

No. 62
STATE OF MICHIGAN
Journal of the Senate
92nd Legislature
REGULAR SESSION OF 2003

Senate Chamber, Lansing, Tuesday, June 24, 2003.

10:00 a.m.

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

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

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

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

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

Senator Michael Switalski of the 10th District offered the following invocation:

It seems like just yesterday we were here thanking You for Your divine guidance in fashioning this remarkable instrument of public policy, the Michigan Senate. You inspire and create all things, and we are thankful that when You set Your prentice hand on the Michigan House, You worked out a lot of the bugs and went on to produce a masterwork in this Senate.

Help us to work together in these final days before summer recess to produce budget bills that spend our limited resources wisely. Help us to respect each other. Help us to respect each other's perspectives and build One Michigan through honorable compromises.

And, Lord, if You get a chance, give me a little help on General Orders today. Amen.

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

Recess

Senator Schauer moved that the Senate recess subject to the call of the Chair.
The motion prevailed, the time being 10:04 a.m.

10:25 a.m.

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

During the recess, Senators Hammerstrom, Bernero, McManus, Brown, Patterson, Sikkema, Jelinek, Toy, George, Sanborn, Van Woerkom, Allen, Hardiman, Cropsey, Johnson, Kuipers, Stamas, Bishop, Gilbert, Cassis, Birkholz, Garcia, Goschka and Thomas entered the Senate Chamber.

A quorum of the Senate was present.

Motions and Communications

Senator Hammerstrom moved that the following bill, now on the order of Third Reading of Bills, be referred to the Committee on Judiciary:

House Bill No. 4259, entitled

A bill to amend 1929 PA 152, entitled "An act to provide for the state-owned and operated Michigan public safety communications system for police and public safety purposes; to provide for acquisition, construction, implementation, operation, and maintenance of the property and equipment necessary to operate the system; and to prescribe the powers and duties of certain state agencies and officials," by amending section 3 (MCL 28.283), as amended by 1996 PA 538.

The motion prevailed.

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

The following communication was received:
Office of the Auditor General

June 18, 2003

Enclosed is a copy of the following audit report and/or report summary:
Performance Audit of the Bureau of Laboratories, Community Public Health Agency, Department of Community Health, June 2003.

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

The communication was referred to the Secretary for record.

The following communication was received:
Department of Environmental Quality

June 18, 2003

I am hereby transmitting to you for publication in the official record of the Senate the following designation of two pilot program areas as mandated by Public Act 14 of 2003, pertaining to beach maintenance activities.

Please do not hesitate to contact me if further information or assistance is needed.

Sincerely,
Steven E. Chester
Director
517-373-7917

The communication was referred to the Secretary for record.

The Secretary announced that the following House bills were received in the Senate and filed on Thursday, June 19:
House Bill Nos. 4244 4693 4724 4755 4804 4820 4821 4822 4823 4824 4825 4826 4827 4828

The Secretary announced that the following House bill was received in the Senate and filed on Friday, June 20:
House Bill No. 4706

The Secretary announced that the following bills and joint resolution were available at the legislative Web site on Thursday, June 19:

House Bill Nos. 4854 4855 4856 4857 4858 4859 4860
House Joint Resolution J

The Secretary announced that the following bills were available at the legislative Web site on Friday, June 20:

Senate Bill Nos. 593 594 595
House Bill Nos. 4861 4862 4863 4864 4865 4866 4867 4868 4869 4870 4871 4872

Messages from the Governor

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

Senate Bill No. 195

The motion prevailed.

The following message from the Governor was received:

Date: June 17, 2003

Time: 2:32 p.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 150 (Public Act No. 19), being

An act to amend 1994 PA 451, entitled “An act to protect the environment and natural resources of the state; to codify, revise, consolidate, and classify laws relating to the environment and natural resources of the state; to regulate the discharge of certain substances into the environment; to regulate the use of certain lands, waters, and other natural resources of the state; to prescribe the powers and duties of certain state and local agencies and officials; to provide for certain charges, fees, and assessments; to provide certain appropriations; to prescribe penalties and provide remedies; to repeal certain parts of this act on a specific date; and to repeal certain acts and parts of acts,” by amending sections 78106, 78108, 78110, 78115, and 79112 (MCL 324.78106, 324.78108, 324.78110, 324.78115, and 324.79112), sections 78106, 78108, and 79112 as added by 1995 PA 58 and section 78110 as amended and section 78115 as added by 1998 PA 210.

(Filed with the Secretary of State on June 18, 2003, at 2:52 p.m.)

Respectfully,
Jennifer M. Granholm
Governor

The following message from the Governor was received on June 20, 2003, and read:

EXECUTIVE ORDER
No. 2003-7

**Detroit Medical Center Fiscal Stability Task Force
Hospital Advisory Council**

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

Whereas, Section 1 of 1931 PA 195, MCL 10.51, authorizes and empowers the Governor, at such times and for such purposes as the Governor deems necessary or advisable, to create special advisory bodies consisting of as many members as the Governor deems appropriate;

Whereas, the health and welfare of Michigan's citizens are of paramount importance and assistance from the State of Michigan in meeting the health care needs of Michigan residents is essential;

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

Whereas, the Detroit Medical Center ("DMC") provides vital medical services to Michigan residents, and its Detroit Receiving Hospital is distinguished as the only level-one emergency trauma center in Wayne County and has been certified by the American College of Surgeons with the capability to handle victims of major bioterrorism incidents and serious burn victims;

Whereas, the fiscal crisis at the DMC threatens the delivery of vital medical services to Michigan residents;

Now, Therefore, I, Jennifer M. Granholm, Governor of the State of Michigan, pursuant of the powers vested in me by the Michigan Constitution of 1963 and Michigan law, order the following:

I. DETROIT MEDICAL CENTER FISCAL STABILITY TASK FORCE

A. The Detroit Medical Center Fiscal Stability Task Force ("Task Force") is created as an advisory body to the Governor within the Executive Office of the Governor.

B. The Task Force shall be composed of 9 members appointed by the Governor in the following manner:

1. Three members appointed by the Governor.

2. Three members appointed by the Governor based upon recommendation by the County Executive for the County of Wayne.

3. Three members appointed by the Governor based upon recommendations from the Mayor of the City of Detroit.

C. The Director of the Department of Community Health and the State Treasurer or their designees shall serve as ex-officio, non-voting members of the Task Force.

D. The Governor shall serve as Chairperson of the Task Force and may designate one member of the Task Force to serve as Vice-Chairperson, who shall serve at the pleasure of the Governor.

II. CHARGE TO THE TASK FORCE

A. The Task Force shall act in an advisory capacity to the Governor to assist the State of Michigan in assuring continued access to critical hospital services. The Task Force shall assess fiscal operations, governing structures, and ethical compliance with the goal of establishing transparency, accountability and stability.

B. The Task Force shall advise the Governor on recent and on-going financial difficulties and governance matters of the DMC, its subsidiaries and affiliates, focusing on the following topics that have been identified as areas of concern:

1. Fiscal issues;

2. Operational and oversight issues; and

3. Ethical and legal concerns.

C. The Task Force shall also provide other information or advice regarding the delivery of health care services by the DMC and its subsidiaries and affiliates and may obtain input from the DMC, as requested by the Governor.

D. In addition, the Task Force shall issue reports that address these concerns and provide recommendations at times designated by the Governor.

E. The Task Force shall complete its work not later than December 31, 2003 or by an earlier date, as determined by the Governor.

III. OPERATIONS OF THE TASK FORCE

A. The Task Force shall be staffed by personnel from and assisted by the Department of Community Health, Department of Treasury, the Department of Management and Budget, and the Executive Office of the Governor, as directed by the Governor.

B. The Task Force may adopt procedures, not inconsistent with Michigan law and this Order, governing its organization and operations and may establish committees and request public participation on advisory panels as it deems necessary. The Task Force may also adopt, reject, or modify any recommendations proposed by committees or advisory panels.

C. The Task Force shall meet at the call of the Governor or the Vice-Chairperson, and as may be provided in procedures adopted by the Task Force.

D. Except as otherwise provided in this subdivision the Task Force shall make recommendations to the Governor. Recommendations by the Task Force shall require the affirmative vote by at least one member appointed under Section I.B.1, one member appointed under Section I.B.2, and one member appointed under Section I.B.3.

E. In developing recommendations, the Task Force may, as appropriate, make inquiries, studies, investigations, hold hearings, and receive comments from the public. The Task Force may also consult with outside experts in order to perform its duties, including but not limited to experts in the private sector, organized labor, government agencies, and at institutions of higher education.

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

G. The Task Force may hire or retain contractors, sub-contractors, advisors, consultants and agents, and may make and enter into contracts necessary or incidental to the exercise of the powers of the Task Force and the performance of its duties as the Chairperson deems advisable and necessary, in accordance with the relevant statutes, rules, and procedures of the Civil Service Commission and the Department of Management and Budget.

H. The Task Force may accept donations of labor, services, or other things of value from any public or private agency or person.

I. Members of the Task Force shall refer all legal, legislative, and media contacts to the Executive Office of the Governor.

IV. HOSPITAL ADVISORY COUNCIL

A. The Hospital Advisory Commission created by Executive Order No. 2002-15 is abolished.

B. Executive Order No. 2002-15 is rescinded in its entirety.

V. MISCELLANEOUS

A. All departments, committees, commissioners, or officers of this state or of any political subdivision of this state shall give to the Task Force, or to any member or representative of the Task Force, any necessary assistance required by the Task Force, or any member or representative of the Task Force, in the performance of the duties of the Task Force 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 Task Force.

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

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

This Order is effective upon filing.

[SEAL]

Given under my hand and the Great Seal of the State of Michigan this 19th day of June, 2003.

Jennifer M. Granholm
Governor

By the Governor:

Terri L. Land

Secretary of State

The Executive Order was referred to the Secretary for record.

The following message from the Governor was received and read:

June 19, 2003

I respectfully submit to the Senate the following appointments to office pursuant to Section 3(3) of the Community Corrections Act, 1988 PA 511, MCL 791.403(3), which provides that "the governor shall appoint, and the senate shall confirm the 13 members of the state board":

State Community Corrections Board

Charles L. Brown, 7 Kingsley Court, Frankenmuth, Michigan 48734, county of Saginaw, succeeding Thomas N. Edmonds, for a term commencing on June 19, 2003 and expiring on March 29, 2007, appointed under Section 3(3)(a) and to serve as Chair.

John W. Phillips, 2930 Flora Lane, Wayne, Michigan 48184, county of Wayne, succeeding John H. Bartholomew, for a term commencing on June 19, 2003 and expiring on March 29, 2004, appointed under Section 3(3)(b).

Larry C. Inman, 8971 Crockett, Williamsburg, Michigan 49690, county of Grand Traverse, re-appointed to a term commencing on June 19, 2003 and expiring on March 29, 2007, appointed under Section 3(3)(k).

Bernard F. Parker, 490 New Town, Detroit, Michigan 48215, county of Wayne, succeeding James J. Quinlan, for a term commencing on June 19, 2003 and expiring on March 29, 2007, appointed under Section 3(3)(e).

Sincerely,
Jennifer M. Granholm
Governor

The appointments were referred to the Committee on Government Operations.

Messages from the House

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

Senate Bill No. 239
Senate Bill No. 395
House Bill No. 4238
Senate Bill No. 236
Senate Bill No. 237
Senate Bill No. 238
The motion prevailed.

Senate Bill No. 425, entitled

A bill to amend 1987 PA 96, entitled "The mobile home commission act," (MCL 125.2301 to 125.2349) by adding section 30i.

Substitute (H-2).

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

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

Roll Call No. 281

Yeas—37

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

Nays—0

Excused—1

Jacobs

Not Voting—0

In The Chair: President

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

Senate Bill No. 266, entitled

A bill to make appropriations for the department of military and veterans affairs for the fiscal year ending September 30, 2004; to provide for the expenditure of the appropriations; to provide for certain powers and duties of the department of military and veterans affairs, other state agencies, and local units of government related to the appropriations; and to provide for the preparation of certain reports related to the appropriations.

The House of Representatives has appointed Reps. Caul, Farhat and Williams as conferees to join with Sens. Brown, Stamas and Clarke.

The bill was referred to the Conference Committee on June 20, 2003.

Senate Bill No. 270, entitled

A bill to make, supplement, and adjust appropriations for the departments of attorney general, civil rights, civil service, information technology, management and budget, state, and treasury, the executive office, and the legislative branch for the fiscal year ending September 30, 2004; to provide for the expenditure of these appropriations; to provide for the funding of certain work projects; to provide for the imposition of certain fees; to establish or continue certain funds, programs, and categories; to transfer certain funds; to prescribe certain requirements for bidding on state contracts; to provide for disposition of year-end balances for the fiscal year ending September 30, 2003; to prescribe the powers and duties of certain principal executive departments and state agencies, officials, and employees; and to provide for the disposition of fees and other income received by the various principal executive departments and state agencies.

The House of Representatives has appointed Reps. Taub, Emmons and Williams as conferees to join with Sens. Garcia, McManus and Switalski.

The bill was referred to the Conference Committee on June 20, 2003.

Senate Bill No. 277, entitled

A bill to make appropriations for the department of state police and certain other state purposes for the fiscal year ending September 30, 2004; to provide for the expenditure of those appropriations; to provide for certain reports and the consideration of those reports; to provide for the disposition of other income received by the various state agencies; to provide for the testing of certain persons; to provide for certain emergency powers; and to provide for the powers and duties of certain committees, certain state agencies, and certain employees.

The House of Representatives has appointed Reps. Caul, Farhat and Williams as conferees to join with Sens. Brown, Stamas and Clarke.

The bill was referred to the Conference Committee on June 20, 2003.

Senate Bill No. 279, entitled

A bill to make appropriations for the department of history, arts, and libraries for the fiscal year ending September 30, 2004; to provide for the expenditure of those appropriations; to provide for the disposition of fees and other income received by the state agencies; to provide for the disbursement of certain grants; to provide for reports; to prescribe powers and duties of certain state departments and certain state and local agencies and officers; and to repeal acts and parts of acts.

The House of Representatives has appointed Reps. Amos, Moolenaar and Reeves as conferees to join with Sens. George, McManus and Clarke.

The bill was referred to the Conference Committee on June 20, 2003.

Senate Bill No. 281, entitled

A bill to make appropriations for the judicial branch for the fiscal year ending September 30, 2004; to provide for the expenditure of these appropriations; to place certain restrictions on the expenditure of these appropriations; to prescribe the powers and duties of certain officials and employees; to require certain reports; and to provide for the disposition of fees and other income received by the judicial branch.

The House of Representatives has appointed Reps. Stewart, Steil and Hunter as conferees to join with Sens. Cropsey, Goschka and Switalski.

The bill was referred to the Conference Committee on June 20, 2003.

Senate Bill No. 283, entitled

A bill to make appropriations for the family independence agency and certain state purposes related to public welfare services for the fiscal year ending September 30, 2004; to provide for the expenditure of the appropriations; to create funds; to provide for the imposition of fees; to provide for reports; to provide for the disposition of fees and other income received by the state agency; and to provide for the powers and duties of certain individuals, local governments, and state departments, agencies, and officers.

The House of Representatives has appointed Reps. Kooiman, Hoogendyk and Kolb as conferees to join with Sens. Hardiman, George and Scott.

The bill was referred to the Conference Committee on June 20, 2003.

Senate Bill No. 285, entitled

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

The House of Representatives has appointed Reps. Shulman, Steil and Whitmer as conferees to join with Sens. Garcia, George and Prusi.

The bill was referred to the Conference Committee on June 20, 2003.

Senate Bill No. 286, entitled

A bill to make appropriations for the department of consumer and industry services and certain other state purposes for the fiscal year ending September 30, 2004; to provide for the expenditure of those appropriations; to provide for the imposition of certain fees; to provide for the disposition of fees and other income received by the state agencies; to provide for reports to certain persons; and to prescribe powers and duties of certain state departments and certain state and local agencies and officers.

The House of Representatives has appointed Reps. Shulman, Steil and Whitmer as conferees to join with Sens. Garcia, Hardiman and Prusi.

The bill was referred to the Conference Committee on June 20, 2003.

Senate Bill No. 288, entitled

A bill to make appropriations for the department of agriculture for the fiscal year ending September 30, 2004; to provide for the expenditure of the appropriations; to create funds; to provide for the imposition of fees; to require reports, audits, and plans; to authorize certain transfers by certain state agencies; and to provide for the disposition of fees and other income received by certain state agencies.

The House of Representatives has appointed Reps. Pumford, Walker and Phillips as conferees to join with Sens. Brown, Jelinek and Barcia.

The bill was referred to the Conference Committee on June 20, 2003.

House Bill No. 4388, entitled

A bill to make appropriations for community colleges and certain state purposes related to education for the fiscal year ending September 30, 2004; to provide for the expenditure of those appropriations; to establish or continue certain funds, programs, and categories; and to prescribe the powers and duties of certain state departments, institutions, agencies, employees, and officers.

The House of Representatives has nonconcurrent in the Senate substitute (S-1) and appointed Reps. Caswell, Mortimer and Sak as conferees.

The message was referred to the Secretary for record.

House Bill No. 4390, entitled

A bill to make appropriations for the department of corrections and certain state purposes related to corrections for the fiscal year ending September 30, 2004; 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.

The House of Representatives has nonconcurrent in the Senate substitute (S-1) and appointed Reps. Pumford, Brandenburg and Reeves as conferees.

The message was referred to the Secretary for record.

House Bill No. 4391, entitled

A bill to make appropriations for the department of education and certain other purposes relating to education for the fiscal year ending September 30, 2004; to provide for the expenditure of the appropriations; to prescribe the powers and duties of certain state departments, school districts, and other governmental bodies; and to provide for the disposition of fees and other income received by certain legal entities and state agencies.

The House of Representatives has nonconcurred in the Senate substitute (S-1) and appointed Reps. Moolenaar, Emmons and Plakas as conferees.

The message was referred to the Secretary for record.

House Bill No. 4392, entitled

A bill to make appropriations for the department of community health and certain state purposes related to mental health, public health, and medical services for the fiscal year ending September 30, 2004; to provide for the expenditure of those appropriations; to create funds; to require and provide for reports; to prescribe the powers and duties of certain local and state agencies and departments; and to provide for disposition of fees and other income received by the various state agencies.

The House of Representatives has nonconcurred in the Senate substitute (S-1) and appointed Reps. Newell, Shulman and Whitmer as conferees.

The message was referred to the Secretary for record.

House Bill No. 4396, entitled

A bill to make appropriations for the state institutions of higher education and certain state purposes related to education for the fiscal year ending September 30, 2004; to provide for the expenditures of those appropriations; and to prescribe the powers and duties of certain state departments, institutions, agencies, employees, and officers.

The House of Representatives has nonconcurred in the Senate substitute (S-1) and appointed Reps. Caul, Steil and Brown as conferees.

The message was referred to the Secretary for record.

House Bill No. 4401, entitled

A bill to amend 1979 PA 94, entitled "The state school aid act of 1979," by amending sections 3, 6, 8b, 11, 11f, 11g, 18, 19, 20, 22a, 22b, 24, 26a, 31a, 31d, 32c, 32d, 38, 39a, 41, 51a, 51c, 51d, 53a, 54, 56, 57, 61a, 62, 74, 81, 94a, 98, 99, 101, 105, 107, and 147 (MCL 388.1603, 388.1606, 388.1608b, 388.1611, 388.1611f, 388.1611g, 388.1618, 388.1619, 388.1620, 388.1622a, 388.1622b, 388.1624, 388.1626a, 388.1631a, 388.1631d, 388.1632c, 388.1632d, 388.1638, 388.1639a, 388.1641, 388.1651a, 388.1651c, 388.1651d, 388.1653a, 388.1654, 388.1656, 388.1657, 388.1661a, 388.1662, 388.1674, 388.1681, 388.1694a, 388.1698, 388.1699, 388.1701, 388.1705, 388.1707, and 388.1747), section 3 as amended by 2000 PA 297, sections 6, 11, 11f, 11g, 20, 22a, 22b, 24, 26a, 31a, 31d, 32c, 32d, 39a, 41, 51a, 51c, 51d, 53a, 54, 56, 57, 61a, 62, 74, 81, 94a, 98, 99, 107, and 147 as amended by 2002 PA 521, section 8b as added and sections 19, 38, and 105 as amended by 2002 PA 191, section 18 as amended by 1999 PA 119, and section 101 as amended by 2002 PA 476, and by adding sections 20k, 20l, 22d, 22e, 32j, and 98b; and to repeal acts and parts of acts.

The House of Representatives has nonconcurred in the Senate substitute (S-1) and appointed Reps. Moolenaar, Emmons and Plakas as conferees.

The message was referred to the Secretary for record.

Senate Bill No. 23, entitled

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," by amending section 512 (MCL 206.512), as amended by 1996 PA 484.

The House of Representatives has passed the bill, ordered that it be given immediate effect and pursuant to Joint Rule 20, inserted the full title.

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

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

The Senate agreed to the full title.

The bill was referred to the Secretary for enrollment printing and presentation to the Governor.

Third Reading of Bills

The following bill was read a third time:

House Bill No. 4519, entitled

A bill to require certain notices regarding the transmission of unsolicited commercial e-mail; to establish procedures for e-mail service providers; to allow recipients of e-mail to be excluded from receiving future unsolicited commercial e-mail; and to prescribe penalties and remedies.

The question being on the passage of the bill,

Senator Patterson offered the following amendments:

1. Amend page 5, line 22, after “Sec. 6.” by inserting “(1)”.

2. Amend page 5, following line 27, by inserting:

“(2) An e-mail service provider that designs and implements a dispute resolution process for a sender who believes the sender’s e-mail message has been improperly blocked, and makes contact information accessible on its website, is not liable under this act for blocking the receipt or transmission of the e-mail.”

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. 282

Yeas—37

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

Nays—0

Excused—1

Jacobs

Not Voting—0

In The Chair: President

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

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

The Senate agreed to the title of the bill.

The following bill was read a third time:

Senate Bill No. 357, entitled

A bill to require certain restrictions on the transmission of unsolicited commercial and sexually explicit e-mail; to establish procedures for e-mail service providers; to allow recipients of e-mail to be excluded from receiving future e-mail; and to prescribe penalties and remedies.

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. 283**Yeas—37**

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

Nays—0**Excused—1**

Jacobs

Not Voting—0

In The Chair: President

The Senate agreed to the title of the bill.

The following bill was read a third time:

House Bill No. 4145, entitled

A bill to enter into the interstate compact for the supervision or return of certain juveniles, delinquents, and status offenders and for related purposes; 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. 284**Yeas—37**

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

Nays—0

Excused—1

Jacobs

Not Voting—0

In The Chair: President

Senator Hammerstrom moved that the bill be given immediate effect.
The motion prevailed, 2/3 of the members serving voting therefor.
The Senate agreed to the title of the bill.

The following bill was read a third time:

House Bill No. 4408, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 82101 (MCL 324.82101), as amended by 1997 PA 102.

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. 285**Yeas—37**

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

Nays—0**Excused—1**

Jacobs

Not Voting—0

In The Chair: President

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

Pursuant to Joint Rule 20, the full title of the act shall be inserted to read as follows:

"An act to protect the environment and natural resources of the state; to codify, revise, consolidate, and classify laws relating to the environment and natural resources of the state; to regulate the discharge of certain substances into the environment; to regulate the use of certain lands, waters, and other natural resources of the state; to prescribe the

powers and duties of certain state and local agencies and officials; to provide for certain charges, fees, and assessments; to provide certain appropriations; to prescribe penalties and provide remedies; to repeal certain parts of this act on a specific date; and to repeal certain acts and parts of acts.”

The Senate agreed to the full title.

The following bill was read a third time:

House Bill No. 4077, entitled

A bill to amend 1980 PA 299, entitled “Occupational code,” by amending section 1204 (MCL 339.1204), as amended by 1997 PA 97.

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. 286

Yeas—37

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

Nays—0

Excused—1

Jacobs

Not Voting—0

In The Chair: President

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

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

Pursuant to Joint Rule 20, the full title of the act shall be inserted to read as follows:

“An act to revise, consolidate, and classify the laws of this state regarding the regulation of certain occupations; to create a board for each of those occupations; to establish the powers and duties of certain departments and agencies and the boards of each occupation; to provide for the promulgation of rules; to provide for certain fees; to provide for penalties and civil fines; to establish rights, relationships, and remedies of certain persons under certain circumstances; to repeal certain parts of this act on a specific date; and to repeal certain acts and parts of acts.”

The Senate agreed to the full title.

The following bill was read a third time:

House Bill No. 4081, entitled

A bill to amend 1917 PA 167, entitled “Housing law of Michigan,” by amending sections 139, 141, and 142 (MCL 125.539, 125.541, and 125.542), as amended by 1992 PA 144.

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. 287**Yeas—37**

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

Nays—0**Excused—1**

Jacobs

Not Voting—0

In The Chair: President

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

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

Pursuant to Joint Rule 20, the full title of the act shall be inserted to read as follows:

“An act to promote the health, safety and welfare of the people by regulating the maintenance, alteration, health, safety, and improvement of dwellings; to define the classes of dwellings affected by the act, and to establish administrative requirements; to prescribe procedures for the maintenance, improvement, or demolition of certain commercial buildings; to establish remedies; to provide for enforcement; to provide for the demolition of certain dwellings; and to fix penalties for the violation of this act.”

The Senate agreed to the full title.

The following bill was read a third time:

House Bill No. 4326, entitled

A bill to amend 1969 PA 306, entitled “Administrative procedures act of 1969,” by amending sections 55 and 59 (MCL 24.255 and 24.259), as amended by 1999 PA 262.

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. 288**Yeas—37**

| | | | |
|----------|---------------|----------|-----------|
| Allen | Clark-Coleman | Hardiman | Sanborn |
| Barcia | Clarke | Jelinek | Schauer |
| Basham | Cropsey | Johnson | Scott |
| Bernero | Emerson | Kuipers | Sikkema |
| Birkholz | Garcia | Leland | Stamas |
| Bishop | George | McManus | Switalski |
| Brater | Gilbert | Olshove | Thomas |

Brown
Cassis
Cherry

Goschka
Hammerstrom

Patterson
Prusi

Toy
Van Woerkom

Nays—0

Excused—1

Jacobs

Not Voting—0

In The Chair: President

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

Pursuant to Joint Rule 20, the full title of the act shall be inserted to read as follows:

“An act to provide for the effect, processing, promulgation, publication, and inspection of state agency rules, determinations, and other matters; to provide for the printing, publishing, and distribution of certain publications; to provide for state agency administrative procedures and contested cases and appeals from contested cases in licensing and other matters; to create and establish certain committees and offices; to provide for declaratory judgments as to rules; to repeal certain acts and parts of acts; and to repeal certain parts of this act on a specific date.”.

The Senate agreed to the full title.

The following bill was read a third time:

House Bill No. 4456, entitled

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

The 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. 289

Yeas—37

Allen
Barcia
Basham
Bernero
Birkholz
Bishop
Brater
Brown
Cassis
Cherry

Clark-Coleman
Clarke
Cropsey
Emerson
Garcia
George
Gilbert
Goschka
Hammerstrom

Hardiman
Jelinek
Johnson
Kuipers
Leland
McManus
Olshove
Patterson
Prusi

Sanborn
Schauer
Scott
Sikkema
Stamas
Switalski
Thomas
Toy
Van Woerkom

Nays—0

Excused—1

Jacobs

Not Voting—0

In The Chair: President

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

General Orders

Senator Hammerstrom 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 Cherry, designated Senator Switalski as Chairperson.

After some time spent therein, the Committee arose; and, the President, Lieutenant Governor Cherry, having resumed the Chair, the Committee reported back to the Senate, favorably and with amendment, the following bill:

House Bill No. 4657, entitled

A bill to amend 1984 PA 44, entitled "Motor fuels quality act," by amending section 4 (MCL 290.644), as amended by 1986 PA 127.

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

1. Amend page 2, following line 27, by inserting:

"Enacting section 1. This amendatory act takes effect October 1, 2003."

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

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

Senate Bill No. 535, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 80115 (MCL 324.80115), as added by 1995 PA 58, and by adding section 80124b.

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. 536, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," (MCL 324.101 to 324.90106) by adding section 80124a.

Substitute (S-2).

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

Motions and Communications

The following communications were received and read:
Office of the Senate Majority Leader

June 23, 2003

Pursuant to Joint Rule 3(a), I have made the following appointments to the Conference Committees listed below:

House Bill 4388: Senator Jelinek, Senator Stamas and Senator Switalski

House Bill 4390: Senator Cropsey, Senator Goschka and Senator Prusi

House Bill 4391: Senator Jelinek, Senator Cropsey and Senator Scott

House Bill 4392: Senator Stamas, Senator Johnson and Senator Cherry
House Bill 4396: Senator Goschka, Senator Johnson and Senator Cherry
House Bill 4401: Senator Jelinek, Senator Cropsey and Senator Switalski

June 24, 2003

Pursuant to Joint Rule 3(a), I have made the following change to the Conference Committee on Senate Bill 234 and Senate Bill 460:

Senator Bob Emerson will replace Senator Gilda Jacobs

Respectfully yours,
Ken Sikkema
Senator Majority Leader

The communications were referred to the Secretary for record.

Resolutions

Senate Resolution No. 105.

A resolution calling for increased public awareness of the Department of Environmental Quality's toll-free number for reporting pollution emergencies.

The question being on the adoption of the resolution,

Senator Patterson offered the following substitute:

A resolution calling for increased public awareness of the Department of Environmental Quality's toll-free number for reporting pollution emergencies.

Whereas, Public vigilance and civic involvement are cornerstones of effective communities. The willingness of individual citizens to work with those who provide public services can be the key to the effectiveness of many endeavors, including several aspects of law enforcement; and

Whereas, The Department of Environmental Quality operates a hot line under its "Pollution Emergency Alert System." This number offers concerned citizens a quick way to provide information that could be lifesaving or which could save the environment from serious damage. This number can be used by a person to report to authorities any environmental emergency, whether accidental or intentional; and

Whereas, Over the years, there have certainly been many situations, including spills of toxic substances, that could have been contained far more effectively if the proper party had been informed immediately. The potential significance of this emergency contact system only increases at a time when government resources are strained by difficult financial pressures; and

Whereas, Increasing the visibility of the Pollution Emergency Alert System number would be a wise move. Many of the steps to raise awareness, including web site displays, can be made at negligible cost; and

Whereas, Encouraging the public's help in the effort to uncover and prevent pollution can only help our state; now, therefore, be it

Resolved by the Senate, That we urge the Department of Environmental Quality to increase public awareness of its toll-free number for reporting pollution emergencies. We also urge the Departments of Agriculture, Natural Resources, Community Health, and the Attorney General to include this number prominently on their web sites; and be it further

Resolved, That copies of this resolution be transmitted to the Departments of Environmental Quality, Agriculture, Natural Resources, Community Health, and Attorney General.

The substitute was adopted.

The resolution, as substituted, was adopted.

Senate Concurrent Resolution No. 25.

A concurrent resolution calling for increased public awareness of the Department of Environmental Quality's toll-free number for reporting pollution emergencies.

The question being on the adoption of the concurrent resolution,

Senator Birkholz offered the following substitute:

A concurrent resolution calling for increased public awareness of the Department of Environmental Quality's toll-free number for reporting pollution emergencies.

Whereas, Public vigilance and civic involvement are cornerstones of effective communities. The willingness of individual citizens to work with those who provide public services can be the key to the effectiveness of many endeavors, including several aspects of law enforcement; and

Whereas, The Department of Environmental Quality operates a hot line under its "Pollution Emergency Alert System." This number offers concerned citizens a quick way to provide information that could be lifesaving or which

could save the environment from serious damage. This number can be used by a person to report to authorities any environmental emergency, whether accidental or intentional; and

Whereas, Over the years, there have certainly been many situations, including spills of toxic substances, that could have been contained far more effectively if the proper party had been informed immediately. The potential significance of this emergency contact system only increases at a time when government resources are strained by difficult financial pressures; and

Whereas, Increasing the visibility of the Pollution Emergency Alert System number would be a wise move. Many of the steps to raise awareness, including web site displays, can be made at negligible cost; and

Whereas, Encouraging the public's help in the effort to uncover and prevent pollution can only help our state; now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That we urge the Department of Environmental Quality to increase public awareness of its toll-free number for reporting pollution emergencies. We also urge the Departments of Agriculture, Natural Resources, Community Health, and the Attorney General to include this number prominently on their web sites; and be it further

Resolved, That copies of this resolution be transmitted to the Departments of Environmental Quality, Agriculture, Natural Resources, Community Health, and Attorney General.

The substitute was adopted.

The concurrent resolution, as substituted, was adopted.

By unanimous consent the Senate proceeded to the order of

Statements

Senator Brater asked and was granted unanimous consent to make a statement and moved that the statement be printed in the Journal.

The motion prevailed.

Senator Brater's statement is as follows:

The United States Supreme Court handed down a historic decision yesterday when it upheld the use of race-conscious admissions policies like those used at the University of Michigan Law School. With this ruling, the Court sent a very clear message that promoting racial diversity on college campuses adds value to the academic and social experiences of the entire student body. Writing for the majority, Justice Sandra Day O'Connor said, "The diffusion of knowledge and opportunity through public institutions of higher education must be accessible to all individuals regardless of race or ethnicity." With this decision, the Court upheld the basic premise of the landmark 1978 Bakke decision by allowing the use of race as a determining factor in college admissions.

It is important that minorities have more than token representation in our university classrooms. The experiences and perspectives brought by a diverse student body enhances the experience of educators and students alike. I applaud the high court for recognizing that government does have a compelling interest in promoting racial diversity on our college campuses.

Although the Court did not uphold the point system Michigan uses in undergraduate admissions, its support of the law school's desire to achieve a "critical mass" of minority students clearly leaves open the use of race as a factor in other admissions policies.

There is so much more to a university education than what is learned in books. Students learn about diverse cultures, races, and religions from the people they live with in dorms and interact with in classes. This type of experience makes them better prepared to enter the work force, where they will work and interact with people of many different backgrounds. I agree with University of Michigan President Mary Sue Coleman that this is a great day for all of higher education.

By unanimous consent the Senate returned to the order of

Introduction and Referral of Bills

Senator Emerson introduced

Senate Bill No. 596, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 12562 (MCL 333.12562), as amended by 1999 PA 41.

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

Senator Switalski introduced
Senate Bill No. 597, entitled

A bill to amend 1992 PA 147, entitled "Neighborhood enterprise zone act," by amending section 2 (MCL 207.772), as amended by 2001 PA 217.

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

House Bill No. 4244, entitled

A bill to amend 1980 PA 300, entitled "The public school employees retirement act of 1979," by amending section 91 (MCL 38.1391), as amended by 1998 PA 85.

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 Education.

House Bill No. 4693, entitled

A bill to amend 1976 PA 451, entitled "The revised school code," (MCL 380.1 to 380.1852) by adding section 1294.

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 Education.

House Bill No. 4706, entitled

A bill to provide for and to regulate access to and disclosure of medical records; to prescribe powers and duties of certain state agencies and departments; to establish fees; to prescribe administrative sanctions; 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 Health Policy.

House Bill No. 4724, entitled

A bill to amend 1979 PA 94, entitled "The state school aid act of 1979," (MCL 388.1601 to 388.1772) by adding section 9.

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 Education.

House Bill No. 4755, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending sections 16221 and 16226 (MCL 333.16221 and 333.16226), section 16221 as amended by 2002 PA 402 and section 16226 as amended by 2002 PA 643, and by adding section 20170.

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 Health Policy.

House Bill No. 4804, entitled

A bill to amend 1984 PA 431, entitled "The management and budget act," by amending sections 353e and 358 (MCL 18.1353e and 18.1358), section 358 as amended by 2002 PA 504 and section 353e as amended by 1999 PA 8.

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

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

House Bill No. 4820, entitled

A bill to amend 1976 PA 451, entitled "The revised school code," by amending sections 4, 5, 6, 11a, 14, 503, 613, 614, 616, 617, 629, 661, 681, 682, 687, 690, 701, 702, 703, 705, 856, 857, 858, 859, 860, 861, 931, 932, 945, 1212, 1216, 1351, 1361, 1451, 1722, and 1724 (MCL 380.4, 380.5, 380.6, 380.11a, 380.14, 380.503, 380.613, 380.614, 380.616, 380.617, 380.629, 380.661, 380.681, 380.682, 380.687, 380.690, 380.701, 380.702, 380.703, 380.705, 380.856, 380.857, 380.858, 380.859, 380.860, 380.861, 380.931, 380.932, 380.945, 380.1212, 380.1216, 380.1351, 380.1361, 380.1451, 380.1722, and 380.1724), sections 5 and 14 as amended by 1999 PA 23, sections 6, 503, and 690 as amended and section 11a as added by 1995 PA 289, sections 614 and 617 as amended by 2002 PA 157, section 629

as amended by 2002 PA 61, sections 681, 682, 705, 1451, and 1724 as amended by 1994 PA 258, section 687 as amended by 2002 PA 62, section 703 as amended by 1981 PA 87, sections 857 and 858 as amended by 1992 PA 263, section 859 as amended by 2002 PA 509, section 945 as added by 1984 PA 154, section 1212 as amended by 1993 PA 312, section 1216 as amended by 2002 PA 64, and section 1351 as amended by 2002 PA 67, and by adding section 1206; and to repeal acts and parts of acts.

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

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

House Bill No. 4821, entitled

A bill to amend 1954 PA 116, entitled "Michigan election law," by amending section 641 (MCL 168.641).

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

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

House Bill No. 4822, entitled

A bill to amend 1947 PA 359, entitled "The charter township act," by amending section 34 (MCL 42.34), as amended by 1984 PA 353.

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

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

House Bill No. 4823, entitled

A bill to amend 1989 PA 292, entitled "Metropolitan councils act," by amending section 27 (MCL 124.677), as amended by 1998 PA 373.

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

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

House Bill No. 4824, entitled

A bill to amend 1954 PA 116, entitled "Michigan election law," by amending sections 2, 3, 4, 30a, 321, 322, 358a, 370, 381, 382, 500f, 500g, 501a, 505, 509n, 509r, 509gg, 538, 635, 643, 644e, 644g, 644k, 646a, 690, 821, 862, 863, 954, 963, 971, and 972 (MCL 168.2, 168.3, 168.4, 168.30a, 168.321, 168.322, 168.358a, 168.370, 168.381, 168.382, 168.500f, 168.500g, 168.501a, 168.505, 168.509n, 168.509r, 168.509gg, 168.538, 168.635, 168.643, 168.644e, 168.644g, 168.644k, 168.646a, 168.690, 168.821, 168.862, 168.863, 168.954, 168.963, 168.971, and 168.972), sections 2 and 971 as amended by 2002 PA 163, section 321 as amended by 1994 PA 277, section 322 as amended by 1999 PA 218, section 358a as amended by 1990 PA 235, section 370 as amended by 1990 PA 83, section 381 as amended by 1991 PA 16, section 501a as amended by 1995 PA 87, section 509n as amended by 1999 PA 216, sections 509r and 509gg as added by 1994 PA 441, section 643 as amended by 1998 PA 364, section 646a as amended by 2002 PA 431, section 821 as amended by 1988 PA 275, section 963 as amended by 1999 PA 220, and section 972 as amended by 1989 PA 26, and by adding chapter XIV and sections 642, 642a, and 659; and to repeal acts and parts of acts.

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

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

House Bill No. 4825, entitled

A bill to amend 1909 PA 279, entitled "The home rule city act," by amending sections 3, 8, 11, 21, 25, 26, and 29 (MCL 117.3, 117.8, 117.11, 117.21, 117.25, 117.26, and 117.29), section 3 as amended by 2002 PA 201, section 25 as amended by 1982 PA 200, and section 29 as amended by 1994 PA 17.

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

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

House Bill No. 4826, entitled

A bill to amend 1909 PA 278, entitled "The home rule village act," by amending sections 4, 7, 21, and 23 (MCL 78.4, 78.7, 78.21, and 78.23), section 23 as amended by 1999 PA 258.

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

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

House Bill No. 4827, entitled

A bill to amend 1895 PA 3, entitled "The general law village act," by amending sections 1, 3, 4, 5, 6, and 13 of chapter II, sections 1, 2, 3, and 7 of chapter III, section 3 of chapter V, section 23 of chapter IX, section 3 of chapter XII, and sections 18a and 23g of chapter XIV (MCL 62.1, 62.3, 62.4, 62.5, 62.6, 62.13, 63.1, 63.2, 63.3, 63.7, 65.3, 69.23, 72.3, 74.18a, and 74.23g), sections 1, 4, 5, 6, and 13 of chapter II, sections 2 and 7 of chapter III, and section 3 of chapter V as amended and section 3 of chapter III as added by 1998 PA 255 and section 3 of chapter XII and section 18a of chapter XIV as amended and section 23g of chapter XIV as added by 1998 PA 254.

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

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

House Bill No. 4828, entitled

A bill to amend 1966 PA 331, entitled "Community college act of 1966," by amending sections 2, 12, 16, 17, 21, 32, 34, 34a, 36, 37, 38, 39, 42, 51, 52, 54, 55, 56, 57, 58, 59, 62, 83, 84, 86, 105, 107, 122, 144, and 152 (MCL 389.2, 389.12, 389.16, 389.17, 389.21, 389.32, 389.34, 389.34a, 389.36, 389.37, 389.38, 389.39, 389.42, 389.51, 389.52, 389.54, 389.55, 389.56, 389.57, 389.58, 389.59, 389.62, 389.83, 389.84, 389.86, 389.105, 389.107, 389.122, 389.144, and 389.152), section 2 as added by 1998 PA 153, sections 17, 21, 34, 37, 42, 54, 57, and 62 as amended and section 86 as added by 2000 PA 488, section 34a as amended by 1982 PA 381, section 83 as amended by 1992 PA 20, section 122 as amended by 2002 PA 72, section 144 as amended by 2002 PA 73, and section 152 as amended by 1990 PA 11; and to repeal acts and parts of acts.

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

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

Committee Reports

The Committee on Appropriations reported

Senate Bill No. 540, entitled

A bill to make, supplement, and adjust appropriations for various state departments and agencies for the fiscal year ending September 30, 2003; and to provide for the expenditure of the appropriations.

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.

Shirley Johnson
Chairperson

To Report Out:

Yeas: Senators Johnson, Stamas, Brown, Goschka, Garcia, Cropsey, Jelinek, McManus, Hardiman, George, Prusi, Barcia, Scott, Cherry, Clarke and Switalski

Nays: None

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

The Committee on Transportation reported

Senate Resolution No. 82.

A resolution to recommend the designation of US-23 from Standish to Mackinaw City as a heritage route under the provisions of the Michigan Heritage Routes Act, 1993 PA 69.

(For text of resolution, see Senate Journal No. 44, p. 564.)

With the recommendation that the resolution be adopted.

Judson Gilbert II
Chairperson

To Report Out:

Yeas: Senators Gilbert, Kuipers, Goschka, Leland and Basham

Nays: None

The resolution was placed on the order of Resolutions.

The Committee on Transportation reported

House Bill No. 4133, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 628 (MCL 257.628), as amended by 2000 PA 167.

With the recommendation that the bill pass.

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

Judson Gilbert II
Chairperson

To Report Out:

Yeas: Senators Gilbert, Kuipers, Goschka, Leland and Basham

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Transportation reported

House Bill No. 4224, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 628 (MCL 257.628), as amended by 2000 PA 167.

With the recommendation that the bill pass.

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

Judson Gilbert II
Chairperson

To Report Out:

Yeas: Senators Gilbert, Kuipers, Goschka, Leland and Basham

Nays: None

The bill was referred to the Committee of the Whole.

COMMITTEE ATTENDANCE REPORT

The Committee on Transportation submitted the following:

Meeting held on Thursday, June 19, 2003, at 8:30 a.m., Room 110, Farnum Building

Present: Senators Gilbert (C), Kuipers, Goschka, Leland and Basham

The Committee on Finance reported

House Bill No. 4524, entitled

A bill to amend 1984 PA 431, entitled "The management and budget act," by amending section 361 (MCL 18.1361).

With the recommendation that the bill pass.

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

Nancy Cassis
Chairperson

To Report Out:

Yeas: Senators Cassis, Garcia, McManus and Thomas

Nays: Senator Brater

The bill was referred to the Committee of the Whole.

COMMITTEE ATTENDANCE REPORT

The Committee on Finance submitted the following:

Meeting held on Thursday, June 19, 2003, at 8:30 a.m., Room 405, Capitol Building

Present: Senators Cassis (C), Garcia, McManus, Thomas and Brater

The Committee on Health Policy reported

House Bill No. 4126, entitled

A bill to amend 1998 PA 386, entitled "Estates and protected individuals code," by amending sections 1106, 5506, 5507, and 5510 (MCL 700.1106, 700.5506, 700.5507, and 700.5510), section 1106 as amended by 2000 PA 463.

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.

Beverly S. Hammerstrom
Chairperson

To Report Out:

Yeas: Senators Hammerstrom, Bernero and George

Nays: None

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

The Committee on Health Policy reported

House Bill 4125, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending sections 10102 and 10104 (MCL 333.10102 and 333.10104).

With the recommendation that the bill pass.

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

Beverly S. Hammerstrom
Chairperson

To Report Out:

Yeas: Senators Hammerstrom, Bernero and Jacobs

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Health Policy reported

House Bill 4479, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 10102a (MCL 333.10102a), as added by 1986 PA 186.

With the recommendation that the bill pass.

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

Beverly S. Hammerstrom
Chairperson

To Report Out:

Yeas: Senators Hammerstrom, Bernero and Jacobs

Nays: None

The bill was referred to the Committee of the Whole.

COMMITTEE ATTENDANCE REPORT

The Committee on Health Policy submitted the following:

Meeting held on Wednesday, June 18, 2003, at 1:00 p.m., Senate Hearing Room, Ground Floor, Boji Tower (formerly Michigan National Tower)

Present: Senators Hammerstrom (C), George, Bernero and Jacobs

Excused: Senator Patterson

The Committee on Judiciary reported

House Bill No. 4515, entitled

A bill to improve the training and education of local corrections officers; to provide for the certification of local corrections officers and the development of standards and requirements for local corrections officers; to provide for the creation of a sheriffs coordinating and training office and a local corrections advisory board; and to prescribe the powers and duties of certain local and state officers and agencies.

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.

Alan L. Cropsey
Chairperson

To Report Out:

Yeas: Senators Cropsey, Bishop, Sanborn, Patterson, Schauer, Bernero and Brater

Nays: None

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

The Committee on Judiciary reported

House Bill No. 4516, entitled

A bill to amend 1982 PA 415, entitled "Correctional officers' training act of 1982," by amending the title and sections 2, 3, 4, 5, and 15 (MCL 791.502, 791.503, 791.504, 791.505, and 791.515); and to repeal acts and parts of acts.

With the recommendation that the bill pass.

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

Alan L. Cropsey
Chairperson

To Report Out:

Yeas: Senators Cropsey, Bishop, Sanborn, Patterson, Schauer, Bernero and Brater

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Judiciary reported

House Bill No. 4517, entitled

A bill to amend 1846 RS 171, entitled "Of county jails and the regulation thereof," (MCL 801.1 to 801.27) by adding section 4b.

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.

Alan L. Cropsey
Chairperson

To Report Out:

Yeas: Senators Cropsey, Bishop, Sanborn, Patterson, Schauer, Bernero and Brater

Nays: None

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

The Committee on Judiciary reported

House Bill No. 4818, entitled

A bill to amend 1927 PA 372, entitled "An act to regulate and license the selling, purchasing, possessing, and carrying of certain firearms and gas ejecting devices; to prohibit the buying, selling, or carrying of certain firearms and gas ejecting devices without a license or other authorization; to provide for the forfeiture of firearms under certain circumstances; to provide for penalties and remedies; to provide immunity from civil liability under certain circumstances; to prescribe the powers and duties of certain state and local agencies; to prohibit certain conduct against individuals who apply for or receive a license to carry a concealed pistol; to make appropriations; to prescribe certain conditions for the appropriations; and to repeal all acts and parts of acts inconsistent with this act," by amending section 5b (MCL 28.425b), as amended by 2002 PA 719.

With the recommendation that the bill pass.

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

Alan L. Cropsey
Chairperson

To Report Out:

Yeas: Senators Cropsey, Bishop, Sanborn, Patterson and Bernero

Nays: None

The bill was referred to the Committee of the Whole.

COMMITTEE ATTENDANCE REPORT

The Subcommittee on Commerce, Labor and Economic Development submitted the following:

Meeting held on Wednesday, June 4, 2003, at 3:30 p.m., Senate Appropriations Room, 3rd Floor, Capitol Building

Present: Senators Garcia (C), Hardiman, George, Prusi and Scott

COMMITTEE ATTENDANCE REPORT

The Subcommittee on Department of Transportation submitted the following:

Meeting held on Tuesday, June 10, 2003, at 1:00 p.m., Senate Appropriations Room, 3rd Floor, Capitol Building

Present: Senators Johnson (C), Stamas and Barcia

COMMITTEE ATTENDANCE REPORT

The Legislative Retirement Board of Trustees submitted the following:

Meeting held on Thursday, June 12, 2003, at 9:30 a.m., Room H-252, Capitol Building

Present: Senator Leland

Excused: Senator Goschka

COMMITTEE ATTENDANCE REPORT

The Committee on Commerce and Labor submitted the following:
 Meeting held on Tuesday, June 17, 2003, at 3:00 p.m., Room 210, Farnum Building
 Present: Senators Allen (C), Kuipers, McManus, Schauer and Olshove

COMMITTEE ATTENDANCE REPORT

The Committee on Senior Citizens and Veterans Affairs submitted the following:
 Meeting held on Wednesday, June 18, 2003, at 9:00 a.m., Room 110, Farnum Building
 Present: Senators Toy (C), Gilbert, Clark-Coleman and Olshove
 Excused: Senator Stamas

COMMITTEE ATTENDANCE REPORT

The Committee on Commerce and Labor submitted the following:
 Meeting held on Wednesday, June 18, 2003, at 3:00 p.m., Room 110, Farnum Building
 Present: Senators Allen (C) Kuipers, McManus, Schauer and Olshove

Scheduled Meetings

Appropriations - Wednesday, June 25, and Thursday, June 26, 2:00 p.m. or later immediately following session, Senate Appropriations Room, 3rd Floor, Capitol Building (373-2523)

Banking and Financial Institutions - Thursday, June 26, 12:00 noon or later immediately following session, Room 100, Farnum Building (373-2417)

Commerce and Labor - Wednesday, June 25, and Thursday, June 26, 3:00 p.m. or later immediately following session, Room 110, Farnum Building (373-2413)

Conference Committees -

Agriculture (SB 288) - Wednesday, June 25, 1:00 p.m., Senate Appropriations Room, 3rd Floor, Capitol Building (373-2768)

Consumer and Industry Services (SB 286) - Wednesday, June 25, 12:30 p.m., Rooms 402 and 403, Capitol Building (373-2768)

Family Independence Agency (SB 283) - Wednesday, June 25, 8:00 a.m., Room 404, Capitol Building (373-2768)

Judiciary (SB 281) - Wednesday, June 25, 8:30 a.m., Senate Appropriations Room, 3rd Floor, Capitol Building (373-2768)

Military and Veterans Affairs (SB 266) - Wednesday, June 25, 9:30 a.m., Room 405, Capitol Building (373-2768)

State Police (SB 277) - Wednesday, June 25, 9:00 a.m., Room 405, Capitol Building (373-2768)

Education - Wednesday, June 25, 2:00 p.m., Room 100, Farnum Building (373-6920)

Government Operations - Wednesday, June 25, 11:00 a.m., Room 405, Capitol Building (373-0797)

Senator Hammerstrom moved that the Senate adjourn.
 The motion prevailed, the time being 11:15 a.m.

The President, Lieutenant Governor Cherry, declared the Senate adjourned until Wednesday, June 25, 2003, at 10:00 a.m.

CAROL MOREY VIVENTI
 Secretary of the Senate

