

No. 87
STATE OF MICHIGAN
Journal of the Senate
92nd Legislature
REGULAR SESSION OF 2003

Senate Chamber, Lansing, Tuesday, October 21, 2003.

10:00 a.m.

The Senate was called to order by the President pro tempore, Senator Patricia L. Birkholz.

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

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

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

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

Pastor Larry Matro of Immanuel Lutheran Church of Leland offered the following invocation:

Ladies and gentlemen of the Michigan Senate, I begin this day by quoting words from St. Paul's first letter to Timothy: "I urge, then, first of all, that requests, prayers, intercessions, and thanksgiving be made for everyone—for kings and all those in authority, that we may live peaceful and quiet lives in all godliness and holiness. This is good, and pleases God our Savior, who wants all men to be saved and to come to a knowledge of the truth. For there is one God and one mediator between God and men, the man Christ Jesus, who gave himself as a ransom for all."

There are three points that are worth our consideration as we begin today. For one, St. Paul urged Timothy to pray for those in authority over him. He was not making any distinction as to whether he/she was of the same party or friendly or hostile to the Christian faith. In fact, the Roman leadership in Paul's day was becoming increasingly hostile to the Christian faith. In this context, I would say that Democrats are reminded to pray for the Republicans and vice versa and the other parties represented here today.

Secondly, St. Paul knew that kings and others in authority needed prayers to be said for them. One would think that those in positions of leadership would be self-sufficient. But experience tells us that we need one another and the Lord himself. If you haven't come to that humble realization yet, I hope you do so soon. How difficult is your task of discerning truth in the volumes of material you must sift through, balancing public opinion, your own convictions, and the loads of information you receive.

Finally, St. Paul reminded Timothy that there was one mediator through which we pray, Jesus Christ, and it is in his name that I now pray for you this morning.

Heavenly Father, the men and women of the Senate have gathered here today to discuss important matters pertaining to the well-being of the citizens of Michigan. They gather in this place on a regular basis to discuss and act upon a variety of issues: the sanctity of human life, the unique relationship of man and woman in marriage, the protection of the environment, the education of children, the protection of innocent and vulnerable children, a variety of matters pertaining to law and order, the care of the elderly, the gathering and distribution of revenue, and much more.

Lord, I ask You this day to bless these Senators with wisdom for the decisions that will be made today and in the days to come. Assist them to discern truth from falsehood as they discuss and act upon the many issues that they deliberate on during their time of service. Bless them with integrity so that their decisions and discussion is consistent with who they are, how they live, and what they personally believe. I pray especially for those who call themselves Christians, that their decisions and words would reflect their faith in You. Bless them with forgiveness for thoughts, words, and decisions that are contrary to Your Word and will. How blessed we are through faith in Jesus, Your dear Son, to have this forgiveness that was won through his life, death, and resurrection. Bless them with humility as they are mindful of their role as servants of the people of the state of Michigan, their districts, and ultimately accountable to You. Bless them with energy to do all their tasks that they are called upon to do with vigor and joy. Bless them with joy that comes from doing a task well and doing that which also brings joy to those in this state. Bless them with Your righteousness so that by their actions they serve as position role models to others. Grant them courage to act upon their convictions even if it's not always popular.

Lord, thank You for these men and women who are willing to serve in spite of the criticism and other pressures of being in public office. Lord, You know the personal concerns that these men and women bear this day: family matters, personal worries, and spiritual concerns. Help them lay all of these concerns also at Your feet, knowing that You truly care for them. How blessed we are to have Jesus, Your Son and the world Savior, as our mediator to which we can pray and be assured that these spoken prayers, as well as our silent personal ones, are heard and answered. As these petitions and others are heard and answered, open eyes to see Your will and conform our wills to Your will.

In Jesus' name, I pray. Amen.

The President pro tempore, Senator Birkholz, led the members of the Senate in recital of the *Pledge of Allegiance*.

Motions and Communications

Senators Jelinek, Kuipers, Garcia and Sikkema entered the Senate Chamber.

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

Senator Hammerstrom moved that rule 3.902 be suspended to allow the guests of Senator Barcia admittance to the Senate floor, including the center aisle.

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

Senator Hammerstrom 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 Hammerstrom moved that the Senate recess subject to the call of the Chair.

The motion prevailed, the time being 10:09 a.m.

10:21 a.m.

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

During the recess, Senator Barcia introduced to the Senate the Board of Directors of the “Tall Ship® Celebration 2003: Bay City” and presented them with Senate Resolution No. 172.

Board Director Kevin Dykema responded briefly.

The Secretary announced that the following House bills were received in the Senate and filed on Thursday, October 16:
House Bill Nos. 4178 4655 4656 4720 4722

The Secretary announced that the following bills were available at the legislative Web site on Thursday, October 16:

Senate Bill No. 779

House Bill Nos. 5172 5173 5174 5175 5176 5177 5178 5179 5180

The Secretary announced that the following bills were available at the legislative Web site on Friday, October 17:

House Bill Nos. 5181 5182 5183 5184

Messages from the Governor

The following message from the Governor was received:

Date: October 17, 2003

Time: 10:17 a.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 701 (Public Act No. 186), 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 section 8 (MCL 390.1458), as amended by 2002 PA 736.

(Filed with the Secretary of State on October 17, 2003, at 11:28 a.m.)

Respectfully,
Jennifer M. Granholm
Governor

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

EXECUTIVE ORDER

No. 2003-19

Michigan Strategic Fund Technology Tri-Corridor Steering Committee

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

Whereas, a health and aging steering committee was authorized under Section 418 of 1999 PA 120 to provide advice and oversight of an initiative to support basic and applied research in health-related areas, with emphasis on issues related to aging;

Whereas, the committee authorized under Section 418 of 1999 PA 120 was designated as the "Life Sciences Corridor Board" under Executive Order 2000-3;

Whereas, a life sciences and technology tri-corridor committee is authorized under Section 410 of 2003 PA 169 to provide advice and oversight of an initiative to support research and commercialization, including all potential business commercialization opportunities, in life sciences, homeland security, and automotive technologies;

Whereas, in order to fully utilize the input and expertise of the many and varied individuals interested in serving on a life sciences and technology tri-corridor committee, it is necessary for the members of such a committee appointed by the Governor to serve terms of limited duration;

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

I. TECHNOLOGY TRI-CORRIDOR STEERING COMMITTEE

A. The committee authorized under Section 410 of 2003 PA 169 is created within the Michigan Strategic Fund and shall be known as the "Technology Tri-Corridor Steering Committee" ("Committee").

B. The Committee shall consist of 19 members, including the 3 ex officio members of the Committee required under Section I.C, and 16 members appointed by the Governor under Section I.D.

C. The following persons, or their designated alternate representatives, shall serve as ex officio members of the Committee:

1. The Chief Executive Officer of the Michigan Economic Development Corporation, the public body corporate created under Section 28 of Article VII of the Michigan Constitution of 1963 and the Urban Cooperation Act of 1967, 1967 (Ex Sess) PA 7, MCL 124.501 to 124.512, by a contractual interlocal agreement effective April 5, 1999, and subsequently amended, between local participating economic development corporations formed under the Economic Development Corporations Act, 1974 PA 338, MCL 125.1601 to 125.1636, and the Michigan Strategic Fund ("MEDC").

2. The Director of the Department of Consumer and Industry Services, or, if Executive Order 2003-18 is effective, the Director of the Department of Labor and Economic Growth.

3. The State Treasurer.

D. In addition to the ex officio members of the Committee under Section I.C, the Governor shall appoint the following as members of the Committee:

1. A member representing Michigan State University.

2. A member representing the University of Michigan.

3. A member representing Wayne State University.

4. For the fiscal year beginning October 1, 2003, and ending on September 30, 2004, a member representing Western Michigan University.

5. A member representing the Van Andel Institute (VAI), a Michigan charitable trust (MICS 13607).

6. A member nominated by the Speaker of the Michigan House of Representatives.

7. A member nominated by the Majority Leader of the Michigan Senate.

8. 2 members actively engaged in the life sciences sector.

9. 2 members actively engaged in the homeland security sector.

10. 2 members actively engaged in the automotive technology sector.

11. 3 members, which may include, without limitation, members from the private sector, the public sector, or Michigan universities other than Michigan State University, the University of Michigan, Wayne State University, or, in the fiscal year ending September 30, 2004, Western Michigan University.

12. After September 30, 2004, an additional member, which may include, without limitation, a member from the private sector, public sector, or a Michigan university other than Michigan State University, the University of Michigan, or Wayne State University.

E. Of the members initially appointed by the Governor, 5 members shall be appointed for a term expiring on September 30, 2004, including the member appointed under Section II.D.4; 5 members shall be appointed for terms expiring on September 30, 2005; and 6 members shall be appointed for terms expiring on September 30, 2006. After the initial appointments, members of the Committee shall be appointed to 3-year terms.

F. A vacancy on the Committee occurring other than by expiration of a term shall be filled in the same manner as the original appointment for the balance of the unexpired term.

G. The Governor shall designate one of the members of the Committee to serve as the Chairperson of the Technology Tri-Corridor Steering Committee, to serve as Chairperson at the pleasure of the Governor.

II. OPERATIONS OF THE COMMITTEE

A. The Committee shall select a member of the Committee to serve as Vice-Chairperson and a member to serve as Secretary. Staff from the Michigan Strategic Fund or the MEDC shall assist the Secretary with recordkeeping responsibilities.

B. The Committee shall be staffed by personnel from and be assisted by the Michigan Strategic Fund or the MEDC.

C. The Committee may adopt procedures, not inconsistent with Michigan law and this Order, governing its organization and operations. The Committee may establish subcommittees and request public participation on advisory panels as it deems necessary.

D. The Committee shall meet at the call of the Chairperson and as may be provided in procedures adopted by the Committee.

E. A member of the Committee may designate an alternate member to serve in the absence of the member by filing a written notice of the designation with the Secretary of the Committee.

F. A quorum of the Committee shall consist of 10 members appointed and serving. The business of the Committee shall be conducted by not less than a quorum.

G. Members of the Committee shall serve without compensation. Members of the Committee 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.

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

I. Members of the Committee shall refer all legal, legislative, and media contacts to the President of the Michigan Strategic Fund, or his or her designee.

III. RESCISSION OF EXECUTIVE ORDER 2000-3

A. The Life Sciences Corridor Board, also known as the "Life Sciences Steering Committee," created under Executive Order 2000-3 is abolished.

B. Executive Order 2000-3 is rescinded in its entirety.

IV. MISCELLANEOUS

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

B. 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 16th day of October, 2003.

Jennifer M. Granholm
Governor

By the Governor:
Terri L. Land
Secretary of State

The Executive Order was referred to the Secretary for record.

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

EXECUTIVE ORDER
No. 2003-20

**Department of Education
Department of Information Technology
Department of Treasury
Michigan Educational Assessment Program**

Executive Reorganization

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

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

Whereas, the Department of Treasury was created as a principal department of state government under Section 75 of the Executive Organization Act of 1965, 1965 PA 380, MCL 16.175;

Whereas, the Department of Treasury is focused on the collection and investment of state revenue, managing state debt, and providing fiscal oversight of local governments;

Whereas, the Department of Education was created as a principal department of state government by Section 300 of the Executive Organization Act of 1965, 1965 PA 380, MCL 16.400;

Whereas, the Department of Education is focused on improving student achievement and administers state school aid payments and federal grants to Michigan public schools;

Whereas, the Michigan Educational Assessment Program was established to provide statewide assessment of the basic skills and educational progress of Michigan students using subject-based tests;

Whereas, administration of the Michigan Educational Assessment Program is a function requiring staff with educational content knowledge and expertise to measure and assess the educational progress of students, test development expertise, and other education-related skills conducive to measuring the educational progress of students;

Whereas, transferring primary responsibility for devising and administering statewide assessment testing programs to the Department of Education will lead to greater efficiency and accountability, foster greater coordination of educational functions, and result in more consistent programs and policies;

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 state government;

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

I. DEFINITIONS

A. As used in this Order:

1. "Department of Education" means the principal department of state government created under Section 300 of the Executive Organization Act of 1965, 1965 PA 380, MCL 16.400.

2. "Department of Treasury" means the principal department of state government created under Section 75 of the Executive Organization Act of 1965, 1965 PA 380, MCL 16.175.

3. "Merit Award Board" means the board created under Section 4 of the Michigan Merit Award Scholarship Act, 1999 PA 94, MCL 390.1454.

4. "Michigan Educational Assessment Program" or "MEAP" means the Michigan Educational Assessment Program for subject assessment of students, including but not limited to the statewide program of assessment of educational progress and remedial assistance in the basic skills of students in reading, mathematics, language arts, and/or other general subject areas, established under 1970 PA 38, MCL 388.1081 to 388.1086.

5. "State Board of Education" means the board created under Article VIII, Section 3 of the Michigan Constitution of 1963.

6. "Superintendent of Public Instruction" means the principal executive officer of the Department of Education required under Article VIII, Section 3 of the Michigan Constitution of 1963.

7. "Type II Transfer" means that type of transfer as defined in Section 3(b) of the Executive Organization Act of 1965, 1965 PA 380, MCL 16.103(b).

8. "Type III Transfer" means that type of transfer as defined in Section 3(c) of the Executive Organization Act of 1965, 1965 PA 380, MCL 16.103(c).

II. TRANSFER OF MICHIGAN EDUCATIONAL ASSESSMENT PROGRAM (MEAP)

A. All authority, powers, duties, functions, responsibilities, and rule-making authority of the Department of Treasury related to the administration of the Michigan Educational Assessment Program are transferred by Type II Transfer to the Superintendent of Public Instruction, including but not limited to any authority, powers, duties, functions, responsibilities, or rule-making authority under any of the following:

1. Section III of Executive Order 1999-12, MCL 388.995 (codified as Executive Reorganization Order 1999-7).

2. Section 1279a of the Revised School Code, 1976 PA 451, MCL 380.1279a (reporting of suspected MEAP test irregularities).

3. Section 1279c of the Revised School Code, 1976 PA 451, MCL 380.1279c (prohibitions on use of MEAP test).

4. Section 1279d of the Revised School Code, 1976 PA 451, MCL 380.1279d (reporting of suspected MEAP test irregularities).

5. Sections 1 to 6 of 1970 PA 38, MCL 388.1081 to 388.1086 (assessment of educational progress and remedial assistance).

6. Section 104a of The State School Aid Act of 1979, 1979 PA 94, MCL 388.1704a (state assessments administered to high school pupils).

7. Section 951 of 2003 PA 161.

B. All authority, powers, duties, functions, responsibilities, or rule-making authority, if any, of the Michigan Assessment Governing Board, including but not limited to authority, powers, duties, functions, responsibilities, or rule-making authority under Section 104a of The State School Aid Act of 1979, 1979 PA 94, MCL 388.1704a, are transferred by Type III Transfer to the Superintendent of Public Instruction. The Michigan Assessment Governing Board is abolished.

C. All authority, powers, duties, functions, responsibilities and rule-making authority of the Merit Award Board under Sections 4(8), 5(c), and 9(f) of the Michigan Merit Award Scholarship Act, 1999 PA 94, MCL 390.1454(8), 390.1455(c), and 390.1459(f), are transferred by Type II Transfer to the Superintendent of Public Instruction. The Department of Education shall assist the Merit Award Board in the performance of the Board's authority, powers,

duties, functions, and responsibilities under the Michigan Merit Award Scholarship Act, 1999 PA 94, MCL 390.1451 to 390.1459.

D. The State Board of Education shall retain its policy-making authority with regard to any statutory authority, power, duty, function, or responsibility transferred under this Section II, if any, on which the administration of such statutory authority, power, duty, function, or responsibility shall be based.

III. IMPLEMENTATION

A. The Department of Information Technology shall provide the Department of Education with management and information processing services related to the authority, powers, duties, functions, and responsibilities transferred under this Order, including but not limited to application development and maintenance; desktop computer support and management; mainframe computer support and management; server support and management; local area network support and management; information technology procurement; information technology-related contract selection and oversight; information technology project management; information technology planning and budget management; and telecommunications services, infrastructure, and security.

B. Nothing in this Executive Order shall be construed to diminish the constitutional authority of the State Board of Education to provide leadership and general supervision over all public education, including adult education and instructional programs in state institutions, except as to institutions of higher education granting baccalaureate degrees, to serve as the general planning and coordinating body for all public education, or to advise the Legislature as to the financial requirements in connection therewith.

C. The Superintendent of Public Instruction, in consultation with the State Treasurer, shall provide executive direction and supervision for the implementation of all transfers to the Department of Education under this Order. The functions transferred to the Department of Education under this Order shall be administered under the direction and supervision of the Superintendent of Public Instruction to the extent provided in this Order, including but not limited to, all prescribed functions of rule-making, licensing, registration, and the prescription of rules, regulations, standards, and adjudications.

D. All records, personnel, property, and funds used, held, employed, or to be made available to the Department of Treasury for the activities transferred to the Department of Education under this Order are transferred to the Department of Education.

E. Any authority, duties, powers, functions, and responsibilities transferred in this Order and not statutorily mandated may in the future be reorganized to promote efficient administration by the Superintendent of Public Instruction.

F. The Superintendent of Public Instruction, in addition to the other duties and responsibilities given to the Superintendent under this Order, shall be responsible for the oversight and supervision of the employees of the Department of Education and for the operations of the Department of Education. The Superintendent shall also perform other duties and exercise other powers as the Governor or the State Board of Education may prescribe.

G. The Superintendent of Public Instruction may perform a duty or exercise a power conferred by law or executive order upon the Superintendent at the time and to the extent the duty or power is delegated to the Superintendent by law or order.

H. The Superintendent of Public Instruction 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.

I. The Superintendent of Public Instruction may by written instrument delegate a duty or power conferred by law or this Order and the person to whom the duty or power is delegated may perform the duty or exercise the power at the time and to the extent the duty or power is delegated by the Superintendent.

IV. RESCISSION OF EXECUTIVE ORDER 2000-11

A. The MEAP Subject Area Blue Ribbon Advisory Committee for Reading and Writing required and established within the Department of Treasury under Executive Order 2000-11 but never appointed is abolished.

B. The MEAP Subject Area Blue Ribbon Advisory Committee for Math required and established within the Department of Treasury under Executive Order 2000-11 but never appointed is abolished.

C. The MEAP Subject Area Blue Ribbon Advisory Committee for Science required and established within the Department of Treasury under Executive Order 2000-11 but never appointed is abolished.

D. The MEAP Subject Area Blue Ribbon Advisory Committee for Social Studies required and established within the Department of Treasury under Executive Order 2000-11 but never appointed is abolished.

E. Executive Order 2000-11 is rescinded in its entirety.

V. MISCELLANEOUS

A. 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 necessary to implement this Order.

B. 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.

C. 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.

D. The invalidity of any portion of this Order shall not affect the validity of the remainder of the Order, which may be given effect without any invalid portion. Any portion of this Order found invalid by a court or other entity with proper jurisdiction shall be severable from the remaining portions of this Order.

In fulfillment of the requirements under Article V, Section 2, of the Michigan Constitution of 1963, the provisions of this Executive Order are effective Sunday, December 21, 2003 at 12:00 a.m.

[SEAL]

Given under my hand and the Great Seal of the state of Michigan this 20th day of October, 2003.

Jennifer M. Granholm
Governor

By the Governor:
Terri L. Land
Secretary of State

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

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

Senate Bill No. 195
Senate Bill No. 364
Senate Bill No. 293
Senate Bill No. 265
Senate Bill No. 288
Senate Bill No. 540
Senate Bill No. 283
Senate Bill No. 464
Senate Bill No. 466
Senate Bill No. 395

The motion prevailed.

Messages from the House

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

Senate Bill No. 252

The motion prevailed.

Senate Bill No. 560, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 3101 (MCL 324.3101), as amended by 2001 PA 114, and by adding sections 3122, 3123, and 3124.

The House of Representatives has substituted (H-6) the bill.

The House of Representatives has passed the bill as substituted (H-6), ordered that it be given immediate effect and pursuant to Joint Rule 20, inserted the full title.

Pursuant to rule 3.202, the bill was laid over one day.

Third Reading of Bills

Senator Hammerstrom moved that the following bills be placed at the head of the Third Reading of Bills calendar:

Senate Bill No. 337
Senate Bill No. 338
Senate Bill No. 339
House Bill No. 4895
Senate Bill No. 742
Senate Bill No. 476

The motion prevailed.

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

Not Voting—0

In The Chair: Sanborn

The Senate agreed to the title of the bill.

The following bill was read a third time:

House Bill No. 4895, entitled

A bill to amend 2001 PA 142, entitled “Michigan memorial highway act,” (MCL 250.1001 to 250.1100) by adding section 67.

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. 487**Yeas—36**

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

Nays—0**Excused—2**

Jacobs

Thomas

Not Voting—0

In The Chair: Sanborn

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 consolidate prior acts naming certain Michigan highways; to provide for the naming of certain highways; to prescribe certain duties of the state transportation department; and to repeal acts and parts of acts and certain resolutions.”.

The Senate agreed to the full title.

The following bill was read a third time:

Senate Bill No. 742, entitled

A bill to amend 1972 PA 230, entitled “Stille-DeRossett-Hale single state construction code act,” (MCL 125.1501 to 125.1531) by adding section 4c.

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. 488**Yeas—36**

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

Nays—0**Excused—2**

Jacobs	Thomas
--------	--------

Not Voting—0

In The Chair: Sanborn

The Senate agreed to the title of the bill.

The following bill was read a third time:

Senate Bill No. 476, entitled

A bill to amend 1989 PA 24, entitled "The district library establishment act," by amending section 25 (MCL 397.195), as amended by 2002 PA 540; 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. 489**Yeas—36**

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

Nays—0**Excused—2**

Jacobs	Thomas
--------	--------

Not Voting—0

In The Chair: Sanborn

The Senate agreed to the title of the bill.

By unanimous consent the Senate proceeded to the order of
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 Assistant President pro tempore, Senator Sanborn, designated Senator Garcia as Chairperson.

After some time spent therein, the Committee arose; and, the Assistant President pro tempore, Senator Sanborn, having resumed the Chair, the Committee reported back to the Senate, favorably and without amendment, the following bill:

House Bill No. 4386, entitled

A bill to make appropriations for certain capital outlay programs and state departments and agencies for the fiscal year ending September 30, 2004; to implement the appropriations within the budgetary process; to make appropriations for planning and construction at state agencies; to make appropriations for state building authority rent and insurance; to make a grant for state building authority rent; to provide for the acquisition of land and buildings; to provide for the elimination of fire hazards; to provide for special maintenance, remodeling and addition, alteration, renovation, demolition, and other projects; to provide for elimination of occupational safety and health hazards; to provide for the award and implementation of contracts; to provide for the purchase of furnishings and equipment relative to occupancy of a project; to provide for the development of public recreation facilities; to provide for certain advances from the general fund; to prescribe powers and duties of certain state officers and agencies; to require certain reports, plans, and agreements; to provide for leases; to provide for transfers; to prescribe standards and conditions relating to the appropriations; to provide for the expenditure of appropriations; and to repeal acts and parts of acts.

The bill was placed on the order of Third Reading of Bills.

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

Senate Bill No. 482, entitled

A bill to amend 1976 PA 451, entitled "The revised school code," by amending section 1274a (MCL 380.1274a), as amended by 1990 PA 227.

The following are the amendments recommended by the Committee of the Whole:

1. Amend page 2, line 4, after "to," by striking out the balance of the line through "closures" on line 7 and inserting **"building envelope improvements; heating and cooling upgrades; lighting retrofits; installing or upgrading an energy management system; motor, pump, or fan replacements; domestic water use reductions; and upgrading other energy consuming equipment or appliances"**.

2. Amend page 2, line 11, after **"facility"** by inserting **"energy"**.

3. Amend page 2, line 12, after **"contract"** by inserting **"with a guarantee or on a performance basis"**.

4. Amend page 2, following line 12, by inserting:

"(2) A school board or intermediate school board that contracts for energy conservation improvements under subsection (1) may require the qualified provider to furnish a bond that guarantees energy cost savings for a specified period of time." and renumbering the remaining subsections.

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

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

Senate Bill No. 761, entitled

A bill to amend 1937 PA 306, entitled "An act to promote the safety, welfare, and educational interests of the people of the state of Michigan by regulating the construction, reconstruction, and remodeling of certain public or private school buildings or additions to such buildings, by regulating the construction, reconstruction, and remodeling of buildings leased or acquired for school purposes, and to define the class of buildings affected by this act; to prescribe the powers and duties of certain state agencies and officials; to prescribe penalties for the violation of this act; and to repeal acts and parts of acts," by amending section 1 (MCL 388.851), as amended by 2002 PA 628.

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

1. Amend page 2, line 8, after “services.” by inserting “**However, the specifications for the project shall be generic in character and, to the extent possible, shall not include proprietary equipment or technology developed by the qualified provider or in which the qualified provider has an interest.**”.

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. 777, entitled

A bill to amend 1927 PA 175, entitled “The code of criminal procedure,” by amending section 16x of chapter XVII (MCL 777.16x), as amended by 2002 PA 320.

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.

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

Senate Bill No. 648, entitled

A bill to amend 1917 PA 167, entitled “Housing law of Michigan,” (MCL 125.401 to 125.543) by adding section 85a.

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

1. Amend page 2, following line 13, by inserting:

“Enacting section 1. This amendatory act takes effect January 31, 2004.”.

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

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

Senate Bill No. 649, entitled

A bill to amend 1978 PA 368, entitled “Public health code,” by amending section 7401c (MCL 333.7401c), as added by 2000 PA 314.

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

1. Amend page 4, following line 25, by inserting:

“Enacting section 1. This amendatory act takes effect January 31, 2004.”.

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. 650, entitled

A bill to amend 1978 PA 368, entitled “Public health code,” by amending section 17766c (MCL 333.17766c), as added by 1994 PA 38.

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. 651, entitled

A bill to amend 1927 PA 175, entitled “The code of criminal procedure,” by amending section 13n of chapter XVII (MCL 777.13n), as added by 2002 PA 30.

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. 652, entitled

A bill to amend 1931 PA 328, entitled “The Michigan penal code,” (MCL 750.1 to 750.568) by adding section 502d.

Substitute (S-3).

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

1. Amend page 1, line 7, after “**container**” by striking out “**approved**” and inserting “**that was manufactured to satisfy the requirements**”.

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 amendment, the following bill:

Senate Bill No. 698, entitled

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

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

1. Amend page 5, following line 37, by inserting:

“Enacting section 1. This amendatory act takes effect January 31, 2004.” and renumbering the remaining enacting section.

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

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

Resolutions

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

Senate Resolution No. 141

The motion prevailed.

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

Senate Resolution No. 176

The resolution consent calendar was adopted.

Senator Patterson offered the following resolution:

Senate Resolution No. 176.

A resolution commemorating the 47th Anniversary of the Hungarian Revolution.

Whereas, On October 23, 1956, after years of oppression and occupation by Turks, Austrians, Rumanians, Slovaks, Serbs, and Russians, students held demonstrations for democracy in Hungary; and

Whereas, Fighting broke out with then-Communist Russian forces, and many freedom fighters lost their lives for liberty. Radio Free Europe and the Voice of America radio encouraged these Hungarian freedom fighters to fight on, and fight on they did; and

Whereas, Almost overnight these freedom fighters showed Russian forces their will for freedom, driving back the tanks and jet fighters sent to quell their fight for democracy; and

Whereas, Though these brave freedom fighters fought until the end, the battle was not over. Russian troops continued to attack the people of Hungary, executing their leaders, killing thousands of civilians, and jailing hundreds more in their thirst for freedom; and

Whereas, On November 4, the Hungarian people’s valiant fight for freedom ended. Their struggle for democracy continued for years to come; and

Whereas, Finally, in 1989, Hungary obtained freedom from Soviet Communist rule when the Soviet empire collapsed; and

Whereas, Since that 23rd day of October in 1956, that day has been recognized as Hungarian Freedom Fighters Day around the world; and

Whereas, Hundreds of people with Hungarian heritage will celebrate the 47th Anniversary of the Hungarian Revolution on Sunday, October 26, 2003, remembering those who made the ultimate sacrifice in their long struggle for freedom; now, therefore, be it

Resolved by the Senate, That we hereby commemorate the 47th Anniversary of the Hungarian Revolution and share in the commemoration of that important day for all Hungarians and all who honor the ideals of liberty; and be it further

Resolved, That a copy of this resolution be transmitted to the Hungarian Freedom Fighters Federation of Detroit as a reflection of our esteem and respect.

Senate Resolution No. 148.

A resolution calling for environmental officials of Canada, the United States, Michigan, and Ontario to develop stronger safeguards for notifications when spills of toxic materials occur.

The questions being on the adoption of the following committee substitute:

Substitute (S-1).

The substitute was adopted.

The resolution, as substituted, was adopted.

Senate Concurrent Resolution No. 11.

A concurrent resolution to memorialize the Congress of the United States and the Environmental Protection Agency to repeal a certain regulation that provides for an exemption for ballast water discharges from permit requirements under the federal Clean Water Act.

The questions being on the adoption of the following committee substitute:

Substitute (S-1).

The substitute was adopted.

The concurrent resolution, as substituted, was adopted.

Senator Bishop was named co-sponsor of the concurrent resolution.

House Concurrent Resolution No. 28.

A concurrent resolution approving the conveyance of property to the State Building Authority and approving a lease among the State of Michigan, the State Building Authority, and Lake Superior State University relative to the Lake Superior State University Arts Classroom Building.

Whereas, Section 5 of 1964 PA 183, as amended, being MCL § 830.415, requires the approval of the Board of Trustees of Lake Superior State University (the "Educational Institution"), the State Administrative Board, and the Michigan Legislature by concurrent resolution concurred in by a majority of the members elected to and serving in each house, with the votes and names of the members voting thereon entered in the journal, before land owned by the Educational Institution may be conveyed to the State Building Authority (the "Authority"); and

Whereas, The site for the Arts Classroom Building (the "Facility") is currently owned by the Educational Institution; and

Whereas, Section 7 of 1964 PA 183, as amended, being MCL § 830.417, requires the approval of the State Administrative Board and the Michigan Legislature by concurrent resolution concurred in by a majority of the members elected to and serving in each house, with the votes and names of the members voting thereon entered in the journal, before the State of Michigan (the "State") may enter into a lease with the Authority upon a showing of a public purpose; and

Whereas, Providing additional space to be used by the Educational Institution pursuant to the lease for the Facility is a recognized public purpose; and

Whereas, A lease among the Authority, the State, and the Educational Institution has been prepared providing for the leasing of the Facility by the Authority to the State and the Educational Institution (the "Lease"); and

Whereas, The Executive Director of the Authority has furnished the Joint Capital Outlay Subcommittee of the Legislature with information and documents relative to the Lease; now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That the Total Facility Cost for the Lake Superior State University Arts Classroom Building shall not exceed \$15,300,000 (the Authority share is \$11,474,800, the State General Fund/General Purpose share is \$200, and the Educational Institution share is \$3,825,000), plus interest charges on monies advanced by the State to meet the construction cash flow requirements of the Facility, if any, of which not more than \$11,474,800, plus interest charges on monies advanced by the State to meet the construction cash flow requirements of the Facility, if any, shall be financed from bonds issued by the Authority, exclusive of amounts necessary for reserves, interest, or other nonconstruction costs; and be it further

Resolved, That the Legislature hereby approves the necessary conveyances of property to the Authority as more particularly described in the Lease and attachments thereto; and be it further

Resolved, That the Legislature hereby approves the Authority acquiring the Facility and leasing it to the State and the Educational Institution and hereby determines that the leasing of the Facility from the Authority is for a public purpose as authorized by 1964 PA 183, as amended; and be it further

Resolved, That the annual amounts of "True Rental" for the Facility shall be within or below the range of \$875,000 and \$1,150,000, as shall reflect variations that may occur in the components upon which the appraisal of True Rental was based, which amounts shall be certified by the appraiser and thereafter approved by the State Administrative Board and the Authority as authorized by 1964 PA 183, as amended; and be it further

Resolved, That the Lease is hereby approved by this concurrent resolution, and the Governor and the Secretary of State are authorized and directed to execute the Lease for and on behalf of the State; and be it further

Resolved, That, by hereby approving the Lease among the State, the Educational Institution, and the Authority, the Legislature agrees to appropriate annually sufficient amounts to pay the rent as obligated pursuant to the Lease; and be it further

Resolved, That copies of this concurrent resolution be transmitted to the Governor, the Secretary of State, the Authority, the Board of Trustees of Lake Superior State University, and the State Budget Director.

The House of Representatives has adopted the concurrent resolution.

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

Senator Hammerstrom moved that the rule be suspended.

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

The question being on the adoption of the concurrent resolution,

Senator Hammerstrom moved that the concurrent resolution be referred to the Committee on Appropriations.

The motion prevailed.

Senators Allen, Garcia, Goschka, Prusi and Switalski were named co-sponsors of the concurrent resolution.

Introduction and Referral of Bills

Senators Cassis, Goschka, Hardiman and Switalski introduced

Senate Bill No. 780, entitled

A bill to amend 1986 PA 281, entitled "The local development financing act," by amending section 2 (MCL 125.2152), as amended by 2003 PA 20.

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

Senators Thomas and Cassis introduced

Senate Bill No. 781, entitled

A bill to amend 1999 PA 244, entitled "An act to require tobacco product manufacturers to place funds in escrow for medical expenses incurred by the state due to tobacco related illnesses; to establish a formula for determining the amount of the escrow; to establish the conditions for release of funds from escrow; to prescribe powers and duties of the attorney general; and to provide for civil penalties for violation of this act," by amending section 2 (MCL 445.2052).

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

Senators Cassis and Thomas introduced

Senate Bill No. 782, entitled

A bill to amend 1993 PA 327, entitled "Tobacco products tax act," (MCL 205.421 to 205.436) by amending the title, as amended by 1997 PA 187, and by adding section 6d.

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

Senators McManus, Cassis, Goschka, Jelinek, Hardiman, Birkholz, Brater and Basham introduced

Senate Bill No. 783, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," (MCL 750.1 to 750.568) by adding section 411t. The bill was read a first and second time by title and referred to the Committee on Judiciary.

Senators Cassis, McManus, Goschka, Jelinek, Hardiman, Birkholz, Brater and Basham introduced

Senate Bill No. 784, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 16t of chapter XVII (MCL 777.16t), as amended by 2000 PA 371.

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

Senators Patterson, Gilbert, Toy, Garcia, Cropsey and Goschka introduced

Senate Bill No. 785, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending sections 217d, 801, 811d, 811e, 811f, 811g, 811h, 811i, 811j, 811k, 811l, and 811n (MCL 257.217d, 257.801, 257.811d, 257.811e, 257.811f, 257.811g, 257.811h, 257.811i, 257.811j, 257.811k, 257.811l, and 257.811n), sections 217d, 801, and 811h as amended by 2003

PA 152, sections 811d, 811f, and 811g as added by 2000 PA 77, section 811e as amended by 2001 PA 124, section 811i as added by 2000 PA 74, section 811j as added by 2000 PA 71, section 811k as added by 2000 PA 73, section 811l as added by 2000 PA 70, and section 811n as added by 2000 PA 79, and by adding sections 811m, 811o, and 811p; and to repeal acts and parts of acts.

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

House Bill No. 4178, entitled

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

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

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

House Bill No. 4655, 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. 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. 4656, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending section 430 (MCL 750.430), as amended by 2002 PA 672.

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. 4720, entitled

A bill to amend 1984 PA 431, entitled "The management and budget act," by amending section 263 (MCL 18.1263).

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. 4722, entitled

A bill to amend 1976 PA 451, entitled "The revised school code," by amending sections 623a and 1274 (MCL 380.623a and 380.1274), section 623a as amended by 1990 PA 159 and section 1274 as amended by 1994 PA 416.

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.

Committee Reports

The Committee on Economic Development, Small Business and Regulatory Reform reported

House Bill No. 5106, entitled

A bill to amend 1980 PA 299, entitled "Occupational code," by amending sections 2501, 2504, and 2505 (MCL 339.2501, 339.2504, and 339.2505), section 2501 as amended by 1994 PA 333, section 2504 as amended by 2002 PA 611, and section 2505 as amended by 1988 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.

Alan Sanborn
Chairperson

To Report Out:

Yeas: Senators Sanborn, Allen, Gilbert, Jacobs and Basham

Nays: None

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

COMMITTEE ATTENDANCE REPORT

The Committee on Economic Development, Small Business and Regulatory Reform submitted the following:
Meeting held on Wednesday, October 15, 2003, at 3:00 p.m., Rooms 402 and 403, Capitol Building
Present: Senators Sanborn (C), Allen, Gilbert, Jacobs and Basham

The Committee on Agriculture, Forestry and Tourism reported:

House Bill No. 4311, entitled

A bill to provide insurance to farm produce producers against losses from the failure of grain dealers; to establish a farm produce insurance authority; to prescribe the powers and duties of the authority and its board; to establish a farm produce insurance fund; to provide for assessments on grain dealers; to prescribe certain powers and duties of certain state agencies and officers; to authorize the promulgation of rules; and to repeal acts and parts of acts.

With the recommendation that the substitute (S-3) be adopted and that the bill then pass.

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

Gerald Van Woerkom
Chairperson

To Report Out:

Yeas: Senators Van Woerkom, Gilbert, Jelinek, Brater and Thomas

Nays: None

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

COMMITTEE ATTENDANCE REPORT

The Committee on Agriculture, Forestry and Tourism submitted the following:
Meeting held on Thursday, October 16, 2003, at 9:00 a.m., Room 110, Farnum Building
Present: Senators Van Woerkom (C), Gilbert, Jelinek, Brater and Thomas

The Committee on Local, Urban and State Affairs reported

Senate Bill No. 771, entitled

A bill to amend 1990 PA 72, entitled "Local government fiscal responsibility act," by amending section 21 (MCL 141.1221), as amended by 2002 PA 408.

With the recommendation that the bill then pass.

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

Laura M. Toy
Chairperson

To Report Out:

Yeas: Senators Toy, Birkholz, Goschka, Basham and Bernero

Nays: None

The bill was referred to the Committee of the Whole.

COMMITTEE ATTENDANCE REPORT

The Committee on Local, Urban and State Affairs submitted the following:
Meeting held on Thursday, October 16, 2003, at 1:00 p.m., Room 110, Farnum Building
Present: Senators Toy (C), Birkholz, Goschka, Basham and Bernero

The Committee on Health Policy reported

Senate Bill No. 667, entitled

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

With the recommendation 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, George, 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, October 15, 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 Education reported

House Bill No. 4070, entitled

A bill to require textbook publishers to provide electronic versions of certain instructional materials used in colleges and universities.

With the recommendation that the bill pass.

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

Wayne Kuipers
Chairperson

To Report Out:

Yeas: Senators Kuipers, Cassis, Van Woerkom, Clark-Coleman and Leland

Nays: None

The bill was referred to the Committee of the Whole.

COMMITTEE ATTENDANCE REPORT

The Committee on Education submitted the following:

Meeting held on Thursday, October 16, 2003, at 2:00 p.m., Room 210, Farnum Building

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

COMMITTEE ATTENDANCE REPORT

The Committee on Finance submitted the following:

Public hearing held on Monday, October 13, 2003, at 10:12 a.m., DeVos Center, Room 138, Grand Valley State University, 401 W. Fulton Street, Grand Rapids

Present: Senators Cassis (C) and Garcia

Excused: Senators McManus, Thomas and Brater

COMMITTEE ATTENDANCE REPORT

The Committee on Transportation submitted the following:

Meeting held on Tuesday, October 14, 2003, at 1:00 p.m., Room 110, Farnum Building

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

COMMITTEE ATTENDANCE REPORT

The Committee on Commerce and Labor submitted the following:

Joint meeting held on Tuesday, October 14, 2003, at 3:00 p.m., Senate Appropriations Room, 3rd Floor, Capitol Building

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

COMMITTEE ATTENDANCE REPORT

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

Joint meeting held on Tuesday, October 14, 2003, at 3:00 p.m., Senate Appropriations Room, 3rd Floor, Capitol Building
Present: Senators Garcia (C), George, Hardiman, Prusi and Scott

COMMITTEE ATTENDANCE REPORT

The Subcommittee on Department of Environmental Quality submitted the following:

Meeting held on Wednesday, October 15, 2003, at 12:01 p.m., Senate Appropriations Room, 3rd Floor, Capitol Building
Present: Senators McManus (C), Goschka and Barcia

COMMITTEE ATTENDANCE REPORT

The Joint Committee on Administrative Rules submitted the following:

Meeting held on Thursday, October 16, 2003, at 11:00 a.m., Room H-424, Capitol Building
Present: Senators Jelinek, Kuipers, Barcia and Thomas
Absent: Senator Bishop (C)

COMMITTEE ATTENDANCE REPORT

The Subcommittee on Department of Natural Resources submitted the following:

Meeting held on Thursday, October 16, 2003, at 12:07 p.m., Senate Appropriations Room, 3rd Floor, Capitol Building
Present: Senator McManus (C), Jelinek, Barcia and Cherry
Excused: Senator Johnson

Scheduled Meetings**Appropriations -****Subcommittees -**

Agriculture and Natural Resources Department - Tuesday, October 28, 12:00 noon, Senate Appropriations Room, 3rd Floor, Capitol Building (373-5932, 373-1725)

Economic Development, Small Business and Regulatory Reform - Wednesday, October 22, 3:00 p.m., Rooms 402 and 403, Capitol Building (373-7670)

Families and Human Services - Thursday, October 23, 8:30 a.m., Room 210, Farnum Building (373-1801)

Finance - Wednesday, October 22, 1:00 p.m., Room 110, Farnum Building (373-1758)

Health Policy - Wednesday, October 22, 1:00 p.m., Senate Hearing Room, Ground Floor, Boji Tower (formerly Michigan National Tower) (373-3543)

Legislative Council - Thursday, October 23, 8:30 a.m., Senate Appropriations Room, 3rd Floor, Capitol Building (373-0212)

Technology and Energy - Wednesday, October 22, 3:00 p.m., Room 210, Farnum Building (373-7350)

Senator Hammerstrom moved that the Senate adjourn.

The motion prevailed, the time being 11:08 a.m.

The Assistant President pro tempore, Senator Sanborn, declared the Senate adjourned until Wednesday, October 22, 2003, at 10:00 a.m.

