

No. 28
STATE OF MICHIGAN
Journal of the Senate
91st Legislature
REGULAR SESSION OF 2002

Senate Chamber, Lansing, Tuesday, April 9, 2002.

10:00 a.m.

The Senate was called to order by the Assistant President pro tempore, Senator Philip E. Hoffman.

The roll was called by the Secretary of the Senate, who announced that a quorum was not present.

Bennett—present
Bullard—present
Byrum—present
Cherry—present
DeBeaussaert—present
DeGrow—present
Dingell—present
Dunaskiss—excused
Emerson—present
Emmons—present
Garcia—present
Gast—present
Goschka—present

Gougeon—present
Hammerstrom—present
Hart—present
Hoffman—present
Johnson—present
Koivisto—present
Leland—present
McCotter—present
McManus—present
Miller—present
Murphy—present
North—present
Peters—present

Sanborn—present
Schuette—present
Schwarz—present
Scott—present
Shugars—present
Sikkema—present
Smith—present
Steil—present
Stille—present
Van Regenmorter—present
Vaughn—excused
Young—excused

Senator Walter H. North of the 37th District offered the following invocation:

Dear God, we thank Thee for this opportunity to not only serve the people of this great state, but to serve You. And to that end, please grant us the wisdom and the compassion to arrive at solutions to problems facing the citizens of our state in a just and fair manner. All of this we ask in Thy name. Amen.

Recess

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

10:33 a.m.

The Senate was called to order by the Assistant President pro tempore, Senator Hoffman.

During the recess, Senators Goschka, Smith, Miller, Emerson, Garcia, Schwarz, McCotter, Schuette, Murphy, Sikkema, Bennett, Steil, Hammerstrom, Sanborn, Bullard, Gast and Shugars entered the Senate Chamber.

A quorum of the Senate was present.

Motions and Communications

Senators DeGrow, Stille, Johnson, McManus and Van Regenmorter entered the Senate Chamber.

Senator Emmons moved that Senator Gougeon be temporarily excused from today's session.
The motion prevailed.

Senator Emmons moved that Senator Dunaskiss be excused from today's session.
The motion prevailed.

Senator Emerson moved that Senator Young be excused from today's session.
The motion prevailed.

Senator Emerson moved that Senator Vaughn be excused from this week's sessions.
The motion prevailed.

Senator Emmons moved that a respectful message be sent to the House of Representatives requesting the return of the following bill:

House Bill No. 5486

The motion prevailed.

The following communication was received:
Department of Management and Budget

February 13, 2002

I am pleased to present you with a copy of the Annual Report for the Michigan Public School Employees Retirement System, the State Employees Retirement System, the State Police Retirement System and the Judges Retirement System for the fiscal year ending September 30, 2001.

These reports are an excellent source of information on all aspects of the retirement systems. They also provide information on service improvements that were accomplished during the year and detailed information on the strong financial standing of the system.

If I can provide further information, please let me know.

Sincerely,
Duane E. Berger
Director

The communication was referred to the Secretary for record.

The following communications were received:
Department of State

Administrative Rules
Notices of Filing

March 11, 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 2:24 p.m. this date, administrative rule (02-03-01) for the Department of Environmental Quality, Air Quality Division, entitled "*Part 11. Continuous Emission Monitoring*," effective 7 days hereafter.

March 11, 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 2:26 p.m. this date, administrative rule (02-03-02) for the Department of Environmental Quality, Air Quality Division, entitled "*Part 4. Emissions Limitations and Prohibitions - Sulfur-Bearing Compounds*," effective 7 days hereafter.

March 11, 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 2:29 p.m. this date, administrative rule (02-03-03) for the Department of Environmental Quality, Air Quality Division, entitled "*Part 3. Emissions Limitations and Prohibitions - Particulate Matter*," effective 7 days hereafter.

March 11, 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 2:35 p.m. this date, administrative rule (02-03-06) for the Department of Environmental Quality, Air Quality Division, entitled "*Part 6. Emissions Limitations and Prohibitions - Existing Sources for Volatile Organic Compounds Emissions*," effective 7 days hereafter.

March 11, 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 2:37 p.m. this date, administrative rule (02-03-07) for the Department of Environmental Quality, Air Quality Division, entitled "*Part 10. Intermittent Testing and Sampling*," 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 Secretary for record.

The following communication was received:
Department of Environmental Quality

March 15, 2002

Section 30113(6) of Part 301, Inland Lakes and Streams, of the Natural Resources and Environmental Protection Act, 1994 PA 451, as amended, requires the Department of Environmental Quality (DEQ) to report annually to the Legislature on both of the following:

1. How money from the fund was expended during the previous fiscal year.

Response: Revenue in the amount of \$2,139,974.50 was received into the Land and Water Protection Fee Fund in FY 00/01. Expenditures were made during that same time period in the amount of \$2,404,794.31 for the operation and administration of the parts listed in Section 30104(3). Those expenditures were for the operation of the Land and Water Management Division's (LWMD's) Permit Consolidation Unit, Inland Lakes and Wetlands Unit, and Department of

Environmental Quality (DEQ) field offices where LWMD staff are located. Expenses included salaries and wages, office rent, computers, supplies, and travel.

Note: The difference between FY 00/01 revenue and expenditures is due to carryover from the previous fiscal year, as authorized by Section 30113(3).

2. For permit programs funded with money in the fund, the average length of time for department action on permit applications for each class of permits reviewed.

Response: See table.

Statute	Average Processing/ Days	Required Statutory Time/Days	Number of Permit Application Final Actions
Part 301, Inland Lakes and Streams	43	60 or 90 with hearing	2990
Part 325, Great Lakes Submerged Lands ¹	62	None ²	306
Part 303, Wetlands Protection ³	59	90 or 150 with hearing	737
Part 31, Water Resources Protection, Floodplains	39	None	295
Part 315, Dam Safety	66	60 or 120 with hearing	5 ⁴
Part 323, Shorelands Protection and Management	39	None	320
Part 353, Sand Dunes Protection and Management	35	60 or 90 with hearing ⁵	(included w/Part 323)
Public Health Code (Aquatic Nuisance Control), 1978 PA 368	16.5	15	1401
Land Division Act, 1967 PA 288	21	30	134

¹Requires coordination with the U.S. Army Corps of Engineers (USACE) and joint public noticing so that the DEQ and the USACE permit reviews are done simultaneously. This increases processing time.

²Section 30113(5) requires the department to process permit applications within 60 days after receiving a complete application for the acts and parts of acts cited above, unless the act or part specifically provides for permit application processing time limits.

³Large projects under this statute are coordinated with the U.S. Environmental Protection Agency under our 404 assumption agreement, which delays projects an average of 60 to 70 days.

⁴Dam Safety permits are issued in conjunction with other permit statutes.

⁵Statutory time requirement applies to local units of government, not the department.

Richard A. Powers, Chief
Land and Water Management Division

The communication was referred to the Secretary for record.

The following communication was received:
Department of Civil Service

March 22, 2002

Enclosed is the Appropriation/Fiscal Analysis Report for the Department of Civil Service for fiscal year 2000-01. This report is provided in accordance with Article XI, Section 5 of the Constitution of the State of Michigan.

Sincerely,
John F. Lopez
State Personnel Director

The communication was referred to the Secretary for record.

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

March 28, 2002

Pursuant to Section 314 of P.A. 119 of 2001, we are enclosing a copy of the following reports:

<u>Type of Report</u>	<u>Facility</u>	<u>Report #</u>	<u>License #</u>
Special Investigation Report	Bay Pines Center	2002C0114007	CS210200969
Special Investigation Report	Sequoayah Center	2002C0117003	CS470201401

This report was performed in compliance with the requirements of P.A. 116 of 1973 as amended, and the Administrative Rules for Child Caring Institutions. The report may also be viewed on our web site at the following address: http://www.cis.state.mi.us/fast/leg_rep.htm.

If you have any questions regarding this information, please feel free to contact me at 373-3892.

Sincerely,
John R. Suckow, C.P.A.
Director, Finance and Administrative Services

The communication was referred to the Secretary for record.

The following communication was received:
Office of the Auditor General

March 29, 2002

Enclosed is a copy of the following audit report and/or executive digest:
Performance audit of the Appellate Defender Commission, March 2002.

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

The communication was referred to the Secretary for record.

The following communication was received:
Department of State Police

April 2, 2002

Enclosed is a copy of the FY01 Annual Report and Evaluation for the Secondary Road Patrol and Traffic Accident Prevention Program.

This report satisfies the reporting requirements contained in Public Act 416 of 1978, as amended. Copies of this report are transmitted to the Governor's Office, Clerk of the House, Secretary of the Senate, Chair of the House Appropriations Committee, Chair of the Senate Appropriations Committee, each county sheriff, the Michigan Sheriff's Association, and the Deputy Sheriff's Association of Michigan.

Should you have any questions about this report, please contact Kim Kelly at 517/333-5305.

Sincerely,
Betty J. Mercer
Division Director
Office of Highway Safety Planning

The communication was referred to the Secretary for record.

The Secretary announced that the following House bills were received in the Senate and filed on Thursday, March 21:

**House Bill Nos. 4602 4826 4827 5057 5466 5568 5628 5629 5630 5631 5632 5633 5634 5642
5651 5710 5717 5718**

The Secretary announced the enrollment printing and presentation to the Governor on Tuesday, March 26, for his approval the following bills:

Enrolled Senate Bill No. 385 at 2:11 p.m.
Enrolled Senate Bill No. 386 at 2:13 p.m.
Enrolled Senate Bill No. 387 at 2:15 p.m.
Enrolled Senate Bill No. 388 at 2:17 p.m.

The Secretary announced the enrollment printing and presentation to the Governor on Wednesday, March 27, for his approval the following bills:

Enrolled Senate Bill No. 940 at 4:10 p.m.
Enrolled Senate Bill No. 899 at 4:12 p.m.

The Secretary announced the enrollment printing and presentation to the Governor on Thursday, March 28, for his approval the following bills:

Enrolled Senate Bill No. 468 at 3:34 p.m.
Enrolled Senate Bill No. 811 at 3:36 p.m.
Enrolled Senate Bill No. 997 at 3:38 p.m.
Enrolled Senate Bill No. 901 at 3:40 p.m.
Enrolled Senate Bill No. 900 at 3:42 p.m.
Enrolled Senate Bill No. 949 at 3:44 p.m.
Enrolled Senate Bill No. 971 at 3:46 p.m.
Enrolled Senate Bill No. 898 at 3:48 p.m.
Enrolled Senate Bill No. 939 at 3:50 p.m.
Enrolled Senate Bill No. 930 at 3:52 p.m.
Enrolled Senate Bill No. 730 at 3:54 p.m.
Enrolled Senate Bill No. 812 at 3:56 p.m.
Enrolled Senate Bill No. 942 at 3:58 p.m.
Enrolled Senate Bill No. 948 at 4:00 p.m.
Enrolled Senate Bill No. 936 at 4:02 p.m.
Enrolled Senate Bill No. 943 at 4:04 p.m.
Enrolled Senate Bill No. 346 at 4:06 p.m.
Enrolled Senate Bill No. 996 at 4:08 p.m.
Enrolled Senate Bill No. 995 at 4:10 p.m.
Enrolled Senate Bill No. 397 at 4:12 p.m.
Enrolled Senate Bill No. 897 at 4:14 p.m.
Enrolled Senate Bill No. 1100 at 4:16 p.m.

The Secretary announced the enrollment printing and presentation to the Governor on Friday, March 29, for his approval the following bills:

Enrolled Senate Bill No. 902 at 2:27 p.m.
Enrolled Senate Bill No. 946 at 2:29 p.m.

The Secretary announced the enrollment printing and presentation to the Governor on Monday, April 1, for his approval the following bill:

Enrolled Senate Bill No. 1105 at 10:53 a.m.

The Secretary announced the enrollment printing and presentation to the Governor on Tuesday, April 2, for his approval the following bill:

Enrolled Senate Bill No. 973 at 3:18 p.m.

The Secretary announced the printing and placement in the members' files on Thursday, March 21, of:

Senate Bill Nos. 1208 1209 1210
House Bill Nos. 5817 5818 5819

The Secretary announced the printing and placement in the members' files on Friday, March 22, of:

Senate Bill Nos. 1211 1212 1213 1214 1215 1216

Messages from the Governor

The following messages from the Governor were received:

Date: March 25, 2002
Time: 10:35 p.m.

To the President of the Senate:

Sir—I have this day approved and signed
Enrolled Senate Bill No. 884 (Public Act No. 83), being

An act to amend 1919 PA 149, entitled "An act to accept the requirements and benefits of an act of the sixty-fourth congress of the United States, approved February 23, 1917, known as the Smith-Hughes act, or Public Act No. 347,

relating to appropriations to be made by the federal government to the several states for the support and control of instruction in agriculture, the trades, industries, and home economics, and for the preparation of teachers of vocational subjects; to designate a state board of control for vocational education; to provide for the proper custody and administration of funds received by the state from such appropriations; and to provide for appropriations by the state and by local school authorities to meet the conditions of said act of congress," by amending sections 7 and 8 (MCL 395.7 and 395.8).

(Filed with the Secretary of State on March 26, 2002, at 10:10 a.m.)

Date: March 25, 2002

Time: 10:37 p.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 885 (Public Act No. 84), being

An act to amend 1939 PA 280, entitled "An act to protect the welfare of the people of this state; to provide general assistance, hospitalization, infirmary and medical care to poor or unfortunate persons; to provide for compliance by this state with the social security act; to provide protection, welfare and services to aged persons, dependent children, the blind, and the permanently and totally disabled; to administer programs and services for the prevention and treatment of delinquency, dependency and neglect of children; to create a state department of social services; to prescribe the powers and duties of the department; to provide for the interstate and intercounty transfer of dependents; to create county and district departments of social services; to create within certain county departments, bureaus of social aid and certain divisions and offices thereunder; to prescribe the powers and duties of the departments, bureaus and officers; to provide for appeals in certain cases; to prescribe the powers and duties of the state department with respect to county and district departments; to prescribe certain duties of certain other state departments, officers, and agencies; to make an appropriation; to prescribe penalties for the violation of the provisions of this act; and to repeal certain parts of this act on specific dates," by amending section 15 (MCL 400.15).

(Filed with the Secretary of State on March 26, 2002, at 10:12 a.m.)

Date: March 25, 2002

Time: 10:40 p.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 886 (Public Act No. 85), being

An act to amend 1921 PA 59, entitled "An act to relieve the county and state from the support of certain classes of aliens who are subject to deportation from the United States; making an appropriation therefor and providing penalties for the non-performance of duties under the provisions of this act," by amending section 2 (MCL 404.32).

(Filed with the Secretary of State on March 26, 2002, at 10:14 a.m.)

Date: March 25, 2002

Time: 10:42 p.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 888 (Public Act No. 86), being

An act to amend 1846 RS 21, entitled "Of specific state taxes and duties," by amending section 30 (MCL 446.30).

(Filed with the Secretary of State on March 26, 2002, at 10:15 a.m.)

Date: March 25, 2002

Time: 10:44 p.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 890 (Public Act No. 87), being

An act to repeal 1909 PA 263, entitled "An act to authorize the Michigan dairymen's association to hold an annual meeting and such auxiliary meetings as may be determined by the association, and making an appropriation therefor," (MCL 453.451 to 453.452).

(Filed with the Secretary of State on March 26, 2002, at 10:16 a.m.)

Date: March 25, 2002
Time: 10:46 p.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 894 (Public Act No. 88), 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 26a of chapter XIV and section 6 of chapter XVI (MCL 774.26a and 776.6), section 26a of chapter XIV as amended by 1980 PA 506.

(Filed with the Secretary of State on March 26, 2002, at 10:18 a.m.)

Date: March 25, 2002
Time: 10:50 p.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 895 (Public Act No. 89), being

An act to amend 1893 PA 118, entitled “An act to revise and consolidate the laws relative to state prisons, to state houses of correction, and branches of state prisons and reformatories, and the government and discipline thereof and to repeal all acts inconsistent therewith,” by amending sections 49 and 61 (MCL 800.49 and 800.61).

(Filed with the Secretary of State on March 26, 2002, at 10:20 a.m.)

Date: March 26, 2002
Time: 12:00 p.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 690 (Public Act No. 90), being

An act to amend 1945 PA 327, entitled “An act relating to aeronautics in this state; providing for the development and regulation thereof; creating a state aeronautics commission; prescribing powers and duties; providing for the licensing, or registration, or supervision and control of all aircraft, airports and landing fields, schools of aviation, flying clubs, airmen, aviation instructors, airport managers, manufacturers, dealers, and commercial operation in intrastate commerce; providing for rules pertaining thereto; prescribing a privilege tax for the use of the aeronautical facilities on the lands and waters of this state; providing for the acquisition, development, and operation of airports, landing fields, and other aeronautical facilities by the state and by political subdivisions; providing jurisdiction of crimes, torts, and contracts; providing police powers for those entrusted to enforce this act; providing for civil liability of owners, operators, and others; making hunting from aircraft unlawful; providing for repair station operators lien; providing for appeals from rules or orders issued by the commission; providing for the transfer from the Michigan board of aeronautics to the aeronautics commission all properties and funds held by the board of aeronautics; providing for a state aeronautics fund and making an appropriation therefor; prescribing penalties; and making uniform the law with reference to state development and regulation of aeronautics,” (MCL 259.1 to 259.208) by amending the title and by adding chapter VIA; and to repeal acts and parts of acts.

(Filed with the Secretary of State on March 26, 2002, at 2:52 p.m.)

Date: March 27, 2002
Time: 12:32 p.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 887 (Public Act No. 103), being

An act to amend 1937 PA 329, entitled “An act providing for compensation to certain peace officers injured in active duty, and payment to surviving spouses and dependents in case of death arising from active duty; and to make an appropriation therefor,” by amending section 3 (MCL 419.103).

(Filed with the Secretary of State on March 27, 2002, at 4:12 p.m.)

Date: March 27, 2002
Time: 12:34 p.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 889 (Public Act No. 104), being

An act to amend 1933 PA 89, entitled “An act to prevent fraud, deception and imposition in the solicitation within the state of Michigan of the deposit of bonds, notes, debentures and other evidences of indebtedness under, and/or the consent of the holders or owners of such securities, to a protective committee agreement, and to prevent fraud, deception and imposition in the operations and activities of protective committees organized within the state of Michigan to act for and in behalf of the holders or owners of such securities, and for such purposes to create a commission to regulate and supervise the establishment and the operations of protective committees, depositaries under protective committee agreements, and solicitors for protective committee agreements; to authorize said commission to have supervision over defaulted bonds, notes, debentures, certificates of participation and similar evidences of indebtedness; to prescribe the powers and duties of such commission; to license members of protective committees, depositaries under protective committee agreements and solicitors for protective committee agreements; to regulate and supervise and control the solicitation by anyone of bonds, notes, debentures and all other similar evidences of indebtedness, issued by the maker of any security for the purpose of procuring the modification and/or amendment and/or foreclosure of any instrument in writing securing any issue of bonds, notes, debentures and all other similar evidences of indebtedness; to authorize such commission to act as custodian or receiver and appoint custodians, agents and managers of defaulted mortgage property under orders of court or otherwise; to prescribe penalties for violation of this act; and to repeal Act No. 37 of the Public Acts of the first extra session of 1932,” by amending section 13 (MCL 451.313).

(Filed with the Secretary of State on March 27, 2002, at 4:14 p.m.)

Date: March 27, 2002
Time: 2:20 p.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 892 (Public Act No. 105), 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 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 repeal acts and parts of acts; and to provide penalties for the violation of this act," by amending sections 204 and 208 (MCL 500.204 and 500.208).

(Filed with the Secretary of State on March 27, 2002, at 4:16 p.m.)

Date: March 27, 2002

Time: 2:22 p.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 896 (Public Act No. 106), being

An act to amend 1881 PA 181, entitled "An act to provide for the payment of interest on the educational funds, and to repeal section 10 of chapter 131 of the Compiled Laws of 1871, being compiler's section 3477," by amending section 1 (MCL 21.201).

(Filed with the Secretary of State on March 27, 2002, at 4:18 p.m.)

Date: March 27, 2002

Time: 2:32 p.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 543 (Public Act No. 109), being

An act to amend 1915 PA 312, entitled "An act to establish, protect and enforce by lien the rights of garage keepers who furnish labor or material for storing, repairing, maintaining, keeping or otherwise supplying automobiles or other vehicles," by amending sections 2, 3, 4, 5, and 6 (MCL 570.302, 570.303, 570.304, 570.305, and 570.306), sections 2 and 3 as amended and sections 4, 5, and 6 as added by 1998 PA 236, and by adding section 10.

(Filed with the Secretary of State on March 27, 2002, at 4:24 p.m.)

Date: March 27, 2002

Time: 2:35 p.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 678 (Public Act No. 110), being

An act to amend 1937 PA 94, entitled "An act to provide for the levy, assessment and collection of a specific excise tax on the storage, use or consumption in this state of tangible personal property and certain services; to appropriate the proceeds thereof; and to prescribe penalties for violations of the provisions of this act," by amending section 3 (MCL 205.93), as amended by 1999 PA 117.

(Filed with the Secretary of State on March 27, 2002, at 4:26 p.m.)

Date: March 29, 2002

Time: 1:00 p.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 730 (Public Act No. 112), being

An act to amend 1966 PA 189, entitled "An act to provide procedures for making complaints for, obtaining, executing and returning search warrants; and to repeal certain acts and parts of acts," by amending sections 4 and 5 (MCL 780.654, and 780.655).

(Filed with the Secretary of State on April 1, 2002, at 11:22 a.m.)

Date: March 29, 2002
Time: 1:02 p.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 930 (Public Act No. 113), 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 chapter LXXXIII-A.

(Filed with the Secretary of State on April 1, 2002, at 11:24 a.m.)

Date: March 29, 2002
Time: 1:04 p.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 936 (Public Act No. 114), 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 19f of chapter VII (MCL 767.19f).

(Filed with the Secretary of State on April 1, 2002, at 11:26 a.m.)

Date: March 29, 2002
Time: 1:06 p.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 939 (Public Act No. 115), 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 543r.

(Filed with the Secretary of State on April 1, 2002, at 11:28 a.m.)

Date: March 29, 2002
Time: 1:08 p.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 940 (Public Act No. 116), 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 212a (MCL 750.212a), as added by 1998 PA 207.

(Filed with the Secretary of State on April 1, 2002, at 11:30 a.m.)

Date: March 29, 2002
Time: 1:10 p.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 942 (Public Act No. 117), 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 543p.

(Filed with the Secretary of State on April 1, 2002, at 11:32 a.m.)

Date: March 29, 2002
Time: 1:12 p.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 943 (Public Act No. 118), being

An act to amend 1963 PA 181, entitled “An act to promote safety upon the public highways by regulating the operation of certain vehicles; to provide consistent regulation of these areas by state agencies and local units of government; to establish the qualifications of persons necessary for the safe operation of such vehicles; to limit the hours of service of persons engaged in operating such vehicles; to require the keeping of records of such operations; to provide penalties for the violation of this act; to prescribe the powers and duties of certain state agencies; and to repeal certain acts and parts of acts,” by amending section 7c (MCL 480.17c), as amended by 2000 PA 298.

(Filed with the Secretary of State on April 1, 2002, at 11:34 a.m.)

Date: March 29, 2002
Time: 1:14 p.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 948 (Public Act No. 119), 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 24 of chapter VII (MCL 767.24), as amended by 2001 PA 6.

(Filed with the Secretary of State on April 1, 2002, at 11:36 a.m.)

Date: March 29, 2002
Time: 1:16 p.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 949 (Public Act No. 120), 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 1f of chapter IX (MCL 769.1f), as amended by 2001 PA 208.

(Filed with the Secretary of State on April 1, 2002, at 11:38 a.m.)

Date: March 29, 2002

Time: 1:18 p.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 994 (Public Act No. 121), being

An act to amend 1955 PA 133, entitled "An act to provide for the granting of military leaves and providing re-employment protection for officers and enlisted men of the military or naval forces of the state or of the United States," by amending section 3 (MCL 32.273).

(Filed with the Secretary of State on April 1, 2002, at 11:40 a.m.)

Date: March 29, 2002

Time: 1:20 p.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 995 (Public Act No. 122), 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 16z of chapter XVII (MCL 777.16z), as amended by 2000 PA 279.

(Filed with the Secretary of State on April 1, 2002, at 11:42 a.m.)

Date: March 29, 2002

Time: 1:22 p.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 996 (Public Act No. 123), 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 16v of chapter XVII (MCL 777.16v), as amended by 2000 PA 279.
(Filed with the Secretary of State on April 1, 2002, at 11:44 a.m.)

Date: March 29, 2002

Time: 1:24 p.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 997 (Public Act No. 124), 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 159g (MCL 750.159g), as amended by 1997 PA 75.
(Filed with the Secretary of State on April 1, 2002, at 11:46 a.m.)

Date: March 29, 2002

Time: 1:26 p.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 1005 (Public Act No. 125), 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 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 21513 (MCL 333.21513), as amended by 1993 PA 79.

(Filed with the Secretary of State on April 1, 2002, at 11:48 a.m.)

Date: April 1, 2002

Time: 9:30 a.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 946 (Public Act No. 137), 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 sections 31, 37, and 49 of chapter XVII (MCL 777.31, 777.37, and 777.49), sections 31 and 49 as amended by 2001 PA 136, and section 37 as added by 1998 PA 317, and by adding section 49a. (Filed with the Secretary of State on April 1, 2002, at 12:12 p.m.)

Date: April 1, 2002
Time: 9:35 a.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 468 (Public Act No. 138), being

An act to authorize the department of natural resources to convey certain state owned property in Genesee county; to prescribe conditions for the conveyance; and to provide for disposition of the revenue from the conveyance. (Filed with the Secretary of State on April 1, 2002, at 12:14 p.m.)

Date: April 1, 2002
Time: 9:37 a.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 899 (Public Act No. 139), being

An act to amend 1917 PA 99, entitled "An act to provide for the construction, maintenance and improvement of federal aided roads; to authorize townships, good roads districts and counties to raise money by taxation and by loan for the purpose of contributing thereto; to validate and legalize proceedings heretofore taken to raise money for the purpose contemplated by this act; and to provide an appropriation for paying the state's portion of the expense incurred hereunder;" by amending section 1 (MCL 249.1).

(Filed with the Secretary of State on April 1, 2002, at 12:16 p.m.)

Date: April 1, 2002
Time: 2:35 p.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 902 (Public Act No. 145), being

An act to amend 1909 PA 139, entitled "An act relative to the maintenance and construction of hospitals and sanatoria within the counties of this state and to provide a tax to raise moneys therefor," by amending section 5 (MCL 331.105). (Filed with the Secretary of State on April 2, 2002, at 8:55 a.m.)

Date: April 8, 2002
Time: 11:30 a.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 811 (Public Act No. 150), being

An act to amend 1941 PA 205, entitled "An act to provide for the construction, establishment, opening, use, discontinuing, vacating, closing, altering, improvement, and maintenance of limited access highways and facilities ancillary to those highways; to permit the acquiring of property and property rights and the closing or other treatment of intersecting roads for these purposes; to provide for the borrowing of money and for the issuing of bonds or notes payable from special funds for the acquisition, construction or improvement of such highways; and to provide for the

receipt and expenditure of funds generated from the facilities,” by amending section 2 (MCL 252.52), as amended by 2001 PA 47.

(Filed with the Secretary of State on April 8, 2002, at 2:40 p.m.)

Date: April 8, 2002

Time: 11:38 a.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 812 (Public Act No. 151), being

An act to amend 1925 PA 368, entitled “An act to prohibit obstructions and encroachments on public highways, to provide for the removal thereof, to prescribe the conditions under which telegraph, telephone, power, and other public utility companies, cable television companies and municipalities may enter upon, construct and maintain telegraph, telephone, power or cable television lines, pipe lines, wires, cables, poles, conduits, sewers and like structures upon, over, across or under public roads, bridges, streets and waters and to provide penalties for the violation of this act,” by amending section 13 (MCL 247.183), as amended by 1994 PA 306, and by adding section 1a.

(Filed with the Secretary of State on April 8, 2002, at 2:42 p.m.)

Date: April 8, 2002

Time: 11:42 a.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 897 (Public Act No. 153), being

An act to amend 1946 (1st Ex Sess) PA 9, entitled “An act to create the Michigan veterans’ trust fund, and to define who shall be eligible to receive assistance therefrom; to provide for the disbursement of the income thereof and surplus therein; to create a board of trustees, and to prescribe its powers and duties; to provide for county and district committees, and their powers, duties, and expenses; to prescribe penalties; and to make appropriations to carry out the provisions of this act,” by amending sections 7 and 8 (MCL 35.607 and 35.608).

(Filed with the Secretary of State on April 8, 2002, at 2:46 p.m.)

Date: April 8, 2002

Time: 11:44 a.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 898 (Public Act No. 154), being

An act to amend 1911 PA 44, entitled “An act to create a state board of equalization; to prescribe its powers and duties; to provide that said board shall be furnished with certain information by the several boards of supervisors and by the state tax commission; to provide for meeting the expense authorized by this act, and to repeal all acts or parts of acts contravening the provisions of this act,” by amending sections 3 and 4 (MCL 209.3 and 209.4), section 4 as amended by 2001 PA 36.

(Filed with the Secretary of State on April 8, 2002, at 2:48 p.m.)

Date: April 8, 2002

Time: 11:46 a.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 900 (Public Act No. 155), being

An act to repeal 1921 PA 358, entitled “An act authorizing the state to reimburse counties and townships to the extent of 1/2 of the amounts spent by such counties and townships in connection with the destruction of grasshoppers and similar pests, making an appropriation therefor, and providing a tax to meet the same,” (MCL 286.131 to 286.135).

(Filed with the Secretary of State on April 8, 2002, at 2:50 p.m.)

Date: April 8, 2002

Time: 11:48 a.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 901 (Public Act No. 156), being

An act to amend 1863 PA 140, entitled “An act to provide for the selection, care and disposition of the lands donated to the state of Michigan, by act of congress, approved July second, 1862, for the endowment of colleges for the benefit of agriculture and the mechanic arts,” by amending sections 8 and 10 (MCL 322.178 and 322.180).

(Filed with the Secretary of State on April 8, 2002, at 2:52 p.m.)

Date: April 8, 2002
Time: 11:56 a.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 385 (Public Act No. 157), being

An act to amend 1976 PA 451, entitled “An act to provide a system of public instruction and elementary and secondary schools; to revise, consolidate, and clarify the laws relating to elementary and secondary education; to provide for the organization, regulation, and maintenance of schools, school districts, public school academies, and intermediate school districts; to prescribe rights, powers, duties, and privileges of schools, school districts, public school academies, and intermediate school districts; to provide for the regulation of school teachers and certain other school employees; to provide for school elections and to prescribe powers and duties with respect thereto; to provide for the levy and collection of taxes; to provide for the borrowing of money and issuance of bonds and other evidences of indebtedness; to establish a fund and provide for expenditures from that fund; to provide for and prescribe the powers and duties of certain state departments, the state board of education, and certain other boards and officials; to provide for licensure of boarding schools; to prescribe penalties; and to repeal acts and parts of acts,” by amending sections 614, 617, and 1066 (MCL 380.614, 380.617, and 380.1066), section 614 as amended by 1992 PA 263, section 617 as amended by 1989 PA 268, and section 1066 as amended by 1995 PA 289.

(Filed with the Secretary of State on April 8, 2002, at 2:54 p.m.)

Date: April 8, 2002
Time: 11:58 a.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 386 (Public Act No. 158), being

An act to amend 1966 PA 261, entitled “An act to provide for the apportionment of county boards of commissioners; to prescribe the size of the board; to provide for appeals; to prescribe the manner of election of the members of the county board of commissioners; to provide for compensation of members; to prescribe penalties and provide remedies; and to repeal acts and parts of acts,” by amending section 11 (MCL 46.411), as amended by 1982 PA 504.

(Filed with the Secretary of State on April 8, 2002, at 2:56 p.m.)

Date: April 8, 2002
Time: 12:00 p.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 387 (Public Act No. 159), 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 11 (MCL 397.181); and to repeal acts and parts of acts.

(Filed with the Secretary of State on April 8, 2002, at 2:58 p.m.)

Date: April 8, 2002
Time: 12:02 p.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 388 (Public Act No. 160), being

An act to amend 1877 PA 164, entitled “An act to authorize cities, incorporated villages, and townships to establish and maintain, or contract for the use of, free public libraries and reading rooms; and to prescribe penalties and provide remedies,” by amending section 11 (MCL 397.211), as amended by 1988 PA 432.

(Filed with the Secretary of State on April 8, 2002, at 3:00 p.m.)

Date: April 8, 2002
Time: 1:30 p.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 1100 (Public Act No. 161), being

An act to make appropriations for community colleges and certain state purposes related to education for the fiscal year ending September 30, 2003; to make certain supplemental appropriations for the fiscal year ending September 30, 2002; to provide for the expenditure of those appropriations; to establish or continue certain funds, programs, and

categories; and to prescribe the powers and duties of certain state departments, institutions, agencies, employees, and officers.

(Filed with the Secretary of State on April 8, 2002, at 3:02 p.m.)

Date: April 8, 2002

Time: 1:35 p.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 397 (Public Act No. 162), being

An act to designate an official fossil of this state.

(Filed with the Secretary of State on April 8, 2002, at 3:04 p.m.)

Respectfully,
John Engler
Governor

The following message from the Governor was received:

April 8, 2002

Today I have signed Enrolled Senate Bill 1100, which provides fiscal year 2003 appropriations for Community Colleges and contains a fiscal year 2002 supplemental authorizing final design and construction for four college and university capital outlay projects.

Funding for Michigan's 28 community colleges is maintained at fiscal year 2002 levels, totaling \$321.7 million, \$319.7 million general fund. Included in the bill are \$315.5 million in state resources for the upcoming fiscal year to support community college operations, \$3.7 million for programs for students who are academically at risk, and \$2 million to fund the Postsecondary Access Student Scholarship Program.

I appreciate the legislature's early passage of the fiscal year 2003 community college budget. This budget shields community colleges from budget cuts and demonstrates the State's continued commitment to this very important component of Michigan's education system.

Enrolled Senate Bill 1100 also authorizes fiscal year 2002 supplemental funding for four State Building Authority financed capital outlay projects, which have been through the capital outlay review process. These four projects are the student services building and the fine and practical arts project at Northern Michigan University, the west bay reconstruction project at Northwestern Michigan College, and the instructional resource center at Southwestern Michigan College.

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

Sincerely,
John Engler
Governor

The following message from the Governor was received on March 27, 2002, and read:

EXECUTIVE ORDER
2002 - 5

**Governor's Workforce Commission
Michigan Workforce Investment Board
Department of Career Development**

Executive Reorganization

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

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

Whereas, the current Governor's Workforce Commission was established by Executive Order 1994-26, being Section 408.48 of the Michigan Compiled Laws; to advise the Governor and the then Chief Executive Officer of the Michigan Jobs Commission on matters regarding workforce development with all the authority, powers, duties, functions, and responsibilities of the Governor's Workforce Commission created under Executive Order 1993-3; and

Whereas, Executive Order 1999-1, being Section 408.40 of the Michigan Compiled Laws; transferred all of the authority, powers, duties, functions and responsibilities of the Governor's Workforce Commission to the Department of Career Development by a Type II transfer as defined in Section 3 of Act No. 380 of the Public Acts of 1965, as amended, being Section 16.103 of the Michigan Compiled Laws; and

Whereas, the federal Workforce Investment Act of 1998, 29 USC 2801 et seq., was enacted "to provide workforce investment activities, through statewide and local workforce investment systems, that increase the employment, retention, and earnings of participants, and increase occupational skill attainment by participants, and, as a result, improve the quality of the workforce, reduce welfare dependency, and enhance the productivity and competitiveness of the Nation" (29 USC 2811); and

Whereas, as a condition of receiving federal funds, the Workforce Investment Act of 1998 requires each state to establish a state workforce investment board or designate an alternative entity for carrying out duties related to statewide workforce investment activities (29 USC 2821); and

Whereas, prior to this Order, the Governor's Workforce Commission served as the alternative entity required under Section 111 of the Workforce Investment Act of 1998 (29 USC 2821); and

Whereas, changes in the structure of the Governor's Workforce Commission are needed to reflect the current organization of state government; and

Whereas, federal law requires the state to adopt a prescribed state workforce investment board model in order to effect these changes; and

Whereas, the federally prescribed state workforce investment board model dictates the number of and types of members of the state workforce investment board; and

Whereas, it is necessary to effect changes in the organization of the Executive Branch of government.

Now, Therefore, I, John Engler, Governor of the state of Michigan, pursuant to the powers vested in me by the Constitution of the state of Michigan of 1963 and the laws of the state of Michigan, do hereby order the following:

I. Definitions

As used herein:

A. "Board" means the Michigan Workforce Investment Board established by this Executive Order.

B. "Department of Career Development" means the principal department of state government created by Executive Order 1999-1, being Section 408.40 of the Michigan Compiled Laws, or any act of the legislature enacted subsequent to the issuance of this order.

C. "Department of Community Health" means the principal department of state government created by Executive Order 1996-1, being Section 330.3101 of the Michigan Compiled Laws.

D. "Department of Consumer and Industry Services" means the principal department of state government created by Executive Order 1996-2, being Section 445.2001 of the Michigan Compiled Laws.

E. "Family Independence Agency" means the principal department of state government created by Act No. 280 of the Public Acts of 1939, being Section 400.1 of the Michigan Compiled Laws.

F. "Governor's Workforce Commission" means the entity established by Executive Order 1994-26, being Section 408.48 of the Michigan Compiled Laws.

G. "Local units of government" means counties, townships, cities, villages or federally-recognized Indian tribes.

H. "Member" means a member of the Board appointed by the Governor, the Speaker of the House, or the Senate Majority Leader, as required by federal statute and regulation. "Member" also means the Governor and other state officials listed in Section II.C.4.h. of this order who also serve as board members as required by federal statute and regulation.

I. "One-Stop Partner" means the lead state agency with responsibility for the following programs and activities described in Section 121(b) of the federal Workforce Investment Act of 1998 (29 USC 2841(b)) and any federal regulations issued pursuant to the Act. Where no state agency has responsibility for such a program or service, a one-stop partner means an entity in the state with expertise relating to such a program. Those programs and activities include:

1. Programs authorized under Title I of the federal Workforce Investment Act of 1998, being 29 USC 2801 et seq., which provide the framework for state and local workforce investment systems and funding streams for services to youths, adults and dislocated workers.

2. Programs authorized under the Wagner-Peyser Act, 29 USC 49 et seq., which establish and maintain a national system of public employment offices, for which the Department of Career Development is the lead state agency.

3. Programs authorized under the Adult Education and Family Literacy Act, 20 USC 9201 et seq., which establish partnerships among the federal government, states and localities to provide adult education and literacy services, for which the Department of Career Development is the lead state agency.

4. Programs authorized under Title I of the Rehabilitation Act of 1973, 29 USC 720 et seq., which assist states in operating statewide comprehensive programs of vocational rehabilitation, for which the Department of Career Development is the lead state agency.

5. Programs authorized under section 403(a)(5) of the Social Security Act, 42 USC 603(a)(5), which establish block grants to states for temporary assistance for needy families, for which the Department of Career Development is the lead state agency.

6. Programs authorized under Title V of the Older Americans Act of 1965, 42 USC 3056 et seq., which promote useful part-time opportunities in community service activities for unemployed low-income persons age 55 or older in order to foster economic self-sufficiency, for which the Department of Community Health is the lead state agency.

7. Programs authorized under the Carl D. Perkins Vocational and Applied Technology Education Act, 20 USC 2301 et seq., which develop the academic, vocational and technical skills of secondary students and post-secondary students enrolled in vocational and technical education programs, for which the Department of Career Development is the lead state agency.

8. Programs authorized under chapter 2 of Title II of the Trade Act of 1974, 19 USC 2271 et seq., which assist and retrain workers unemployed as a result of foreign competition, for which the Department of Career Development is the lead state agency.

9. Activities authorized under Chapter 41 of Title 38 of the United States Code, 38 USC 4100 et seq., which provide job counseling, training and placement service for veterans, for which the Department of Career Development is the lead state agency.

10. Programs authorized under the Community Services Block Grant Act, 42 USC 9901 et seq., which provide assistance to states and local communities, community action agencies and other neighborhood-based organizations, to reduce poverty, revitalize low-income communities, and empower low-income families and individuals to become self-sufficient, for which the Family Independence Agency is the lead state agency.

11. Employment and training activities of the Department of Housing and Urban Development, which provide services and resources to families eligible for public housing to achieve economic independence and self-sufficiency.

12. Programs authorized under state unemployment compensations laws, for which the Department of Consumer and Industry Services is the lead state agency.

II. CREATION OF THE MICHIGAN WORKFORCE INVESTMENT BOARD

A. Consistent with the provisions of the federal Workforce Investment Act of 1998 and regulations issued pursuant to the Act, the Michigan Workforce Investment Board is hereby created within the Michigan Department of Career Development as a Type II entity as defined in Section 3 of Act No. 380 of the Public Acts of 1965, as amended, being Section 16.103 of the Michigan Compiled Laws.

B. The Board shall have fifty-three (53) members.

C. The membership of the Board shall be as provided in Section 111(b) of the Workforce Investment Act (29 USC 2821(b)) and regulations issued pursuant to the Act as follows:

1. The Governor.
2. Two (2) members of the Michigan Senate appointed by the Senate Majority Leader.
3. Two (2) members of the Michigan House of Representatives appointed by the Speaker of the House of Representatives.

4. Appointees of the Governor as follows:

a. Twenty-seven (27) members from lists of nominees submitted by state business organizations and business trade associations, who shall be business owners, chief executive or operating officers, or other business executives with optimum policy-making or hiring authority within their respective business including members of local boards described in Section 2832 (b)(2)(A)(i) of Title 29 of the United States Code.

b. Two (2) chief elected officials of local units of government.

c. Two (2) members representing state labor organizations from a list of six (6) individuals who have been nominated by state labor federations.

d. Two (2) members who have experience with respect to youth activities.

e. Two (2) members who have expertise in the delivery of workforce investment activities, who may include the chief executive officers of community colleges or community-based organizations.

f. One (1) member to represent K-12 school districts or public school academies as defined by the Revised School Code, Act No. 451 of the Public Acts of 1976, as amended, being Section 380.1 et seq. of the Michigan Compiled Laws.

g. One (1) member to represent intermediate school districts as defined by the Revised School Code, Act No. 451 of the Public Acts of 1976, as amended, being Section 380.1 et seq. of the Michigan Compiled Laws.

h. Four (4) members representing the lead state agencies, or their successor agencies, with responsibility for one-stop programs, as follows:

- i.* the Director of the Department of Career Development,
- ii.* the Director of the Department of Community Health,
- iii.* the Director of the Department of Consumer and Industry Services, and
- iv.* the Director of the Family Independence Agency.

i. Five (5) members appointed by the Governor to represent other one-stop partners as required by the federal Workforce Investment Act, including representatives of the Department of Housing and Urban Development, the Workforce Investment Act Job Corps program, the Workforce Investment Act Native American Programs, the Workforce Investment Act Migrant and Seasonal Farmworker Programs, and Workforce Investment Act Youth Opportunity Grant Program.

j. Two (2) members of the general public appointed by the Governor.

D. An individual appointed to serve as a Board member shall serve only while serving in the office of the respective organization, agency or entity in subparagraphs C.2. through C.4. that qualifies him or her for membership on the Board.

E. All members of the Board shall be individuals with optimum policymaking authority within the organizations, agencies or entities that they represent as required by federal statute and regulation.

F. The Board shall represent geographically diverse regions of Michigan to the extent required by federal statute and regulation.

G. Except as otherwise provided in this subsection, members of the Board shall hold office for a term of three (3) years.

1. Members appointed from Michigan House of Representatives and the Michigan State Senate shall serve a term during the term of the legislature in which they were appointed.

2. Of the members initially appointed to represent Michigan business entities, nine (9) members shall be appointed for a term of three (3) years, nine (9) members shall be appointed for a term of two (2) years, and nine (9) members shall be appointed for a term of one (1) year.

3. The members initially appointed as chief elected officials of local units of government shall be appointed for a term of two (2) years.

4. The members initially appointed to represent youth activities shall be appointed for a term of two (2) years.

5. The members initially appointed to represent workforce investment activities shall be appointed for a term of one (1) year.

6. The member initially appointed to represent K-12 school districts shall be appointed for a term of one (1) year.

7. The member initially appointed to represent intermediate school districts shall be appointed for a term of one (1) year.

8. The members initially appointed to represent other one-stop partners shall be appointed for a term of one (1) year.

H. A vacancy on the commission caused by the expiration of a term or other cause of termination of membership on the commission shall be filled in the same manner as the original appointment.

I. A member appointed to fill a vacancy created other than by expiration of a term shall be appointed for the unexpired term of the member who he or she is to succeed in the same manner as the original appointment. A member may be reappointed for additional terms.

III. CHARGE TO THE MICHIGAN WORKFORCE INVESTMENT BOARD

A. The Board shall be advisory in nature and shall assist the Governor with the following functions as described in Section 111(d) of the federal Workforce Investment Act of 1998 (29 USC 2821(d)) and any regulations issued pursuant to the Act:

1. Development of the state Workforce Investment Act plan.

2. Development and continuous improvement of a statewide workforce investment system involving:

a. Formation of linkages to assure coordination of effort and to prevent duplicative activity among programs and services available through the one-stop delivery system; and

b. Review of local Workforce Investment Act plans.

3. Provide comments on the state performance measures taken pursuant to the Carl D. Perkins Vocational and Applied Technology Education Act, 20 USC 2323(b.)

4. Designation of local workforce investment areas.

5. Development of allocation formulas for the distribution of funds to local workforce investment areas for adult employment and training activities and youth activities.

6. Development and continuous improvement of comprehensive state performance measures to assess the effectiveness of state workforce investment activities, including state adjusted levels of performance.

7. Preparation of the state's Workforce Investment Act annual report.

8. Development of the statewide employment statistics system.

9. Development of a Workforce Investment Act incentive grant application and application process.

B. The Board shall also advise the Director of the Department of Career Development on the operation of the following programs:

1. The Work First Program, authorized by Section 57f of the Social Welfare Act, Act No. 280 of the Public Acts of 1939, as amended, being Section 400.57f of the Michigan Compiled Laws.

2. The Food Stamp Employment and Training Program, authorized under the federal Food Stamp Act of 1977, as amended by the Balanced Budget Act of 1997, 7 USC 2015 (d)(4).

3. The Career Preparation System, authorized under Sections 67 and 68 of the School Aid Act, Act No. 94 of the Public Acts of 1979, as amended, being Sections 388.1667 and 388.1668 of the Michigan Compiled Laws.

4. The North American Free Trade Agreement Transitional Adjustment Assistance Program, authorized under chapter 2 of Title II of the Trade Act of 1974, 19 USC 2271 et seq.

5. The Adult Education Programs, authorized under Sections 107 and 108 of the School Aid Act, Act No. 94 of the Public Acts of 1979, as amended, being Sections 388.1707 and 388.1708 of the Michigan Compiled Laws.

IV. OPERATIONS OF THE MICHIGAN WORKFORCE INVESTMENT BOARD

A. A majority of the members of the Board shall be representatives of Michigan business entities as required by federal statute and regulation.

B. As required by federal statute and regulation, the Governor shall designate as chairperson of the Board a member representing state business entities who shall serve at the pleasure of the Governor.

C. The Board may promulgate bylaws, not inconsistent with law and with this Order, governing its organization, operation and procedure.

D. A majority of the serving members consisting of a majority of members representing state business entities constitutes a quorum for the transaction of business at a meeting. Members participating in a meeting by the use of telephonic or video equipment shall be deemed present at the meeting. The Board shall act by a majority vote of its members. Voting shall be conducted in person or by use of telephonic or video equipment.

E. The Board shall meet at the call of the chairperson and as may be provided in the bylaws of the Board. Meetings of the Board may be held at any location within the state of Michigan. Gubernatorial appointees unable to comply with attendance requirements specified in the Board's bylaws, upon request of the chair, shall resign from the board.

F. The Board may, as appropriate, make inquiries, studies, and investigations, hold hearings, and receive comments from the public.

G. The Board may establish one or more subcommittees consisting of Board members to investigate and analyze specific issues, consistent with the charge to the Board contained in Section III of this order. The chair of the Board shall designate the members of each subcommittee established by the Board. Subcommittees shall recommend proposed actions, plans, comments, formulas, measures, reports or policies to the Board, consistent with the Board's charge. The Board may adopt, reject or modify recommendations proposed by subcommittees.

H. Members of the Board shall serve without compensation. Members of the Board may receive reimbursement for necessary travel and expenses according to the relevant procedures of the Civil Service Commission and the Department of Management and Budget.

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

J. Subject to appropriations and other applicable law, the Board may apply for, receive and expend monies from any source, public or private, including but not limited to, gifts, grants, donations of monies and government appropriations. The Board may also accept donations of labor, services or other things of value from any public or private agency or person.

K. Members of the Board shall refer all legal, legislative and media contacts to the Department of Career Development.

L. The Board shall be staffed by personnel within the Department of Career Development, as designated by the Director.

M. The Auditor General, or a certified public accountant appointed by the Auditor General, may annually conduct and remit to the Governor and the Legislature an audit of the Board and, in the conduct of the audit, shall have access to records of the Board at any time.

V. MISCELLANEOUS

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

B. Any suit, action or other proceeding lawfully commenced by, against or before any entity affected by this Order shall not abate by reason of the taking effect of this Order. Any suit, action or other proceeding may be maintained by, against or before the appropriate successor of any entity affected by this Order.

C. The invalidity of any portion of this Order shall not affect the validity of the remainder thereof.

D. The Governor's Workforce Commission, established by Executive Order 1994-26, is hereby abolished.

In fulfillment of the requirement of Article V, Section 2, of the Constitution of the state of Michigan of 1963, the provisions of this Executive Order shall become effective sixty (60) days after filing.

[SEAL]

Given under my hand and the Great Seal of the state of Michigan this 27th day of March, in the Year of our Lord, Two Thousand Two.

John Engler
Governor

By the Governor:
Candice S. Miller
Secretary of State

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

The following message from the Governor was received on March 27, 2002, and read:

EXECUTIVE ORDER
No. 2002 - 6

**Michigan State Safety Commission
Governor's Traffic Safety Advisory Commission
Department of State Police**

Executive Reorganization

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

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

Whereas, certain functions, duties and responsibilities currently assigned to the Michigan State Safety Commission can be more effectively carried out by a new Governor's Traffic Safety Advisory Commission; and

Whereas, it is necessary in the interests of efficient administration and the effectiveness of government to effect changes in the organization of the Executive Branch of government.

Now, Therefore, I, John Engler, Governor of the state of Michigan, pursuant to the powers vested in me by the Constitution of the state of Michigan of 1963 and the laws of the state of Michigan, do hereby order the following:

I. DEFINITIONS

As used herein:

A. The "Department of State Police" means the principal department created by Section 2 of Act No. 59 of the Public Acts of 1935, as amended, being Section 28.2 of the Michigan Compiled Laws; and by Section 150 of Act No. 380 of the Public Acts of 1965, as amended, being Section 16.250 of the Michigan Compiled Laws.

B. The "Michigan State Safety Commission" means the entity created by Section 1 of Act No. 188 of the Public Acts of 1941, as amended, being Section 256.561 et seq. of the Michigan Compiled Laws; that was subsequently transferred to the Department of State Police pursuant to a Type II transfer by Section 155 of Act No. 380 of the Public Acts of 1965, as amended, being Section 16.255 of the Michigan Compiled Laws.

II. CREATION OF THE GOVERNOR'S TRAFFIC SAFETY ADVISORY COMMISSION

A. The Governor's Traffic Safety Advisory Commission is hereby created as a Type II entity within the Department of State Police, Office of Highway Safety Planning.

B. All the authority, powers, duties, functions and responsibilities of the Michigan State Safety Commission, including, but not limited to, the statutory authority, powers, duties, functions and responsibilities set forth in Act No. 188 of the Public Acts of 1941, as amended, being Section 256.561 et seq. of the Michigan Compiled Laws, are hereby transferred to the Governor's Traffic Safety Advisory Commission by a Type III transfer, as defined in Section 3 of Act No. 380 of the Public Acts of 1965, as amended, being Section 16.103 of the Michigan Compiled Laws. The Michigan State Safety Commission is hereby abolished.

C. The Governor's Traffic Safety Advisory Commission shall consist of eleven (11) members as follows:

1. The Governor, or the designee of the Governor;
2. The Director of the Department of Community Health, or the designee of the Director of the Department of Community Health;
3. The Director of the Department of Education, or the designee of the Director of the Department of Education;
4. The Secretary of State, or the designee of the Secretary of State;

5. The Director of the Department of State Police, or the designee of the Director of the Department of State Police;
6. The Director of the Department of Transportation, or the designee of the Director of the Department of Transportation;

7. The Director of the Office of Services to the Aging, or the designee of the Director of the Office of Services to the Aging;

8. The Executive Director of the Office of Highway Safety Planning; and

9. Three (3) representatives of local units of government, appointed by the Governor, with the advice and consent of the Senate, as follows:

a. An individual selected under this provision shall serve as a commission member only while serving as an elected official or employee of a local unit of government.

b. Except as otherwise provided, members of the Commission appointed under this provision shall hold office for a term of three (3) years. Of the members initially appointed, one (1) member shall be appointed for a term of three (3) years, one (1) member shall be appointed for a term of two (2) years, and one (1) member shall be appointed for a term of one (1) year.

c. A vacancy in a position on the commission created by this provision and caused by the expiration of a term or termination of the member's position as an elected official or employee of a local unit of government shall be filled in the same manner as the original appointment.

d. A member appointed under this provision to fill a vacancy created other than by expiration of a term shall be appointed for the unexpired term of the member who he or she is to succeed in the same manner as the original appointment. A member may be reappointed for additional terms.

10. The Governor shall designate one (1) member of the Commission to serve as chairperson. This member shall serve as Chair at the pleasure of the Governor.

D. The Commission shall identify traffic safety challenges, and develop, promote and implement strategies to address those challenges. Specifically, the Commission shall:

1. Develop comprehensive solutions to traffic safety challenges through partnerships with all levels of government and the private sector;

2. Maximize and coordinate the use of existing financial resources, including federal highway safety planning funds administered by the Office of Highway Safety Planning;

3. Manage resources devoted to traffic safety research, ensure that research programs are effective, and identify additional needs for traffic safety research;

4. Develop and implement a communications plan that increases public awareness regarding traffic safety issues and the Commission's activities addressing traffic safety issues;

5. Promote traffic safety education through programs developed in cooperation with the Michigan Department of Education; and

6. Encourage the use of collaborative activities in addressing traffic safety issues by identifying and recognizing best practices used by traffic safety organizations in the state.

E. The Commission shall meet at least once annually and more frequently as the Chair of the Commission deems necessary.

F. The Commission may adopt rules of procedure, not inconsistent with Michigan law and with this Executive Order, governing its organization and operations. A majority of the serving members constitutes a quorum for the transaction of business at a meeting, notwithstanding the existence of one (1) or more vacancies. Voting upon actions taken by the Commission shall be conducted by a majority vote.

G. Members of the Commission shall not receive compensation, but may receive reimbursement for necessary travel and expenses for the performance of Commission functions, based on existing state rates.

III. MISCELLANEOUS

A. The Director of the Department of Department of State Police shall provide executive direction and supervision for the implementation of all transfers of authority made under this Order.

B. The Director of the Department of State Police shall administer the assigned functions transferred by this Order in such ways as to promote efficient administration and shall make internal organizational changes as may be administratively necessary to complete the realignment of responsibilities prescribed by this Order.

C. The Director of the Department of State Police shall immediately initiate coordination with the Michigan State Safety Commission to facilitate the transfers and develop memoranda of record identifying any pending settlements, issues of compliance with applicable federal and state laws and regulations, or other obligations to be resolved related to the authority to be transferred.

D. All records, personnel, property, grants and unexpended balances of appropriations, allocations and other funds used, held, employed, available or to be made available to the Michigan State Safety Commission for the activities, powers, duties, functions and responsibilities transferred to the Governor's Traffic Safety Advisory Commission by this Order are hereby transferred to the Governor's Traffic Safety Advisory Commission.

E. The Director of the Department of State Police, may by written instrument delegate a duty or power conferred by this Order, and the person to whom such duty or power is so delegated may perform such duty or exercise such power at the time and to the extent that such duty or power is delegated by the Director of the Department of State Police.

F. The State Budget Director shall determine and authorize the most efficient manner possible for handling financial transactions and records in the state's financial management system for the remainder of the fiscal year.

G. All rules, orders, contracts, grants and agreements relating to the functions transferred to the Governor's Traffic Safety Advisory Commission by this Order lawfully adopted prior to the effective date of this Order by the responsible state agency shall continue to be effective until revised, amended or rescinded.

H. Any suit, action or other proceeding lawfully commenced by, against or before any entity affected by this Order shall not abate by reason of the taking effect of this Order.

I. The invalidity of any portion of this Order shall not affect the validity of the remainder thereof.

In fulfillment of the requirement of Article V, Section 2, of the Constitution of the state of Michigan of 1963, the provisions of this Executive Order shall become effective sixty (60) days from the filing of this Order.

[SEAL]

Given under my hand and the Great Seal of the state of Michigan this 27th day of March, in the Year of our Lord, Two Thousand Two.

John Engler
Governor

By the Governor:

Candice S. Miller
Secretary of State

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

The following messages from the Governor were received and read:

March 21, 2002

There are herewith presented for consideration and confirmation by the Senate, the following appointments and reappointment to office:

Michigan Board of Counseling

Ms. Joanne Nicholson, 3018 East Lafayette, Detroit, Michigan 48207, county of Wayne, as a member representing mental health specialists, succeeding herself, for a term beginning on July 1, 2002 and expiring on June 30, 2006.

Ms. Gloria Rouleau-Gerber, 640 North Rempert, Tawas City, Michigan 48730, county of Iosco, as a member representing the general public, succeeding Mrs. Barbara K. Globensky of St. Joseph, who has resigned, for a term expiring on June 30, 2006.

Mr. Steven D. Hampton, 10647 Baker Avenue, S.E., Alto, Michigan 49302, county of Kent, as a member representing the general public, succeeding The Honorable Patrick J. McGraw of Saginaw, who has resigned, for a term expiring on June 30, 2006.

Dr. Richard S. Sinacola, 13300 Victoria, Huntington Woods, Michigan 48070, county of Oakland, as a member representing licensed counselors/educators, succeeding Mrs. N. Joan Hornak of Mt. Pleasant, whose term has expired, for a term expiring on June 30, 2005.

Dr. Abdul R. Effendi, 2546 Haverford Drive, Troy, Michigan 48098, county of Oakland, as a member representing the general public, succeeding Mr. Robert L. Carr of Ann Arbor, whose term has expired, for a term beginning on July 1, 2002 and expiring on June 30, 2006.

March 21, 2002

There are herewith presented for consideration and confirmation by the Senate, the following appointments and reappointments to office:

Michigan Higher Education Assistance Authority

Ms. Cynthia H. Wilbanks, 6025 Vista Drive, Ypsilanti, Michigan 48197, county of Washtenaw, as a member representing the University of Michigan, succeeding herself, for a term beginning on May 23, 2002 and expiring on May 22, 2006.

Mr. Stephen H. Terry, 4015 Zimmer Road, Williamston, Michigan 48895, county of Ingham, as a member representing the general public, succeeding himself, for a term beginning on May 23, 2002 and expiring on May 22, 2006.

Mr. James E. Barker IV, 1640 Bretton Drive North, Rochester Hills, Michigan 48309, county of Oakland, as a member representing lending institutions, succeeding Mr. Michael J. Taylor of Grand Blanc, who has resigned, for a term expiring on May 22, 2004.

Mr. Douglas E. Dodge, 4980 East Blanchard Road, Shepherd, Michigan 48883, county of Isabella, as a member representing secondary schools, succeeding Mr. Kenneth Federspiel of Wheeler, whose term has expired, for a term expiring on May 22, 2003.

March 21, 2002

There are herewith presented for consideration and confirmation by the Senate, the following appointment and reappointment to office:

State Board of Land Surveyors

Ms. Carolyn S. Charters, 126 Springhill Road, Traverse City, Michigan 49686-8588, county of Grand Traverse, as a member representing the general public, succeeding herself, for a term beginning on April 1, 2002 and expiring on March 31, 2006.

Mr. Carl F. Shangraw, 2493 Rosa Casa Lane, Rockford, Michigan 49341, county of Kent, as a member representing professionals, succeeding Dr. Sayed Rasoul Hashimi of Big Rapids, whose term has expired, for a term beginning on April 1, 2002 and expiring on March 31, 2006.

March 22, 2002

There are herewith presented for consideration and confirmation by the Senate, the following appointments to office:

State Building Authority

Mr. Dennis G. Cowan, 2716 Trafford, Royal Oak, Michigan 48073, county of Oakland, as a member representing the general public, succeeding Mr. Carl M. Evans of Commerce, whose term has expired, for a term expiring on August 21, 2005.

Mr. Byron P. Gallagher, Jr., 951 Walbridge Drive, East Lansing, Michigan 48823, county of Ingham, as a member representing the general public, succeeding Mr. Donald E. Snider of Franklin, whose term has expired, for a term expiring on August 21, 2004.

March 22, 2002

There are herewith presented for consideration and confirmation by the Senate, the following reappointments to office:

Michigan Cherry Committee

Mr. Calvin C. Lutz II, 8576 Chief Road, Kaleva, Michigan 49645, county of Manistee, as a member representing tart cherry growers from District 1, succeeding himself, for a term expiring on February 1, 2005.

Mr. William R. Pugsley, 48030 CR 673, Lawrence, Michigan 49064, county of Van Buren, as a member representing tart cherry growers from District 3, succeeding himself, for a term expiring on February 1, 2005.

Mr. Michael R. VanAgmael, 2102 North 144th Avenue, Hart, Michigan 49420, county of Oceana, as a member representing tart cherry growers from District 2, succeeding himself, for a term expiring on February 1, 2005.

Mr. Bernard J. Kroupa, P.O. Box 76, Old Mission, Michigan 49673, county of Grand Traverse, as a member representing sweet cherry growers from District 1, succeeding himself, for a term expiring on February 1, 2005.

March 22, 2002

There is herewith presented for consideration and confirmation by the Senate, the following appointment to office:

State Community Corrections Commission

Mr. William S. Overton, Director, Michigan Department of Corrections, Grandview Plaza, P.O. Box 3003, Lansing, Michigan 48909, county of Ingham, as a member representing the Michigan Department of Corrections, succeeding Mr. William J. Martin of Battle Creek, who has resigned, for a term expiring on March 29, 2003.

March 28, 2002

There are herewith presented for consideration and confirmation by the Senate, the following appointments to office:

Board of Architects

Mr. John E. Enkemann, Jr., 44518 Midway Drive, Novi, Michigan 48375, county of Oakland, as a member representing professionals, succeeding Mr. Daniel A. Redstone of West Bloomfield, whose term expires on March 31, 2002, for a term beginning on April 1, 2002 and expiring on March 31, 2006.

Mr. Mark B. Dickow, 5015 PonValley, Bloomfield Hills, Michigan 48302, county of Oakland, as a member representing the general public, succeeding Dr. Virinder K. Chaudhery of Northville, whose term expires on March 31, 2002, for a term beginning on April 1, 2002 and expiring on March 31, 2006.

March 28, 2002

There are herewith presented for consideration and confirmation by the Senate, the following appointment and reappointments to office:

Board of Plumbing

Mr. John M. Jacobs, 148 Little Killarney Beach, Bay City, Michigan 48706, county of Bay, as a member representing licensed master plumbers, succeeding himself, for a term beginning on July 1, 2002 and expiring on June 30, 2005.

Mr. Joseph Charles Swindell, 7084 Hatchery, Waterford, Michigan 48528, county of Oakland, as a member representing licensed master plumbers, succeeding himself, for a term beginning on July 1, 2002 and expiring on June 30, 2005.

Ms. Valerie J. Cotanche, 3482 Lone Lookout Road, Traverse City, Michigan 49686, county of Grand Traverse, as a member representing the general public, succeeding herself, for a term beginning on July 1, 2002 and expiring on June 30, 2005.

Mr. Richard S. Gaber, 10255 Pontiac Lake, White Lake, Michigan 48386, county of Oakland, as a member representing journeyman plumbers, succeeding Mr. James W. Barnhart of Royal Oak, who has resigned, for a term expiring on June 30, 2003.

March 29, 2002

There are herewith presented for consideration and confirmation by the Senate, the following appointment and reappointments to office:

Local Government Claims Review Board

Mr. David B. Buckley, 1027 Dobson Lane, Bloomfield Hills, Michigan 48304, county of Oakland, as a member representing local government, succeeding Mr. Neil E. Wallace of Clarkston, whose term has expired, for a term expiring on March 26, 2004.

The Honorable Nancy L. Crandall, 3981 Norton Hills, Muskegon, Michigan 49441, county of Muskegon, as a member representing local government, succeeding herself, for a term expiring on March 26, 2005.

Mr. A. Thomas Clay, 1195 Haslett Road, Williamston, Michigan 48895, county of Ingham, as a member representing the general public, succeeding himself, for a term expiring on March 26, 2005.

Mr. Jack Horton, 1625 Parnell Avenue NE, Lowell, Michigan 49331, county of Kent, as a member representing local government, succeeding himself, for a term expiring on March 26, 2005.

April 3, 2002

There are herewith presented for consideration and confirmation by the Senate, the following appointments to office:

Athletic Board of Control

Mr. Dennis R. O'Connell, 37796 Meadowhill Drive West, Northville, Michigan 48167, county of Wayne, as a member representing professionals, succeeding Mr. David A. Sebastian of Birmingham, whose term has expired, for a term expiring on March 31, 2006.

Mr. Bradley A. Wright, 726 Lovell, Troy, Michigan 48098, county of Oakland, as a member representing the general public, succeeding Mr. Jim R. Edwards of Highland, whose term has expired, for a term expiring on March 31, 2006.

April 3, 2002

There are herewith presented for consideration and confirmation by the Senate, the following appointments to office:

Michigan Broadband Development Authority Board

Mr. Matthew E. McLogan, 6648 Farms End Drive SE, Grand Rapids, Michigan 49546, county of Kent, as a member representing Republicans, for a term expiring on December 31, 2005.

Ms. Suzanne Dees, 812 North 2nd Street, Ishpeming, Michigan 49849, county of Marquette, as a member representing Democrats, for a term expiring on December 31, 2004.

Dr. Timothy J. Laing, 5522 Warren, Ann Arbor, Michigan 48105, county of Washtenaw, as a member representing Republicans, for a term expiring on December 31, 2004.

Ms. Suzanne M. Cole, 16024 Willowshore Drive, Fenton, Michigan 48430, county of Genesee, as a member representing Republicans, for a term expiring on December 31, 2003.

Mr. Cyril Moscow, Honigman Miller Schwartz & Cohn, 2290 First National Building, Detroit, Michigan 48226, county of Wayne, as a member representing Democrats, for a term expiring on December 31, 2003.

Mr. Joel I. Ferguson, 1341 Cambridge Road, Lansing, Michigan 48911, county of Ingham, as a member representing Democrats, for a term expiring on December 31, 2005.

April 3, 2002

There are herewith presented for consideration and confirmation by the Senate, the following reappointments to office:

Michigan Corn Marketing Committee

Mr. Steven D. Errer, 3820 North Van Dyke, Fillion, Michigan 48432, county of Huron, as a member representing growers from District 8, succeeding himself, for a term expiring on March 5, 2005.

Mr. Daniel G. Klein, 10145 North 19th Street, Plainwell, Michigan 49080, county of Allegan, as a member representing growers from District 2, succeeding himself, for a term expiring on March 5, 2005.

Mr. Richard W. Godfrey, 3625 East Sterling Road, Jonesville, Michigan 49250, county of Hillsdale, as a member representing growers from District 3, succeeding himself, for a term expiring on March 5, 2005.

April 3, 2002

There is herewith presented for consideration and confirmation by the Senate, the following appointment to office:

Michigan Potato Industry Commission

Mr. Carl W. Kruger, 3121 East Crystal Waters Drive, #6, Holland, Michigan 49424, county of Ottawa, as a member representing retailers, succeeding Mr. Donn L. Kranz of Grand Rapids, who has resigned, for a term expiring on July 1, 2004.

April 4, 2002

There are herewith presented for consideration and confirmation by the Senate, the following appointments to office:

Michigan Public Educational Facilities Authority

Mr. Mark J. Burzych, 4396 Alderwood Drive, Okemos, Michigan 48933, county of Ingham, as a member representing Republicans, for a term expiring on March 18, 2006.

Mr. Mark J. Burzych, 4396 Alderwood Drive, Okemos, Michigan 48933, county of Ingham, as Chair, for a term expiring at the pleasure of the Governor.

Mr. Timothy A. Hoffman, 903 Sandhill Drive, DeWitt, Michigan 48820, county of Clinton, as a member representing Republicans, for a term expiring on March 18, 2006.

Ms. Yvonne Blackmond, 30365 Rock Creek Drive, Southfield, Michigan 48076, county of Oakland, as a member representing Democrats, for a term expiring on March 18, 2004.

Mr. Eldon G. Hancock, 326 North Chestnut, Lansing, Michigan 48933, county of Ingham, as a member representing Democrats, for a term expiring on March 18, 2005.

April 4, 2002

There are herewith presented for consideration and confirmation by the Senate, the following reappointments to office:

Michigan State Housing Development Authority

Ms. Colleen Pero, 1300 Waverly Road, Dimondale, Michigan 48821, county of Eaton, as a member representing Republicans, succeeding herself, for a term expiring on March 10, 2006.

Mr. Gilbert B. Silverman, 4054 Cranbrook Court, Bloomfield Hills, Michigan 48301, county of Oakland, as a member representing Republicans, succeeding himself, for a term expiring on March 10, 2006.

Ms. Dorothy R. Stockbridge, 103 Perry Street, Apartment 111, Grand Ledge, Michigan 48837, county of Eaton, as a Section 8 Special Purpose member, succeeding herself, for a term expiring on March 10, 2006.

April 5, 2002

There are herewith presented for consideration and confirmation by the Senate, the following reappointments to office:

General Industry Safety Standards Commission

Mr. Timothy J. Koury, 4723 Marsh Road, China, Michigan 48040, county of St. Clair, as a member representing management, succeeding himself, for a term expiring on March 26, 2005.

Mr. Tycho K. Fredericks, 5230 Autumn Glen, Kalamazoo, Michigan 49009, county of Kalamazoo, as a member representing employees, succeeding himself, for a term expiring on March 26, 2005.

Mr. James J. Baker, 177 Fields Road, Dansville, Michigan 48819, county of Ingham, as a member representing employees, succeeding himself, for a term expiring on March 26, 2005.

Mr. George A. Reamer, 3676 Bluebush Road, Monroe, Michigan 48162, county of Monroe, as a member representing management of public employers, succeeding himself, for a term expiring on March 26, 2005.

Sincerely,
John Engler
Governor

The appointments were referred to the Committee on Government Operations.

The following message from the Governor was received and read:

APPROPRIATIONS; HIGHER EDUCATION

April 1, 2002

Today I have signed Enrolled Senate Bill 1105, which provides fiscal year 2003 appropriations for Higher Education. However, I am returning it to you because of items of which I disapprove, pursuant to Article V, Section 19, of the

Michigan Constitution. The specific items vetoed are contained within the attached copy of the bill, which has been filed with the Secretary of State.

Higher education clearly remains one of the state's top priorities. For fiscal year 2003, operations support for Michigan's 15 public universities is maintained at current year levels. In return, the universities have agreed to constrain tuition increases for next year to a maximum of 8.5 percent, or \$425. Our higher education leaders are to be applauded for their commitment to control tuition costs. I appreciate the legislature's swift passage of the fiscal year 2003 higher education budget which helps bring certainty to college tuition costs for next year. This budget will ensure that our higher education institutions remain affordable.

Similar to university operations funding, state support for the Agricultural Experiment Station, Cooperative Extension Service, student financial aid programs, and degree reimbursement grants to independent colleges is maintained at the fiscal year 2002 level. An increase of \$11.3 million, for a total of \$114.3 million is appropriated to pay for Michigan Merit Awards for qualifying students in the class of 2003.

The budget includes \$2 million to support project planning and design for our efforts to locate the federally funded Rare Isotope Accelerator on the Michigan State University campus. This project will enable Michigan to become the world's leading center for research in nuclear structure and nuclear astrophysics.

This bill also includes \$4 million for a new nursing scholarship program. Nurses are an important component of our health care delivery system. In response to the current nursing shortage, the scholarship funds are intended to provide an incentive for students to enter the nursing profession. I look forward to working with the legislature on implementing legislation for this scholarship program.

I am vetoing the \$236,900 grant to the Michigan Molecular Institute (MMI). MMI has become successful in the commercialization of its scientific pursuits and it can continue to prosper without this grant.

I am vetoing the \$135,300 grant for the Spring Arbor University prison program, which is no longer operational.

This fiscal year 2003 budget continues Michigan's tradition of strong support for higher education. I again thank the legislature for its work in expediting the adoption of this important budget bill.

Sincerely,
John Engler
Governor

This bill was signed by the Governor on April 1, 2002, at 12:10 p.m. (Filed with the Secretary of State on April 1, 2002, at 1:19 p.m.) and assigned Public Act No. 144.

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

Senator Emmons moved that the veto message be referred to the Committee on Appropriations.

The motion prevailed.

By unanimous consent the Senate proceeded to the order of

General Orders

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

The motion prevailed, and the Assistant President pro tempore, Senator Hoffman, designated Senator Goschka as Chairperson.

After some time spent therein, the Committee arose; and, the President pro tempore, Senator Schwarz, having assumed the Chair, the Committee reported back to the Senate, favorably and without amendment, the following bills:

House Bill No. 5335, entitled

A bill to amend 1954 PA 116, entitled "Michigan election law," by amending sections 2, 558, 561, 590f, 691, and 696 (MCL 168.2, 168.558, 168.561, 168.590f, 168.691, and 168.696), section 2 as amended by 1999 PA 216, section 558 as amended by 1999 PA 217, and section 590f as added by 1988 PA 116, and by adding section 560b; and to repeal acts and parts of acts.

Senate Bill No. 1206, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 76116 (MCL 324.76116), as added by 1995 PA 58.

House Bill No. 5136, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," (MCL 600.101 to 600.9948) by adding section 2973.

House Bill No. 5480, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," (MCL 750.1 to 750.568) by adding section 297f. The bills were placed on the order of Third Reading of Bills.

The Committee of the Whole reported back to the Senate, favorably and with amendment, the following bill:

House Bill No. 5576, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 15 of chapter XVII (MCL 777.15), as amended by 2001 PA 152, and by adding sections 15a, 15b, 15d, 15f, and 15g.

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

1. Amend page 7, following line 18, enacting section 1, after "effect" by striking out "April" and inserting "May".

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

The Committee of the Whole reported back to the Senate, favorably and with amendment, the following bill:

House Bill No. 5525, entitled

A bill to amend 1964 PA 283, entitled "Weights and measures act of 1964," by amending sections 1, 2, 8, 10a, 10b, and 31 (MCL 290.601, 290.602, 290.608, 290.610a, 290.610b, and 290.631), sections 2 and 8 as amended by 1982 PA 260 and section 31 as amended by 1986 PA 194, and by adding sections 9a, 9b, 28c, and 31a; and to repeal acts and parts of acts.

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

1. Amend page 15, following line 20, by inserting:

"(7) THE DIRECTOR MAY ADOPT AND UTILIZE ON HIS OR HER OWN INITIATIVE ANY FUTURE UPDATES OR SUPPLEMENTS TO THE STANDARDS INCORPORATED BY REFERENCE IN THIS SECTION."

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

During the Committee of the Whole, Senator Gougeon entered the Senate Chamber.

By unanimous consent the Senate returned to the order of

Messages from the House

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

Senate Bill No. 451

Senate Bill No. 452

Senate Bill No. 934

Senate Bill No. 1165

The motion prevailed.

Senate Bill No. 730, entitled

A bill to amend 1966 PA 189, entitled "An act to provide procedures for making complaints for, obtaining, executing and returning search warrants; and to repeal certain acts and parts of acts," by amending sections 4 and 5 (MCL 780.654 and 780.655).

The House of Representatives has concurred in the Senate amendment to the House substitute (H-1) and ordered that the bill be given immediate effect.

Pursuant to a previous order, the bill was ordered enrolled on March 21, 2002.

Senate Bill No. 940, entitled

A bill 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 212a (MCL 750.212a), as added by 1998 PA 207.

The House of Representatives has concurred in the Senate amendment to the House amendments.

Pursuant to a previous order, the bill was ordered enrolled on March 21, 2002.

Senate Bill No. 1006, entitled

A bill to amend 1945 PA 327, entitled "Aeronautics code of the state of Michigan," by amending section 85 (MCL 259.85), as amended by 1996 PA 370.

(For text of amendments, see Senate Journal No. 27, p. 748.)

The question being on concurring in the amendments made to the bill by the House, Senator Van Regenmorter offered the following amendments to the House amendments:

1. Amend House Amendment No. 1, page 6, line 3, after "VIOLENT" by inserting "OR OTHER".
2. Amend House Amendment No. 2, page 6, line 4, after "VIOLENT" by inserting "OR OTHER".
3. Amend House Amendment No. 3, page 6, line 5, after "VIOLENT" by inserting "OR OTHER".

4. Amend House Amendment No. 4, page 6, line 14, after "inserting" by striking out the balance of the amendment and inserting "'VIOLENT OR OTHER FELONY" MEANS A VIOLATION OF A PENAL LAW OF THIS STATE, ANOTHER STATE, OR THE UNITED STATES FOR WHICH THE OFFENDER, UPON CONVICTION, MAY BE PUNISHED BY DEATH OR IMPRISONMENT FOR MORE THAN 1 YEAR OR AN OFFENSE EXPRESSLY DESIGNATED BY LAW TO BE A FELONY."

The amendments to the amendments were adopted.

The question being on concurring in the House amendments, as amended,

The amendments were concurred in, a majority of the members serving voting therefor, as follows:

Roll Call No. 399

Yeas—35

Bennett	Garcia	Leland	Schwarz
Bullard	Gast	McCotter	Scott
Byrum	Goschka	McManus	Shugars
Cherry	Gougeon	Miller	Sikkema
DeBeaussaert	Hammerstrom	Murphy	Smith
DeGrow	Hart	North	Steil
Dingell	Hoffman	Peters	Stille
Emerson	Johnson	Sanborn	Van Regenmorter
Emmons	Koivisto	Schuette	

Nays—0

Excused—3

Dunaskiss	Vaughn	Young
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Not Voting—0

In The Chair: Schwarz

The question being on concurring in the committee recommendation to give the bill immediate effect, The recommendation was concurred in, 2/3 of the members serving voting therefor. The Senate agreed to the full title.

By unanimous consent the Senate proceeded to the order of
Resolutions

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

Senate Resolution No. 196

Senate Resolution No. 197

The resolution consent calendar was adopted.

Senator Van Regenmorter offered the following resolution:

Senate Resolution No. 196.

A resolution to commemorate April 21-27, 2002, as Crime Victim's Rights Week and reaffirm our commitment to the Candlelight Vigil on April 24, 2002.

Whereas, As the state of Michigan continues to make strides in reducing the crime rate, we must remember that there are still far too many victims of crime. Those who have suffered a violation of their person, property, or trust deserve to be treated with dignity and respect by our criminal and juvenile justice systems and by society at-large; and

Whereas, We recognize that our response to crime victims plays an important role in their efforts to rebuild their lives following the offense. Let all of us—policymakers, those in the criminal justice system, counselors, clergy members, and members of the general public—do what we can to bring honor to victims, responding to crime victims compassionately and respectfully; and

Whereas, With the implementation of the Crime Victim's Rights Act in 1985 and the passage of the constitutional amendment in 1988, the state of Michigan has adopted some of the nation's most comprehensive laws to protect the rights of victims of crime and provide them certain essential services. All of us must continue to do what we can to adhere not only to the letter of the victims' rights laws, but the spirit of those laws as well. Let us acknowledge that just as government must be open to its citizens, our system of justice must be open to victims of crime. In the year 2002 and beyond, let us bring honor to victims and create a world where respect and dignity will be basic rights for everyone victimized by crime; and

Whereas, Through public and private efforts, our community has already taken important steps to ensure that our treatment of victims helps them to begin the healing process. Let us gratefully acknowledge all those who work, often as volunteers, on behalf of crime victims. Those also deserving recognition are the many law enforcement officers, prosecutors, victims service providers, corrections officers, parole and probation officers, counselors, physicians, health care professionals, and the many others whose dedication and service to crime victims helps to lessen trauma and assists in personal recoveries. Let us, in particular, express our appreciation for those victims and survivors of crime who have turned personal tragedy into a motivating force not only to improve the rights and treatment of other victims of crime, but also to build a better, more just community; now, therefore, be it

Resolved by the Senate, That we hereby commemorate the week of April 21-27, 2002, as Crime Victim's Rights Week. We reaffirm our commitment to see that crime victims receive our respect, understanding, and help this week and throughout the year with a Candlelight Vigil on Wednesday, April 24, 2002, at the State Capitol; and be it further

Resolved, That a copy of this resolution be transmitted to the coordinators of this event as evidence of our respect and best wishes.

Senators Stille, Bullard, Goschka and Sanborn were named co-sponsors of the resolution.

Senators North, Schwarz, Koivisto, Gast, McManus, Smith, DeGrow and Cherry offered the following resolution:

Senate Resolution No. 197.

A resolution honoring Dr. Robert and Lorraine Arbuckle, retiring president and first lady of Lake Superior State University.

Whereas, The members of the Michigan Senate take the greatest pleasure in offering an accolade of tribute to Dr. and Mrs. Robert Arbuckle in grateful recognition of his tenure as president of Lake Superior State University and honoring their commitment to the community since 1992. The Arbuckles are exemplary individuals and most deserving of our praise and commendation; and

Whereas, Dr. Arbuckle oversaw the largest period of growth at the university during his tenure, including the renovation and/or expansion of Shouldice Library, Crawford Hall of Science, The Norris Center, Taffy Abel Arena, and Walker Cisler Student and Conference Center; the establishment and construction of the Student Activity Center; and the future construction of the Fine Arts Center; and

Whereas, Bob and Lorraine Arbuckle have been extremely active in the Sault Ste. Marie community. Bob is active with the Soo Rotary Club, having served as past president of the Soo Club and past district governor for the Soo Rotary District. He is a member of the Sault Ste. Marie Chamber of Commerce Board of Directors and was a past member of the Michigan Chamber of Commerce, as well as a past chairperson for the Sault Ste. Marie United Way. Dr. Arbuckle is a recipient of several prestigious awards and was recently named Business Person of the Year by the Soo Chamber of Commerce. Lorraine is active with the War Memorial Hospital Auxiliary and served on the university Service Committee throughout their tenure; and

Whereas, While Bob and Lorraine's leadership will be greatly missed at the university, they plan to remain part-time residents of Sault Ste. Marie and will continue to contribute to the community. The Michigan Senate would like to go on record as wishing Bob and Lorraine the very best and thank them for their many contributions to the university, the Sault Ste. Marie community, and the state of Michigan. We are proud to salute them; now, therefore, be it

Resolved by the Senate, That we extend highest tribute and commendation to Dr. Robert and Lorraine Arbuckle; and be it further

Resolved, That a copy of this resolution be transmitted to Dr. and Mrs. Arbuckle and Lake Superior State University as evidence of our esteem and our deepest appreciation for their many lasting contributions on behalf of the citizens of this Great Lakes State.

Senator Garcia offered the following resolution:

Senate Resolution No. 195.

A resolution to memorialize the Congress of the United States to repeal permanently the federal death tax.

Whereas, Under tax relief legislation passed in 2001, the federal death tax was temporarily—not permanently—eliminated; and

Whereas, Women and minorities are very often owners of small and medium sized businesses, and the death tax prevents their children from reaping the rewards of a lifetime trying to make a better life; and

Whereas, Farmers will face losing their farms if the federal government resumes the heavy taxation of the estates of people who invested most of their earnings back into their farms; and

Whereas, Employees suffer when they lose their jobs because many small and medium sized businesses are liquidated to pay death taxes and because high capital costs depress the number of new businesses that could offer them a job; and

Whereas, If the federal estate tax had been repealed in 1996, over the next nine years the United States economy would have averaged as much as \$11 billion per year in extra output, and an average of 145,000 new jobs would have been created; and

Whereas, The persistent uncertainty created by the sunset provision prevents families and small businesses from taking full advantage of the repeal; and

Whereas, Having passed both houses of the Congress of the United States, elimination of the death tax has proven to hold widespread bipartisan support; now, therefore, be it

Resolved by the Senate, That we memorialize the Congress of the United States to repeal permanently the federal death tax; and be it further

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

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

Senator Emmons moved that the rule be suspended.

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

The question being on the adoption of the resolution,

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

The motion prevailed.

Senators Bullard, Steil and Shugars were named co-sponsors of the resolution.

Introduction and Referral of Bills

Senator Bullard introduced

Senate Bill No. 1217, entitled

A bill to amend 1978 PA 90, entitled “Youth employment standards act,” by amending section 11 (MCL 409.111), as amended by 2000 PA 418.

The bill was read a first and second time by title and referred to the Committee on Farming, Agribusiness and Food Systems.

Senators Byrum, Garcia and Miller introduced

Senate Bill No. 1218, entitled

A bill to amend 1956 PA 218, entitled “The insurance code of 1956,” (MCL 500.100 to 500.8302) by adding section 3149.

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

Senators Byrum, Garcia, Miller and DeBeaussaert introduced

Senate Bill No. 1219, entitled

A bill to amend 1956 PA 218, entitled “The insurance code of 1956,” (MCL 500.100 to 500.8302) by adding section 2203.

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

Senator Byrum introduced

Senate Bill No. 1220, entitled

A bill to amend 1943 PA 240, entitled "State employees' retirement act," by amending sections 13 and 46 (MCL 38.13 and 38.46), section 13 as amended by 1996 PA 487, and by adding section 19g.

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

House Bill No. 4602, entitled

A bill to establish Holocaust remembrance week in the state of Michigan.

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

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

House Bill No. 4826, entitled

A bill to provide compensation to dependents of public safety officers who are killed or who are permanently and totally disabled in the line of duty; to create the public safety officers benefit fund; to prescribe the duties and responsibilities of certain state officers; and to make an appropriation.

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

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

House Bill No. 4827, entitled

A bill to amend 1937 PA 345, entitled "Fire fighters and police officers retirement act," by amending sections 6, 6a, and 6b (MCL 38.556, 38.556a, and 38.556b), section 6 as amended by 1991 PA 54, section 6a as amended by 1982 PA 145, and section 6b as added by 1986 PA 30.

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

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

House Bill No. 5057, entitled

A bill to amend 1954 PA 116, entitled "Michigan election law," by amending section 737a (MCL 168.737a), as added by 1996 PA 461.

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

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

House Bill No. 5466, entitled

A bill to amend 1954 PA 116, entitled "Michigan election law," by amending sections 46, 544c, and 590h (MCL 168.46, 168.544c, and 168.590h), section 544c as amended by 1999 PA 219 and section 590h as added by 1988 PA 116.

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

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

House Bill No. 5568, entitled

A bill to amend 1974 PA 198, entitled "An act to provide for the establishment of plant rehabilitation districts and industrial development districts in local governmental units; to provide for the exemption from certain taxes; to levy and collect a specific tax upon the owners of certain facilities; to impose and provide for the disposition of an administrative fee; to provide for the disposition of the tax; to provide for the obtaining and transferring of an exemption certificate and to prescribe the contents of those certificates; to prescribe the powers and duties of the state tax commission and certain officers of local governmental units; and to provide penalties," by amending section 2 (MCL 207.552), as amended by 2000 PA 247.

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

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

House Bill No. 5628, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 30717 (MCL 324.30717), as added by 1995 PA 59.

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

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

House Bill No. 5629, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 30922 (MCL 324.30922), as added by 1995 PA 59.

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

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

House Bill No. 5630, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 33707 (MCL 324.33707), as added by 1995 PA 59.

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

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

House Bill No. 5631, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 34141 (MCL 324.34141), as added by 1995 PA 59.

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

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

House Bill No. 5632, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 34146 (MCL 324.34146), as added by 1995 PA 59.

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

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

House Bill No. 5633, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 50162 (MCL 324.50162), as added by 1995 PA 57.

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

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

House Bill No. 5634, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 74112 (MCL 324.74112), as added by 1995 PA 58.

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

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

House Bill No. 5642, entitled

A bill to make appropriations for the department of agriculture for the fiscal year ending September 30, 2003; to provide for the expenditure of the appropriations; to create funds; to provide for the imposition of fees; to require reports, audits, and plans; to authorize certain transfers by certain state agencies; and to provide for the disposition of fees and other income received by certain state agencies.

The House of Representatives has passed the bill.

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

House Bill No. 5651, entitled

A bill to make appropriations for the state transportation department and certain transportation purposes for the fiscal year ending September 30, 2003; to provide for the imposition of fees; to provide for reports; to create certain funds and programs; to prescribe requirements for certain railroad and bus facilities; to prescribe certain powers and duties of certain state departments and officials and local units of government; and to provide for the expenditure of the appropriations.

The House of Representatives has passed the bill.

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

House Bill No. 5710, entitled

A bill to amend 1933 PA 133, entitled "An act to authorize the acceptance of bonds and coupons and other obligations of municipalities and special assessment districts and bonds and coupons of the Home Owners Loan Corporation in payment of certain taxes and special assessments under certain conditions, and to prescribe the effect thereof; and to prescribe the powers and duties of certain officials and bodies with respect thereto," by amending sections 3a, 4, and 6 (MCL 211.403a, 211.404, and 211.406).

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

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

House Bill No. 5717, entitled

A bill to amend 1883 PA 197, entitled "An act to provide for the disposition of certain lands granted to the state of Michigan for railroad purposes by acts of congress of June 3, 1856, and March 4, 1879, upon the route from Grand Haven to Flint and thence to Port Huron, in the state of Michigan; to secure the title thereto to bona fide settlers and purchasers; to provide for the further sale thereof, and to provide for the adjustment of certain taxes heretofore assessed thereon," by amending section 10 (MCL 322.460).

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

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

House Bill No. 5718, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 33934, 42506, 47104, and 52706 (MCL 324.33934, 324.42506, 324.47104, and 324.52706), section 33934 as added by 1995 PA 59 and sections 42506, 47104, and 52706 as added by 1995 PA 57.

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

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

By unanimous consent the Senate returned to the order of

Third Reading of Bills

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

House Bill No. 5335

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

The following bill was read a third time:

House Bill No. 5335, entitled

A bill to amend 1954 PA 116, entitled "Michigan election law," by amending sections 2, 558, 561, 590f, 691, and 696 (MCL 168.2, 168.558, 168.561, 168.590f, 168.691, and 168.696), section 2 as amended by 1999 PA 216, section 558 as amended by 1999 PA 217, and section 590f as added by 1988 PA 116, and by adding section 560b; and to repeal acts and parts of acts.

The question being on the passage of the bill,

Senator DeGrow offered the following amendment:

1. Amend page 13, following line 25, by inserting:

"Sec. 971. (1) If the recall was successful, the officer with whom the recall petition was filed shall, within 5 days after receiving the certification, submit to the county election scheduling committee a proposed date for a special election to be held within 60 days for the filling of the vacancy. If any primary or election is to be held in that electoral district within 4 months after the certification and at a time as will permit preparation for the election by election officials as provided by law, the election to fill the vacancy shall be held concurrently with that primary or election. The same provisions made in section 964 for calling and conducting of the recall election govern in the calling and conducting of the election to fill the vacancy created, except as otherwise provided in this section.

(2) If a petition is filed under section 959, the officer with whom the petition is filed shall not submit a proposed date to the county election scheduling committee, but shall call the special election subject to the same time limitations set out in this section.

(3) If the governor appoints a review team under the local government fiscal responsibility act, 1990 PA 72, MCL 141.1201 to 141.1291, to perform the functions prescribed in that act relative to a city, township, or village and an elected official of the city, township, or village was the subject of a successful recall, the officer with whom the recall

petition was filed does not have the authority to propose a date for a special election. If the review team described in this subsection is appointed after the officer submits a proposed special election date or the county election scheduling committee schedules the special election as required by subsection (1), but before the election is held, the officer's or county election scheduling committee's action becomes void when the review team is appointed. Within 5 days after the review team described in this subsection reports its findings to the governor as required by section 14 of the local government fiscal responsibility act, 1990 PA 72, MCL 141.1214, the review team shall submit to the county election scheduling committee a proposed date for the special election. A special election scheduled under this subsection is subject to all of the other provisions of subsection (1). THIS SUBSECTION APPLIES TO ANY SPECIAL ELECTION SCHEDULED BUT NOT YET HELD BEFORE THE EFFECTIVE DATE OF THE AMENDATORY ACT THAT ADDED THIS SENTENCE.”.

The amendment was adopted, a majority of the members serving voting therefor.

The question being on the passage of the bill,

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

Roll Call No. 400

Yeas—35

Bennett	Garcia	Leland	Schwarz
Bullard	Gast	McCotter	Scott
Byrum	Goschka	McManus	Shugars
Cherry	Gougeon	Miller	Sikkema
DeBeaussaert	Hammerstrom	Murphy	Smith
DeGrow	Hart	North	Steil
Dingell	Hoffman	Peters	Stille
Emerson	Johnson	Sanborn	Van Regenmorter
Emmons	Koivisto	Schuette	

Nays—0

Excused—3

Dunaskiss	Vaughn	Young
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Not Voting—0

In The Chair: Schwarz

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

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

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

A bill 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 sections 2, 558, 561, 590f, 691, 696, and 971 (MCL 168.2, 168.558, 168.561, 168.590f, 168.691, 168.696, and 168.971), section 2 as amended by 1999 PA 216, section 558 as amended by 1999 PA 217, section 590f as added by 1988 PA 116, section 971 as amended by 2002 PA 91, and by adding section 560b; and to repeal acts and parts of acts.

The amendment to the title was adopted.

The Senate agreed to the title as amended.

Committee Reports

The Committee on Banking and Financial Institutions reported

House Bill No. 5516, entitled

A bill to amend 1999 PA 276, entitled "Banking code of 1999," (MCL 487.11101 to 487.15105) by adding section 4406.

With the recommendation that the bill pass.

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

Valde Garcia
Chairperson

To Report Out:

Yeas: Senators Garcia, Shugars, Goschka and Scott

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Banking and Financial Institutions reported

House Bill No. 5517, entitled

A bill to amend 1925 PA 285, entitled "An act to provide for the organization, operation, and supervision of credit unions; to provide for the conversion of a state credit union into a federal credit union or a credit union organized and supervised under the laws of any other state or territory of the United States or any other federally insured depository institution and for the conversion of a federal credit union or a credit union organized and supervised under the laws of any other state or territory of the United States or any other federally insured depository institution into a state credit union; and to provide for the merger of credit unions organized and supervised under the laws of this state, credit unions organized and supervised under the laws of any other state or territory of the United States, and federal credit unions," (MCL 490.1 to 490.31) by adding section 16c.

With the recommendation that the bill pass.

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

Valde Garcia
Chairperson

To Report Out:

Yeas: Senators Garcia, Shugars, Goschka and Scott

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Banking and Financial Institutions reported

House Bill No. 5518, entitled

A bill to amend 1980 PA 307, entitled "Savings and loan act of 1980," (MCL 491.102 to 491.1202) by adding section 1135.

With the recommendation that the bill pass.

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

Valde Garcia
Chairperson

To Report Out:

Yeas: Senators Garcia, Shugars, Goschka and Scott

Nays: None

The bill was referred to the Committee of the Whole.

COMMITTEE ATTENDANCE REPORT

The Committee on Banking and Financial Institutions submitted the following:

Meeting held on Thursday, March 21, 2002, at 8:40 a.m., Room 210, Farnum Building

Present: Senators Garcia (C), Shugars, Goschka and Scott

Excused: Senators Steil, Miller and Vaughn

The Committee on Judiciary reported

Senate Bill No. 420, entitled

A bill to amend 1968 PA 330, entitled "Private security business and security alarm act," by amending the title and section 17 (MCL 338.1067), as amended by 2000 PA 411, and by adding section 31a.

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

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

William Van Regenmorter
Chairperson

To Report Out:

Yeas: Senators Van Regenmorter, McCotter, Schuette, Bullard, Peters, Dingell and Scott

Nays: None

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

The Committee on Judiciary reported

Senate Bill No. 425, entitled

A bill to amend 1968 PA 330, entitled "Private security business and security alarm act," by amending sections 9, 17, and 25 (MCL 338.1059, 338.1067 and 338.1075), as amended by 2000 PA 411.

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

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

William Van Regenmorter
Chairperson

To Report Out:

Yeas: Senators Van Regenmorter, McCotter, Schuette, Bullard, Peters, Dingell and Scott

Nays: None

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

Scheduled Meetings

Appropriations -

Subcommittees -

Agriculture - Wednesdays, April 10, April 17, April 24 and May 1, 1:00 p.m., Senate Appropriations Room, 3rd Floor, Capitol Building (373-1725)

Career Development Strategic Fund Agency - Wednesdays, April 10, April 17 and April 24, 1:00 p.m., Room 100, Farnum Building (373-2523)

Consumer and Industry Services and History, Arts, and Libraries, Joint - Tuesdays, April 23 and April 30, 3:00 p.m., Senate Appropriations Room, 3rd Floor, Capitol Building (373-7350)

Family Independence Agency - Tuesday, April 23, 1:00 p.m., Room 210, Farnum Building, and Thursdays, April 11 and April 18, 1:00 p.m., Room 110, Farnum Building (373-1760)

General Government - Tuesdays, April 16, April 23 and April 30, 1:00 p.m., Senate Appropriations Room, 3rd Floor, Capitol Building (373-3447)

Judiciary - Wednesdays, April 10, April 17 and April 24, 3:00 p.m., Senate Appropriations Room, 3rd Floor, Capitol Building (373-2413)

School Aid and Department of Education and Education Committee, Joint - Tuesday, April 16, 1:00 p.m., Senate Hearing Room, Ground Floor, Michigan National Tower (373-1635)

State Police and Military Affairs - Thursdays, April 11, April 18, April 25 and May 2, 8:30 a.m., Room 110, Farnum Building (373-2426)

Transportation - Friday, April 19, 12:00 noon, St. James Township Hall, 37735 Michigan Avenue, Beaver Island; Monday, April 22, 10:00 a.m., Saginaw Township Offices, Board Meeting Room, 4980 Shattuck Road, Saginaw; Friday, April 26, 9:30 a.m., City/County Building Auditorium, Coleman A. Young Municipal Center, 2 Woodward Avenue, Detroit; and Wednesday, May 1, 8:30 a.m., Senate Appropriations Room, 3rd Floor, Capitol Building (373-2426)

Banking and Financial Institutions - Thursday, April 11, 9:00 a.m., Room 210, Farnum Building (373-2420)

Conference Committees -

Home Solicitation Sales Do Not Call Register (HB 4042) - Wednesday, April 10, 9:00 a.m., Room H-424, Capitol Building (373-0829)

Home Solicitation Sales Unfair Practices (HB 4632) - Wednesday, April 10, 9:00 a.m., Room H-424, Capitol Building (373-0829)

School Aid (SB 1107) - Wednesday, April 10, 4:00 p.m., Room 210, Farnum Building (373-1635)

Education and School Aid and Department of Education Appropriations Subcommittee, Joint - Tuesday, April 16, 1:00 p.m., Senate Hearing Room, Ground Floor, Michigan National Tower (373-7350)

Judiciary - Wednesday, April 10, 1:00 p.m., Rooms 402 and 403, Capitol Building (373-6920)

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

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

CAROL MOREY VIVENTI
Secretary of the Senate.