

**No. 66**  
**STATE OF MICHIGAN**  
**Journal of the Senate**  
**91st Legislature**  
**REGULAR SESSION OF 2002**

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Senate Chamber, Lansing, Tuesday, November 12, 2002.

10:00 a.m.

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

The roll was called by the Assistant Secretary of the Senate, who announced that a quorum was present.

Bennett—present  
Bullard—present  
Byrum—present  
Cherry—present  
DeBeaussaert—present  
DeGrow—present  
Dingell—present  
Dunaskiss—present  
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—excused  
McManus—present  
Miller—present  
Murphy—excused  
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—present

Senator George Z. Hart of the 6th District offered the following invocation:  
“God bless America, land that I love.  
Stand beside her and guide her through the night with the light from above.  
From the mountains to the prairies, to the ocean white with foam.  
God bless America, my home sweet home.  
God bless America, my home sweet home.”

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

### Motions and Communications

Senators Miller, Young and Smith entered the Senate Chamber.

Senator Emmons moved that Senator Bullard, Hammerstrom and Schwarz be temporarily excused from today’s session.

The motion prevailed.

Senator Emmons moved that Senator McCotter be excused from today’s session.

The motion prevailed.

Senators Schwarz and Hammerstrom entered the Senate Chamber.

The following communications were received:

Department of State

#### Administrative Rules Notices of Filing

September 19, 2002

In accordance with the provisions of Section 46(1) of Act 306, Public Acts of 1969, as amended, and Executive Order 1995-6, this is to advise you that the Office of Regulatory Reform, Legal Division filed at 1:40 p.m. this date, administrative rule (02-09-04) for the Department of Consumer and Industry Services, Director’s Office, entitled “*Carcinogens*,” effective 7 days hereafter.

October 15, 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 1:20 p.m. this date, administrative rule (02-10-01) for the Department of Consumer and Industry Services, Director’s Office, entitled “*Building Code – Rehabilitation Code*,” effective October 31, 2002.

October 15, 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 1:22 p.m. this date, administrative rule (02-10-02) for the Department of Consumer and Industry Services, Director’s Office, entitled “*Part 4. Building Code*,” effective October 31, 2002.

October 15, 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 1:24 p.m. this date, administrative rule (02-10-03) for the Department of Treasury, Higher Education Assistance Authority, entitled “*Michigan Education Trust*,” effective 7 days hereafter.

October 22, 2002

In accordance with the provisions of Section 46(1) of Act 306, Public Acts of 1969, as amended, and Executive Order 1995-6, this is to advise you that the Office of Regulatory Reform, Legal Division filed at 11:30 a.m. this date, administrative rule (02-10-04) for the Department of State Police, Special Operations Division, entitled "*Uniform Traffic Code for Cities, Townships, and Villages*," effective 7 days hereafter.

October 24, 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 2:10 p.m. this date, administrative rule (02-10-05) for the Department of Corrections, entitled "*General Rules*," 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:  
Schoolcraft College

September 27, 2002

As required, we are enclosing a copy of the audited financial statements and the management letter for Schoolcraft College for the fiscal year ended June 30, 2002.

Sincerely,  
Jill F. O'Sullivan  
Vice President for Finance and Business Services

The communication was referred to the Secretary for record.

The following communications were received:  
Office of the Auditor General

September 30, 2002

Enclosed is a copy of the following audit report and/or executive digest:  
Performance Audit of Undistributed and Undistributable Child Support Collections, Child Support Program, Office of Child Support, Family Independence Agency, September 2002.

October 4, 2002

Enclosed is a copy of the following audit report and/or executive digest:  
Financial Related Audit of Vendor Payments for the Health Care of Prisoners, Department of Corrections, for the Contract Years Ended April 1, 1999 and April 1, 2000.

October 9, 2002

Enclosed is a copy of the following audit report and/or report summary:  
Financial Audit of the Michigan State Fair and Exposition Center, Department of Agriculture, October 1, 2000 through September 30, 2001.

October 25, 2002

Enclosed is a copy of the following audit report and/or executive digest:  
Performance Audit of the Work First Program, Michigan Department of Career Development and Family Independence Agency, October 2002.

November 5, 2002

Enclosed is a copy of the following audit report and/or report summary:  
Performance Audit of the Storage Tank Division, Department of Environmental Quality, November 2002.

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

October 8, 2002

As required under PA 381 of 2000 (MCL 28.425e), the Michigan Department of State Police is filing the enclosed annual report detailing information for each county concealed weapon licensing board on concealed pistol licensure. The annual report details information for the time period of 7/1/01 to 6/30/02.

Questions regarding this report may be directed to Mr. David Turner at (517) 322-1658.

Sincerely,  
Diane Sherman  
Director, Criminal Justice Information Center

The communication was referred to the Secretary for record.

The following communications were received:  
Department of Consumer and Industry Services

October 14, 2002

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

<u>Type of Report</u>	<u>Facility</u>	<u>License #</u>
Licensing Study Report	Bay Pines Center	CS210200969

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](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.

October 29, 2002

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

<u>Type of Report</u>	<u>Facility</u>	<u>License #</u>
Interim Approval Investigation Report	Sequoyah Center	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](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 communications were referred to the Secretary for record.

The Secretary announced that the following House bills were received in the Senate and filed on Thursday, November 7:

**House Bill Nos. 5456 5465 5952 5953**

The Secretary announced the enrollment printing and presentation to the Governor on Thursday, September 26, for his approval the following bill:

**Enrolled Senate Bill No. 287 at 3:32 p.m.**

The Secretary announced the enrollment printing and presentation to the Governor on Friday, September 27, for his approval the following bill:

**Enrolled Senate Bill No. 749 at 10:25 a.m.**

The Secretary announced the enrollment printing and presentation to the Governor on Tuesday, October 1, for his approval the following bills:

**Enrolled Senate Bill No. 1086 at 10:36 a.m.**

**Enrolled Senate Bill No. 594 at 10:38 a.m.**

**Enrolled Senate Bill No. 595 at 10:40 a.m.**

**Enrolled Senate Bill No. 593 at 10:42 a.m.**

**Enrolled Senate Bill No. 1020 at 10:44 a.m.**

**Enrolled Senate Bill No. 1323 at 10:46 a.m.**

The Secretary announced the enrollment printing and presentation to the Governor on Thursday, October 3, for his approval the following bills:

- Enrolled Senate Bill No. 1119 at 1:30 p.m.
- Enrolled Senate Bill No. 1315 at 1:32 p.m.
- Enrolled Senate Bill No. 556 at 1:34 p.m.
- Enrolled Senate Bill No. 554 at 1:36 p.m.
- Enrolled Senate Bill No. 562 at 1:38 p.m.
- Enrolled Senate Bill No. 793 at 1:40 p.m.
- Enrolled Senate Bill No. 555 at 1:42 p.m.
- Enrolled Senate Bill No. 1316 at 1:44 p.m.

The Secretary announced the printing and placement in the members’ files on Thursday, September 26, of:

Senate Bill Nos.	1439	1440	1441	1442	1443	1444	1445										
House Bill Nos.	6351	6352	6353	6354	6355	6356	6357	6358	6359	6360	6361	6362	6363	6364			
	6365	6366	6367	6368	6369	6370	6371	6372	6373	6374	6375	6376	6377	6378			
	6379	6380	6381	6382	6383	6384	6385	6386	6387	6388	6389	6390	6391	6392			
	6393	6394	6395	6396	6397	6398	6399	6400	6401	6402	6403	6404	6405	6406			
	6407	6408	6409	6410	6411	6412	6413	6414	6415	6416	6417	6418	6419	6420			
	6421	6422	6423	6424	6425	6426	6427	6428	6429	6430	6431	6432	6433	6434			
	6435	6436	6437	6438	6439	6440	6441	6442	6443	6444	6445	6446	6447	6448			
	6449	6450	6451	6452	6453	6454	6455	6456	6457	6458							
House Joint Resolutions	DD	EE	FF	GG	HH												

The Secretary announced the printing and placement in the members’ files on Friday, September 27, of:

Senate Bill Nos.	1448	1449	1450	1451	1452	1453	1454	1455	1456	1457	1458	1459	1460	1461			
	1462	1463	1464	1465	1466	1467	1468	1469	1470	1471	1472	1473	1474	1475			
	1476	1477	1478	1479	1480	1481	1482	1483	1484	1485	1486	1487	1488	1489			
	1490																
Senate Joint Resolution	W																

The Secretary announced the printing and placement in the members’ files on Friday, November 8, of:

House Bill Nos.	6461	6473	6478	6479	6480	6481	6482	6483	6484	6485	6486	6487	6490	6491			
	6492	6493	6494	6495	6496	6501	6502	6515									

**Recess**

Senator Emmons moved that the Senate recess subject to the call of the Chair. The motion prevailed, the time being 10:06 a.m.

10:45 a.m.

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

During the recess, Senators Bullard and Schuette entered the Senate Chamber.

Senator Emerson moved that Senator Murphy 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 rule 3.902 be suspended to allow the guests of Senator Sanborn admittance to the Senate floor.

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

Senator Emmons moved that rule 3.901 be suspended to allow photographs to be taken from the Senate floor, including the center aisle and Gallery.

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

### Recess

Senator Emmons moved that the Senate recess subject to the call of the Chair.  
The motion prevailed, the time being 10:47 a.m.

10:53 a.m.

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

During the recess, Senator Sanborn introduced to the Senate Christine Stellino, Mrs. Michigan 2002, and presented her with a special tribute.

Mrs. Stellino responded briefly.

Senator Emmons moved that the rules be suspended and that the following bills, now on Committee Reports, be placed on the General Orders calendar for consideration today:

**Senate Bill No. 1221**

**Senate Bill No. 1385**

**Senate Bill No. 1410**

**Senate Bill No. 1418**

**Senate Bill No. 1428**

**Senate Bill No. 1434**

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

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 President, Lieutenant Governor Posthumus, designated Senator Gougeon as Chairperson.

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

**Senate Bill No. 1221, entitled**

A bill to amend 1967 PA 150, entitled "Michigan military act," by amending section 302 (MCL 32.702).

**Senate Bill No. 1418, entitled**

A bill to amend 1993 PA 23, entitled "Michigan limited liability company act," by amending sections 102, 103, 104, 105, 106, 202, 203, 204, 207, 210, 214, 301, 303, 304, 307, 403, 405, 406, 501, 502, 503, 504, 506, 515, 603, 705a, 801, 804, 909, 1005, and 1101 (MCL 450.4102, 450.4103, 450.4104, 450.4105, 450.4106, 450.4202, 450.4203, 450.4204, 450.4207, 450.4210, 450.4214, 450.4301, 450.4303, 450.4304, 450.4307, 450.4403, 450.4405, 450.4406, 450.4501, 450.4502, 450.4503, 450.4504, 450.4506, 450.4515, 450.4603, 450.4705a, 450.4801, 450.4804, 450.4909, 450.5005, and 450.5101), section 102 as amended by 2000 PA 336 and sections 103, 202, 203, 204, 207, 301, 303, 304, 307, 403, 405, 501, 502, 503, 506, 603, 801, 909, and 1101 as amended and sections 214, 515, and 705a as added by 1997 PA 52, and by adding sections 207a and 215.

**Senate Bill No. 1428, entitled**

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," by amending section 3341 (MCL 500.3341), as added by 2002 PA 251.

**Senate Bill No. 1434, entitled**

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," by amending section 250 (MCL 500.250). 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 a substitute therefor, the following bill:

**Senate Bill No. 1383, entitled**

A bill to amend 1990 PA 182, entitled "An act to require counties to redistribute certain payments received from the federal government; and to repeal certain acts and parts of acts," by amending sections 1 and 3 (MCL 141.1301 and 141.1303).

Substitute (S-1).

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

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

**Senate Bill No. 1013, entitled**

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 2 of chapter XI (MCL 771.2), as amended by 1998 PA 520, and by adding section 4b to chapter XI.

Substitute (S-1).

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

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

**Senate Bill No. 1385, entitled**

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," by amending sections 2213 and 2213a (MCL 500.2213 and 500.2213a), section 2213 as amended by 2000 PA 252 and section 2213a as added by 1996 PA 517, and by adding section 2213c.

Substitute (S-1).

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

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

**Senate Bill No. 1410, entitled**

A bill to amend 1969 PA 317, entitled "Worker's disability compensation act of 1969," by amending section 625 (MCL 418.625), as amended by 1995 PA 271.

Substitute (S-1).

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

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

**Senate Bill No. 1437, entitled**

A bill to amend 1979 PA 152, entitled "State license fee act," (MCL 338.2201 to 338.2277) by adding section 4.

Substitute (S-1).

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

1. Amend page 3, line 2, after "THE" by striking out "DEPARTMENT" and inserting "ATTORNEY GENERAL".

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

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

**Senate Bill No. 1438, entitled**

A bill to amend 1980 PA 299, entitled "Occupational code," by amending sections 409, 411, and 2504 (MCL 339.409, 339.411, and 339.2504), section 409 as added by 1988 PA 463, section 411 as amended by 1989 PA 261, and section 2504 as amended by 1984 PA 413.

Substitute (S-1).

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

By unanimous consent the Senate returned to the order of  
**Messages from the Governor**

The following messages from the Governor were received:

Date: July 13, 2002

Time: 9:50 a.m.

To the President of the Senate:

Sir—I have this day approved and signed

**Enrolled Senate Bill No. 356 (Public Act No. 501), being**

An act to amend 1951 PA 33, entitled “An act to provide police and fire protection for townships and for certain areas in townships, certain incorporated villages, and cities under 15,000 population; to authorize contracting for fire and police protection; to authorize the purchase of fire and police equipment, and the maintenance and operation of the equipment; to provide for defraying the cost of the equipment; to authorize the creation of special assessment districts and the levying and collecting of special assessments; to authorize the issuance of special assessment bonds in anticipation of the collection of special assessments and the advancement of the amount necessary to pay such bonds, and to provide for reimbursement for such advances by reassessment if necessary; to authorize the collection of fees for certain emergency services in townships and other municipalities; to authorize the creation of administrative boards and to prescribe their powers and duties; to provide for the appointment of traffic officers and to prescribe their powers and duties; and to repeal certain acts and parts of acts,” by amending section 1 (MCL 41.801), as amended by 1998 PA 545.

(Filed with the Secretary of State on July 15, 2002, at 4:11 p.m.)

Date: July 15, 2002

Time: 5:32 p.m.

To the President of the Senate:

Sir—I have this day approved and signed

**Enrolled Senate Bill No. 1359 (Public Act No. 502), being**

An act to amend 1953 PA 232, entitled “An act to revise, consolidate, and codify the laws relating to probationers and probation officers, to pardons, reprieves, commutations, and paroles, to the administration of correctional institutions, correctional farms, and probation recovery camps, to prisoner labor and correctional industries, and to the supervision and inspection of local jails and houses of correction; to provide for the siting of correctional facilities; to create a state department of corrections, and to prescribe its powers and duties; to provide for the transfer to and vesting in said department of powers and duties vested by law in certain other state boards, commissions, and officers, and to abolish certain boards, commissions, and offices the powers and duties of which are transferred by this act; to allow for the operation of certain facilities by private entities; to prescribe the powers and duties of certain other state departments and agencies; to provide for the creation of a local lockup advisory board; to prescribe penalties for the violation of the provisions of this act; to make certain appropriations; to repeal certain parts of this act on specific dates; and to repeal all acts and parts of acts inconsistent with the provisions of this act,” by amending sections 25a and 36a (MCL 791.225a and 791.236a), section 25a as added by 1993 PA 184 and section 36a as amended by 1993 PA 346.

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

Respectfully,

Richard Posthumus

Acting and Lieutenant Governor

Date: July 19, 2002

Time: 2:04 p.m.

To the President of the Senate:

Sir—I have this day approved and signed

**Enrolled Senate Bill No. 1358 (Public Act No. 506), 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 section 1 (MCL 780.651), as amended by 2002 PA 128.

(Filed with the Secretary of State on July 19, 2002, at 2:52 p.m.)

Date: July 23, 2002

Time: 11:32 a.m.

To the President of the Senate:

Sir—I have this day approved and signed

**Enrolled Senate Bill No. 1370 (Public Act No. 511), 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 sections 2 and 3 (MCL 205.92 and 205.93), section 2 as amended by 2000 PA 391 and section 3 as amended by 2002 PA 110, and by adding section 6a; and to repeal acts and parts of acts.

(Filed with the Secretary of State on July 23, 2002, at 1:56 p.m.)

Date: July 25, 2002  
Time: 12:15 p.m.

To the President of the Senate:

Sir—I have this day approved and signed

**Enrolled Senate Bill No. 1102 (Public Act No. 524), being**

An act to make appropriations for the department of corrections and certain state purposes related to corrections for the fiscal year ending September 30, 2003; to provide for the expenditure of the appropriations; to provide for reports; to provide for the creation of certain advisory committees and boards; to prescribe certain powers and duties of the department of corrections, certain other state officers and agencies, and certain advisory committees and boards; to provide for the collection of certain funds; and to provide for the disposition of fees and other income received by certain state agencies.

(Filed with the Secretary of State on July 25, 2002, at 4:50 p.m.)

Date: July 25, 2002  
Time: 1:18 p.m.

To the President of the Senate:

Sir—I have this day approved and signed

**Enrolled Senate Bill No. 1322 (Public Act No. 531), being**

An act to amend 1975 PA 228, entitled “An act to provide for the imposition, levy, computation, collection, assessment and enforcement, by lien or otherwise, of taxes on certain commercial, business, and financial activities; to prescribe the manner and times of making certain reports and paying taxes; to prescribe the powers and duties of public officers and state departments; to permit the inspection of records of taxpayers; to provide for interest and penalties on unpaid taxes; to provide exemptions, credits, and refunds; to provide penalties; to provide for the disposition of funds; to provide for the interrelation of this act with other acts; and to provide an appropriation,” (MCL 208.1 to 208.145) by adding section 39e; and to repeal acts and parts of acts.

(Filed with the Secretary of State on July 25, 2002, at 5:05 p.m.)

Date: July 25, 2002  
Time: 10:30 p.m.

To the President of the Senate:

Sir—I have this day approved and signed

**Enrolled Senate Bill No. 1232 (Public Act No. 534), 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 repeal all other acts or parts of acts inconsistent with this act or contrary to this act; and to repeal certain parts of this act on a specific date,” by amending sections 6, 7a, 212, 306, 307, 309, 312e, 312f, 319, 319b, 319c, 321, 321b, 323c, 667, 667a, 668, 669, 670, 732, 904, and 907 (MCL 257.6, 257.7a, 257.212, 257.306, 257.307, 257.309, 257.312e, 257.312f, 257.319, 257.319b, 257.319c, 257.321, 257.321b, 257.323c, 257.667, 257.667a, 257.668, 257.669, 257.670, 257.732, 257.904, and 257.907), section 6 as amended by 1992 PA 297, sections 7a and 323c as amended by 1991 PA 100, section 212 as amended by 1980 PA 398, section 306 as amended by 1999 PA 40, sections 307, 312f, 319b as amended by 2002 PA 259, section 309 as amended by 2000 PA 456, section 312e as amended by 2000 PA 158, section 319 as amended by 2002 PA 422, section 319c as added by 1988 PA 346, section 667a as added by 2000 PA 367, section 668 as amended by 1980 PA 101, section 669 as amended by 1995 PA 248, section 732 as amended by 2002 PA 422, section 904 as amended by 2000 PA 77, and section 907 as amended by 2001 PA 214, and by adding sections 319g and 669a; and to repeal acts and parts of acts.

(Filed with the Secretary of State on July 26, 2002, at 2:15 p.m.)

Date: July 25, 2002  
Time: 10:33 p.m.

To the President of the Senate:

Sir—I have this day approved and signed

**Enrolled Senate Bill No. 1094 (Public Act No. 535), 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 repeal all other acts or parts of acts inconsistent with this act or contrary to this act; and to repeal certain parts of this act on a specific date,” by amending section 720 (MCL 257.720), as amended by 1996 PA 136.

(Filed with the Secretary of State on July 26, 2002, at 2:17 p.m.)

Date: July 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. 809 (Public Act No. 536), 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 231 (MCL 750.231), as amended by 1998 PA 510.

(Filed with the Secretary of State on July 26, 2002, at 2:19 p.m.)

Date: July 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. 926 (Public Act No. 537), being**

An act to amend 1999 PA 94, entitled “An act to create the Michigan merit award scholarship trust fund; to create the Michigan merit award scholarship board and prescribe the powers and duties of the board; and to provide for the Michigan merit award scholarship program,” by amending sections 6, 7, and 8 (MCL 390.1456, 390.1457, and 390.1458).

(Filed with the Secretary of State on July 26, 2002, at 2:21 p.m.)

Date: July 25, 2002  
Time: 10:43 p.m.

To the President of the Senate:

Sir—I have this day approved and signed

**Enrolled Senate Bill No. 1241 (Public Act No. 538), being**

An act to amend 1956 PA 218, entitled “An act to revise, consolidate, and classify the laws relating to the insurance and surety business; to regulate the incorporation or formation of domestic insurance and surety companies and associations and the admission of foreign and alien companies and associations; to provide their rights, powers, and immunities and to prescribe the conditions on which companies and associations organized, existing, or authorized under this act may exercise their powers; to provide the rights, powers, and immunities and to prescribe the conditions on which other persons, firms, corporations, associations, risk retention groups, and purchasing groups engaged in an insurance or surety business may exercise their powers; to provide for the imposition of a privilege fee on domestic insurance companies and associations and the state accident fund; to provide for the imposition of a tax on the business of foreign and alien companies and associations; to provide for the imposition of a tax on risk retention groups and purchasing groups; to provide for the imposition of a tax on the business of surplus line agents; to provide for the imposition of regulatory fees on certain insurers; to provide for assessment fees on certain health maintenance organizations; to modify tort liability arising out of certain accidents; to provide for limited actions with respect to that modified tort liability and to prescribe certain procedures for maintaining those actions; to require security for losses

arising out of certain accidents; to provide for the continued availability and affordability of automobile insurance and homeowners insurance in this state and to facilitate the purchase of that insurance by all residents of this state at fair and reasonable rates; to provide for certain reporting with respect to insurance and with respect to certain claims against uninsured or self-insured persons; to prescribe duties for certain state departments and officers with respect to that reporting; to provide for certain assessments; to establish and continue certain state insurance funds; to modify and clarify the status, rights, powers, duties, and operations of the nonprofit malpractice insurance fund; to provide for the departmental supervision and regulation of the insurance and surety business within this state; to provide for regulation over worker's compensation self-insurers; to provide for the conservation, rehabilitation, or liquidation of unsound or insolvent insurers; to provide for the protection of policyholders, claimants, and creditors of unsound or insolvent insurers; to provide for associations of insurers to protect policyholders and claimants in the event of insurer insolvencies; to prescribe educational requirements for insurance agents and solicitors; to provide for the regulation of multiple employer welfare arrangements; to create an automobile theft prevention authority to reduce the number of automobile thefts in this state; to prescribe the powers and duties of the automobile theft prevention authority; to provide certain powers and duties upon certain officials, departments, and authorities of this state; to provide for an appropriation; to repeal acts and parts of acts; and to provide penalties for the violation of this act," (MCL 500.100 to 500.8302) by adding section 3406q.

(Filed with the Secretary of State on July 26, 2002, at 2:23 p.m.)

Date: July 25, 2002

Time: 10:45 p.m.

To the President of the Senate:

Sir—I have this day approved and signed

**Enrolled Senate Bill No. 1242 (Public Act No. 539), being**

An act to amend 1980 PA 350, entitled "An act to provide for the incorporation of nonprofit health care corporations; to provide their rights, powers, and immunities; to prescribe the powers and duties of certain state officers relative to the exercise of those rights, powers, and immunities; to prescribe certain conditions for the transaction of business by those corporations in this state; to define the relationship of health care providers to nonprofit health care corporations and to specify their rights, powers, and immunities with respect thereto; to provide for a Michigan caring program; to provide for the regulation and supervision of nonprofit health care corporations by the commissioner of insurance; to prescribe powers and duties of certain other state officers with respect to the regulation and supervision of nonprofit health care corporations; to provide for the imposition of a regulatory fee; to regulate the merger or consolidation of certain corporations; to prescribe an expeditious and effective procedure for the maintenance and conduct of certain administrative appeals relative to provider class plans; to provide for certain administrative hearings relative to rates for health care benefits; to provide for certain causes of action; to prescribe penalties and to provide civil fines for violations of this act; and to repeal certain acts and parts of acts," (MCL 550.1101 to 550.1704) by adding section 416c.

(Filed with the Secretary of State on July 26, 2002, at 2:25 p.m.)

Date: July 25, 2002

Time: 10:55 p.m.

To the President of the Senate:

Sir—I have this day approved and signed

**Enrolled Senate Bill No. 1302 (Public Act No. 541), being**

An act to amend 2001 PA 34, entitled "An act relative to the borrowing of money and the issuance of certain debt and securities; to provide for tax levies and sinking funds; to prescribe powers and duties of certain departments, state agencies, officials, and employees; to impose certain duties, requirements, and filing fees upon political subdivisions of this state; to authorize the issuance of certain debt and securities; to prescribe penalties; and to repeal acts and parts of acts," by amending sections 105, 303, 319, 401, 517, and 809 (MCL 141.2105, 141.2303, 141.2319, 141.2401, 141.2517, and 141.2809) and by adding sections 304, 308, and 802; and to repeal acts and parts of acts.

(Filed with the Secretary of State on July 26, 2002, at 2:29 p.m.)

Date: July 25, 2002

Time: 10:58 p.m.

To the President of the Senate:

Sir—I have this day approved and signed

**Enrolled Senate Bill No. 1275 (Public Act No. 542), being**

An act to amend 1994 PA 295, entitled "An act to require persons convicted of certain offenses to register; to prescribe the powers and duties of certain departments and agencies in connection with that registration; and to prescribe penalties and sanctions," by amending sections 2, 5, 5a, 7, 8, 9, and 10 (MCL 28.722, 28.725, 28.725a, 28.727, 28.728, 28.729, and 28.730), sections 2, 5, 7, 8, 9, and 10 as amended and section 5a as added by 1999 PA 85, and by adding sections 1a and 4a.

(Filed with the Secretary of State on July 26, 2002, at 2:31 p.m.)

Date: July 25, 2002  
Time: 11:00 p.m.

To the President of the Senate:

Sir—I have this day approved and signed

**Enrolled Senate Bill No. 184 (Public Act No. 543), being**

An act to amend 1963 PA 17, entitled “An act to relieve certain persons from civil liability when rendering emergency care, when rendering care to persons involved in competitive sports under certain circumstances, or when participating in a mass immunization program approved by the department of public health,” by amending sections 1 and 2 (MCL 691.1501 and 691.1502), section 1 as amended by 1987 PA 30.

(Filed with the Secretary of State on July 26, 2002, at 2:33 p.m.)

Date: July 25, 2002  
Time: 11:02 p.m.

To the President of the Senate:

Sir—I have this day approved and signed

**Enrolled Senate Bill No. 794 (Public Act No. 544), being**

An act to amend 1978 PA 368, entitled “An act to protect and promote the public health; to codify, revise, consolidate, classify, and add to the laws relating to public health; to provide for the prevention and control of diseases and disabilities; to provide for the classification, administration, regulation, financing, and maintenance of personal, environmental, and other health services and activities; to create or continue, and prescribe the powers and duties of, departments, boards, commissions, councils, committees, task forces, and other agencies; to prescribe the powers and duties of governmental entities and officials; to regulate occupations, facilities, and agencies affecting the public health; to regulate health maintenance organizations and certain third party administrators and insurers; to provide for the imposition of a regulatory fee; to promote the efficient and economical delivery of health care services, to provide for the appropriate utilization of health care facilities and services, and to provide for the closure of hospitals or consolidation of hospitals or services; to provide for the collection and use of data and information; to provide for the transfer of property; to provide certain immunity from liability; to regulate and prohibit the sale and offering for sale of drug paraphernalia under certain circumstances; to provide for the implementation of federal law; to provide for penalties and remedies; to provide for sanctions for violations of this act and local ordinances; to provide for an appropriation and supplements; to repeal certain acts and parts of acts; to repeal certain parts of this act; and to repeal certain parts of this act on specific dates,” by amending section 2882 (MCL 333.2882), as amended by 1997 PA 54.

(Filed with the Secretary of State on July 26, 2002, at 2:35 p.m.)

Date: July 25, 2002  
Time: 11:05 p.m.

To the President of the Senate:

Sir—I have this day approved and signed

**Enrolled Senate Bill No. 833 (Public Act No. 545), being**

An act to amend 1933 PA 99, entitled “An act to authorize villages, townships, cities, and school districts to enter into contracts and agreements for the purchase of real or personal property for public purposes; to provide for the payment of the purchase price thereof; to authorize school districts to enter into certain other contracts; and to prescribe the use of the real or personal property,” by amending section 1 (MCL 123.721), as amended by 1997 PA 77.

(Filed with the Secretary of State on July 26, 2002, at 2:37 p.m.)

Date: July 25, 2002  
Time: 11:07 p.m.

To the President of the Senate:

Sir—I have this day approved and signed

**Enrolled Senate Bill No. 1174 (Public Act No. 546), being**

An act to amend 1969 PA 295, entitled “An act to establish the Michigan higher education facilities authority; to prescribe its powers and duties; to authorize the authority to borrow money and issue bonds for educational facilities; to exempt the bonds from taxation; and to authorize the authority to lend money to nonprofit educational institutions in this state to finance or refinance capital improvements,” by amending section 6 (MCL 390.926), as amended by 1982 PA 409.

(Filed with the Secretary of State on July 26, 2002, at 2:39 p.m.)

Date: July 25, 2002  
Time: 11:09 p.m.

To the President of the Senate:

Sir—I have this day approved and signed

**Enrolled Senate Bill No. 1175 (Public Act No. 547), being**

An act to amend 1975 PA 222, entitled “An act to establish the Michigan higher education student loan authority for the purpose of providing loans to eligible students and to parents of students; to prescribe its powers and duties; to authorize the authority to borrow money and issue bonds which are subject to or exempt from federal income taxation and to provide for the disposition of those funds; to exempt the bonds from taxation; to authorize the authority to acquire loans made to eligible students or to parents of students; and to authorize persons, corporations, and associations to make gifts to the authority,” by amending section 5 (MCL 390.1155), as amended by 1984 PA 259.

(Filed with the Secretary of State on July 26, 2002, at 2:41 p.m.)

Date: July 25, 2002  
Time: 11:12 p.m.

To the President of the Senate:

Sir—I have this day approved and signed

**Enrolled Senate Bill No. 1176 (Public Act No. 548), being**

An act to amend 1976 PA 289, entitled “An act to implement, clarify, and confirm the constitutional powers of the bodies corporate controlling those institutions of higher education named in sections 4, 5, and 6 of article 8 of the state constitution of 1963, or established by law as therein provided, regarding the establishment and financing of student loan programs,” by amending section 2 (MCL 390.1352).

(Filed with the Secretary of State on July 26, 2002, at 2:43 p.m.)

Date: July 25, 2002  
Time: 11:16 p.m.

To the President of the Senate:

Sir—I have this day approved and signed

**Enrolled Senate Bill No. 534 (Public Act No. 550), being**

An act to amend 1968 PA 251, entitled “An act to regulate the creation and management of cemeteries; to regulate the sale of cemetery services and merchandise; to provide for a cemetery commissioner, and to prescribe the powers and duties of the commissioner; to require the registration and audit of cemeteries; to regulate persons selling burial, entombment, or columbarium rights, cemetery services, or cemetery merchandise; and to prescribe penalties,” by amending section 9 (MCL 456.529), as amended by 1982 PA 132.

(Filed with the Secretary of State on July 26, 2002, at 2:47 p.m.)

Date: July 25, 2002  
Time: 11:18 p.m.

To the President of the Senate:

Sir—I have this day approved and signed

**Enrolled Senate Bill No. 535 (Public Act No. 551), being**

An act to amend 1927 PA 10, entitled “An act to authorize cemetery corporations to sell or convey property rights, franchises and liabilities to a municipal corporation,” by amending the title and sections 1, 2, 3, and 4 (MCL 456.181, 456.182, 456.183, and 456.184).

(Filed with the Secretary of State on July 26, 2002, at 2:49 p.m.)

Date: July 25, 2002  
Time: 11:30 p.m.

To the President of the Senate:

Sir—I have this day approved and signed

**Enrolled Senate Bill No. 924 (Public Act No. 553), being**

An act to amend 1972 PA 222, entitled “An act to provide for an official personal identification card; to provide for its form, issuance and use; to regulate the use and disclosure of information obtained from the card; to prescribe the powers and duties of the secretary of state; to prescribe fees; and to prescribe certain penalties for violations,” by amending the title and section 2 (MCL 28.292), the title as amended by 1997 PA 99 and section 2 as amended by 2001 PA 238.

(Filed with the Secretary of State on July 26, 2002, at 2:53 p.m.)

Date: July 25, 2002  
Time: 11:32 p.m.

To the President of the Senate:

Sir—I have this day approved and signed

**Enrolled Senate Bill No. 925 (Public Act No. 554), 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 repeal all other acts or parts of acts inconsistent with this act or contrary to this act; and to repeal certain parts of this act on a specific date,” by amending the title and sections 310, 310e, and 314 (MCL 257.310, 257.310e, and 257.314), the title as amended by 2000 PA 408, section 310 as amended by 2002 PA 126, section 310e as amended by 2002 PA 422, and section 314 as amended by 2000 PA 173.

(Filed with the Secretary of State on July 26, 2002, at 2:55 p.m.)

Date: July 25, 2002  
Time: 11:40 p.m.

To the President of the Senate:

Sir—I have this day approved and signed

**Enrolled Senate Bill No. 1062 (Public Act No. 555), being**

An act to amend 1913 PA 380, entitled “An act to regulate gifts of real and personal property to cities, villages, townships, and counties, and the use of the those gifts; and to validate all such gifts made before the enactment of this act,” by amending section 1 (MCL 123.871), as amended by 1985 PA 9; and to repeal acts and parts of acts.

(Filed with the Secretary of State on July 26, 2002, at 2:57 p.m.)

Date: July 25, 2002  
Time: 11:42 p.m.

To the President of the Senate:

Sir—I have this day approved and signed

**Enrolled Senate Bill No. 1170 (Public Act No. 556), being**

An act to amend 1984 PA 270, entitled “An act relating to the economic development of this state; to create the Michigan strategic fund and to prescribe its powers and duties; to transfer and provide for the acquisition and succession to the rights, properties, obligations, and duties of the job development authority and the Michigan economic development authority to the Michigan strategic fund; to provide for the expenditure of proceeds in certain funds to which the Michigan strategic fund succeeds in ownership; to provide for the issuance of, and terms and conditions for, notes and bonds of the Michigan strategic fund; to exempt the property, income, and operation of the fund and its bonds and notes, and the interest thereon, from certain taxes; to provide for the creation of certain centers within and for the purposes of the Michigan strategic fund; to provide for the creation and funding of certain accounts for certain purposes; to impose certain powers and duties upon certain officials, departments, and authorities of the state; to provide penalties; and to repeal certain acts and parts of acts,” by amending sections 23 and 47 (MCL 125.2023 and 125.2047), section 23 as amended by 1987 PA 278.

(Filed with the Secretary of State on July 26, 2002, at 2:59 p.m.)

Date: July 25, 2002  
Time: 11:45 p.m.

To the President of the Senate:

Sir—I have this day approved and signed

**Enrolled Senate Bill No. 1266 (Public Act No. 557), being**

An act to amend 1951 PA 51, entitled “An act to provide for the classification of all public roads, streets, and highways in this state, and for the revision of that classification and for additions to and deletions from each

classification; to set up and establish the Michigan transportation fund; to provide for the deposits in the Michigan transportation fund of specific taxes on motor vehicles and motor vehicle fuels; to provide for the allocation of funds from the Michigan transportation fund and the use and administration of the fund for transportation purposes; to set up and establish the truck safety fund; to provide for the allocation of funds from the truck safety fund and administration of the fund for truck safety purposes; to set up and establish the Michigan truck safety commission; to establish certain standards for road contracts for certain businesses; to provide for the continuing review of transportation needs within the state; to authorize the state transportation commission, counties, cities, and villages to borrow money, issue bonds, and make pledges of funds for transportation purposes; to authorize counties to advance funds for the payment of deficiencies necessary for the payment of bonds issued under this act; to provide for the limitations, payment, retirement, and security of the bonds and pledges; to provide for appropriations and tax levies by counties and townships for county roads; to authorize contributions by townships for county roads; to provide for the establishment and administration of the state trunk line fund, critical bridge fund, comprehensive transportation fund, and certain other funds; to provide for the deposits in the state trunk line fund, critical bridge fund, comprehensive transportation fund, and certain other funds of money raised by specific taxes and fees; to provide for definitions of public transportation functions and criteria; to define the purposes for which Michigan transportation funds may be allocated; to provide for Michigan transportation fund grants; to provide for review and approval of transportation programs; to provide for submission of annual legislative requests and reports; to provide for the establishment and functions of certain advisory entities; to provide for conditions for grants; to provide for the issuance of bonds and notes for transportation purposes; to provide for the powers and duties of certain state and local agencies and officials; to provide for the making of loans for transportation purposes by the state transportation department and for the receipt and repayment by local units and agencies of those loans from certain specified sources; and to repeal acts and parts of acts," by amending section 18d (MCL 247.668d).

(Filed with the Secretary of State on July 26, 2002, at 3:01 p.m.)

Date: August 27, 2002  
Time: 9:40 a.m.

To the President of the Senate:

Sir—I have this day approved and signed

**Enrolled Senate Bill No. 395 (Public Act No. 558), being**

An act to establish the Michigan days of remembrance of the Armenian genocide.

(Filed with the Secretary of State on August 28, 2002, at 4:42 p.m.)

Respectfully,  
John Engler  
Governor

Date: September 27, 2002  
Time: 2:27 p.m.

To the President of the Senate:

Sir—I have this day approved and signed

**Enrolled Senate Bill No. 749 (Public Act No. 559), being**

An act to amend 1980 PA 350, entitled "An act to provide for the incorporation of nonprofit health care corporations; to provide their rights, powers, and immunities; to prescribe the powers and duties of certain state officers relative to the exercise of those rights, powers, and immunities; to prescribe certain conditions for the transaction of business by those corporations in this state; to define the relationship of health care providers to nonprofit health care corporations and to specify their rights, powers, and immunities with respect thereto; to provide for a Michigan caring program; to provide for the regulation and supervision of nonprofit health care corporations by the commissioner of insurance; to prescribe powers and duties of certain other state officers with respect to the regulation and supervision of nonprofit health care corporations; to provide for the imposition of a regulatory fee; to regulate the merger or consolidation of certain corporations; to prescribe an expeditious and effective procedure for the maintenance and conduct of certain administrative appeals relative to provider class plans; to provide for certain administrative hearings relative to rates for health care benefits; to provide for certain causes of action; to prescribe penalties and to provide civil fines for violations of this act; and to repeal certain acts and parts of acts," by amending sections 451, 455, 459, 461, 465, 469, and 479 (MCL 550.1451, 550.1455, 550.1459, 550.1461, 550.1465, 550.1469, and 550.1479), as added by 1994 PA 40, and by adding sections 218, 480, and 480a; and to repeal acts and parts of acts.

(Filed with the Secretary of State on September 27, 2002, at 2:40 p.m.)

Respectfully,  
Richard Posthumus  
Acting and Lieutenant Governor

Date: September 30, 2002  
Time: 3:40 p.m.

To the President of the Senate:

Sir—I have this day approved and signed

**Enrolled Senate Bill No. 287 (Public Act No. 560), being**

An act to make, supplement, and adjust appropriations for capital outlay and certain state departments for the fiscal year ending September 30, 2002 and the fiscal year ending September 30, 2003; to provide for the expenditure of the appropriations; to prescribe certain conditions for the appropriations; and to repeal acts and parts of acts.

(Filed with the Secretary of State on September 30, 2002, at 4:25 p.m.)

Date: October 1, 2002  
Time: 4:30 p.m.

To the President of the Senate:

Sir—I have this day approved and signed

**Enrolled Senate Bill No. 1323 (Public Act No. 562), being**

An act to amend 1978 PA 368, entitled “An act to protect and promote the public health; to codify, revise, consolidate, classify, and add to the laws relating to public health; to provide for the prevention and control of diseases and disabilities; to provide for the classification, administration, regulation, financing, and maintenance of personal, environmental, and other health services and activities; to create or continue, and prescribe the powers and duties of, departments, boards, commissions, councils, committees, task forces, and other agencies; to prescribe the powers and duties of governmental entities and officials; to regulate occupations, facilities, and agencies affecting the public health; to regulate health maintenance organizations and certain third party administrators and insurers; to provide for the imposition of a regulatory fee; to promote the efficient and economical delivery of health care services, to provide for the appropriate utilization of health care facilities and services, and to provide for the closure of hospitals or consolidation of hospitals or services; to provide for the collection and use of data and information; to provide for the transfer of property; to provide certain immunity from liability; to regulate and prohibit the sale and offering for sale of drug paraphernalia under certain circumstances; to provide for the implementation of federal law; to provide for penalties and remedies; to provide for sanctions for violations of this act and local ordinances; to provide for an appropriation and supplements; to repeal certain acts and parts of acts; to repeal certain parts of this act; and to repeal certain parts of this act on specific dates,” by amending sections 2803, 2834, 2835, 2848, 2888, and 20161 (MCL 333.2803, 333.2834, 333.2835, 333.2848, 333.2888, and 333.20161), section 2835 as amended by 1999 PA 207 and section 20161 as amended by 2002 PA 303.

(Filed with the Secretary of State on October 1, 2002, at 4:48 p.m.)

Date: October 10, 2002  
Time: 8:20 p.m.

To the President of the Senate:

Sir—I have this day approved and signed

**Enrolled Senate Bill No. 593 (Public Act No. 579), being**

An act to amend 1933 PA 167, entitled “An act to provide for the raising of additional public revenue by prescribing certain specific taxes, fees, and charges to be paid to the state for the privilege of engaging in certain business activities; to provide, incident to the enforcement thereof, for the issuance of licenses to engage in such occupations; to provide for the ascertainment, assessment and collection thereof; to appropriate the proceeds thereof; and to prescribe penalties for violations of the provisions of this act,” by amending section 15 (MCL 205.65), as amended by 1993 PA 325.

(Filed with the Secretary of State on October 14, 2002, at 9:48 a.m.)

Date: October 10, 2002  
Time: 8:24 p.m.

To the President of the Senate:

Sir—I have this day approved and signed

**Enrolled Senate Bill No. 594 (Public Act No. 580), 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 5 (MCL 205.95), as amended by 2002 PA 255.

(Filed with the Secretary of State on October 14, 2002, at 9:50 a.m.)



Date: October 10, 2002  
Time: 8:30 p.m.

To the President of the Senate:

Sir—I have this day approved and signed

**Enrolled Senate Bill No. 595 (Public Act No. 581), being**

An act to amend 1967 PA 281, entitled “An act to meet deficiencies in state funds by providing for the imposition, levy, computation, collection, assessment, and enforcement by lien and otherwise of taxes on or measured by net income; to prescribe the manner and time of making reports and paying the taxes, and the functions of public officers and others as to the taxes; to permit the inspection of the records of taxpayers; to provide for interest and penalties on unpaid taxes; to provide exemptions, credits and refunds of the taxes; to prescribe penalties for the violation of this act; to provide an appropriation; and to repeal certain acts and parts of acts,” by amending section 451 (MCL 206.451), as amended by 1987 PA 254.

(Filed with the Secretary of State on October 14, 2002, at 9:52 a.m.)

Date: October 10, 2002  
Time: 8:35 p.m.

To the President of the Senate:

Sir—I have this day approved and signed

**Enrolled Senate Bill No. 1020 (Public Act No. 582), being**

An act to amend 1917 PA 74, entitled “An act to fix standards for climax baskets for grapes and other fruits and vegetables, and to fix standards for baskets and other containers for small fruits, berries, and vegetables, and to punish violations of the same,” by amending section 4 (MCL 290.134).

(Filed with the Secretary of State on October 14, 2002, at 9:54 a.m.)

Date: October 10, 2002  
Time: 9:10 p.m.

To the President of the Senate:

Sir—I have this day approved and signed

**Enrolled Senate Bill No. 1086 (Public Act No. 585), being**

An act to amend 1954 PA 188, entitled “An act to provide for the making of certain improvements by townships; to provide for paying for the improvements by the issuance of bonds; to provide for the levying of taxes; to provide for assessing the whole or a part of the cost of improvements against property benefited; and to provide for the issuance of bonds in anticipation of the collection of special assessments and for the obligation of the township on the bonds,” by amending section 2 (MCL 41.722), as amended by 1995 PA 139.

(Filed with the Secretary of State on October 14, 2002, at 10:00 a.m.)

Date: October 16, 2002  
Time: 10:48 a.m.

To the President of the Senate:

Sir—I have this day approved and signed

**Enrolled Senate Bill No. 1315 (Public Act No. 587), being**

An act to amend 1996 PA 376, entitled “An act to create and expand certain renaissance zones; to foster economic opportunities in this state; to facilitate economic development; to stimulate industrial, commercial, and residential improvements; to prevent physical and infrastructure deterioration of geographic areas in this state; to authorize expenditures; to provide exemptions and credits from certain taxes; to create certain obligations of this state and local governmental units; to require disclosure of certain transactions and gifts; to provide for appropriations; and to prescribe the powers and duties of certain state and local departments, agencies, and officials,” by amending section 8a (MCL 125.2688a), as amended by 2002 PA 512.

(Filed with the Secretary of State on October 16, 2002, at 2:12 p.m.)

Date: October 17, 2002  
Time: 9:40 a.m.

To the President of the Senate:

Sir—I have this day approved and signed

**Enrolled Senate Bill No. 1316 (Public Act No. 593), being**

An act to create and provide for the operation of the Michigan next energy authority; to provide for the powers and duties of the authority; to promote alternative energy technology and economic growth; and to exempt property of an authority from tax.

(Filed with the Secretary of State on October 17, 2002, at 10:54 a.m.)

Date: October 17, 2002  
Time: 9:45 a.m.

To the President of the Senate:

Sir—I have this day approved and signed

**Enrolled Senate Bill No. 562 (Public Act No. 592), 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,” (MCL 380.1 to 380.1852) by adding section 1279a.

(Filed with the Secretary of State on October 17, 2002, at 10:52 a.m.)

Date: October 17, 2002  
Time: 9:48 a.m.

To the President of the Senate:

Sir—I have this day approved and signed

**Enrolled Senate Bill No. 793 (Public Act No. 591), being**

An act to establish an educational scholarship program for eligible resident students enrolled in certain nursing programs; to prescribe conditions for repayment of the scholarships; to provide for the administration of the Michigan nursing scholarship program; and to prescribe certain powers and duties of certain state officers, agencies, and departments.

(Filed with the Secretary of State on October 17, 2002, at 10:50 a.m.)

Date: October 17, 2002  
Time: 9:50 a.m.

To the President of the Senate:

Sir—I have this day approved and signed

**Enrolled Senate Bill No. 1119 (Public Act No. 590), being**

An act to amend 1978 PA 368, entitled “An act to protect and promote the public health; to codify, revise, consolidate, classify, and add to the laws relating to public health; to provide for the prevention and control of diseases and disabilities; to provide for the classification, administration, regulation, financing, and maintenance of personal, environmental, and other health services and activities; to create or continue, and prescribe the powers and duties of, departments, boards, commissions, councils, committees, task forces, and other agencies; to prescribe the powers and duties of governmental entities and officials; to regulate occupations, facilities, and agencies affecting the public health; to regulate health maintenance organizations and certain third party administrators and insurers; to provide for the imposition of a regulatory fee; to promote the efficient and economical delivery of health care services, to provide for the appropriate utilization of health care facilities and services, and to provide for the closure of hospitals or consolidation of hospitals or services; to provide for the collection and use of data and information; to provide for the transfer of property; to provide certain immunity from liability; to regulate and prohibit the sale and offering for sale of drug paraphernalia under certain circumstances; to provide for the implementation of federal law; to provide for penalties and remedies; to provide for sanctions for violations of this act and local ordinances; to provide for an appropriation and supplements; to repeal certain acts and parts of acts; to repeal certain parts of this act; and to repeal certain parts of this act on specific dates,” by amending section 16621 (MCL 333.16621), as amended by 2000 PA 160.

(Filed with the Secretary of State on October 17, 2002, at 10:48 a.m.)

Date: October 17, 2002  
Time: 9:55 a.m.

To the President of the Senate:

Sir—I have this day approved and signed

**Enrolled Senate Bill No. 554 (Public Act No. 589), being**

An act to amend 1974 PA 258, entitled “An act to codify, revise, consolidate, and classify the laws relating to mental health; to prescribe the powers and duties of certain state and local agencies and officials and certain private agencies

and individuals; to regulate certain agencies and facilities providing mental health services; to provide for certain charges and fees; to establish civil admission procedures for individuals with mental illness or developmental disability; to establish guardianship procedures for individuals with developmental disability; to establish procedures regarding individuals with mental illness or developmental disability who are in the criminal justice system; to provide for penalties and remedies; and to repeal acts and parts of acts,” by amending section 100c (MCL 330.1100c), as added by 1995 PA 290.

(Filed with the Secretary of State on October 17, 2002, at 10:46 a.m.)

Date: October 17, 2002

Time: 10:00 a.m.

To the President of the Senate:

Sir—I have this day approved and signed

**Enrolled Senate Bill No. 555 (Public Act No. 594), being**

An act to amend 1974 PA 258, entitled “An act to codify, revise, consolidate, and classify the laws relating to mental health; to prescribe the powers and duties of certain state and local agencies and officials and certain private agencies and individuals; to regulate certain agencies and facilities providing mental health services; to provide for certain charges and fees; to establish civil admission procedures for individuals with mental illness or developmental disability; to establish guardianship procedures for individuals with developmental disability; to establish procedures regarding individuals with mental illness or developmental disability who are in the criminal justice system; to provide for penalties and remedies; and to repeal acts and parts of acts,” (MCL 330.1001 to 330.2106) by adding section 204b.

(Filed with the Secretary of State on October 17, 2002, at 10:56 a.m.)

Date: October 17, 2002

Time: 10:02 a.m.

To the President of the Senate:

Sir—I have this day approved and signed

**Enrolled Senate Bill No. 556 (Public Act No. 595), being**

An act to amend 1974 PA 258, entitled “An act to codify, revise, consolidate, and classify the laws relating to mental health; to prescribe the powers and duties of certain state and local agencies and officials and certain private agencies and individuals; to regulate certain agencies and facilities providing mental health services; to provide for certain charges and fees; to establish civil admission procedures for individuals with mental illness or developmental disability; to establish guardianship procedures for individuals with developmental disability; to establish procedures regarding individuals with mental illness or developmental disability who are in the criminal justice system; to provide for penalties and remedies; and to repeal acts and parts of acts,” by amending section 226 (MCL 330.1226), as amended by 2000 PA 273.

(Filed with the Secretary of State on October 17, 2002, at 10:58 a.m.)

Respectfully,  
John Engler  
Governor

The following messages from the Governor were received:

July 25, 2002

Today I have signed Enrolled Senate Bill 1102, the Fiscal Year 2003 appropriations bill for the Department of Corrections.

This bill will complete the Fiscal Year 2003 budget for the Department of Corrections. My action today:

- Provides a \$19.1 million increase for prison beds to address the projected prison population. Included in the increase is funding to reopen beds at the former Jackson Maximum Correctional Facility and the Michigan Reformatory in Ionia.
- Includes an additional investment of \$3.3 million for prisoner managed health care. The department’s managed care program has saved the state at least \$50 million since its inception in 1997.
- Maintains current year funding of \$20.1 million to provide substance abuse testing and treatment for prisoners, parolees, and probationers.
- Continues to provide \$15 million for probation residential centers and \$13 million for community corrections services. These vital programs help to maintain local options as alternatives to imprisonment in state facilities.
- Provides \$10.6 million for the boot camp program near Chelsea. This program that began in 1988 has been proven to be a cost-effective approach to deterring offenders from future criminal behavior.

- Maintains funding of \$18.5 million for the County Jail Reimbursement Program. This program will pay counties \$43.50 per day for up to one year to house felons who otherwise would have been sent to a state prison.

I commend the Legislature for its prompt action in finalizing the fiscal year 2003 budget for the Department of Corrections.

September 30, 2002

Today I have signed Enrolled Senate Bill 287, which provides funding for the departments of Agriculture; Community Health; History, Arts and Libraries and for Capital Outlay and Community Colleges. This budget bill provides funding of \$12.6 million (\$0 general fund) for fiscal year 2003 and \$25.4 million (\$.3 million general fund) for fiscal year 2002.

Among other items, this bill provides \$12.6 million in state restricted revenues to fund the Racing Commissioner's Office and to fund horse racing programs at levels which can be supported with available revenues.

This bill also appropriates \$25.1 million (\$0 general fund) to the Department of Community Health to implement of the nursing home quality assurance assessment program for the final quarter of fiscal year 2002. This appropriation will support a 7% Medicaid rate increase for nursing homes.

In addition, this bill provides construction authorization for two higher education building projects; the Van Buren Center project at Lake Michigan College and the Integrated Learning and Information Technology Center at Michigan Technological University.

I thank the Legislature for your work on these supplemental appropriations for fiscal years 2002 and 2003.

Sincerely,  
John Engler  
Governor

The following message from the Governor was received on July 25, 2002, and read:

EXECUTIVE ORDER  
No. 2002 - 12

**Michigan Higher Education Assistance Authority  
Michigan Higher Education Facilities Authority  
Michigan Higher Education Student Loan Authority  
Michigan Municipal Bond Authority  
State Hospital Finance Authority  
Department of Treasury**

**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, the Department of Treasury serves as the fiscal agent for various state authorities, including the Michigan Higher Education Assistance Authority, the Michigan Higher Education Facilities Authority, the Michigan Higher Education Student Loan Authority, the Michigan Municipal Bond Authority, and the State Hospital Finance Authority; and

Whereas, the Department of Treasury is responsible for various state investment and debt management and issuance functions and assists these authorities with debt issuance to ensure that these functions are accomplished in a coordinated, cost-efficient and effective manner; and

Whereas, the Michigan Higher Education Assistance Authority, the Michigan Higher Education Facilities Authority, the Michigan Higher Education Student Loan Authority, the Michigan Municipal Bond Authority, and the State Hospital Finance Authority currently maintain separate administrative staff, resulting in a duplication of tasks and structure; and

Whereas, sound management dictates combining the administrative staff of the Michigan Higher Education Assistance Authority, the Michigan Higher Education Facilities Authority, the Michigan Higher Education Student

Loan Authority, the Michigan Municipal Bond Authority, and the State Hospital Finance Authority into a single work unit under the direction and supervision of the State Treasurer, thereby merging the administrative staff into a more efficient and coordinated management structure; and

Whereas, it is necessary in the interests of efficient administration and 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. "Administrative staff" means any and all state classified personnel who perform any function for the authorities covered by the provisions of this Executive Order.

B. The "Department of Treasury" means the principal department created by Section 75 of Act No. 380 of the Public Acts of 1965, being Section 16.175 of the Michigan Compiled Laws.

C. The "Michigan Higher Education Assistance Authority" means the non-profit authority created as an agency within the Department of Education by Section 1 of Act No. 77 of the Public Acts of 1960, as amended, being Section 390.951 of the Michigan Compiled Laws, and transferred to the Department of Treasury by Executive Order 1995-3, being Section 12.181 of the Michigan Compiled Laws.

D. The "Michigan Higher Education Facilities Authority" means the public body corporate and politic created as an agency and instrumentality of the state within the Department of Education by Section 3 of Act. No. 295 of the Public Acts of 1969, as amended, being Section 390.923 of the Michigan Compiled Laws, and transferred to the Department of Treasury by Executive Order 1992-2, being Section 390.940 of the Michigan Compiled Laws.

E. The "Michigan Higher Education Student Loan Authority" means the public body corporate and politic created within the Department of Education by Section 3 of Act No. 222 of the Public Acts of 1975, as amended, being Section 390.1153 of the Michigan Compiled Laws, and transferred to the Department of Treasury by Executive Order 1995-3, being Section 12.181 of the Michigan Compiled Laws.

F. The "Michigan Municipal Bond Authority" means the body corporate, separate and distinct from the state, created within the Department of Treasury by Act No. 227 of the Public Acts of 1985, as amended, being Section 141.1051 *et seq.* of the Michigan Compiled Laws.

G. The "State Hospital Finance Authority" means the public body corporate and politic of the state created within the Department of Treasury by Section 11 of Act No. 38 of 1969, as amended, being Section 331.41 of the Michigan Compiled Laws.

## **II. TRANSFERS**

A. The administrative staff of the Michigan Higher Education Assistance Authority, the Michigan Higher Education Facilities Authority, the Michigan Higher Education Student Loan Authority, the Michigan Municipal Bond Authority, and the State Hospital Finance Authority are hereby combined into a single work unit under the direction and supervision of the State Treasurer, thereby merging the administrative staff from each separate authority into this work unit.

B. The Michigan Higher Education Assistance Authority, the Michigan Higher Education Facilities Authority, the Michigan Higher Education Student Loan Authority, the Michigan Municipal Bond Authority, and the State Hospital Finance Authority shall retain, with the exception of those functions set forth in paragraph II. C., all of the remaining statutory authority, powers, duties, and responsibilities, which they have and shall continue to exercise independently of the State Treasurer. These functions shall include, but not be limited to, the functions of rule-making, adjudication, licensing and regulation, and the prescription of rules, rates, regulations and standards as applicable. This transfer is subject to any agreement executed prior to the issuance of this order with note holders, bond holders or issuers of instruments that are guaranteed.

C. All administrative functions, including budgeting, procurement, personnel, and management functions related to the administrative staff of the Michigan Higher Education Assistance Authority, the Michigan Higher Education Facilities Authority, the Michigan Higher Education Student Loan Authority, the Michigan Municipal Bond Authority, and the State Hospital Finance Authority, including, but not limited to, the statutory authority, powers, duties and responsibilities related to administrative staff set forth in:

1. Section 7(d) of Act No. 77 of the Public Acts of 1960, as amended, being Section 390.957(d) of the Michigan Compiled Laws (power of Michigan Higher Education Assistance Authority to competitively contract for services, including contracts related to administrative staff);

2. Section 4(l) of Act No. 295 of the Public Acts of 1969, as amended, being Section 390.924(l) of the Michigan Compiled Laws (power of Michigan Higher Education Facilities Authority to appoint employees, describe their duties and fix their compensation subject to the civil service laws of the state);

3. Section 4(k) of Act No. 222 of the Public Acts of 1975, as amended, being Section 390.1154(k) of the Michigan Compiled Laws (power of Michigan Higher Education Student Loan Authority to appoint employees, describe their duties and fix their compensation subject to the rules promulgated by the state department of civil service);

4. Section 6(1) of Act No. 227 of the Public Acts of 1985, as amended, being Section 141.1056(1) of the Michigan Compiled Laws (power of Michigan Municipal Bond Authority Board to employ permanent or temporary employees); and

5. Section 12(j) of Act No. 38 of the Public Acts of 1969, as amended, being Section 331.42(j) of the Michigan Compiled Laws (power of the State Hospital Finance Authority to engage necessary personnel) are hereby transferred to the State Treasurer.

D. The State Treasurer shall hereafter function as the appointing authority for the state classified administrative staff employees of the Michigan Higher Education Assistance Authority, the Michigan Higher Education Facilities Authority, the Michigan Higher Education Student Loan Authority, the Michigan Municipal Bond Authority, and the State Hospital Finance Authority.

### III. MISCELLANEOUS

A. The State Treasurer shall, in the State Treasurer's discretion, ensure that the administrative staff resources available to the Michigan Higher Education Assistance Authority, the Michigan Higher Education Facilities Authority, the Michigan Higher Education Student Loan Authority, the Michigan Municipal Bond Authority, and the State Hospital Finance Authority are sufficient to perform the functions of the respective authorities as provided for by law.

B. The State Treasurer shall provide executive direction and supervision for the implementation of the transfer made under this Order. The assigned functions shall be administered under the direction and supervision of the State Treasurer.

C. The State Treasurer 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.

D. All records, personnel, property, grants and unexpended balances of appropriations, allocations and other funds used, held, employed, available or to be made available for the activities, power, duties, functions and responsibilities transferred by this Order are hereby transferred to the State Treasurer.

E. 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 year.

F. All rules, orders, contracts, grants and agreements relating to the functions transferred to the Department of Treasury or the State Treasurer 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.

G. 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.

H. 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 25th day of July, 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 August 1, 2002, and read:

EXECUTIVE ORDER  
No. 2002 - 13

**Office of the State Employer  
Department of Management and Budget  
Department of Civil Service**

**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, Article XI, Section 5, of the Constitution of the State of Michigan of 1963 empowers the Michigan Civil Service Commission to fix rates of compensation for all classes of positions, to make rules and regulations covering all personnel transactions, and to regulate all conditions of employment in the state classified service; and

Whereas, the Office of State Employer currently administers the state employee benefit programs; and

Whereas, Executive Order 1996-5, being Section 38.1171 of the Michigan Compiled Laws, transferred the state employee benefit programs from the Department of Civil Service to the Department of Management and Budget, and the Director of the Department of Management and Budget delegated their administration to the Office of the State Employer; and

Whereas, the Office of the State Employer also administers the employee Quality Recognition System; and

Whereas, the state employee benefit programs and the Quality Recognition System may be more effectively and efficiently administered and coordinated within the Department of Civil Service following the statewide implementation of the Human Resource Management Network.

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 Civil Service" means the principal department of state government created by Section 200 of Act No. 380 of the Public Acts of 1965, being Section 16.300 of the Michigan Compiled Laws. Pursuant to Section 201 of Act No. 380 of the Public Acts of 1965, being Section 16.301 of the Michigan Compiled Laws, the head of which is the Civil Service Commission.

B. The "Department of Management and Budget" means the principal department of state government created by Section 121 of Act No. 431 of the Public Acts of 1984, being Section 18.1121 of the Michigan Compiled Laws.

C. The "state employee benefit programs" means:

- the health screening program;
- the group insurance plans for medical, dental, vision, disability, life, and long-term care benefits;
- pretax benefit programs; and
- the COBRA and other insurance continuation programs.

D. The "Office of the State Employer" means the office created within the Department of Management and Budget by Executive Order 1979-5, whose duties include, but are not limited to, those assigned by Executive Orders 1979-5, 1981-3 and 1988-6.

E. The "Quality Recognition System" means the suggestion awards program and quality recognition system authorized by Act No. 325 of the Public Acts of 1978, as amended, being Sections 38.1161 *et seq.* of the Michigan Compiled Laws.

### **II. TRANSFER**

All of the authority, powers, duties, functions, and responsibilities of the Office of the State Employer and the Department of Management and Budget related to the administration of state employee benefit programs and the Quality Recognition System are hereby transferred from the Office of the State Employer and the Department of Management and Budget to the Department of Civil Service by Type II transfer, as defined by Section 3 of Act No. 380 of the Public Acts of 1965, as amended, being Section 16.103 of the Michigan Compiled Laws, to the Department of Civil Service.

### **III. MISCELLANEOUS**

A. The State Personnel Director, in cooperation with the Director of the Office of the State Employer and the Director of the Department of Management and Budget, shall provide executive direction and supervision for the implementation of the transfer.

B. 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.

C. All records, personnel, property, and funds of the state employee benefit programs and Quality Recognition System used, held, employed, available to, or to be made available to the Office of the State Employer and the Department of Management and Budget for the powers, duties, functions, and responsibilities transferred to the Department of Civil Service by this Order are hereby transferred to the Department of Civil Service.

D. All rules, orders, contracts, agreements, or other obligations relating to the state employee benefit programs and Quality Recognition System lawfully adopted prior to the effective date of this Order shall continue to be effective until revised, amended, or repealed.

E. 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 taken effect of this order.

F. Nothing contained in this Order shall diminish or limit the authority of the Civil Service Commission to exercise any authority granted to it under Article XI, Section 5 of the Constitution of the State of Michigan of 1963.

G. 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 on October 1, 2002.

[SEAL]

Given under my hand and the Great Seal of the State of Michigan this 1st day of August, 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 August 5, 2002, and read:

EXECUTIVE ORDER  
No. 2002 - 14

**New e-Michigan Office  
New e-Michigan Advisory Council  
Department of Information Technology**

**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, the new e-Michigan Office was created to expand the delivery of trusted online cross-agency government services through the award-winning Michigan.gov Internet portal; and

Whereas, the Department of Information Technology was created to promote a unified approach to information technology management across all executive branch agencies and is now ready to implement that goal; and

Whereas, the functions, duties and responsibilities currently assigned to the new e-Michigan Office can be more effectively carried out by Department of Information Technology; and

Whereas, it is necessary in the interests of efficient administration and 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. "Department of Information Technology" means the principal department of state government created by Executive Order 2001-3, being Section 18.41 of the Michigan Compiled Laws.

B. "New e-Michigan Office" means the Type I agency established within the Department of Information Technology by Executive Order 2002-2.

C. "New e-Michigan Advisory Council" means the advisory body created within the new e-Michigan Office by Executive Order 2002-2.

**II. TRANSFER**

A. All of the authority, powers, functions, duties, and responsibilities of the new e-Michigan Office are transferred to the Department of Information Technology by Type III transfer as defined by Section 3 of Act No. 380 of the Public Acts of 1965, as amended, being Section 16.103 of the Michigan Compiled Laws. The new e-Michigan Office is hereby abolished.

B. All of the authority, powers, functions, duties, and responsibilities of the new e-Michigan Advisory Council are transferred to the Department of Information Technology by Type III transfer as defined by Section 3 of Act No. 380 of the Public Acts of 1965, as amended, being Section 16.103 of the Michigan Compiled Laws. The new e-Michigan Advisory Council is hereby abolished.

**III. MISCELLANEOUS**

A. The Director of the Department of Information Technology or the designee of the Director shall provide executive direction and supervision for the implementation of the transfers made under this Order.



B. The Director of the Department of Information Technology or the designee of the Director 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 Information Technology shall immediately initiate coordination with the Director of the new e-Michigan Office 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 by the Department of Information Technology.

D. All records, personnel, property, grants, and unexpended balances of appropriations, allocations, and other funds used, held, employed, available, or to be made available for the activities, power, duties, functions, and responsibilities transferred by this Order shall be transferred to the Department of Information Technology.

E. 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 year.

F. The Department of Information Technology may accept grants of funds and donations of funds, property, labor, or other things of value from any department or office of the State of Michigan and the United States and from any other public or private office or person for the purpose of furthering online government services.

G. The Director of the Department of Information Technology may, by written instrument, delegate a duty or power conferred by law or 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 delegated by the Director of the Department of Information Technology.

H. All rules, orders, contracts, and agreements relating to the functions transferred to the Department of Information Technology by this Order shall continue to be effective until revised, amended, or rescinded.

I. Any suit, action, or other proceeding lawfully commenced by, against, or before any entity affected by this Order, shall not abate by reason 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.

J. 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 on October 1, 2002.

[SEAL]

Given under my hand and the Great Seal of the state of Michigan this 5th day of August, 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 August 20, 2002, and read:

EXECUTIVE ORDER  
No. 2002 - 15

**Hospital Advisory Commission  
Department of Community Health**

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

Whereas, the health and welfare of Michigan's citizens are of paramount importance, and the state has established a variety of effective programs to assist in meeting the health care needs of Michigan's residents; and

Whereas, while these successes have been significant, the federal funding of Medicaid is currently inadequate and Medicaid is one of the largest and fastest growing components of the state budget, making it difficult, if not impossible, to increase funding for other priorities; and

Whereas, it is the continuing goal of this administration to encourage our health leaders in Michigan to help achieve our most important health care objectives by volunteering their time, effort, expertise, and service; and

Whereas, Michigan's hospitals have an integral role in maintaining the health of individuals served within our complex and comprehensive health care system; and

Whereas, the need for fiscal restraint and responsible planning are critical to the prudent management of the state's resources in order to continue to pay for the health care needs of our most vulnerable citizens; and

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 establishment of the Hospital Advisory Commission and the following:

#### **I. DEFINITIONS**

As used herein:

A. The "Commission" means the Hospital Advisory Commission established in this Executive Order.

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

#### **II. ESTABLISHMENT OF COMMISSION**

A. The Hospital Advisory Commission is established in the Department of Community Health as an advisory body.

B. The Commission shall be composed of seven (7) members who shall be appointed by the Governor, the majority of whom shall represent geographically distributed non-profit hospital systems in Michigan. The Director of the Department of Community Health and the State Budget Director shall serve as an "ex-officio," non-voting members of the Commission.

C. Except as otherwise provided in this subsection, members of the Commission shall hold office for a term of four (4) years. However, of the members initially appointed, two (2) shall hold office for a term of two (2) years, two (2) shall hold office for a term of three (3) years, and three (3) shall hold office for a term of four (4) years.

D. A vacancy on the Commission shall be filled in the same manner as the original appointment.

E. 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 succeeds in the same manner as the original appointment. A member may be reappointed for additional terms.

F. 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.

#### **III. CHARGE TO THE COMMISSION**

The Commission is advisory in nature and shall act as a statewide advisory body to assist the Director of the Department in assuring hospital access to health care for the uninsured, underinsured, and the Medicaid population.

A. The Commission shall advise the Director on:

1. Mechanisms to increase patient safety and reduce medical errors for hospital patients.

2. The distribution of state Disproportionate Share Hospital funds and other federal funding for hospitals at the request of the Department Director.

3. Development of a partnership between the state and its hospitals to maximize federal funding opportunities for health care.

4. Mechanisms to promote hiring and retention of nurses and other health personnel considered in short supply.

5. Ways to secure additional funds for statewide programs, including mechanisms to increase Michigan's share of federal Medicaid funds.

6. Mechanisms to partner with the state to reduce pharmaceutical expenses.

B. The Commission shall report within one year of the effective date of this order to the Director on:

1. The effects of Medicare funding for hospitals and the relationship of this funding to the Medicaid program.

2. The effects of rising medical malpractice premiums in the health care industry and advise on mechanisms to reduce hospital and health care system costs and liability.

3. The basis of increased utilization trends for hospital services and recommendations on reducing inappropriate utilization of resources.

C. The Commission shall recommend to the Director:

1. Mechanisms to allow hospitals to more effectively network with the Life Science Corridor.

2. Methods for hospitals to partner with the state in effective wellness and prevention programs.

#### **IV. OPERATIONS OF THE COMMISSION**

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

B. Members of the Commission shall not delegate their responsibilities to other persons. A majority of the serving members constitutes a quorum for the transaction of business at a meeting. The Commission shall act by the majority vote of its serving members.

C. The Commission shall meet at the call of the chairperson and as may be provided in the bylaws of the commission. Meetings of the Commission may be held at any location within the state of Michigan. The Commission shall meet at least semi-annually and may meet by conference call or teleconference.

D. The Commission may, as appropriate, make inquiries, studies, investigations, hold hearings, and receive comments from the public. The Commission may consult with outside experts in order to perform its duties.

E. The Commission may establish one or more subcommittees consisting of Commission members to investigate and analyze specific issues, consistent with the charge to the Commission contained in Section III of this order. The chair of the Commission, or a member of the Commission designated by the chair, shall be a member of each subcommittee

established by the Commission. Subcommittees may recommend proposed actions, plans, comments, formulas, measures, reports, or policies to the Commission, consistent with the Commission's charge. The Commission may adopt, reject, or modify recommendations proposed by subcommittees.

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

G. The Department 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 performance of the Commission's duties, as the Department Director deems appropriate. Such procurements shall be in accordance with the relevant statutes, rules, and procedures of the Department of Management and Budget and the Civil Service.

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

I. Members of the Commission shall refer all legal, legislative, and media contacts to the Department.

J. The Commission shall be staffed by personnel as designated by the Director of the Department.

#### **V. MISCELLANEOUS**

A. All departments, committee, commissioners, or officers of the state or of any political subdivision thereof shall give to the commission, or to any member or representative thereof, any necessary assistance required by the commission, or any member or representative thereof in the performance of the duties of the commission 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 Commission.

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

The provisions of this Executive Order shall become effective upon filing.

[SEAL]

Given under my hand and the Great Seal of the state of Michigan this 20th day of August, 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 September 11, 2002, and read:

#### EXECUTIVE ORDER No. 2002 - 16

#### **Michigan State Council for Interstate Adult Offender Supervision Department of Corrections**

Whereas, the supervision and tracking of adult offenders across state lines is necessary to protect the citizens of the state and to prevent crime; and

Whereas, Congress, by enacting the Crime Control Act, being 4 U.S.C. Sec. 112 (1965), authorized and encouraged states to enter into compacts for cooperative efforts and mutual assistance in the prevention of crime; and

Whereas the Interstate Compact for the Adult Offender Supervision empowers states to regulate offenders interstate movement, to provide for effective tracking, supervision and rehabilitation of the offender, and to equitably distribute the costs, benefits, and obligations of the compact among the states; and

Whereas, Michigan is a party to the Interstate Compact for Adult Offender Supervision, and the Compact requires Michigan to create a State Council.

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 "Council" means the Council established by this order.

B. The "Department of Corrections" means the principal department of state government created by Act No. 380 of the Public Acts of 1965, being Section 16.375 of the Michigan Compiled Laws.

C. The "Interstate Commission" means the entity created by the Interstate Compact for Adult Offender Supervision.

D. The "Interstate Compact for Adult Offender Supervision" means the compact entered into by the State of Michigan in Section 2 of Act No. 40 of the Public Acts of 2002, being Section 3.1012 of the Michigan Compiled Laws.

## **II. MICHIGAN STATE COUNCIL FOR INTERSTATE ADULT OFFENDER SUPERVISION**

A. The Michigan State Council for Interstate Adult Offender Supervision is hereby created pursuant to Act No. 40 of the Public Acts of 2002, being Section 3.1012 of the Michigan Compiled Laws, within the Department of Corrections as a type II advisory body.

B. The Council shall consist of five (5) members as follows:

1. A representative of the legislature selected by the Legislative Council;
2. A representative of the judiciary selected by the Chief Justice of the Michigan Supreme Court;
3. A representative of the executive branch appointed by the Governor;
4. A representative of crime victims appointed by the Governor; and
5. The compact administrator appointed by the Governor in consultation with the legislature and the judiciary.

C. Appointees shall hold office for a term of four (4) years. However, of the appointees initially appointed, the Governor shall designate one (1) of the Governor's appointees to serve a term of one (1) year and one (1) to serve a term of (3) years, and the representative of the legislature shall serve a term of two (2) years.

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

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

## **III. CHARGE TO THE COUNCIL**

A. The Council shall appoint the compact administrator as its commissioner to serve on the interstate commission.

B. The council shall exercise oversight and advocacy concerning Michigan's participation in interstate commission activities, including, but not limited to the development of policies concerning operations and procedures of the compact within the state.

## **IV. OPERATIONS OF THE COUNCIL**

A. The compact administrator shall direct the operations of the council.

B. The council may adopt procedures, not inconsistent with law and with this Order, governing its organization, operation, and procedure.

C. Members of the council shall not delegate their responsibilities to other persons. A majority of the serving members constitutes a quorum for the transaction of business at a meeting. The council shall act by a majority vote of its serving members.

D. The council shall meet at least annually and at the call of the compact administrator as may be provided in the procedures of the council. Meetings of the council may be held at any location within the state of Michigan and may meet by conference call or teleconference.

E. In developing recommendations, the council may, as appropriate, make inquiries, studies, investigations, hold hearings, and receive comments from the public. The council may consult with outside experts in order to perform its duties.

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

G. Members of the council shall refer all legal, legislative, and media contacts to the Department of Correction.

H. The council shall be staffed by personnel within the Department of Corrections.

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

J. The invalidity of any portion of this Order shall not affect the validity of the remainder thereof. The provisions of this Executive Order shall become effective upon filing.

[SEAL]

Given under my hand and the Great Seal of the state of Michigan this 10th day of September, 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 and read on October 21, 2002, and read:

EXECUTIVE ORDER  
No. 2002 - 17

**Department of Management and Budget  
Office of the State Budget  
Department of Information Technology  
Department of History, Arts and Libraries**

**Executive Reorganization**

Whereas, Article V, Section 1, of the Constitution of the state of Michigan of 1963 vests 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 and in the assignment of functions among its units, which he considers necessary for efficient administration; and

Whereas, the Department of History, Arts and Libraries was created in 2001 as the state's premier cultural institution with responsibility for preserving and managing historical resources and records, promoting film and the arts, and coordinating the activities of Michigan libraries; and

Whereas, the Department of History, Arts and Libraries currently administers the state records archival preservation program, including the State Archives of Michigan, local records management and archival preservation programs, and the Library of Michigan's communications programs, which afford Michigan residents and state agencies access to state documents and related information; and

Whereas, many, but not all, records-related programs and functions were transferred to the Department of History, Arts and Libraries when the department was created; and

Whereas, the Department of Management and Budget currently administers the state records management program, including the State Records Center; Office of the State Budget performs demographic and population projection functions; and the Department of Information Technology currently administers certain census information gathering and reporting functions amenable to administration by the Library of Michigan; and

Whereas, further consolidation of records management, information dissemination and communications programs of the state of Michigan in the Department of History, Arts and Libraries will promote a unified approach to and strengthen central policymaking and direction-setting in records management, archival records preservation and information dissemination; 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 History, Arts and Libraries" means the principal department created by Section 3 of Act No. 63 of the Public Acts of 2001, being Section 399.703 of the Michigan Compiled Laws.

B. The "Department of Information Technology" means the principal department created by Executive Order 2001-3, being Section 18.41 of the Michigan Compiled Laws.

C. The "Department of Management and Budget" means the principal department created by Section 121 of Act No. 431 of the Public Acts of 1984, being Section 18.1121 of the Michigan Compiled Laws.

D. "Forms Management Program" means the program described in Section 205 of the Management and Budget Act, Act No. 431 of the Public Acts of 1984, as amended, being Section 18.1205 of the Michigan Compiled Laws.

**II. DEPARTMENT OF MANAGEMENT AND BUDGET**

A. Except as provided in paragraph II.C., all statutory authority, powers, duties, and functions of the Department of Management and Budget related to the state records management program, including but not limited to authority to operate a records center or centers and administer records services and microfilm funds, as set forth in Sections 284 to 292 of the Management and Budget Act, Act No. 431 of the Public Acts of 1984, as amended, being Sections 18.1284 to 18.1292 of the Michigan Compiled Laws, are hereby transferred to the Department of History, Arts and Libraries by a Type II transfer, as defined in Section 3 of the Executive Organization Act of 1965, Act No. 380 of the Public Acts of 1965, as amended, being Section 16.103 of the Michigan Compiled Laws.

B. The power of the Director of the Department of Management and Budget to issue, alter or rescind administrative and procedural directives as determined necessary for the effective administration of the state records management program derived from Section 131 of the Management and Budget Act, Act No. 431 of the Public Acts of 1984, as amended, being Section 18.1131 of the Michigan Compiled Laws; and the power of the Department of Management and Budget to promulgate administrative rules as necessary to implement the state records management program derived from Section 131 of the Management and Budget Act, Act No. 431 of the Public Acts of 1984, as amended,

being Section 18.1131 of the Michigan Compiled Laws, are hereby transferred to the Director of the Department of History, Arts and Libraries by a Type II transfer, as defined in Section 3 of the Executive Organization Act of 1965, Act No. 380 of the Public Acts of 1965, as amended, being Section 16.103 of the Michigan Compiled Laws.

C. Notwithstanding paragraph II.A., the Department of Management and Budget shall retain all statutory authority, powers, duties, and functions necessary for the development, implementation and coordination of the state's forms management program, as set forth in Section 287 of the Management and Budget Act, Act No. 431 of the Public Acts of 1984, as amended, being Section 18.1287 of the Michigan Compiled Laws.

D. All statutory authority, powers, duties, and functions of the State Budget Director with respect to conducting statistical studies, making estimates and projections of population relative to size and distribution, and engaging in other demographic assessment activities, as set forth in Section 343 of the Management and Budget Act, Act No. 431 of the Public Acts of 1984, being Section 18.1343 of the Michigan Compiled Laws, are hereby transferred to the Department of History, Arts and Libraries by a Type II transfer, as defined in Section 3 of the Executive Organization Act of 1965, Act No. 380 of the Public Acts of 1965, as amended, being Section 16.103 of the Michigan Compiled Laws.

### III. DEPARTMENT OF INFORMATION TECHNOLOGY

Such authority, powers, duties, and functions as are currently exercised by the Department of Information Technology, Center for Geographic Information (formerly the Michigan Information Center), under a cooperative initiative between the United States Bureau of the Census and the state of Michigan relative to census reporting, are hereby transferred to the Department of History, Arts and Libraries by a Type II transfer, as defined in Section 3 of the Executive Organization Act of 1965, Act No. 380 of the Public Acts of 1965, as amended, being Section 16.103 of the Michigan Compiled Laws.

### IV. MISCELLANEOUS

A. The Director of the Department of History, Arts and Libraries, in cooperation with the Directors of the Department of Management and Budget, the Office of the State Budget, and the Department of Information Technology shall provide executive direction and supervision for the implementation of the transfers and reassignments prescribed by this Order.

B. The Director of the Department of History, Arts and Libraries shall administer the transferred functions governed by this Order in such ways so as to promote efficient administration and shall make such internal organizational changes in the Department of History, Arts and Libraries as may be administratively necessary to complete the realignment of responsibilities prescribed by this Order.

C. The Director of the Department of History, Arts and Libraries shall coordinate with the Directors of the Department of Management and Budget, the Office of the State Budget, and the Department of Information Technology to facilitate the transfers prescribed by this Order and may enter into cooperative agreements, letters of agreement, service level agreements, and other written agreements with each other deemed necessary to complete the transfers. Such agreements may identify any pending or existing settlements, issues of compliance with federal and state laws, or other obligations to be resolved related to the transferred authority.

D. All records, personnel, property, grants, leases, and unexpended balances of appropriations, allocations, and other funds used, held, employed, available, or to be made available for the activities, powers, duties, functions, and responsibilities of the Department of Management and Budget, its Director, the Office of the State Budget, and the Department of Information Technology related to reassigned functions described above, are hereby transferred to the Department of History, Arts and Libraries.

E. 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.

F. All rules, orders, contracts, grants, agreements, and directives relating to the authority, powers, duties, functions, and responsibilities transferred to the Department of History, Arts and Libraries by this Order, lawfully adopted prior to the effective date of this Order, shall continue to be effective until revised, amended or rescinded.

G. 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.

H. 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 21st day of October, 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 October 29, 2002, and read:

EXECUTIVE ORDER  
No. 2002 - 18

**Department of Management and Budget  
Office of the State Employer**

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

Whereas, on April 25, 1980, the State Civil Service Commission adopted a revised employee relations policy, entitled Civil Service Employee Relations Policy Rule and Regulations of 1980, as amended, which granted substantial new rights to classified employees to organize themselves; and

Whereas, the Employee Relations Policy Rule of 1980 provided for the election of exclusive employee representatives; gave collective bargaining rights to such organizations; designated the Governor or his representative as the State Employer; and designated the Department of Civil Service as the neutral body regulating the labor relations system in the classified service; and

Whereas, in the interest of efficiently discharging the responsibilities of the State Employer, it is necessary to clarify the authority and duties of that office;

Now, Therefore, I, John Engler, Governor of the State of Michigan, pursuant to the authority vested in me by the Michigan Constitution of 1963 in Article V, Section 8, do hereby order the following:

**I. Definitions**

As used herein:

A. The "Civil Service Commission" means the Civil Service Commission created in Article XI, Section 5, of the Constitution of the State of Michigan of 1963.

B. The "Department of Civil Service" means the principal department of state government created by Section 200 of Act No. 380 of the Public Acts of 1965, being Section 16.300 of the Michigan Compiled Laws. Pursuant to Section 201 of Act No. 380 of the Public Acts of 1965, being Section 16.301 of the Michigan Compiled Laws, the head of the department is the Civil Service Commission.

C. The "Department of Management and Budget" means the principal department of state government created by Section 121 of Act No. 431 of the Public Acts of 1984, being Section 18.1121 of the Michigan Compiled Laws.

D. The "Office of the State Employer" means the autonomous office created within the Department of Management and Budget by Executive Order 1979-5, whose duties include, but are not limited to, those assigned by Executive Orders 1979-5, 1981-3, and 1988-6.

**II. Office of the State Employer**

A. The Office of the State Employer shall continue to be housed within the Department of Management and Budget. It shall be headed by a director who shall be an unclassified employee appointed by, and directly responsible to, the Governor. The Director shall perform the obligations and exercise the rights of the State Employer under Civil Service Employee Relations Policy Rule and Regulations of 1980, as amended, and on behalf of the employer, shall formulate, execute, and administer labor-management relations policies for classified employees.

B. The duties of the Director shall include, but not be limited to, the following:

1. To represent executive branch departments and agencies before the Civil Service Coordinated Compensation Panel addressing issues for nonexclusively represented classified employees.

2. To determine the policies of the employer with respect to matters subject to collective bargaining negotiations.

3. To represent the employer in primary negotiations with exclusive representatives. To assist the Director, departmental bargaining team members shall be nominated by the departments, subject to the approval of the Director.

4. To enter into collective bargaining agreements with exclusive representatives concerning negotiable matters.

5. To determine the issues which shall be the subject of primary negotiations and those that shall be the subject of secondary negotiations for the employer.

6. To participate in secondary negotiations at the departmental level and to approve all secondary collective bargaining agreements.

7. To represent the employer in dispute resolution conferences and in mediation.

8. To initiate requests for modifications to the Civil Service Employee Relations Policy Rule and Regulations of 1980, as amended.

9. To coordinate employer responses to personnel policy and rule changes being considered by the Civil Service Commission, and regulations by the State Personnel Director.

10. To initiate, or approve the initiation, of prohibited practice charges against employees or employee organizations and to respond to and represent the employer with respect to prohibited practice charges filed by employees or employee organizations.

11. To serve as the chair of the State Equal Opportunity Workforce Planning Council as provided in executive order 1996-13.

12. To have final authority for contract administration, grievance settlements and to approve all contract interpretation documents and Letters of Understanding.

13. To make the management determination regarding which grievance cases should go to arbitration or civil service hearing after consultation with the affected department; to approve the management advocate in the presentation of all arbitrations and the presentation of grievance hearings under the Civil Service Commission rules and regulations.

14. To supervise the training of all management personnel involved in the labor relations process with the full cooperation and participation of the departments.

15. To develop and administer the statewide drug and alcohol testing program, statewide safety and health system, long-term disability plan, disability management programs, and the workers' compensation program for active state employees of the executive branch.

16. To coordinate the provision of confidential services to employees who are experiencing work-related problems or personal concerns that are affecting their work, including the coordination of assistance to employees who have been exposed to traumatic incidents at work.

17. To do such other things as are necessary in order for the employer to meet the responsibilities to recognized employee organizations, and to foster responsible labor-management relations.

C. Departments and agencies shall cooperate with the Director in providing information necessary to perform these responsibilities.

D. The duties of the Director of the Office of the State Employer shall include employee relations matters affecting classified employees covered by the Civil Service Employee Relations Policy Rule and Regulations of 1980, as amended, as well as matters affecting State Police troopers and sergeants, who exercise the right of collective bargaining pursuant to Article XI, Section 5, of the Michigan Constitution of 1963.

E. The Director of the Office of the State Employer shall have authority to appoint and supervise such staff as deemed necessary. The Director may also enter consulting contracts for personal and professional services related to the functions of the Office of the State Employer. The Department of Management and Budget shall perform budgeting, procurement and related administrative functions for the Office.

F. All executive branch departments and agencies shall cooperate with and assist the Director in the performance of the responsibilities herein assigned.

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

The provisions of this Executive Order shall become effective upon filing.

[SEAL]

Given under my hand and the Great Seal of the state of Michigan this 28th day of October, 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 October 30, 2002, and read:

**EXECUTIVE ORDER**  
No. 2002 - 19

**Civil Service Commission**  
**Department of Civil Service**  
**Department of Management and Budget**  
**Office of the State Employer**  
**Department of Treasury**  
**Department of Information Technology**

**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, Article XI, Section 5, of the Constitution of the State of Michigan of 1963 empowers the Michigan Civil Service Commission to fix rates of compensation for all classes of positions, to approve or disapprove all disbursements for personal services, to make rules and regulations covering all personnel transactions, and to regulate all conditions of employment in the state classified service; and



Whereas, the administration of state employee benefit programs and the Quality Recognition System was transferred from the Office of the State Employer and the Department of Management and Budget to the Department of Civil Service by Executive Order 2002-13, effective October 1, 2002; and

Whereas, the Human Resource Management Network (“HRMN”) System is under the joint executive direction of the directors of the Department of Civil Service, the Office of the State Employer, the Department of Management and Budget, the Office of the State Budget within the Department of Management and Budget, and the Department of Information Technology; and

Whereas, the HRMN System is managed by an informal HRMN Systems Coordination Committee consisting of representatives from the Department of Civil Service, the Department of Information Technology, the Office of the State Employer, the State Budget Office within the Department of Management and Budget, and the Department of Treasury; and

Whereas, in order to streamline business processes, improve service, focus development planning, enhance flexibility and responsiveness, and improve coordination among all user agencies, the executive direction and management of the HRMN System should be established within a single central agency.

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 “Civil Service Commission” means the Civil Service Commission created in Article XI, Section 5, of the Constitution of the State of Michigan of 1963.

B. The “Department of Civil Service” means the principal department of state government created by Section 200 of Act No. 380 of the Public Acts of 1965, being Section 16.300 of the Michigan Compiled Laws. Pursuant to Section 201 of Act No. 380 of the Public Acts of 1965, being Section 16.301 of the Michigan Compiled Laws, the head of the department is the Civil Service Commission.

C. The “State Personnel Director” means the person vested with the administration of the powers of the Civil Service Commission in Article XI, Section 5, of the Constitution of the State of Michigan of 1963.

D. The “Department of Management and Budget” means the principal department of state government created by Section 121 of Act No. 431 of the Public Acts of 1984, being Section 18.1121 of the Michigan Compiled Laws.

E. The “Office of the State Employer” means the autonomous office created within the Department of Management and Budget by Executive Order 1979-5, whose duties include, but are not limited to, those assigned by Executive Orders 1979-5, 1981-3, 1988-6, and 2002-18.

F. The “Department of Treasury” means the principal department of state government created by Section 75 of Act No. 380 of the Public Acts of 1965, being Section 16.175 of the Michigan Compiled Laws.

G. The “Department of Information Technology” means the principal department of state government created by Executive Order 2001-3, being Section 18.41 of the Michigan Compiled Laws.

H. The “HRMN System” means the Michigan statewide Human Resource Management Network System that delivers payroll, personnel, employee benefits, and other human resource functionality and data exchange, and includes, but is not limited to, the standards, guidelines, processes, procedures, practices, rules, regulations, hardware, and software for the operation of the HRMN System.

I. The “executive direction and management of the HRMN System” means the authority, power, duty, and responsibility for all of the following:

1. To establish, implement and enforce policy standards, guidelines, processes, procedures, practices, rules, and regulations for the operation of the HRMN System, consistent with applicable law.

2. To manage the HRMN System to achieve the business needs for payroll, personnel, employee benefits, and other human resource functions for the state of Michigan.

3. To direct and manage the program development and implementation of changes in the HRMN System.

4. To acquire technology development, services and software for the HRMN system through agency operating agreements between the Department of Civil Service and the Department of Information Technology.

5. To acquire and manage contracts for the HRMN System.

6. To standardize or centralize agency personnel transactions in the HRMN System.

## **II. TRANSFER**

A. All of the authority, powers, duties, functions, and responsibilities of the Department of Management and Budget, the Office of the State Employer, the Department of Treasury, and the Department of Information Technology related to the executive direction and management of the HRMN System, except as otherwise provided in Part III of this Order, are hereby transferred to the Department of Civil Service by Type II transfer, as defined by 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 Director of the Department of Civil Service may convene an advisory committee consisting of:

1. State Personnel Director, or his or her designee,

2. State Treasurer, or his or her designee,

3. State Budget Director, or his or her designee,
4. Director of the Department of Management and Budget, or his or her designee,
5. Director of the Office of the State Employer, or his or her designee, and
6. Director of the Department of Information Technology, or his or her designee.

### III. MISCELLANEOUS

A. This Order does not transfer any other authority, power, duty, function, or responsibility of the Department of Management and Budget, the Office of the State Employer, the Department of Treasury, or the Department of Information Technology that is now provided by law.

B. This order does not transfer any records, personnel, property, or funds to or from the Department of Civil Service, the Department of Management and Budget, the Office of the State Employer, the Department of Treasury, or the Department of Information Technology.

C. For the purpose of implementing this Order or facilitating the delivery of human resource services, the Department of Management and Budget, the Office of the State Employer, the Department of Treasury, or the Department of Information Technology may delegate by written instrument a lawful duty or power to the Department of Civil Service or the State Personnel Director. The department or person to whom such duty or power is delegated may perform the duty or exercise the power at the time and to the extent that the duty or power is delegated. Any such delegation may be revoked by written instrument delivered to the department or person to whom the duty or power was originally delegated.

D. Upon execution of a written instrument pursuant to subsection C, the Department of Management and Budget, the Office of the State Employer, the Department of Treasury, or the Department of Information Technology may transfer to the Department of Civil Service by written instrument any record, personnel, property, or funds now used, held, employed, available to, or to be made available to the Department of Management and Budget, the Office of the State Employer, the Department of Treasury, or the Department of Information Technology for the operation, management or maintenance of the HRMN System.

E. For the purpose of implementing this Order or facilitating the delivery of human resource services, the Department of Management and Budget, the Office of the State Employer, the Department of Treasury, the Department of Information Technology, or any other executive branch agency may enter into a written agreement, including a service level agreement, with the Department of Civil Service regarding activities, staffing, operations, and infrastructure support to be provided for the support or operation of the HRMN System.

F. The State Personnel Director, in cooperation with the Director of the Office of the State Employer, the Director of the Department of Management and Budget, the State Treasurer, and the director of the Department of Information Technology, shall provide executive direction and supervision for the implementation of the transfer.

G. All rules, orders, contracts, agreements, or other obligations relating to the HRMN System lawfully adopted prior to the effective date of this Order shall continue to be effective until revised, amended or repealed.

H. Nothing contained in this Order shall diminish or limit the authority of the Civil Service Commission to exercise any authority granted to it under Article XI, Section 5 of the Constitution of the State of Michigan of 1963.

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 30th day of January, 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 November 5, 2002, and read:

EXECUTIVE ORDER  
No. 2002 - 20

**Department of Management and Budget  
Consolidation of Real Estate Functions and Facilities Management**

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, the Department of Management and Budget is required to minimize the duplication of activities among state agencies, between state agencies and businesses, to effect a better organization and consolidation of functions among state agencies, and to establish, administer, operate, or provide centralized services when advantageous to the state; and

Whereas, certain functions, duties and responsibilities currently assigned to other state departments can be more effectively carried out by the Department of Management and Budget and will strengthen decision making, direction-setting and strategic planning of the state's real property and land use; and

Whereas, consolidating statewide real estate planning and occupancy management into one principle department will promote a unified approach to real estate for executive branch agencies, and the consolidation of these functions will improve the management, investment and sale of real property; and

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 Military and Veterans Affairs" means the principal department of state government created as the Department of Military Affairs by Section 125 of Act No. 380 of the Public Acts of 1965, being Section 16.225 of the Michigan Compiled Laws and renamed the by Executive Order 1997-7, being Section 32.91 of the Michigan Compiled Laws.

B. The "Department of Management and Budget" means the principal department of state government created by Section 121 of Act No. 431 of the Public Acts of 1984, being Section 18.1121 of the Michigan Compiled Laws.

C. The "Michigan Department of Natural Resources" means the principal department created in Executive Order 1991-31, being Section 299.13 of the Michigan Compiled Laws.

D. The "Department of Transportation" means the principal department of state government created by Section 350 of Act No. 380 of the Public Acts of 1965, as amended, being Section 16.450 of the Michigan Compiled Laws.

#### **II. TRANSFER**

A. All of the authority, powers, functions, duties, and responsibilities pertaining to the planning, management and operation, capital renewal, and acquisition of buildings and facilities of the Executive Branch agencies, excluding the Michigan Department of Transportation, Department of Military and Veterans Affairs and Department of Natural Resources, are transferred to the Department of Management and Budget by 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.

B. The Directors of all executive branch departments and agencies shall jointly identify the program positions and administrative function positions that will be transferred to the Department of Management and Budget according to the terms of this Order. The Directors of all executive branch departments and agencies shall make every effort to develop agreements specifying these positions by the effective date of this order. In the event of a failure to reach agreement on the positions to be transferred under this order, the Director of the Department of Management and Budget shall develop a written recommendation specifying the positions to be transferred to the Department of Management and Budget under the terms of this order. The Director of the Department of Management and Budget shall submit the recommendation to the Governor no later than December 1, 2002, for his consideration and approval.

#### **III. DUTIES**

A. The Department of Management and Budget shall provide for the development, consolidation and maintenance of data and information on all state-owned and leased facilities and land for all Executive Branch agencies except for land and facilities under the jurisdiction of the Department of Transportation, Department of Natural Resources and Department of Military and Veterans Affairs.

B. The Department of Management and Budget shall provide, continuously maintain, and update a plan for the use and reuse of all state-owned and leased facilities and land for all Executive Branch agencies. The plan shall include:

1. Long-term strategies for the use of state-owned and leased facilities and land that maximizes their utilization for state occupancy purposes for appropriate citizen use and/or asset value.
2. Best opportunities for acquisition and disposal.
3. Resources necessary to implement the plan.

C. The Department of Management and Budget shall provide for the ongoing site selection, management, operation, maintenance, security, and repair of leased and state-owned facilities that are primarily used for office or warehousing purposes by an Executive Branch agency. Facility does not include an existing state owned and managed buildings or structures that is mutually agreed to be excluded by the department and the state agency having jurisdiction over the building or structure.

#### **IV. MISCELLANEOUS**

A. The Director of the Department of Management and Budget shall provide executive direction and supervision for the implementation of all transfers of authority to the Department of Management and Budget made under this Order, and shall identify the functions and timeline for the transfer of staff and resources to the Department of Management and Budget.

B. The Director of the Department of Management and Budget 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 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.

D. All records, personnel, property, and unexpended balances of appropriations, allocations, and other funds used, held, employed, and available or to be made available to Executive Branch agencies for the activities, powers, duties, functions and responsibilities transferred by this Order are hereby transferred to the Department of Management and Budget.

E. All rules, orders, contracts, and agreements relating to the assigned functions lawfully adopted prior to the effective date of this Order shall continue to be effective until revised, amended or repealed.

F. 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.

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

H. 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 60 days after the filing of this Order.

[SEAL]

Given under my hand and the Great Seal of the state of Michigan this 4th day of November, 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:

July 11, 2002

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

**Michigan Dairy Market Program Committee**

Mr. Elwood Kirkpatrick, 6201 Tomlinson Road, Kinde, Michigan 48445, county of Huron, as a member representing the Michigan Milk Producers Association, succeeding himself, for a term beginning on January 1, 2003 and expiring on December 31, 2005.

Mr. Harold Cnossen, 6020 S. Nine Mile Road, Falmouth, Michigan 49632, county of Missaukee, as a member representing the Michigan Milk Producers Association, succeeding himself, for a term beginning on January 1, 2003 and expiring on December 31, 2005.

Mr. Dwight H. Nash, 4717 N. Shepardsville Road, Elsie, Michigan 48831, county of Clinton, as a member representing the Independent Cooperative Milk Producers Association, succeeding himself, for a term beginning on January 1, 2003 and expiring on December 31, 2005.

Mr. Earl A. Horning, 11855 Pleasant Lake Road, Manchester, Michigan 48158, county of Washtenaw, as a member representing the Michigan Milk Producers Association, succeeding himself, for a term beginning on January 1, 2003 and expiring on December 31, 2005.

Mr. Edward J. Hanenburg, 9433 Whispering Sands, West Olive, Michigan 49460, county of Ottawa, as a member representing Dairy Farmers of America, succeeding himself, for a term beginning on January 1, 2003 and expiring on December 31, 2005.

July 11, 2002

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

**Governor's Traffic Safety Advisory Commission**

Sheriff Allen L. Byam, 17930 D Drive South, Marshall, Michigan 49068, county of Calhoun, as a member representing local government, for a term expiring on May 27, 2004.

Mr. Edward J. Gaffney, 283 Kenwood Court, Grosse Pointe Farms, Michigan 48236, county of Wayne, as a member representing local government, for a term expiring on May 27, 2003.

Chief Gary Gibbons, 4404 Hickorywood, Okemos, Michigan 48864, county of Ingham, as a member representing local government, for a term expiring on May 27, 2005.

July 16, 2002

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

**Data Collection Agency Governing Board**

Mr. Bruno R. Czyrka, 7344 Pine Manor, Grand Ledge, Michigan 48837, county of Eaton, as a member representing the Executive Branch, succeeding himself, for a term beginning on January 1, 2003 and expiring on December 31, 2003.

July 16, 2002

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

**Michigan Women's Commission**

Ms. Emma Bell, 1301 Orleans, #2201 E, Detroit, Michigan 48207, county of Wayne, as a member representing the general public, succeeding Ms. Dawn Koehler of Royal Oak, whose term has expired, for a term expiring on July 15, 2005.

Ms. Anne B. Norlander, 746 Country Club Drive, Battle Creek, Michigan 49015, county of Calhoun, as a member representing the general public and as Chair, succeeding herself, for a term expiring on July 15, 2005.

Ms. Patricia Hardy, 2050 West Valley Road, Bloomfield Hills, Michigan 48304, county of Oakland, as a member representing the general public, succeeding herself, for a term expiring on July 15, 2005.

Ms. Joyce A. Watts, 716 38th Street, Allegan, Michigan 49010, county of Allegan, as a member representing the general public, succeeding herself, for a term expiring on July 15, 2005.

Ms. Denise Radtke, 42251 Old Pond Circle, Plymouth, Michigan 48170, county of Wayne, as a member representing the general public, succeeding Ms. Lynn E. Aronoff of Royal Oak, whose term has expired, for a term expiring on July 15, 2005.

July 30, 2002

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

**State Boundary Commission**

Dr. Kenneth VerBurg, 3529 Sandhill Road, Lansing, Michigan 48911, county of Ingham, as a member representing the general public, succeeding himself, for a term beginning on November 16, 2002 and expiring on November 15, 2005.

July 30, 2002

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

**State Building Authority**

Mr. Robert M. Rasmussen, 3512 Burton Ridge SE, Grand Rapids, Michigan 49546, county of Kent, as a member representing the general public, succeeding himself, for a term beginning on August 22, 2002 and expiring on August 21, 2006.

July 30, 2002

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

**Michigan Board of Chiropractic**

Dr. Edward L. Maurer, 2863 Sleepy Hollow Drive, Portage, Michigan 49024, county of Kalamazoo, as a member representing licensed chiropractors, succeeding Dr. James K. Sommers of Dexter, whose term has expired, for a term beginning on January 1, 2003 and expiring on December 31, 2006.

Dr. Timothy J. Spencer, 3654 Dancer Road, Dexter, Michigan 48130, county of Washtenaw, as a member representing licensed chiropractors, succeeding Dr. David J. Klida of Shelby Township, whose term has expired, for a term beginning on January 1, 2003 and expiring on December 31, 2006.

July 30, 2002

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

**Investment Advisory Committee**

Mr. David G. Sowerby, 34909 Old Homestead, Farmington Hills, Michigan 48335, county of Oakland, as a member representing the general public, succeeding himself, for a term beginning on December 16, 2002 and expiring on December 15, 2005.

July 30, 2002

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

**Board of Professional Engineers**

Mr. Stephen S. Miller, 2412 Georgetown Boulevard, Ann Arbor, Michigan 48105, county of Washtenaw, as a member representing professionals, succeeding Dr. Carol J. Miller of Ann Arbor, whose term has expired, for a term expiring on March 31, 2006.

Ms. Gwendolyn Hale, 6216 Branford Drive, West Bloomfield, Michigan 48322, county of Oakland, as a member representing the general public, succeeding Ms. Alicia M. Diaz of Detroit, whose term has expired, for a term expiring on March 31, 2006.

July 31, 2002

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

**Barrier Free Design Board**

Mr. Jack L. Edington II, 8225 W. Huron River Drive, Dexter, Michigan 48130, county of Washtenaw, as a member representing visually impaired persons, succeeding himself, for a term beginning on November 1, 2002 and expiring on October 31, 2005.

Dr. Robert I. Wittick, 3883 Trailwood Drive, Okemos, Michigan 48864, county of Ingham, as a member representing hearing impaired persons, succeeding himself, for a term beginning on November 1, 2002 and expiring on October 31, 2005.

Mr. Fredrick L. Hall, 3055 Appleton Court NE, Grand Rapids, Michigan 49526-3126, county of Kent, as a member representing architects, succeeding himself, for a term beginning on November 1, 2002 and expiring on October 31, 2005.

July 31, 2002

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

**Board of Boiler Rules**

Mr. Joseph P. Day, #5 Center Woods Drive N., Saginaw, Michigan 48603, county of Saginaw, as a member representing fire tube boiler manufacturers, succeeding himself, for a term expiring on June 30, 2006.

Mr. Robert S. Weber, 532 Harrison Street, Marquette, Michigan 49855, county of Marquette, as a member representing boiler repair contractors, succeeding Mr. Daniel Pentecost of Marquette, whose term has expired, for a term expiring on June 30, 2006.

Mr. Lawrence R. Black, 7934 Pettysville Road, Pinckney, Michigan 48169, county of Livingston, as a member representing boiler insurance companies, succeeding Mr. Louis R. Dykstra of Howell, whose term has expired, for a term expiring on June 30, 2006.

August 1, 2002

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

**Fire Fighters Training Council**

Chief David J. Purchase, 1035 Brookway Court, Norton Shores, Michigan 49441, county of Muskegon, as a member representing the Michigan Association of Fire Chiefs, succeeding Mr. Gerald B. Alward of Washington, whose term will expire on December 31, 2002, for a term beginning on January 1, 2003 and expiring on December 31, 2005.

August 1, 2002

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

**Michigan Board of Occupational Therapists**

Ms. Anita M. Berger, 7 Danvers Lane, Dearborn, Michigan 48120, county of Wayne, as a member representing the general public, succeeding herself, for a term expiring on December 31, 2005.

Ms. Mintie C. Merck, 15740 Hubbell, Detroit, Michigan 48227, county of Wayne, as a member representing professionals, succeeding herself, for a term expiring on December 31, 2005.

Ms. Judith A. Kucway, 5774 Crystal Creek Lane, Washington, Michigan 48094, county of Macomb, as a member representing the general public, succeeding Mr. Donald C. Bielski of Manistee, whose term has expired, for a term expiring on December 31, 2005.

Mr. Joseph P. Gavan, 5910 Blakely Drive NE, Belmont, Michigan 49306, county of Kent, as a member representing the general public, succeeding Mr. John B. Plowman of Perry, whose term has expired, for a term expiring on December 31, 2005.

Ms. Catherine A. Edwards, 409 S. Walnut, Howell, Michigan 48843, county of Livingston, as a member representing professionals, succeeding Mrs. Laura V. Miller of Canton, whose term has expired, for a term expiring on December 31, 2005.

Ms. Sandra J. Thom, 12153 Brandywine, Brighton, Michigan 48114, county of Livingston, as a member representing professionals, succeeding Dr. Richard G. Cooper of Kalamazoo, whose term has expired, for a term expiring on December 31, 2005.

August 1, 2002

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

**Michigan Board of Optometry**

Mr. David M. Pearce, 8308 Valley Forge Drive, Cadillac, Michigan 49601, county of Wexford, as a member representing the general public, succeeding Mr. Gary A. Ayres of Lowell, whose term has expired, for a term expiring on June 30, 2006.

Ms. Teresa A. Folino, 601 Orchard Drive, Northville, Michigan 48167, county of Wayne, as a member representing the general public, succeeding Mr. Jerry C. Gregoricka of Owosso, whose term has expired, for a term expiring on June 30, 2006.

Dr. Frederick P. Darin, 207 Plymouth Drive, Charlotte, Michigan 48813, county of Eaton, as a member representing licensed optometrists, succeeding Dr. Robert L. Klein of Scotts, whose term has expired, for a term expiring on June 30, 2006.

Dr. John M. Nametz, 15489 Howard, Spring Lake, Michigan 49456, county of Ottawa, as a member representing licensed optometrists, succeeding Dr. Joyce Takahashi Kovall of Ann Arbor, whose term has expired, for a term expiring on June 30, 2006.

August 5, 2002

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

**State Board of Accountancy**

Mr. Stephen M. Conley, 585 S. Belvedere, Canton, Michigan 48188, county of Wayne, as a member representing public accountants, succeeding himself, for a term expiring on June 30, 2006.

Ms. Beth A. Bialy, 14178 Kenneth, Carleton, Michigan 48117, county of Monroe, as a member representing professionals, succeeding Ms. N. Patricia Kurtz of Commerce Township, whose term has expired, for a term expiring on June 30, 2006.

August 5, 2002

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

**Director of the Department of Consumer and Industry Services**

Ms. Noelle A. Clark, 4980 Hawk Hollow Drive, Bath, Michigan 48808, county of Clinton, for a term beginning on August 13, 2002 and expiring at the pleasure of the Governor.

August 6, 2002

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

**Michigan Board of Pharmacy**

Mr. James R. Buck, 3821 E. Omaha Drive, Grandville, Michigan 49418, county of Kent, as a member representing the general public, succeeding himself, for a term expiring on June 30, 2006.

Ms. Pamela L. Gnodtke, 856 First Street, Charlevoix, Michigan 49720, county of Charlevoix, as a member representing the general public, succeeding herself, for a term expiring on June 30, 2006.

Ms. Roberta M. Armstrong, 1318 E. Michigan Avenue, Albion, Michigan 49224, county of Calhoun, as a member representing chain pharmacists, succeeding herself, for a term expiring on June 30, 2006

Mr. James D. Bosscher, 8252 W. Falmouth Road, McBain, Michigan 49657, county of Missaukee, as a member representing the general public, succeeding Ms. Joyce E. Parker of Farmington Hills, whose term has expired, for a term expiring on June 30, 2006.

Mr. William L. McCarthy, 1344 Ridge Street, Mount Pleasant, Michigan 48858, county of Isabella, as a member representing independent pharmacists, succeeding Mr. Raina B. Bradley, Jr., of Southfield, who has resigned, for a term expiring on June 30, 2003.

August 6, 2002

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

**State Tax Commission**

Mr. Robert R. Lupi, 9086 Lincoln Drive, Whitmore Lake, Michigan 48189, county of Livingston, as a member representing Republicans and as Chair, succeeding Mr. Mark A. Hilpert of Williamston, who has resigned, for a term expiring on September 13, 2005.

August 7, 2002

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

**Commission on Law Enforcement Standards**

Mr. James DeVries, 14279 Rockwood Lane, Grand Haven, Michigan 49417, county of Ottawa, as a member representing the Police Officers' Association of Michigan, succeeding himself, for a term beginning on November 2, 2002 and expiring on November 1, 2005.

Officer Richard G. Weaver, 8650 Heyden Street, Detroit, Michigan 48228, county of Wayne, as a member representing the Detroit Police Officers' Association, succeeding himself, for a term beginning on November 2, 2002 and expiring on November 1, 2005.

Sheriff Gary A. Rosema, 16357 130th Avenue, Nunica, Michigan 49448, county of Ottawa, as a member representing the Michigan Sheriffs' Association, succeeding himself, for a term beginning on November 2, 2002 and expiring on November 1, 2005.

August 7, 2002

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

**Ski Area Safety Board**

Mr. David G. Mengebier, 1911 Austin Avenue, Ann Arbor, Michigan 48104, county of Washtenaw, as a member representing the general public of the Lower Peninsula, succeeding Mr. John K. Lutz of Clarkston, whose term has expired, for a term expiring on June 8, 2006.

Mr. Michael Gokey, 735 White Avenue, Ishpeming, Michigan 49841, county of Marquette, as a member representing the general public of the Upper Peninsula, succeeding Mr. Jon C. Mommaerts of Marquette, whose term has expired, for a term expiring on June 8, 2006.

August 13, 2002

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

**Michigan Asparagus Advisory Board**

Mr. Thomas J. Oomen, 5182 N. 136th Avenue, Hart, Michigan 49420, county of Oceana, as a member representing growers at large, succeeding Mr. James C. Shull of Hart, whose term will expire on November 13, 2002, for a term beginning on November 14, 2002 and expiring on November 13, 2005.

Mr. Kenneth F. Oomen, 5405 N. 136th Avenue, Hart, Michigan 49420, county of Oceana, as a member representing growers at large, succeeding himself, for a term beginning on November 14, 2002 and expiring on November 13, 2005.

Mr. Rodney D. Winkel, 7901 Territorial Road, Watervliet, Michigan 49098, county of Berrien, as a member representing growers from the southern area, succeeding Mr. Edwin A. Kerlikowske, Jr., of Berrien Springs, whose term will expire on November 13, 2002, for a term beginning on November 14, 2002 and expiring on November 13, 2005.

Mr. Harold D. Goodell, 54823 Sink Road, Dowagiac, Michigan 49047, county of Cass, as a member representing growers from the southern area, succeeding Mr. Joseph M. Scherer of Dowagiac, whose term will expire on November 13, 2002, for a term beginning on November 14, 2002 and expiring on November 13, 2005.

Mr. Gerald Lee Malburg, 1107 W. Jackson Road, Hart, Michigan 49420, county of Oceana, as a member representing growers at large, succeeding Mr. Steven J. Vinke of Shelby, whose term will expire on November 13, 2002, for a term beginning on November 14, 2002 and expiring on November 13, 2005.



August 13, 2002

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

**Electrical Administrative Board**

Mr. David L. Bushouse, 992 North 7th Street, Kalamazoo, Michigan 49009, county of Kalamazoo, as a member representing the insurance industry, succeeding himself, for a term expiring on August 10, 2005.

Ms. Thelma P. Dobson, 25348 Arden Park Drive, Farmington Hills, Michigan 48336, county of Oakland, as a member representing utilities, succeeding herself, for a term expiring on August 10, 2005.

Mr. William F. Donovan, 7977 S. Portage Road, Jackson, Michigan 49201, county of Jackson, as a member representing municipal inspectors, succeeding Mr. Robert C. Nalbach of Grand Rapids, whose term has expired, for a term expiring on August 10, 2005.

August 13, 2002

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

**Inkster Schools Financial Manager**

Mr. W. Howard Morris, 20480 Picadilly, Detroit, Michigan 48221, county of Wayne, for a term expiring on August 8, 2003.

August 14, 2002

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

**Board of Barber Examiners**

Mr. Carl J. Grondin, 4483 Hosner Road, Metamora, Michigan 48455, county of Lapeer, as a member representing professionals, succeeding Mr. Gerald F. Newhouse of Alpena, whose term will expire on September 30, 2002, for a term beginning on October 1, 2002 and expiring on September 30, 2006.

Mr. Harry E. Green, 11465 Clinton Road, Rives Junction, Michigan 49297, county of Jackson, as a member representing professionals, succeeding Mr. John W. Mallia of Rochester Hills, whose term will expire on September 30, 2002, for a term beginning on October 1, 2002 and expiring on September 30, 2006.

August 14, 2002

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

**Michigan Higher Education Assistance Authority**

Ms. Kathleen M. Wilbur, 1784 Mirabeau, Okemos, Michigan 48864, county of Ingham, as a member representing 4-year colleges and universities, succeeding Dr. Eugene J. Hamilton of Saginaw, whose term has expired, for a term expiring on May 22, 2006.

August 20, 2002

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

**Michigan Exposition and Fairgrounds Advisory Council**

Mr. Thomas Turner, 342 West Crescent Court, Detroit, Michigan 48207, county of Wayne, as a member representing labor, succeeding himself, for a term expiring on June 20, 2005.

Mr. William L. Sheridan, 3175 Stitts Road, Mason, Michigan 48854, county of Ingham, as a member representing agriculture, succeeding himself, for a term expiring on June 20, 2005.

Mr. John A. Spero, 7125 Sheridan Road, Birch Run, Michigan 48415, county of Saginaw, as a member representing agriculture, for a term expiring on June 20, 2005.

August 20, 2002

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

**Michigan Strategic Fund Board of Directors**

Mr. Gregory C. Burkart, 1058 Hillcrest, Brighton, Michigan 48116, county of Livingston, as a member representing the private sector, succeeding Mr. Jeffrey A. Kaczmarek of Okemos, whose term will expire on December 31, 2002, for a term beginning on January 1, 2003 and expiring on December 31, 2005.

Mr. Richard D. Wilcox, 127 Birchwood, Cadillac, Michigan 49601, county of Wexford, as a member representing the Speaker of the House, succeeding himself, for a term beginning on January 1, 2003 and expiring on December 31, 2005.

Mr. Mark Walker, 4721 Desmond Beach, Fort Gratiot, Michigan 48059, county of St. Clair, as a member representing the Senate Majority Leader, succeeding Mr. Larry J. Moeller of Burtchville, who has resigned, for a term expiring on December 31, 2002.

Mr. Mark Walker, 4721 Desmond Beach, Fort Gratiot, Michigan 48059, county of St. Clair, as a member representing the Senate Majority Leader, succeeding himself, for a term beginning on January 1, 2003 and expiring on December 31, 2005.

August 21, 2002

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

**Michigan Municipal Bond Authority Board of Trustees**

Mr. Donald H. Gilmer, 7021 N. 46th Street, Augusta, Michigan 49012, county of Kalamazoo, as a member representing public officials, succeeding Ms. Kathleen M. Wilbur of Okemos, who has resigned, for a term expiring at the pleasure of the Governor.

August 22, 2002

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

**Michigan Board of Dentistry**

Ms. Julie K. Dumas, 9015 Sylvan Drive, Portland, Michigan 48875, county of Ionia, as a member representing dental assistants, succeeding Ms. Sandra S. Earls of Lansing, whose term has expired, for a term expiring on June 30, 2006.

Dr. Michael H. VanderVeen, 651 Reynard SE, Grand Rapids, Michigan 49507, county of Kent, as a member representing licensed dentists, succeeding Dr. Thomas G. Robinson of Sault Ste. Marie, whose term has expired, for a term expiring on June 30, 2006.

August 22, 2002

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

**Residential Builders' and Maintenance and Alteration Contractors' Licensing Board**

Mr. James A. Hinshaw, 872 S. Barnes Street, Mason, Michigan 48854, county of Ingham, as a member representing maintenance and alteration contractors, succeeding Mr. David L. Satterlee of Orleans, whose term has expired, for a term expiring on March 31, 2006.

Mr. Robert R. Jones, 665 Hewitt Drive, Bloomfield Hills, Michigan 48302, county of Oakland, as a member representing residential builders, succeeding Ms. Annette L. Stetler of Augusta, whose term has expired, for a term expiring on March 31, 2006.

August 28, 2001

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

**Board of Mechanical Rules**

Mr. William E. Bradfield, Jr., 430 Hillcrest Court, Oxford, Michigan 48371, county of Oakland, as a member representing organized labor, succeeding Mr. James J. Lapham of Commerce, whose term will expire on October 1, 2002, for a term beginning on October 2, 2002 and expiring on October 1, 2004.

Mr. Thomas P. Lisowski, 37795 Lakeshore Drive, Harrison Township, Michigan 48045, county of Macomb, as a member representing HVAC equipment installers, succeeding himself, for a term beginning on October 2, 2002 and expiring on October 1, 2004.

Mr. Nicholas W. Seraphinoff, 2480 Iroquois, Detroit, Michigan 48214-1871, county of Wayne, as a member representing refrigeration service, succeeding himself, for a term beginning on October 2, 2002 and expiring on October 1, 2004.

Mr. Robert J. Fosburg, 2514 Hidden Forest Drive, Hudsonville, Michigan 49426, county of Ottawa, as a member representing limited refrigeration and air conditioning service, succeeding Mr. Thomas L. Vander Hyde of Grand Rapids, whose term will expire on October 1, 2002, for a term beginning on October 2, 2002 and expiring on October 1, 2004.

Mr. Tomas Moore Rose, 8175 N. Seymour Road, Flushing, Michigan 48433, county of Genesee, as a member representing professional mechanical engineers, succeeding Mr. Lawrence J. Wood of Wyoming, whose term will expire on October 1, 2002, for a term beginning on October 2, 2002 and expiring on October 1, 2004.

Mr. Randall H. Ingraham, 16340 Oakman Drive, Sand Lake, Michigan 49343, county of , as a member representing unlimited refrigeration and air conditioning service, succeeding Mr. David J. Baker of Kinross, whose term will expire on October 1, 2002, for a term beginning on October 2, 2002 and expiring on October 1, 2004.

August 28, 2002

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

**Michigan Board of Social Work**

Ms. Eleanor Goodfriend Blum, 31755 Ridgeside Drive, #21, Farmington Hills, Michigan 48334, county of Oakland, as a member representing the general public, succeeding Mr. Thomas M. Darger of Midland, who has resigned, for a term expiring on December 31, 2005.

Ms. Doreen Takalo, P.O. Box 79, Skandia, Michigan 49885, county of Marquette, as a member representing the general public, succeeding Ms. Linda R. Cunningham of Detroit, whose term will expire on December 31, 2002, for a term beginning on January 1, 2003 and expiring on December 31, 2006.

Ms. Emily Jean McFadden, 4455 N. Lakeshore Avenue, Holland, Michigan 49424, county of Ottawa, as a member representing professionals, succeeding Ms. Lisa A. Pruitt of West Bloomfield, whose term will expire on December 31, 2002, for a term beginning on January 1, 2003 and expiring on December 31, 2006.

September 3, 2002

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

**Michigan Public School Employees' Retirement Board**

Mr. Michael E. Cassady, 36873 Morizian, Clinton Township, Michigan 48035-1211, county of Macomb, as a member representing teachers, succeeding Ms. Marsha Cobb Smith of Grand Ledge, who has resigned, for a term expiring on March 30, 2005.

Mr. Richard A. Montcalm, 440 Borgess Avenue, Monroe, Michigan 48162, county of Monroe, as a member representing school finance/operations officials, succeeding Mr. Michael E. Cassady of Clinton Township, who has resigned, for a term expiring on March 30, 2004.

September 4, 2002

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

**Oakland University Board of Trustees**

Ms. Ann V. Nicholson, 222 Cloverly Road, Grosse Pointe Farms, Michigan 48236, county of Wayne, as a member representing the general public, succeeding herself, for a term expiring on August 11, 2010.

Mr. Dennis K. Pawley, 4324 Sashabaw Road, Waterford, Michigan 48329, county of Oakland, as a member representing the general public, succeeding Mr. Louis Grech-Cumbo of Clarkston, whose term has expired, for a term expiring on August 11, 2010.

September 10, 2002

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

**Nursing Home Administrators' Board of Control**

Ms. Geraldine Pleasant, 801 West Alma, Flint, Michigan 48505, county of Genesee, as a member representing the general public, succeeding herself, for a term beginning on January 1, 2003 and expiring on December 31, 2006.

Ms. DeLora K. Denman, 4756 W. Grand River Avenue, Saranac, Michigan 48881, county of Ionia, as a member representing nursing home administrators, succeeding Ms. Victoria L. Cicone of Troy, whose term will expire on December 31, 2002, for a term beginning on January 1, 2003 and expiring on December 31, 2006.

Ms. Kathleen Husk, 26900 Lyndon, Redford, Michigan 48239, county of Wayne, as a member representing the general public, succeeding Mr. Zubair Gulrez Rathur of Bloomfield Hills, whose term will expire on December 31, 2002, for a term beginning on January 1, 2003 and expiring on December 31, 2006.

September 10, 2002

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

**Michigan Board of Psychology**

Dr. Karen Colby Weiner, 2501 W. Long Lake Road, West Bloomfield, Michigan 48323, county of Oakland, as a member representing professionals, succeeding herself, for a term beginning on January 1, 2003 and expiring on December 31, 2006.

Mr. Edward G. Klobucher, 585 E. Shevlin, Hazel Park, Michigan 48030, county of Oakland, as a member representing non-doctoral psychologists, succeeding Ms. Rani D. Bahadur of West Bloomfield, whose term will expire on December 31, 2002, for a term beginning on January 1, 2003 and expiring on December 31, 2006.

Ms. Lynn E. Aronoff, 202 Euclid Avenue, Royal Oak, Michigan 48067, county of Oakland, as a member representing the general public, succeeding Mr. William T. Burton, Jr., of Detroit, whose term will expire on December 31, 2002, for a term beginning on January 1, 2003 and expiring on December 31, 2006.

September 10, 2002

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

**Commission on Spanish-Speaking Affairs**

Mr. Ricardo J. Verdoni, 5090 Overhill Drive, Saginaw, Michigan 48602, county of Saginaw, as a member representing the general public, succeeding himself, for a term beginning on December 11, 2002 and expiring on December 10, 2005.

Mr. George E. Fierro, 3570 47th Street, Hamilton, Michigan 49419, county of Allegan, as a member representing the general public, succeeding himself, for a term beginning on December 11, 2002 and expiring on December 10, 2005.

Mrs. Nelida B. Bravo, 528 Sunset, White Lake, Michigan 48383, county of Oakland, as a member representing the general public, succeeding herself, for a term beginning on December 11, 2002 and expiring on December 10, 2005.

Ms. Frances Diaz Plets, 43398 Rivergate Drive, Clinton Township, Michigan 48038, county of Macomb, as a member representing the general public, succeeding Ms. Zoraida Sanchez of Kentwood, who has resigned, for a term expiring on December 10, 2005.

Mr. Sergio Paneque, 9318 Oakdale Drive, Laingsburg, Michigan 48848, county of Clinton, as a member representing the general public, succeeding himself, for a term beginning on December 11, 2002 and expiring on December 10, 2005.

Ms. Maria Elena Gutierrez-Ostrander, 211 Windyrush Lane, DeWitt, Michigan 48820, county of Clinton, as a member representing the general public, succeeding Ms. Frances Diaz Plets of Clinton Township, whose term will expire on December 10, 2002, for a term beginning on December 11, 2002 and expiring on December 10, 2005.

September 10, 2002

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

**Michigan Travel Commission**

Mr. Kenneth B. Horn, #1 Sunburst Court, Frankenmuth, Michigan 48234, county of Saginaw, as a member representing the private sector, succeeding Mr. James M. Garavaglia of Ann Arbor, who has resigned, for a term expiring on August 20, 2005.

Ms. Christina MacInnes, 4751 Arbutus Lane, Beulah, Michigan 49617, county of Benzie, as a member representing tourism and conventions, succeeding Mr. Jon R. Nunn of Grand Rapids, whose term has expired, for a term expiring on August 20, 2006.

Mr. Gregory F. Golab, 4765 Waynick Drive, Britton, Michigan 49229, county of Lenawee, as a member representing the travel industry, succeeding Mr. Paul W. Ungrodt, Jr., of Ann Arbor, whose term has expired, for a term expiring on August 20, 2006.

September 16, 2002

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

**Board of Cosmetology**

Mr. Douglas J. Weaver, 1801 Mirabeau, Okemos, Michigan 48864, county of Ingham, as a member representing licensed cosmetologists, succeeding Ms. Lari A. Seifert of Norton Shores, whose term will expire on December 31, 2002, for a term beginning on January 1, 2003 and expiring on December 31, 2006.

Ms. Charlene Donofrio, 37527 Alpinia Lane, Clinton Township, Michigan 48036, county of Macomb, as a member representing the general public, succeeding Ms. Sue Ann Stefancik of Hancock, whose term will expire on December 31, 2002, for a term beginning on January 1, 2003 and expiring on December 31, 2006.

September 16, 2002

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

**Elevator Safety Board**

Mr. Joseph T. Franz, 2970 Orange Grove, Waterford, Michigan 48329, county of Oakland, as a member representing the general public, succeeding himself, for a term expiring on July 22, 2006.

Mr. Richard A. Egerer, 30060 Five Mile Road, Livonia, Michigan 48154, county of Wayne, as a member representing elevator construction unions, succeeding himself, for a term expiring on July 22, 2006.

Mr. David L. Flint, 2510 Hogan Circle, Fenton, Michigan 48430, county of Genesee, as a member representing owners/lessees of elevators, succeeding Mr. James W. Vibbart of Whitmore Lake, whose term has expired, for a term expiring on July 22, 2006.

September 18, 2002

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

**Commission of Agriculture**

Mr. Jordan Tatter, 7275 Beechwood Circle, Watervliet, Michigan 49098, county of Berrien, as a member representing Republicans, succeeding himself, for a term beginning on January 1, 2003 and expiring on December 31, 2006.

Mr. Douglas E. Darling, 13109 Palmer Road, Maybee, Michigan 48159, county of Monroe, as a member representing Democrats, succeeding himself, for a term beginning on January 1, 2003 and expiring on December 31, 2006.

September 20, 2002

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

**Michigan State Housing Development Authority**

Dr. Douglas B. Roberts, 1853 North Gate, East Lansing, Michigan 48823, county of Ingham, as a member representing the Michigan Department of Treasury, for a term expiring at the pleasure of the Governor.

Ms. Noelle A. Clark, 4980 Hawk Hollow Drive, Bath, Michigan 48808, county of Clinton, as a member representing the Department of Consumer and Industry Services, for a term expiring at the pleasure of the Governor.

Mr. Douglas E. Howard, 511 Windy Rush Lane, DeWitt, Michigan 48820, county of Clinton, as a member representing the Family Independence Agency, for a term expiring at the pleasure of the Governor.

September 30, 2002

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

**Worker's Compensation Appellate Commission**

Mr. James Edward Wyszynski, Jr., 912 Cedar Street, Grand Ledge, Michigan 48837, county of Eaton, as a member representing the general public, for a term expiring on October 1, 2003.

Ms. Joy L. Witte, 904 Turner Street, DeWitt, Michigan 48820, county of Clinton, as a member representing the general public, for a term expiring on October 1, 2003.

Ms. Marie E. Martell, 1718 Greencrest, East Lansing, Michigan 48823, county of Ingham, as a member representing the general public, for a term expiring on October 1, 2006.

Mr. Richard B. Leslie, 10921 Charring Cross Circle, Whitmore Lake, Michigan 48189, county of Livingston, as a member representing the general public, for a term expiring on October 1, 2006.

October 1, 2002

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

**Chair of the Worker's Compensation Appellate Commission**

Mr. Richard B. Leslie, 10921 Charring Cross Circle, Whitmore Lake, Michigan 48189, county of Livingston, as Chair, for a term expiring at the pleasure of the Governor.

October 4, 2002

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

**Agricultural Marketing and Bargaining Board**

Mr. Arthur J. Lister, Sr., 3140 S. Pere Marquette Road, Ludington, Michigan 49431, county of Mason, as a member representing Democrats and farmers, succeeding himself, for a term expiring on September 1, 2006.

Mr. Rick Ray, 4647 Doug Drive, Whitehall, Michigan 49461, county of Muskegon, as a member representing Independents and processors, succeeding himself, for a term expiring on September 1, 2006.

October 4, 2002

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

**Michigan Bean Commission**

Mr. Michael J. Sahr, 9121 E. Washington Road, Saginaw, Michigan 48601, county of Saginaw, as a member representing growers from District 8, succeeding himself, for a term beginning on January 1, 2003 and expiring on December 31, 2005.

October 4, 2002

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

**Commission on Law Enforcement Standards**

Mr. Kurt R. Jones, 215 Dresser Street, P.O. Box 94, Cheboygan, Michigan 49721, county of Cheboygan, as a member representing chiefs of police, succeeding Mr. Robert M. Denslow of Cadillac, whose term will expire on November 1, 2002, for a term beginning on November 2, 2002 and expiring on November 1, 2005.

October 4, 2002

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

**Board of Mechanical Rules**

Mr. Kenneth G. Sokolowski, 51791 Black Hill Lane, Macomb Township, Michigan 48042, county of Macomb, as a member representing fire suppression experts, succeeding Mr. Michael J. Lawrence of Detroit, whose term has expired, for a term expiring on October 1, 2004.

October 4, 2002

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

**Upper Peninsula State Fair Board of Managers**

Ms. Vickie L. Micheau, 9000 Stagecoach Q.5 Avenue, Gladstone, Michigan 49837, county of Delta, as a member representing the general public, succeeding Mr. Richard A. Breyer of Stephenson, whose term has expired, for a term expiring on September 30, 2007.

October 8, 2002

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

**Natural Resources Commission**

Mr. Robert J. Garner, 7020 East 48 Road, Cadillac, Michigan 49601, county of Wexford, as a member representing the general public, succeeding himself, for a term beginning on January 1, 2003 and expiring on December 31, 2006.

Mr. John M. Madigan, 831 West Munising Avenue, Munising, Michigan 49862, county of Alger, as a member representing the general public, succeeding Ms. Nancy A. Douglas of Menominee, whose term will expire on December 31, 2002, for a term beginning on January 1, 2003 and expiring on December 31, 2006.

October 11, 2002

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

**Worker's Compensation Board of Magistrates**

Mr. Bernard S. Kielton, 2457 Woody Noll Drive, Portage, Michigan 49002, county of Kalamazoo, as a member representing the general public, succeeding Mr. Dale E. Malewska of Ovid, who has resigned, for a term expiring on January 26, 2005.

Mr. Kenneth L. Block, 1504 Pontiac SE, Grand Rapids, Michigan 49506-3340, county of Kent, as a member representing the general public, succeeding Mr. Stephen C. Oldstrom of Ann Arbor, for a term beginning on November 1, 2002 and expiring on January 26, 2005.

Mr. George J. Quist, 3678 Oak Bluff SE, Grand Rapids, Michigan 49546, county of Kent, as a member representing the general public, succeeding Mr. Richard B. Leslie of Whitmore Lake, who has resigned, for a term expiring on January 26, 2005.

October 15, 2002

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

**Michigan Board of Osteopathic Medicine and Surgery**

Dr. Steven T. Plomaritis, 860 Lake Shore Drive, Grosse Pointe Shores, Michigan 48236, county of Wayne, as a member representing osteopathic physicians, succeeding Dr. Robert D. Aranosian of Clarkston, whose term will expire on December 31, 2002, for a term beginning on January 1, 2003 and expiring on December 31, 2006.

Dr. Ann K. Kuenker, 7920 Bay Shore Road, Elk Rapids, Michigan 49624, county of Antrim, as a member representing osteopathic physicians, succeeding Dr. Susan M. Rose of Brighton, whose term will expire on December 31, 2002, for a term beginning on January 1, 2003 and expiring on December 31, 2006.

Dr. Ann Marie Auburn, 6841 84th Street SE, Caledonia, Michigan 49316, county of Kent, as a member representing osteopathic physicians, succeeding Dr. Richard E. Griffin of East Lansing, whose term will expire on December 31, 2002, for a term beginning on January 1, 2003 and expiring on December 31, 2006.

Dr. Michele M. Keys, 563 Sheldon, Grosse Pointe Shores, Michigan 48236, county of Wayne, as a member representing osteopathic physicians, succeeding Dr. Ronald L. Rhule of Williamston, who has resigned, for a term expiring on December 31, 2004.

October 15, 2002

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

**Michigan Board of Veterinary Medicine**

Dr. Willie M. Reed, 1320 Ivywood, Okemos, Michigan 48864, county of Ingham, as a member representing veterinarians, succeeding himself, for a term beginning on January 1, 2003 and expiring on December 31, 2006.

Dr. Patricia O'Handley, 1523 Roseland Avenue, East Lansing, Michigan 48823, county of Ingham, as a member representing veterinarians, succeeding herself, for a term beginning on January 1, 2003 and expiring on December 31, 2006.

Dr. Henry M. Vaupel, P.O. Box 363, Fowlerville, Michigan 48836, county of Livingston, as a member representing veterinarians, succeeding Dr. Garold H. Koester of Cadillac, whose term will expire on December 31, 2002, for a term beginning on January 1, 2003 and expiring on December 31, 2006.

October 18, 2002

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

**Central Michigan University Board of Trustees**

Ms. Gail F. Torreano, 1517 Carnahan, Mt. Pleasant, Michigan 48858, county of Isabella, as a member representing the general public, succeeding Mr. Raj B. Vattikuti of Bloomfield Hills, whose term will expire on December 31, 2002, for a term beginning on January 1, 2003 and expiring on December 31, 2010.

Ms. Stephanie Comai, 1652 Sunnyside, Lansing, Michigan 48910, county of Ingham, as a member representing the general public, succeeding Mr. William L. Johnson of Fort Gratiot, whose term will expire on December 31, 2002, for a term beginning on January 1, 2003 and expiring on December 31, 2010.

Mr. Jeffrey R. Caponigro, 5790 Springbrook Drive, Troy, Michigan 48098, county of Oakland, as a member representing the general public, succeeding Ms. Nancy McKeague of East Lansing, who has resigned, for a term expiring on December 31, 2008.

October 18, 2002

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

**Michigan Board of Dentistry**

Dr. Gary E. Jeffers, 42890 Steepleview, Northville, Michigan 48167-2077, county of Wayne, as a member representing dentists, succeeding Dr. James L. Wieland of Grand Rapids, whose term has expired, for a term expiring on June 30, 2006.

October 18, 2002

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

**Michigan Board of Medicine**

Mrs. Gretchen Pretty, 4145 Nearbrook Road, Bloomfield Hills, Michigan 48302, county of Oakland, as a member representing the general public, succeeding Mr. Harold G. Schuitmaker of Lawton, whose term will expire on December 31, 2002, for a term beginning on January 1, 2003 and expiring on December 31, 2006.

Ms. Tonya L. Schuitmaker, 29924 60th Avenue, Lawton, Michigan 49065, county of Van Buren, as a member representing the general public, succeeding Ms. Nancy P. Hillemonds of Plymouth, who has resigned, for a term expiring on December 31, 2005.

Mr. Thomas C. Lindsay II, 1060 Aaron, #203, DeWitt, Michigan 48820, county of Clinton, as a member representing the general public, succeeding Mr. Gerald L. Wall of Roscommon, who has resigned, for a term expiring on December 31, 2005.

Dr. William H. Fenn, 2300 Ramblewood Drive, Kalamazoo, Michigan 49009-8914, county of Kalamazoo, as a member representing physician assistants, succeeding Mr. Gregg Lee Haskell of Houghton Lake, whose term will expire on December 31, 2002, for a term beginning on January 1, 2003 and expiring on December 31, 2006.

October 18, 2002

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

**Saginaw Valley State University Board of Control**

Ms. Sandra M. Cotter, 974 Rosewood Avenue, East Lansing, Michigan 48823, county of Ingham, as a member representing the general public, succeeding Mr. Robert H. Walpole of Traverse City, who has resigned, for a term expiring on July 21, 2005.

October 18, 2002

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

**Michigan Technological University Board of Control**

Dr. Ruth A. Reck, 7229 Westchester, West Bloomfield, Michigan 48322, county of Oakland, as a member representing the general public, succeeding Mr. James Bronce Henderson III of Bloomfield Hills, who has resigned, for a term expiring on December 31, 2002.

Dr. Ruth A. Reck, 7229 Westchester, West Bloomfield, Michigan 48322, county of Oakland, as a member representing the general public, succeeding herself, for a term beginning on January 1, 2003 and expiring on December 31, 2010.

Mr. Norman A. Rautiola, 430 Upton Street, Reed City, Michigan 49677, county of Osceola, as a member representing the general public, succeeding Dr. Ruth A. Reck of West Bloomfield, for a term expiring on December 31, 2006.

Mr. A. Douglas Rothwell, 5527 Great Hawk Circle, Ann Arbor, Michigan 48105, county of Washtenaw, as a member representing the general public, succeeding Mr. Martin G. Lagina of Traverse City, whose term will expire on December 31, 2002, for a term beginning on January 1, 2003 and expiring on December 31, 2010.

October 21, 2002

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

**Michigan Board of Occupational Therapists**

Mr. Robert C. Ferguson, 2722 Dayton Drive, Ann Arbor, Michigan 48108, county of Washtenaw, as a member representing professionals, succeeding Ms. Sheila J. Mack of St. Clair Shores, whose term will expire on December 31, 2002, for a term beginning on January 1, 2003 and expiring on December 31, 2006.

October 21, 2002

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

**Board of Real Estate Brokers and Salespersons**

Mr. Bradley L. Smith, 14191 Calhoun Road, Addison, Michigan 49220, county of Lenawee, as a member representing professionals, succeeding Ms. Tonya L. Schuitmaker of Lawton, who has resigned, for a term expiring on June 30, 2004.

Mr. Scott C. Griffith, 4880 Kenicott Trail, Brighton, Michigan 48116, county of Livingston, as a member representing professionals, succeeding Mr. Robert Shumake of Detroit, who has resigned, for a term expiring on June 30, 2004.

Ms. Laurie Bush, 1402 Helen Street, Bay City, Michigan 48708, county of Bay, as a member representing professionals, succeeding Ms. Pat Vredevoogd of Grand Rapids, who has resigned, for a term expiring on June 30, 2003.

October 21, 2002

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

**Michigan Soybean Committee**

Mr. Edward J. Cagney, 7439 East "PQ" Avenue, Scotts, Michigan 49088, county of Kalamazoo, as a member representing growers from District 1, succeeding himself, for a term expiring on September 23, 2005.

October 22, 2002

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

**Ferris State University Board of Trustees**

Mr. James K. Haveman, Jr., 5069 S. Quail Crest Drive SE, Grand Rapids, Michigan 49546, county of Kent, as a member representing the general public, succeeding Ms. Lorraine H. Schultz of Bloomfield Hills, for a term beginning on January 1, 2003 and expiring on December 31, 2010.



Mr. R. Thomas Cook, 759 Gray Road SE, Fife Lake, Michigan 49633-8248, county of Grand Traverse, as a member representing the general public, succeeding himself, for a term beginning on January 1, 2003 and expiring on December 31, 2010.

October 22, 2002

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

**Liquor Control Commission**

Mr. James E. McBryde, 2130 Flagstone Court, Mount Pleasant, Michigan 48858, county of Isabella, as a member representing Republicans, succeeding Mr. Walter R. Keck of Charlotte, who has resigned, for a term expiring on June 12, 2003.

October 22, 2002

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

**Michigan Board of Podiatric Medicine and Surgery**

Dr. Michael S. Schey, 2922 Woodland Ridge, West Bloomfield, Michigan 48323, county of Oakland, as a member representing licensed podiatrists, succeeding Dr. Terrence J. Emiley of Grand Rapids, whose term has expired, for a term expiring on June 30, 2006.

Mr. Raymond G. Mills, 210 N. Genesee, Bellaire, Michigan 49615, county of Antrim, as a member representing the general public, succeeding himself, for a term expiring on June 30, 2006.

Ms. Mary Ann Pater, 2511 Riverwood Terrace, St. Joseph, Michigan 49085, county of Berrien, as a member representing the general public, succeeding Dr. Isabel J. Barnes of Stanwood, whose term has expired, for a term expiring on June 30, 2006.

Dr. Charles G. Kissel, 41 Christine, Grosse Pointe Farms, Michigan 48236, county of Wayne, as a member representing licensed podiatrists, succeeding Dr. Michael S. Salter of Farmington Hills, whose term has expired, for a term expiring on June 30, 2006.

October 22, 2002

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

**Western Michigan University Board of Trustees**

Mr. William J. Martin, 73 Sunnyside Drive, Battle Creek, Michigan 49015, county of Calhoun, as a member representing the general public, succeeding Mr. Richard St. John of Kalamazoo, whose term will expire on December 31, 2002, for a term beginning on January 1, 2003 and expiring on December 31, 2010.

Mr. Kenneth V. Miller, 6835 S. 6th Street, Kalamazoo, Michigan 49008, county of Kalamazoo, as a member representing the general public, succeeding Mr. Richard F. Chormann of Portage, whose term will expire on December 31, 2002, for a term beginning on January 1, 2003 and expiring on December 31, 2010.

October 23, 2002

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

**State Carnival-Amusement Safety Board**

Mr. Kurt G. Kipling, 654 Teal Lake Road, Ishpeming, Michigan 49849, county of Marquette, as a member representing the general public, succeeding himself, for a term expiring on July 10, 2005.

Mr. Douglas P. Clark, 254 Owen Road, Ionia, Michigan 48846, county of Ionia, as a member representing the Retail Merchants Association, succeeding Mr. John C. Olson of Mt. Pleasant, whose term has expired, for a term expiring on July 10, 2005.

October 23, 2002

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

**Civil Rights Commission**

Mr. Francisco J. Villarruel, 47951 W. Ann Arbor Road, Plymouth Township, Michigan 48170, county of Wayne, as a member representing Independents, succeeding himself, for a term beginning on January 1, 2003 and expiring on December 31, 2006.

Ms. Margaret M. Van Houten, 27262 Midway, Dearborn Heights, Michigan 48127, county of Wayne, as a member representing Republicans, succeeding Ms. Evelyn L. Crane of Detroit, whose term will expire on December 31, 2002, for a term beginning on January 1, 2003 and expiring on December 31, 2006.

October 23, 2002

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

**Grand Valley State University Board of Trustees**

Ms. Dorothy A. Johnson, 212 Stickney Ridge Road, Grand Haven, Michigan 49417, county of Ottawa, as a member representing the general public, succeeding herself, for a term beginning on January 1, 2003 and expiring on December 31, 2010.

Ms. Lucille S. Taylor, 9760 Sunny Point, Laingsburg, Michigan 48848, county of Shiawassee, as a member representing the general public, succeeding Ms. Donnalee Holton of Belmont, whose term will expire on December 31, 2002, for a term beginning on January 1, 2003 and expiring on December 31, 2010.

October 23, 2002

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

**Michigan Board of Pharmacy**

Ms. Maria Q. Wolfe, 2306 Cawdor Court, Lansing, Michigan 48917, county of Ingham, as a member representing the general public, succeeding Mrs. Gretchen Pretty of Bloomfield Hills, who has resigned, for a term beginning on November 1, 2002 and expiring on June 30, 2005.

October 24, 2002

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

**Northern Michigan University Board of Control**

Mr. Alan T. Ackerman, 365 Pine Ridge Drive, Bloomfield Hills, Michigan 48304, county of Oakland, as a member representing the general public, succeeding Mr. Daniel G. DeVos of Ada, whose term will expire on December 31, 2002, for a term beginning on January 1, 2003 and expiring on December 31, 2010.

Dr. Douglas B. Roberts, 1853 North Gate, East Lansing, Michigan 48823, county of Ingham, as a member representing the general public, succeeding Ms. Barbara B. Labadie of Grosse Pointe Woods, whose term will expire on December 31, 2002, for a term beginning on January 1, 2003 and expiring on December 31, 2010.

Mr. Samuel S. Benedict, 8627 Lakeside Drive, Rapid River, Michigan 49878, county of Delta, as a member representing the general public, succeeding himself, for a term expiring on December 31, 2008.

October 25, 2002

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

**Michigan Aeronautics Commission**

Mr. Dean G. Greenblatt, 8666 Rosario Court, White Lake, Michigan 48386, county of Oakland, as a member representing the general public, succeeding Mr. Robert G. Bender of Middleville, who has resigned, for a term beginning on November 21, 2002 and expiring on May 27, 2004.

October 25, 2002

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

**Eastern Michigan University Board of Regents**

Mr. Philip A. Incarnati, 74 Chateaux Du Lac, Fenton, Michigan 48430, county of Genesee, as a member representing the general public, succeeding himself, for a term beginning on January 1, 2003 and expiring on December 31, 2010.

Ms. Sharon J. Rothwell, 5527 Great Hawk Circle, Ann Arbor, Michigan 48105, county of Washtenaw, as a member representing the general public, succeeding Mr. Robert A. DeMattia of Northville, whose term will expire on December 31, 2002, for a term beginning on January 1, 2003 and expiring on December 31, 2010.

October 25, 2002

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

**Michigan Education Trust Board of Directors**

Mr. Thomas P. Sullivan, 9835 Whisperwood, Brighton, Michigan 48116, county of Livingston, as a member representing independent colleges and universities, succeeding himself, and as Vice President, for a term expiring at the pleasure of the Governor.

Ms. Stephanie M. Wilkinson, 2737 Strawberry Lane, Port Huron, Michigan 48060, county of St. Clair, as a member representing the Senate Majority Leader, succeeding Mr. Michael J. Crandall of Portage, whose term will expire on December 31, 2002, for a term beginning on January 1, 2003 and expiring on December 31, 2005.

Mr. Lon Schneider, 8331 North Mackinaw Trail, Tustin, Michigan 49688, county of Osceola, as a member representing the Speaker of the House of Representatives, succeeding Ms. Mary Ellen Agar of Portage, whose term will expire on December 31, 2002, for a term beginning on January 1, 2003 and expiring on December 31, 2005.

October 25, 2002

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

**State Tax Commission**

Dr. Douglas B. Roberts, 1853 North Gate, East Lansing, Michigan 48823, county of Ingham, as a member representing the general public, succeeding Mr. Robert R. Lupi of Whitmore Lake, who has resigned, for a term expiring on September 13, 2007.

October 25, 2002

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

**State Transportation Commission**

Mr. Robert G. Bender, 2998 Wood School Road, Middleville, Michigan 49333, county of Barry, as a member representing the general public, succeeding Mr. Barton W. LaBelle of Mt. Pleasant, whose term will expire on December 21, 2002, for a term beginning on December 22, 2002 and expiring on December 21, 2005.

Mr. Ted B. Wahby, 30117 Elmgrove, St. Clair Shores, Michigan 48082, county of Macomb, as a member representing the general public, succeeding himself, for a term beginning on December 22, 2002 and expiring on December 21, 2005.

October 25, 2002

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

**Michigan Travel Commission**

Mr. Bret Marr, 3842 Van Atta, Okemos, Michigan 48864, county of Ingham, as a member representing tourism, succeeding Ms. Annette M. Rummel of Frankenmuth, whose term has expired, for a term expiring on August 20, 2006.

November 5, 2002

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

**Michigan State Waterways Commission**

Mr. Edward P. Beauregard, 2444 St. Clair River Drive, Algonac, Michigan 48001, county of St. Clair, as a member representing the general public, succeeding himself, for a term expiring on September 18, 2003.

Mr. John A. Winn, 125 Belvedere Avenue, Charlevoix, Michigan 49720, county of Charlevoix, as a member representing the general public/marine trade industries that do not own or operate a harbor, marina or boat dealership, succeeding himself, for a term expiring on September 18, 2005.

Mr. David R. Giffin, 7421 Kenrob Drive SE, Grand Rapids, Michigan 49546, county of Kent, as a member representing the general public/owner-operator of a harbor, succeeding himself, for a term expiring on September 18, 2005.

Mr. Frank P. Opolka, N3235 Woodland Drive, Iron Mountain, Michigan 49801, county of Dickinson, as a member representing the Upper Peninsula, succeeding himself, for a term expiring on September 18, 2004.

Mr. Robert G. Spicer, 126 Wooden Key Drive, Houghton Lake, Michigan 48629, county of Roscommon, as a member representing the general public/Lower Peninsula north of Townline 16, succeeding Mr. Frank P. McBride of Grosse Pointe, whose term has expired, for a term expiring on September 18, 2003.

Mr. Jon G. VanderMolen, 9684 West Gull Lake Drive, Richland, Michigan 49083, county of Kalamazoo, as a member representing the general public, succeeding Mr. Marc Howard of Mt. Clemens, whose term has expired, for a term expiring on September 18, 2003.

Mr. David V. Johnson, 8555 Stonewood Drive, Clarkston, Michigan 48346, county of Oakland, as a member representing the general public, succeeding Mr. David Grossman of West Bloomfield, whose term has expired, for a term expiring on September 18, 2004.

Sincerely,  
John Engler  
Governor

The appointments were referred to the Committee on Government Operations.

The following message from the Governor was received and read:

SINGLE BUSINESS TAX; ACCELERATED REDUCTION

July 25, 2002

Today I have vetoed and am returning to you herewith, Enrolled Senate Bill 117.

As enrolled, Senate Bill 117 would have reduced the "trigger" measure for pausing the reduction in the Single Business Tax rate to \$50,000, and would have doubled the annual rate reduction under certain circumstances. I cannot endorse these changes.

When I signed the elimination of the Single Business Tax into law as Public Act No. 115 of 1999, it was clearly understood that the fiscal health of the state could change at some point in the future. In recognition of that fact, the Legislature added the provision pausing the steady reduction of the tax if the balance of the Countercyclical Budget and Stabilization Fund (BSF) fell below \$250 million. That was a wise provision, and I was pleased to sign it into law. The business community affirmed its support of the trigger publicly at that time.

The merits of the trigger remain unchanged. The trigger level of \$250 million is a prudent standard. It offers a minimum level of protection for critical state programs during periods of economic decline and helps protect the state's AAA bond rating. Reducing the trigger to \$50,000, conversely, would preclude a measured approach to balancing the state budget, and would jeopardize the state's credit rating.

In returning Senate Bill 117 without my signature, I also reject the notion that the business community is being singled out and punished. To the contrary, the business community will continue to realize significant tax relief even without this bill.

My signature on Enrolled Senate Bill 1322 will free approximately 13,000 businesses from Single Business Tax liability, and will save those taxpayers \$18.5 million in 2003 alone. In addition to this relief, the debate on taxation of businesses operating in Michigan should begin now. Enrolled Senate Bill 1322 calls for the repeal of the Single Business Tax Act at the end of calendar year 2009.

The business community as a whole will realize approximately \$200 million in relief from unemployment insurance costs in 2002 with savings of at least \$100 million in 2003. Businesses will also see state education property tax reductions totaling \$80 million because of Public Act No. 244 of 2002. As a result, businesses located in Michigan may well be the only ones in the nation who will be receiving any state tax relief in 2003.

I applaud the State Senate and the House of Representatives for making numerous difficult choices in drafting a balanced state budget, but I cannot approve legislation that undermines the fiscal well being of the state.

Sincerely,  
John Engler  
Governor

This bill was returned from the Governor on July 25, 2002, at 4:46 p.m.

The question being on the passage of the bill, the objections of the Governor to the contrary notwithstanding, Senator Emmons moved that the veto message be referred to the Committee on Finance.

The motion prevailed.

The following message from the Governor was received and read:

APPROPRIATIONS; CAPITAL OUTLAY

July 25, 2002

Today I have signed Enrolled Senate Bill 1099, the fiscal year 2003 appropriations bill for Capital Outlay. However, I am returning it to you because of items of which I disapprove pursuant to Article V, Section 19, of the Michigan Constitution. The specific vetoes are contained in the attached copy of this bill, which has been filed with the Secretary of State.

This bill will provide landmark support for a new Airport Safety and Protection (ASAP) Plan that will provide \$1 billion over the next five years for airport safety and security projects. This investment positions Michigan to meet the challenges of new homeland security requirements at our state's critical airport facilities. The ASAP plan provides for the issuance of bonds to help the state leverage \$160 million annually in federal funds for statewide airport improvements. Combined with other state and local funds, the fiscal year 2003 appropriation for airport capital improvements totals \$229 million.

The bill also supports federal and state restricted projects for the departments of Agriculture, Natural Resources, and Transportation. Key projects financed include: farmland and open space preservation (\$7.5 million), expansion of the Mackinac Island marina (\$9 million), marina construction in Mackinaw City (\$3 million), state park and wildlife area maintenance (\$4 million), deer habitat acquisition (\$1.5 million), and construction of a new welcome center in Monroe (\$3 million). Minimal special maintenance support for various state agencies is also approved in this appropriations bill.

My action today includes the veto of all nineteen planning authorizations included in Enrolled Senate Bill 1099 for state higher education institutions. During my tenure as Governor, Michigan has invested in over 100 projects, totaling \$1.9 billion, at state universities and community colleges. State Building Authority rent obligations total over \$290 million in fiscal year 2003, including almost \$150 million for university and community college projects. My support for higher education and the capital needs of our public institutions is unwavering. This bill contains planning authorizations for several fine projects, and it is unfortunate that they will not be able to move forward. However, in light of pressures on the state budget from various ballot initiatives, as well as current economic conditions, this is not the time to increase future general fund obligations for debt service payments.

I thank the Legislature for their work on this budget bill.

Sincerely,  
John Engler  
Governor

This bill was signed by the Governor on July 25, 2002, at 11:45 a.m. (Filed with the Secretary of State on July 25, 2002, at 4:38 p.m.) and assigned Public Act No. 518.

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.

The following message from the Governor was received and read:

#### APPROPRIATIONS; DEPARTMENT OF COMMUNITY HEALTH

July 25, 2002

Today I have signed Enrolled Senate Bill 1101, the Fiscal Year 2003 Department of Community Health appropriation. 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 that has been filed with the Secretary of State.

This bill appropriates over \$9.6 billion, an amount which represents a significant commitment to the health of Michigan's citizens. Highlights of the bill include:

- The appropriation of over \$6.3 billion to support the Medicaid program, which provides health care for 1.2 million low income residents of Michigan. I commend you for protecting this essential program from major budgetary reductions, even in this constrained economy.
- The provision of over \$2 billion to support mental health and substance abuse services. The continuance of this generous level of funding to Community Mental Health Service Programs will support quality care for those most in need.
- The appropriation of nearly \$550 million for other public health and aging programs.
- The authorization of \$95 million in additional federal funding to support the Medicare Low-Income Drug Assistance and Medicaid Pharmacy Plus Waiver program.

Unfortunately, the proposed constitutional amendments which will be decided this November would seriously constrain our ability to finance the appropriations in this budget and the balance of state government. Given this uncertainty, I am compelled to reduce appropriations through vetoes and administrative action in order to maximize the state's flexibility to address the general fund financing shortfalls that will occur if the ballot initiatives are adopted.

Accordingly, I have directed the Department of Community Health to delay implementation of the MIFamily program—a Medicaid waiver that would expand health care coverage and mental health services to approximately 200,000 Michigan residents—until we can be certain that we can afford to commit the necessary state resources to this expansion.

In addition, I have vetoed the following appropriations because they inappropriately restrict funding to selected providers or specific areas of the state: Sections 412, 852, 1025, and 1646.

I am vetoing the following appropriations because they spend scarce state resources on low priority initiatives: Sections 419, 430, 431, 447, 449, 805, 853, 1136, 1508, and 1645.

I am vetoing the following appropriations because they are already appropriated through Public Act 303 of 2002: the Long-Term Care Services line item, the Home and Community Based Waiver line item, the Personal Care Services line item, and the Adult Home Help line item, and related boilerplate sections 1680, 1681, 1684, 1684a, 1685, 1687, 1688, 1689, 1690, 1701, 1702, 1703, 1710, and 1712.

I am vetoing all or a portion of the following appropriations because they are already appropriated through Public Act 304 of 2002: the Health Maintenance Organizations line item, and related boilerplate sections 1612(2), 1653, 1654, 1657(4), 1658, 1660(3)-(5), and 1661.

I am vetoing Section 448 because a rule recently issued by the federal government will prevent the state from assessing a quality assurance assessment fee for Community Mental Health Services Programs.

Finally, I am vetoing Section 1124 because it attempts to appropriate funds not yet received by the state.

While I have found it necessary to make numerous 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 be fiscally responsible in this time of restricted revenue.

Sincerely,  
John Engler  
Governor

This bill was signed by the Governor on July 25, 2002, at 11:50 a.m. (Filed with the Secretary of State on July 25, 2002, at 4:40 p.m.) and assigned Public Act No. 519.

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.

The following message from the Governor was received and read:

#### APPROPRIATIONS; DEPARTMENT OF EDUCATION

July 25, 2002

Today I have signed Enrolled Senate Bill 1103, the fiscal year 2003 appropriations bill for the Department of 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 vetoes are contained in the attached copy of the bill, which has been filed with the Secretary of State.

This bill will provide over \$215 million for preK-12 education programs that support professional preparation programs, early intervention programs, educational choice, and technical assistance to local districts. My action today:

- Adds \$946,900 to support student participation in the school breakfast program. The current program provides over 195,000 children at 2,975 schools with free or reduced price breakfasts.
- Supports the addition of over \$10 million in federal funding for administrative costs associated with the new Elementary and Secondary Education Act (ESEA) programs such as Reading First grants, Teacher Quality grants, Rural and Low Income School program, and Community Service grants. The bill also contains additional state funds for more department oversight of special education programs.
- Adds state restricted funds (\$300,000) to enhance the Off-Road Vehicle and Motorcycle Safety Training Programs.
- Increases funding for teacher scholarships to become certified by the National Board of Professional Teaching Standards (\$50,000).

However, due to current budget constraints, I have vetoed Section 211(2)(e), which provides funding to advertise the Anti-Violence School Hotline. The hotline itself has been in existence since 2001 and I cannot support the use of scarce state resources for promotional activities. This veto will not affect the operations of the hotline itself. I have also vetoed Section 221, which establishes a school health services consultant position. I do not support the creation of a specialized position at this time.

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

Sincerely,  
John Engler  
Governor

This bill was signed by the Governor on July 25, 2002, at 12:01 p.m. (Filed with the Secretary of State on July 25, 2002, at 4:46 p.m.) and assigned Public Act No. 522.

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.

The following message from the Governor was received and read:

APPROPRIATIONS; DEPARTMENT OF ENVIRONMENTAL QUALITY

July 25, 2002

Today I have signed Enrolled Senate Bill 1104, the fiscal year 2003 appropriations bill for the Department of Environmental Quality. I am, however, returning it to you because of two items of which I disapprove, pursuant to Article V, Section 19, of the Michigan Constitution. The specific vetoes are contained in the attached copy of the bill, which has been filed with the Secretary of State. My action today:

- Provides \$2.5 million in additional funding to establish and operate a comprehensive water-monitoring program for the Lake St. Clair watershed.
- Provides \$2.0 million in additional funding for the Environmental Cleanup and Redevelopment Program for state match commitments for Municipal Landfill Match Grants.
- Provides \$683,000 to expand the department's efforts in plugging abandoned or improperly closed oil or gas wells.
- Provides \$300,000 for an increase in the Water Pollution Control Grants program.
- Includes an additional \$180,000 for the Drinking Water program. These resources will be directed towards further development of the statewide groundwater database and additional public education efforts.
- Provides \$144,000 additional funding for the Geological Survey Division and supports additional staffing to increase oil and gas site inspections.

My action today also vetoes funding for the Arsenic Testing and Public Education Program. Current-year funding for this purpose has already been approved. This funding will implement the program, thereby removing the need for a fiscal year 2003 appropriation for the same purpose.

I have vetoed Section 602, which provides funding for the posting of beach signs at publicly owned beaches. I support the use of federal funding, available through grants to local health departments, for this purpose.

This bill supports the essential operations of the Department of Environmental Quality for fiscal year 2003. I commend the Legislature for its prompt action in finalizing this budget.

Sincerely,  
John Engler  
Governor

This bill was signed by the Governor on July 25, 2002, at 11:55 a.m. (Filed with the Secretary of State on July 25, 2002, at 4:42 p.m.) and assigned Public Act No. 520.

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.

The following message from the Governor was received and read:

APPROPRIATIONS; DEPARTMENT OF NATURAL RESOURCES

July 25, 2002

Today I have signed Enrolled Senate Bill 1106, the fiscal year 2003 appropriations bill for the Department of Natural Resources. However, I am returning it to you because of two items of which I disapprove, pursuant to Article V, Section 19, of the Michigan Constitution. The specific vetoes are contained in the attached copy of the bill, which has been filed with the Secretary of State.

My action today completes the fiscal year 2003 budget for the Department of Natural Resources, and:

- Provides \$2.0 million in state support to continue wildlife testing and management costs in the effort to eradicate Bovine Tuberculosis in the state's deer and elk herds.
- Increases Land and Water Conservation Fund grants by \$1.5 million to provide funding to local units of government and to the state to acquire and develop land for outdoor recreation.
- Includes \$1.2 million for debt service payment on revenue bonds issued for renovations at Sterling State Park in Southeast Michigan.
- Increases funding for the cooperative Resources Programs by \$400,000 to provide forestry and natural resource assistance to private landowners and communities through soil conservation districts.

- Provides \$400,000 to the Office of Property Management to increase delinquent property tax inspections.
- Increases general law enforcement funding by \$225,000 for operational costs of shooting ranges and \$200,000 for additional snowmobile enforcement efforts.
- Strengthens efforts to recover unpaid oil and gas royalty payments by providing an additional \$168,000 to expand oil and gas lease compliance audits.

My action today also vetoes two items with which I do not concur. I have vetoed boilerplate section 1051 that appropriates \$1,897,600 in Environmental Protection Fund resources for the payment of taxes on state lands in fiscal year 2003, as well as boilerplate section 1451 that appropriates \$598,700 of Environmental Protection Fund resources for the same purpose in fiscal year 2002. I do not believe this is an appropriate use for these environmental protection funds. I urge the Legislature to enact a permanent solution to the funding shortfall for payments in-lieu-of taxes. I have proposed options to address this problem but I remain willing to work with the legislature on other options which permanently address this issue.

I commend the Legislature for its cooperation in finalizing the fiscal year 2003 budget for the Department of Natural Resources.

Sincerely,  
John Engler  
Governor

This bill was signed by the Governor on July 25, 2002, at 12:10 p.m. (Filed with the Secretary of State on July 25, 2002, at 4:53 p.m.) and assigned Public Act No. 525.

The question being on the passage of the vetoed line item, 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

#### **Introduction and Referral of Bills**

Senator Emmons introduced

#### **Senate Bill No. 1491, entitled**

A bill to amend 1937 PA 94, entitled "Use tax act," by amending sections 4j and 4m (MCL 205.94j and 205.94m), section 4j as added by 1989 PA 141 and section 4m as added by 1998 PA 275.

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

Senator Byrum introduced

#### **Senate Bill No. 1492, entitled**

A bill to amend 1954 PA 116, entitled "Michigan election law," by amending section 31 (MCL 168.31), as amended by 1999 PA 220.

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

Senator Bullard introduced

#### **Senate Bill No. 1493, entitled**

A bill to amend 1993 PA 23, entitled "Michigan limited liability company act," by amending sections 206, 502, and 707 (MCL 450.4206, 450.4502, and 450.4707), sections 206 and 502 as amended and section 707 as added by 1997 PA 52, and by adding section 708.

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

Senator Bullard introduced

#### **Senate Bill No. 1494, entitled**

A bill to amend 1972 PA 284, entitled "Business corporation act," by amending sections 217, 762, and 1060 (MCL 450.1217, 450.1762, and 450.2060), sections 217 and 762 as amended by 1997 PA 118 and section 1060 as amended by 2001 PA 57, and by adding section 745.

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

Senator Bullard introduced

#### **Senate Bill No. 1495, entitled**

A bill to amend 1962 PA 192, entitled "Professional service corporation act," by amending section 13 (MCL 450.233), as amended by 2001 PA 58.

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



Senator Bullard introduced

**Senate Bill No. 1496, entitled**

A bill to amend 1982 PA 213, entitled "Michigan revised uniform limited partnership act," by amending section 102 (MCL 449.1102) and by adding section 211.

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

Senator Van Regenmorter introduced

**Senate Bill No. 1497, entitled**

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending sections 26 and 28 of chapter V (MCL 765.26 and 765.28).

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

Senators Dunaskiss, Byrum and Gast introduced

**Senate Bill No. 1498, entitled**

A bill to allow for the recovery of certain costs by electric public utilities; to prescribe powers and duties of certain state agencies and officials; and to provide protection against the disclosure of certain information.

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

Senators Dunaskiss, Byrum and Gast introduced

**Senate Bill No. 1499, entitled**

A bill to amend 1939 PA 3, entitled "An act to provide for the regulation and control of public utilities and other services affected with a public interest within this state; to provide for alternative energy suppliers; to provide for licensing; to include municipally owned utilities and other providers of energy under certain provisions of this act; to create a public service commission and to prescribe and define its powers and duties; to abolish the Michigan public utilities commission and to confer the powers and duties vested by law on the public service commission; to provide for the continuance, transfer, and completion of certain matters and proceedings; to abolish automatic adjustment clauses; to prohibit certain rate increases without notice and hearing; to qualify residential energy conservation programs permitted under state law for certain federal exemption; to create a fund; to provide for a restructuring of the manner in which energy is provided in this state; to encourage the utilization of resource recovery facilities; to prohibit certain acts and practices of providers of energy; to allow for the securitization of stranded costs; to reduce rates; to provide for appeals; to provide appropriations; to declare the effect and purpose of this act; to prescribe remedies and penalties; and to repeal acts and parts of acts," by amending section 10d (MCL 460.10d), as added by 2000 PA 141.

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

Senator Bullard introduced

**Senate Bill No. 1500, entitled**

A bill to amend 1975 PA 228, entitled "Single business tax act," by amending sections 39b and 39e (MCL 208.39b and 208.39e), section 39b as added by 1996 PA 441 and section 39e as added by 2002 PA 531.

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

Senator Emmons introduced

**Senate Bill No. 1501, entitled**

A bill to amend 1941 PA 122, entitled "An act to establish a revenue division of the department of treasury; to prescribe its powers and duties as the revenue collection agency of the state; to prescribe certain powers and duties of the state treasurer; to regulate the importation, stamping, and disposition of certain tobacco products; to create the position and to define the powers and duties of the state commissioner of revenue; to provide for the transfer of powers and duties now vested in certain other state boards, commissions, departments and offices; to prescribe certain duties of and require certain reports from the department of treasury; to provide procedures for the payment, administration, audit, assessment, levy of interests or penalties on, and appeals of taxes and tax liability; to prescribe its powers and duties if an agreement to act as agent for a city to administer, collect, and enforce the city income tax act on behalf of a city is entered into with any city; to provide an appropriation; to abolish the state board of tax administration; to prescribe penalties and provide remedies; and to declare the effect of this act," by amending section 30c (MCL 205.30c), as amended by 2001 PA 168.

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

Senator Bullard introduced

**Senate Bill No. 1502, entitled**

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," by amending section 30 (MCL 206.30), as amended by 2000 PA 400.

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

Senator Bullard introduced

**Senate Bill No. 1503, entitled**

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

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

Senator Bullard introduced

**Senate Bill No. 1504, entitled**

A bill to amend 1937 PA 94, entitled "Use tax act," (MCL 205.91 to 205.111) by adding section 4x.

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

Senator Hammerstrom introduced

**Senate Bill No. 1505, entitled**

A bill to amend 1939 PA 280, entitled "The social welfare act," by amending sections 115f, 115g, 115i, 115j, 115l, and 115m (MCL 400.115f, 400.115g, 400.115i, 400.115j, 400.115l, and 400.115m), section 115f as amended by 1998 PA 22, section 115g as amended and sections 115i and 115l as added by 1994 PA 238, section 115j as amended by 2000 PA 61, and section 115m as added by 1994 PA 207, and by adding sections 115r and 115s.

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

Senator Johnson introduced

**Senate Bill No. 1506, entitled**

A bill to create the Michigan public educational facilities authority and to prescribe its powers and duties; to provide for the issuance of notes and bonds of the authority; to create funds and accounts; to authorize certain forms of assistance to public schools to make investments; to exempt certain property from certain taxes; to grant powers and impose duties on officers and agencies of this state and political subdivisions of this state; and to make, accept, and expend certain appropriations.

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

Senator Hammerstrom introduced

**Senate Bill No. 1507, entitled**

A bill to amend 1969 PA 306, entitled "Administrative procedures act of 1969," by amending sections 35, 45, and 45a (MCL 24.235, 24.245, and 24.245a), section 35 as amended by 1995 PA 178 and section 45 as amended and section 45a as added by 1999 PA 262.

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

**House Bill No. 5456, entitled**

A bill to authorize the state administrative board to convey certain property in Jackson county; to prescribe conditions for the conveyance; and to provide for disposition of the revenue from the conveyance.

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.

**House Bill No. 5465, entitled**

A bill to authorize the state administrative board to convey certain property in Jackson county; to prescribe conditions for the conveyance; and to provide for disposition of the revenue from the conveyance.

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.

**House Bill No. 5952, entitled**

A bill to amend 1984 PA 431, entitled "The management and budget act," (MCL 18.1101 to 18.1594) by adding section 261c.

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 Hunting, Fishing and Forestry.

**House Bill No. 5953, entitled**

A bill to provide for circumstances under which certain forestry operations shall not be found to be a public or private nuisance; to provide for certain forestry management practices; to provide for certain powers and duties for certain state agencies and departments; and to provide remedies.

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 Hunting, Fishing and Forestry.

By unanimous consent the Senate returned to the order of

**Motions and Communications**

Senator Emmons moved that rule 3.902 be suspended to allow her guests admittance to the Senate floor.

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

Senator Emmons moved that rule 3.901 be suspended to allow photographs to be taken from the Senate floor, including the center aisle.

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

**Recess**

Senator Emmons moved that the Senate recess until 3:00 p.m.

The motion prevailed, the time being 11:40 a.m.

The Senate reconvened at the expiration of the recess and was called to order by the President pro tempore, Senator Schwarz.

**Recess**

Senator Hoffman moved that the Senate recess subject to the call of the Chair.

The motion prevailed, the time being 3:01 p.m.

3:06 p.m.

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

Senator Emerson moved that Senators Peters and Young be temporarily excused from the balance of today's session. The motion prevailed.

**Recess**

Senator Emmons moved that the Senate recess subject to the call of the Chair.

The motion prevailed, the time being 3:08 p.m.

3:18 p.m.

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

By unanimous consent the Senate returned to the order of  
**Messages from the Governor**

The following message from the Governor was received and read:

November 12, 2002

There is herewith presented for approval by the Senate, the following appointment to office:

**Executive Director, Michigan Gaming Control Board**

Mr. Daniel J. Gustafson, 5537 Wild Iris Lane, Haslett, Michigan 48840, county of Ingham, as Executive Director, succeeding Mr. Nelson W. Westrin of Grand Ledge, who has resigned, effective November 23, 2002, for a term beginning on November 24, 2002 and expiring on November 23, 2008.

Sincerely,  
John Engler  
Governor

Senator Emmons moved that rule 2.104 be suspended to permit immediate consideration of the appointment.

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

Senator Emmons moved that the Senate advise and consent to the said appointment to office.

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

**Roll Call No. 883**

**Yeas—23**

Bennett	Gast	Leland	Shugars
Bullard	Goschka	McManus	Sikkema
DeGrow	Gougeon	North	Steil
Dunaskiss	Hammerstrom	Sanborn	Stille
Emmons	Hoffman	Schuette	Van Regenmorter
Garcia	Johnson	Schwarz	

**Nays—11**

Byrum	Dingell	Koivisto	Scott
Cherry	Emerson	Miller	Smith
DeBeaussaert	Hart	Peters	

**Excused—4**

McCotter	Murphy	Vaughn	Young
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**Not Voting—0**

In The Chair: President

**Protest**

Senator Cherry, under his constitutional right of protest (Art. 4, Sec. 18), protested against advising and consenting to the appointment of Daniel J. Gustafson as Executive Director of the Michigan Gaming Control Board.

Senator Cherry’s statement is as follows:

I voted “no” on the previous vote to confirm an appointment to what I believe was the gaming commission—chair of the gaming commission. I did so because I’m struggling to recall anytime during this term of office in which this body has held confirmation hearings on any appointee, and we’ve simply chosen not to exercise that function as a Senate.

Now we've just voted to confirm an individual, and to my knowledge—and I may be wrong—but to my knowledge, we haven't had any confirmation hearings on that individual. It seems to me we choose not to exercise the Senate's advice and consent powers. We ought to exercise them and that means to hold a confirmation hearing, take testimony, and allow the members to examine the prospective appointee. That's the proper way to proceed in exercising those powers. Instead, we've simply voted today to confirm, and I have to believe that was probably done for some legal point to assure that this person's appointment will survive a change in administration. I guess we can understand the politics in that, but I think it's unfortunate that here, the first day back in lame duck, we see such a blatant political exercise as this one.

Again, Mr. President, I voted "no" because there is a process; there's a way to conduct advice and consent hearings. This has not been the case on this appointment, and I didn't feel it would be appropriate to confirm given the fact we didn't hold those hearings.

By unanimous consent the Senate returned to the order of  
**Motions and Communications**

Senator Emmons moved that rule 2.106 be suspended to allow the Committee on Banking and Financial Institutions to meet during Senate session.

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

By unanimous consent the Senate returned 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 President, Lieutenant Governor Posthumus, designated Senator Gougeon as Chairperson.

After some time spent therein, the Committee arose; and, the President, Lieutenant Governor Posthumus, having resumed the Chair, the Committee reported back to the Senate, favorably and with a substitute therefor, the following bill:

**Senate Bill No. 1436, entitled**

A bill to amend 1978 PA 368, entitled "Public health code," by amending sections 22201, 22203, 22205, 22207, 22209, 22211, 22213, 22215, 22221, 22226, 22230, 22231, 22239, 22241, 22247, 22255, and 22260 (MCL 333.22201, 333.22203, 333.22205, 333.22207, 333.22209, 333.22211, 333.22213, 333.22215, 333.22221, 333.22226, 333.22230, 333.22231, 333.22239, 333.22241, 333.22247, 333.22255, and 333.22260), sections 22201, 22211, 22230, and 22255 as added by 1988 PA 332, sections 22203, 22207, 22209, 22213, 22215, 22221, 22231, 22239, 22241, 22247, and 22260 as amended by 1993 PA 88, section 22205 as amended by 2000 PA 253, and section 22226 as added by 1988 PA 331, and by adding section 20930 and part 132; and to repeal acts and parts of acts.

Substitute (S-2).

The following are the amendments to the substitute recommended by the Committee of the Whole:

1. Amend page 5, line 6, after "THAN" by striking out the balance of the line through "30,000" on line 8 and inserting "150,000 BUT DOES NOT HAVE AT LEAST 2 FIXED MAGNETIC RESONANCE IMAGER UNITS".

2. Amend page 11, line 7, after "senate." by striking out the balance of the line through "COMMISSION" on line 13 and inserting "EACH MEMBER SERVING ON THE COMMISSION ON THE EFFECTIVE DATE OF THE 2002 AMENDATORY ACT THAT ADDED THIS SENTENCE SHALL SERVE THE REMAINDER OF HIS OR HER TERM. ON THE EXPIRATION OF THE TERMS OF THOSE MEMBERS, THE GOVERNOR, WITH THE ADVICE AND CONSENT OF THE SENATE, SHALL APPOINT A SUCCESSOR TO THE COMMISSION AS REQUIRED UNDER THIS SECTION. WITHIN 30 DAYS AFTER THE EFFECTIVE DATE OF THE 2002 AMENDATORY ACT THAT ADDED THIS SENTENCE, THE GOVERNOR, WITH THE ADVICE AND CONSENT OF THE SENATE, SHALL APPOINT 4 ADDITIONAL MEMBERS TO THE COMMISSION AS REQUIRED UNDER THIS SECTION. THE COMMISSION SHALL CONSIST OF THE FOLLOWING 9 MEMBERS".

3. Amend page 16, line 12, by inserting:

"(g) Upon submission by the department approve, disapprove, or revise standards to be used by the department in designating a regional certificate of need review agency, pursuant to section 22226." and relettering the remaining subdivisions.

4. Amend page 33, line 12, after "DEPARTMENT" by striking out "MAY" and inserting "SHALL".

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

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:

**Senate Bill No. 1436**

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

By unanimous consent the Senate returned to the order of  
**Messages from the House**

**House Bill No. 4042, entitled**

A bill to amend 1971 PA 227, entitled "An act to prescribe the rights and duties of parties to home solicitation sales," by amending the title and sections 1, 1a, 2, 3, 4, 5, 6, and 7 (MCL 445.111, 445.111a, 445.112, 445.113, 445.114, 445.115, 445.116, and 445.117), section 1 as amended by 1999 PA 18 and sections 2 and 3 as amended by 2000 PA 15.

The House of Representatives has appointed Rep. Kowall to replace Rep. Faunce as conferee.

The message was referred to the Secretary for record.

By unanimous consent the Senate returned to the order of  
**Third Reading of Bills**

Senator Emmons moved that the following bills be placed at the head of the Third Reading of Bills calendar:

**Senate Bill No. 1436**

**Senate Bill No. 1164**

**Senate Bill No. 1250**

**Senate Bill No. 1251**

**Senate Bill No. 1446**

**Senate Bill No. 1013**

**Senate Bill No. 1356**

**Senate Bill No. 1447**

The motion prevailed.

The following bill was read a third time:

**Senate Bill No. 1436, entitled**

A bill to amend 1978 PA 368, entitled "Public health code," by amending sections 22201, 22203, 22205, 22207, 22209, 22211, 22213, 22215, 22221, 22226, 22230, 22231, 22239, 22241, 22247, 22255, and 22260 (MCL 333.22201, 333.22203, 333.22205, 333.22207, 333.22209, 333.22211, 333.22213, 333.22215, 333.22221, 333.22226, 333.22230, 333.22231, 333.22239, 333.22241, 333.22247, 333.22255, and 333.22260), sections 22201, 22211, 22230, and 22255 as added by 1988 PA 332, sections 22203, 22207, 22209, 22213, 22215, 22221, 22231, 22239, 22241, 22247, and 22260 as amended by 1993 PA 88, section 22205 as amended by 2000 PA 253, and section 22226 as added by 1988 PA 331, and by adding section 20930 and part 132; and to repeal acts and parts of acts.

The question being on the passage of the bill,

Senator Byrum offered the following amendments:

1. Amend page 11, line 3, by striking out all of section 22211 and inserting:

"Sec. 22211. (1) The certificate of need commission is created in the department. The commission shall be appointed within 3 months after ~~the effective date of this part~~ OCTOBER 1, 1988. The commission shall consist of 5 members appointed by the governor with the advice and consent of the senate. Three appointees shall be members of a major political party, and 2 appointees shall be members of another major political party.

(2) In making appointments, the governor shall, to the extent feasible, assure that the membership of the commission is broadly representative of the interests of all of the people of this state AND OF THE VARIOUS GEOGRAPHIC REGIONS.

(3) Except for initial members, a member of the commission shall serve for a term of 3 years or until a successor is appointed. Of the members initially appointed, 1 of the members shall be appointed for a term of 1 year, 2 of the members shall be appointed for a term of 2 years, and 2 of the members shall be appointed for a term of 3 years. A vacancy on the commission shall be filled for the ~~balance~~ REMAINDER of the unexpired term in the same manner as the original appointment.

(4) Commission members are subject to the following:

(a) ~~Act No. 317 of the Public Acts of 1968, being sections 15.321 to 15.330 of the Michigan Compiled Laws 1968 PA 317, MCL 15.321 TO 15.330.~~

(b) ~~Act No. 196 of the Public Acts of 1973, being sections 15.341 to 15.348 of the Michigan Compiled Laws 1973 PA 196, MCL 15.341 TO 15.348.~~

(c) ~~Act No. 472 of the Public Acts of 1978, being sections 4.411 to 4.431 of the Michigan Compiled Laws 1978 PA 472, MCL 4.411 TO 4.431.”.~~

2. Amend page 17, line 3, by inserting:

“(I) Appoint ad hoc advisory committees to assist in the development of proposed certificate of need review standards. An ad hoc advisory committee shall complete its duties under this subdivision and submit its recommendations to the commission AND DEPARTMENT within the time limit specified by the commission when an ad hoc advisory committee is appointed. The composition of the ad hoc advisory committee shall include all of the following:

(i) Experts with professional competence in the subject matter of the proposed standard, who shall constitute a majority of the ad hoc advisory committee.

(ii) Representatives of health care provider organizations concerned with licensed health facilities or licensed health professions INCLUDING, BUT NOT LIMITED TO, HEALTH PLANNERS AND HEALTH CARE PROVIDERS.

(iii) Representatives of organizations concerned with health care consumers and the purchasers and payers of health care services.” and relettering the remaining subdivisions.

The amendments were not adopted, a majority of the members serving not voting therefor.

Senator Emerson requested the yeas and nays.

The yeas and nays were ordered, 1/5 of the members present voting therefor.

The amendments were not adopted, a majority of the members serving not voting therefor, as follows:

**Roll Call No. 884**

**Yeas—13**

Byrum  
Cherry  
DeBeaussaert  
Dingell

Emerson  
Hart  
Koivisto

Leland  
Miller  
Peters

Scott  
Smith  
Young

**Nays—22**

Bennett  
Bullard  
DeGrow  
Dunaskiss  
Emmons  
Garcia

Gast  
Goschka  
Gougeon  
Hammerstrom  
Hoffman  
Johnson

McManus  
North  
Sanborn  
Schuette  
Schwarz

Shugars  
Sikkema  
Steil  
Stille  
Van Regenmorter

**Excused—3**

McCotter

Murphy

Vaughn

**Not Voting—0**

In The Chair: President

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. 885**

**Yeas—24**

Bennett  
Bullard

Gast  
Goschka

Koivisto  
McManus

Schwarz  
Shugars

DeGrow	Gougeon	Miller	Sikkema
Dunaskiss	Hammerstrom	North	Steil
Emmons	Hoffman	Sanborn	Stille
Garcia	Johnson	Schuette	Van Regenmorter

**Nays—11**

Byrum	Dingell	Leland	Smith
Cherry	Emerson	Peters	Young
DeBeaussaert	Hart	Scott	

**Excused—3**

McCotter	Murphy	Vaughn
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**Not Voting—0**

In The Chair: President

The Senate agreed to the title of the bill.

The following bill was read a third time:

**Senate Bill No. 1164, entitled**

A bill to amend 1956 PA 218, entitled “The insurance code of 1956,” by amending section 3163 (MCL 500.3163) and by adding section 3107c.

The question being on the passage of the bill,

Senator Gougeon offered the following substitute:

Substitute (S-7).

The question being on the adoption of the substitute,

Senator Gougeon offered the following amendment to the substitute:

1. Amend page 5, line 21, after “INSURER” by striking out the balance of the line through “INJURY” on line 23 and inserting “OF AN OUT-OF-STATE RESIDENT IS REQUIRED TO PROVIDE BENEFITS UNDER SUBSECTIONS (1) TO (3) TO THAT OUT-OF-STATE RESIDENT FOR ACCIDENTAL BODILY INJURY FOR AN ACCIDENT IN WHICH THE OUT-OF-STATE RESIDENT WAS NOT AN OCCUPANT OF A MOTOR VEHICLE REGISTERED IN THIS STATE”.

The amendment to the substitute was adopted.

The substitute, as amended, 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. 886****Yeas—22**

Bennett	Gast	McManus	Shugars
Bullard	Goschka	North	Sikkema
DeGrow	Gougeon	Sanborn	Steil
Dunaskiss	Hammerstrom	Schuette	Stille
Emmons	Hoffman	Schwarz	Van Regenmorter
Garcia	Johnson		



**Nays—13**

Byrum	Emerson	Leland	Scott
Cherry	Hart	Miller	Smith
DeBeussaert	Koivisto	Peters	Young
Dingell			

**Excused—3**

McCotter	Murphy	Vaughn
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**Not Voting—0**

In The Chair: President

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

A bill to amend 1956 PA 218, entitled “The insurance code of 1956,” by amending sections 3135 and 3163 (MCL 500.3135 and 500.3163), section 3135 as amended by 1995 PA 222.

The amendment to the title was adopted.

The Senate agreed to the title as amended.

The following bill was read a third time:

**Senate Bill No. 1250, entitled**

A bill to amend 1927 PA 175, entitled “The code of criminal procedure,” by amending section 36 of chapter IX and section 14m of chapter XVII (MCL 769.36 and 777.14m), section 36 of chapter IX as added by 2001 PA 246 and section 14m of chapter XVII as added by 2002 PA 29.

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. 887****Yeas—35**

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

**Nays—0****Excused—3**

McCotter	Murphy	Vaughn
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**Not Voting—0**

In The Chair: President

The Senate agreed to the title of the bill.

Senators Hoffman, Steil, North and McManus moved that they be named co-sponsors of the bill.

The motion prevailed.

The following bill was read a third time:

**Senate Bill No. 1251, entitled**

A bill to amend 1993 PA 354, entitled “Railroad code of 1993,” by amending sections 105, 109, 353, 357, 359, 361, and 365 (MCL 462.105, 462.109, 462.353, 462.357, 462.359, 462.361, and 462.365); and to repeal acts and parts of acts.

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. 888****Yeas—35**

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

**Nays—0****Excused—3**

McCotter	Murphy	Vaughn
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**Not Voting—0**

In The Chair: President

The Senate agreed to the title of the bill.

Senators Hoffman, Stille, McManus, Steil, North, Gougeon, Goschka, Johnson and Dunaskiss moved that they be named co-sponsors of the bill.

The motion prevailed.

The following bill was read a third time:

**Senate Bill No. 1446, entitled**

A bill to amend 1941 PA 122, entitled “An act to establish a revenue division of the department of treasury; to prescribe its powers and duties as the revenue collection agency of the state; to prescribe certain powers and duties of

the state treasurer; to regulate the importation, stamping, and disposition of certain tobacco products; to create the position and to define the powers and duties of the state commissioner of revenue; to provide for the transfer of powers and duties now vested in certain other state boards, commissions, departments and offices; to prescribe certain duties and require certain reports from the department of treasury; to provide procedures for the payment, administration, audit, assessment, levy of interests or penalties on, and appeals of taxes and tax liability; to prescribe its powers and duties if an agreement to act as agent for a city to administer, collect, and enforce the city income tax act on behalf of a city is entered into with any city; to provide an appropriation; to abolish the state board of tax administration; to prescribe penalties and provide remedies; and to declare the effect of this act,” by amending the title and sections 1, 3, 4, 12, 19, 21, 24, 25, 26, 27a, 28, 30c, and 31 (MCL 205.1, 205.3, 205.4, 205.12, 205.19, 205.21, 205.24, 205.25, 205.26, 205.27a, 205.28, 205.30c, and 205.31), the title as amended by 1999 PA 182, sections 3, 12, 25, and 26 as amended by 1986 PA 58, section 4 as added and section 27a as amended by 1993 PA 14, section 19 as amended by 1996 PA 479, section 21 as amended by 1993 PA 13, sections 24, 30c, and 31 as amended by 2001 PA 168, and section 28 as amended by 2000 PA 308; and to repeal acts and parts of acts.

The question being on the passage of the bill,

Senator Emmons offered the following amendments:

1. Amend page 10, line 4, after the first “of” by striking out “25% of the tax due” and inserting “\$50.00”.
2. Amend page 14, line 19, after the first “of” by striking out “\$10.00 or”.
3. Amend page 14, line 19, after “tax” by striking out the balance of the line through “greater,” on line 20.
4. Amend page 14, line 20, after “than” by striking out the balance of the line through the first “month” on line 21 and inserting “2 MONTHS”.
5. Amend page 14, line 23, after “of” by striking out “50%” and inserting “25%”.
6. Amend page 15, line 10, after the first “of” by striking out “50%” and inserting “25%”.
7. Amend page 16, line 1, by striking out all of subsection (7).

The amendments were 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. 889**

**Yeas—35**

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

**Nays—0**

**Excused—3**

McCotter	Murphy	Vaughn
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**Not Voting—0**

In The Chair: President

The Senate agreed to the title of the bill.

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

**Senate Bill No. 1013**

The motion prevailed.

The following bill was read a third time:

**Senate Bill No. 1356, entitled**

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending section 2163a (MCL 600.2163a), as amended by 1998 PA 324.

The question being on the passage of the bill,

Senator Hammerstrom offered the following amendment:

1. Amend page 5, line 15, after "COPYING" by inserting a comma and "RELEASE, DISPLAY, OR CIRCULATION".

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. 890**

**Yeas—35**

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

**Nays—0**

**Excused—3**

McCotter	Murphy	Vaughn
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**Not Voting—0**

In The Chair: President

The Senate agreed to the title of the bill.

The following bill was read a third time:

**Senate Bill No. 1447, entitled**

A bill to amend 1939 PA 288, entitled "Probate code of 1939," by amending section 17b of chapter XIII (MCL 712A.17b), as amended by 1998 PA 325.

The question being on the passage of the bill,

Senator Hammerstrom offered the following amendment:

1. Amend page 5, line 3, after "COPYING" by inserting a comma and "RELEASE, DISPLAY, OR CIRCULATION".

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. 891****Yeas—35**

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

**Nays—0****Excused—3**

McCotter	Murphy	Vaughn
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**Not Voting—0**

In The Chair: President

The Senate agreed to the title of the bill.

By unanimous consent the Senate returned to the order of

**Motions and Communications**

The Secretary announced that the Majority Leader has made the appointment of the following standing committee: **Judiciary** - Senator Bennett temporarily replacing Senator McCotter as a member.

The standing committee appointment was approved, a majority of the members serving voting therefor.

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. 274****Senate Resolution No. 275**

The resolution consent calendar was adopted.

Senators Stille, Sikkema, Johnson, McManus, Sanborn, Bullard, Van Regenmorter, Steil, North, Gougeon, Garcia, Schuette, Dunaskiss, Goschka, Hammerstrom, Hoffman, Schwarz, DeGrow and Bennett offered the following resolution:

**Senate Resolution No. 274.**

A resolution proclaiming November 15, 2002, as Michigan Recycles Day.

Whereas, Michigan recognizes the importance of protecting and preserving our natural resources and works to make our Great Lakes State a better place. We accomplish this by adopting conscientious living habits that will improve our daily lives and bring about a cleaner, safer, and healthier environment for future generations; and

Whereas, The state of Michigan has undertaken many positive and successful waste reduction programs that have helped make the Great Lakes State one of our nation's leaders in recycling. However, we can further reduce waste and recycle even more; and

Whereas, Although there has been a significant increase in the amount of recycling in Michigan, we must continue to focus on other initiatives such as waste reduction, composting, the reuse of products and materials, and purchasing recycled products and packaging; and

Whereas, By encouraging businesses, state agencies, nonprofit organizations, schools, and individuals to celebrate Michigan Recycles Day in conjunction with America Recycles Day, we can further promote recycling as an environmentally efficient and economically smart way of life; and

Whereas, State and local community leaders can help encourage recycling by informing citizens about the importance of buying recycled products. They can also help foster greater awareness of the need to expand collection programs for recyclable goods and materials by marketing the benefits of recycling investments for businesses; and

Whereas, It is essential that all Michiganders become involved in recycling activities and learn more about the many recycled products and packaging available to them as consumers. It is also fitting for Michiganders to celebrate the 2002 America Recycles Day theme: "Make Every Day America Recycles Day!" In acting upon this theme, we help ensure a safe and healthy environment and an improved quality of life for present and future generations; now, therefore, be it

Resolved by the Senate, That we hereby proclaim November 15, 2002, as Michigan Recycles Day; and be it further

Resolved, That a copy of this resolution be transmitted to Herman Miller, Inc. of Zeeland as evidence of our esteem for their successful efforts in waste reduction and using recyclable products.

Senator DeBeaussaert was named co-sponsor of the resolution.

Senator DeGrow offered the following resolution:

**Senate Resolution No. 275.**

A resolution recognizing November 14, 2002, as World Diabetes Day.

Whereas, Diabetes has reached epidemic proportions in the United States. In Michigan alone, close to 410,000 residents have been diagnosed with type 2 diabetes, and many more remain undiagnosed or untreated; and

Whereas, More than 204,000 people in Michigan have not been able to achieve adequate blood sugar control. These individuals remain at increased risk for the serious consequences associated with uncontrolled diabetes, such as blindness, nerve damage, amputation, kidney disease, and dialysis; and

Whereas, The diabetes initiative is a national effort led by diabetes specialists, educators, advocates, and patients to assist people with diabetes attain blood glucose levels that will improve their quality of life. This initiative will highlight the need to commit to ensuring that diabetes is properly monitored and treated in the United States; and

Whereas, An A1c blood glucose test level below 7 percent is the goal established by the American Diabetes Association, and it is an important threshold to reach in order to help reduce the risk of serious complications; now, therefore, be it

Resolved by the Senate, That the members of this legislative body recognize November 14, 2002, as World Diabetes Day. We urge awareness of the importance of achieving an A1c glucose test level of 7 percent or less; and be it further

Resolved, That we support the efforts of this initiative and encourage everyone in Michigan to be committed to helping those with diabetes reach the testing goal in order to live healthier lives.

Senator DeBeaussaert was named co-sponsor of the resolution.

### Committee Reports

The Committee on Senior Citizens and Veterans Affairs reported

**Senate Bill No. 1221, entitled**

A bill to amend 1967 PA 150, entitled "Michigan military act," by amending section 302 (MCL 32.702)

With the recommendation that the bill pass.

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

Mat Dunaskiss  
Chairperson

To Report Out:

Yeas: Senators Dunaskiss, Goschka and Garcia

Nays: None

The bill was referred to the Committee of the Whole.

## COMMITTEE ATTENDANCE REPORT

The Committee on Senior Citizens and Veterans Affairs submitted the following:  
Meeting held on Wednesday, September 25, 2002, at 1:00 p.m., Room 100, Farnum Building  
Present: Senators Dunaskiss (C), Goschka and Garcia  
Excused: Senators Hart and Vaughn

The Committee on Financial Services reported

**House Bill No. 5999, entitled**

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," by amending section 4072 (MCL 500.4072), as amended by 1986 PA 318.

With the recommendation that the bill pass.

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

Bill Bullard, Jr.  
Chairperson

To Report Out:

Yeas: Senators Bullard, Dunaskiss, Garcia, Sanborn and Miller

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Financial Services reported

**Senate Bill No. 1385, entitled**

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," by amending sections 2213 and 2213a (MCL 500.2213 and 500.2213a), section 2213 as amended by 2000 PA 252 and section 2213a as added by 1996 PA 517, and by adding section 2213c.

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.

Bill Bullard, Jr.  
Chairperson

To Report Out:

Yeas: Senators Bullard, Dunaskiss, Garcia, Sanborn, Miller and Leland

Nays: None

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

The Committee on Financial Services reported

**Senate Bill No. 1410, entitled**

A bill to amend 1969 PA 317, entitled "Worker's disability compensation act of 1969," by amending section 625 (MCL 418.625), as amended by 1995 PA 271.

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.

Bill Bullard, Jr.  
Chairperson

To Report Out:

Yeas: Senators Bullard, Dunaskiss, Garcia, Sanborn, Miller and Leland

Nays: None

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

The Committee on Financial Services reported

**Senate Bill No. 1418, entitled**

A bill to amend 1993 PA 23, entitled "Michigan limited liability company act," by amending sections 102, 103, 104, 105, 106, 202, 203, 204, 207, 210, 214, 301, 303, 304, 307, 403, 405, 406, 501, 502, 503, 504, 506, 515, 603, 705a, 801, 804, 909, 1005, and 1101 (MCL 450.4102, 450.4103, 450.4104, 450.4105, 450.4106, 450.4202, 450.4203, 450.4204, 450.4207, 450.4210, 450.4214, 450.4301, 450.4303, 450.4304, 450.4307, 450.4403, 450.4405, 450.4406, 450.4501, 450.4502, 450.4503, 450.4504, 450.4506, 450.4515, 450.4603, 450.4705a, 450.4801, 450.4804, 450.4909, 450.5005, and 450.5101), section 102 as amended by 2000 PA 336 and sections 103, 202, 203, 204, 207, 301, 303, 304,

307, 403, 405, 501, 502, 503, 506, 603, 801, 909, and 1101 as amended and sections 214, 515, and 705a as added by 1997 PA 52, and by adding sections 207a and 215.

With the recommendation that the bill pass.

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

Bill Bullard, Jr.  
Chairperson

To Report Out:

Yeas: Senators Bullard, Dunaskiss, Miller and Leland

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Financial Services reported

**Senate Bill No. 1428, entitled**

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," by amending section 3341 (MCL 500.3341), as added by 2002 PA 251.

With the recommendation that the bill pass.

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

Bill Bullard, Jr.  
Chairperson

To Report Out:

Yeas: Senators Bullard, Dunaskiss, Garcia, Sanborn, Miller and Leland

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Financial Services reported

**Senate Bill No. 1434, entitled**

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," by amending section 250 (MCL 500.250).

With the recommendation that the bill pass.

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

Bill Bullard, Jr.  
Chairperson

To Report Out:

Yeas: Senators Bullard, Dunaskiss, Garcia, Sanborn, Miller and Leland

Nays: None

The bill was referred to the Committee of the Whole.

#### COMMITTEE ATTENDANCE REPORT

The Committee on Financial Services submitted the following:

Meeting held on Tuesday, September 24, 2002, at 3:00 p.m., Room 110, Farnum Building

Present: Senators Bullard (C), Shugars, Dunaskiss, Garcia, Sanborn, Miller and Leland

#### COMMITTEE ATTENDANCE REPORT

The Legislative Retirement Board of Trustees submitted the following:

Meeting held on Wednesday, September 25, 2002, at 3:00 p.m., Room H-252, Capitol Building

Present: Senators McManus (C), Emerson and Schwarz

#### Scheduled Meetings

#### Appropriations -

##### Subcommittee -

**Capital Outlay, Joint** - Wednesday, November 13, 8:45 a.m., Senate Appropriations Room, 3rd Floor, Capitol Building (373-6960)



**Education** - Wednesday, November 13, 3:00 p.m., Room 210, Farnum Building (373-7350)

**Technology and Energy** - Wednesday, November 13, 3:00 p.m., Rooms 402 and 403, Capitol Building and Thursday, November 14, 8:00 a.m., Room 405, Capitol Building (373-2417)

Senator Emmons moved that the Senate adjourn.  
The motion prevailed, the time being 4:23 p.m.

The President, Lieutenant Governor Posthumus, declared the Senate adjourned until Wednesday, November 13, at 10:00 a.m.

CAROL MOREY VIVENTI  
Secretary of the Senate.

