

ADDENDA

Messages from the Governor

The following messages from the Governor, approving and signing the following bills at the times designated below, were received and read:

Date: December 25, 2002
Time: 6:10 p.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 5540 (Public Act No. 677, I.E.), being

An act to amend 1995 PA 29, entitled “An act concerning unclaimed property; to provide for the reporting and disposition of unclaimed property; to make uniform the law concerning unclaimed property; to prescribe the powers and duties of certain state agencies and officials; to prescribe penalties and provide remedies; and to repeal acts and parts of acts,” by amending section 16 (MCL 567.236).

(Filed with the Secretary of State December 30, 2002, at 1:06 p.m.)

Date: December 25, 2002
Time: 6:18 p.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 6260 (Public Act No. 678), 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 601 and 841 (MCL 600.601 and 600.841), section 601 as amended by 1996 PA 388 and section 841 as amended by 2000 PA 56, and by adding chapter 4 and sections 425 and 8304.

(Filed with the Secretary of State December 30, 2002, at 1:08 p.m.)

Date: December 25, 2002
Time: 6:20 p.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 4492 (Public Act No. 679, I.E.), being

An act to amend 1971 PA 140, entitled “An act to provide for the distribution of certain state revenues to cities, villages, townships, and counties; to impose certain duties and confer certain powers on this state, political subdivisions of this state, and the officers of both; to create reserve funds; and to establish a revenue sharing task force and provide for its powers and duties,” by amending sections 11, 12, and 13 (MCL 141.911, 141.912, and 141.913), sections 11 and 13 as amended by 1998 PA 532 and section 12 as amended by 1996 PA 342.

(Filed with the Secretary of State December 30, 2002, at 1:10 p.m.)

Date: December 25, 2002
Time: 6:25 p.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 4454 (Public Act No. 680), being

An act to amend 1987 PA 248, entitled “An act to impose a state excise tax on persons engaged in the business of providing an airport parking facility; to provide for the levy, assessment, and collection of the tax; to provide for the disposition of the collections from the tax; to create the airport parking fund; to authorize the distributions from the fund; to authorize the use of distributions from the fund as security for bonds and other obligations; to prescribe certain other matters relating to bonds and other obligations; to prescribe the powers and duties of certain state officers; and to provide for an appropriation,” by amending section 3 (MCL 207.373) and by adding section 7a; and to repeal acts and parts of acts.

(Filed with the Secretary of State December 30, 2002, at 1:12 p.m.)

Date: December 29, 2002

Time: 11:10 p.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 4092 (Public Act No. 681, I.E.), 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 8122 (MCL 600.8122), as amended by 1988 PA 135, and by adding section 9938A.

(Filed with the Secretary of State December 30, 2002, at 1:14 p.m.)

Date: December 29, 2002

Time: 11:20 p.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 5761 (Public Act No. 683, I.E.), 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 sections 20145 and 21523 (MCL 333.20145 and 333.21523), section 20145 as amended by 1993 PA 88.

(Filed with the Secretary of State December 30, 2002, at 1:18 p.m.)

Date: December 29, 2002

Time: 11:30 p.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 5971 (Public Act No. 685), 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 sections 16299, 17014, and 17015 (MCL 333.16299, 333.17014, and 333.17015), section 17014 as added by 1993 PA 133 and section 17015 as amended by 2000 PA 345.

(Filed with the Secretary of State December 30, 2002, at 1:22 p.m.)

Date: December 29, 2002
Time: 11:40 p.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 5994 (Public Act No. 687), being

An act to assert the state's interest in protecting all individuals; and to prescribe responsibilities and procedures in regard to a newborn whose live birth results from an abortion.

(Filed with the Secretary of State December 30, 2002, at 1:26 p.m.)

Date: December 29, 2002
Time: 11:42 p.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 5995 (Public Act No. 688), being

An act to amend 1939 PA 288, entitled "An act to revise and consolidate the statutes relating to certain aspects of the family division of circuit court, to the jurisdiction, powers, and duties of the family division of circuit court and its judges and other officers, to the change of name of adults and children, and to the adoption of adults and children; to prescribe certain jurisdiction, powers, and duties of the family division of circuit court and its judges and other officers; to prescribe the manner and time within which certain actions and proceedings may be brought in the family division of the circuit court; to prescribe pleading, evidence, practice, and procedure in certain actions and proceedings in the family division of circuit court; to provide for appeals from certain actions in the family division of circuit court; to prescribe the powers and duties of certain state departments, agencies, and officers; to provide for certain immunity from liability; and to provide remedies and penalties," by amending section 3 of chapter XII (MCL 712.3), as added by 2000 PA 232.

(Filed with the Secretary of State December 30, 2002, at 1:28 p.m.)

Date: December 29, 2002
Time: 11:44 p.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 5996 (Public Act No. 689), 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 135 (MCL 750.135), as amended by 2000 PA 233.

(Filed with the Secretary of State December 30, 2002, at 1:30 p.m.)

Date: December 29, 2002
Time: 11:46 p.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 5997 (Public Act No. 690), being

An act to amend 1975 PA 238, entitled "An act to require the reporting of child abuse and neglect by certain persons; to permit the reporting of child abuse and neglect by all persons; to provide for the protection of children who are abused or neglected; to authorize limited detainment in protective custody; to authorize medical examinations; to prescribe the powers and duties of the state department of social services to prevent child abuse and neglect; to prescribe certain powers and duties of local law enforcement agencies; to safeguard and enhance the welfare of children and preserve family life; to provide for the appointment of legal counsel; to provide for the abrogation of privileged communications; to provide civil and criminal immunity for certain persons; to provide rules of evidence in certain cases; to provide for confidentiality of records; to provide for the expungement of certain records; to prescribe penalties; and to repeal certain acts and parts of acts," by amending section 8 (MCL 722.628), as amended by 2000 PA 234.

(Filed with the Secretary of State December 30, 2002, at 1:32 p.m.)

Date: December 29, 2002
Time: 11:48 p.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 5998 (Public Act No. 691), 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 sections 2822, 2843, 2882, and 5431 (MCL 333.2822, 333.2843, 333.2882, and 333.5431), section 2882 as amended by 2002 PA 544 and section 5431 as amended by 2000 PA 33.

(Filed with the Secretary of State December 30, 2002, at 1:34 p.m.)

Date: December 29, 2002
Time: 11:52 p.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 6493 (Public Act No. 692), being

An act to amend 1977 PA 135, entitled “An act to prohibit certain mortgage lending practices by a credit granting institution; to prescribe the powers and duties of the commissioner of the financial institutions bureau in relation to those practices; to permit the establishment of local mortgage review boards; and to provide remedies and penalties,” by repealing section 6 (MCL 445.1606).

(Filed with the Secretary of State December 30, 2002, at 1:36 p.m.)

Date: December 30, 2002
Time: 12:00 a.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 5984 (Public Act No. 693, I.E.), being

An act to amend 1975 PA 238, entitled “An act to require the reporting of child abuse and neglect by certain persons; to permit the reporting of child abuse and neglect by all persons; to provide for the protection of children who are abused or neglected; to authorize limited detainment in protective custody; to authorize medical examinations; to prescribe the powers and duties of the state department of social services to prevent child abuse and neglect; to prescribe certain powers and duties of local law enforcement agencies; to safeguard and enhance the welfare of children and preserve family life; to provide for the appointment of legal counsel; to provide for the abrogation of privileged communications; to provide civil and criminal immunity for certain persons; to provide rules of evidence in certain cases; to provide for confidentiality of records; to provide for the expungement of certain records; to prescribe penalties; and to repeal certain acts and parts of acts,” by amending sections 2, 3, and 11 (MCL 722.622, 722.623, and 722.631), section 2 as amended by 2000 PA 45 and section 3 as amended by 2002 PA 10.

(Filed with the Secretary of State December 30, 2002, at 1:38 p.m.)

Date: December 30, 2002
Time: 12:05 a.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 5277 (Public Act No. 694, I.E.), being

An act to amend 1925 PA 289, entitled “An act to create and maintain a fingerprint identification and criminal history records division within the department of state police; to require peace officers, persons in charge of certain

institutions, and others to make reports respecting juvenile offenses, crimes, and criminals to the state police; to require the fingerprinting of an accused by certain persons; and to provide penalties and remedies for a violation of this act," by amending section 3 (MCL 28.243), as amended by 2001 PA 203.

(Filed with the Secretary of State December 30, 2002, at 1:40 p.m.)

Date: December 30, 2002

Time: 12:10 a.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 5583 (Public Act No. 695), 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 section 1285a (MCL 380.1285a), as added by 1996 PA 285.

(Filed with the Secretary of State December 30, 2002, at 1:42 p.m.)

Date: December 30, 2002

Time: 12:12 a.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 5584 (Public Act No. 696), being

An act to amend 1973 PA 116, entitled "An act to provide for the protection of children through the licensing and regulation of child care organizations; to provide for the establishment of standards of care for child care organizations; to prescribe powers and duties of certain departments of this state and adoption facilitators; to provide penalties; and to repeal acts and parts of acts," by amending section 1 (MCL 722.111), as amended by 1994 PA 205.

(Filed with the Secretary of State December 30, 2002, at 1:44 p.m.)

Date: December 30, 2002

Time: 12:25 a.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 6446 (Public Act No. 699, I.E.), being

An act to amend 1950 (Ex Sess) PA 27, entitled "An act defining and regulating certain installment sales of motor vehicles; prescribing the conditions under which such sales may be made and regulating the financing thereof; regulating and licensing persons engaged in the business of making or financing such sales; prescribing the form, contents and effect of instruments used in connection with such sales and the financing thereof; prescribing certain rights and obligations of buyers, sellers, persons financing such sales and others; limiting charges in connection with such instruments and fixing maximum interest rates for delinquencies, extensions and loans; regulating insurance in connection with such sales; regulating repossessions, redemptions, resales and deficiency judgments and the rights of parties with respect thereto; authorizing extensions, loans and forbearances related to such sales; authorizing investigations and examinations of persons engaged in the business of making or financing such sales; transferring certain powers and duties with respect to finance companies to the commissioner of the financial institutions bureau; and prescribing penalties," by amending sections 13 and 18 (MCL 492.113 and 492.118), section 13 as amended by 1990 PA 27 and section 18 as amended by 1995 PA 166.

(Filed with the Secretary of State December 30, 2002, at 1:50 p.m.)

Date: December 30, 2002

Time: 12:27 a.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 6490 (Public Act No. 700), 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 2567a (MCL 600.2567a), as added by 1990 PA 346.

(Filed with the Secretary of State December 30, 2002, at 1:52 p.m.)

Date: December 30, 2002

Time: 12:32 a.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 5742 (Public Act No. 701, I.E.), being

An act to amend 1921 PA 302, entitled "An act to provide for the supervision of private, denominational and parochial schools; to provide the manner of securing funds in payment of the expense of such supervision; to provide the qualifications of the teachers in such schools; and to provide for the endorsement of the provisions hereof," by amending section 1 (MCL 388.551).

(Filed with the Secretary of State December 30, 2002, at 1:54 p.m.)

Date: December 30, 2002

Time: 12:34 a.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 5721 (Public Act No. 702, I.E.), being

An act to amend 1893 PA 123, entitled "An act to provide for the maintenance, supervision and government of the Michigan school for the blind, and to repeal all acts and parts of acts inconsistent herewith," by repealing sections 9 and 10 (MCL 393.109 and 393.110).

(Filed with the Secretary of State December 30, 2002, at 1:56 p.m.)

Date: December 30, 2002

Time: 12:36 a.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 5720 (Public Act No. 703, I.E.), being

An act to amend 1893 PA 116, entitled "An act to provide for the maintenance, management and control, of the Michigan school for the deaf, and to repeal all laws inconsistent herewith," by repealing sections 10, 12, 14, and 16 (MCL 393.60, 393.62, 393.64, and 393.66).

(Filed with the Secretary of State December 30, 2002, at 1:58 p.m.)

Date: December 30, 2002

Time: 12:40 a.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 5719 (Public Act No. 704, I.E.), being

An act to amend 1942 (1st Ex Sess) PA 16, entitled "An act to designate the superintendent of public instruction as the state agency to apply to and receive from the federal government, or any agency thereof, grants in aid of the public schools of this state and educational activities in this state; and to provide for the disbursement thereof," by amending section 3 (MCL 388.803).

(Filed with the Secretary of State December 30, 2002, at 2:00 p.m.)

Date: December 30, 2002

Time: 12:42 a.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 5716 (Public Act No. 705, I.E.), being

An act to amend 1941 PA 230, entitled "An act to authorize the auditor general of the state of Michigan to sell or lease real estate, the title to which is vested in the state of Michigan by grant, devise or gift, or in payment for care or medical treatment rendered in any Michigan state hospital or institution," by amending the title and sections 1, 2, 3, and 4 (MCL 322.1, 322.2, 322.3, and 322.4).

(Filed with the Secretary of State December 30, 2002, at 2:02 p.m.)

Date: December 30, 2002

Time: 12:56 a.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 4607 (Public Act No. 708, I.E.), 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.” (MCL 500.100 to 500.8302) by adding section 2213d.

(Filed with the Secretary of State December 30, 2002, at 2:08 p.m.)

Date: December 30, 2002

Time: 1:00 a.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 6028 (Public Act No. 709, I.E.), 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 224a (MCL 750.224a).

(Filed with the Secretary of State December 30, 2002, at 2:10 p.m.)

Date: December 30, 2002

Time: 1:02 a.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 6095 (Public Act No. 710), 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 sections 7212, 7401, 7402, 7403, and 7404 (MCL 333.7212, 333.7401, 333.7402, 333.7403, and 333.7404), section 7212 as amended by 1998 PA 248, sections 7401 and 7403 as amended by 2001 PA 236, and sections 7402 and 7404 as amended by 2000 PA 314.

(Filed with the Secretary of State December 30, 2002, at 2:12 p.m.)

Date: December 30, 2002

Time: 1:04 a.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 6096 (Public Act No. 711), 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 added by 2002 PA 30.

(Filed with the Secretary of State December 30, 2002, at 2:14 p.m.)

Date: December 30, 2002

Time: 1:08 a.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 6444 (Public Act No. 712, I.E.), being

An act to prescribe the Amber alert of Michigan as the official response to reports of child abductions.

(Filed with the Secretary of State December 30, 2002, at 2:16 p.m.)

Date: December 30, 2002

Time: 1:10 a.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 6445 (Public Act No. 713, I.E.), being

An act to provide for the broadcast of information concerning a child abduction on radio and television stations; and to prescribe the content of the information broadcast.

(Filed with the Secretary of State December 30, 2002, at 2:18 p.m.)

Date: December 30, 2002

Time: 1:15 a.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 6498 (Public Act No. 715), 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 504, 517, 803, 807, 810a, and 5805 (MCL 600.504, 600.517, 600.803, 600.807, 600.810a, and 600.5805), section 504 as amended by 2001 PA 254, section 517 as amended by 2001 PA 257, section 803 as amended by 2001 PA 253, section 810a as added by 2002 PA 92, and section 5805 as amended by 2000 PA 3.

(Filed with the Secretary of State December 30, 2002, at 2:22 p.m.)

Date: December 30, 2002

Time: 1:17 a.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 6204 (Public Act No. 716), being

An act to amend 1975 PA 238, entitled "An act to require the reporting of child abuse and neglect by certain persons; to permit the reporting of child abuse and neglect by all persons; to provide for the protection of children who are abused or neglected; to authorize limited detainment in protective custody; to authorize medical examinations; to prescribe the powers and duties of the state department of social services to prevent child abuse and neglect; to prescribe certain powers and duties of local law enforcement agencies; to safeguard and enhance the welfare of children and preserve family life; to provide for the appointment of legal counsel; to provide for the abrogation of privileged communications; to provide civil and criminal immunity for certain persons; to provide rules of evidence in certain cases; to provide for confidentiality of records; to provide for the expungement of certain records; to prescribe penalties; and to repeal certain acts and parts of acts," (MCL 722.621 to 722.638) by adding section 7j.

(Filed with the Secretary of State December 30, 2002, at 2:24 p.m.)

Date: December 30, 2002

Time: 1:20 a.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 6205 (Public Act No. 717), being

An act to amend 1973 PA 116, entitled "An act to provide for the protection of children through the licensing and regulation of child care organizations; to provide for the establishment of standards of care for child care organizations; to prescribe powers and duties of certain departments of this state and adoption facilitators; to provide penalties; and to repeal acts and parts of acts," (MCL 722.111 to 722.128) by adding section 3e.

(Filed with the Secretary of State December 30, 2002, at 2:26 p.m.)

Date: December 30, 2002

Time: 1:25 a.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 6337 (Public Act No. 719, I.E.), being

An act to amend 1927 PA 372, entitled "An act to regulate and license the selling, purchasing, possessing, and carrying of certain firearms and gas ejecting devices; to prohibit the buying, selling, or carrying of certain firearms and gas ejecting devices without a license or other authorization; to provide for the forfeiture of firearms under certain circumstances; to provide for penalties and remedies; to provide immunity from civil liability under certain circumstances; to prescribe the powers and duties of certain state and local agencies; to prohibit certain conduct against individuals who apply for or receive a license to carry a concealed pistol; to make appropriations; to prescribe certain conditions for the appropriations; and to repeal all acts and parts of acts inconsistent with this act," by amending sections 1, 5b, 5c, 5d, 5f, 5j, 5l, 5o, and 12a (MCL 28.421, 28.425b, 28.425c, 28.425d, 28.425f, 28.425j, 28.425l, 28.425o, and 28.432a), sections 1, 5b, 5c, 5d, 5f, 5j, 5l, and 5o as added and section 12a as amended by 2000 PA 381.

(Filed with the Secretary of State December 30, 2002, at 2:30 p.m.)

Date: December 30, 2002

Time: 1:28 a.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 5149 (Public Act No. 720), 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 535 (MCL 750.535), as amended by 1998 PA 311. (Filed with the Secretary of State December 30, 2002, at 2:32 p.m.)

Date: December 30, 2002

Time: 1:32 a.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 5858 (Public Act No. 722), 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 503 (MCL 750.503).

(Filed with the Secretary of State December 30, 2002, at 2:36 p.m.)

Date: December 30, 2002

Time: 1:36 a.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 5680 (Public Act No. 724, I.E.), being

An act to amend 1945 PA 47, entitled "An act to authorize 2 or more cities, townships, and villages, or any combination of cities, townships, and villages, to incorporate a hospital authority for planning, promoting, acquiring, constructing, improving, enlarging, extending, owning, maintaining, and operating 1 or more community hospitals and related buildings or structures and related facilities; to provide for the sale, lease, or other transfer of a hospital owned by a hospital authority to a nonprofit corporation established under the laws of this state for no or nominal monetary consideration; to define hospitals and community hospitals; to provide for changes in the membership therein; to authorize the cities, townships, and villages to levy taxes for community hospital purposes; to provide for the issuance of bonds; to provide for the pledge of assessments; to provide for borrowing money for operation and maintenance and issuing notes for operation and maintenance; to validate elections heretofore held and notes heretofore issued; to validate bonds heretofore issued; to authorize condemnation proceedings; to grant certain powers of a body corporate; to validate and ratify the organization, existence, and membership of entities acting as hospital authorities under the act and the actions taken by hospital authorities and by the members of the hospital authorities; and to prescribe penalties and provide remedies," by amending sections 5, 6, and 7 (MCL 331.5, 331.6, and 331.7), section 5 as amended by 1984 PA 17 and section 7 as amended by 1983 PA 78.

(Filed with the Secretary of State December 30, 2002, at 2:40 p.m.)

Date: December 30, 2002

Time: 1:40 a.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 6501 (Public Act No. 726, I.E.), 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 38g (MCL 208.38g), as added by 2000 PA 143.

(Filed with the Secretary of State December 30, 2002, at 2:44 p.m.)

Date: December 30, 2002

Time: 1:42 a.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 6502 (Public Act No. 727, I.E.), 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 sections 13 and 15 (MCL 125.2663 and 125.2665), as amended by 2000 PA 145.
(Filed with the Secretary of State December 30, 2002, at 2:46 p.m.)

Date: December 30, 2002
Time: 1:50 a.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 5728 (Public Act No. 728, I.E.), being

An act to amend 1965 PA 314, entitled “An act to authorize the investment of assets of public employee retirement systems or plans created and established by the state or any political subdivision; to provide for the payment of certain costs and investment expenses; to authorize investment in variable rate interest loans; to define and limit the investments which may be made by an investment fiduciary with the assets of a public employee retirement system; and to prescribe the powers and duties of investment fiduciaries and certain state departments and officers,” by amending section 20h (MCL 38.1140h), as amended by 1996 PA 485, and by adding section 20m.

(Filed with the Secretary of State December 30, 2002, at 2:48 p.m.)

Date: December 30, 2002
Time: 1:52 a.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 5729 (Public Act No. 729, I.E.), being

An act to amend 1965 PA 314, entitled “An act to authorize the investment of assets of public employee retirement systems or plans created and established by the state or any political subdivision; to provide for the payment of certain costs and investment expenses; to authorize investment in variable rate interest loans; to define and limit the investments which may be made by an investment fiduciary with the assets of a public employee retirement system; and to prescribe the powers and duties of investment fiduciaries and certain state departments and officers,” by amending section 20h (MCL 38.1140h), as amended by 1996 PA 485, and by adding section 20m.

(Filed with the Secretary of State December 30, 2002, at 2:50 p.m.)

Date: December 30, 2002
Time: 1:54 a.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 5730 (Public Act No. 730, I.E.), 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 12a (MCL 46.12a), as amended by 1998 PA 502.

(Filed with the Secretary of State December 30, 2002, at 2:52 p.m.)

Date: December 30, 2002
Time: 1:56 a.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 5829 (Public Act No. 731, I.E.), 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 20180 (MCL 333.20180), as added by 1994 PA 52.

(Filed with the Secretary of State December 30, 2002, at 2:54 p.m.)

Date: December 30, 2002

Time: 2:00 a.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 4003 (Public Act No. 733), being

An act to regulate the installation, alteration, maintenance, improvement, and inspection of plumbing; to provide certain powers and duties for certain state agencies and departments; to create a plumbing board; to define plumbing, plumbing contractors, and the classification of plumbers and to set standards for those classifications; to provide for the licensing and regulation of classes of plumbers and plumbing contractors; to prescribe fees and the disposition of money derived from those fees; to provide for the promulgation of rules; to prescribe remedies and penalties; and to repeal acts and parts of acts.

(Filed with the Secretary of State December 30, 2002, at 2:58 p.m.)

Date: December 30, 2002

Time: 11:15 a.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 4330 (Public Act No. 736, I.E.), being

An act to amend 1999 PA 94, entitled "An act to create the Michigan merit award scholarship trust fund; to create the Michigan merit award scholarship board and prescribe the powers and duties of the board; and to provide for the Michigan merit award scholarship program," by amending sections 2, 7, and 8 (MCL 390.1452, 390.1457, and 390.1458), sections 7 and 8 as amended by 2002 PA 537.

(Filed with the Secretary of State December 30, 2002, at 3:04 p.m.)

Date: December 30, 2002

Time: 11:18 a.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 6448 (Public Act No. 737, I.E.), 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 1202 (MCL 500.1202), as amended by 2001 PA 228, and by adding section 402c.

(Filed with the Secretary of State December 30, 2002, at 3:06 p.m.)

Date: December 30, 2002
Time: 11:20 a.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 6496 (Public Act No. 738, I.E.), being

An act to authorize and regulate electronic transactions of public funds involving local units of government; and to provide for powers and duties of certain governmental agencies and officials.

(Filed with the Secretary of State December 30, 2002, at 3:08 p.m.)

Date: December 30, 2002
Time: 11:24 a.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 4551 (Public Act No. 740, I.E.), 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 151d.

(Filed with the Secretary of State December 30, 2002, at 3:12 p.m.)

Date: December 30, 2002
Time: 11:26 a.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 4552 (Public Act No. 741, I.E.), 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 section 321a (MCL 257.321a), as amended by 1999 PA 73.

(Filed with the Secretary of State December 30, 2002, at 3:14 p.m.)

The following line items veto message from the Governor was received and read:

Executive Office, Lansing, December 30, 2002

Michigan House of Representatives
State Capitol Building
Lansing, Michigan 48913
Ladies and Gentlemen:

Today I have signed **Enrolled House Bill 5705**. However, I am returning it to you because of several 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 the bill, which has been filed with the Secretary of State.

This supplemental budget bill provides funding of \$19.2 million (negative \$8.5 million general fund) for fiscal year 2002 and \$117.8 million (negative \$40 million general fund) for fiscal year 2003. This bill is an integral part of our fiscal year 2003 budget reduction strategy.

I thank the Legislature for its work in balancing the budget for fiscal years 2002 and 2003.

Sincerely,
John Engler
Governor

The bill was signed by the Governor December 30, 2002, at 4:30 p.m.

The bill was filed with the Secretary of State, December 30, 2002, at 5:33 p.m., and assigned Public Act No. 746, I.E.

The following veto message from the Governor was received and read:

Executive Office, Lansing, December 30, 2002

Michigan House of Representatives
State Capitol Building
Lansing, Michigan 48913
Ladies and Gentlemen:

I am returning to you without signature, **Enrolled House Bill 5523**.

Education and transportation are vital issues to economic expansion in southeast Michigan. Southeast Michigan needs a strategy for both education and transportation. Neither issue is more important than the other. This bill addresses only the transportation issue. Without a solution or plan of attack to the education challenges of southeast Michigan, I cannot sign this bill.

Sincerely,
John Engler
Governor

The following veto message from the Governor was received and read:

Executive Office, Lansing, December 30, 2002

Michigan House of Representatives
State Capitol Building
Lansing, Michigan 48913
Ladies and Gentlemen:

I am returning to you herewith **Enrolled House Bill 5977** without signature.

This bill purports to raise funding for local corrections officer training. I do not support this proposal because it is my belief that local communities continue to push their prison population onto the state corrections system, thus increasing our cost of training, not the locals. Until local units of government take more responsibility for the housing of criminals in this state, I will not be able to support this fee increase.

For this reason, I am returning to you Enrolled House Bill 5977 without signature.

Sincerely,
John Engler
Governor

The following veto message from the Governor was received and read:

Executive Office, Lansing, December 30, 2002

Michigan House of Representatives
State Capitol Building
Lansing, Michigan 48913
Ladies and Gentlemen:

I am returning to you without signature, **Enrolled House Bill 5467**.

Education and transportation are vital issues to economic expansion in southeast Michigan. Southeast Michigan needs a strategy for both education and transportation. Neither issue is more important than the other. This bill addresses only the transportation issue. Without a solution or plan of attack to the education challenges of southeast Michigan, I cannot sign this bill.

Sincerely,
John Engler
Governor

The following veto message from the Governor was received and read:

Executive Office, Lansing, December 30, 2002

Michigan House of Representatives
State Capitol Building
Lansing, Michigan 48913
Ladies and Gentlemen:

Today I returning to you herewith, **Enrolled House Bill 5291**.

The bill would broaden the application of an offense variable of the sentencing guidelines to include all cases where a child either witnesses a violent crime or observes the physical results of violent crime against a family member.

While the intent of the bill is laudable, it would undermine the current statutory framework developed by the independent and bi-partisan Sentencing Commission. Statutory revision of the guidelines to assign new crimes to an existing classification has become commonplace. However, this bill is unparalleled as it seeks to greatly enhance the penalties for an entire class of crime and crime victims.

The Sentencing Commission was required to assess the weight of all offense variables on the population capacities of state and local correctional facilities. In this case however, it appears there has been inadequate consideration given as to how this bill would affect the state and local governments' ability to incarcerate and effectively supervise offenders not subject to its application.

Under current law, certain violent perpetrators who cause psychological trauma to children requiring professional treatment already face enhanced sentencing. In addition, Michigan law provides that a sentencing court may justify an upward departure from the recommended guidelines by reference to legitimate factors not considered by the guidelines, including the crime's affect on children. A judge's ability to depart from the recommended sentencing guidelines, along with Michigan's truth-in-sentencing law, provides a firm and effective response to criminals who assault their victims in the presence of children.

The effectual protection of our laws requires that government apportion finite state and local correctional resources intelligently and resourcefully. Often the answer is not found in new legislation, but rather in more effective handling of current duties. For example, while the prosecutor of Michigan's largest county was an advocate for this legislation it could be argued that greater jail capacity and fewer pre-trial releases in Wayne County could together stem significantly more crime. Hopefully, legislators in the future will look at such tough issues rather than passing an unfunded mandate that cannot deliver what it promises.

It is for the above stated reasons that I am returning Enrolled House Bill 5291 without signature.

Sincerely,
John Engler
Governor

The following veto message from the Governor was received and read:

Executive Office, Lansing, December 30, 2002

Michigan House of Representatives
State Capitol Building
Lansing, Michigan 48913
Ladies and Gentlemen:

I am returning **Enrolled House Bill 5952** to you without my signature because it would impose an undue administrative burden on the Department of Management and Budget and future administrations.

Under the provisions of Enrolled House Bill 5952, the Department of Management and Budget would be required to ensure its purchases of paper and wood products complied with one or more of eight different standards for sustainable forest areas and resulting products.

The State of Michigan would have to verify whether numerous suppliers and vendors complied with at least one standard, and would be subject to litigation for improperly classifying vendors accordingly.

Moreover, unlike present state law on the purchase of products with recycled materials, HB 5952 would require the state to give preference to wood and paper products meeting these standards even if their costs were prohibitive or they were not readily available.

I applaud the concerns that motivated the supporters of this legislation, and am hopeful for a meaningful compromise in the future, but can not endorse HB 5952 in its present form with my signature. Thank you for your attention to this matter.

Sincerely,
John Engler
Governor

The following veto message from the Governor was received and read:

Executive Office, Lansing, December 30, 2002

Michigan House of Representatives
State Capitol Building
Lansing, Michigan 48913
Ladies and Gentlemen:

I am returning to you herewith **Enrolled House Bill 5978** without signature.

This bill purports to raise funding for local corrections officer training. I do not support this proposal because it is my belief that local communities continue to push their prison population onto the state corrections system, thus increasing our cost of training, not the locals. Until local units of government take more responsibility for the housing of criminals in this state, I will not be able to support this fee increase.

For this reason, I am returning to you Enrolled House Bill 5978 without signature.

Sincerely,
John Engler
Governor

The following veto message from the Governor was received and read:

Executive Office, Lansing, December 30, 2002

Michigan House of Representatives
State Capitol Building
Lansing, Michigan 48913
Ladies and Gentlemen:

Today I am returning to you herewith **Enrolled House Bill 4017**.

The House or the Senate may amend its rules to include the Pledge of Allegiance at the start of each session. Also, acting together the House and the Senate could amend the Joint Rules of the House and Senate to require that each session begin with the Pledge of Allegiance. Pursuant to the Michigan Constitution, Article IV, Section 16, the legislative branch is constitutionally empowered to set its rules and procedures. This bill invites the executive branch to participate in the exercise of a power reserved to the legislative branch. I decline to do so and I would caution legislators in both the House and Senate to be more alert in the future and keep the founders arguments about separation of power in mind.

For this fundamental reason, I am returning Enrolled House Bill 4017 without signature.

Sincerely,
John Engler
Governor

The following veto message from the Governor was received and read:

Executive Office, Lansing, December 30, 2002

Michigan House of Representatives
State Capitol Building
Lansing, Michigan 48913
Ladies and Gentlemen:

Today I have vetoed and am returning to you herewith, **Enrolled House Bill 6120**.

Given the current budget restraints we cannot add new burdens on the Department of Community Health, at this time. A short term alternative is to compete more effectively for federal money and to support outstanding private sector efforts like those of the Susan B. Komen Foundation, which sponsor the annual "Race for the Cure."

For the above stated reason, I am returning Enrolled House Bill 6120 without signature.

Sincerely,
John Engler
Governor

Communications from State Officers

The following communication from the Auditor General was received and read:

December 30, 2002

Enclosed is a copy of the following audit report and/or report summary:
Performance Audit of
Hunting Permits Selection
Department of Natural Resources

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

The communication was referred to the Clerk and the accompanying report referred to the Committee on House Oversight and Operations.

The following communication from the Family Independence Agency was received and read:

December 30, 2002

As required by Public Act 17 of 1999, enclosed is the evaluation of the Substance Abuse Testing Pilot Program implemented by the Family Independence Agency.

Please feel free to call if you have any questions.

Sincerely,
Douglas E. Howard
Director

The communication was referred to the Clerk.

The following communication from the Department of Consumer and Industry Services was received and read:

December, 2002

Enclosed is a copy of the 2002 Annual Report for the Utility Consumer Representation Fund.

Sincerely,
Teri L. Quimby, Chair
Utility Consumer
Participation Board

The communication was referred to the Clerk.

The following communications from the Secretary of State were received and read:

Notices of Filing
Administrative Rules

December 13, 2002

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 8:22 A.M. this date, administrative rule (02-12-04) for the Department of Environmental Quality, Environmental Response Division, entitled "*Part 201 Rules*", effective 7 days hereafter.

December 13, 2002

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 2:05 P.M. this date, administrative rule (02-12-05) for the Department of Treasury, Higher Education Facilities Authority, entitled "*Education Loans*", effective 15 days hereafter.

December 19, 2002

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 2:05 P.M. this date, administrative rule (02-12-06) for the Department of Transportation, Bureau of Finance & Administration, entitled "*Classification and Rating of Bidders*", effective 7 days hereafter.

December 30, 2002

In accordance with the provisions of Section 46(1) of Act 306, Public Acts of 1969, as amended, and Executive Order 1995-6 this is to advise you that the Office of Regulatory Reform, Legal Division filed at 11:07 A.M. this date, administrative rule (02-12-07) for the Department of Consumer and Industry Services, Director's Office, entitled "*Controlled Substances*", effective 7 days hereafter.

December 30, 2002

In accordance with the provisions of Section 46(1) of Act 306, Public Acts of 1969, as amended, and Executive Order 1995-6 this is to advise you that the Office of Regulatory Reform, Legal Division filed at 11:09 A.M. this date, administrative rule (02-12-08) for the Department of Environmental Quality, Surface Water Quality Division, entitled "*Water Resource Protection—Part 6. Cleaning Agents and Water Conditioners*", effective 7 days hereafter.

Sincerely,
Candice S. Miller
Secretary of State
Elena L. Beasley, Manager
Office of the Great Seal

The communications were referred to the Clerk.