

Addenda

Motions and Communications

Subsequent to the final adjournment of the Regular Session of the Legislature, the Secretary of the Senate enrolled and presented to the Governor on Tuesday, December 30, for her approval the following bills:

Enrolled Senate Bill No. 226 at 12:35 p.m.

Enrolled Senate Bill No. 787 at 12:37 p.m.

Enrolled Senate Bill No. 811 at 12:39 p.m.

Enrolled Senate Bill No. 698 at 12:41 p.m.

Messages from the Governor

Subsequent to the final adjournment of the Regular Session of the Legislature, the following messages from the Governor were received:

Date: January 5, 2004

Time: 9:31 a.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 825 (Public Act No. 266), 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 section 8 (MCL 125.2688), as amended by 2003 PA 93, and by adding section 8d.

(Filed with the Secretary of State on January 5, 2004, at 1:22 p.m.)

Date: January 8, 2004

Time: 9:05 a.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 511 (Public Act No. 267), 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,” (MCL 750.1 to 750.568) by adding section 160c.

(Filed with the Secretary of State on January 8, 2004, at 1:02 p.m.)

Date: January 8, 2004

Time: 9:07 a.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 508 (Public Act No. 268), 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 16i of chapter XVII (MCL 777.16i), as amended by 2002 PA 278. (Filed with the Secretary of State on January 8, 2004, at 1:04 p.m.)

Date: January 8, 2004
Time: 9:09 a.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 227 (Public Act No. 269), 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 13e of chapter XVII (MCL 777.13e), as added by 2002 PA 30. (Filed with the Secretary of State on January 8, 2004, at 1:06 p.m.)

Date: January 8, 2004
Time: 9:11 a.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 226 (Public Act No. 270), 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 45901, 45906, 45908, 48701, 48735, and 48738 (MCL 324.45901, 324.45906, 324.45908, 324.48701, 324.48735, and 324.48738), sections 45901, 45906, 45908, 48735, and 48738 as added by 1995 PA 57 and section 48701 as amended by 2002 PA 434, and by adding part 413. (Filed with the Secretary of State on January 8, 2004, at 1:08 p.m.)

Date: January 8, 2004
Time: 9:13 a.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 228 (Public Act No. 271), being

An act to amend 1988 PA 466, entitled "An act to authorize and require the appointment of a state veterinarian within the department of agriculture; to protect the human food chain and the livestock and aquaculture industries of the state through prevention, control, and eradication of infectious, contagious, or toxicological diseases of livestock and

other animals; to prevent the importation of certain nonindigenous animals under certain circumstances; to safeguard the human population from certain diseases that are communicable between animals and humans; to prevent or control the contamination of livestock with certain toxic substances through certain livestock or livestock products; to provide for indemnification for livestock under certain circumstances; to provide for certain powers and duties for certain state agencies and departments; to provide for the promulgation of rules; to provide for certain hearings; to provide for remedies and penalties; and to repeal acts and parts of acts," by amending sections 4, 6, 12, and 31 (MCL 287.704, 287.706, 287.712, and 287.731), sections 4, 6, and 12 as amended by 2002 PA 458 and section 31 as amended by 2000 PA 323.
(Filed with the Secretary of State on January 8, 2004, at 1:10 p.m.)

Date: January 8, 2004
Time: 9:15 a.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 229 (Public Act No. 272), being

An act to amend 1996 PA 199, entitled "An act to define, develop, and regulate aquaculture as an agricultural enterprise in this state; to provide powers and duties of certain state agencies and departments; and to provide for certain penalties and remedies," by amending sections 2 and 4 (MCL 286.872 and 286.874).
(Filed with the Secretary of State on January 8, 2004, at 1:12 p.m.)

Date: January 8, 2004
Time: 9:17 a.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 814 (Public Act No. 273), being

An act to amend 1975 PA 228, entitled "An act to provide for the imposition, levy, computation, collection, assessment and enforcement, by lien or otherwise, of taxes on certain commercial, business, and financial activities; to prescribe the manner and times of making certain reports and paying taxes; to prescribe the powers and duties of public officers and state departments; to permit the inspection of records of taxpayers; to provide for interest and penalties on unpaid taxes; to provide exemptions, credits, and refunds; to provide penalties; to provide for the disposition of funds; to provide for the interrelation of this act with other acts; and to provide an appropriation," by amending section 38e (MCL 208.38e), as amended by 1999 PA 184.
(Filed with the Secretary of State on January 8, 2004, at 1:14 p.m.)

Date: January 8, 2004
Time: 9:19 a.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 811 (Public Act No. 274), 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 section 9b and 27 (MCL 211.9b and 211.27), section 9b as amended by 1994 PA 189 and section 27 as amended by 2002 PA 744.
(Filed with the Secretary of State on January 8, 2004, at 1:16 p.m.)

Date: January 8, 2004
Time: 9:21 a.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 787 (Public Act No. 275), 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,

intermediate school districts, and other public school entities; to prescribe rights, powers, duties, and privileges of schools, school districts, public school academies, intermediate school districts, and other public school entities; 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 section 1280 (MCL 380.1280), as amended by 1997 PA 180. (Filed with the Secretary of State on January 8, 2004, at 1:18 p.m.)

Date: January 8, 2004
Time: 9:23 a.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 485 (Public Act No. 276), being

An act to amend 1982 PA 295, entitled "An act to provide for and to supplement statutes that provide for the provisions and enforcement of support, health care, and parenting time orders with respect to divorce, separate maintenance, paternity, child custody and support, and spousal support; to prescribe and authorize certain provisions of those orders; to prescribe the powers and duties of the circuit court and friend of the court; to prescribe certain duties of certain employers and other sources of income; to provide for penalties and remedies; and to repeal acts and parts of acts," by amending section 3a (MCL 552.603a), as amended by 2002 PA 572.

(Filed with the Secretary of State on January 8, 2004, at 1:20 p.m.)

Date: January 8, 2004
Time: 9:25 a.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 849 (Public Act No. 277), being

An act to amend 1996 PA 381, entitled "An act to authorize municipalities to create a brownfield redevelopment authority to facilitate the implementation of brownfield plans relating to the designation and treatment of brownfield redevelopment zones; to promote the revitalization of environmentally distressed areas; to prescribe the powers and duties of brownfield redevelopment authorities; to permit the issuance of bonds and other evidences of indebtedness by an authority; to authorize the acquisition and disposal of certain property; to authorize certain funds; to prescribe certain powers and duties of certain state officers and agencies; and to authorize and permit the use of certain tax increment financing," by amending section 2 (MCL 125.2652), as amended by 2002 PA 254.

(Filed with the Secretary of State on January 8, 2004, at 1:22 p.m.)

Date: January 8, 2004
Time: 9:27 a.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 667 (Public Act No. 278), being

An act to amend 1974 PA 258, entitled "An act to codify, revise, consolidate, and classify the laws relating to mental health; to prescribe the powers and duties of certain state and local agencies and officials and certain private agencies and individuals; to regulate certain agencies and facilities providing mental health services; to provide for certain charges and fees; to establish civil admission procedures for individuals with mental illness or developmental disability; to establish guardianship procedures for individuals with developmental disability; to establish procedures regarding individuals with mental illness or developmental disability who are in the criminal justice system; to provide for penalties and remedies; and to repeal acts and parts of acts," by amending section 222 (MCL 330.1222), as amended by 2002 PA 596.

(Filed with the Secretary of State on January 8, 2004, at 1:24 p.m.)

Date: January 8, 2004
Time: 9:29 a.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 476 (Public Act No. 279), being

An act to amend 1989 PA 24, entitled "An act to provide for the establishment and maintenance of district libraries; to provide for district library boards; to define the powers and duties of certain state and local governmental entities;

to prescribe penalties and provide remedies; and to repeal acts and parts of acts," by amending section 25 (MCL 397.195), as amended by 2002 PA 540; and to repeal acts and parts of acts.

(Filed with the Secretary of State on January 8, 2004, at 1:26 p.m.)

Date: January 8, 2004

Time: 9:31 a.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 258 (Public Act No. 280), 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 120a (MCL 750.120a), as amended by 2000 PA 450.

(Filed with the Secretary of State on January 8, 2004, at 1:28 p.m.)

Date: January 8, 2004

Time: 9:33 a.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 881 (Public Act No. 281), being

An act to amend 1973 PA 139, entitled "An act to provide forms of county government; to provide for county managers and county executives and to prescribe their powers and duties; to abolish certain departments, boards, commissions, and authorities; to provide for transfer of certain powers and functions; to prescribe powers of a board of county commissioners and elected officials; to provide organization of administrative functions; to transfer property; to retain ordinances and laws not inconsistent with this act; to provide methods for abolition of a unified form of county government; and to prescribe penalties and provide remedies," by amending section 9 (MCL 45.559), as amended by 1980 PA 100, and by adding section 9a.

(Filed with the Secretary of State on January 8, 2004, at 1:30 p.m.)

Date: January 8, 2004

Time: 9:35 a.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 771 (Public Act No. 282), being

An act to amend 1990 PA 72, entitled "An act to provide for review, management, planning, and control of the financial operation of units of local government, including school districts; to provide criteria to be used in determining the financial condition of a local government; to permit a declaration of the existence of a local government financial emergency and to prescribe the powers and duties of the governor, other state boards, agencies, and officials, and officials and employees of units of local government; to provide for a review and appeal process; to provide for the appointment and to prescribe the powers and duties of an emergency financial manager; to require the development of financial plans to regulate expenditures and investments by a local government in a state of financial emergency; to set forth the conditions for termination of a local government financial emergency; and to repeal certain acts and parts of acts," by amending section 21 (MCL 141.1221), as amended by 2002 PA 408.

(Filed with the Secretary of State on January 8, 2004, at 1:32 p.m.)

Date: January 8, 2004

Time: 9:37 a.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 718 (Public Act No. 283), being

An act to amend 1996 PA 381, entitled "An act to authorize municipalities to create a brownfield redevelopment authority to facilitate the implementation of brownfield plans relating to the designation and treatment of brownfield redevelopment zones; to promote the revitalization of environmentally distressed areas; to prescribe the powers and duties of brownfield redevelopment authorities; to permit the issuance of bonds and other evidences of indebtedness

by an authority; to authorize the acquisition and disposal of certain property; to authorize certain funds; to prescribe certain powers and duties of certain state officers and agencies; and to authorize and permit the use of certain tax increment financing," by amending section 15 (MCL 125.2665), as amended by 2002 PA 727.

(Filed with the Secretary of State on January 8, 2004, at 1:34 p.m.)

Date: January 8, 2004

Time: 9:39 a.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 845 (Public Act No. 284), being

An act to amend 1954 PA 116, entitled "An act to reorganize, consolidate, and add to the election laws; to provide for election officials and prescribe their powers and duties; to prescribe the powers and duties of certain state departments, state agencies, and state and local officials and employees; to provide for the nomination and election of candidates for public office; to provide for the resignation, removal, and recall of certain public officers; to provide for the filling of vacancies in public office; to provide for and regulate primaries and elections; to provide for the purity of elections; to guard against the abuse of the elective franchise; to define violations of this act; to provide appropriations; to prescribe penalties and provide remedies; and to repeal certain acts and all other acts inconsistent with this act," by amending section 686 (MCL 168.686), as amended by 1999 PA 216.

(Filed with the Secretary of State on January 8, 2004, at 1:36 p.m.)

Date: January 8, 2004

Time: 9:43 a.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 781 (Public Act No. 286), being

An act to amend 1999 PA 244, entitled "An act to require tobacco product manufacturers to place funds in escrow for medical expenses incurred by the state due to tobacco related illnesses; to establish a formula for determining the amount of the escrow; to establish the conditions for release of funds from escrow; to prescribe powers and duties of the attorney general; and to provide for civil penalties for violation of this act," by amending section 2 (MCL 445.2052).

(Filed with the Secretary of State on January 8, 2004, at 1:40 p.m.)

Date: January 8, 2004

Time: 9:55 a.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 648 (Public Act No. 307), 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," (MCL 125.401 to 125.543) by adding section 85a.

(Filed with the Secretary of State on January 9, 2004, at 9:06 a.m.)

Date: January 8, 2004

Time: 9:57 a.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 650 (Public Act No. 308), 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 17766c (MCL 333.17766c), as added by 1994 PA 38. (Filed with the Secretary of State on January 9, 2004, at 9:08 a.m.)

Date: January 8, 2004
Time: 9:59 a.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 651 (Public Act No. 309), 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 13n of chapter XVII (MCL 777.13n), as added by 2002 PA 30.

(Filed with the Secretary of State on January 9, 2004, at 9:10 a.m.)

Date: January 8, 2004
Time: 10:01 a.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 649 (Public Act No. 310), 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 7401c (MCL 333.7401c), as added by 2000 PA 314.

(Filed with the Secretary of State on January 9, 2004, at 9:12 a.m.)

Date: January 8, 2004

Time: 10:03 a.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 698 (Public Act No. 311), 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 13m of chapter XVII (MCL 777.13m), as amended by 2002 PA 711.

(Filed with the Secretary of State on January 9, 2004, at 9:14 a.m.)

Date: January 8, 2004

Time: 10:05 a.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 652 (Public Act No. 312), 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.” (MCL 750.1 to 750.568) by adding section 502d.

(Filed with the Secretary of State on January 9, 2004, at 9:16 a.m.)

Date: January 8, 2004

Time: 10:07 a.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 777 (Public Act No. 313), 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 16x of chapter XVII (MCL 777.16x), as amended by 2002 PA 320.

(Filed with the Secretary of State on January 9, 2004, at 9:18 a.m.)

Date: January 8, 2004

Time: 10:09 a.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 535 (Public Act No. 292), 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 80115 (MCL 324.80115), as added by 1995 PA 58.

(Filed with the Secretary of State on January 8, 2004, at 1:52 p.m.)

Date: January 8, 2004

Time: 10:11 a.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 536 (Public Act No. 293), 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," (MCL 324.101 to 324.90106) by adding section 80124a.

(Filed with the Secretary of State on January 8, 2004, at 1:54 p.m.)

Date: January 8, 2004

Time: 10:17 a.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 834 (Public Act No. 296), being

An act to promote investment in certain businesses; to promote economic development in this state; to provide for a Michigan early stage venture investment corporation; to prescribe the powers and duties of a Michigan early stage venture investment corporation; to prescribe the powers and duties of certain public officers and departments; to establish the Michigan early stage venture investment fund and other funds; to provide for tax credits and incentives; to authorize certain investments; to provide for the expiration of the fund; to provide or allow for appropriations; and to provide penalties and remedies.

(Filed with the Secretary of State on January 8, 2004, at 2:00 p.m.)

Date: January 8, 2004

Time: 10:19 a.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 835 (Public Act No. 297), being

An act to amend 1975 PA 228, entitled "An act to provide for the imposition, levy, computation, collection, assessment and enforcement, by lien or otherwise, of taxes on certain commercial, business, and financial activities; to prescribe the manner and times of making certain reports and paying taxes; to prescribe the powers and duties of public officers and state departments; to permit the inspection of records of taxpayers; to provide for interest and penalties on unpaid taxes; to provide exemptions, credits, and refunds; to provide penalties; to provide for the

disposition of funds; to provide for the interrelation of this act with other acts; and to provide an appropriation,” (MCL 208.1 to 208.145) by adding section 37e.

(Filed with the Secretary of State on January 8, 2004, at 2:02 p.m.)

Date: January 8, 2004

Time: 10:21 a.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 877 (Public Act No. 298), being

An act to amend 1954 PA 116, entitled “An act to reorganize, consolidate, and add to the election laws; to provide for election officials and prescribe their powers and duties; to prescribe the powers and duties of certain state departments, state agencies, and state and local officials and employees; to provide for the nomination and election of candidates for public office; to provide for the resignation, removal, and recall of certain public officers; to provide for the filling of vacancies in public office; to provide for and regulate primaries and elections; to provide for the purity of elections; to guard against the abuse of the elective franchise; to define violations of this act; to provide appropriations; to prescribe penalties and provide remedies; and to repeal certain acts and all other acts inconsistent with this act,” by amending section 641 (MCL 168.641).

(Filed with the Secretary of State on January 8, 2004, at 2:04 p.m.)

Respectfully,
Jennifer M. Granholm
Governor

Veto Message

Subsequent to the final adjournment of the Regular Session of the Legislature, the following message from the Governor was received:

**FINANCIAL INSTITUTIONS; OTHER; PROVIDE FOR REGULATION AND LICENSING OF
DEFERRED PRESENTMENT SERVICE PROVIDERS AND TRANSACTIONS**

January 9, 2004

I have vetoed and am returning Enrolled Senate Bill 474 for your reconsideration.

While I support the intent of this legislation and acknowledge the need to create a regulatory framework designed to protect Michigan workers from fraud, abuse, and other unlawful activity associated with payday lending, our constituents deserve better.

Senate Bill 474 would allow a lender to charge a transaction fee as high as 13.25% of the face amount of a check or checks given to secure a payday loan, resulting in an effective rate as high as 15.27% on a \$500 check. That percentage is too high. Florida, for example, caps the rate at 10% with an optional fee of up to \$5 for the same service.

Additionally, I have previously signed Public Act 215 of 2003 that will provide an alternative to high-rate payday loans by allowing credit unions to offer loans of up to \$1,000 for 30 days with a maximum fee of only 10%.

To achieve sufficient protections against unscrupulous lenders, I pledge the full cooperation of my administration, including the Office of Financial and Insurance Services. Let us proceed together in developing a regulatory framework that provides sufficient safeguards for Michigan workers at more reasonable rates.

Accordingly, I return Enrolled Senate Bill 474 without signature as provided under Section 33 of Article IV of the Michigan Constitution of 1963.

Respectfully,
Jennifer M. Granholm
Governor