

No. 72
STATE OF MICHIGAN
Journal of the Senate
92nd Legislature
REGULAR SESSION OF 2003

Senate Chamber, Lansing, Tuesday, September 16, 2003.

10:00 a.m.

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

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

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

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

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

Pastor Lester W. Smith of Hillsdale United Brethren Church of Hillsdale offered the following invocation:

Heavenly Father, what a privilege it is to address You by that title. We come as dependent children with the understanding we are not guaranteed our next breath of air. You have both numbered our days and the hairs on our head. We marvel and gratefully accept Your interest, concern, and involvement in the affairs of our lives and of this state. May the presence of Your spirit of wisdom and guidance always be welcomed here.

Heavenly Father is just one of Your many titles. We also acknowledge You as the Lord of creation and the God of love, mercy, justice, and holiness. But You, O Lord, are far more and beyond the sum of Your titles. We discover the true value of Your awesome character in Your testimony.

Father, these men and women hold a title honored among the citizens of our state. I pray for these Senators, that they will have a testimony greater than their esteemed title. We know Pharaoh had a title, but Moses had a testimony. King Nebuchadnezzar had the title, but Your servant Daniel had the testimony. Herod had his title as king, but John the Baptist had his testimony. Pontius Pilate had the title, but Jesus had the testimony.

Father, You have demonstrated throughout the ages that one of Your servants and the power of the Holy Spirit can change the course of history. May these Senators govern in a manner consistent with what Your scripture says about the men of ancient Iscar, who understood the times and knew what to do.

God of all grace, forgive us for the times when we have sacrificed the truth on the altar of tolerance, political opinion, or popularity. Strengthen us to stand alone if need be, and speak Your truth in love.

I pray this in the name of the one who earned the title Savior through the testimony of his own blood, Jesus Christ. Amen.

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

Senators Patterson, Van Woerkom, Cropsey, Bishop, Allen, Toy, McManus, Cassis, Stamas, Sikkema, Kuipers, Birkholz, Goschka, Jelinek, Garcia, George, Hardiman, Gilbert, Johnson and Cherry entered the Senate Chamber.

A quorum of the Senate was present.

Motions and Communications

The following communications were received:
Department of State

Administrative Rules Notices of Filing

August 5, 2003

In accordance with the provisions of Section 46(1) of Act 306, Public Acts of 1969, as amended, and Executive Order 1995-6, this is to advise you that the Office of Regulatory Reform, Legal Division filed at 3:00 p.m. this date, administrative rule (03-08-01) for the Department of Agriculture, Fairs, Exhibitions and Racing Division, entitled "*Regulation No. 88. Michigan Sire Stakes Races*," effective 7 days hereafter.

August 5, 2003

In accordance with the provisions of Section 46(1) of Act 306, Public Acts of 1969, as amended, and Executive Order 1995-6, this is to advise you that the Office of Regulatory Reform, Legal Division filed at 3:02 p.m. this date, administrative rule (03-08-02) for the Department of Agriculture, Pesticide and Plant Pest Management Division, entitled "*Regulation No. 642. On Farm Fertilizer Bulk Storage*," effective 7 days hereafter.

August 5, 2003

In accordance with the provisions of Section 46(1) of Act 306, Public Acts of 1969, as amended, and Executive Order 1995-6, this is to advise you that the Office of Regulatory Reform, Legal Division filed at 3:04 p.m. this date, administrative rule (03-08-03) for the Department of Environmental Quality, Waste and Hazardous Materials Division, entitled "*Storage and Handling of Flammable and Combustible Liquids*," effective 7 days hereafter.

August 11, 2003

In accordance with the provisions of Section 46(1) of Act 306, Public Acts of 1969, as amended, and Executive Order 1995-6, this is to advise you that the Office of Regulatory Reform, Legal Division filed at 2:32 p.m. this date, administrative rule (03-08-04) for the Department of Consumer and Industry Services, Director's Office, entitled "*Occupational Health Standards - Part 700. Agriculture*," effective 7 days hereafter.

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

The communications were referred to the Secretary for record.

The following communications were received:
Office of the Auditor General

August 28, 2003

Enclosed is a copy of the following auditor report and/or report summary:
Financial Audit Including the Provisions of the Single Audit Act of the Michigan Department of Career Development, October 1, 2000 through September 30, 2002.

August 29, 2003

Enclosed is a copy of the following auditor report and/or report summary:
Performance Audit of Selected Training Related Programs, Michigan Economic Development Corporation, August 2003.

September 11, 2003

Enclosed is a copy of the following auditor report and/or report summary:
Performance Audit of the Bureau of Transportation Planning, Michigan Department of Transportation.
Sincerely,
Thomas H. McTavish, C.P.A.
Auditor General

The communications were referred to the Secretary for record.

The following communication was received:
Department of State Police

August 29, 2003

Attached please find a copy of the Michigan Emergency Telephone Service Committee 2003 report to the Michigan Legislature on the Implementation of Wireless E9-1-1.

In past years, this report has been provided in paper form. In light of Executive Directive 2003-14, and due to the size of this document, this item is being e-mail distributed instead of hard copy.

If there are any questions, please let us know.

Mary Jo Hovey
Uniform Services Bureau
(517) 336-6163

The communication was referred to the Secretary for record.

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

September 8, 2003

Pursuant to Section 314 of P.A. 527 of 2002, we are enclosing a copy of the following report:

<u>Type of Report</u>	<u>Facility</u>	<u>License #</u>
Approval Study report	Woodland Center	CS470245817

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 website under "Inside CIS"

at the following address: <http://www.michigan.gov/cis/>. If you have any questions regarding this information, please feel free to contact me at 373-3892.

Sincerely,
Allan R. Pohl
Acting Director
Finance and Administrative Services

The communication was referred to the Secretary for record.

The Secretary announced that pursuant to Rule 2.109 of the Standing Rules of the Senate, the following expense reports have been filed with the Secretary of the Senate for the quarter from April 1, 2003 through June 30, 2003, and are available in the Secretary's office during business hours for public inspection:

Committee

Agriculture, Forestry and Tourism
Appropriations
Commerce and Labor
Economic Development, Small Business and Regulatory Reform
Education
Finance
Gaming and Casino Oversight
Government Operations
Health Policy
Judiciary
Natural Resources and Environmental Affairs
Technology and Energy
Transportation

Chairperson

Senator Gerald Van Woerkom
Senator Shirley Johnson
Senator Jason Allen
Senator Alan Sanborn
Senator Wayne Kuipers
Senator Nancy Cassis
Senator Jason Allen
Senator Ken Sikkema
Senator Beverly Hammerstrom
Senator Alan Cropsey
Senator Patricia Birkholz
Senator Bruce Patterson
Senator Jud Gilbert

The Secretary announced that the following House bills were received in the Senate and filed on Wednesday, August 13:
House Bill Nos. 4737 4967

The Secretary announced the enrollment printing and presentation to the Governor on Monday, August 18, for her approval the following bills:

Enrolled Senate Bill No. 464 at 9:25 a.m.

Enrolled Senate Bill No. 466 at 9:27 a.m.

The Secretary announced the enrollment printing and presentation to the Governor on Monday, September 8, for her approval the following bill:

Enrolled Senate Bill No. 393 at 5:00 p.m.

The Secretary announced that the following bills and joint resolutions were available at the legislative Web site on Thursday, August 14:

Senate Bill Nos.	648	649	650	651	652	653	654	655	656	657	658	659	660	661
	662	663	664											
House Bill Nos.	5010	5011	5012	5013	5014	5015	5016	5017	5018	5019	5020	5021	5022	5023
	5024	5025	5026	5027	5028	5029	5030	5031	5032	5033	5034	5035	5036	5037
	5038	5039	5040	5041	5042	5043	5044	5045	5046	5047	5048	5049		
House Joint Resolutions		K	L											

Messages from the Governor

The following messages from the Governor were received:

Date: August 11, 2003
Time: 5:17 p.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 286 (Public Act No. 167), being

An act to make appropriations for the department of consumer and industry services and certain other state purposes for the fiscal year ending September 30, 2004; to provide for the expenditure of those appropriations; to provide for

the imposition of certain fees; to provide for the disposition of fees and other income received by the state agencies; to provide for reports to certain persons; and to prescribe powers and duties of certain state departments and certain state and local agencies and officers.

(Filed with the Secretary of State on August 13, 2003, at 2:18 p.m.)

Date: August 11, 2003

Time: 5:25 p.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 575 (Public Act No. 168), being

An act to amend 1971 PA 140, entitled “An act to provide for the distribution of certain state revenues to cities, villages, townships, and counties; to impose certain duties and confer certain powers on this state, political subdivisions of this state, and the officers of both; to create reserve funds; and to establish a revenue sharing task force and provide for its powers and duties,” by amending sections 11 and 13 (MCL 141.911 and 141.913), as amended by 2002 PA 679.

(Filed with the Secretary of State on August 13, 2003, at 2:30 p.m.)

Date: August 11, 2003

Time: 5:30 p.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 285 (Public Act No. 169), being

An act to make appropriations for the department of career development and the Michigan strategic fund and certain other state purposes for the fiscal year ending September 30, 2004; to provide for the expenditure of the appropriations; and to provide for the disposition of fees and other income received by the state agencies.

(Filed with the Secretary of State on August 13, 2003, at 2:32 p.m.)

Date: August 11, 2003

Time: 5:35 p.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 509 (Public Act No. 165), being

An act to amend 1949 PA 300, entitled “An act to provide for the registration, titling, sale, transfer, and regulation of certain vehicles operated upon the public highways of this state or any other place open to the general public or generally accessible to motor vehicles and distressed vehicles; to provide for the licensing of dealers; to provide for the examination, licensing, and control of operators and chauffeurs; to provide for the giving of proof of financial responsibility and security by owners and operators of vehicles; to provide for the imposition, levy, and collection of specific taxes on vehicles, and the levy and collection of sales and use taxes, license fees, and permit fees; to provide for the regulation and use of streets and highways; to create certain funds; to provide penalties and sanctions for a violation of this act; to provide for civil liability of owners and operators of vehicles and service of process on residents and nonresidents; to provide for the levy of certain assessments; to provide for the enforcement of this act; to provide for the creation of and to prescribe the powers and duties of certain state and local agencies; to impose liability upon the state or local agencies; to provide appropriations for certain purposes; to repeal all other acts or parts of acts inconsistent with this act or contrary to this act; and to repeal certain parts of this act on a specific date,” (MCL 257.1 to 257.923) by adding section 732a.

(Filed with the Secretary of State on August 13, 2003, at 10:18 a.m.)

Date: August 11, 2003

Time: 5:41 p.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 314 (Public Act No. 166), being

An act to allow the state to acquire and convey land in Marquette county; to allow the state to transfer certain property in Ingham county; and to allow the state to convey the state’s interest in certain property in Grand Traverse county.

(Filed with the Secretary of State on August 13, 2003, at 10:20 a.m.)

Date: August 11, 2003
Time: 5:43 p.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 537 (Public Act No. 170), being

An act to amend 1994 PA 451, entitled “An act to protect the environment and natural resources of the state; to codify, revise, consolidate, and classify laws relating to the environment and natural resources of the state; to regulate the discharge of certain substances into the environment; to regulate the use of certain lands, waters, and other natural resources of the state; to prescribe the powers and duties of certain state and local agencies and officials; to provide for certain charges, fees, and assessments; to provide certain appropriations; to prescribe penalties and provide remedies; to repeal certain parts of this act on a specific date; and to repeal certain acts and parts of acts,” by amending section 74117 (MCL 324.74117), as added by 1995 PA 58; and to repeal acts and parts of acts.

(Filed with the Secretary of State on August 13, 2003, at 2:34 p.m.)

Respectfully,
Jennifer M. Granholm
Governor

The following messages from the Governor were received:

August 11, 2003

Today I have signed Enrolled Senate Bill 286 containing fiscal year 2004 appropriations for the Department of Consumer and Industry Services.

The budget you have sent to me will provide the funding necessary for this department to continue to support the health, safety, and economic well being of the public through effective oversight and customer services. I am pleased that the budget bill supports replacing a portion of the department’s general fund budget with fee increases for various regulated professions. I endorse efforts to reduce taxpayer burdens through such assessments on those who use government services.

Further, I commend the Legislature for its continued efforts to address the current nursing shortage in Michigan. I applaud steps being taken to expand scholarship opportunities and to provide incentives for students to practice within this state.

Finally, the increase in the number of Section 8 housing rental vouchers provided by this budget is a positive addition to our efforts to promote quality, affordable housing.

I appreciate the Legislature’s cooperation in the development of this budget.

August 12, 2003

Today I have signed Enrolled Senate Bill 285, the fiscal year 2004 appropriation bill for the Department of Career Development and Michigan Strategic Fund. This bill will provide over \$466 million for career development and job training initiatives, and over \$104 million to support various economic development and job creation initiatives.

The key provisions of the bill for the Department of Career Development include over \$202 million for workforce development services to help Michigan workers prepare for jobs, and to assist Work First clients with their employment and training needs; over \$122 million for rehabilitation services to help Michigan residents with disabilities achieve employment and self-sufficiency; and over \$73 million for career education services and administration.

The key provisions of the bill for Michigan Strategic Fund include \$25 million for economic development and commercialization opportunities in the life sciences, which will be jointly funded by the State and the Michigan Economic Development Corporation; \$50 million in Community Development Block Grants to support economic development activities in smaller communities by funding infrastructure improvements relating to telecommunications, roads, water, sewer, etc.; over \$19 million for job creation services to businesses and local economic development organizations to help remove barriers to business growth and expansion; over \$10 million in job training grants to assist employers in creating and retaining jobs in Michigan; and \$5.7 million to promote the state’s tourism industry.

I thank the Legislature for its support of this budget bill. As a result of your efforts we will continue to train a highly skilled workforce, develop a diverse economy, and make Michigan a desirable place to visit and live.

August 12, 2003

Today I have signed Enrolled Senate Bill 575 amending the State Revenue Sharing Act of 1971. This bill provides for an equitable distribution of the revenue sharing funding contained in Enrolled Senate Bill 270, the fiscal year 2004 budget for the Department of Treasury. I am pleased that, during these difficult economic times, we were able to hold the revenue sharing payments to a uniform 3 percent reduction from fiscal year 2003 levels ensuring parity among all communities.

I thank the legislature for supporting Enrolled Senate Bill 575. I look forward to working with the legislature to consider ways to proportionately distribute revenue sharing payment increases if sales tax revenue exceeds current revenue estimates.

Sincerely,
Jennifer M. Granholm
Governor

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

Senate Bill No. 195

Senate Bill No. 364

Senate Bill No. 293

Senate Bill No. 265

Senate Bill No. 288

The motion prevailed.

The following message from the Governor was received on August 15, 2003, and read:

EXECUTIVE ORDER

No. 2003-10

**Temporary Suspension of Administrative Rules for
Gasoline Vapor Pressure**

Whereas, because significant portions of the State of Michigan have been experiencing the effects of a severe power outage, resulting in the loss of electrical power for countless Michigan residents, communities, and businesses, and causing serious hardship for the citizens of the State of Michigan, a state of emergency was declared by proclamation on August 15, 2003 in the counties of Macomb, Monroe, Oakland, Washtenaw, and Wayne ("State of Emergency");

Whereas, Section 5(1)(a) of the Emergency Management Act, 1976 PA 390, MCL 30.405, empowers the Governor to suspend a regulatory statute, order, or rule prescribing the procedures for the conduct of state business when strict compliance with the statute, order, or rule would prevent, hinder, or delay necessary action in coping with the disaster or emergency;

Now, Therefore, I, Jennifer M. Granholm, Governor of the State of Michigan, pursuant to powers vested in me by the Michigan Constitution of 1963 and the provisions of the Emergency Management Act, 1976 PA 390, MCL 30.401 to 30.421, order:

1. Administrative rules promulgated by the Department of Agriculture, Laboratory Division, dealing with gasoline vapor pressure, entitled, "Regulation No. 561-Dispensing Facility Reid Vapor Pressure," 1997 AACCS, R 285.561.1 to 285.561.10, are suspended in the areas of the State of Michigan subject to the State of Emergency and the counties of St. Clair and Livingston for the duration of the State of Emergency.

This Order is effective immediately.

[SEAL]

Given under my hand and the Great Seal of the State of Michigan this 15th day of August, 2003.

Jennifer M. Granholm
Governor

By the Governor:

Terri L. Land

Secretary of State

The Executive Order was referred to the Secretary for record.

The following message from the Governor was received on August 21, 2003, and read:

EXECUTIVE ORDER

No. 2003-11

State of Energy Emergency

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

Whereas, Section 3 of 1982 PA 191, MCL 10.83, authorizes the Governor to declare a State of Energy Emergency upon notification of an impending energy emergency by the Energy Advisory Committee, or upon the Governor's own initiative if the Governor finds that an energy emergency exists or is imminent;

Whereas, on August 14, 2003, a widespread and unprecedented loss of electrical power affected significant portions of the State of Michigan;

Whereas, the power outage adversely impacted operations at eight petroleum refineries throughout the United States and Canada, and damaged Michigan's only refinery, which may be unable to meet demand for gasoline in the near future, resulting, without further action, in a lack of adequate available gasoline in parts of this state;

Whereas, on August 20, 2003, the Public Service Commission notified the Energy Advisory Committee of an impending and imminent energy emergency involving a dwindling supply of gasoline in Southeast Michigan due to the power outage and damage to the refinery;

Whereas, it is in the best interest of the State of Michigan that appropriate measures be taken in response to an imminent energy emergency to ensure that gasoline supplies will remain sufficient and to assure the health, safety, and welfare of Michigan residents and visitors;

Now, Therefore, I, Jennifer M. Granholm, Governor of the State of Michigan, pursuant to powers vested in the Governor by the Michigan Constitution of 1963 and 1982 PA 191, MCL 10.81 to 10.87, order the following:

1. The State of Emergency proclaimed on August 15, 2003 for the counties of Macomb, Monroe, Oakland, Washtenaw, and Wayne is rescinded.

2. A State of Energy Emergency is declared. Pursuant to Section 3 of 1982 PA 191, MCL 10.83, the State of Energy Emergency is effective until the earlier of either of the following:

- a. A finding by the Governor that the energy emergency no longer exists.
- b. November 19, 2003.

This Order is effective upon filing.

[SEAL]

Given under my hand and the Great Seal of the State of Michigan this 21st day of August, 2003.

Jennifer M. Granholm
Governor

By the Governor:
Terri L. Land
Secretary of State

The Executive Order was referred to the Secretary for record.

The following message from the Governor was received on August 21, 2003, and read:

EXECUTIVE ORDER
No. 2003-12

Temporary Suspension of Rules for Gasoline Vapor Pressure

Whereas, under 1982 PA 191, MCL 10.83, during an energy emergency the Governor may by executive order suspend a rule of a state agency if strict compliance with the rule will prevent, hinder, or delay necessary action in coping with the emergency;

Whereas, Executive Order 2003-11 declared a State of Energy Emergency beginning August 21, 2003;

Whereas, appropriate measures must be taken in response to the energy emergency to ensure that gasoline supplies will remain sufficient and to assure the health, safety, and welfare of Michigan residents and visitors;

Now, Therefore, I, Jennifer M. Granholm, governor of the State of Michigan, pursuant to powers vested in the governor by the Michigan Constitution of 1963 and Michigan law, order that the Regulation No. 561, entitled, "Dispensing Facility Reid Vapor Pressure," promulgated by the Laboratory Division of the Department of Agriculture, 1997 AACRS, R 285.561.1 to 285.561.10, be suspended for the duration of the energy emergency declared in Executive Order 2003-11. Additionally, Executive Order 2003-10 is rescinded.

This Order is effective upon filing.

[SEAL]

Given under my hand and the Great Seal of the State of Michigan this 21st day of August, 2003.

Jennifer M. Granholm
Governor

By the Governor:
Terri L. Land
Secretary of State

The Executive Order was referred to the Secretary for record.

The following messages from the Governor were received and read:

August 13, 2003

I respectfully submit to the Senate, pursuant to Section 6 of Article 5 of the Michigan Constitution of 1963, the following appointment to office under Section 4 of the Michigan Gaming Control and Revenue Act, Initiated Law of 1996, MCL 432.204:

Michigan Gaming Control Board

Damian S. Kassab, a Republican, of 1040 West Snell, Rochester, Michigan 48306, county of Oakland, succeeding Larry Garberding, who has resigned, for a term commencing August 13, 2003 and expiring December 31, 2004.

August 14, 2003

I respectfully submit to the Senate, pursuant to Section 6 of Article 5 of the Michigan Constitution of 1963, the following appointment to state office under Section 32202 of the Natural Resources and Environmental Protection Act, 1994 PA 451, MCL 324.32202:

Great Lakes Commission

Mr. Kenneth DeBeaussaert, Director of the Office of Great Lakes, of 39856 Brylor Court, Clinton Township, Michigan 48038, county of Macomb, to represent groups or organizations interested in or affected by the Great Lakes, succeeding Mr. Frank M. D'Itri, who has resigned, for a term commencing August 14, 2003 and expiring at the pleasure of the Governor.

August 14, 2003

I respectfully submit to the Senate, pursuant to Section 6 of Article 5 of the Michigan Constitution of 1963, the following appointments to state office under Section 2 of 1968 PA 1, MCL 10.72:

Michigan Women's Commission

Maria Ladas Hoopes of 435 Channel Road, North Muskegon, Michigan 49445, county of Muskegon, succeeding Lynda Cosgrove, whose term has expired, for a term commencing August 14, 2003 and expiring July 15, 2006.

Brenda Jones Quick of 542 Fifth Street, Traverse City, Michigan 49684, county of Grand Traverse, succeeding Tamara McDonough, whose term has expired, for a term commencing August 14, 2003 and expiring July 15, 2006.

Judith Rosenberg of 532 Wallace, Birmingham, Michigan 48009, county of Oakland, succeeding Kamar Amanullah, whose term has expired, for a term commencing August 14, 2003 and expiring July 15, 2006.

Karen Patricia Williams of 1530 Cambria Drive, East Lansing, Michigan 48823, county of Ingham, succeeding Mandeep Grewal, whose term has expired, for a term commencing August 14, 2003 and expiring July 15, 2006.

Gloria Woods of 354 Killarney Beach, Bay City, Michigan 48706, county of Bay, succeeding Julie Stevens, whose term has expired, designated as Vice-Chair, for a term commencing August 14, 2003 and expiring July 15, 2006.

August 26, 2003

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

State Exposition and Fairgrounds Council

Mr. Thomas Valliere, a Republican, of 751 Takamarak Trail, Hope, Michigan 48628, county of Gladwin, representing the general public, succeeding Ms. Kathleen Ligocki, who has resigned, for a term commencing August 26, 2003 and expiring June 20, 2004.

September 5, 2003

I respectfully submit to the Senate, pursuant to Article V, Section 6 of the Michigan Constitution of 1963, the following appointments to office under Section 18 of the Occupational Safety and Health Code, 1974 PA 154, MCL 408.1018:

Construction Safety Standards Commission

Mr. Thomas J. Boensch of 5555 Indiantown Road, Saginaw, Michigan 48601, county of Saginaw, succeeding Martin Ross, who has resigned, representing those actively engaged in construction operations on the employee level, for a term commencing September 5, 2003 and expiring March 18, 2004.

Mr. Timothy B. Wise of 762 Apalachi, Commerce, Michigan 48390, county of Oakland, succeeding Charles A. Gatecliff, whose term has expired, representing those actively engaged in construction operations on the management level, for a term commencing September 5, 2003 and expiring March 18, 2006.

Mr. Larry Redfearn of 20069 Willowick Drive, Southfield, Michigan 48076, county of Oakland, succeeding Carl Davis, whose term has expired, representing those actively engaged in construction operations on the employee level (public employees), for a term commencing September 5, 2003 and expiring March 18, 2006.

September 11, 2003

I respectfully submit to the Senate, pursuant to Section 6 of Article 5 of the Michigan Constitution of 1963, the following appointments to state office under Section 3 of the Older Michiganians Act, 1981 PA 180, MCL 400.583:

Commission on Services to the Aging

James W. Shelton, a Democrat, of 1744 West Michigan, Battle Creek, Michigan 49017, county of Calhoun, succeeding Carol Birch, whose term has expired, for a term commencing September 11, 2003 and expiring on July 28, 2006.

Herman Dooha, a Democrat, of 19405 Bretton Drive, Detroit, Michigan 48223, county of Wayne, succeeding Lilo Hoelzel-Seipp, whose term has expired, for a term commencing September 11, 2003 and expiring July 28, 2006.

Alberta Wilburn, a Democrat, of 8820 La Salle Boulevard, Detroit, Michigan 48206, county of Wayne, succeeding Richard Marion, whose term has expired, for a term commencing September 11, 2003 and expiring July 28, 2006.

Sonia Harb, a Democrat, of 1621 Graefield, Birmingham, Michigan 48009, county of Oakland, succeeding Esther Howell, whose term has expired, for a term commencing September 11, 2003 and expiring July 28, 2006.

Jerutha Kennedy, an Independent, of 13586 Mendota, Detroit, Michigan 48238, county of Wayne, succeeding Virginia Teich, whose term has expired, for a term commencing September 11, 2003 and expiring July 28, 2006.

September 12, 2003

I respectfully submit to the Senate, pursuant to Section 6 of Article 5 of the Michigan Constitution of 1963, the following appointment to office under Section 1 of the Michigan Historical Commission Act, 1913 PA 271, MCL 399.1:

Michigan Historical Commission

Mr. Steven K. Hamp of 1520 Harding Road, Ann Arbor, Michigan 48104, county of Washtenaw, succeeding Ms. Marge Greiner, whose term has expired, representing the general public, for a term commencing September 12, 2003 and expiring May 21, 2009.

Sincerely,
Jennifer M. Granholm
Governor

The appointments were referred to the Committee on Government Operations.

The following message from the Governor was received and read:

APPROPRIATIONS; SUPPLEMENTAL

August 12, 2003

Today I have signed Enrolled Senate Bill 540. This supplemental budget bill provides funding of \$499.8 million (**negative** \$13.3 million general fund) for fiscal year 2003 and \$50.5 million (\$50.2 million general fund) for fiscal year 2004. However, I am returning it to you because of an item of which I disapprove, pursuant to Article V, Section 19, of the Michigan Constitution. The specific item vetoed is contained within the attached copy of the bill, which has been filed with the Secretary of State.

Among other items this bill:

- Provides \$268.1 million in Medicaid supplemental funding to address increased caseloads, financed with the enhanced earnings from the recently enacted federal fiscal relief legislation.
- Provides \$47.6 million for improved election administration, replacement of outdated voting equipment and to facilitate improved access for disabled and absent voters as mandated by the federal Help America Vote Act.
- Provides \$41.6 million from federal and state restricted funds final implementation of Michigan's Child Support Enforcement System.
- Provides \$37.7 million in federal revenues to the Michigan State Housing Development Authority for payments on behalf of tenants and to support the increased participation in the Section 8 subsidized housing program.
- Provides \$12.3 million in federal homeland security grants earmarked for the City of Detroit to enhance security of urban areas and critical infrastructure.
- Provides a one-time funding of \$10.0 million for a biosciences research and commercialization center at Western Michigan University and \$2.2 million for research, development and commercialization of automotive technologies and products.

- Provides an additional \$10.8 million in federal revenue to assist low-income individuals and families with payment of their utility bills.
- Provides \$8.9 million for four property acquisition and 23 local recreation development projects through the Michigan Natural Resources Trust Fund. These projects support the acquisition of various lands for public recreation and/or the preservation of open space as well as the development of public outdoor recreation opportunities.
- Provides \$4.0 million to replace point-of-sale hunting and fishing license terminals, to purchase kiosks in order to continue implementation of the self-service initiative and to make software changes to accommodate the new terminals and kiosks.

My action includes the veto of the construction authorization and corresponding boilerplate for the 400-bed female housing unit at Western Wayne Correctional Facility. The site identified in the construction authorization is not that which was recommended by the Executive. While I believe that we still need additional capacity relative to the female prison population, I am not prepared to authorize construction at a site that has not been carefully reviewed and evaluated. This issue needs further analysis and public input before proceeding.

I thank the Legislature for your work on these supplemental appropriations for fiscal years 2003 and 2004.

Sincerely,
Jennifer M. Granholm
Governor

This bill was signed by the Governor on August 12, 2003, at 3:15 p.m. (Filed with the Secretary of State on August 14, 2003, at 1:00 p.m.) and assigned Public Act No. 173.

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

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

The motion prevailed.

The following message from the Governor was received and read:

APPROPRIATIONS; FAMILY INDEPENDENCE AGENCY

August 12, 2003

Today I have signed Enrolled Senate Bill 283, the fiscal year 2004 appropriation for the Family Independence Agency (FIA). 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.

This bill appropriates nearly \$4.0 billion, an amount that represents a significant commitment to the safety, well-being, independence, and permanency of Michigan's children and families. Highlights of the bill include:

- Full funding of projected caseloads and costs for the Family Independence Program (\$369.3 million), State Disability Assistance Program (\$28.7 million), Food Assistance Program (\$833.0 million), and Child Day Care Services (\$490.2 million).
- The appropriation of over \$600 million for the foster care, Child Care Fund, and adoption subsidies programs to provide children with caring families and safe homes.
- \$70 million for maintenance and operation of Michigan's Child Support Enforcement System, which is scheduled to be implemented in all 83 counties and federally certified by September 30, 2003.
- A \$12.7 million general fund increase to improve the accuracy and integrity of Food Assistance Program administration, and avoid future federal sanctions.

I am pleased that the Legislature responsibly met targeted funding levels without significantly harming key FIA programs and initiatives. The necessary reductions that you adopted should have little impact on the department's focus of meeting the needs of families and moving them toward self-sufficiency. However, there are several areas where administrative savings were taken in this bill that will be difficult or impossible for FIA to achieve. In the very near future, I will be proposing a non-general fund supplemental appropriation to restore some of these unacceptable cuts to the FIA budget.

To free up revenue to fund some of these inadequate appropriations and to begin to address a structural imbalance in the Temporary Assistance for Needy Families (TANF) block grant in fiscal year 2005, my action today vetoes the following items, which deviate unacceptably from my budget recommendations:

- Portions of Section 413, which funds numerous new initiatives with the Child Support Enforcement System Penalty Refund that we expect to receive following federal certification of the system on or about September 30, 2003. It is more appropriate to set these funds aside to protect funding for core programs, and to restore unachievable administrative savings included in this bill. Although I vetoed the rate increase for foster care placing agencies, I

support an increase for foster parent and adoption subsidy rates, which have not been increased since October 2001. Other Section 413 initiatives are somewhat duplicative of initiatives funded in part 1, such as the Section 413(n) pregnant teen adoption counseling program and the part 1 appropriation for Teenage Parent Counseling.

- Section 716, which requires the Family Independence Agency to pursue the sale of excess property at the W.J. Maxey Training School and makes a contingency appropriation of \$5.0 million from the net sale proceeds. This provision regarding the conveyance of land does not belong in an appropriations act. In addition, since no decision has yet been made to sell this property, or to assess the potential value of the land, this appropriation is premature and uncertain.
- Sections 415, 416, 418, and 420, which provide TANF funding for pilot programs that I did not include in my recommendation. I do not support the continuation or creation of pilot programs given the scarcity of TANF revenues and the structural imbalance that will have to be addressed in fiscal year 2005. Also, the Family Independence Agency is already administering an Individual Development Account program, funded by a work project that has statutory authority through fiscal year 2004.

While I have found it necessary to make several modifications to the bill you sent me, I have concurred with the vast majority of your appropriation actions. I appreciate the Legislature's cooperation in the development of a particularly difficult budget and your sincere effort to focus on preserving the services that matter most to Michigan's citizens.

Sincerely,
Jennifer M. Granholm
Governor

This bill was signed by the Governor on August 12, 2003, at 2:43 p.m. (Filed with the Secretary of State on August 13, 2003, at 2:38 p.m.) and assigned Public Act No. 172.

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

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

The following message from the Governor was received and read:

TRANSPORTATION; MACKINAC BRIDGE AUTHORITY

August 25, 2003

Today I return with my objections Enrolled Senate Bills 464 and 466, in accordance with Section 33 of Article IV of the Michigan Constitution of 1963. These bills are not in the best interests of Michigan taxpayers.

Under current law, when all of the costs of the Mackinac Bridge, including advances to the Mackinac Bridge Authority funded by Michigan taxpayers, are repaid, the ownership of the Mackinac Bridge and other rights and property of the Authority must be transferred to the State of Michigan. Senate Bills 464 and 466 would eliminate this statutory requirement to the long-term detriment of the State of Michigan and Michigan taxpayers.

Accordingly, I return Enrolled Senate Bills 464 and 466 without signature.

Respectfully,
Jennifer M. Granholm
Governor

These bills were returned from the Governor on August 26, 2003, at 8:52 a.m.

The question being on the passage of the bills, the objections of the Governor to the contrary notwithstanding, Senator Hammerstrom moved that further consideration of the bills be postponed for today.
The motion prevailed.

By unanimous consent the Senate proceeded to the order of

Resolutions

Senators Brown, Van Woerkom, Garcia, Allen, Cropsey, Sanborn, Prusi, Hardiman and Goschka offered the following resolution:

Senate Resolution No. 140.

A resolution to encourage research in Michigan on the thermal depolymerization process.

Whereas, As our state and nation search for more efficient ways to produce energy and more environmentally responsible ways of dealing with a wide range of waste products, innovation and research are becoming more important. Michigan has exercised leadership in certain aspects of alternative energy development, including incentives provided through the Next Energy initiative; and

Whereas, One process that holds potential in both energy production and dealing with waste materials is thermal depolymerization. This technology, which has proven successful on a small scale, uses heat and pressure to break down

carbon-based substances into oils, powdered carbon, powdered minerals, and gases. Thermal depolymerization can produce high quality oil that can be refined to gasoline and fuel oil; and

Whereas, The thermal depolymerization process can convert carbon-based items as diverse as animal processing waste, tires, and plastics into sources of energy. A unique feature of the thermal depolymerization process is that it does not require separation of waste materials, as long as the substances are carbon-based materials. If this technology can be advanced and incorporated on a large scale, the positive impact, in both energy production and recycling waste materials, could be enormous; and

Whereas, With Michigan's wide range of activities and resources, from agricultural and natural to industrial, and its capacity for research and innovation, the thermal depolymerization process may be worthy of intensive study in our state; now, therefore, be it

Resolved by the Senate, That we encourage universities and private and public organizations in Michigan to pursue research on the thermal depolymerization process; and be it further

Resolved, That copies of this resolution be transmitted to Michigan's universities and the Next Energy Authority.

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

Senator Hammerstrom moved that the rule be suspended.

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

The question being on the adoption of the resolution,

Senator Hammerstrom moved that the resolution be referred to the Committee on Technology and Energy.

The motion prevailed.

Senator Switalski was named co-sponsor of the resolution.

Senators Brater, Barcia, Basham, Prusi, Olshove, Leland, Cherry, Scott, Jacobs, Sanborn, Birkholz, Van Woerkom and Sikkema offered the following resolution:

Senate Resolution No. 141.

A resolution to memorialize the Congress of the United States to enact Great Lakes environmental restoration legislation.

Whereas, Although the Great Lakes network is a cornerstone of our nation's health and economic prosperity, many threats jeopardize this fresh water treasure. The invasion of nonnative species, pollution from numerous sources, damage to wetlands, and many other forces have damaged the lakes. Efforts to address these problems in the past have generally sought to reduce the damage rather than offering an opportunity to restore the lakes; and

Whereas, The proposed Great Lakes Environmental Restoration Act presently before the United States Senate holds great promise to address long-term issues facing the Great Lakes. This legislation would provide \$6 billion over a ten-year span—in addition to existing programs—for a wide range of initiatives to restore the Great Lakes and put in place mechanisms to ensure better coordination of efforts and standards far into the future. Developing improved monitoring indicators is a major part of the act, with requirements for ongoing gathering and review of critical information; and

Whereas, The Great Lakes Restoration Financing Act, a similar House proposal, through \$4 billion in funding over a five-year period, would provide a greater coordination of efforts through involvement by Great Lakes governors and elected officials as well as key federal agencies. There would also be an emphasis on implementing individual state management plans; and

Whereas, Clearly, the Great Lakes network is one of the world's greatest natural assets. Investing in its restoration is paramount to the quality of the future we will share; now, therefore, be it

Resolved by the Senate, That we memorialize the Congress of the United States to enact Great Lakes environmental restoration legislation; 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 Hammerstrom moved that the rule be suspended.

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

The question being on the adoption of the resolution,

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

The motion prevailed.

Senators Clarke, Schauer and Switalski were named co-sponsors of the resolution.

Senators Patterson, Cropsey and Goschka offered the following resolution:

Senate Resolution No. 142.

A resolution to urge the United States Surface Transportation Board to reconsider and revoke its recent decision to grant an exemption that would permit the development by the Riverview Trenton Railroad Company of an intermodal transportation facility along the Detroit River in the cities of Riverview and Trenton.

Whereas, In May 2003, the United States Surface Transportation Board granted an exemption that will, in effect, enable the Riverview Trenton Railroad Company to construct an intermodal transportation facility along the banks of the Detroit River in the cities of Riverview and Trenton, Michigan. The facility would be the site of extensive cargo handling and transfer of a wide range of materials between trucks, railroad flat cars, and ships or barges. The operation of such a facility would result in increased truck, rail, and ship traffic in the general vicinity; and

Whereas, There is great concern throughout the area that the construction and subsequent operation of the facility will have significant adverse impacts on the region and the Detroit River; and

Whereas, Added waterborne traffic that would be generated by the proposed project, which includes access to deep water ports, would require additional bridge openings on the Detroit River, isolating approximately 14,000 people on the island of Grosse Ile and cutting it off from emergency services; and

Whereas, The added rail traffic that would be generated by the proposed project would cause significant blockages of important streets, isolating two hospitals and denying the public basic police and fire protection and emergency medical services; and

Whereas, The additional truck traffic that would be generated by the proposed project represents a significant reduction in the quality of life for thousands of citizens who will face lines of stalled traffic at railroad crossings and additional congestion as they go about their routine activities, such as entering and leaving their subdivisions and driveways; and

Whereas, The local road and rail infrastructure is inadequate to handle the additional truck and rail traffic that would be generated by the proposed project. The local communities would be forced to spend millions of dollars on road improvements and repairs, while realizing few, if any, economic benefits from the proposed project, either from added jobs or taxes; and

Whereas, The proposed project has not been adequately defined to permit a full assessment of its potential impacts; and

Whereas, The proposed project is inconsistent with the work of state and local communities along the Detroit River over many years to improve the appearance of the land along the banks of the river, to preserve and restore the river and the land adjacent to it as important natural resources, and to create recreational opportunities along the river's banks; and

Whereas, The proposed project would be inconsistent with the American and Canadian Heritage River Initiative and with the first International Wildlife Refuge in North America, located along the Detroit River, which was designated by President Bush on December 21, 2001; and

Whereas, There is a long history of strong local opposition to this project. Numerous communities, organizations, and citizen groups have articulated their serious concerns over such vital issues as public health and safety and disruption to existing transportation routes. They have also expressed grave concerns over the environmental impacts of the project and opposition because the project is not consistent with local land use objectives, which include conversion of some or all of the property in question from industrial to nonindustrial or mixed use; and

Whereas, Another major worry among area citizens is that the facility would provide another point of entry into the country. The project could weaken homeland security along the Detroit River; and

Whereas, It seems clear that the intermodal facility proposed by the Riverview Trenton Railroad Company poses significant threats to the public health, safety, and welfare; that it is contrary to local community interests to improve the conditions of the lands immediately adjacent to the Detroit River; and that it would place within these communities an industrial activity that may conflict with future land use plans; now, therefore, be it

Resolved by the Senate, That we urge the United States Surface Transportation Board to reconsider and revoke the recently granted exemption that would permit the development by the Riverview Trenton Railroad Company of an intermodal transportation facility along the Detroit River in the cities of Riverview and Trenton; and be it further

Resolved, That copies of this resolution be transmitted to the communities of the Downriver area and to the United States Department of Transportation Surface Transportation Board.

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

Senator Hammerstrom moved that the rule be suspended.

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

The question being on the adoption of the resolution,

Senator Hammerstrom moved that the resolution be referred to the Committee on Economic Development, Small Business and Regulatory Reform.

The motion prevailed.

Senators Basham and Switalski were named co-sponsors of the resolution.

Senators Brown, Van Woerkom, George, Garcia, Allen, Cropsey, Sanborn, Prusi, Goschka and Birkholz offered the following resolution:

Senate Resolution No. 143.

A resolution to encourage the further utilization of methane digestion in Michigan.

Whereas, Michigan and the nation as a whole are constantly wrangling with waste management and energy consumption issues. According to the United States Environmental Protection Agency, Americans generate approximately

231.9 million tons of municipal solid waste. Cows, pigs, and poultry also generate countless tons of accumulated waste. Likewise, according to the United States Energy Information Agency, Americans consume about 20 percent more electricity today than ten years ago; and

Whereas, Methane digesters protect the environment by extracting useful energy from accumulated waste. Unlike incineration and landfills, methane digesters recover energy locked in organic matter in municipal solid wastes and animal waste. Methane digesters use bacteria to decompose organic matter in an oxygen-free environment, releasing biogas, a mixture of methane and carbon dioxide, which is suitable for generating heat and electricity. Extracting useful energy from waste renders it less of an environmental threat, reduces net greenhouse gas emissions, reduces the bulk of waste and associated land disposal requirements, and reduces the use of virgin natural resources; and

Whereas, the Michigan Department of Consumer & Industry Services, Michigan Biomass Energy Program recognizes methane digesters as an important biomass energy technology. The program also encourages its use through its reports, partnerships, technical assistance, and educational efforts; now, therefore, be it

Resolved by the Senate, That we encourage the further utilization of the methane digesters in Michigan; and be it further

Resolved, That copies of this resolution be transmitted to the Michigan Department of Agriculture, the Michigan Biomass Energy Program, and the Michigan Public Service Commission.

Pending the order that, under rule 3.204, the resolution be referred to the Committee on Government Operations, Senator Hammerstrom moved that the rule be suspended.

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

The question being on the adoption of the resolution,

Senator Hammerstrom moved that the resolution be referred to the Committee on Agriculture, Forestry and Tourism.

The motion prevailed.

Senator Switalski was named co-sponsor of the resolution.

Senator Barcia entered the Senate Chamber.

Senator Schauer moved that Senator Scott be excused from today's session.
The motion prevailed.

By unanimous consent the Senate returned to the order of

Messages from the House

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

Senate Bill No. 395

The motion prevailed.

Senate Bill No. 365, entitled

A bill to amend 1979 PA 94, entitled "The state school aid act of 1979," by amending section 94a (MCL 388.1694a), as amended by 2002 PA 521.

Substitute (H-1).

The question being on concurring in the substitute made to the bill by the House,

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

Roll Call No. 424

Yeas—37

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

Nays—0

Excused—1

Scott

Not Voting—0

In The Chair: President

The question being on concurring in the committee recommendation to give the bill immediate effect, The recommendation was concurred in, 2/3 of the members serving voting therefor. The Senate agreed to the full title. The bill was referred to the Secretary for enrollment printing and presentation to the Governor.

By unanimous consent the Senate proceeded to the order of
Introduction and Referral of Bills

Senators Van Woerkom, Birkholz and Garcia introduced

Senate Bill No. 665, entitled

A bill to regulate the sale, distribution, and use of truth verification technology in this state; to prescribe certain powers and duties of certain state agencies; to prohibit certain conduct involving truth verification technology; and to prescribe remedies and penalties.

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

Senators Van Woerkom, Birkholz, Garcia and Allen introduced

Senate Bill No. 666, entitled

A bill to amend 1972 PA 295, entitled "Forensic polygraph examiners act," by amending sections 2, 4, and 8 (MCL 338.1702, 338.1704, and 338.1708).

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

Senators Allen, Garcia, Stamas and McManus introduced

Senate Bill No. 667, entitled

A bill to amend 1974 PA 258, entitled "Mental health code," by amending section 222 (MCL 330.1222), as amended by 2002 PA 596.

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

Senator Thomas introduced

Senate Bill No. 668, entitled

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," (MCL 206.1 to 206.532) by adding section 253.

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

Senators Jacobs, Basham, Clark-Coleman, Thomas, Schauer, Leland, Scott, Cherry, Brater, Prusi, Clarke, Olshove, Barcia and Emerson introduced

Senate Bill No. 669, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 21513 (MCL 333.21513), as amended by 2002 PA 125, and by adding section 21525.

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

Senators Cherry, Prusi, Switalski, Olshove, Jacobs, Scott, Clark-Coleman, Thomas, Schauer, Basham, Emerson, Brater, Clarke and Goschka introduced

Senate Bill No. 670, entitled

A bill to amend 1978 PA 368, entitled "Public health code," (MCL 333.1101 to 333.25211) by adding section 20176b. The bill was read a first and second time by title and referred to the Committee on Health Policy.

Senators Scott, Thomas, Clark-Coleman, Schauer, Basham, Emerson, Cherry, Switalski, Brater, Clarke, Jacobs, Prusi and Goschka introduced

Senate Bill No. 671, entitled

A bill to require certain disclosures of health facilities and agencies; and to require certain reports to the legislature. The bill was read a first and second time by title and referred to the Committee on Health Policy.

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

Senate Bill No. 672, entitled

A bill to amend 1975 PA 228, entitled "Single business tax act," by amending section 4 (MCL 208.4), as amended by 2002 PA 603.

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

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

Senate Bill No. 673, entitled

A bill to amend 1975 PA 228, entitled "Single business tax act," (MCL 208.1 to 208.145) by adding section 4a.

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

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

Senate Bill No. 674, entitled

A bill to amend 1975 PA 228, entitled "Single business tax act," (MCL 208.1 to 208.145) by adding section 4d.

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

Senators Brater, Basham, Olshove, Thomas, Scott, Jacobs, Leland, Schauer, Clark-Coleman and Switalski introduced

Senate Bill No. 675, entitled

A bill to prohibit certain employers from monitoring employee communications unless the employer establishes an employee monitoring policy and discloses that policy to employees; and to provide certain civil remedies.

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

Senators Jelinek, Kuipers, Allen, Cropsey and McManus introduced

Senate Bill No. 676, entitled

A bill to amend 1976 PA 451, entitled "The revised school code," by amending section 1531 (MCL 380.1531), as amended by 2000 PA 497.

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

Senators Jelinek, Kuipers, Allen, Cropsey, Brown and McManus introduced

Senate Bill No. 677, entitled

A bill to amend 1937 PA 306, entitled "An act to promote the safety, welfare, and educational interests of the people of the state of Michigan by regulating the construction, reconstruction, and remodeling of certain public or private school buildings or additions to such buildings, by regulating the construction, reconstruction, and remodeling of buildings leased or acquired for school purposes, and to define the class of buildings affected by this act; to prescribe

the powers and duties of certain state agencies and officials; to prescribe penalties for the violation of this act; and to repeal acts and parts of acts,” by amending section 1 (MCL 388.851), as amended by 2002 PA 628.

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

Senators Brown, George, Garcia, Allen, Cropsey, Sanborn, Prusi, Hardiman, Goschka and Schauer introduced
Senate Bill No. 678, entitled

A bill to amend 1975 PA 228, entitled “Single business tax act,” (MCL 208.1 to 208.145) by adding section 37e.

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

Senators Brown, Garcia, Allen, Cropsey, Sanborn, Prusi, Goschka and Birkholz introduced

Senate Bill No. 679, entitled

A bill to amend 1933 PA 167, entitled “General sales tax act,” (MCL 205.51 to 205.78) by adding section 4bb.

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

Senators Sanborn and Garcia introduced

Senate Bill No. 680, entitled

A bill to amend 1980 PA 299, entitled “Occupational code,” by amending section 2404 (MCL 339.2404), as amended by 1988 PA 463.

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

Senators Cherry and Cropsey introduced

Senate Bill No. 681, entitled

A bill to amend 1927 PA 175, entitled “The code of criminal procedure,” (MCL 760.1 to 777.69) by adding section 11a to chapter VI.

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

Senators Cherry, Basham and Brater introduced

Senate Bill No. 682, entitled

A bill to amend 1949 PA 300, entitled “Michigan vehicle code,” by amending sections 320a and 709 (MCL 257.320a and 257.709), section 320a as amended by 2002 PA 149 and section 709 as amended by 2000 PA 127.

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

Senators George, Bernero, Cropsey, Brater, McManus, Goschka, Birkholz, Schauer and Thomas introduced

Senate Bill No. 683, entitled

A bill to amend 1974 PA 258, entitled “Mental health code,” by amending section 401 (MCL 330.1401), as amended by 1995 PA 290.

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

Senators Patterson, Bernero, George, Cropsey, Brater, McManus, Goschka, Schauer, Birkholz and Thomas introduced

Senate Bill No. 684, entitled

A bill to amend 1974 PA 258, entitled “Mental health code,” by amending section 469a (MCL 330.1469a), as added by 1996 PA 588, and by adding section 433.

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

Senators Bernero, George, Cropsey, Brater, McManus, Goschka, Birkholz, Schauer and Thomas introduced

Senate Bill No. 685, entitled

A bill to amend 1974 PA 258, entitled “Mental health code,” by amending sections 472a, 473, and 475 (MCL 330.1472a, 330.1473, and 330.1475), sections 472a and 475 as added and section 473 as amended by 1996 PA 588.

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

Senators Jacobs, George, Cropsey, Brater, McManus, Goschka, Birkholz, Schauer and Thomas introduced
Senate Bill No. 686, entitled

A bill to amend 1974 PA 258, entitled "Mental health code," by amending sections 100a and 161 (MCL 330.1100a and 330.1161), as amended by 1998 PA 497.

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

Senator Bishop introduced

Senate Bill No. 687, entitled

A bill to amend 1973 PA 139, entitled "An act to provide forms of county government; to provide for county managers and county executives and to prescribe their powers and duties; to abolish certain departments, boards, commissions, and authorities; to provide for transfer of certain powers and functions; to prescribe powers of a board of county commissioners and elected officials; to provide organization of administrative functions; to transfer property; to retain ordinances and laws not inconsistent with this act; to provide methods for abolition of a unified form of county government; and to prescribe penalties and provide remedies," by amending sections 9 and 10 (MCL 45.559 and 45.560), section 9 as amended by 1980 PA 100, and by adding section 9a.

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

Senators Goschka, George and Hardiman introduced

Senate Bill No. 688, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending section 2169 (MCL 600.2169), as amended by 1993 PA 78.

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

Senators Goschka, George and Hardiman introduced

Senate Bill No. 689, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending section 2912c (MCL 600.2912c), as added by 1986 PA 178.

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

Senators Goschka, George and Hardiman introduced

Senate Bill No. 690, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending section 5838a (MCL 600.5838a), as amended by 1993 PA 78.

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

Senators Goschka, George and Hardiman introduced

Senate Bill No. 691, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending section 2912e (MCL 600.2912e), as amended by 1993 PA 78.

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

Senators Goschka, George and Hardiman introduced

Senate Bill No. 692, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending section 5855 (MCL 600.5855).

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

Senator Goschka introduced

Senate Bill No. 693, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 24 of chapter VII (MCL 767.24), as amended by 2002 PA 119.

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

Senator Thomas introduced

Senate Bill No. 694, entitled

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

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

Senators Garcia, Patterson, Kuipers and Birkholz introduced

Senate Bill No. 695, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 4101 (MCL 324.4101) and by adding section 4108a.

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

Senators Garcia and Birkholz introduced

Senate Bill No. 696, entitled

A bill to amend 1987 PA 96, entitled "The mobile home commission act," (MCL 125.2301 to 125.2349) by adding section 11a.

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

Senator Leland introduced

Senate Bill No. 697, entitled

A bill to amend 1936 (Ex Sess) PA 1, entitled "Michigan employment security act," by amending section 34 (MCL 421.34), as amended by 1983 PA 164.

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

Senator Bishop introduced

Senate Bill No. 698, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 13m of chapter XVII (MCL 777.13m), as amended by 2002 PA 711.

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

Senator Brater introduced

Senate Bill No. 699, entitled

A bill to amend 1954 PA 116, entitled "Michigan election law," by amending sections 491, 497, and 497a (MCL 168.491, 168.497, and 168.497a), sections 491 and 497 as amended by 1989 PA 142 and section 497a as amended by 1986 PA 220, and by adding section 499e.

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

Senator Birkholz introduced

Senate Bill No. 700, entitled

A bill to amend 1893 PA 206, entitled "The general property tax act," by amending section 89a (MCL 211.89a), as added by 1994 PA 189, and by adding section 89b.

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

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

Senate Bill No. 701, entitled

A bill to amend 1999 PA 94, entitled "Michigan merit award scholarship act," by amending section 8 (MCL 390.1458), as amended by 2002 PA 736.

The bill was read a first and second time by title.

Senator Hammerstrom moved that rule 3.203 be suspended and that the bill be referred to the Committee of the Whole and placed on the order of General Orders.

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

House Bill No. 4737, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending sections 2529, 5756, 8371, and 8731 (MCL 600.2529, 600.5756, 600.8371, and 600.8731), sections 2529, 5756, and 8371 as amended by 2003 PA 138 and section 8731 as amended by 2003 PA 95.

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

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

House Bill No. 4967, entitled

A bill to amend 1965 PA 261, entitled "An act to authorize the creation and to prescribe the powers and duties of county and regional parks and recreation commissions; and to prescribe the powers and duties of county boards of commissioners with respect to county and regional parks and recreation commissions," by amending section 1 (MCL 46.351), as amended by 2000 PA 496.

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 Local, Urban and State Affairs.

Committee Reports**COMMITTEE ATTENDANCE REPORT**

The Committee on Judiciary submitted the following:

Public hearing held on Tuesday, August 12, 2003, at 9:00 a.m., Kalkaska High School Library, 109 North Birch, Kalkaska

Present: Senator Cropsey (C)

Excused: Senators Bishop, Sanborn, Patterson, Schauer, Bernero and Brater

COMMITTEE ATTENDANCE REPORT

The Committee on Education submitted the following:

Meeting held on Wednesday, August 13, 2003, at 3:00 p.m., Room 100, Farnum Building

Present: Senators Kuipers (C), Cassis, Van Woerkom and Leland

Excused: Senator Clark-Coleman

COMMITTEE ATTENDANCE REPORT

The Committee on Technology and Energy submitted the following:

Meeting held on Wednesday, August 20, 2003, at 10:00 a.m., Room 210, Farnum Building

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

Excused: Senators Toy and Birkholz

COMMITTEE ATTENDANCE REPORT

The Committee on Education submitted the following:

Meeting held on Wednesday, August 27, 2003, at 2:00 p.m., Room 210, Farnum Building

Present: Senator Kuipers (C)

Excused: Senators Cassis, Van Woerkom, Clark-Coleman and Leland

COMMITTEE ATTENDANCE REPORT

The Committee on Technology and Energy submitted the following:

Meeting held on Thursday, September 4, 2003, at 10:00 a.m., Room 210, Farnum Building

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

COMMITTEE ATTENDANCE REPORT

The Committee on Education submitted the following:

Meeting held on Wednesday, September 10, 2003, at 8:00 a.m., Room 210, Farnum Building

Present: Senators Kuipers (C), Cassis, Van Woerkom and Leland

Excused: Senator Clark-Coleman

COMMITTEE ATTENDANCE REPORT

The Committee on Commerce and Labor submitted the following:

Meeting held on Wednesday, September 10, 2003, at 1:00 p.m., Eberhard Center, Room 215, Grand Valley State University-Pew Campus, 401 West Fulton Street, Grand Rapids

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

Excused: Senator McManus

COMMITTEE ATTENDANCE REPORT

The Committee on Judiciary submitted the following:

Public hearing held on Monday, September 15, 2003, at 3:00 p.m., Council Chamber, Monroe City Hall, 120 East First Street, Monroe

Present: Senators Cropsey (C) and Schauer

Excused: Senators Bishop, Sanborn, Patterson, Bernero and Brater

Scheduled Meetings

Administrative Rules - Thursday, September 25, 1:00 p.m., Room 424, Capitol Building (373-2417)

Agriculture, Forestry and Tourism and House Agriculture and Resource Management Subcommittee on Forestry and Mineral Rights - Wednesday, September 17, 8:30 a.m., Room 100, Farnum Building; Friday, September 19, 9:00 a.m., Bay de Noc Community College Auditorium, 2001 N. Lincoln, Escanaba; and Thursday, September 25, 6:00 p.m., Grayling City Hall, 1020 City Boulevard, Grayling (373-1635)

Appropriations - Tuesday, September 23, 2:00 p.m., Senate Appropriations Room, 3rd Floor, Capitol Building (373-2523)

Subcommittees -

Community Health Department and Health Policy - Wednesdays, September 17 and September 24, 1:00 p.m., Senate Hearing Room, Ground Floor, Boji Tower (formerly Michigan National Tower) (373-3543)

Natural Resources Department - Thursdays, September 18 and September 25, 8:30 a.m., Senate Appropriations Room, 3rd Floor, Capitol Building (373-1725)

Education - Wednesday, September 17, 3:00 p.m., Room 100, Farnum Building (373-6920)

Education and K-12, School Aid, Education Appropriations Subcommittee, Joint Senate and House - Wednesday, September 17, 1:00 p.m., House Appropriations Room, 3rd Floor, Capitol Building (373-6960)

Finance - Wednesday, September 17, 1:00 p.m., Room 110, Farnum Building (373-1758)

Health Policy and Department of Community Health Appropriations Subcommittee - Wednesdays, September 17 and September 24, 1:00 p.m., Senate Hearing Room, Ground Floor, Boji Tower (formerly Michigan National Tower) (373-3543)

Legislative Retirement Board of Trustees - Wednesday, September 24, 3:00 p.m., Room H-252, 2nd Floor, Capitol Building (373-0575)

Technology and Energy - Wednesday, September 17, 3:00 p.m., Room 210, Farnum Building (373-7350)

Senator Hammerstrom moved that the Senate adjourn.
The motion prevailed, the time being 10:35 a.m.

The President, Lieutenant Governor Cherry, declared the Senate adjourned until Wednesday, September 17, 2003, at 10:00 a.m.

CAROL MOREY VIVENTI
Secretary of the Senate

