances. Years ago, this Legislature realized the value of allowing grandparents to visit their grandchildren and to be involved in the lives of their grandchildren.

Back when this law was originally written, the nature of the family was different then than it is now. Back then, a child who was being raised by a single parent was commonly considered disadvantaged. Today, if a child has a parent who is hardworking, willing to sacrifice, and who truly loves for and cares for that child, that child is now considered blessed. The problem years ago was with children who were being raised by a single parent. The problem today is with children who have no parents.

Now you're probably wondering what I'm talking about. Every child has a biological father and mother, and if they're alive, they have parents. If they still have custody of the child, that child has a family. But I'm going to put it to you this way: If the father is locked up in Jackson and the mother is strung out on crack, who's responsible enough, who has experience enough, and loves that child enough to really love them, guide them, and make sure they are raised the right way? The closest relative that child has is their grandparent.

Right now, under the laws of this state today, grandparents have no legal right to visit their grandchildren. That's got to change. I ask this body to rewrite the Grandparent Visitation Law, cure its constitutional defects, and give back to grandparents the right to visit their grandchildren. Our kids today need as much support, guidance, and love as they can possibly get. Our children need their grandparents.

Senator Leland's statement is as follows:

I just wanted to let you know that on Saturday we lost an outstanding citizen of Detroit—a former City Council person by the name of Billy Rogell. Many of us remember Councilman Rogell because he was a baseball player. He played for the Tigers, and he was in the 1935 World Series. He was an outstanding athlete, he was a tremendous councilperson for almost 40 years, and he did a wonderful job for the citizens of Detroit. I remember Rogell, over the years having some conversations with him. We have the Rogell Golf Course in my district as tribute to him. He will surely be missed. He was an outstanding civil servant and did a wonderful job for many, many years for the citizens of Detroit. He will be surely missed by all of us.

By unanimous consent the Senate returned to the order of

Introduction and Referral of Bills

Senators Patterson, Birkholz, Bishop, Kuipers, Schauer, George, Jelinek, McManus and Hardiman introduced **Senate Bill No. 648, entitled**

A bill to amend 1917 PA 167, entitled "Housing law of Michigan," (MCL 125.401 to 125.543) by adding section 85a. The bill was read a first and second time by title and referred to the Committee on Judiciary.

Senators Birkholz, Patterson, Bishop, Kuipers, Schauer, George, Jelinek, McManus and Hardiman introduced **Senate Bill No. 649, entitled**

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 7401c (MCL 333.7401c), as added by 2000 PA 314.

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

Senators Cropsey, Birkholz, Patterson, Bishop, Kuipers, Schauer, George, Jelinek, McManus and Hardiman introduced

Senate Bill No. 650, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 17766c (MCL 333.17766c), as added by 1994 PA 38.

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

Senators Sanborn, Birkholz, Patterson, Bishop, Kuipers, Schauer, George, Jelinek, McManus and Hardiman introduced

Senate Bill No. 651, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 13n of chapter XVII (MCL 777.13n), as added by 2002 PA 30.

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

Senators Jelinek, Birkholz, Patterson, Bishop, Kuipers, Schauer, George, McManus and Hardiman introduced
Senate Bill No. 652, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," (MCL 750.1 to 750.568) by adding section 367d. The bill was read a first and second time by title and referred to the Committee on Judiciary.

Senator Leland introduced

Senate Bill No. 653, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 20129a (MCL 324.20129a), as amended by 1999 PA 30.

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

Senators Schauer, Leland and Goschka introduced

Senate Bill No. 654, entitled

A bill to amend 1993 PA 92, entitled "Seller disclosure act," by amending the title and section 15 (MCL 565.965) and by adding section 14a.

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 Bernero, Prusi, Basham, Thomas, Cherry, Schauer and Brater introduced

Senate Bill No. 655, entitled

A bill to amend 1943 PA 240, entitled "State employees' retirement act," by amending section 45 (MCL 38.45), as amended by 2002 PA 743.

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

Senators Switalski, Patterson, Clarke, Jacobs, Bernero, Clark-Coleman, Basham, Prusi, Brater, Thomas, Olshove, Barcia, Schauer, Brown, Cropsey, Cassis, Garcia, Stamas, Toy, Gilbert, Bishop and Hardiman introduced

Senate Bill No. 656, entitled

A bill to amend 1993 PA 92, entitled "Seller disclosure act," by amending section 7 (MCL 565.957), as amended by 2000 PA 13.

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 Brown, Garcia, Cherry, Cassis, George, Birkholz, Cropsey, Brater, Van Woerkom and Hardiman introduced

Senate Bill No. 657, entitled

A bill to amend 1976 PA 331, entitled "Michigan consumer protection act," by amending section 3 (MCL 445.903), as amended by 2002 PA 613.

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

Senator Stamas introduced

Senate Bill No. 658, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," (MCL 324.101 to 324.90106) by adding section 80134a.

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

Senator Stamas introduced

Senate Bill No. 659, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 13g of chapter XVII (MCL 777.13g), as added by 2002 PA 30.

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

Senator Allen introduced

Senate Bill No. 660, entitled

A bill to amend 1939 PA 280, entitled "The social welfare act," by amending sections 45 and 48 (MCL 400.45 and 400.48), section 45 as amended by 1995 PA 223 and section 48 as amended by 1996 PA 423.

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

Senator Allen introduced

Senate Bill No. 661, entitled

A bill to amend 1978 PA 105, entitled "An act to provide grants to students enrolled in independent nonprofit institutions of higher learning; and to provide for the promulgation of rules," by amending section 4 (MCL 390.1274).

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

Senator Allen introduced

Senate Bill No. 662, entitled

A bill to amend 1974 PA 75, entitled "An act to provide for payment to approved independent nonprofit institutions of higher education, located within the state, for all earned degrees conferred upon Michigan residents; and to provide for appropriations," by amending section 3 (MCL 390.1023), as amended by 1984 PA 9.

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

Senator Allen introduced

Senate Bill No. 663, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 20a (MCL 257.20a), as added by 1996 PA 404.

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

Senator Hammerstrom introduced

Senate Bill No. 664, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 7339 (MCL 333.7339), as added by 1999 PA 144.

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

House Bill No. 4245, entitled

A bill to amend 1954 PA 116, entitled "Michigan election law," by amending section 961a (MCL 168.961a), as amended by 1999 PA 220.

The House of Representatives has passed the bill and ordered that it be given immediate effect.

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

House Bill No. 4284, entitled

A bill to provide for joint land use planning and the joint exercise of certain zoning powers and duties by local units of government; and to provide for the establishment, powers, and duties of joint planning commissions.

The House of Representatives has passed the bill and ordered that it be given immediate effect.

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

House Bill No. 4360, entitled

A bill to amend 1978 PA 33, entitled "An act to prohibit the dissemination, exhibiting, or displaying of certain sexually explicit matter to minors; to prohibit certain misrepresentations facilitating the dissemination of sexually explicit matter to minors; to provide penalties; to provide for declaratory judgments and injunctive relief in certain instances; to impose certain duties upon prosecuting attorneys and the circuit court; to preempt local units of government from proscribing certain conduct; and to repeal certain acts and parts of acts," by amending sections 1, 3, 5, 6, and 7 (MCL 722.671, 722.673, 722.675, 722.676, and 722.677), sections 3, 5, 6, and 7 as amended by 1999 PA 33.

The House of Representatives has passed the bill and ordered that it be given immediate effect.

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

House Bill No. 4658, entitled

A bill to amend 1964 PA 284, entitled "City income tax act," by amending section 3 of chapter 1 (MCL 141.503), as amended by 1998 PA 500.

The House of Representatives has passed the bill and ordered that it be given immediate effect.

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

Committee Reports

The Committee on Commerce and Labor reported

House Bill No. 4945, entitled

A bill to amend 1936 (Ex Sess) PA 1, entitled "Michigan employment security act," by amending sections 3, 17, 20, and 64 (MCL 421.3, 421.17, 421.20, and 421.64), sections 3 and 20 as amended by 2002 PA 192, section 17 as amended by 1996 PA 535, and section 64 as amended by 1993 PA 275.

With the recommendation that the bill pass.

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

Jason Allen
Chairperson

To Report Out:

Yeas: Senators Allen, Kuipers, McManus and Schauer

Nays: None

The bill was referred to the Committee of the Whole.

COMMITTEE ATTENDANCE REPORT

The Committee on Commerce and Labor submitted the following:

Meeting held on Tuesday, August 12, 2003, at 2:00 p.m., Room 110, Farnum Building

Present: Senators Allen (C), Kuipers, McManus and Schauer

Excused: Senator Olshove

COMMITTEE ATTENDANCE REPORT

The Conference Committee on History, Arts, and Libraries (SB 279) submitted the following:

Meeting held on Tuesday, July 15, 2003, at 9:30 a.m., Senate Appropriations Room, 3rd Floor, Capitol Building

Present: Senators George (C) and Clarke

Excused: Senator McManus

COMMITTEE ATTENDANCE REPORT

The Conference Committee on Career Development and Strategic Fund Agency (SB 285) submitted the following:

Meeting held on Tuesday, July 15, 2003, at 12:30 p.m., Senate Appropriations Room, 3rd Floor, Capitol Building

Present: Senator Garcia (C)

Excused: Senators George and Prusi

COMMITTEE ATTENDANCE REPORT

The Conference Committee on the Family Independence Agency (SB 283) submitted the following:

Meeting held on Tuesday, July 15, 2003, at 7:30 p.m., Room 404, Capitol Building

Present: Senators Hardiman (C), George and Scott

COMMITTEE ATTENDANCE REPORT

The Committee on Technology and Energy submitted the following:

Meeting held on Wednesday, July 16, 2003, at 8:00 a.m., Room 210, Farnum Building

Present: Senators Patterson (C) and Birkholz

Excused: Senators Toy, Brown, Cassis, Olshove, Leland and Bernero

COMMITTEE ATTENDANCE REPORT

The Conference Committee on Higher Education (HB 4396) submitted the following:
Meeting held on Wednesday, July 16, 2003, at 8:30 a.m., Room 426, Capitol Building
Present: Senators Goschka, Johnson and Cherry

COMMITTEE ATTENDANCE REPORT

The Conference Committee on Education (HB 4391) submitted the following:
Meeting held on Wednesday, July 16, 2003, at 9:00 a.m., Room 426, Capitol Building
Present: Senators Jelinek, Cropsy and Scott

COMMITTEE ATTENDANCE REPORT

The Conference Committee on History, Arts, and Libraries (SB 279) submitted the following:
Meeting held on Wednesday, July 16, 2003, at 9:30 a.m., Senate Appropriations Room, 3rd Floor, Capitol Building
Present: Senators George (C), McManus and Clarke

COMMITTEE ATTENDANCE REPORT

The Conference Committee on Career Development and Strategic Fund Agency (SB 285) submitted the following:
Meeting held on Wednesday, July 16, 2003, at 12:30 p.m., Senate Appropriations Room, 3rd Floor, Capitol Building
Present: Senators Garcia (C), George and Prusi

COMMITTEE ATTENDANCE REPORT

The Conference Committee on Community Health (HB 4392) submitted the following:
Meeting held on Wednesday, July 16, 2003, at 2:00 p.m., House Appropriations Room, 3rd Floor, Capitol Building
Present: Senator Stamas, Johnson and Cherry

COMMITTEE ATTENDANCE REPORT

The Conference Committee on School Aid (HB 4401) submitted the following:
Meeting held on Wednesday, July 16, 2003, at 2:15 p.m., Room 426, Capitol Building
Present: Senators Jelinek, Cropsy and Switalski

COMMITTEE ATTENDANCE REPORT

The Conference Committee on Revenue Sharing (SB 575) submitted the following:
Meeting held on Thursday, July 17, 2003, at 9:00 a.m., Senate Appropriations Room, 3rd Floor, Capitol Building
Present: Senators Johnson (C), Sikkema and Emerson

COMMITTEE ATTENDANCE REPORT

The Committee on Transportation submitted the following:
Public hearing held on Monday, July 28, 2003, at 2:00 p.m., Public Meeting Room, Port Huron Municipal Offices,
100 McMorran Boulevard, Port Huron
Present: Senator Gilbert (C)
Excused: Senators Kuipers, Goschka, Leland and Basham

COMMITTEE ATTENDANCE REPORT

The Committee on Judiciary submitted the following:

Meeting held on Tuesday, July 29, 2003, at 10:00 a.m., Room 210, Farnum Building

Present: Senators Cropsey (C), Patterson, Schauer, Bernero and Brater

Excused: Senators Bishop and Sanborn

COMMITTEE ATTENDANCE REPORT

The Committee on Economic Development, Small Business and Regulatory Reform submitted the following:

Meeting held on Wednesday, July 30, 2003, at 1:00 p.m., Senate Appropriations Room, 3rd Floor, Capitol Building

Present: Senators Sanborn (C), Allen, Gilbert, Jacobs and Basham

COMMITTEE ATTENDANCE REPORT

The Legislative Retirement Board of Trustees Subcommittee on Investment submitted the following:

Meeting held on Thursday, July 31, 2003, at 10:00 a.m., Room S-929, South Tower, House Office Building

Present: Senators Goschka and Leland

COMMITTEE ATTENDANCE REPORT

The Committee on Technology and Energy submitted the following:

Meeting held on Tuesday, August 5, 2003, at 10:00 a.m., Room 210, Farnum Building

Present: Senators Patterson (C), Toy, Birkholz, Brown, Cassis, Leland and Bernero

Excused: Senator Olshove

COMMITTEE ATTENDANCE REPORT

The Committee on Education submitted the following:

Meeting held on Tuesday, August 12, 2003, at 10:00 a.m., Room 210, Farnum Building

Present: Senators Kuipers (C), Cassis and Clark-Coleman

Excused: Senators Van Woerkom and Leland

Senator Hammerstrom moved that the Senate adjourn.

The motion prevailed, the time being 1:24 p.m.

Pursuant to House Concurrent Resolution No. 26, the President, Lieutenant Governor Cherry, declared the Senate adjourned until Tuesday, September 16, 2003, at 10:00 a.m.

CAROL MOREY VIVENTI
Secretary of the Senate