

No. 66
STATE OF MICHIGAN
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House of Representatives
91st Legislature
REGULAR SESSION OF 2002

House Chamber, Lansing, Thursday, November 7, 2002.

12:00 Noon.

The House was called to order by Associate Speaker Pro Tempore Julian.

The roll was called by the Clerk of the House of Representatives, who announced that a quorum was present.

Adamini—present	Frank—present	Lipsey—present	Rocca—present
Allen—present	Garza—excused	Lockwood—present	Schauer—present
Anderson—present	George—present	Mans—present	Schermesser—present
Basham—present	Gielegem—present	McConico—present	Scranton—present
Bernero—e/d/s	Gilbert—present	Mead—present	Shackleton—present
Birkholz—present	Godchaux—e/d/s	Meyer—present	Sheltrown—present
Bisbee—present	Gosselin—present	Middaugh—present	Shulman—present
Bishop—present	Hager—present	Minore—present	Spade—present
Bogardus—present	Hale—e/d/s	Mortimer—present	Stallworth—present
Bovin—present	Hansen—present	Murphy—present	Stamas—present
Bradstreet—present	Hardman—present	Neumann—present	Stewart—present
Brown, Bob—excused	Hart—present	Newell—present	Switalski—present
Brown, Cameron—present	Howell—present	O’Neil—e/d/s/	Tabor—present
Brown, Rich—present	Hummel—present	Palmer—present	Thomas—present
Callahan—present	Jacobs—present	Pappageorge—present	Toy—present
Cassis—present	Jamnick—present	Patterson—present	Van Woerkom—present
Caul—present	Jansen—present	Pestka—present	Vander Roest—present
Clark—present	Jelinek—present	Phillips—e/d/s	Vander Veen—present
Clarke—present	Johnson, Rick—present	Plakas—present	Vear—present
Daniels—excused	Johnson, Ruth—present	Pumford—present	Voorhees—present
Dennis—present	Julian—present	Quarles—present	Waters—present
DeRossett—present	Koetje—present	Raczkowski—present	Whitmer—present
DeVuyst—excused	Kolb—present	Reeves—present	Williams—present
DeWeese—excused	Kooiman—present	Richardville—e/d/s	Wojno—present
Drolet—present	Kowall—present	Richner—present	Woodward—present
Durhal—present	Kuipers—present	Rison—excused	Woronchak—present
Ehardt—present	LaSata—present	Rivet—present	Zelenko—present
Faunce—excused	Lemmons—excused		

e/d/s = entered during session

Rev. Melanie Lee Cary, Pastor of Ypsilanti First United Methodist Church in Ypsilanti, offered the following invocation:

“Gracious God, as this new legislative session opens, we ask for insight and vision that we may see clearly what is before us. Creator God, as we come together in this place, we pray for the courage to stand for the ideals to which we have been called and placed here. Remind us who we are and who we are called to be. Most especially, O God, we ask for wisdom as we discern what choices to make and how to order our life together as the people of this state of Michigan. O God, grant us wisdom. Grant us courage, in order that the living of these days may be in faithful witness to all that we have been called to and all that we hope to be. In Your holy name we pray. Amen.”

Rep. Jacobs moved that Reps. Bob Brown, Daniels, Garza, Lemmons and Rison be excused from today’s session. The motion prevailed.

Rep. Vander Roest moved that Reps. DeVuyst, DeWeese and Faunce be excused from today’s session. The motion prevailed.

The Speaker assumed the Chair.

Motions and Resolutions

The Speaker, on behalf of the entire membership of the House of Representatives, offered the following resolution:
House Resolution No. 560.

A resolution of tribute offered as a memorial for Lloyd “Pete” Weeks, former member of the House of Representatives.

Whereas, The members of this legislative body and his many friends throughout Michigan were saddened to learn of the passing of Lloyd “Pete” Weeks. With his record of public service in Warren and in Lansing and his personal warmth as a man devoted to his family and his ideals, Pete Weeks touched many people over the course of his life. We join them in extending our sincerest condolences to his family; and

Whereas, A native of Warren, Pete Weeks studied at Macomb Community College and Wayne State University and worked as a teamster before returning to Macomb Community College, where he eventually became an administrator in the college’s business operations. His strong sense of personal responsibility led him to service on the Van Dyke Board of Education and membership on the Warren City Council. He brought his convictions and concerns to state government following his election to the Michigan House of Representatives in 1983. In the legislature, he was an effective advocate for working families, especially on matters pertaining to public safety; and

Whereas, In his seven terms as a lawmaker, Representative Weeks devoted himself to the issues he knew to be most important in his district. He followed his convictions in all aspects of lawmaking, including his committee responsibilities. Even after his tenure in the legislature, Pete Weeks continued to serve our state as a member of the Natural Resources Commission, a position well suited to someone who took such delight in hunting and fishing with his family. Clearly, Michigan has benefited in many ways from the dedication and unselfishness of this patriotic and dedicated gentleman; now, therefore, be it

Resolved by the House of Representatives, That we offer this expression of our highest tribute to honor the memory of Lloyd “Pete” Weeks, a member of this legislative body from 1983 to 1996; and be it further

Resolved, That copies of this resolution be transmitted to the Weeks family as evidence of our respect for his memory.

The question being on the adoption of the resolution,

The resolution was adopted by unanimous standing vote.

Associate Speaker Pro Tempore Julian resumed the Chair.

Messages from the Governor

The following line items veto message from the Governor was received and read:

Executive Office, Lansing, September 30, 2002

Michigan House of Representatives
State Capitol Building
Lansing, Michigan 48909

Dear Legislators:

Today I have signed **Enrolled House Bill 5651**, the FY 2003 appropriations bill for the Department of Transportation. However, I am returning it to you because of items of which I disapprove pursuant to Article V, Section 19, of the Michigan Constitution. The specific vetoes are contained in the attached copy of this bill, which has been filed with the Secretary of State.

This bill will provide support for the rebuilding, repair and maintenance of Michigan's roads and bridges. The State of Michigan will invest over \$3.1 billion in fiscal year 2003 for improvements on the state trunkline system, local road and bridge projects, and intermodal transportation services. In addition, my action today:

- Establishes the debt service appropriation for the Airport Safety and Protection (ASAP) Plan, a new five-year, \$1 billion initiative to improve safety and security at our state's aviation facilities.
- Begins implementation of the Diesel Equity and Simplification Package via \$2.2 million provided to the Department of Treasury for enhanced motor fuel tax enforcement efforts.

Finally, I have vetoed the following items for the reasons noted below:

1. Section 405—My action includes the veto of section 405, which earmarks \$24 million in federal funds for the repair/replacement of local bridges. I have vetoed similar earmarks in fiscal years 2000, 2001 and 2002, and my position on this issue remains unchanged. Michigan must expend its federal aid bridge funds where they will have the most impact for motorists—on the high-level state trunkline system. I have supported the restoration of these bridge funds in the past, most recently in Public Act 530 of 2002, and will again in fiscal year 2003, but only to the extent that 15 percent of federal bridge funds are allocated for local bridges.

2. Sections 351, 355, 611, 612, 613, 614, 615, 616, and 617—The inclusion of these types of special interest projects for lane closure incentives, pavement demonstration projects, all-season access roads, interchange studies, and traffic lights undermines the department's five-year planning process.

3. Section 618—My action includes the veto of language requiring the Department of Transportation to select Alternative II for the I-94 freeway modernization project in Jackson County. This mandate would cost taxpayers \$100 million in unnecessary project expenditures. The Department of Transportation has already selected and submitted Alternative I to the Federal Highway Administration and a draft Environmental Impact Statement has been approved. It is my firm conviction that these kinds of technical decisions need to be left to the transportation experts, and should not be the subject of appropriations boilerplate.

4. Section 803—My action also includes the veto of section 803. I cannot support the creation of this position when the state aeronautics fund has experienced such significant declines in available revenues. We must protect these resources for critical airport security programs.

It would have been my intention to veto section 404. However, this language, which stipulates \$3.8 million in Congressionally earmarked federal TEA-21 high priority funds be expended for preliminary engineering and design work related to rehabilitation and capacity improvements to I-94 between US-131 and Sprinkle Road in Kalamazoo County, is an expression of legislative intent not a condition of appropriation. I have again directed the department to proceed with the implementation of this TEA-21 high priority project in the manner and location they believe best meets the transportation needs of the area.

While I am not vetoing the interdepartmental grant to State Police, I am directing the Departments of Transportation and State Police that they are under no mandate to spend the additional \$1.4 million added to this line item to support motor carrier enforcement efforts.

I thank the Legislature for supporting this budget bill, and urge members to act expeditiously on the remaining components of the Diesel Equity and Simplification and Airport Safety and Protection Plan initiatives.

Sincerely,
John Engler
Governor

The bill was signed by the Governor September 30, 2002, at 3:30 p.m.

The bill was filed with the Secretary of State, September 30, 2002, at 4:27 p.m., and assigned Public Act No. 561, I.E.

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

Rep. Patterson moved that the bill be re-referred to the Committee on Appropriations.
The motion prevailed.

Reports of Standing Committees

The Committee on Regulatory Reform, by Rep. Rocca, Chair, reported

House Bill No. 5456, entitled

A bill to authorize the state administrative board to convey certain property in Jackson county; to prescribe conditions for the conveyance; and to provide for disposition of the revenue from the conveyance.

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

The bill and substitute were referred to the order of Second Reading of Bills.

Favorable Roll Call

HB 5456 To Report Out:

Yeas: Reps. Rocca, Scranton, Faunce, Richner, Williams,

Nays: None.

The Committee on Regulatory Reform, by Rep. Rocca, Chair, reported

House Bill No. 5465, entitled

A bill to authorize the state administrative board to convey certain property in Jackson county; to prescribe conditions for the conveyance; and to provide for disposition of the revenue from the conveyance.

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

The bill and substitute were referred to the order of Second Reading of Bills.

Favorable Roll Call

HB 5465 To Report Out:

Yeas: Reps. Rocca, Scranton, Faunce, Richner, Williams,

Nays: None.

The Committee on Regulatory Reform, by Rep. Rocca, Chair, reported

House Bill No. 6238, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," (MCL 257.1 to 257.923) by adding section 675e.

Without amendment and with the recommendation that the bill pass.

The bill was referred to the order of Second Reading of Bills.

Favorable Roll Call

HB 6238 To Report Out:

Yeas: Reps. Rocca, Faunce, Richner, Garza, Waters, Wojno,

Nays: None.

The Committee on Regulatory Reform, by Rep. Rocca, Chair, reported

Senate Bill No. 616, entitled

A bill to authorize the state administrative board to convey certain property in Jackson county; to prescribe conditions for the conveyance; and to provide for disposition of the revenue from the conveyance.

With the recommendation that the substitute (H-4) be adopted and that the bill then pass.

The bill and substitute were referred to the order of Second Reading of Bills.

Favorable Roll Call

SB 616 To Report Out:

Yeas: Reps. Rocca, Scranton, Faunce, Richner, Williams,

Nays: None.

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Rocca, Chair, of the Committee on Regulatory Reform, was received and read:

Meeting held on: Tuesday, September 24, 2002, at 11:30 a.m.,
 Present: Reps. Rocca, Scranton, Faunce, Richner, Garza, Waters, Williams, Wojno,
 Absent: Rep. Raczkowski,
 Excused: Rep. Raczkowski.

Second Reading of Bills

House Bill No. 5456, entitled

A bill to authorize the state administrative board to convey certain property in Jackson county; to prescribe conditions for the conveyance; and to provide for disposition of the revenue from the conveyance.

Was read a second time, and the question being on the adoption of the proposed substitute (H-3) previously recommended by the Committee on Regulatory Reform,

The substitute (H-3) was adopted, a majority of the members serving voting therefor.

Rep. Mortimer moved that the bill be placed on the order of Third Reading of Bills.

The motion prevailed.

Rep. Patterson moved that the bill be placed on its immediate passage.

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

By unanimous consent the House returned to the order of

Third Reading of Bills

House Bill No. 5456, entitled

A bill to authorize the state administrative board to convey certain property in Jackson county; to prescribe conditions for the conveyance; and to provide for disposition of the revenue from the conveyance.

Was read a third time and passed, a majority of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 1083

Yeas—98

Adamini	Gilbert	Mead	Scranton
Allen	Gosselin	Meyer	Shackleton
Anderson	Hager	Middaugh	Sheltrown
Basham	Hansen	Minore	Shulman
Bernero	Hardman	Mortimer	Spade
Birkholz	Hart	Murphy	Stallworth
Bisbee	Howell	Neumann	Stamas
Bishop	Hummel	Newell	Stewart
Bogardus	Jacobs	O'Neil	Switalski
Bovin	Jamnick	Palmer	Tabor
Bradstreet	Jansen	Pappageorge	Thomas
Brown, C.	Jelinek	Patterson	Toy
Brown, R.	Johnson, Rick	Pestka	Van Woerkom
Callahan	Johnson, Ruth	Plakas	Vander Roest
Cassis	Julian	Pumford	Vander Veen
Caul	Koetje	Quarles	Vear
Clark, I.	Kolb	Raczkowski	Voorhees
Clarke, H.	Kooiman	Reeves	Waters
Dennis	Kowall	Richardville	Whitmer
DeRossett	Kuipers	Richner	Williams
Drolet	LaSata	Rivet	Wojno
Durhal	Lipsey	Rocca	Woodward

Frank
George
Gielegem

Lockwood
Mans
McConico

Schauer
Schermesser

Woronchak
Zelenko

Nays—0

In The Chair: Julian

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

Reps. Hale, Bernero, O'Neil and Richardville entered the House Chambers.

Rep. Rich Brown moved that Rep. Adamini be excused temporarily from today's session.
The motion prevailed.

Second Reading of Bills

House Bill No. 5465, entitled

A bill to authorize the state administrative board to convey certain property in Jackson county; to prescribe conditions for the conveyance; and to provide for disposition of the revenue from the conveyance.

Was read a second time, and the question being on the adoption of the proposed substitute (H-3) previously recommended by the Committee on Regulatory Reform,

The substitute (H-3) was adopted, a majority of the members serving voting therefor.

Rep. Bisbee moved that the bill be placed on the order of Third Reading of Bills.

The motion prevailed.

Rep. Patterson moved that the bill be placed on its immediate passage.

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

By unanimous consent the House returned to the order of

Third Reading of Bills

House Bill No. 5465, entitled

A bill to authorize the state administrative board to convey certain property in Jackson county; to prescribe conditions for the conveyance; and to provide for disposition of the revenue from the conveyance.

Was read a third time and passed, a majority of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 1084

Yeas—99

Allen
Anderson
Basham
Bernero
Birkholz
Bisbee
Bishop

Gilbert
Gosselin
Hager
Hale
Hansen
Hardman
Hart

McConico
Mead
Meyer
Middaugh
Minore
Mortimer
Murphy

Scranton
Shackleton
Sheltrown
Shulman
Spade
Stallworth
Stamas

Bogardus	Howell	Neumann	Stewart
Bovin	Hummel	Newell	Switalski
Bradstreet	Jacobs	O'Neil	Tabor
Brown, C.	Jamnick	Palmer	Thomas
Brown, R.	Jansen	Pappageorge	Toy
Callahan	Jelinek	Patterson	Van Woerkom
Cassis	Johnson, Rick	Pestka	Vander Roest
Caul	Johnson, Ruth	Plakas	Vander Veen
Clark, I.	Julian	Pumford	Vear
Clarke, H.	Koetje	Quarles	Voorhees
Dennis	Kolb	Rackowski	Waters
DeRossett	Kooiman	Reeves	Whitmer
Drolet	Kowall	Richardville	Williams
Durhal	Kuipers	Richner	Wojno
Ehardt	LaSata	Rivet	Woodward
Frank	Lipsey	Rocca	Woronchak
George	Lockwood	Schauer	Zelenko
Gielegem	Mans	Schermesser	

Nays—0

In The Chair: Julian

The House agreed to the title of the bill.

Rep. Patterson moved that the bill be given immediate effect.

The motion prevailed, 2/3 of the members serving voting therefor.

Rep. Godchaux entered the House Chambers.

Reports of Standing Committees

The Committee on Agriculture and Resource Management, by Rep. DeRossett, Chair, reported

House Bill No. 5952, entitled

A bill to amend 1984 PA 431, entitled "The management and budget act," (MCL 18.1101 to 18.1594) by adding section 261c.

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

The bill and substitute were referred to the order of Second Reading of Bills.

Favorable Roll Call

HB 5952 To Report Out:

Yeas: Reps. DeRossett, Gilbert, Meyer, Van Woerkom, Vear, Sheltroun, Bogardus, Spade,

Nays: Rep. Hansen.

The Committee on Agriculture and Resource Management, by Rep. DeRossett, Chair, reported

House Bill No. 5953, entitled

A bill to provide for circumstances under which certain forestry operations shall not be found to be a public or private nuisance; to provide for certain forestry management procedures; to provide for certain powers and duties for certain state agencies and departments; and to provide remedies.

With the recommendation that the substitute (H-5) be adopted and that the bill then pass.

The bill and substitute were referred to the order of Second Reading of Bills.

Favorable Roll Call

HB 5953 To Report Out:

Yeas: Reps. DeRossett, Gilbert, Meyer, Van Woerkom, Vear, Sheltroun, Spade,

Nays: Reps. Bogardus, Hansen.

The Committee on Agriculture and Resource Management, by Rep. DeRossett, Chair, reported

House Bill No. 6256, entitled

A bill to amend 1965 PA 232, entitled "Agricultural commodities marketing act," by amending the title and sections 2, 3, 4, 5, 7, 8, 9, 10, 11, 17, 19, 21, 22, 23, and 24 (MCL 290.652, 290.653, 290.654, 290.655, 290.657, 290.658, 290.659, 290.660, 290.661, 290.667, 290.669, 290.671, 290.672, 290.673, and 290.674), sections 2, 3, 5, 7, 9, 10, 21, and 22 as amended by 1996 PA 216, section 8 as amended by 1997 PA 20, and sections 19, 23, and 24 as amended by 1980 PA 196; and to repeal acts and parts of acts.

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

The bill and substitute were referred to the order of Second Reading of Bills.

Favorable Roll Call

HB 6256 To Report Out:

Yeas: Reps. DeRossett, Julian, Gilbert, Meyer, Van Woerkom, Vear, Sheltroun, Hansen, Spade,

Nays: None.

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. DeRossett, Chair, of the Committee on Agriculture and Resource Management, was received and read:

Meeting held on: Tuesday, September 24, 2002, at 9:00 a.m.,

Present: Reps. DeRossett, Julian, Gilbert, Meyer, Van Woerkom, Vear, Sheltroun, Bogardus, Hansen, Spade,

Absent: Rep. Ehardt,

Excused: Rep. Ehardt.

The Committee on Land Use and Environment, by Rep. Ruth Johnson, Chair, reported

Senate Bill No. 11, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 5504 (MCL 324.5504).

Without amendment and with the recommendation that the bill pass.

The bill was referred to the order of Second Reading of Bills.

Favorable Roll Call

SB 11 To Report Out:

Yeas: Reps. Ruth Johnson, Koetje, Birkholz, DeRossett, Palmer, Kolb, Gielegghem, Hale,

Nays: None.

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Ruth Johnson, Chair, of the Committee on Land Use and Environment, was received and read:

Meeting held on: Thursday, November 7, 2002, at 10:30 a.m.,

Present: Reps. Ruth Johnson, Koetje, Birkholz, DeRossett, Palmer, Kolb, Basham, Gielegghem, Hale,

Absent: Reps. DeVuyst, Tabor,

Excused: Reps. DeVuyst, Tabor.

The Committee on Tax Policy, by Rep. Cassis, Chair, reported

Senate Bill No. 1396, entitled

A bill to amend 1993 PA 327, entitled "Tobacco products tax act," (MCL 205.421 to 205.436) by adding section 7b. Without amendment and with the recommendation that the bill pass.

The bill was referred to the order of Second Reading of Bills.

Favorable Roll Call

SB 1396 To Report Out:

Yeas: Reps. Cassis, Vear, Drolet, Gosselin, Kowall, Meyer, Newell, Woronchak, Basham, Minore, O'Neil,

Nays: None.

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Cassis, Chair, of the Committee on Tax Policy, was received and read:

Meeting held on: Thursday, November 7, 2002, at 10:30 a.m.,

Present: Reps. Cassis, Vear, Drolet, Gosselin, Kowall, Meyer, Newell, Woronchak, Quarles, Basham, Minore, O'Neil,

Absent: Reps. Faunce, Richardville, Bob Brown, Hale, Wojno,

Excused: Reps. Faunce, Richardville, Bob Brown, Hale, Wojno.

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Birkholz, Chair, of the Committee on Local Government and Urban Policy, was received and read:

Meeting held on: Tuesday, September 24, 2002, at 3:00 p.m.,

Present: Reps. Birkholz, Hager, Drolet, Gilbert, Gosselin, Hummel, Richardville, Jamnick, Dennis, Hardman, Minore.

Second Reading of Bills

House Bill No. 5952, entitled

A bill to amend 1984 PA 431, entitled "The management and budget act," (MCL 18.1101 to 18.1594) by adding section 261c.

Was read a second time, and the question being on the adoption of the proposed substitute (H-1) previously recommended by the Committee on Agriculture and Resource Management,

The substitute (H-1) was adopted, a majority of the members serving voting therefor.

Rep. Bradstreet moved that the bill be placed on the order of Third Reading of Bills.

The motion prevailed.

Rep. Patterson moved that the bill be placed on its immediate passage.

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

By unanimous consent the House returned to the order of

Third Reading of Bills

House Bill No. 5952, entitled

A bill to amend 1984 PA 431, entitled "The management and budget act," (MCL 18.1101 to 18.1594) by adding section 261c.

Was read a third time and passed, a majority of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 1085

Yeas—99

Adamini
Allen
Anderson
Basham
Bernero

Gielegem
Gilbert
Godchaux
Gosselin
Hager

Mans
McConico
Mead
Meyer
Middaugh

Scranton
Shackleton
Sheltrown
Shulman
Spade

Birkholz	Hale	Mortimer	Stallworth
Bisbee	Hansen	Murphy	Stamas
Bishop	Hardman	Neumann	Stewart
Bogardus	Hart	Newell	Switalski
Bovin	Howell	O'Neil	Tabor
Bradstreet	Hummel	Palmer	Thomas
Brown, C.	Jacobs	Pappageorge	Toy
Brown, R.	Jamnack	Patterson	Van Woerkom
Callahan	Jansen	Pestka	Vander Roest
Cassis	Jelinek	Plakas	Vander Veen
Caul	Johnson, Rick	Pumford	Vear
Clark, I.	Johnson, Ruth	Quarles	Voorhees
Clarke, H.	Julian	Raczkowski	Waters
Dennis	Kolb	Reeves	Whitmer
DeRossett	Kooiman	Richardville	Williams
Drolet	Kowall	Richner	Wojno
Durhal	Kuipers	Rivet	Woodward
Ehardt	LaSata	Rocca	Woronchak
Frank	Lipsey	Schauer	Zelenko
George	Lockwood	Schermesser	

Nays—0

In The Chair: Julian

The House agreed to the title of the bill.

Rep. Patterson moved that the bill be given immediate effect.

The motion prevailed, 2/3 of the members serving voting therefor.

Second Reading of Bills

House Bill No. 5953, entitled

A bill to provide for circumstances under which certain forestry operations shall not be found to be a public or private nuisance; to provide for certain forestry management procedures; to provide for certain powers and duties for certain state agencies and departments; and to provide remedies.

Was read a second time, and the question being on the adoption of the proposed substitute (H-5) previously recommended by the Committee on Agriculture and Resource Management,

The substitute (H-5) was adopted, a majority of the members serving voting therefor.

Rep. Bradstreet moved that the bill be placed on the order of Third Reading of Bills.

The motion prevailed.

Rep. Patterson moved that the bill be placed on its immediate passage.

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

Rep. Vander Roest moved that Rep. Koetje be excused from the balance of today's session.

The motion prevailed.

By unanimous consent the House returned to the order of

Third Reading of Bills

House Bill No. 5953, entitled

A bill to provide for circumstances under which certain forestry operations shall not be found to be a public or private nuisance; to provide for certain forestry management procedures; to provide for certain powers and duties for certain state agencies and departments; and to provide remedies.

Was read a third time and passed, a majority of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 1086**Yeas—97**

Adamini	Gielegem	Mans	Schermesser
Allen	Gilbert	McConico	Scranton
Anderson	Godchaux	Mead	Shackleton
Basham	Gosselin	Meyer	Sheltrown
Bernero	Hager	Middaugh	Shulman
Birkholz	Hale	Minore	Spade
Bisbee	Hansen	Mortimer	Stallworth
Bishop	Hardman	Murphy	Stamas
Bogardus	Hart	Neumann	Stewart
Bovin	Howell	Newell	Switalski
Bradstreet	Hummel	O'Neil	Tabor
Brown, C.	Jacobs	Palmer	Toy
Brown, R.	Jamnick	Pappageorge	Van Woerkom
Callahan	Jansen	Patterson	Vander Roest
Cassis	Jelinek	Pestka	Vander Veen
Caul	Johnson, Rick	Plakas	Vear
Clark, I.	Johnson, Ruth	Pumford	Voorhees
Clarke, H.	Julian	Quarles	Waters
Dennis	Kooiman	Raczkowski	Whitmer
DeRossett	Kowall	Reeves	Williams
Drolet	Kuipers	Richardville	Wojno
Durhal	LaSata	Richner	Woodward
Ehardt	Lipsey	Rocca	Woronchak
Frank	Lockwood	Schauer	Zelenko
George			

Nays—0

In The Chair: Julian

The question being on agreeing to the title of the bill,

Rep. Patterson moved to amend the title to read as follows:

A bill to provide for circumstances under which certain forestry operations shall not be found to be a public or private nuisance; to provide for certain forestry management practices; to provide for certain powers and duties for certain state agencies and departments; and to provide remedies.

The motion prevailed.

The House agreed to the title as amended.

Rep. Patterson moved that the bill be given immediate effect.

The motion prevailed, 2/3 of the members serving voting therefor.

Rep. Phillips entered the House Chambers.

By unanimous consent the House returned to the order of

Motions and Resolutions

Rep. Patterson moved to suspend that portion of Rule 44 requiring bills to be handed to the Clerk not later than 3:00 p.m. the day prior to calling the House to order.

The motion prevailed, 3/5 of the members present voting therefor.

Rep. Rick Johnson moved that the Committee on Redistricting and Elections be discharged from further consideration of **Senate Bill No. 438**.

(For first notice see House Journal No. 65, p. 2564.)

The question being on the motion made by Rep. Rick Johnson,
The motion prevailed.

Rep. Rick Johnson moved that the Committee on Redistricting and Elections be discharged from further consideration of **Senate Bill No. 439**.

(For first notice see House Journal No. 65, p. 2565.)

The question being on the motion made by Rep. Rick Johnson,
The motion prevailed.

Rep. Rick Johnson moved that the Committee on Redistricting and Elections be discharged from further consideration of **Senate Bill No. 440**.

(For first notice see House Journal No. 65, p. 2565.)

The question being on the motion made by Rep. Rick Johnson,
The motion prevailed.

Rep. Rick Johnson moved that the Committee on Redistricting and Elections be discharged from further consideration of **Senate Bill No. 441**.

(For first notice see House Journal No. 65, p. 2565.)

The question being on the motion made by Rep. Rick Johnson,
The motion prevailed.

Rep. Rick Johnson moved that the Committee on Redistricting and Elections be discharged from further consideration of **Senate Bill No. 442**.

(For first notice see House Journal No. 65, p. 2565.)

The question being on the motion made by Rep. Rick Johnson,
The motion prevailed.

Rep. Rick Johnson moved that the Committee on Redistricting and Elections be discharged from further consideration of **Senate Bill No. 443**.

(For first notice see House Journal No. 65, p. 2565.)

The question being on the motion made by Rep. Rick Johnson,
The motion prevailed.

Rep. Rick Johnson moved that the Committee on Redistricting and Elections be discharged from further consideration of **Senate Bill No. 444**.

(For first notice see House Journal No. 65, p. 2565.)

The question being on the motion made by Rep. Rick Johnson,
The motion prevailed.

Rep. Rick Johnson moved that the Committee on Redistricting and Elections be discharged from further consideration of **Senate Bill No. 760**.

(For first notice see House Journal No. 65, p. 2565.)

The question being on the motion made by Rep. Rick Johnson,
The motion prevailed.

Rep. Rick Johnson moved that the Committee on Redistricting and Elections be discharged from further consideration of **Senate Bill No. 1092**.

(For first notice see House Journal No. 65, p. 2565.)

The question being on the motion made by Rep. Rick Johnson,
The motion prevailed.

Rep. Rick Johnson moved that the Committee on Redistricting and Elections be discharged from further consideration of **Senate Bill No. 1202**.

(For first notice see House Journal No. 65, p. 2565.)

The question being on the motion made by Rep. Rick Johnson,
The motion prevailed.

Rep. Pappageorge moved that the Committee on Redistricting and Elections be discharged from further consideration of **House Joint Resolution Z**.

(For first notice see House Journal No. 65, p. 2565.)

The question being on the motion made by Rep. Pappageorge,
The motion prevailed.

Rep. Patterson moved that House Committees be given leave to meet during the balance of today's session.
The motion prevailed.

Reps. Ruth Johnson, Shulman, Rocca, Anderson, Vander Veen, Birkholz, Bogardus, Woronchak, Julian, Gosselin, Schermesser, Vander Roest, Spade, Hansen, Sheltroun, Waters, Mead, Toy, Jacobs, Thomas, Switalski, Lockwood, Kooiman, Middaugh, Bishop, Cassis, Basham, Zelenko, Pappageorge, Voorhees, Adamini, Gielegem, Bovin, Scranton, Ehardt, DeRossett, Rich Brown, Richardville, Meyer, Bradstreet, Stewart, Murphy and Durhal offered the following resolution:

House Resolution No. 561.

A resolution to urge the United States Department of Health and Human Services to increase public awareness of autoimmune diseases.

Whereas, Many of the best known health maladies and an even greater number of other conditions are autoimmune diseases. Autoimmune diseases occur when the body's own immune system works against the body and, instead of defending against invading bacteria or viruses, attacks the cells, tissue, or organs of the body; and

Whereas, There are many different autoimmune diseases, and they can affect the body in a wide variety of ways. Autoimmune diseases include rheumatoid arthritis, panniculitis, sarcoidosis, multiple sclerosis, type 1 diabetes, Crohn's disease, and systemic lupus. In addition, various thyroid problems and several types of anemia are also autoimmune diseases. These diseases can impact the skin, soft tissue, internal organs, the nervous system, the gastrointestinal system, endocrine glands, blood, and connective tissue in the musculoskeletal system; and

Whereas, Because of the great variety of symptoms of autoimmune diseases, the more public information that is available about these conditions, the quicker people can be diagnosed and treated appropriately. Early treatment can prevent more serious complications in many instances. It would also be most helpful for people to realize that nonspecific or changing symptoms for many autoimmune diseases can make a successful diagnosis illusive, which can be very frustrating and discouraging. Education, for both patient and health care provider, is very important. In some instances, environmental influences can be a factor. In addition to the public health benefits of more awareness of these diseases, such attention can only help in the drive to find cures and more effective management strategies; now, therefore, be it

Resolved by the House of Representatives, That we urge the United States Department of Health and Human Services to increase public awareness of autoimmune diseases; and be it further

Resolved, That copies of this resolution be transmitted to the United States Department of Health and Human Services.

The resolution was referred to the Committee on Health Policy.

Reps. Kooiman, Bogardus, Woronchak, Julian, Vander Roest, Spade, Hansen, Sheltroun, Waters, Mead, Kuipers, Toy, Jacobs, Van Woerkom, Wojno, Switalski, Lockwood, Middaugh, Bishop, Shulman, Cassis, Basham, Vear, Pappageorge, Voorhees, Adamini, Gielegem, Bovin, Anderson, Jansen, Scranton, Ehardt, DeRossett, Rich Brown, Koetje, Birkholz, Richardville, Meyer, Vander Veen, Bradstreet, Drolet, Stewart, Murphy and Durhal offered the following resolution:

House Resolution No. 562.

A resolution recognizing and commending the United Methodist Community House on its 100th anniversary.

Whereas, It is with deep appreciation that we proudly recognize the 100th anniversary of the United Methodist Community House, founded in Grand Rapids, Michigan, on October 1, 1902. The original members started a long-standing commitment to the expansion of the human potential from the spiritual core. The mission and purpose of the United Methodist Community House is to become a recognized leader in this pursuit as well as advocacy of their aspiration to develop strong, vibrant people who will lead whole and healthy lives; and

Whereas, The United Methodist Community House remains committed to the community through its emphasis on worship and ministry, celebration and release of individual giftedness, and advocacy for a society that is respectful on one another. The United Methodist Community House also has an appreciation for each person within a culture that reflects values, respects diversity, promotes learning, and embraces innovation; and

Whereas, The United Methodist Community House remains committed to improving and expanding community services and outreach by enhancing their networking, collaborations, and response to community needs so that children, youth, adults, and families can continue to succeed in a diverse community; now, therefore, be it

Resolved by the House of Representatives, That the members of this legislative body recognize and commend the United Methodist Community House on its 100th anniversary; and be it further

Resolved, That a copy of this resolution be transmitted to the United Methodist Community House as a token of our esteem.

Pending the reference of the resolution to a committee,

Rep. Patterson moved that Rule 77 be suspended and the resolution be considered at this time.

The motion prevailed, 3/5 of the members present voting therefor.

The question being on the adoption of the resolution,

The resolution was adopted.

Reps. Ehardt, Bogardus, Woronchak, Julian, Vander Roest, Spade, Sheltroun, Mead, Kuipers, Toy, Jacobs, Wojno, Switalski, Lockwood, Kooiman, Bishop, Shulman, Cassis, Vear, Pappageorge, Voorhees, Bovin, Palmer, DeRossett, Minore, Rich Brown, Birkholz, Richardville, Meyer, Vander Veen, Bradstreet and Murphy offered the following resolution:

House Resolution No. 563.

A resolution honoring Quota International of Port Huron upon the occasion of their 50th anniversary celebration on November 12, 2002.

Whereas, It is with deep appreciation of the significance of this milestone that we commend Quota International of Port Huron as they mark the 50th anniversary of the founding of their exemplary organization. We are proud to recognize the important role that this service organization has played in contributing to both disadvantaged women and children of the area and the lives of countless hearing and speech-impaired citizens; and

Whereas, Quota International was organized in 1919 as the first international woman's service organization. Quota International has linked members of all nationalities in a worldwide network of service and friendship, including 7,522 women and men in 324 clubs in 14 countries in North America, South America, Caribbean, South Pacific, Southeast Asia, and Europe; and

Whereas, Since its founding, Quota International of Port Huron has helped provide new infant hearing screening in all St. Clair County hospitals, local scholarships to students attending college in the hearing and speech field, hearing dogs, a McMorrin infrared hearing system, and has supported local shelters for disadvantaged families; and

Whereas, In looking back over 50 years of Quota International of Port Huron's history, it is clear that this service organization has served its country and community well by promoting high ethical standards as well as good will. We are grateful for all that Quota International of Port Huron has contributed to the Thumb, Blue Water Area, and all of Michigan; and

Whereas, On November 12, 2002, Quota International of Port Huron will celebrate 50 years of service; now, therefore, be it

Resolved by the House of Representatives, That the members of this legislative body honor Quota International of Port Huron upon the occasion of their 50th anniversary celebration on November 12, 2002. We salute them on this happy occasion and wish them well in the years to come; and be it further

Resolved, That a copy of this resolution be transmitted to Quota International of Port Huron as a token of our esteem.

Pending the reference of the resolution to a committee,

Rep. Patterson moved that Rule 77 be suspended and the resolution be considered at this time.

The motion prevailed, 3/5 of the members present voting therefor.

The question being on the adoption of the resolution,

The resolution was adopted.

Reps. Hart, Scranton, Pappageorge, Vander Veen, Richner, Jansen, Bogardus, Julian, Gosselin, Vander Roest, Hansen, Toy, Jacobs, Van Woerkom, Switalski, Kooiman, Bishop, Cassis, Vear, Voorhees, Gielegem, Bovin, Ehardt, DeRossett, Rich Brown, Birkholz, Richardville, Meyer, Bradstreet, Drolet and Murphy offered the following resolution:

House Resolution No. 564.

A resolution commending the Republic of Slovenia on its significant progress made during the past decade to advance respect for human rights, the rule of law, free market economies, and democracy, and supporting the accession of the Republic of Slovenia to full membership in the NATO Alliance (and the European Union) in order for it to contribute to further peace, stability, and prosperity in the transatlantic area.

Whereas, On June 25, 1991, the Republic of Slovenia declared itself an independent and sovereign nation. On December 23, 1991, the Slovenian parliament adopted a constitution based on the rule of law, respect for human rights, and democratic ideals; and

Whereas, The Republic of Slovenia has demonstrated an outstanding record on human rights and its market economy has experienced continued growth and success. During its 11 years of independence, Slovenia has been an important United States ally in Central and Eastern Europe and a strong advocate of democracy, the rule of law, and the merits of an open free market economy; and

Whereas, Slovenia has made important contributions to international efforts to promote peace and stability in Southeast Europe and other parts of the world. Slovenia serves as a leader in efforts to remove destructive land mines in parts of Southeast Europe plagued by war and ethnic violence during the 1990s; and

Whereas, Slovenia has become an active member of the United States led antiterrorist coalition. It has made significant progress in the preparations to join the NATO Alliance and the European Union; now, therefore, be it

Resolved by the House of Representatives, That the members of this legislative body commends the Republic of Slovenia on its significant progress made during the past decade to advance respect for human rights, the rule of law, free market economies, and democracy, and supports the accession of the Republic of Slovenia to full membership in the NATO Alliance (and the European Union) in order for it to contribute to further peace, stability, and prosperity in the transatlantic area.

The resolution was referred to the Committee on House Oversight and Operations.

Reps. Hart, Scranton, Pappageorge, Vander Veen, Richner, Howell, Van Woerkom, Kooiman, Jansen, Julian, Vander Roest, Toy, Jacobs, Lockwood, Vear, Ehardt, DeRossett, Rich Brown, Richardville, Meyer and Murphy offered the following resolution:

House Resolution No. 565.

A resolution to memorialize the Congress of the United States to prepare and submit to the states for ratification an amendment to the United States Constitution to delete certain language.

Whereas, The United States Constitution has provided the framework for our democratic republic for over 200 years. This cornerstone of our laws and system of self-government is widely recognized as one of the most important documents in history; and

Whereas, Apart from its service as a foundation for our public institutions and our system of laws, the United States Constitution also is a symbol of the values and aspirations of the American people. The significance of this symbol, however, is tarnished by antiquated language that remains in the constitution. Specifically, the third clause of Article I, Section 2 still includes the phrase "three fifths of all other Persons" as a reference to slaves. While the Thirteenth, Fourteenth, and Fifteenth Amendments prohibited slavery and supplanted the provisions that determine how people are counted for purposes of representation and taxation, the actual language remains; and

Whereas, Many of our citizens take offense at the language implying that any individual could be considered to be less than a full person. The "three fifths" language is understandably insulting to many people, even if subsequent actions have negated its impact in the legal sense; now, therefore, be it

Resolved by the House of Representatives, That we memorialize the Congress of the United States to prepare and submit to the states for ratification an amendment to the United States Constitution to delete from the third clause of Article I, Section 2 the obsolete language that includes the phrase "three fifths of all other Persons"; and be it further

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

The resolution was referred to the Committee on House Oversight and Operations.

Reps. Callahan, Bogardus, Kowall, Wojno, Lockwood, Plakas, Palmer, DeRossett, McConico, Kolb, Murphy and Durhal offered the following resolution:

House Resolution No. 566.

A resolution to memorialize the Congress of the United States to support the designation of Lake St. Clair as the sixth Great Lake.

Whereas, More than any other governmental entity, the state of Michigan is impacted by the quality of the Great Lakes. Our citizens depend upon these freshwater treasures as resources for our economy, our health, and our recreation. All steps that could bring about remarkable protection of the Great Lakes must be taken at the state, national, and international levels; and

Whereas, Lake St. Clair sits amid the network of waterways that comprise the Great Lakes Basin. This 420 square mile lake is, however, far different than the several rivers that link the lakes to one another. In the eyes of those who live along its shores and know of its unique characteristics, Lake St. Clair is clearly a Great Lake in every way but its name. It is the home of a remarkable variety of plants and animals when compared to the five Great Lakes, and it provides the water for 6 million people in Michigan and Ontario. Lake St. Clair is also known as a true recreational jewel, with prized fishing and boating. In spite of these riches, this lake and its biodiversity are significantly threatened; and

Whereas, A serious effort is being mounted by citizens and groups to raise the status of Lake St. Clair to that of the five Great Lakes. Members of the Great Lakes Commission have advanced this idea and have initiated actions. With the formal designation of Lake St. Clair as a Great Lake, more attention, money, and focus would be directed to this vitally important body of water. The acknowledgment in policy of a status that has long been obvious to the people along its shores can only help ensure the health of Lake St. Clair far into the future; now, therefore, be it

Resolved by the House of Representatives, That we memorialize the Congress of the United States to support the designation of Lake St. Clair as the sixth Great Lake; and be it further

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

The resolution was referred to the Committee on House Oversight and Operations.

Reps. Neumann, Bogardus, Woronchak, Julian, Gosselin, Schermesser, Sheltroun, Kowall, Jacobs, Callahan, Thomas, Lockwood, Bishop, Basham, Vear, Zelenko, Adamini, Gielegem, Bovin, Plakas, Anderson, Scranton, Minore, Rich Brown and Kolb offered the following resolution:

House Resolution No. 567.

A resolution to memorialize the Congress of the United States to impose tariffs on trash imported into this country for disposal and to forward those funds to the states receiving the trash.

Whereas, The issue of trash being imported into our state from Canada has raised many questions and concerns. Among many people and several communities, there is a strong sense that Michigan should not become a “dumping ground” for solid waste brought here from Toronto or other Canadian communities. A central objection centers around environmental issues and whether filling up our own landfill resources with trash generated elsewhere is a very wise long-term policy to follow; and

Whereas, As is true for other states, Michigan’s ability to regulate or refuse to accept imported trash has been stymied by court decisions that have ruled that trash crossing state or national borders is a matter under the jurisdiction of the Congress. The provisions of the United States Constitution dealing with commerce among the states and foreign nations make congressional leadership on this matter essential; and

Whereas, If trash imported into this country is to be considered as a business commodity, it is appropriate for Congress to pursue the imposition of tariffs on these materials at levels that reflect the true costs of dealing with volumes of imported waste material. Our own state’s investment in the environment and our need to be prepared for the possible consequences of imported trash for years and decades to come make the concept of tariffs an appropriate component to include in our overall effort to protect our state and its citizens; now, therefore, be it

Resolved by the House of Representatives, That we memorialize the Congress of the United States to impose tariffs on trash imported into this country for disposal and to forward those funds to the states receiving the trash; and be it further

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

The resolution was referred to the Committee on Land Use and Environment.

Reps. Stallworth, Bogardus, Julian, Schermesser, Spade, Hansen, Sheltroun, Waters, Jacobs, Thomas, Switalski, Lockwood, Shulman, Vear, Zelenko, Pappageorge, Adamini, Bovin, Anderson, Quarles, Neumann, Ehardt, McConico, Rich Brown, Birkholz, Kolb, Murphy, Hale and Durhal offered the following resolution:

House Resolution No. 568.

A resolution honoring Dr. Eugene E. Pettis upon his retirement.

Whereas, It is a pleasure to join with the family, friends, and coworkers of Dr. Eugene E. Pettis in extending our best wishes upon the occasion of his retirement. At this milestone in his life, we are proud to recognize all that Dr. Eugene E. Pettis has accomplished not only throughout his association with social work but in all other aspects of his life; and

Whereas, Over the course of Dr. Eugene E. Pettis’ long and productive service in social work, he has contributed to its growth and to the reputation it has developed during this period. In this, Dr. Eugene E. Pettis’ personal sense of dedication, integrity, and thoroughness have proven invaluable. Dr. Eugene Pettis began his professional social work career with the city of Detroit Department of Public Welfare after graduating from Wayne State University School of Social Work where he received his Master of Social Work degree. Dr. Pettis received his Ph.D. from the University of Michigan in higher education administration. His superiors and colleagues alike have come to depend upon this consistency in meeting each task with a positive attitude; and

Whereas, With Dr. Eugene E. Pettis’ many years of experience, the people who have come to rely upon this enterprise have benefited enormously. Dr. Pettis worked at the Plymouth State Home and Training as the Clinical

Social Work Supervisor and later became the Director of the Outpatient Social Work Department. He also worked at the University of Michigan Institute for the Study of Mental Retardation and Related Disabilities. For the past 27 years, Dr. Pettis worked at Detroit East, Inc. Community Mental Health Center and served in the capacity as the President/CEO. This has helped to strengthen social work and has proven the great human resources of the Great Lakes State; and

Whereas, Dr. Pettis affiliations include the Center for Literacy and Creativity, the National Black Child Development Institute, the National Association of Black Social Workers, and he is President of the Board of Directors of a K-8 Charter School. He is associated with the National Association of Social Workers, Michigan Chapter, where he serves on the Political Action Committee. In the months and years to come, the example that Dr. Eugene E. Pettis set in all facets of his career will continue to be of value as well; now, therefore, be it

Resolved by the House of Representatives, That the members of this legislative body honor Dr. Eugene E. Pettis upon his retirement. May the future be filled with ample time to enjoy life and the love of family and friends; and be it further

Resolved, That a copy of this resolution be transmitted to Dr. Eugene E. Pettis as a token of our esteem.

Pending the reference of the resolution to a committee,

Rep. Patterson moved that Rule 77 be suspended and the resolution be considered at this time.

The motion prevailed, 3/5 of the members present voting therefor.

The question being on the adoption of the resolution,

The resolution was adopted.

Reps. Kowall, Bogardus, Woronchak, Julian, Gosselin, Vander Roest, Spade, Hansen, Sheltrown, Mead, Kuipers, Toy, Jacobs, Van Woerkom, Callahan, Thomas, Switalski, Lockwood, Kooiman, Bishop, Shulman, Cassis, Vear, Pappageorge, Voorhees, Gielegem, Bovin, Anderson, Quarles, Palmer, Ehardt, DeRossett, Rich Brown, Koetje, Birkholz, Richardville, Meyer, Vander Veen, Drolet, Murphy and Hale offered the following resolution:

House Resolution No. 569.

A resolution honoring Hubert Distributors, Inc., of Pontiac as they mark their 65th year in business in Oakland County.

Whereas, It is a great honor and pleasure to join in commemorating the 65th anniversary of Hubert Distributors, Inc. For over six decades, Hubert Distributors has been the exclusive wholesaler of Anheuser-Busch products in Oakland County. This wholesale beverage company, established in 1937, has prospered and expanded. This anniversary marks an honored tradition of leadership for this highly successful business; and

Whereas, Hubert Distributors has been an important part of the Pontiac community and is a proven leader in the distributorship industry. Hubert Distributors embarked on its business with two important goals, to successfully sell malt beverage products and to be a first-rate corporate citizen; and

Whereas, The hard work of the late Floyd J. Shotwell and the late Chris Hubert, along with the current Chairman and Chief Executive Officer, Alice Gustafson, have helped contribute to the company's success. Chris Hubert's community involvement began in the late 1930s with the organization of the Pontiac Traffic Club, and has been continually represented over the years on local and statewide industry committees, boards of directors, and civic and fraternal organizations. In addition, Hubert Distributors has sponsored many fund-raising events and supports many national and local charities; and

Whereas, Donations by Floyd J. Shotwell and Alice Gustafson allowed for the development of the Shotwell-Gustafson Pavilion, which houses the Oakland University Health Enhancement Center. In 1998, through the generous donation of Alice Gustafson, St. Joseph Mercy Hospital dedicated the Alice Gustafson Center, which is a 60,000 square foot facility and houses several types of medical services; and

Whereas, Hubert Distributors is equally dedicated to reducing the abuse of the products it sells. Anheuser-Busch and wholesalers like Hubert Distributors have invested more than \$400 million over the past two decades on programs to promote responsibility, help prevent alcohol abuse, and promote responsible drinking. We congratulate Hubert Distributors on this occasion and are thankful for its contributions to our society; now, therefore, be it

Resolved by the House of Representatives, That the members of this legislative body congratulate Hubert Distributors, Inc., of Pontiac as they mark their 65th year in business in Oakland County. May they continue to grow and prosper; and be it further

Resolved, That a copy of this resolution be transmitted to Hubert Distributors, Inc., as a reflection of our acclamation.

Pending the reference of the resolution to a committee,

Rep. Patterson moved that Rule 77 be suspended and the resolution be considered at this time.

The motion prevailed, 3/5 of the members present voting therefor.

The question being on the adoption of the resolution,

The resolution was adopted.

Reps. Woronchak, Bogardus, Julian, Gosselin, Vander Roest, Spade, Hansen, Sheltroun, Mead, Kowall, Toy, Jacobs, Thomas, Switalski, Lockwood, Kooiman, Shulman, Cassis, Vear, Zelenko, Pappageorge, Voorhees, Adamini, Gielegem, Bovin, Ehardt, DeRossett, Rich Brown, Koetje, Birkholz, Richardville, Meyer, Drolet, Stewart, Murphy and Durhal offered the following resolution:

House Resolution No. 570.

A resolution honoring the life of James A. Hughes Jr.

Whereas, It is with the utmost sorrow that we mourn the passing on November 1, 2002, of James A. Hughes Jr., who spent his life serving his country, community, and family; and

Whereas, Mr. Hughes served over 36 years with the Dearborn Police Department, retiring as a police lieutenant in 1989 after working on beat patrol, with the motorcycle division, as a sergeant in the Detective Bureau, and as a commanding officer on the night shift; and

Whereas, Mr. Hughes also served in the Korean War as a corporal in the First Marine Division of the United States Marine Corps, where he fought in the Battle of the Chosin Reservoir. He was wounded in battle in 1951 and received the Purple Heart; and

Whereas, Mr. Hughes was appropriately honored within his home community for his long service, named Veteran of the Year in 1998 by the Dearborn Allied War Veterans Council, and Dearborn Optimists' Police Officer of the Year in 1984; and

Whereas, Mr. Hughes also was devoted to family, with he and his beloved wife of nearly 50 years Joanne having four children and 11 grandchildren; now, therefore, be it

Resolved by the House of Representatives, That the members of this legislative body honor the life of James A. Hughes Jr.; and be it further

Resolved, That a copy of this resolution be transmitted to the family of James A. Hughes Jr. as evidence of our heartfelt sorrow and loss.

The question being on the adoption of the resolution,

The resolution was adopted.

Announcement by the Clerk of Printing and Enrollment

The Clerk announced that the following bills had been printed and placed upon the files of the members, Friday, September 20:

**Senate Bill Nos. 1402 1403 1404 1406 1407 1408 1409 1410 1413 1415 1416 1417 1419 1420
1424 1425**

The Clerk announced that the following bills had been printed and placed upon the files of the members, Monday, September 23:

**Senate Bill Nos. 1405 1411 1412 1414 1418 1421 1422 1423 1426 1427 1428 1429 1430 1431
1432 1433 1434 1435 1436 1437 1438**

The Clerk announced the enrollment printing and presentation to the Governor on Wednesday, September 25, for his approval of the following bills:

Enrolled House Bill No. 6008 at 2:45 p.m.

Enrolled House Bill No. 4080 at 2:47 p.m.

The Clerk announced that the following Senate bills had been received on Wednesday, September 25:

Senate Bill Nos. 1390 1391 1393 1396 1397

The Clerk announced that the following bills and joint resolutions had been printed and placed upon the files of the members, Thursday, September 26:

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

House Joint Resolutions DD EE FF GG HH

The Clerk announced that the following Senate bills had been received on Thursday, September 26:
Senate Bill Nos. 1375 1401 1417

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

Enrolled House Bill No. 6041 at 10:30 a.m.

Enrolled House Bill No. 6042 at 10:32 a.m.

Enrolled House Bill No. 6054 at 10:34 a.m.

The Clerk announced the enrollment printing and presentation to the Governor on Thursday, October 10, for his approval of the following bill:

Enrolled House Bill No. 6073 at 10:00 a.m.

By unanimous consent the House returned to the order of

Messages from the Senate

House Bill No. 6041, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," (MCL 760.1 to 777.69) by adding section 6d to chapter V.

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

The House agreed to the full title.

The bill was referred to the Clerk for enrollment printing and presentation to the Governor on September 26, 2002.

House Bill No. 6042, entitled

A bill to amend 1937 PA 144, entitled "Uniform criminal extradition act," by amending sections 6, 15, 16, 18, and 25 (MCL 780.6, 780.15, 780.16, 780.18, and 780.25) and by adding section 23a.

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

The House agreed to the full title.

The bill was referred to the Clerk for enrollment printing and presentation to the Governor on September 26, 2002.

House Bill No. 6054, entitled

A bill to amend 1999 PA 94, entitled "Michigan merit award scholarship act," by amending section 5 (MCL 390.1455).

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

The House agreed to the full title.

The bill was referred to the Clerk for enrollment printing and presentation to the Governor on September 26, 2002.

House Bill No. 6073, entitled

A bill to amend 1975 PA 228, entitled "Single business tax act," (MCL 208.1 to 208.145) by adding section 39f.

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

The House agreed to the full title.

The bill was referred to the Clerk for enrollment printing and presentation to the Governor on October 4, 2002.

Senate Bill No. 1375, entitled

A bill to allow the state to amend certain deeds.

The Senate has passed the bill.

The bill was read a first time by its title and referred to the Committee on Regulatory Reform.

Senate Bill No. 1390, entitled

A bill to amend 1990 PA 187, entitled "The pupil transportation act," by amending section 53 (MCL 257.1853).

The Senate has passed the bill.

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

Senate Bill No. 1391, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending sections 19a and 675 (MCL 257.19a and 257.675), section 19a as amended by 1998 PA 68 and section 675 as amended by 2001 PA 18.

The Senate has passed the bill.

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

Senate Bill No. 1393, entitled

A bill to amend 1945 PA 327, entitled "Aeronautics code of the state of Michigan," by amending sections 83 and 83b (MCL 259.83 and 259.83b), section 83 as amended and section 83b as added by 2002 PA 35.

The Senate has passed the bill.

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

Senate Bill No. 1396, entitled

A bill to amend 1993 PA 327, entitled "Tobacco products tax act," (MCL 205.421 to 205.436) by adding section 7b.

The Senate has passed the bill.

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

Senate Bill No. 1397, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 19503 (MCL 324.19503), as amended by 1995 PA 73.

The Senate has passed the bill.

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

Senate Bill No. 1401, entitled

A bill to amend 1998 PA 58, entitled "Michigan liquor control code of 1998," (MCL 436.1101 to 436.2303) by adding section 518.

The Senate has passed the bill.

The bill was read a first time by its title and referred to the Committee on Regulatory Reform.

Senate Bill No. 1417, entitled

A bill to amend 1996 PA 376, entitled "Michigan renaissance zone act," by amending section 12 (MCL 125.2692).

The Senate has passed the bill.

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

House Concurrent Resolution No. 70.

A concurrent resolution prescribing the legislative schedule.

(For text of resolution, see House Journal No. 65, p. 2555.)

The Senate has adopted the concurrent resolution.

The concurrent resolution was referred to the Clerk for record.

Messages from the Governor

The following messages from the Governor, approving and signing the following bills at the times designated below, were received and read:

Date: October 1, 2002

Time: 4:50 p.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 5637 (Public Act No. 563, I.E.), being

An act to amend 2001 PA 142, entitled "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," (MCL 250.1001 to 250.1100) by adding section 85.

(Filed with the Secretary of State October 2, 2002, at 4:47 p.m.)

Date: October 3, 2002
Time: 8:30 a.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 6008 (Public Act No. 564), being

An act to amend 1971 PA 174, entitled “An act to create the office of child support; and to prescribe certain powers and duties of the office, certain public and private agencies, and certain employers and former employers,” by amending sections 1, 3, and 9 (MCL 400.231, 400.233, and 400.239), section 1 as amended and section 9 as added by 1999 PA 161 and section 3 as amended by 1998 PA 112, and by adding section 10.

(Filed with the Secretary of State October 3, 2002, at 10:30 a.m.)

Date: October 3, 2002
Time: 8:35 a.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 6004 (Public Act No. 565, I.E.), being

An act to amend 1982 PA 295, entitled “An act to provide for and to supplement statutes that provide for the provisions and enforcement of support, health care, and parenting time orders with respect to divorce, separate maintenance, paternity, child custody and support, and spousal support; to prescribe and authorize certain provisions of those orders; to prescribe the powers and duties of the circuit court and friend of the court; to prescribe certain duties of certain employers and other sources of income; to provide for penalties and remedies; and to repeal acts and parts of acts,” by amending sections 2, 25a, 25b, and 28 (MCL 552.602, 552.625a, 552.625b, and 552.628), section 2 as amended by 1999 PA 160 and sections 25a and 25b as added and section 28 as amended by 1998 PA 334, and by adding sections 5c, 25c, 25d, 25e, 25f, 25g, 25h, and 25i.

(Filed with the Secretary of State October 3, 2002, at 10:32 a.m.)

Date: October 3, 2002
Time: 8:38 a.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 6005 (Public Act No. 566, I.E.), being

An act to amend 1969 PA 317, entitled “An act to revise and consolidate the laws relating to worker’s disability compensation; to increase the administrative efficiency of the adjudicative processes of the worker’s compensation system; to improve the qualifications of the persons having adjudicative functions within the worker’s compensation system; to prescribe certain powers and duties; to create the board of worker’s compensation magistrates and the worker’s compensation appellate commission; to create certain other boards; to provide certain procedures for the resolution of claims, including mediation and arbitration; to prescribe certain benefits for persons suffering a personal injury under the act; to prescribe certain limitations on obtaining benefits under the act; to create, and provide for the transfer of, certain funds; to prescribe certain fees; to prescribe certain remedies and penalties; to repeal certain parts of this act on specific dates; and to repeal certain acts and parts of acts,” by amending section 230 (MCL 418.230), as amended by 2000 PA 396.

(Filed with the Secretary of State October 3, 2002, at 10:34 a.m.)

Date: October 3, 2002
Time: 8:40 a.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 6006 (Public Act No. 567, I.E.), being

An act to amend 1982 PA 295, entitled “An act to provide for and to supplement statutes that provide for the provisions and enforcement of support, health care, and parenting time orders with respect to divorce, separate maintenance, paternity, child custody and support, and spousal support; to prescribe and authorize certain provisions of those orders; to prescribe the powers and duties of the circuit court and friend of the court; to prescribe certain duties of certain employers and other sources of income; to provide for penalties and remedies; and to repeal acts and parts of acts,” by amending sections 2, 31, 32, 33, and 35 (MCL 552.602, 552.631, 552.632, 552.633, and 552.635), section 2 as amended by 1999 PA 160, sections 31 and 32 as amended by 2000 PA 442, and sections 33 and 35 as amended by 1998 PA 334.

(Filed with the Secretary of State October 3, 2002, at 10:36 a.m.)

Date: October 3, 2002
Time: 8:45 a.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 6007 (Public Act No. 568, I.E.), being

An act to amend 1982 PA 295, entitled “An act to provide for and to supplement statutes that provide for the provisions and enforcement of support, health care, and parenting time orders with respect to divorce, separate maintenance, paternity, child custody and support, and spousal support; to prescribe and authorize certain provisions of those orders; to prescribe the powers and duties of the circuit court and friend of the court; to prescribe certain duties of certain employers and other sources of income; to provide for penalties and remedies; and to repeal acts and parts of acts,” by amending sections 2, 41, 42, 44, and 45 (MCL 552.602, 552.641, 552.642, 552.644, and 552.645), section 2 as amended by 1999 PA 160, sections 41 and 42 as amended by 1996 PA 25, and sections 44 and 45 as amended by 1998 PA 334, and by adding section 42a.

(Filed with the Secretary of State October 3, 2002, at 10:38 a.m.)

Date: October 3, 2002
Time: 8:48 a.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 6009 (Public Act No. 569, I.E.), being

An act to amend 1982 PA 294, entitled “An act to revise and consolidate the laws relating to the friend of the court; to provide for the appointment or removal of the friend of the court; to create the office of the friend of the court; to establish the rights, powers, and duties of the friend of the court and the office of the friend of the court; to establish a state friend of the court bureau and to provide the powers and duties of the bureau; to prescribe powers and duties of the circuit court and of certain state and local agencies and officers; to establish friend of the court citizen advisory committees; to prescribe certain duties of certain employers and former employers; and to repeal acts and parts of acts,” by amending sections 17d and 19 (MCL 552.517d and 552.519), section 17d as amended by 1996 PA 144 and section 19 as amended by 2001 PA 193, and by adding sections 11a and 11b.

(Filed with the Secretary of State October 3, 2002, at 10:40 a.m.)

Date: October 3, 2002
Time: 8:50 a.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 6010 (Public Act No. 570, I.E.), being

An act to amend 1982 PA 295, entitled “An act to provide for and to supplement statutes that provide for the provisions and enforcement of support, health care, and parenting time orders with respect to divorce, separate maintenance, paternity, child custody and support, and spousal support; to prescribe and authorize certain provisions of those orders; to prescribe the powers and duties of the circuit court and friend of the court; to prescribe certain duties of certain employers and other sources of income; to provide for penalties and remedies; and to repeal acts and parts of acts,” by amending section 2 (MCL 552.602), as amended by 1999 PA 160, and by adding section 5d.

(Filed with the Secretary of State October 3, 2002, at 10:42 a.m.)

Date: October 3, 2002
Time: 8:52 a.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 6011 (Public Act No. 571, I.E.), being

An act to amend 1982 PA 294, entitled “An act to revise and consolidate the laws relating to the friend of the court; to provide for the appointment or removal of the friend of the court; to create the office of the friend of the court; to establish the rights, powers, and duties of the friend of the court and the office of the friend of the court; to establish a state friend of the court bureau and to provide the powers and duties of the bureau; to prescribe powers and duties of the circuit court and of certain state and local agencies and officers; to establish friend of the court citizen advisory committees; to prescribe certain duties of certain employers and former employers; and to repeal acts and parts of acts,” by amending sections 2, 2a, 5, 9, 11, 13, 15, 17, 17b, 17c, and 26 (MCL 552.502, 552.502a, 552.505, 552.509,

552.511, 552.513, 552.515, 552.517, 552.517b, 552.517c, and 552.526), section 2 as amended by 1998 PA 63, sections 2a and 9 as amended by 1999 PA 150, section 5 as amended by 1996 PA 365, section 11 as amended by 1996 PA 266, section 13 as amended by 1996 PA 144, section 17 as amended and sections 17b and 17c as added by 1994 PA 37, and section 26 as amended by 1996 PA 366, and by adding section 5a; and to repeal acts and parts of acts.

(Filed with the Secretary of State October 3, 2002, at 10:44 a.m.)

Date: October 3, 2002

Time: 8:55 a.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 6012 (Public Act No. 572, I.E.), being

An act to amend 1982 PA 295, entitled “An act to provide for and to supplement statutes that provide for the provisions and enforcement of support, health care, and parenting time orders with respect to divorce, separate maintenance, paternity, child custody and support, and spousal support; to prescribe and authorize certain provisions of those orders; to prescribe the powers and duties of the circuit court and friend of the court; to prescribe certain duties of certain employers and other sources of income; to provide for penalties and remedies; and to repeal acts and parts of acts,” by amending sections 2, 3, 3a, 4, 5a, 7, 10, 17, 19, 24, 24a, and 26 (MCL 552.602, 552.603, 552.603a, 552.604, 552.605a, 552.607, 552.610, 552.617, 552.619, 552.624, 552.624a, and 552.626), section 2 as amended by 1999 PA 160, sections 3 and 26 as amended and section 5a as added by 2001 PA 106, section 3a as amended by 1996 PA 120, sections 4, 7, 17, and 19 as amended and section 24a as added by 1998 PA 334, and section 24 as added by 1985 PA 210.

(Filed with the Secretary of State October 3, 2002, at 10:46 a.m.)

Date: October 3, 2002

Time: 9:00 a.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 6017 (Public Act No. 573, I.E.), being

An act to amend 1939 PA 280, entitled “An act to protect the welfare of the people of this state; to provide general assistance, hospitalization, infirmary and medical care to poor or unfortunate persons; to provide for compliance by this state with the social security act; to provide protection, welfare and services to aged persons, dependent children, the blind, and the permanently and totally disabled; to administer programs and services for the prevention and treatment of delinquency, dependency and neglect of children; to create a state department of social services; to prescribe the powers and duties of the department; to provide for the interstate and intercounty transfer of dependents; to create county and district departments of social services; to create within certain county departments, bureaus of social aid and certain divisions and offices thereunder; to prescribe the powers and duties of the departments, bureaus and officers; to provide for appeals in certain cases; to prescribe the powers and duties of the state department with respect to county and district departments; to prescribe certain duties of certain other state departments, officers, and agencies; to make an appropriation; to prescribe penalties for the violation of the provisions of this act; and to repeal certain parts of this act on specific dates,” (MCL 400.1 to 400.119b) by adding section 43b.

(Filed with the Secretary of State October 3, 2002, at 10:48 a.m.)

Date: October 3, 2002

Time: 9:05 a.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 6020 (Public Act No. 574, I.E.), being

An act to amend 1966 PA 138, entitled “An act to confer jurisdiction upon the circuit courts to order and enforce the payment of money for the support, in certain cases, of parents having physical custody of minor children or children who have reached the age of majority and of minor children or children who have reached the age of majority by noncustodial parents; to provide for the termination of the effectiveness of the orders; and to provide for the payment of fees and assessment of costs in those cases,” by amending the title and sections 2 and 8a (MCL 552.452 and 552.458a), the title as amended by 1990 PA 237, section 2 as amended by 2001 PA 111, and section 8a as added by 1999 PA 158.

(Filed with the Secretary of State October 3, 2002, at 10:50 a.m.)

Date: October 3, 2002
Time: 9:10 a.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 5896 (Public Act No. 575, I.E.), being

An act to amend 1986 PA 281, entitled “An act to encourage local development to prevent conditions of unemployment and promote economic growth; to provide for the establishment of local development finance authorities and to prescribe their powers and duties; to provide for the creation of a board to govern an authority and to prescribe its powers and duties; to provide for the creation and implementation of development plans; to authorize the acquisition and disposal of interests in real and personal property; to permit the issuance of bonds and other evidences of indebtedness by an authority; to prescribe powers and duties of certain public entities and state officers and agencies; to reimburse authorities for certain losses of tax increment revenues; and to authorize and permit the use of tax increment financing,” by amending section 12a (MCL 125.2162a), as added by 2000 PA 248.

(Filed with the Secretary of State October 3, 2002, at 10:52 a.m.)

Date: October 3, 2002
Time: 9:15 a.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 4147 (Public Act No. 576, I.E.), being

An act to amend 1947 PA 359, entitled “An act to authorize the incorporation of charter townships; to provide a municipal charter therefor; to prescribe the powers and functions thereof; and to prescribe penalties and provide remedies,” by amending section 31 (MCL 42.31).

(Filed with the Secretary of State October 3, 2002, at 10:54 a.m.)

Date: October 3, 2002
Time: 9:20 a.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 4080 (Public Act No. 577, I.E.), being

An act to amend 1931 PA 328, entitled “An act to revise, consolidate, codify and add to the statutes relating to crimes; to define crimes and prescribe the penalties therefor; to provide for restitution under certain circumstances; to provide for the competency of evidence at the trial of persons accused of crime; to provide immunity from prosecution for certain witnesses appearing at such trials; and to repeal certain acts and parts of acts inconsistent with or contravening any of the provisions of this act,” by amending section 540e (MCL 750.540e), as amended by 1988 PA 395.

(Filed with the Secretary of State October 3, 2002, at 10:56 a.m.)

Date: October 3, 2002
Time: 9:25 a.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 4599 (Public Act No. 578, I.E.), 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,” (MCL 324.101 to 324.90106) by adding part 172.

(Filed with the Secretary of State October 3, 2002, at 10:58 a.m.)

Date: October 10, 2002
Time: 9:00 p.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 6041 (Public Act No. 583, I.E.), being

An act to amend 1927 PA 175, entitled “An act to revise, consolidate, and codify the laws relating to criminal procedure and to define the jurisdiction, powers, and duties of courts, judges, and other officers of the court under the

provisions of this act; to provide laws relative to the rights of persons accused of criminal offenses and ordinance violations; to provide for the arrest of persons charged with or suspected of criminal offenses and ordinance violations; to provide for bail of persons arrested for or accused of criminal offenses and ordinance violations; to provide for the examination of persons accused of criminal offenses; to regulate the procedure relative to grand juries, indictments, informations, and proceedings before trial; to provide for trials of persons complained of or indicted for criminal offenses and ordinance violations and to provide for the procedure in those trials; to provide for judgments and sentences of persons convicted of criminal offenses and ordinance violations; to establish a sentencing commission and to prescribe its powers and duties; to provide for procedure relating to new trials and appeals in criminal and ordinance violation cases; to provide a uniform system of probation throughout this state and the appointment of probation officers; to prescribe the powers, duties, and compensation of probation officers; to provide penalties for the violation of the duties of probation officers; to provide for procedure governing proceedings to prevent crime and proceedings for the discovery of crime; to provide for fees of officers, witnesses, and others in criminal and ordinance violation cases; to set forth miscellaneous provisions as to criminal procedure in certain cases; to provide penalties for the violation of certain provisions of this act; and to repeal all acts and parts of acts inconsistent with or contravening any of the provisions of this act," (MCL 760.1 to 777.69) by adding section 6d to chapter V.

(Filed with the Secretary of State October 14, 2002, at 9:56 a.m.)

Date: October 10, 2002

Time: 9:05 p.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 6042 (Public Act No. 584, I.E.), being

An act to amend 1937 PA 144, entitled "An act relative to and to make uniform the procedure on interstate extradition; to prescribe penalties for the violation of the provisions of this act; and to repeal all acts and parts of acts inconsistent with the provisions of this act," by amending sections 6, 15, 16, 18, and 25 (MCL 780.6, 780.15, 780.16, 780.18, and 780.25) and by adding section 23a.

(Filed with the Secretary of State October 14, 2002, at 9:58 a.m.)

Date: October 14, 2002

Time: 3:15 p.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 6054 (Public Act No. 586, I.E.), 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 5 (MCL 390.1455).

(Filed with the Secretary of State October 15, 2002, at 8:56 a.m.)

Date: October 16, 2002

Time: 10:52 a.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 6073 (Public Act No. 588, I.E.), being

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

(Filed with the Secretary of State October 16, 2002, at 2:14 p.m.)

The following message from the Governor was received October 21, 2002 and read:

**EXECUTIVE ORDER
No. 2002 - 17**

**DEPARTMENT OF MANAGEMENT AND BUDGET
OFFICE OF THE STATE BUDGET**

DEPARTMENT OF INFORMATION TECHNOLOGY

DEPARTMENT OF HISTORY, ARTS AND LIBRARIES

EXECUTIVE REORGANIZATION

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

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

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

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

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

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

WHEREAS, further consolidation of records management, information dissemination and communications programs of the state of Michigan in the Department of History, Arts and Libraries will promote a unified approach to and strengthen central policymaking and direction-setting in records management, archival records preservation and information dissemination; and

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

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

I. DEFINITIONS

As used herein:

A. The "Department of History, Arts and Libraries" means the principal department created by Section 3 of Act No. 63 of the Public Acts of 2001, being Section 399.703 of the Michigan Compiled Laws.

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

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

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

II. DEPARTMENT OF MANAGEMENT AND BUDGET

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

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

and Budget to promulgate administrative rules as necessary to implement the state records management program derived from Section 131 of the Management and Budget Act, Act No. 431 of the Public Acts of 1984, as amended, being Section 18.1131 of the Michigan Compiled Laws, are hereby transferred to the Director of the Department of History, Arts and Libraries by a Type II transfer, as defined in Section 3 of the Executive Organization Act of 1965, Act No. 380 of the Public Acts of 1965, as amended, being Section 16.103 of the Michigan Compiled Laws.

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

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

III. DEPARTMENT OF INFORMATION TECHNOLOGY

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

IV. MISCELLANEOUS

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

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

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

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

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

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

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

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

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

[SEAL]

Given under my hand and the Great Seal of the State of Michigan this 21st day of October, in the Year of our Lord, Two Thousand Two.

John Engler
Governor

By the Governor:
Candice S. Miller
Secretary of State

The message was referred to the Clerk.

The following message from the Governor was received October 29, 2002 and read:

**EXECUTIVE ORDER
2002 - 18**

**DEPARTMENT OF MANAGEMENT AND BUDGET
OFFICE OF THE STATE EMPLOYER**

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

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

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

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

NOW, THEREFORE, I, JOHN ENGLER, Governor of the State of Michigan, pursuant to the authority vested in me by the Michigan Constitution of 1963 in Article V, Section 8, do hereby order the following:

I. Definitions

As used herein:

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

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

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

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

II. Office of the State Employer

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

[SEAL]

Given under my hand and the Great Seal of the State of Michigan this 28th day of October, in the Year of our Lord, Two Thousand Two.

John Engler
Governor
By the Governor:
Candice S. Miller
Secretary of State

The message was referred to the Clerk.

The following message from the Governor was received October 30, 2002 and read:

**EXECUTIVE ORDER
No. 2002 - 19**

**CIVIL SERVICE COMMISSION
DEPARTMENT OF CIVIL SERVICE**

**DEPARTMENT OF MANAGEMENT AND BUDGET
OFFICE OF THE STATE EMPLOYER**

DEPARTMENT OF TREASURY

DEPARTMENT OF INFORMATION TECHNOLOGY

EXECUTIVE REORGANIZATION

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

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

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

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

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

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

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

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

I. DEFINITIONS

As used herein:

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

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

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

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

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

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

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

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

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

1. To establish, implement and enforce policy standards, guidelines, processes, procedures, practices, rules, and regulations for the operation of the HRMN System, consistent with applicable law.
2. To manage the HRMN System to achieve the business needs for payroll, personnel, employee benefits, and other human resource functions for the state of Michigan.
3. To direct and manage the program development and implementation of changes in the HRMN System.
4. To acquire technology development, services and software for the HRMN system through agency operating agreements between the Department of Civil Service and the Department of Information Technology.
5. To acquire and manage contracts for the HRMN System.
6. To standardize or centralize agency personnel transactions in the HRMN System.

II. TRANSFER

A. All of the authority, powers, duties, functions, and responsibilities of the Department of Management and Budget, the Office of the State Employer, the Department of Treasury, and the Department of Information Technology related to the executive direction and management of the HRMN System, except as otherwise provided in Part III of this Order, are hereby transferred to the Department of Civil Service by Type II transfer, as defined by Section 3 of Act No. 380 of the Public Acts of 1965, as amended, being Section 16.103 of the Michigan Compiled Laws.

B. The Director of the Department of Civil Service may convene an advisory committee consisting of:

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

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

III. MISCELLANEOUS

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

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

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

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

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

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

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

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

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

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

[SEAL]

Given under my hand and the Great Seal of the State of Michigan this 30th day of October, in the Year of our Lord, Two Thousand Two.

John Engler
Governor
By the Governor:
Candice S. Miller
Secretary of State

The message was referred to the Clerk.

The following message from the Governor was received November 5, 2002 and read:

EXECUTIVE ORDER
No. 2002 - 20

DEPARTMENT OF MANAGEMENT AND BUDGET
CONSOLIDATION OF REAL ESTATE FUNCTIONS
AND FACILITIES MANAGEMENT

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

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

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

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

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

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

I. Definitions

As used herein:

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

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

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

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

II. Transfer

A. All of the authority, powers, functions, duties, and responsibilities pertaining to the planning, management and operation, capital renewal, and acquisition of buildings and facilities of the Executive Branch agencies, excluding the Michigan Department of Transportation, Department of Military and Veterans Affairs and Department of Natural Resources, are transferred to the Department of Management and Budget by Type II transfer as defined in Section 3 of Act No. 380 of the Public Acts of 1965, as amended, being Section 16.103 of the Michigan Compiled Laws.

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

II. Duties

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

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

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

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

IV. Miscellaneous

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

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

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

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

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

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

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

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

[SEAL]

Given under my hand and the Great Seal of the state of Michigan this 4th day of November, in the Year of our Lord Two Thousand Two.

John Engler

Governor

By the Governor:

Candice S. Miller

Secretary of State

The message was referred to the Clerk.

Communications from State Officers

The following communications from the Secretary of State were received and read:

Notices of Filing Administrative Rules

September 10, 2002

In accordance with the provisions of Section 46(1) of Act 306, Public Acts of 1969, as amended, and Executive Order 1995-6 this is to advise you that the Office of Regulatory Reform, Legal Division filed at 2:02 P.M. this date, administrative rule (02-09-01) for the Department of Consumer and Industry Services, Director's Office, entitled "*Construction Safety Standard Part 18. Fire Protection and Prevention*", effective 7 days hereafter.

September 10, 2002

In accordance with the provisions of Section 46(1) of Act 306, Public Acts of 1969, as amended, and Executive Order 1995-6 this is to advise you that the Office of Regulatory Reform, Legal Division filed at 2:04 P.M. this date, administrative rule (02-09-02) for the Department of Consumer and Industry Services, Director's Office, entitled "*Part 26. Steel and Precast Erection*", effective 7 days hereafter.

September 12, 2002

In accordance with the provisions of Section 46(1) of Act 306, Public Acts of 1969, as amended, and Executive Order 1995-6 this is to advise you that the Office of Regulatory Reform, Legal Division filed at 2:14 P.M. this date, administrative rule (02-09-03) for the Department of Consumer and Industry Services, Director's Office, entitled "*Rules of Practice*", effective 7 days hereafter.

September 19, 2002

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

October 15, 2002

In accordance with the provisions of Section 46(1) of Act 306, Public Acts of 1969, as amended, and Executive Order 1995-6 this is to advise you that the Office of Regulatory Reform, Legal Division filed at 1:20 P.M. this date, administrative rule (02-10-01) for the Department of Consumer and Industry Services, Director's Office, entitled "*Building Code—Rehabilitation Code*", effective October 31, 2002.

October 15, 2002

In accordance with the provisions of Section 46(1) of Act 306, Public Acts of 1969, as amended, and Executive Order 1995-6 this is to advise you that the Office of Regulatory Reform, Legal Division filed at 1:22 P.M. this date, administrative rule (02-10-02) for the Department of Consumer and Industry Services, Director's Office, entitled "*Part 4. Building Code*", effective October 31, 2002.

October 15, 2002

In accordance with the provisions of Section 46(1) of Act 306, Public Acts of 1969, as amended, and Executive Order 1995-6 this is to advise you that the Office of Regulatory Reform, Legal Division filed at 1:24 P.M. this date, administrative rule (02-10-03) for the Department of Treasury, Higher Education Assistance Authority, entitled "*Michigan Education Trust*", effective 7 days hereafter.

October 22, 2002

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

Sincerely,
Candice S. Miller
Secretary of State
Elena L. Beasley, Manager
Office of the Great Seal

The communications were referred to the Clerk.

The following communications from the Auditor General were received and read:

September 30, 2002

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

October 4, 2002

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

October 9, 2002

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

October 25, 2002

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

October 31, 2002

Enclosed is a copy of the following audit report and/or executive digest:
Financial Audit of the
State Treasurer's Annual Report
Department of Treasury
October 1, 2000 through September 30, 2001

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

The communications were referred to the Clerk and the accompanying reports referred to the Committee on House Oversight and Operations.

Introduction of Bills

Rep. Minore introduced

House Bill No. 6459, 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 bill was read a first time by its title and referred to the Committee on Senior Health, Security and Retirement.

Reps. Rich Brown, Neumann, Adamini, Dennis, Gosselin, Spade, Bovin, Lipsey, Whitmer, Palmer, Murphy, Anderson, Plakas and Bernero introduced

House Bill No. 6460, entitled

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," by amending section 30 (MCL 206.30), as amended by 2000 PA 400.

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

Rep. Adamini introduced

House Bill No. 6461, entitled

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," (MCL 206.1 to 206.532) by adding section 270.

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

Rep. Adamini introduced

House Bill No. 6462, entitled

A bill to amend 1984 PA 431, entitled "The management and budget act," (MCL 18.1101 to 18.1594) by adding section 146.

The bill was read a first time by its title and referred to the Committee on House Oversight and Operations.

Rep. Adamini introduced

House Bill No. 6463, entitled

A bill to amend 1893 PA 206, entitled "The general property tax act," by amending section 27a (MCL 211.27a), as amended by 2000 PA 260.

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

Reps. Kolb and Jacobs introduced

House Bill No. 6464, entitled

A bill to amend 1975 PA 228, entitled "Single business tax act," (MCL 208.1 to 208.145) by adding section 39f.

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

Rep. Kolb introduced

House Bill No. 6465, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 16701, 16702, 16703, 16704, and 16705 (MCL 324.16701, 324.16702, 324.16703, 324.16704, and 324.16705).

The bill was read a first time by its title and referred to the Committee on Land Use and Environment.

Rep. Kolb introduced

House Bill No. 6466, entitled

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," (MCL 206.1 to 206.532) by adding section 270.

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

Rep. Kolb introduced

House Bill No. 6467, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," (MCL 257.1 to 257.923) by adding sections 217i and 217j.

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

Reps. Kolb and Dennis introduced

House Bill No. 6468, entitled

A bill to amend 2000 PA 92, entitled "Food law of 2000," by amending section 7109 (MCL 289.7109).

The bill was read a first time by its title and referred to the Committee on Agriculture and Resource Management.

Rep. Kolb introduced

House Bill No. 6469, entitled

A bill to amend 1978 PA 368, entitled "Public health code," (MCL 333.1101 to 333.25211) by adding section 17748a.

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

Rep. Kolb introduced

House Bill No. 6470, entitled

A bill to amend 1978 PA 368, entitled "Public health code," (MCL 333.1101 to 333.25211) by adding section 17748a.

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

Rep. Kolb introduced

House Bill No. 6471, entitled

A bill to amend 1975 PA 228, entitled "Single business tax act," (MCL 208.1 to 208.145) by adding section 39f.

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

Rep. Kolb introduced

House Bill No. 6472, entitled

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," (MCL 206.1 to 206.532) by adding section 269.

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

Rep. Kolb introduced

House Bill No. 6473, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending sections 5717 and 5721 (MCL 333.5717 and 333.5721), section 5717 as added by 1987 PA 48 and section 5721 as amended by 1988 PA 236.

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

Rep. Kolb introduced

House Bill No. 6474, entitled

A bill to require certain providers of electric service to comply with a portfolio standard for renewable energy; to prescribe the powers and duties of certain state agencies and officials; and to provide for penalties.

The bill was read a first time by its title and referred to the Committee on Energy and Technology.

Rep. Kolb introduced

House Bill No. 6475, entitled

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," (MCL 206.1 to 206.532) by adding section 270. The bill was read a first time by its title and referred to the Committee on Tax Policy.

Rep. Kolb introduced

House Bill No. 6476, entitled

A bill to amend 1975 PA 228, entitled "Single business tax act," (MCL 208.1 to 208.145) by adding section 37e. The bill was read a first time by its title and referred to the Committee on Tax Policy.

Rep. Kolb introduced

House Bill No. 6477, entitled

A bill to require the inspection of private drinking water wells; and to prescribe the powers and duties of certain state agencies.

The bill was read a first time by its title and referred to the Committee on Land Use and Environment.

Rep. LaSata introduced

House Bill No. 6478, entitled

A bill to amend 1937 PA 94, entitled "Use tax act," (MCL 205.91 to 205.111) by adding section 4x. The bill was read a first time by its title and referred to the Committee on Tax Policy.

Rep. LaSata introduced

House Bill No. 6479, entitled

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," by amending section 30 (MCL 206.30), as amended by 2000 PA 400.

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

Rep. LaSata introduced

House Bill No. 6480, entitled

A bill to amend 1941 PA 122, entitled "An act to establish a revenue division of the department of treasury; to prescribe its powers and duties as the revenue collection agency of the state; to prescribe certain powers and duties of the state treasurer; to regulate the importation, stamping, and disposition of certain tobacco products; to create the position and to define the powers and duties of the state commissioner of revenue; to provide for the transfer of powers and duties now vested in certain other state boards, commissions, departments and offices; to prescribe certain duties of and require certain reports from the department of treasury; to provide procedures for the payment, administration, audit, assessment, levy of interests or penalties on, and appeals of taxes and tax liability; to prescribe its powers and duties if an agreement to act as agent for a city to administer, collect, and enforce the city income tax act on behalf of a city is entered into with any city; to provide an appropriation; to abolish the state board of tax administration; to prescribe penalties and provide remedies; and to declare the effect of this act," by amending section 30c (MCL 205.30c), as amended by 2001 PA 168.

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

Rep. LaSata introduced

House Bill No. 6481, entitled

A bill to amend 1933 PA 167, entitled "General sales tax act," (MCL 205.51 to 205.78) by adding section 4aa. The bill was read a first time by its title and referred to the Committee on Tax Policy.

Rep. Koetje introduced

House Bill No. 6482, entitled

A bill to amend 2001 PA 122, entitled "Equitable sales and use tax administration act," by amending section 17 (MCL 205.167).

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

Rep. Koetje introduced

House Bill No. 6483, entitled

A bill to amend 1954 PA 116, entitled "Michigan election law," by amending sections 281, 282, 289, and 294 (MCL 168.281, 168.282, 168.289, and 168.294), section 281 as amended by 1999 PA 218, and by adding section 281a; and to repeal acts and parts of acts.

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

Rep. Woronchak introduced

House Bill No. 6484, 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 bill was read a first time by its title and referred to the Committee on Commerce.

Rep. Jamnick introduced

House Bill No. 6485, entitled

A bill to amend 1998 PA 58, entitled "Michigan liquor control code of 1998," by amending section 513 (MCL 436.1513), as amended by 2000 PA 344.

The bill was read a first time by its title and referred to the Committee on Regulatory Reform.

Reps. Gilbert and Shackleton introduced

House Bill No. 6486, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending sections 719 and 720 (MCL 257.719 and 257.720), section 719 as amended by 2002 PA 453 and section 720 as amended by 2002 PA 535.

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

Rep. Gilbert introduced

House Bill No. 6487, entitled

A bill to amend 1964 PA 286, entitled "An act to provide for the organization, powers, and duties of the state transportation commission and the state transportation department; to provide for the appointment, powers, and duties of the state transportation director; to abolish the office of state highway commissioner and the commissioner's advisory board and to transfer their powers and duties; to provide for penalties and remedies; and to repeal certain acts and parts of acts," by amending sections 2, 6a, 7, and 9 (MCL 247.802, 247.806a, 247.807, and 247.809), section 9 as amended by 1984 PA 398; and to repeal acts and parts of acts.

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

Rep. Koetje introduced

House Bill No. 6488, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending section 372 (MCL 750.372), as amended by 1996 PA 206.

The bill was read a first time by its title and referred to the Committee on Gaming and Casino Oversight.

Rep. Koetje introduced

House Bill No. 6489, entitled

A bill to amend 1998 PA 58, entitled "Michigan liquor control code of 1998," by amending section 531 (MCL 436.1531), as amended by 2001 PA 223.

The bill was read a first time by its title and referred to the Committee on Regulatory Reform.

Rep. Cassis introduced

House Bill No. 6490, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending section 2567a (MCL 600.2567a), as added by 1990 PA 346.

The bill was read a first time by its title and referred to the Committee on Local Government and Urban Policy.

Reps. Van Woerkom and Richner introduced

House Bill No. 6491, entitled

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," by amending section 602 (MCL 500.602), as amended by 1989 PA 35, and by adding section 603.

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

Reps. Voorhees and Richner introduced

House Bill No. 6492, entitled

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," by amending section 2236a (MCL 500.2236a), as added by 1993 PA 349.

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

Reps. Koetje and Richner introduced

House Bill No. 6493, entitled

A bill to amend 1977 PA 135, entitled "An act to prohibit certain mortgage lending practices by a credit granting institution; to prescribe the powers and duties of the commissioner of the financial institutions bureau in relation to those practices; to permit the establishment of local mortgage review boards; and to provide remedies and penalties," by repealing section 6 (MCL 445.1606).

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

Reps. LaSata, Newell and Richner introduced

House Bill No. 6494, entitled

A bill to amend 2000 PA 251, entitled "Patient's right to independent review act," by amending sections 11, 13, 15, and 23 (MCL 550.1911, 550.1913, 550.1915, and 550.1923), as amended by 2000 PA 398.

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

Reps. Newell and Richner introduced

House Bill No. 6495, entitled

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," by amending section 3580 (MCL 500.3580), as added by 2000 PA 249.

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

Reps. Shulman and Cassis introduced

House Bill No. 6496, entitled

A bill to authorize and regulate electronic transactions of public funds involving local units of government; and to provide for powers and duties of certain governmental agencies and officials.

The bill was read a first time by its title and referred to the Committee on Local Government and Urban Policy.

Reps. Bishop, Raczkowski, Voorhees, Allen, Vander Roest, Cameron Brown and Gosselin introduced

House Bill No. 6497, entitled

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," (MCL 206.1 to 206.532) by adding section 270.

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

Reps. Howell and DeRossett introduced

House Bill No. 6498, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending sections 504, 517, and 803 (MCL 600.504, 600.517, and 600.803), section 504 as amended by 2001 PA 254, section 517 as amended by 2001 PA 257, and section 803 as amended by 2001 PA 253.

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

Reps. Bernero, Waters and Spade introduced

House Bill No. 6499, entitled

A bill to amend 1988 PA 112, entitled "The business opportunity act for persons with disabilities," by amending the title and section 3 (MCL 450.793), as amended by 1998 PA 73.

The bill was read a first time by its title and referred to the Committee on House Oversight and Operations.

Reps. Bernero, Spade and Waters introduced

House Bill No. 6500, entitled

A bill to amend 1984 PA 431, entitled "The management and budget act," (MCL 18.1101 to 18.1594) by adding section 297a.

The bill was read a first time by its title and referred to the Committee on House Oversight and Operations.

Rep. Richardville introduced

House Bill No. 6501, entitled

A bill to amend 1975 PA 228, entitled "Single business tax act," by amending section 38g (MCL 208.38g), as added by 2000 PA 143.

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

Rep. Allen introduced

House Bill No. 6502, entitled

A bill to amend 1996 PA 381, entitled "Brownfield redevelopment financing act," by amending sections 13 and 15 (MCL 125.2663 and 125.2665), as amended by 2000 PA 145.

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

Rep. Gosselin introduced

House Bill No. 6503, entitled

A bill to amend 1976 PA 451, entitled "The revised school code," (MCL 380.1 to 380.1852) by adding section 1267a.

The bill was read a first time by its title and referred to the Committee on Employment Relations, Training and Safety.

Rep. Gosselin introduced

House Bill No. 6504, entitled

A bill to amend 1933 PA 167, entitled "General sales tax act," by amending section 4g (MCL 205.54g), as amended by 2000 PA 417.

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

Reps. Gosselin, Pappageorge and Drolet introduced

House Bill No. 6505, entitled

A bill to amend 1975 PA 238, entitled "Child protection law," by amending section 3a (MCL 722.623a), as added by 1996 PA 581.

The bill was read a first time by its title and referred to the Committee on Family and Children Services.

Rep. Gosselin introduced

House Bill No. 6506, entitled

A bill to amend 1976 PA 451, entitled "The revised school code," by amending section 1278 (MCL 380.1278), as amended by 1995 PA 289.

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

Reps. Gosselin and Drolet introduced

House Bill No. 6507, entitled

A bill to prohibit state agencies from requesting individuals' social security numbers.

The bill was read a first time by its title and referred to the Committee on Regulatory Reform.

Rep. Gosselin introduced

House Bill No. 6508, entitled

A bill to amend 1982 PA 295, entitled "Support and parenting time enforcement act," (MCL 552.601 to 552.650) by adding section 20.

The bill was read a first time by its title and referred to the Committee on Family and Children Services.

Rep. Gosselin introduced

House Bill No. 6509, entitled

A bill to allow the display of the Ten Commandments on public property under certain circumstances.

The bill was read a first time by its title and referred to the Committee on House Oversight and Operations.

Reps. McConico and Thomas introduced

House Bill No. 6510, entitled

A bill to amend 1953 PA 232, entitled "Corrections code of 1953," by amending section 34 (MCL 791.234), as amended by 1999 PA 191.

The bill was read a first time by its title and referred to the Committee on Criminal Justice.

Reps. Pappageorge, Richardville, Hummel, Middaugh, Birkholz, Jacobs, Kuipers, Vander Roest, Ehardt, Bradstreet, Shackleton, Mead, Van Woerkom, Kowall, Bishop, Woronchak, Newell, Gilbert, Meyer, Hager, Cameron Brown, Stamas, Patterson, Richner, Kooiman, Vander Veen, Cassis, Ruth Johnson, Voorhees, Jelinek, DeRossett, Howell and Raczkowski introduced

House Bill No. 6511, entitled

A bill to amend 1991 PA 179, entitled "Michigan telecommunications act," (MCL 484.2101 to 484.2701) by adding section 314a.

The bill was read a first time by its title and referred to the Committee on Energy and Technology.

Reps. Pappageorge, Richardville, Middaugh, Hummel, Birkholz, Jacobs, Kuipers, Vander Roest, Ehardt, Bradstreet, Shackleton, Mead, Van Woerkom, Kowall, Bishop, Woronchak, Newell, Gilbert, Meyer, Hager, Cameron Brown, Stamas, Patterson, Richner, Kooiman, Vander Veen, Cassis, Ruth Johnson, Voorhees, DeRossett, Jelinek, Howell and Raczkowski introduced

House Bill No. 6512, entitled

A bill to amend 1939 PA 3, entitled "An act to provide for the regulation and control of public utilities and other services affected with a public interest within this state; to provide for alternative energy suppliers; to provide for licensing; to include municipally owned utilities and other providers of energy under certain provisions of this act; to create a public service commission and to prescribe and define its powers and duties; to abolish the Michigan public utilities commission and to confer the powers and duties vested by law on the public service commission; to provide for the continuance, transfer, and completion of certain matters and proceedings; to abolish automatic adjustment clauses; to prohibit certain rate increases without notice and hearing; to qualify residential energy conservation programs permitted under state law for certain federal exemption; to create a fund; to provide for a restructuring of the manner in which energy is provided in this state; to encourage the utilization of resource recovery facilities; to prohibit certain acts and practices of providers of energy; to allow for the securitization of stranded costs; to reduce rates; to provide for appeals; to provide appropriations; to declare the effect and purpose of this act; to prescribe remedies and penalties; and to repeal acts and parts of acts," (MCL 460.1 to 460.10cc) by adding section 9.

The bill was read a first time by its title and referred to the Committee on Energy and Technology.

Rep. Jacobs introduced

House Bill No. 6513, entitled

A bill to provide for the establishment of a corridor improvement authority; to prescribe the powers and duties of the authority; to correct and prevent deterioration in business districts; to encourage historic preservation; to authorize the acquisition and disposal of interests in real and personal property; to authorize the creation and implementation of development plans and development areas in the districts; to promote the economic growth of the districts; to create a board; to prescribe the powers and duties of the board; to authorize the levy and collection of taxes; to authorize the issuance of bonds and other evidences of indebtedness; to authorize the use of tax increment financing; to prescribe powers and duties of certain state officials; to provide for rule promulgation; and to provide for enforcement of the act.

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

Rep. Jacobs introduced

House Bill No. 6514, entitled

A bill to amend 1976 PA 388, entitled "Michigan campaign finance act," by amending section 52 (MCL 169.252), as amended by 2001 PA 250.

The bill was read a first time by its title and referred to the Committee on Redistricting and Elections.

Rep. Meyer introduced

House Bill No. 6515, entitled

A bill to create the Michigan public educational facilities authority and to prescribe its powers and duties; to provide for the issuance of notes and bonds of the authority; to create funds and accounts; to authorize certain forms of assistance to public schools to make investments; to exempt certain property from certain taxes; to grant powers and impose duties on officers and agencies of this state and political subdivisions of this state; and to make, accept, and expend certain appropriations.

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

Reps. Phillips, Lipsey, Rivet, Switalski, Bernero, Quarles, Jamnick, Clark, Reeves, Woodward, Anderson, Callahan, Murphy, Pumford, Rich Brown, Hale, Whitmer, Hardman, Dennis, Jansen, O'Neil and Thomas introduced

House Bill No. 6516, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending section 81a (MCL 750.81a), as amended by 2001 PA 190.

The bill was read a first time by its title and referred to the Committee on Criminal Justice.

Reps. Phillips, Lipsey, Rivet, Bernero, Switalski, Quarles, Clark, Reeves, Woodward, Anderson, Callahan, Murphy, Pumford, Rich Brown, Hale, Whitmer, Hardman, Dennis, Jansen, O'Neil and Thomas introduced

House Bill No. 6517, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 16d of chapter XVII (MCL 777.16d), as amended by 2002 PA 269.

The bill was read a first time by its title and referred to the Committee on Criminal Justice.

Reps. Phillips, Thomas, Jansen and O'Neil introduced

House Bill No. 6518, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending sections 904 and 904d (MCL 257.904 and 257.904d), section 904 as amended by 2002 PA 534 and section 904d as amended by 2001 PA 159.

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

Rep. Gosselin introduced

House Joint Resolution II, entitled

A joint resolution proposing an amendment to the state constitution of 1963, by amending section 10 of article IX, to prohibit the termination or suspension of statutory revenue sharing payments to counties during a state fiscal year in which the residents of that county contribute more in taxes paid during that state fiscal year than the total statutory revenue sharing payments to that county for that state fiscal year.

The joint resolution was read a first time by its title and referred to the Committee on Appropriations.

Announcements by the Clerk

June 30, 2002

Received from Lake Superior State University the annual financial report for the fiscal year ending June, 2002.

June 30, 2002

Received from Central Michigan University the financial report for the fiscal year ending June, 2002.

September 27, 2002

Received from Schoolcraft College the audited financial statements and the management letter for the fiscal year ending June, 2002.

Gary L. Randall
Clerk of the House

By unanimous consent the House returned to the order of
Notices

Public Hearing

Committee on Transportation to hold the meeting jointly with the Senate Committee on Transportation and Tourism

Date: Tuesday, November 12, 2002

Time: 3:00 p.m. or after committees are given leave by the House to meet, whichever time is later

Place: Senate Hearing Room, Michigan National Tower, 124 W. Allegan, Lansing, Michigan 48933

Rep. Gilbert,

Chair

Agenda: House Bills Nos. 4404, 4440, 4509, 4510, 4532, 4992, 5073, 5122, 5130, 5334, 5580, 5980, 6391 and any/or all business properly before this committee.

Rep. Shackleton moved that the House adjourn.
The motion prevailed, the time being 4:15 p.m.

Associate Speaker Pro Tempore Julian declared the House adjourned until Tuesday, November 12, at 2:00 p.m.

GARY L. RANDALL
Clerk of the House of Representatives.

