

**No. 103**  
**STATE OF MICHIGAN**  
**Journal of the Senate**  
**92nd Legislature**  
**REGULAR SESSION OF 2003**

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Senate Chamber, Lansing, Thursday, December 11, 2003.

10:00 a.m.

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

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

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

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

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

Senator Cameron Brown of the 16th District offered the following invocation:

Thank you, Father, for the privilege of serving the people of this state. May we do so in a way that brings You glory and honor. We pray that Your Holy Spirit will envelop this chamber, granting us wisdom and patience for the hour. May the truth of who You are sink deep into our hearts so that we may come to know You, not just know about You. Grant protection to our soldiers in the field and for our President and Governor. We ask for Your richest blessings.

All this we pray in the name of the one who is called Wonderful Counselor, Mighty God, Everlasting Father, Prince of Peace.

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

### **Motions and Communications**

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

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

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

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

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

### **Recess**

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

10:10 a.m.

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

During the recess, Senator Kuipers introduced to the Senate the Holland Christian High School Boys' Varsity Soccer Team, Division 2 State Champions, and presented them with a Special Tribute.

Coach Jack Heyboer and Senator Birkholz responded briefly.

During the recess, Senator Leland entered the Senate Chamber.

Senator Hammerstrom moved that the rules be suspended and that the following appointments, now on Committee Reports, be placed on the order of Messages from the Governor for consideration today:

#### **Michigan State Waterways Commission**

Ms. Janet M. Mansfield of 4991 French Road, Alpena, Michigan 49707, county of Alpena, succeeding Robert G. Spicer, whose term has expired, representing persons north of townline 16 in the Lower Peninsula, for a term commencing October 15, 2003 and expiring September 18, 2006.

Ms. Carol B. Oakley of 3389 Middlefield Drive, Trenton, Michigan 48183, county of Wayne, succeeding Jon G. VanderMolen, whose term has expired, for a term commencing October 15, 2003 and expiring September 18, 2006.

Mr. Curtis A. Hertel, Sr., of 1464 Blairmoor Court, Grosse Pointe Woods, Michigan 48236, county of Wayne, succeeding E. Peter Beauregard, whose term has expired, for a term commencing October 15, 2003 and expiring September 18, 2006.

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

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

**Senate Bill No. 672**  
**Senate Bill No. 673**  
**Senate Bill No. 881**  
**House Bill No. 4820**  
**Senate Bill No. 877**  
**House Bill No. 4822**  
**House Bill No. 4823**  
**House Bill No. 4824**  
**House Bill No. 4825**  
**House Bill No. 4826**  
**House Bill No. 4827**  
**House Bill No. 4828**  
**House Bill No. 4367**

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

The following communication was received:  
 Lake Superior State University

December 11, 2003

The Annual Financial Report for Lake Superior State University has been completed. The report will not be printed for distribution this year, as has been the practice in the past. However, the report may be viewed and printed for your use at the following website: [www.lssu.edu/busoff/financialstatements](http://www.lssu.edu/busoff/financialstatements).

Should you have any questions, please feel free to contact me directly at 906-635-2216.

Respectfully,  
 Joseph F. Herbig  
 Director of Business Operations

The communication was referred to the Secretary for record.

The Secretary announced that the following House bills were received in the Senate and filed on Wednesday, December 10:

**House Bill Nos. 4308 5009 5074 5154 5333**

The Secretary announced that the following House bills were received in the Senate and filed on Thursday, December 11:

**House Bill Nos. 4927 5139 5234 5246 5254 5255 5280 5322 5344**

The Secretary announced that the following bills were available at the legislative Web site on Wednesday, December 10:

**Senate Bill Nos. 882 883 884**  
**House Bill Nos. 5357 5358 5359 5360 5361 5362**

### Messages from the Governor

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

**Senate Bill No. 195**  
**Senate Bill No. 364**  
**Senate Bill No. 293**  
**Senate Bill No. 265**  
**Senate Bill No. 288**  
**Senate Bill No. 540**  
**Senate Bill No. 283**  
**Senate Bill No. 464**  
**Senate Bill No. 466**  
**Senate Bill No. 395**  
**Senate Bill No. 687**

The motion prevailed.

The following message from the Governor was received on December 10, 2003, and read:

EXECUTIVE ORDER  
No. 2003-23

**Implementation of Expenditure Reductions Under  
Section 20 of Article V of the Michigan Constitution of 1963**

Whereas, under Section 20 of Article V of the Michigan Constitution of 1963 no appropriation is a mandate to spend, and the Governor, with the approval of the appropriating committees of the House of Representatives and the Senate, shall reduce expenditures authorized by appropriations whenever it appears that actual revenues for a fiscal period will fall below the revenue estimates on which appropriations for that period were based, and the reductions shall be made in accordance with procedures prescribed by law;

Whereas, it appears that actual revenues for the fiscal period beginning on October 1, 2003 and ending on September 30, 2004, will fall below the revenue estimates on which appropriations for that period were based, the estimates having been determined by the Legislature as required under Section 31 of Article IV of the Michigan Constitution of 1963;

Whereas, pursuant to Section 391 of the Management and Budget Act, 1984 PA 431, MCL 18.1391, on the basis of written information from the State Budget Director and the State Treasurer, it appears that actual revenue will fall below such revenue estimates;

Whereas, there is an unanticipated loss of funding that the departments and agencies of state government do not expect to obtain or make up during the current fiscal year;

Whereas, expenditure reductions totaling \$231,930,172.00 general fund-general purpose and \$147,899,300.00 special purpose funds are necessary;

Now, Therefore, I, Jennifer M. Granholm, Governor of the State of Michigan, pursuant to the authority vested in me by the Michigan Constitution of 1963 and Michigan law, and with the approval of a majority of members of each appropriations committee, order the following reductions:

A. Portions of general fund-general purpose appropriations amounting to \$200,937,582.00 contained in the following public acts are hereby reduced. Where the expenditure reductions of general fund-general purpose appropriations in this order reduce the restricted portions of gross appropriations and sources of financing that will be earned, the amounts to be reduced shall be provided separately to the State Budget Director for approval and entry into the accounts.

<u>Public Act</u>	<u>Department</u>	<u>Reduction Amount</u>
2003 PA 157	Agriculture	1,119,800
2003 PA 161	Attorney General	750,000
2003 PA 193	Capital Outlay	29,000,000
2003 PA 169	Career Development	371,726
2003 PA 161	Civil Rights	463,042
2003 PA 161	Civil Service	220,063
2003 PA 146	Community Colleges	12,434,500
2003 PA 159	Community Health	5,090,400
2003 PA 167	Consumer and Industry Services	704,382
2003 PA 154	Corrections	6,044,819
2003 PA 145	Education	332,800
2003 PA 171	Environmental Quality	3,135,525
2003 PA 172	Family Independence Agency	32,260,400
2003 PA 144	Higher Education	73,172,000
2003 PA 160	History, Arts and Libraries	583,100
2003 PA 161	Management and Budget	500,000
2003 PA 169	Michigan Strategic Fund	2,175,791
2003 PA 156	Military and Veterans Affairs	970,000
2003 PA 147	Natural Resources	712,000
2003 PA 161	State	288,249
2003 PA 149	State Police	12,876,271
2003 PA 161	Treasury	17,732,714
		<u>200,937,582</u>

The Department of Information Technology shall reduce user charges to state agencies consistent with reductions in appropriations for information technology services and projects contained in Section B.

B. The reduction totals for the departments and agencies in Section A include the following appropriation items or are predicated upon the following actions:

**1. Department of Agriculture**

Appropriation Number	Item	Reduction Amount
01005	Commissions and boards	10,000
01070	Executive direction	85,000
01210	Management services	115,433
01250	Agriculture development, marketing and emergency management	120,200
02205	Pesticide and plant pest management	312,918
02320	Animal health and welfare	91,783
02490	Food safety and quality assurance	67,133
02530	Laboratory analysis program	86,433
03120	Environmental stewardship	170,000
03908	Local conservation districts	60,900
		1,119,800

The amount in Section 604(a) of 2003 PA 157 for Local Conservation District training is reduced to \$20,300.00.

**2. Department of Attorney General**

Appropriation Number	Item	Reduction Amount
01040	Attorney general operations	722,100
05000	Prosecuting attorneys coordinating council	27,900
		750,000

The amount in Section 307(3) of 2003 PA 161 for carryforward of unexpended funds is reduced to \$200,000.00.

**3. Capital Outlay**

Appropriation Number	Item	Reduction Amount
01738	State building authority rent - state agencies	13,342,700
01739	State building authority rent - department of corrections	7,118,900
01737	State building authority rent - universities	8,538,400
		29,000,000

**4. Department of Career Development**

Appropriation Number	Item	Reduction Amount
03001	Administration	61,533
03012	Workers' compensation	2,309
09520	Employment training services	218,378
09502	Michigan career and technical institute	34,966
07303	Career and technical education	20,344
07301	Postsecondary education	21,355
07302	Adult education	5,429
07304	Commission on Spanish-speaking affairs	7,412
		371,726

Expenditure reductions for the Department of Career Development include reductions for functions and programs transferred to the Department of Labor and Economic Growth effective December 7, 2003, pursuant to Executive Order 2003-18.

**5. Department of Civil Rights**

Appropriation Number	Item	Reduction Amount
01000	Civil rights operations	463,042
		463,042

**6. Department of Civil Service**

Appropriation Number	Item	Reduction Amount
19200	Agency services	150,000
19300	Human resources/administrative support	70,063
		220,063

**7. Community Colleges**

Appropriation Number	Item	Reduction Amount
07600	Alpena Community College	215,900
07605	Bay de Noc Community College	208,700
07610	Delta College	583,800
07620	Glen Oaks Community College	98,000
07625	Gogebic Community College	178,600
07630	Grand Rapids Community College	734,400
07635	Henry Ford Community College	895,000
07645	Jackson Community College	495,400
07650	Kalamazoo Valley Community College	505,500
07655	Kellogg Community College	397,100
07660	Kirtland Community College	120,500
07665	Lake Michigan College	213,700
07670	Lansing Community College	1,269,900
07675	Macomb Community College	1,355,000
07680	Mid Michigan Community College	180,800
07685	Monroe County Community College	175,900
07690	Montcalm Community College	127,200
07615	C.S. Mott Community College	642,100
07695	Muskegon Community College	365,400
07700	North Central Michigan College	123,800
07705	Northwestern Michigan College	372,800
07710	Oakland Community College	854,800
07715	St. Clair County Community College	286,300
07720	Schoolcraft College	501,700
07725	Southwestern Michigan College	269,300
07730	Washtenaw Community College	509,900
07735	Wayne County Community College	659,100
07740	West Shore Community College	93,900
		<hr/> 12,434,500

**8. Department of Community Health**

Appropriation Number	Item	Reduction Amount
01191	Departmental administration and management	373,500
01130	Mental health/substance abuse program administration	429,500
11230	Executive administration	30,000
11254	Vital records and health statistics	9,800
16753	Sexually transmitted disease control management and field support	58,300
16230	Laboratory services	86,500
15155	Epidemiology administration	11,500
14230	Community living, children, and families administration	67,200
14330	Children's special health care services administration	15,600
22100	Drug control policy	38,500
46502	Office of services to aging administration	34,800
34010	Medical services administration	499,800
51601	Grants administration services	414,500
33550	Health plan services	1,000,000
04000	Center for forensic psychiatry	200,000
02999	Civil service charges	300,000
01755	Closed site, transition, and related costs	500,000
11232	Workers' compensation program	1,000,000
01061	Community health advisory council	20,900
		<hr/> 5,090,400

**9. Department of Consumer and Industry Services**

Appropriation Number	Item	Reduction Amount
06001	Adult foster care, children's welfare and day care licensure	354,382
17001	Operations	350,000
		<hr/> 704,382

Expenditure reductions for the Department of Consumer and Industry Services include reductions for functions and programs transferred to the Department of Labor and Economic Growth and the Family Independence Agency effective December 7, 2003, pursuant to Executive Order 2003-18.

#### 10. Department of Corrections

Appropriation Number	Item	Reduction Amount
01070	Human resources	224,400
10370	DOJ, psychiatric plan - MDCH mental health services	1,150,000
10366	DOJ, psychiatric plan - MDOC staff and services	1,100,000
16381	Hospital and specialty care services	700,000
17530	Southeastern region clinical complexes	500,000
17520	Southwestern region clinical complexes	250,000
46002	Alger maximum correctional facility - Munising	1,900
47002	Baraga maximum correctional facility - Baraga	8,000
49002	Chippewa correctional facility - Kincheloe	131,619
50002	Kinross correctional facility - Kincheloe	13,300
54002	Newberry correctional facility - Newberry	200
52002	Oaks correctional facility - Eastlake	13,200
55002	Ojibway correctional facility - Marenisco	2,700
56002	Pugsley correctional facility - Kinglsey	9,900
53002	Standish maximum correctional facility - Standish	5,400
35002	Cooper Street correctional facility - Jackson	400
79002	Gus Harrison correctional facility - Adrian	284,147
80002	Thumb correctional facility - Lapeer	1,024,500
48002	Carson City correctional facility - Carson City	50,600
76002	Florence Crane correctional facility - Coldwater	5,600
63002	Deerfield correctional facility - Ionia	1,300
64002	Riverside correctional facility - Ionia	502,719
69002	St. Louis correctional facility - St. Louis	64,934
		<hr/> 6,044,819

#### 11. Department of Education

Appropriation Number	Item	Reduction Amount
03801	Information technology operations	42,800
04801	School excellence operations	221,000
07501	Government services operations	49,900
07601	Safe schools operations	19,100
		<hr/> 332,800

#### 12. Department of Environmental Quality

Appropriation Number	Item	Reduction Amount
01345	Building occupancy charges	1,907,125
01346	Rent-privately owned property	128,400
01150	Information technology services and projects	1,100,000
		<hr/> 3,135,525

#### 13. Family Independence Agency

Appropriation Number	Item	Reduction Amount
11010	Salaries and wages	130,200
11040	Contractual services, supplies, and materials	157,500
11110	Commission on disability concerns	14,700
11210	Commission for the blind	7,700
11220	Youth low-vision program	18,200
11350	Demonstration projects	72,900
11820	Other unclassified salaries	11,000
12050	Travel	40,800
12060	Equipment	325,800
12070	Rent	118,000

12080	Payroll taxes and fringe benefits	144,800
12250	Grand tower facility reimbursement	426,600
14100	Disability determination operations	35,300
14200	Medical consultation program	110,400
16100	Information technology services and projects	250,000
16500	Child support automation	11,600,000
32550	Day care services	11,000,000
32580	State supplementation administration	131,000
47400	Juvenile justice operations	3,278,000
47700	Juvenile accountability incentive block grant	4,500
47800	Committee on juvenile justice administration	13,800
62040	Contractual services, supplies, and materials	612,500
62510	Volunteer services and reimbursement	63,000
62610	Field staff, salaries and wages	2,142,100
72040	Contractual services, supplies, and materials	26,600
72260	Family preservation and prevention services	2,100
72420	Youth in transition	72,700
72530	Child care fund administration	40,400
72540	Community support services	166,400
72760	Adoption support services	2,700
81010	Salaries and wages	167,300
81040	Contractual services, supplies, and materials	379,400
81550	Wage employment verification reporting	197,600
81700	Training and staff development	99,000
83100	Child support operations	328,700
83400	Child support distribution computer system	68,700

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32,260,400

Expenditure reductions for the Family Independence Agency include reductions for functions and programs transferred to the Department of Labor and Economic Growth effective December 7, 2003, pursuant to Executive Order 2003-18.

The amount in Section 657(3) of 2003 PA 172 for before-or-after-school pilot programs is reduced to \$2,550,000.00.

#### 14. Higher Education

Appropriation Number	Item	Reduction Amount
01001	Central Michigan University	4,077,100
01501	Eastern Michigan University	3,943,700
02001	Ferris State University	2,498,400
02501	Grand Valley State University	2,954,300
04001	Lake Superior State University	642,100
03001	Michigan State University	14,669,200
03501	Michigan Technological University	2,485,900
04501	Northern Michigan University	2,340,600
03201	Oakland University	2,454,400
05001	Saginaw Valley State University	1,333,700
05501	University of Michigan - Ann Arbor	16,360,300
05801	University of Michigan - Dearborn	1,259,700
05701	University of Michigan - Flint	1,083,100
06501	Wayne State University	11,414,000
06001	Western Michigan University	5,655,500

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73,172,000

The amount in Section 401 of 2003 PA 144 is reduced to \$5,434,400.00.

#### 15. Department of History, Arts and Libraries

Appropriation Number	Item	Reduction Amount
01100	Management services	25,000
05000	Information technology services and projects	99,000
03050	Library of Michigan operations	144,100
02001	Administration	31,300



04100	Historical administration and services	206,900
01400	Office of film and television services	5,000
07511	Mackinac Island state park operations	71,800
		<hr/>
		583,100

The amount in Section 505 of 2003 PA 160 for historical administration and services is reduced to \$49,700.00.

**16. Department of Management and Budget**

Appropriation Number	Item	Reduction Amount
12000	Administrative services	201,400
14000	Office of the state employer	61,100
00005	Information technology services and projects	237,500
		<hr/>
		500,000

The Department of Management and Budget shall reduce building occupancy general fund expenditures by \$5,900,000.00. The State Budget Director is authorized to take any and all actions necessary to properly record expenditure reductions as part of the financial transactions for the fiscal year ending September 30, 2004.

**17. Michigan Strategic Fund**

Appropriation Number	Item	Reduction Amount
01100	Job creation services	654,891
01000	Administration	1,520,900
		<hr/>
		2,175,791

Expenditure reductions for the Michigan Strategic Fund include reductions for functions and programs transferred to the Department of Labor and Economic Growth effective December 7, 2003, pursuant to Executive Order 2003-18.

**18. Department of Military and Veterans Affairs**

Appropriation Number	Item	Reduction Amount
03016	Special maintenance – state	200,000
03500	Grand Rapids veterans’ home	570,000
03700	D.J. Jacobetti veterans’ home	200,000
		<hr/>
		970,000

**19. Department of Natural Resources**

Appropriation Number	Item	Reduction Amount
01001	Executive direction	25,000
01093	Unclassified salaries	22,100
01126	Human resources	56,900
01107	Office of financial services	150,000
01105	Program assistance and review	30,000
01104	Office of land and facilities	243,000
01103	Education and outreach	25,000
03116	General law enforcement	160,000
		<hr/>
		712,000

**20. Department of State**

Appropriation Number	Item	Reduction Amount
10920	Unclassified positions	5,000
19050	Customer services administration	42,221
19100	Branch operations	128,246
19200	Central records	30,429
45500	Information technology services and projects	82,353
		<hr/>
		288,249

**21. Department of State Police**

Appropriation Number	Item	Reduction Amount
11010	Executive direction	59,700
10950	Unclassified positions	20,000
51140	Fleet leasing	700,000

16010	Human resources	19,900
15010	Management services	32,600
22010	Training administration	55,800
37400	Communications	153,300
11210	State program planning and administration	10,071
41140	Traffic safety	17,600
42010	Laboratory operations	291,500
22210	Standards and training	18,100
27010	Fire marshal programs	176,500
28010	Emergency management planning and administration	36,700
32010	Uniform services	1,944,900
37100	Operational support	79,600
37300	Aviation program	39,800
34010	Criminal investigations	600,400
34160	Federal antidrug initiatives	9,900
36220	School bus inspection	9,900
32500	At-post troopers	8,600,000
		<u>12,876,271</u>

**22. Department of Treasury**

Appropriation Number	Item	Reduction Amount
01301	Workers' compensation insurance premium	32,714
01314	Travel	300,000
01308	Rent and building occupancy charges	100,000
01800	Finance and accounting	300,000
08340	Clean Michigan initiative	<u>17,000,000</u>
		17,732,714

C. Portions of appropriations financed with special purpose revenue amounting to \$147,899,300.00 contained in the following public acts are reduced as follows:

Public Act	Department	Reduction Amount
2003 PA 169	Career Development	6,000,000
2003 PA 145	Education	6,100,000
2003 PA 172	Family Independence Agency	773,500
2003 PA 144	Higher Education	63,000,000
2003 PA 161	Treasury	<u>72,025,800</u>
		147,899,300

D. The reduction totals for the departments and agencies in Section C include the following appropriation items or are predicated upon the following actions:

**1. Career Development - Temporary Assistance for Needy Families - Federal Funds**

Appropriation Number	Item	Reduction Amount
08230	Welfare-to-work programs	<u>5,000,000</u>
		5,000,000

**2. Career Development - Tobacco Settlement Trust Fund**

Appropriation Number	Item	Reduction Amount
08221	Council of Michigan foundations	<u>1,000,000</u>
		1,000,000

**3. Education - Driver Fees Revenue**

Appropriation Number	Item	Reduction Amount
03652	Driver education	<u>6,100,000</u>
		6,100,000

**4. Family Independence Agency - Child Support Enforcement System Penalty Refund Revenue**

The amounts in Section 413 of 2003 PA 172 are reduced as follows:	
Subsection (1)(a), community-based innovation grants is reduced to:	0
Subsection (1)(f), supervised parenting time centers is reduced to:	0
Subsection (1)(h), school-based demonstration project is reduced to:	0

Subsection (1)(i), at-risk males of color networks is reduced to: 0  
 Subsection (1)(o), teen pregnancy prevention project is reduced to: 0

**5. Higher Education - Michigan Merit Award Trust Fund**

Appropriation Number	Item	Reduction Amount
80000	Michigan merit award program	63,000,000
		<u>63,000,000</u>

**6. Treasury - Sales Tax Revenue**

Appropriation Number	Item	Reduction Amount
09466	Statutory state general revenue sharing grants	72,025,800
		<u>72,025,800</u>

E. The following general fund-general purpose amounts from work project or capital outlay accounts, totaling \$30,992,590.00, are hereby reduced:

Appropriation Number (Appropriation Year)	Item	Reduction Amount
74306 (AY 98)	<b>Capital Outlay:</b> Major special maintenance and remodeling for department of management and budget	6,322
74404 (AY 99)	<b>Capital Outlay:</b> Major special maintenance and remodeling for department of management and budget	448,534
74418 (AY 99)	<b>Capital Outlay:</b> Major special maintenance of remodeling for state agencies	8,929,381
74527 (AY 01)	<b>Capital Outlay:</b> Major special maintenance and remodeling for department of management and budget	2,844,000
29507 (AY 02)	<b>Department of Corrections:</b> Capacity enhancements	7,300,984
19200 (AY 01)	<b>Department of State:</b> Implementation of Uniform Commercial Code standards	251,297
16500 (AY 03)	<b>Family Independence Agency:</b> Child support automation	4,838,400
16250 (AY 03)	<b>Family Independence Agency:</b> Data system enhancement	3,000,000
28180 (AY 01)	<b>Department of State Police:</b> Grants for disaster assistance	1,676,572
09470 (AY 01)	<b>Department of Treasury:</b> Tax increment finance authority	1,197,000
09470 (AY 02)	<b>Department of Treasury:</b> Tax increment finance authority	500,100
		<u>30,992,590</u>

The State Budget Director is authorized to take any and all actions necessary to implement the provisions of this Order to reduce expenditures authorized by appropriations as specified above for the fiscal year beginning on October 1, 2003 and ending on September 30, 2004.

This Order is effective upon approval by the appropriations committees of the House of Representatives and the Senate, as provided under Section 391 of the Management and Budget Act, 1984 PA 431, MCL 18.1391.

[SEAL]

Given under my hand and the Great Seal of the State of Michigan this 10th day of December, 2003.  
 Jennifer M. Granholm  
 Governor

By the Governor:  
 Terri L. Land  
 Secretary of State

The Executive Order was referred to the Secretary for record.

The following message from the Governor was received on December 10, 2003, and read:

EXECUTIVE ORDER  
 2003-24

**Michigan Mental Health Commission  
 Executive Office of the Governor**

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

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

Whereas, Michigan's publicly-supported mental health system must be committed to providing adequate and appropriate mental health care, treatment, and support in an efficient, effective, and fiscally accountable manner;

Whereas, the consumers and families involved with, and most affected by, publicly-supported mental health programs and services must be included in the decision-making process;

Whereas, Michigan must move toward a more user-friendly mental health system that ensures timely access to care, fosters quality and excellence in service delivery, and promotes innovative and effective strategies to best serve adults and children with serious mental illness or emotional disturbances;

Whereas, the services provided by the publicly-supported mental health system should be culturally competent and responsive to consumer needs and preferences;

Whereas, the publicly-supported mental health system is currently at a crossroads, requiring the input of interested parties working together to address the challenges confronting the system;

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

### **I. DEFINITIONS**

1. "Commission" means the Michigan Mental Health Commission created under this Order.

2. "Department of Community Health" means the principal department of state government created as the Department of Mental Health under Section 400 of the Executive Organization Act of 1965, 1965 PA 380, MCL 16.500, and renamed the "Department of Community Health" under Executive Order 1996-1, MCL 330.3101.

### **II. MICHIGAN MENTAL HEALTH COMMISSION**

A. The Michigan Mental Health Commission ("Commission") is created as an advisory body within the Executive Office of the Governor.

B. The Governor shall appoint 29 members to the Commission to serve as members of the Commission at the pleasure of the Governor.

C. In addition to the 29 members appointed under Section II.B, the Directors of the Department of Community Health, the Family Independence Agency and the Department of Corrections, or their designated representatives, shall serve as ex officio, non-voting members of the Commission. The Governor may appoint additional persons as non-voting members.

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

E. The Governor shall designate one of the members of the Commission to serve as its Chairperson at the pleasure of the Governor.

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

A. The Commission is advisory in nature and shall:

1. Identify and prioritize pressing issues and significant challenges that must be addressed to preserve and improve services for adults and children with serious mental illness or emotional disturbances.

2. Recommend options to improve the organization, delivery, quality, and effectiveness of publicly-supported mental health services.

3. Identify methods to enhance current state and county partnerships for planning, management, and delivery of mental health services

4. Assess opportunities for collaborative interagency and intergovernmental approaches to the provision of mental health care.

5. Identify methods designed to simplify access to care, promote effective service and support practices, improve care outcomes, and enhance consumer and family satisfaction.

6. Recommend approaches to improve federal, state, county, and community collaboration while increasing the efficiency and fiscal accountability of the publicly-supported mental health system.

7. Identify strategies and financing options for expanding prevention and early intervention efforts within the publicly-supported mental health system.

8. Provide recommendations on the best strategies to enhance public awareness and understanding of mental illness.

9. Identify strategies that will increase collaboration and communication between law enforcement, courts, corrections, community mental health programs, and public and private hospitals in most effectively meeting the needs of adults and children with serious mental illness or emotional disturbances.

10. Formulate policy and program recommendations to improve and promote community-based services and integration for adults and children with serious mental illness or emotional disturbances.

11. Develop a Michigan-specific plan to determine the most appropriate strategy for achieving mental health parity in this state.

B. In exercising its duties the Commission may:

1. Assess the most appropriate organizational framework for the delivery of publicly-supported mental health services in Michigan.

2. Review model legislation and studies on the effective delivery of publicly-supported mental health services and collect information on states that have developed innovative solutions and best practices for similar challenges.

3. Identify training and technological assistance needs related to the efficient management and delivery of services provided through the publicly-supported mental health system.

C. The Commission shall provide other information or advice as directed by the Governor or the Chairperson of the Commission.

D. The Commission shall complete its work and issue a final report and recommendations, including any proposed legislation, to the Governor not later than September 30, 2004.

**IV. OPERATIONS OF THE COMMISSION**

A. The Commission may promulgate bylaws, not inconsistent with Michigan law and this Order, governing its organization, operation, and procedures. The Commission may establish subcommittees as it deems advisable.

B. The Commission shall be staffed by personnel from and assisted by the Department of Community Health, as directed by the Governor or the Chairperson of the Commission.

C. The Chairperson of the Commission shall select from among the members of the Commission a Vice-Chairperson and a Secretary. Commission staff shall assist the Secretary with record-keeping responsibilities.

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

E. The Commission may establish committees and request public participation on advisory panels as it deems necessary. The Commission may adopt, reject, or modify recommendations made by committees or advisory panels.

F. The Commission shall act by majority vote of its serving members. A majority of the members of the Commission constitutes a quorum for the transaction business.

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

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

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

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

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

**V. MISCELLANEOUS**

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

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

This Order is effective upon filing.

[SEAL]

Given under my hand and the Great Seal of the State of Michigan this 10th day of December, 2003.

Jennifer M. Granholm  
Governor

By the Governor:  
Terri L. Land  
Secretary of State

The Executive Order was referred to the Secretary for record.

The following message from the Governor was received and read:

December 10, 2003

I respectfully submit to the Senate, pursuant to Section 6, Article 5 of the Michigan Constitution of 1963, the following appointment to state office under Section 2 of 1978 PA 389, MCL 400.1502:

**Domestic Violence Prevention and Treatment Board**

Ms. Lore A. Rogers of 7044 Whitmore Lake Road, Whitmore Lake, Michigan 48189, county of Washtenaw, succeeding Ferne A. Farber, who has resigned, for a term commencing December 10, 2003 and expiring September 30, 2004.

Sincerely,  
Jennifer M. Granholm  
Governor

The appointment was referred to the Committee on Government Operations.

**Michigan State Waterways Commission**

Ms. Janet M. Mansfield of 4991 French Road, Alpena, Michigan 49707, county of Alpena, succeeding Robert G. Spicer, whose term has expired, representing persons north of townline 16 in the Lower Peninsula, for a term commencing October 15, 2003 and expiring September 18, 2006.

The question being on advising and consenting to the said appointment to office,

The Senate advised and consented to the said appointment to office, a majority of the members serving voting therefor, as follows:

**Roll Call No. 600****Yeas—38**

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

**Nays—0****Excused—0****Not Voting—0**

In The Chair: President

**Michigan State Waterways Commission**

Ms. Carol B. Oakley of 3389 Middlefield Drive, Trenton, Michigan 48183, county of Wayne, succeeding Jon G. VanderMolen, whose term has expired, for a term commencing October 15, 2003 and expiring September 18, 2006.

The question being on advising and consenting to the said appointment to office,

The Senate advised and consented to the said appointment to office, a majority of the members serving voting therefor, as follows:

**Roll Call No. 601****Yeas—38**

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

**Nays—0**

**Excused—0**

**Not Voting—0**

In The Chair: President

**Michigan State Waterways Commission**

Mr. Curtis A. Hertel, Sr., of 1464 Blairmoor Court, Grosse Pointe Woods, Michigan 48236, county of Wayne, succeeding E. Peter Beauregard, whose term has expired, for a term commencing October 15, 2003 and expiring September 18, 2006.

The question being on advising and consenting to the said appointment to office,

The Senate advised and consented to the said appointment to office, a majority of the members serving voting therefor, as follows:

**Roll Call No. 602**

**Yeas—37**

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

**Nays—1**

Basham

**Excused—0**

**Not Voting—0**

In The Chair: President

**Messages from the House**

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

**Senate Bill No. 506**

**Senate Bill No. 557**

**Senate Bill No. 806**

**Senate Bill No. 485**

The motion prevailed.

**Senate Bill No. 476, entitled**

A bill to amend 1989 PA 24, entitled "The district library establishment act," by amending section 25 (MCL 397.195), as amended by 2002 PA 540; and to repeal acts and parts of acts.

The House of Representatives has substituted (H-2) the bill.

The House of Representatives has passed the bill as substituted (H-2), ordered that it be given immediate effect and pursuant to Joint Rule 20, inserted the full title.

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

**Senate Bill No. 482, entitled**

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

The House of Representatives has substituted (H-1) the bill.

The House of Representatives has passed the bill as substituted (H-1), ordered that it be given immediate effect and pursuant to Joint Rule 20, inserted the full title.

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

**Senate Bill No. 502, entitled**

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," (MCL 324.101 to 324.90106) by adding section 11526b.

The House of Representatives has substituted (H-2) the bill.

The House of Representatives has passed the bill as substituted (H-2), ordered that it be given immediate effect and pursuant to Joint Rule 20, inserted the full title.

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

**Senate Bill No. 718, entitled**

A bill to amend 1996 PA 381, entitled "Brownfield redevelopment financing act," by amending section 15 (MCL 125.2665), as amended by 2002 PA 727.

The House of Representatives has substituted (H-1) the bill.

The House of Representatives has passed the bill as substituted (H-1), ordered that it be given immediate effect and pursuant to Joint Rule 20, inserted the full title.

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

**Senate Bill No. 771, entitled**

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

The House of Representatives has substituted (H-1) the bill.

The House of Representatives has passed the bill as substituted (H-1), ordered that it be given immediate effect and pursuant to Joint Rule 20, inserted the full title.

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

**Senate Bill No. 814, entitled**

A bill to amend 1975 PA 228, entitled "Single business tax act," by amending section 38e (MCL 208.38e), as amended by 1999 PA 184.

The House of Representatives has amended the bill as follows:

1. Amend page 1, line 7, after "**(b)**" by inserting "**or (c)**".
2. Amend page 2, following line 4, by inserting:

"**(c) For companies that have a classification under the North American industrial classification system (NAICS) of 333511, 333512, 333513, 333514, or 333515 and for tax years that begin after December 31, 2003, an amount not to exceed \$1,000.00 for each special apprentice trained by the taxpayer in the tax year.**"

3. Amend page 2, line 16, after "the" by striking out the balance of the line through "**department**" on line 17 and inserting "**department of labor and economic growth**".

4. Amend page 4, following line 19, by inserting:

"**(e) "Special apprentice" means a person who is not an apprentice as defined by section (5)(a), is a resident of this state, is 16 years of age or older but younger than 25 years of age, and is trained by a taxpayer through a program that meets all of the criteria under subdivision (a)(i) to (iv).**"



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

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

**Senate Bill No. 820, entitled**

A bill to amend 1975 PA 228, entitled "Single business tax act," by amending section 37d (MCL 208.37d), as amended by 1999 PA 100.

The House of Representatives has substituted (H-2) the bill.

The House of Representatives has passed the bill as substituted (H-2), ordered that it be given immediate effect and pursuant to Joint Rule 20, inserted the full title.

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

**Senate Bill No. 821, entitled**

A bill to amend 1975 PA 228, entitled "Single business tax act," by amending section 37c (MCL 208.37c), as amended by 2000 PA 429.

The House of Representatives has substituted (H-2) the bill.

The House of Representatives has passed the bill as substituted (H-2), ordered that it be given immediate effect and pursuant to Joint Rule 20, inserted the full title.

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

**Senate Bill No. 825, entitled**

A bill to amend 1996 PA 376, entitled "Michigan renaissance zone act," by amending section 8 (MCL 125.2688), as amended by 2003 PA 93, and by adding section 8d.

The House of Representatives has substituted (H-1) the bill.

The House of Representatives has passed the bill as substituted (H-1), ordered that it be given immediate effect and pursuant to Joint Rule 20, inserted the full title.

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

**Senate Bill No. 834, entitled**

A bill to promote investment in certain businesses; to promote economic development in this state; to provide for a Michigan early stage venture investment corporation; to prescribe the powers and duties of a Michigan early stage venture investment corporation; to prescribe the powers and duties of certain public officers and departments; to establish the Michigan early stage venture investment fund and other funds; to provide for tax credits and incentives; to authorize certain investments; to provide for the expiration of the fund; to provide or allow for appropriations; and to provide penalties and remedies.

The House of Representatives has substituted (H-1) the bill.

The House of Representatives has passed the bill as substituted (H-1) and ordered that it be given immediate effect.

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

**Senate Bill No. 835, entitled**

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

The House of Representatives has substituted (H-1) the bill.

The House of Representatives has passed the bill as substituted (H-1), ordered that it be given immediate effect and pursuant to Joint Rule 20, inserted the full title.

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

**Senate Bill No. 840, entitled**

A bill to create certain offices in the Michigan economic development corporation; to provide for the appointment of certain officers with the advice and consent of the senate; and to impose certain duties and responsibilities on those officers and on certain state employees and public employees.

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

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

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

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

**Third Reading of Bills**

The following bill was read a third time:

**Senate Bill No. 780, entitled**

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

The question being on the passage of the bill,

The bill was passed, a majority of the members serving voting therefor, as follows:

**Roll Call No. 603****Yeas—38**

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

**Nays—0****Excused—0****Not Voting—0**

In The Chair: President

The Senate agreed to the title of the bill.

The following bill was read a third time:

**House Bill No. 4896, entitled**

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 40107a (MCL 324.40107a), as added by 1998 PA 470.

The question being on the passage of the bill,

The bill was passed, a majority of the members serving voting therefor, as follows:

**Roll Call No. 604****Yeas—36**

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

**Nays—2**

Clark-Coleman

Johnson

**Excused—0**

**Not Voting—0**

In The Chair: President

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

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

“An act to protect the environment and natural resources of the state; to codify, revise, consolidate, and classify laws relating to the environment and natural resources of the state; to regulate the discharge of certain substances into the environment; to regulate the use of certain lands, waters, and other natural resources of the state; to prescribe the powers and duties of certain state and local agencies and officials; to provide for certain charges, fees, and assessments; to provide certain appropriations; to prescribe penalties and provide remedies; to repeal certain parts of this act on a specific date; and to repeal certain acts and parts of acts.”

The Senate agreed to the full title.

The following bill was read a third time:

**House Bill No. 5270, entitled**

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” (MCL 324.101 to 324.90106) by adding section 19608a.

The question being on the passage of the bill,

The bill was passed, a majority of the members serving voting therefor, as follows:

**Roll Call No. 605**

**Yeas—37**

Allen  
Barcia  
Basham  
Bernero  
Birkholz  
Bishop  
Brater  
Brown  
Cassis  
Cherry

Clark-Coleman  
Clarke  
Cropsey  
Emerson  
Garcia  
George  
Gilbert  
Goschka  
Hammerstrom

Hardiman  
Jacobs  
Jelinek  
Kuipers  
Leland  
McManus  
Olshove  
Patterson  
Prusi

Sanborn  
Schauer  
Scott  
Sikkema  
Stamas  
Switalski  
Thomas  
Toy  
Van Woerkom

**Nays—0**

**Excused—0**

**Not Voting—1**

Johnson

In The Chair: President

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

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

“An act to protect the environment and natural resources of the state; to codify, revise, consolidate, and classify laws relating to the environment and natural resources of the state; to regulate the discharge of certain substances into the environment; to regulate the use of certain lands, waters, and other natural resources of the state; to prescribe the powers and duties of certain state and local agencies and officials; to provide for certain charges, fees, and assessments; to provide certain appropriations; to prescribe penalties and provide remedies; to repeal certain parts of this act on a specific date; and to repeal certain acts and parts of acts.”.

The Senate agreed to the full title.

The following bill was read a third time:

**Senate Bill No. 681, entitled**

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

The question being on the passage of the bill,

The bill was passed, a majority of the members serving voting therefor, as follows:

**Roll Call No. 606**

**Yeas—38**

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

**Nays—0**

**Excused—0**

**Not Voting—0**

In The Chair: President

The Senate agreed to the title of the bill.

The following bill was read a third time:

**House Bill No. 4513, entitled**

A bill to amend 1931 PA 328, entitled “The Michigan penal code,” by amending section 200h (MCL 750.200h), as amended by 2001 PA 135.

The question being on the passage of the bill,

The bill was passed, a majority of the members serving voting therefor, as follows:

**Roll Call No. 607**

**Yeas—38**

Allen	Clark-Coleman	Jacobs	Sanborn
Barcia	Clarke	Jelinek	Schauer
Basham	Cropsey	Johnson	Scott

Bernero	Emerson	Kuipers	Sikkema
Birkholz	Garcia	Leland	Stamas
Bishop	George	McManus	Switalski
Brater	Gilbert	Olshove	Thomas
Brown	Goschka	Patterson	Toy
Cassis	Hammerstrom	Prusi	Van Woerkom
Cherry	Hardiman		

**Nays—0**

**Excused—0**

**Not Voting—0**

In The Chair: President

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

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

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

“An act to revise, consolidate, 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.”.

The Senate agreed to the full title.

The following bill was read a third time:

**House Bill No. 4514, entitled**

A bill to amend 1931 PA 328, entitled “The Michigan penal code,” by amending sections 200i, 200k, 200l, 204, 207, 209, 210, 211a, and 212a (MCL 750.200i, 750.200k, 750.200l, 750.204, 750.207, 750.209, 750.210, 750.211a, and 750.212a), sections 200i and 200k as added by 1998 PA 207, section 200l as added by 2001 PA 135, sections 204 and 211a as amended by 1998 PA 206, sections 207, 209, and 210 as amended by 1998 PA 208, and section 212a as amended by 2002 PA 140, and by adding section 200m.

The question being on the passage of the bill,

The bill was passed, a majority of the members serving voting therefor, as follows:

**Roll Call No. 608**

**Yeas—38**

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

**Nays—0**

**Excused—0**

**Not Voting—0**

In The Chair: President

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

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

“An act to revise, consolidate, 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.”.

The Senate agreed to the full title.

The following bill was read a third time:

**House Bill No. 4899, entitled**

A bill to amend 1961 PA 236, entitled “Revised judicature act of 1961,” by amending sections 2555 and 2559 (MCL 600.2555 and 600.2559), section 2559 as amended by 1994 PA 133.

The question being on the passage of the bill,

The bill was passed, a majority of the members serving voting therefor, as follows:

**Roll Call No. 609**

**Yeas—37**

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

**Nays—1**

Sanborn

**Excused—0**

**Not Voting—0**

In The Chair: President

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

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

“An act to revise and consolidate the statutes relating to the organization and jurisdiction of the courts of this state; the powers and duties of such courts, and of the judges and other officers thereof; the forms and attributes of civil claims and actions; the time within which civil actions and proceedings may be brought in said courts; pleading,

evidence, practice and procedure in civil and criminal actions and proceedings in said courts; to provide remedies and penalties for the violation of certain provisions of this act; to repeal all acts and parts of acts inconsistent with or contravening any of the provisions of this act; and to repeal acts and parts of acts.”.

The Senate agreed to the full title.

The following bill was read a third time:

**Senate Bill No. 702, entitled**

A bill to amend 1939 PA 288, entitled “Probate code of 1939,” by amending section 23d of chapter X (MCL 710.23d), as amended by 1996 PA 409.

The question being on the passage of the bill,

The bill was passed, a majority of the members serving voting therefor, as follows:

**Roll Call No. 610**

**Yeas—36**

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

**Nays—0**

**Excused—0**

**Not Voting—2**

Clark-Coleman                      Jelinek

In The Chair: President

The Senate agreed to the title of the bill.

**General Orders**

Senator Hammerstrom moved that the Senate resolve itself into the Committee of the Whole for consideration of the General Orders calendar.

The motion prevailed, and the President, Lieutenant Governor Cherry, designated Senator Switalski as Chairperson.

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

**Senate Bill No. 672, entitled**

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

Substitute (S-4).

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

The Committee of the Whole reported back to the Senate, favorably and with a substitute therefor, the following bill:  
**Senate Bill No. 673, entitled**

A bill to amend 1975 PA 228, entitled "Single business tax act," (MCL 208.1 to 208.145) by adding section 4a. Substitute (S-3).

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

By unanimous consent the Senate returned to the order of  
**Third Reading of Bills**

Senator Hammerstrom moved that the rules be suspended and that the following bills, now on the order of Third Reading of Bills, be placed on their immediate passage:

**Senate Bill No. 672**

**Senate Bill No. 673**

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

The following bill was read a third time:

**Senate Bill No. 672, entitled**

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

The question being on the passage of the bill,

The bill was passed, a majority of the members serving voting therefor, as follows:

**Roll Call No. 611**

**Yeas—37**

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

**Nays—1**

Emerson

**Excused—0**

**Not Voting—0**

In The Chair: President

Senator Hammerstrom moved that the bill be given immediate effect.

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

The Senate agreed to the title of the bill.



The following bill was read a third time:

**Senate Bill No. 673, entitled**

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

The question being on the passage of the bill,

The bill was passed, a majority of the members serving voting therefor, as follows:

**Roll Call No. 612**

**Yeas—38**

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

**Nays—0**

**Excused—0**

**Not Voting—0**

In The Chair: President

Senator Hammerstrom moved that the bill be given immediate effect.

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

The Senate agreed to the title of the bill.

By unanimous consent the Senate returned to the order of

**General Orders**

Senator Hammerstrom moved that the Senate resolve itself into the Committee of the Whole for consideration of the General Orders calendar.

The motion prevailed, and the President, Lieutenant Governor Cherry, designated Senator Switalski as Chairperson.

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

**Senate Bill No. 781, entitled**

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

**House Bill No. 4480, entitled**

A bill to amend 1996 PA 381, entitled “Brownfield redevelopment financing act,” by amending the title and sections 2 and 13 (MCL 125.2652 and 125.2663), section 2 as amended by 2002 PA 254 and section 13 as amended by 2002 PA 727.

**House Bill No. 4481, entitled**

A bill to amend 1893 PA 206, entitled "The general property tax act," (MCL 211.1 to 211.157) by adding section 7gg.

**House Bill No. 4482, entitled**

A bill to provide for the exemption of certain property from certain taxes; to levy and collect a specific tax upon the owners of certain property; to provide for the disposition of the tax; to clarify the ownership of certain parcels of property; to prescribe the powers and duties of certain local government officials; and to provide penalties.

**House Bill No. 4488, entitled**

A bill to amend 1855 PA 105, entitled "An act to regulate the disposition of the surplus funds in the state treasury; to provide for the deposit of surplus funds in certain financial institutions; to lend surplus funds pursuant to loan agreements secured by certain commercial, agricultural, or industrial real and personal property; to authorize the loan of surplus funds to certain municipalities; to authorize the participation in certain loan programs; to authorize an appropriation; and to prescribe the duties of certain state agencies," by amending section 4 (MCL 21.144) and by adding section 2f.

The bills were placed on the order of Third Reading of Bills.

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

**House Bill No. 4483, entitled**

A bill to provide for the creation of land bank fast track authorities to assist governmental entities in the assembly and clearance of title to property in a coordinated manner; to facilitate the use and development of certain property; to promote economic growth; to prescribe the powers and duties of certain authorities; to provide for the creation and appointment of boards to govern land bank fast track authorities and to prescribe their powers and duties; to authorize the acquisition, maintenance, and disposal of interests in real and personal property; to authorize the conveyance of certain properties to a land bank fast track authority; to authorize the enforcement of tax liens and the clearing or quieting of title by a land bank fast track authority; to provide for the distribution and use of revenues collected or received by a land bank fast track authority; to prescribe powers and duties of certain public entities and state and local officers and agencies; to authorize the transfer and acceptance of property in lieu of taxes and the release of tax liens; to exempt property, income, and operations of a land bank fast track authority from tax; to extend protections against certain liabilities to a land bank fast track authority; and to repeal acts and parts of acts.

Substitute (S-2).

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

1. Amend page 19, line 17, after "foreclosure," by inserting "or if the authority discovers a deficiency in notice under subsection (10)."

2. Amend page 19, line 20, after "foreclosure" by inserting "or to ascertain an address necessary to correct a deficiency in notice under subsection (10)".

3. Amend page 28, line 20, after "owed" by striking out "by the person".

4. Amend page 31, line 19, after "authority" by striking out "unit".

5. Amend page 32, line 14, after "government." by striking out "In addition," and inserting "Except as provided under parts 111, 115, and 315 of the natural resources and environmental protection act, 1994 PA 451, MCL 324.11101 to 324.11153, 324.11501 to 324.11550, and 324.31501 to 324.31529,".

6. Amend page 32, line 24, after "property" by inserting "or other activity giving rise to liability under the natural resources and environmental protection act, 1994 PA 451, MCL 324.101 to 324.90106".

7. Amend page 43, line 4, after "act." by inserting "A transfer of property by the state administrative board under this section is subject only to the terms and conditions imposed by the state administrative board and is not subject to section 2101 of the natural resources and environmental protection act, 1994 PA 451, MCL 324.2101."

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

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

**Senate Bill No. 588, entitled**

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," by amending section 2006 (MCL 500.2006), as amended by 2002 PA 316.

Substitute (S-1).

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

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

**Senate Bill No. 635, entitled**

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 21311 (MCL 333.21311), as amended by 1984 PA 311.

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

1. Amend page 2, line 1, after "director" by striking out "may" and inserting "**shall**".
2. Amend page 2, line 5, after "**age**" by inserting "**and the individual will be compatible with the other residents of that home for the aged**".

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

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

**House Bill No. 4786, entitled**

A bill to amend 1978 PA 90, entitled "Youth employment standards act," by amending section 19 (MCL 409.119). Substitute (S-1).

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

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

**House Bill No. 4484, entitled**

A bill to amend 1893 PA 206, entitled "The general property tax act," by amending sections 78i, 78k, 78l, 78m, and 131e (MCL 211.78i, 211.78k, 211.78l, 211.78m, and 211.131e), section 78i as amended by 2001 PA 101, section 78k as amended by 2001 PA 94, section 78l as added and section 131e as amended by 1999 PA 123, and section 78m as amended by 2001 PA 99.

Substitute (S-2).

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

1. Amend page 45, line 1, after "v" by striking out "Cliff" and inserting "Cliffs".
2. Amend page 28, line 7, after "owed" by striking out "by the person".

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

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

**Senate Bill No. 881, entitled**

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

Substitute (S-1).

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

1. Amend page 4, line 19, after "**county**" by inserting "**executive who died or resigned was elected.**".

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

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

**House Bill No. 4820, entitled**

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

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

Substitute (S-2).

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

1. Amend page 62, line 20, by striking out all of subdivision (i).

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

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

**Senate Bill No. 877, entitled**

A bill to amend 1954 PA 116, entitled "Michigan election law," by amending section 641 (MCL 168.641); and to repeal acts and parts of acts.

Substitute (S-2).

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

1. Amend page 3, following line 25, by inserting:

"(7) This section shall be known and may be cited as the "Hammerstrom election consolidation law".".

2. Amend page 4, line 12, by striking out all of subdivision (i).

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

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

**House Bill No. 4822, entitled**

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

Substitute (S-1).

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

1. Amend page 5, line 12, by striking out all of subdivision (i).

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

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

**House Bill No. 4823, entitled**

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

Substitute (S-1).

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

1. Amend page 3, line 21, by striking out all of subdivision (i).

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

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

**House Bill No. 4824, entitled**

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

Substitute (S-2).

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

1. Amend page 32, line 3, after “election.” by inserting “**If a village’s regular or special election is held in conjunction with another election conducted by a township, the village shall pay the township a proportionate share of the election expenses. If a village’s regular or special election is not held in conjunction with another election conducted by a township, the village shall pay the township 100% of the actual costs of conducting the village’s regular or special election.**”.

2. Amend page 50, line 21, by striking out all of subdivision (i).

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

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

**House Bill No. 4825, entitled**

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

Substitute (S-3).

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

1. Amend page 19, line 7, by striking out all of subdivision (i).

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

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

**House Bill No. 4826, entitled**

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

Substitute (S-1).

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

1. Amend page 4, line 21, after “for” by striking out the balance of the line through “or” on line 22 and inserting “**as provided by**”.

2. Amend page 7, line 24, by striking out all of subdivision (i).

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

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

**House Bill No. 4827, entitled**

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

Substitute (S-1).

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

1. Amend page 8, line 7, after “held.” by striking out the balance of the line through the first “the” on line 8 and inserting “**The**”.

2. Amend page 8, line 9, after “village” by inserting “**as provided in section 642 of the Michigan election law, 1954 PA 116, MCL 168.642**”.

3. Amend page 11, following line 18, by inserting:

“(3) **The expenses of the election shall be paid by the village as provided in section 642 of the Michigan election law, 1954 PA 116, MCL 168.642.**”.

4. Amend page 16, line 26, by striking out all of subdivision (i).

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

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

**House Bill No. 4828, entitled**

A bill to amend 1966 PA 331, entitled “Community college act of 1966,” by amending sections 2, 12, 16, 17, 21, 32, 34, 34a, 36, 37, 38, 39, 42, 51, 52, 54, 55, 56, 57, 58, 59, 62, 83, 84, 86, 105, 107, 122, 144, and 152 (MCL 389.2, 389.12, 389.16, 389.17, 389.21, 389.32, 389.34, 389.34a, 389.36, 389.37, 389.38, 389.39, 389.42, 389.51, 389.52,

389.54, 389.55, 389.56, 389.57, 389.58, 389.59, 389.62, 389.83, 389.84, 389.86, 389.105, 389.107, 389.122, 389.144, and 389.152), section 2 as added by 1998 PA 153, sections 17, 21, 34, 37, 42, 54, 57, and 62 as amended and section 86 as added by 2000 PA 488, section 34a as amended by 1982 PA 381, section 83 as amended by 1992 PA 20, section 122 as amended by 2002 PA 72, section 144 as amended by 2002 PA 73, and section 152 as amended by 1990 PA 11; and to repeal acts and parts of acts.

Substitute (S-2).

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

1. Amend page 28, following line 24, by inserting:

“(g) **“School district” means a school district, a local act school district, or an intermediate school district, as those terms are defined in the revised school code, 1976 PA 451, MCL 380.1 to 380.1852, or a community college district under this act.**” and relettering the remaining subdivisions.

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

By unanimous consent the Senate returned to the order of  
**Motions and Communications**

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

**Senate Bill No. 800**

**Senate Bill No. 801**

**Senate Bill No. 845**

**Senate Bill No. 811**

**Senate Bill No. 556**

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

By unanimous consent the Senate returned to the order of  
**General Orders**

Senator Hammerstrom moved that the Senate resolve itself into the Committee of the Whole for consideration of the General Orders calendar.

The motion prevailed, and the President, Lieutenant Governor Cherry, designated Senator Switalski as Chairperson.

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

**Senate Bill No. 801, entitled**

A bill to amend 1899 PA 44, entitled “An act to provide for the publication and distribution of publications, laws, and documents, reports of the several officers, boards of officers and public institutions of this state now or hereafter to be published; to provide for the replacing of publications lost by fire or otherwise; to provide for the publication and distribution of the Michigan manual; to provide for duties of certain state and local government departments and agencies; to establish certain funds; and to provide for certain penalties and remedies,” by amending section 2 (MCL 24.2), as amended by 1995 PA 179.

**Senate Bill No. 845, entitled**

A bill to amend 1954 PA 116, entitled “Michigan election law,” by amending section 686 (MCL 168.686), as amended by 1999 PA 216.

**House Bill No. 5168, entitled**

A bill to amend 1893 PA 206, entitled “The general property tax act,” by amending sections 7cc, 7ee, and 24c (MCL 211.7cc, 211.7ee, and 211.24c), sections 7cc and 24c as amended by 2003 PA 140 and section 7ee as amended by 2003 PA 105.

The bills were placed on the order of Third Reading of Bills.

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

**Senate Bill No. 800, entitled**

A bill to amend 1969 PA 306, entitled “Administrative procedures act of 1969,” by amending sections 3, 5, 24, 28, 39, 41, 41a, 42, 44, 45, 45a, 49, and 52 (MCL 24.203, 24.205, 24.224, 24.228, 24.239, 24.241, 24.241a, 24.242,

24.244, 24.245, 24.245a, 24.249, and 24.252), section 3 as amended by 1988 PA 277, sections 5, 24, 41a, 42, 44, 45, and 52 as amended and sections 28, 39, and 45a as added by 1999 PA 262, and section 41 as amended by 1993 PA 141. Substitute (S-1).

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

The Committee of the Whole reported back to the Senate, favorably and with a substitute therefor, the following bill: **House Bill No. 4367, entitled**

A bill to make, supplement, and adjust appropriations for various state departments and agencies for the fiscal year ending September 30, 2004; and to provide for the expenditure of the appropriations.

Substitute (S-1).

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

1. Amend page 2, line 1, by striking out “297,128,300” and inserting “301,128,300”.
2. Amend page 2, line 5, by striking out “297,128,300” and inserting “301,128,300”.
3. Amend page 2, line 11, by striking out “30,361,300” and inserting “34,361,300”.
4. Amend page 8, line 3, by striking out “(12,689,900)” and inserting “(8,689,900).”
5. Amend page 8, line 7, by striking out “(12,689,900)” and inserting “(8,689,900).”
6. Amend page 8, line 13, by striking out “198,300” and inserting “4,198,300”.
7. Amend page 8, following line 14, by inserting:

“(2) EXECUTIVE

Sheriff’s coordinating and training office .....	\$ 4,000,000
GROSS APPROPRIATION .....	\$ 4,000,000

Appropriated from:

Special revenue funds:

Local corrections officer training fund.....	4,000,000
State general fund/general purpose .....	\$ 0”

and renumbering the remaining subsections and adjusting the subtotals, totals, and section 201 accordingly.

8. Amend page 29, line 7, after “is” by striking out “\$119,720,900.00” and inserting “\$123,720,900.00”.
9. Amend page 29, following line 18, by inserting:

“**DEPARTMENT OF ATTORNEY GENERAL**

Sec. 221. From the prisoner reimbursement funds appropriated in part 1 of 2003 PA 161, the department may spend up to \$301,700.00 on activities related to the state correctional facilities reimbursement act, 1935 PA 253, MCL 800.401 to 800.406. If the department collects in excess of \$1,131,000.00 in prisoner reimbursements, the excess, provided to the general fund up to a maximum of \$800,000.00, is appropriated and shall be spent on defense of litigation against the state, its departments, or employees in civil actions filed by prisoners.”.

10. Amend page 31, following line 13, by inserting:

“**DEPARTMENT OF CONSUMER AND INDUSTRY SERVICES**

Sec. 271. From the funds appropriated in section 103 of 2003 PA 167 for the purposes of leasing space to operate an unemployment office, the department of consumer and industry services, due to the consolidation of operations for the purpose of increasing agency efficiencies, shall not expend funds for rental payments or operational expenses for leased premises, 90 days after this act takes effect, at the following locations:

- (1) 10296-Alpena: 315 West Chisholm Street, Alpena, MI 490707-2420
- (2) 10506-Traverse City: 1209 South Garfield, Traverse City, MI 49696
- (3) 10471-Petoskey: 2225 Summit Park Drive, Petoskey, MI 49770
- (4) 10470-Manistee: 1560 U.S. 31 South, Manistee, MI 49660
- (5) 10505-Ionia: 309 West Adams Street, Ionia, MI 48846
- (6) 10502-Holland: 710 Chicago Drive, Holland, MI 49424
- (7) 10687-Adrian: 1040 S. Winter Street, Adrian, MI 49221
- (8) 10668-Fremont: 4747 West 48th Street, Fremont, MI 49412

11. Amend page 32, following line 3, by inserting:

“Sec. 303. Funds included in part 1 for the sheriff’s coordinating and training office are appropriated for and may be expended to defray the costs of continuing education, certification, recertification, decertification, and training of local corrections officers; the personnel and administrative costs of the sheriff’s coordinating and training office, the local corrections officers advisory board, and the sheriff’s coordinating and training council pursuant to the local corrections officers training act, 2003 PA 125, MCL 791.531 to 791.546.”.

12. Amend page 36, following line 22, by inserting:

“Sec. 1604. Section 308 of 2003 PA 161 is repealed.”.

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

The Committee of the Whole reported back to the Senate, favorably and with a substitute therefor, the following bill:  
**Senate Bill No. 556, entitled**

A bill to amend 1979 PA 94, entitled "The state school aid act of 1979," by amending sections 11 and 17b (MCL 388.1611 and 388.1617b), section 11 as amended by 2002 PA 521 and section 17b as amended by 2000 PA 297.

Substitute (S-2).

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

The Committee of the Whole reported back to the Senate, favorably and with a substitute therefor, the following bill:  
**Senate Bill No. 811, entitled**

A bill to amend 1893 PA 206, entitled "The general property tax act," by amending section 9b and 27 (MCL 211.9b and 211.27), section 9b as amended by 1994 PA 189 and section 27 as amended by 2002 PA 744.

Substitute (S-4).

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

By unanimous consent the Senate returned to the order of

**Third Reading of Bills**

Senator Hammerstrom moved that the rules be suspended and that the following bills, now on the order of Third Reading of Bills, be placed on their immediate passage:

**Senate Bill No. 781**  
**Senate Bill No. 881**  
**Senate Bill No. 800**  
**Senate Bill No. 801**  
**Senate Bill No. 845**  
**House Bill No. 4820**  
**Senate Bill No. 877**  
**House Bill No. 4822**  
**House Bill No. 4823**  
**House Bill No. 4824**  
**House Bill No. 4825**  
**House Bill No. 4826**  
**House Bill No. 4827**  
**House Bill No. 4828**  
**Senate Bill No. 556**  
**House Bill No. 4367**  
**Senate Bill No. 811**

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

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

**House Bill No. 4820**  
**Senate Bill No. 877**  
**House Bill No. 4822**  
**House Bill No. 4823**  
**House Bill No. 4824**  
**House Bill No. 4825**  
**House Bill No. 4826**  
**House Bill No. 4827**  
**House Bill No. 4828**  
**Senate Bill No. 781**  
**Senate Bill No. 881**  
**Senate Bill No. 800**  
**Senate Bill No. 801**  
**Senate Bill No. 845**  
**Senate Bill No. 556**  
**House Bill No. 4367**  
**Senate Bill No. 811**

The motion prevailed.



The following bill was read a third time:

**House Bill No. 4820, entitled**

A bill to amend 1976 PA 451, entitled "The revised school code," by amending sections 4, 5, 6, 11a, 14, 503, 613, 614, 616, 617, 629, 661, 681, 682, 687, 690, 701, 702, 703, 705, 853, 854, 855, 856, 857, 858, 859, 860, 861, 931, 932, 945, 1212, 1216, 1351, 1361, 1451, 1722, and 1724 (MCL 380.4, 380.5, 380.6, 380.11a, 380.14, 380.503, 380.613, 380.614, 380.616, 380.617, 380.629, 380.661, 380.681, 380.682, 380.687, 380.690, 380.701, 380.702, 380.703, 380.705, 380.853, 380.854, 380.855, 380.856, 380.857, 380.858, 380.859, 380.860, 380.861, 380.931, 380.932, 380.945, 380.1212, 380.1216, 380.1351, 380.1361, 380.1451, 380.1722, and 380.1724), section 5 as amended by 2003 PA 179, sections 6, 503, and 690 as amended and section 11a as added by 1995 PA 289, section 14 as amended by 1999 PA 23, sections 614 and 617 as amended by 2002 PA 157, section 629 as amended by 2002 PA 61, sections 681, 682, 705, 1451, and 1724 as amended by 1994 PA 258, section 687 as amended by 2002 PA 62, section 703 as amended by 1981 PA 87, section 853 as amended by 1998 PA 406, sections 854, 857, and 858 as amended by 1992 PA 263, section 859 as amended by 2002 PA 509, section 945 as added by 1984 PA 154, section 1212 as amended by 1993 PA 312, section 1216 as amended by 2002 PA 64, and section 1351 as amended by 2002 PA 67, and by adding section 1206; and to repeal acts and parts of acts.

The question being on the passage of the bill,

The bill was passed, a majority of the members serving voting therefor, as follows:

**Roll Call No. 613**

**Yeas—30**

Allen	Cropsey	Jelinek	Scott
Barcia	Emerson	Johnson	Sikkema
Bernero	Garcia	Kuipers	Stamas
Birkholz	George	McManus	Switalski
Bishop	Gilbert	Patterson	Thomas
Brown	Goschka	Sanborn	Toy
Cassis	Hammerstrom	Schauer	Van Woerkom
Cherry	Hardiman		

**Nays—8**

Basham	Clark-Coleman	Jacobs	Olshove
Brater	Clarke	Leland	Prusi

**Excused—0**

**Not Voting—0**

In The Chair: President

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

"An act to provide a system of public instruction and elementary and secondary schools; to revise, consolidate, and clarify the laws relating to elementary and secondary education; to provide for the organization, regulation, and maintenance of schools, school districts, public school academies, intermediate school districts, and other public school entities; to prescribe rights, powers, duties, and privileges of schools, school districts, public school academies, intermediate school districts, and other public school entities; to provide for the regulation of school teachers and certain other school employees; to provide for school elections and to prescribe powers and duties with respect thereto; to provide for the levy and collection of taxes; to provide for the borrowing of money and issuance of bonds and other evidences of indebtedness; to establish a fund and provide for expenditures from that fund; to provide for and prescribe the powers and duties of certain state departments, the state board of education, and certain other boards and officials; to provide for licensure of boarding schools; to prescribe penalties; and to repeal acts and parts of acts."

The Senate agreed to the full title.

The following bill was read a third time:

**Senate Bill No. 877, entitled**

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

The question being on the passage of the bill,

Senator Thomas offered the following amendment:

1. Amend page 2, line 20, after "clerk" by inserting "or if 2/3 of the school board members agree to call a special election".

The amendment was not adopted, a majority of the members serving not voting therefor.

Senator Schauer requested the yeas and nays.

The yeas and nays were ordered, 1/5 of the members present voting therefor.

The amendment was not adopted, a majority of the members serving not voting therefor, as follows:

**Roll Call No. 614**

**Yeas—17**

Barcia	Clark-Coleman	Jelinek	Schauer
Basham	Clarke	Leland	Scott
Bernero	Emerson	Olshove	Switalski
Brater	Jacobs	Prusi	Thomas
Cherry			

**Nays—21**

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

**Excused—0**

**Not Voting—0**

In The Chair: President

The question being on the passage of the bill,

The bill was passed, a majority of the members serving voting therefor, as follows:

**Roll Call No. 615**

**Yeas—29**

Allen	Cropsey	Hardiman	Scott
Barcia	Emerson	Jelinek	Sikkema
Bernero	Garcia	Johnson	Stamas
Birkholz	George	Kuipers	Switalski
Bishop	Gilbert	McManus	Thomas
Brown	Goschka	Patterson	Toy
Cassis	Hammerstrom	Sanborn	Van Woerkom
Cherry			

**Nays—9**

Basham  
Brater  
Clark-Coleman

Clarke  
Jacobs

Leland  
Olshove

Prusi  
Schauer

**Excused—0****Not Voting—0**

In The Chair: President

The Senate agreed to the title of the bill.

The following bill was read a third time:

**House Bill No. 4822, entitled**

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

The question being on the passage of the bill,

The bill was passed, a majority of the members serving voting therefor, as follows:

**Roll Call No. 616****Yeas—36**

Allen  
Barcia  
Bernero  
Birkholz  
Bishop  
Brater  
Brown  
Cassis  
Cherry

Clark-Coleman  
Clarke  
Cropsey  
Emerson  
Garcia  
George  
Gilbert  
Goschka  
Hammerstrom

Hardiman  
Jacobs  
Jelinek  
Johnson  
Kuipers  
Leland  
McManus  
Patterson  
Prusi

Sanborn  
Schauer  
Scott  
Sikkema  
Stamas  
Switalski  
Thomas  
Toy  
Van Woerkom

**Nays—2**

Basham

Olshove

**Excused—0****Not Voting—0**

In The Chair: President

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

“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,”.

The Senate agreed to the full title.

The following bill was read a third time:

**House Bill No. 4823, entitled**

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

The question being on the passage of the bill,

The bill was passed, a majority of the members serving voting therefor, as follows:

**Roll Call No. 617**

**Yeas—38**

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

**Nays—0**

**Excused—0**

**Not Voting—0**

In The Chair: President

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

“An act to authorize certain local governmental units to create certain councils under certain circumstances; to prescribe the powers and duties of councils established under this act; and to authorize certain councils established under this act to levy a property tax.”

The Senate agreed to the full title.

The following bill was read a third time:

**House Bill No. 4824, entitled**

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

The question being on the passage of the bill,

Senator Jacobs offered the following amendment:

1. Amend page 32, following line 16, by inserting:

“(d) A school election date that is the first Tuesday after the first Monday in June in both even and odd years.”

The amendment was not adopted, a majority of the members serving not voting therefor.

The question being on the passage of the bill,

The bill was passed, a majority of the members serving voting therefor, as follows:

**Roll Call No. 618****Yeas—29**

Allen	Cropsey	Hardiman	Scott
Barcia	Emerson	Jelinek	Sikkema
Bernero	Garcia	Johnson	Stamas
Birkholz	George	Kuipers	Switalski
Bishop	Gilbert	McManus	Thomas
Brown	Goschka	Patterson	Toy
Cassis	Hammerstrom	Sanborn	Van Woerkom
Cherry			

**Nays—9**

Basham	Clarke	Leland	Prusi
Brater	Jacobs	Olshover	Schauer
Clark-Coleman			

**Excused—0****Not Voting—0**

In The Chair: President

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

“An act to reorganize, consolidate, and add to the election laws; to provide for election officials and prescribe their powers and duties; to prescribe the powers and duties of certain state departments, state agencies, and state and local officials and employees; to provide for the nomination and election of candidates for public office; to provide for the resignation, removal, and recall of certain public officers; to provide for the filling of vacancies in public office; to provide for and regulate primaries and elections; to provide for the purity of elections; to guard against the abuse of the elective franchise; to define violations of this act; to provide appropriations; to prescribe penalties and provide remedies; and to repeal certain acts and all other acts inconsistent with this act.”

The Senate agreed to the full title.

The following bill was read a third time:

**House Bill No. 4825, entitled**

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

The question being on the passage of the bill,

The bill was passed, a majority of the members serving voting therefor, as follows:

**Roll Call No. 619****Yeas—38**

Allen	Clark-Coleman	Jacobs	Sanborn
Barcia	Clarke	Jelinek	Schauer
Basham	Cropsey	Johnson	Scott
Bernero	Emerson	Kuipers	Sikkema
Birkholz	Garcia	Leland	Stamas
Bishop	George	McManus	Switalski

Brater  
Brown  
Cassis  
Cherry

Gilbert  
Goschka  
Hammerstrom  
Hardiman

Olshove  
Patterson  
Prusi

Thomas  
Toy  
Van Woerkom

**Nays—0**

**Excused—0**

**Not Voting—0**

In The Chair: President

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

“An act to provide for the incorporation of cities and for revising and amending their charters; to provide for certain powers and duties; to provide for the levy and collection of taxes by cities, borrowing of money, and issuance of bonds or other evidences of indebtedness; to validate actions taken, bonds issued, and obligations heretofore incurred; to prescribe penalties and provide remedies; and to repeal acts and parts of acts on specific dates.”.

The Senate agreed to the full title.

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

The following bill was read a third time:

**House Bill No. 4826, entitled**

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

The question being on the passage of the bill,

The bill was passed, a majority of the members serving voting therefor, as follows:

**Roll Call No. 620**

**Yeas—37**

Allen  
Barcia  
Basham  
Bernero  
Birkholz  
Bishop  
Brater  
Brown  
Cassis  
Cherry

Clark-Coleman  
Clarke  
Cropsey  
Garcia  
George  
Gilbert  
Goschka  
Hammerstrom  
Hardiman

Jacobs  
Jelinek  
Johnson  
Kuipers  
Leland  
McManus  
Olshove  
Patterson  
Prusi

Sanborn  
Schauer  
Scott  
Sikkema  
Stamas  
Switalski  
Thomas  
Toy  
Van Woerkom

**Nays—0**

**Excused—1**

Emerson

**Not Voting—0**

In The Chair: President

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

“An act to provide for the incorporation of villages and for revising and amending their charters; to provide for the levy and collection of taxes, borrowing of money, and issuance of bonds and other evidences of indebtedness; to validate bonds issued and obligations previously incurred; and to prescribe penalties and provide remedies.”.

The Senate agreed to the full title.

The following bill was read a third time:

**House Bill No. 4827, entitled**

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

The question being on the passage of the bill,

The bill was passed, a majority of the members serving voting therefor, as follows:

**Roll Call No. 621****Yeas—37**

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

**Nays—0****Excused—1**

Emerson

**Not Voting—0**

In The Chair: President

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

“An act to provide for the government of certain villages; to define their powers and duties; to provide for the levy and collection of taxes, borrowing of money, and issuance of bonds and other evidences of indebtedness by villages subject to this act; to define the powers and duties of certain state and local officers and entities; to define the

application of this act and provide for its amendment by villages subject to this act; to validate prior amendments and certain prior actions taken and bonds issued by villages subject to this act; to provide for the disincorporation of villages; and to prescribe penalties and provide remedies.”

The Senate agreed to the full title.

The following bill was read a third time:

**House Bill No. 4828, entitled**

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

The question being on the passage of the bill,

The bill was passed, a majority of the members serving voting therefor, as follows:

**Roll Call No. 622**

**Yeas—27**

Allen	Cherry	Hardiman	Scott
Barcia	Cropsey	Jelinek	Sikkema
Bernero	Garcia	Johnson	Stamas
Birkholz	George	Kuipers	Switalski
Bishop	Gilbert	McManus	Toy
Brown	Goschka	Patterson	Van Woerkom
Cassis	Hammerstrom	Sanborn	

**Nays—10**

Basham	Clarke	Olshove	Schauer
Brater	Jacobs	Prusi	Thomas
Clark-Coleman	Leland		

**Excused—1**

Emerson

**Not Voting—0**

In The Chair: President

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

“An act to revise and consolidate the laws relating to community colleges; to provide for the creation of community college districts; to provide a charter for such districts; to provide for the government, control and administration of such districts; to provide for the election of a board of trustees; to define the powers and duties of the board of trustees; to provide for the assessment, levy, collection and return of taxes therefor; to prescribe penalties and provide remedies; and to repeal acts and parts of acts,”.

The Senate agreed to the full title.



Senator Emerson entered the Senate Chamber.

The following bill was read a third time:

**Senate Bill No. 781, entitled**

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

The question being on the passage of the bill,

The bill was passed, a majority of the members serving voting therefor, as follows:

**Roll Call No. 623**

**Yeas—38**

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

**Nays—0**

**Excused—0**

**Not Voting—0**

In The Chair: President

The Senate agreed to the title of the bill.

The following bill was read a third time:

**Senate Bill No. 881, entitled**

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

The question being on the passage of the bill,

The bill was passed, a majority of the members serving voting therefor, as follows:

**Roll Call No. 624**

**Yeas—37**

Allen	Clark-Coleman	Jacobs	Sanborn
Barcia	Clarke	Jelinek	Schauer
Basham	Cropsey	Johnson	Scott

Bernero  
Birkholz  
Bishop  
Brater  
Brown  
Cassis  
Cherry

Emerson  
Garcia  
George  
Gilbert  
Goschka  
Hardiman

Kuipers  
Leland  
McManus  
Olshove  
Patterson  
Prusi

Sikkema  
Stamas  
Switalski  
Thomas  
Toy  
Van Woerkom

**Nays—0**

**Excused—0**

**Not Voting—1**

Hammerstrom

In The Chair: President

The Senate agreed to the title of the bill.

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

The following bill was read a third time:

**Senate Bill No. 800, entitled**

A bill to amend 1969 PA 306, entitled "Administrative procedures act of 1969," by amending sections 5, 8, 24, 28, 39, 41, 41a, 42, 44, 45, 45a, 49, 50, 52, and 53 (MCL 24.205, 24.208, 24.224, 24.228, 24.239, 24.241, 24.241a, 24.242, 24.244, 24.245, 24.245a, 24.249, 24.250, 24.252, and 24.253), sections 5, 8, 24, 41a, 42, 44, 45, 52, and 53 as amended and sections 28, 39, and 45a as added by 1999 PA 262 and section 41 as amended by 1993 PA 141.

The question being on the passage of the bill,

The bill was passed, a majority of the members serving voting therefor, as follows:

**Roll Call No. 625**

**Yeas—37**

Allen  
Barcia  
Basham  
Bernero  
Birkholz  
Bishop  
Brater  
Brown  
Cassis  
Cherry

Clark-Coleman  
Clarke  
Cropsey  
Emerson  
Garcia  
George  
Gilbert  
Goschka  
Hardiman

Jacobs  
Jelinek  
Johnson  
Kuipers  
Leland  
McManus  
Olshove  
Patterson  
Prusi

Sanborn  
Schauer  
Scott  
Sikkema  
Stamas  
Switalski  
Thomas  
Toy  
Van Woerkom

**Nays—0**

**Excused—1**

Hammerstrom

**Not Voting—0**

In The Chair: President

The Senate agreed to the title of the bill.

The following bill was read a third time:

**Senate Bill No. 801, entitled**

A bill to amend 1899 PA 44, entitled “An act to provide for the publication and distribution of publications, laws, and documents, reports of the several officers, boards of officers and public institutions of this state now or hereafter to be published; to provide for the replacing of publications lost by fire or otherwise; to provide for the publication and distribution of the Michigan manual; to provide for duties of certain state and local government departments and agencies; to establish certain funds; and to provide for certain penalties and remedies,” by amending section 2 (MCL 24.2), as amended by 1995 PA 179.

The question being on the passage of the bill,

The bill was passed, a majority of the members serving voting therefor, as follows:

**Roll Call No. 626****Yeas—37**

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

**Nays—0****Excused—1**

Hammerstrom

**Not Voting—0**

In The Chair: President

The Senate agreed to the title of the bill.

Senator Hammerstrom entered the Senate Chamber.

The following bill was read a third time:

**Senate Bill No. 845, entitled**

A bill to amend 1954 PA 116, entitled “Michigan election law,” by amending section 686 (MCL 168.686), as amended by 1999 PA 216.

The question being on the passage of the bill,

The bill was passed, a majority of the members serving voting therefor, as follows:

**Roll Call No. 627****Yeas—38**

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

**Nays—0****Excused—0****Not Voting—0**

In The Chair: President

The Senate agreed to the title of the bill.

The following bill was read a third time:

**Senate Bill No. 556, entitled**

A bill to amend 1979 PA 94, entitled "The state school aid act of 1979," by amending sections 11, 11b, 26a, 68, and 108 (MCL 388.1611, 388.1611b, 388.1626a, 388.1668, and 388.1708), sections 11, 26a, 68, and 108 as amended and section 11b as added by 2003 PA 158.

The question being on the passage of the bill,

The bill was passed, a majority of the members serving voting therefor, as follows:

**Roll Call No. 628****Yeas—38**

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

**Nays—0****Excused—0**

**Not Voting—0**

In The Chair: President

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

The following bill was read a third time:

**House Bill No. 4367, entitled**

A bill to make, supplement, and adjust appropriations for the legislative branch, the judicial branch, capital outlay, and certain state departments and agencies for the fiscal year ending September 30, 2003 and the fiscal year ending September 30, 2004; to provide for the expenditure of the appropriations; to prescribe certain conditions for the appropriations; and to repeal acts and parts of acts.

The question being on the passage of the bill,

The bill was passed, a majority of the members serving voting therefor, as follows:

**Roll Call No. 629****Yeas—37**

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

**Nays—1**

Patterson

**Excused—0****Not Voting—0**

In The Chair: President

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

The following bill was read a third time:

**Senate Bill No. 811, entitled**

A bill to amend 1893 PA 206, entitled "The general property tax act," by amending section 9b and 27 (MCL 211.9b and 211.27), section 9b as amended by 1994 PA 189 and section 27 as amended by 2002 PA 744.

The question being on the passage of the bill,

The bill was passed, a majority of the members serving voting therefor, as follows:

**Roll Call No. 630****Yeas—38**

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

**Nays—0****Excused—0****Not Voting—0**

In The Chair: President

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

**Resolutions**

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

**Senate Resolution No. 175****Senate Resolution No. 139**

The motion prevailed.

**Senate Resolution No. 182.**

A resolution to memorialize the Congress of the United States to enact legislation to provide greater protections against identity theft.

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

Substitute (S-1).

The substitute was adopted.

The resolution, as substituted, was adopted.

**Senate Resolution No. 183.**

A resolution to memorialize the Congress of the United States to amend the Fair Credit Reporting Act to provide that the statute of limitations for an identity theft suit is two years from the time the fraud was discovered.

The question being on the adoption of the resolution,

The resolution was adopted.

**Senate Resolution No. 186.**

A resolution to memorialize the United States Congress to enact legislation to prohibit the use of a person's Social Security number as an identification number beyond its original purpose.

The question being on the adoption of the resolution,

The resolution was adopted.

Senators Kuipers, Goschka, Allen, Garcia, Cassis, Patterson, Cherry and Barcia offered the following resolution:

**Senate Resolution No. 202.**

A resolution to amend the Standing Rules of the Senate.

Resolved by the Senate, That Rule 3.102 of the Standing Rules of the Senate be hereby amended to read as follows:

**“3.102 ORDER OF BUSINESS**

The order of business of the Senate shall be as follows:

1. Call to Order
2. Invocation
3. Pledge of Allegiance **and Pledge of Allegiance to the Flag of Michigan**
4. Roll Call
5. Motions and Communications
6. Messages from the Governor
7. Messages from the House
8. Conference Reports
9. Third Reading of Bills
10. General Orders
11. Resolutions
12. Introduction and Referral of Bills
13. Statements
14. Adjournment”.

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

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

The question being on the adoption of the resolution,

Senator Hammerstrom moved that the resolution be referred to the Committee on Local, Urban and State Affairs.

The motion prevailed.

**House Concurrent Resolution No. 24.**

A concurrent resolution to memorialize the Congress of the United States to enact legislation to grant a federal charter to the Korean War Veterans Association.

Whereas, As our nation witnesses once again the sacrifices of our fellow citizens taking up arms to preserve liberties, we have reawakened our sensitivity to the importance of service to veterans from all of America’s wars. Organizations that work to help and advocate on behalf of veterans help fulfill a promise between our country and its defenders; and

Whereas, The Korean War Veterans Association is the only veterans organization comprised exclusively of Korean War veterans. This group has established an excellent record of service to those who served and suffered in Korea and their families; and

Whereas, However, the Korean War Veterans Association is one of the few veterans groups of its size operating without a federal charter. Legislation is currently pending in Congress in both the House of Representatives (H.R. 1043) and the Senate (S. 478) to grant a federal charter; and

Whereas, The long overdue granting of a federal charter would enable the association to significantly enhance its efforts to help needy Korean War veterans and their families. With a charter, which would extend to it the same status as other veterans groups, the Korean War Veterans Association would be able to further its work and participate more fully with other groups. A federal charter also would permit the organization to assist in processing claims for benefits; and

Whereas, As our nation marks the fiftieth anniversary of the end of military hostilities on the Korean Peninsula, granting the federal charter would be most appropriate; now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That we memorialize the Congress of the United States to enact legislation to grant a federal charter to the Korean War Veterans Association; 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 House of Representatives has adopted the concurrent resolution.

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

Senator Hammerstrom moved that the rule be suspended.

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

The question being on the adoption of the concurrent resolution,

Senator Hammerstrom moved that the concurrent resolution be referred to the Committee on Senior Citizens and Veterans Affairs.

The motion prevailed.

Senators Allen, Cassis, Cropsey, Goschka, Van Woerkom, Cherry, Olshove and Sanborn were named co-sponsors of the concurrent resolution.

Senators Brater, Clark-Coleman, Basham and Bernero offered the following resolution:

**Senate Resolution No. 203.**

A resolution to urge the Environmental Protection Agency to reconsider and reverse its proposal to ease restrictions on mercury emissions.

Whereas, Among the proposed rules being put forth by the Environmental Protection Agency are policies that, as reported, would significantly lessen the target for reducing mercury emissions from power plants. With the proven threat mercury presents to public health, the proposed rules seek to treat this serious issue in a manner that is very disturbing; and

Whereas, The draft plan would put in place a “cap and trade” system similar to the program established to reduce acid rain. While that system has effectively reduced emissions that cause acid rain, the nature of mercury makes this same “cap and trade” approach unacceptable to many in the public health community. Mercury is known to be far more dangerous to health than the pollutants in acid rain. The most hazardous chemical forms of mercury emitted by power plants are known to accumulate near the emissions source. To remove mercury from the list of most toxic pollutants, which the proposed plan does, would be major step backward for our country to take in working for cleaner air and a healthier environment for our people; and

Whereas, If the planned rules were to be approved, it would represent a reversal of progress we have made in cleaning up our air quality. For people living near coal-burning power plants, the cumulative effects of mercury would contribute to the buildup of “hot spots” for mercury contamination; and

Whereas, The threat that mercury poses to our country is real. The Centers for Disease Control and Prevention found that eight percent of women of childbearing age have unsafe levels of mercury in their blood. Nearly all states have issued warnings about fish being contaminated by mercury. Michigan has issued warnings that women of childbearing age and children should not eat fish caught in inland lakes. Any measure taken by the EPA that does not reduce mercury in the air in every instance is inappropriate public policy; now, therefore, be it

Resolved by the Senate, That we urge the Environmental Protection Agency to reconsider and reverse its proposal to ease restrictions on mercury emissions; and be it further

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

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

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

The question being on the adoption of the resolution,

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

The motion prevailed.

By unanimous consent the Senate proceeded to the order of

**Statements**

Senators Brater and Cassis asked and were granted unanimous consent to make statements and moved that the statements be printed in the Journal.

The motion prevailed.

Senator Brater’s statement is as follows:

I wish to make a statement regarding Senate Resolution No. 186, which passed by so quickly just a moment ago. It is part of the package of resolutions asking Congress to give citizens more protection of their Social Security number. This particular resolution prohibited the use of the Social Security number for any purpose other than the purpose intended under the Social Security Act. We’ve had a huge proliferation of entities—banks, health care entities, and schools—using the Social Security number as an identifier, which has become very problematic in terms of protecting your credit and other privacy issues, and especially since the Congress just recently pre-empted our ability at the state level to protect citizens’ privacies. It is even more important that we urge the Congress to move forward to protect our Social Security numbers.

Senator Cassis’ statement is as follows:

In adopting Senate Bill Nos. 672 and 673, I am confident that my esteemed members of the Senate have agreed that as important as it is to balance the state budget, it is equally critical to ensure a healthy, strong Michigan economy and the revenues to support essential and necessary governmental services. Phasing out the tax penalty on health care, paid by the private sector employers, is intended to retain and create jobs, make Michigan’s economy more competitive by reducing an unfair tax burden, and lastly, to continue to foster private health care to workers, lessening the reliance on our already strapped government programs.



By unanimous consent the Senate returned to the order of

**Introduction and Referral of Bills**

Senators Stamas, Bishop, Allen, Barcia, Kuipers, Olshove, Hardiman and Brown introduced

**Senate Bill No. 894, entitled**

A bill to allow certain health facilities to object to providing or participating in certain procedures under certain circumstances; to provide for protection from certain liability; and to provide for remedies.

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

Senators Hardiman, Stamas, Kuipers, Barcia, Allen, Bishop and Brown introduced

**Senate Bill No. 895, entitled**

A bill to amend 1980 PA 350, entitled "The nonprofit health care corporation reform act," (MCL 550.1101 to 550.1704) by adding section 409a.

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

Senators Hardiman, Stamas, Kuipers, Barcia, Allen, Bishop and Brown introduced

**Senate Bill No. 896, entitled**

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," (MCL 500.100 to 500.8302) by adding section 3406r.

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

Senators Bernero, Brater, Schauer and Clarke introduced

**Senate Bill No. 897, entitled**

A bill to amend 1933 PA 167, entitled "General sales tax act," by amending sections 4g and 25 (MCL 205.54g and 205.75), section 4g as amended by 2000 PA 417 and section 25 as amended by 2003 PA 139.

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

Senators Birkholz, Bernero, George, Switalski, Van Woerkom and Schauer introduced

**Senate Bill No. 898, entitled**

A bill to amend 1972 PA 106, entitled "Highway advertising act of 1972," (MCL 252.301 to 252.325) by adding section 24a.

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

Senators Schauer, George, Brater, Switalski and Toy introduced

**Senate Bill No. 899, entitled**

A bill to amend 1972 PA 106, entitled "Highway advertising act of 1972," by amending section 7 (MCL 252.307), as amended by 1998 PA 533.

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

Senators George, Bernero, Switalski, Van Woerkom, Toy and Schauer introduced

**Senate Bill No. 900, entitled**

A bill to amend 1941 PA 205, entitled "An act to provide for the construction, establishment, opening, use, discontinuing, vacating, closing, altering, improvement, and maintenance of limited access highways and facilities ancillary to those highways; to permit the acquiring of property and property rights and the closing or other treatment of intersecting roads for these purposes; to provide for the borrowing of money and for the issuing of bonds or notes payable from special funds for the acquisition, construction or improvement of such highways; and to provide for the receipt and expenditure of funds generated from the facilities," by amending section 2 (MCL 252.52), as amended by 2002 PA 150.

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

Senator George introduced

**Senate Bill No. 901, entitled**

A bill to amend 1972 PA 106, entitled "Highway advertising act of 1972," (MCL 252.301 to 252.325) by adding section 9a.

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

**House Bill No. 4308, entitled**

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending sections 328, 732, 732a, and 907 (MCL 257.328, 257.732, 257.732a, and 257.907), section 328 as amended by 1995 PA 287, section 732 as amended by 2002 PA 534, section 732a as added by 2003 PA 165, and section 907 as amended by 2003 PA 73.

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

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

**House Bill No. 4927, entitled**

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

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

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

**House Bill No. 5009, entitled**

A bill to amend 1953 PA 192, entitled "An act to create a county department of veterans' affairs in certain counties, and to prescribe its powers and duties; and to transfer the powers and duties of the soldiers' relief commission in such counties," by amending section 1 (MCL 35.621), as amended by 1996 PA 108.

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

The bill was read a first and second time by title and referred to the Committee on Senior Citizens and Veterans Affairs.

**House Bill No. 5074, entitled**

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending section 224a (MCL 750.224a), as amended by 2002 PA 709.

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

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

**House Bill No. 5139, entitled**

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 811e (MCL 257.811e), as amended by 2001 PA 124, and by adding sections 811p and 811q; and to repeal acts and parts of acts.

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

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

**House Bill No. 5154, entitled**

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 8303, 8304, 8306, and 8316 (MCL 324.8303, 324.8304, 324.8306, and 324.8316), sections 8303, 8304, and 8306 as amended by 2002 PA 418.

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

The bill was read a first and second time by title and referred to the Committee on Agriculture, Forestry and Tourism.

**House Bill No. 5234, entitled**

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," (MCL 324.101 to 324.90106) by adding section 11526a.

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

The bill was read a first and second time by title and referred to the Committee on Natural Resources and Environmental Affairs.

**House Bill No. 5246, entitled**

A bill to amend 1975 PA 228, entitled "Single business tax act," by amending section 38g (MCL 208.38g), as amended by 2002 PA 726.

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

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

**House Bill No. 5254, entitled**

A bill to amend 2002 PA 49, entitled "Michigan broadband development authority act," by amending section 7 (MCL 484.3207).

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

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

**House Bill No. 5255, entitled**

A bill to amend 1995 PA 24, entitled "Michigan economic growth authority act," by amending sections 3, 4, 5, 6, 8, and 10 (MCL 207.803, 207.804, 207.805, 207.806, 207.808, and 207.810), section 3 as amended by 2000 PA 428 and sections 6 and 8 as amended by 2000 PA 144, and by adding section 8a.

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

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

**House Bill No. 5280, entitled**

A bill to amend 1976 PA 451, entitled "The revised school code," (MCL 380.1 to 380.1852) by adding section 1305.

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

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

**House Bill No. 5322, 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 House of Representatives has passed the bill and ordered that it be given immediate effect.

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

**House Bill No. 5333, entitled**

A bill to amend 1851 PA 156, entitled "An act to define the powers and duties of the county boards of commissioners of the several counties, and to confer upon them certain local, administrative and legislative powers; and to prescribe penalties for the violation of the provisions of this act," by amending section 30a (MCL 46.30a).

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

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

**House Bill No. 5344, entitled**

A bill to amend 1992 PA 147, entitled "Neighborhood enterprise zone act," by amending section 4 (MCL 207.774), as amended by 2003 PA 199.

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

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

**Committee Reports**

The Committee on Judiciary reported

**House Bill No. 4249, entitled**

A bill to amend 1909 PA 279, entitled "The home rule city act," by amending section 29 (MCL 117.29), as amended by 1994 PA 17.

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

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

Alan L. Cropsey  
Chairperson

To Report Out:

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

Nays: None

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

The Committee on Judiciary reported

**House Bill No. 5216, entitled**

A bill to amend 1909 PA 279, entitled "The home rule city act," by amending section 4l (MCL 117.4l), as amended by 1996 PA 44, and by adding section 4q.

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

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

Alan L. Cropsey  
Chairperson

## To Report Out:

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

Nays: None

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

The Committee on Judiciary reported

**House Bill No. 5217, entitled**

A bill to amend 1909 PA 279, entitled "The home rule city act," (MCL 117.1 to 117.38) by adding section 4r.

With the recommendation that the bill then pass.

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

Alan L. Cropsey  
Chairperson

## To Report Out:

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

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Judiciary reported

**House Bill No. 5218, entitled**

A bill to amend 1909 PA 279, entitled "The home rule city act," by amending section 29 (MCL 117.29), as amended by 1994 PA 17.

With the recommendation that the following amendment be adopted and that the bill then pass:

1. Amend page 1, line 11, after "of" by inserting "blight".

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

Alan L. Cropsey  
Chairperson

## To Report Out:

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

Nays: None

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

The Committee on Judiciary reported

**House Bill No. 5219, entitled**

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending section 8313 (MCL 600.8313), as amended by 1995 PA 54.

With the recommendation that the bill then pass.

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

Alan L. Cropsey  
Chairperson

## To Report Out:

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

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Judiciary reported

**House Bill No. 5220, entitled**

A bill to amend 1921 PA 207, entitled "City and village zoning act," by amending section 7 (MCL 125.587), as amended by 1994 PA 25.

With the recommendation that the following amendment be adopted and that the bill then pass:

1. Amend page 2, line 5, after "city" by striking out "or village".

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

Alan L. Cropsey  
Chairperson

## To Report Out:

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

Nays: None

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

The Committee on Judiciary reported  
**House Bill No. 5224, entitled**

A bill to amend 1941 PA 359, entitled "An act for controlling and eradicating certain noxious weeds within the state; to permit townships, villages, and cities to have a lien for expenses incurred in controlling and eradicating such weeds; to permit officials of counties and municipalities to appoint commissioners of noxious weeds; to define the powers, duties, and compensation of commissioners; to provide for sanctions; and to repeal certain acts and parts of acts," by amending section 4 (MCL 247.64), as amended by 1994 PA 26.

With the recommendation that the following amendments be adopted and that the bill then pass:

1. Amend page 3, line 13, after "**the**" by striking out "**township, city, or village**" and inserting "**city**".
2. Amend page 3, line 16, after "**the**" by striking out "**township, city, or village**" and inserting "**city**".

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

Alan L. Cropsey  
Chairperson

To Report Out:

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

Nays: None

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

#### COMMITTEE ATTENDANCE REPORT

The Committee on Judiciary submitted the following:

Meeting held on Tuesday, December 9, 2003, at 1:00 p.m., Room 210, Farnum Building

Present: Senators Cropsey (C), Bishop, Sanborn, Patterson, Schauer, Bernero and Brater

The Committee on Education reported

**House Bill No. 4508, entitled**

A bill to amend 1976 PA 451, entitled "The revised school code," by amending sections 3, 373, 375, 403a, 404b, 412a, 413a, 414a, 415, 416, 417a, 418a, 422, 424, 431a, 432, 433, 434, 441, 442, 443, 445, 449, 451, 461, 462, 472, and 485 (MCL 380.3, 380.373, 380.375, 380.403a, 380.404b, 380.412a, 380.413a, 380.414a, 380.415, 380.416, 380.417a, 380.418a, 380.422, 380.424, 380.431a, 380.432, 380.433, 380.434, 380.441, 380.442, 380.443, 380.445, 380.449, 380.451, 380.461, 380.462, 380.472, and 380.485), sections 3 and 416 as amended by 1995 PA 289, section 373 as amended by 2000 PA 230, sections 375 and 449 as added by 1999 PA 10, sections 403a, 418a, and 431a as amended and sections 404b and 485 as added by 1982 PA 71, section 412a as amended by 1989 PA 268, sections 413a and 414a as added by 1981 PA 96, section 417a as amended by 1985 PA 86, section 442 as amended by 2002 PA 58, section 443 as amended by 1983 PA 118, and section 445 as amended by 2002 PA 334, and by adding sections 420 and 421; and to repeal acts and parts of acts.

With the recommendation that the bill pass.

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

Wayne Kuipers  
Chairperson

To Report Out:

Yeas: Senators Kuipers, Cassis and Van Woerkom

Nays: Senators Clark-Coleman and Leland

The bill was referred to the Committee of the Whole.

#### COMMITTEE ATTENDANCE REPORT

The Committee on Education submitted the following:

Meeting held on Tuesday, December 9, 2003, at 11:30 a.m., Room 100, Farnum Building

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

The Committee on Natural Resources and Environmental Affairs reported

**Senate Bill No. 532, entitled**

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 8901 (MCL 324.8901) and by adding sections 8905d and 8905e.

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

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

Patricia L. Birkholz  
Chairperson

## To Report Out:

Yeas: Senators Birkholz, Patterson, Van Woerkom, Brater and Basham

Nays: None

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

The Committee on Natural Resources and Environmental Affairs reported

**Senate Bill No. 533, entitled**

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending section 8831 (MCL 600.8831), as added by 1995 PA 54.

With the recommendation that the bill pass.

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

Patricia L. Birkholz  
Chairperson

## To Report Out:

Yeas: Senators Birkholz, Patterson, Van Woerkom, Brater and Basham

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Natural Resources and Environmental Affairs reported

**Senate Bill No. 653, entitled**

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 20129a (MCL 324.20129a), as amended by 1999 PA 30.

With the recommendation that the bill pass.

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

Patricia L. Birkholz  
Chairperson

## To Report Out:

Yeas: Senators Birkholz, Patterson, Van Woerkom, Brater and Basham

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Natural Resources and Environmental Affairs reported

**Senate Bill No. 853, entitled**

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 35903 (MCL 324.35903), as added by 1996 PA 88.

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

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

Patricia L. Birkholz  
Chairperson

## To Report Out:

Yeas: Senators Birkholz, Patterson, Van Woerkom, Brater and Basham

Nays: None

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

The Committee on Natural Resources and Environmental Affairs reported

**Senate Bill No. 854, entitled**

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," (MCL 324.101 to 324.90106) by adding part 174.

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

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

Patricia L. Birkholz  
Chairperson

## To Report Out:

Yeas: Senators Birkholz, Patterson, Van Woerkom, Brater and Basham

Nays: None

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

The Committee on Natural Resources and Environmental Affairs reported

**Senate Bill No. 855, entitled**

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 35803 (MCL 324.35803), as added by 1996 PA 89.

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

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

Patricia L. Birkholz  
Chairperson

To Report Out:

Yeas: Senators Birkholz, Patterson, Van Woerkom, Brater and Basham

Nays: None

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

The Committee on Natural Resources and Environmental Affairs reported

**Senate Bill No. 856, entitled**

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," (MCL 324.101 to 324.90106) by adding sections 8911, 8913, and 8915.

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

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

Patricia L. Birkholz  
Chairperson

To Report Out:

Yeas: Senators Birkholz, Patterson, Van Woerkom, Brater and Basham

Nays: None

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

The Committee on Natural Resources and Environmental Affairs reported

**Senate Bill No. 857, entitled**

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 72105a (MCL 324.72105a), as added by 1997 PA 129.

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

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

Patricia L. Birkholz  
Chairperson

To Report Out:

Yeas: Senators Birkholz, Patterson, Van Woerkom, Brater and Basham

Nays: None

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

The Committee on Natural Resources and Environmental Affairs reported

**Senate Bill No. 858, entitled**

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 74104 (MCL 324.74104), as added by 1995 PA 58.

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

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

Patricia L. Birkholz  
Chairperson

To Report Out:

Yeas: Senators Birkholz, Van Woerkom, Brater and Basham

Nays: None

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

The Committee on Natural Resources and Environmental Affairs reported

**Senate Bill No. 860, entitled**

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," (MCL 324.101 to 324.90106) by adding section 8905f.

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

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

Patricia L. Birkholz  
Chairperson

## To Report Out:

Yeas: Senators Birkholz, Patterson, Van Woerkom, Brater and Basham

Nays: None

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

The Committee on Natural Resources and Environmental Affairs reported

**Senate Bill No. 861, entitled**

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," (MCL 324.101 to 324.90106) by adding section 17305.

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

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

Patricia L. Birkholz

Chairperson

## To Report Out:

Yeas: Senators Birkholz, Patterson, Van Woerkom, Brater and Basham

Nays: None

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

The Committee on Natural Resources and Environmental Affairs reported

**House Bill No. 4914, entitled**

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

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

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

Patricia L. Birkholz

Chairperson

## To Report Out:

Yeas: Senators Birkholz, Patterson, Van Woerkom, Brater and Basham

Nays: None

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

#### COMMITTEE ATTENDANCE REPORT

The Committee on Natural Resources and Environmental Affairs submitted the following:

Meeting held on Tuesday, December 9, 2003, at 3:00 p.m., Room 110, Farnum Building

Present: Senators Birkholz (C), Patterson, Van Woerkom, Brater and Basham

The Committee on Finance reported

**Senate Bill No. 672, entitled**

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

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

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

Nancy Cassis

Chairperson

## To Report Out:

Yeas: Senators Cassis, Garcia, McManus, Thomas and Brater

Nays: None

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

The Committee on Finance reported

**Senate Bill No. 673, entitled**

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

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

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

Nancy Cassis

Chairperson



## To Report Out:

Yeas: Senators Cassis, Garcia, McManus, Thomas and Brater

Nays: None

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

## COMMITTEE ATTENDANCE REPORT

The Committee on Finance submitted the following:

Meeting held on Wednesday, December 10, 2003, at 1:03 p.m., Room 110, Farnum Building

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

The Committee on Local, Urban and State Affairs reported

**Senate Bill No. 881, entitled**

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

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

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

Laura M. Toy  
Chairperson

## To Report Out:

Yeas: Senators Toy, Goschka, Basham and Bernero

Nays: None

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

## COMMITTEE ATTENDANCE REPORT

The Committee on Local, Urban and State Affairs submitted the following:

Meeting held on Wednesday, December 10, 2003, at 3:00p.m., Room 100, Farnum Building

Present: Senators Toy (C), Goschka, Basham and Bernero

Excused: Senator Birkholz

The Committee on Government Operations reported the following appointments to office:

**Michigan State Waterways Commission**

Ms. Janet M. Mansfield of 4991 French Road, Alpena, Michigan 49707, county of Alpena, succeeding Robert G. Spicer, whose term has expired, representing persons north of townline 16 in the Lower Peninsula, for a term commencing October 15, 2003 and expiring September 18, 2006.

Ms. Carol B. Oakley of 3389 Middlefield Drive, Trenton, Michigan 48183, county of Wayne, succeeding Jon G. VanderMolen, whose term has expired, for a term commencing October 15, 2003 and expiring September 18, 2006.

With the recommendation that the Senate advise and consent to the said appointments.

Kenneth R. Sikkema  
Chairperson

## To Report Out:

Yeas: Senators Sikkema, Hammerstrom, Allen, Emerson, Jacobs and Thomas

Nays: None

The appointments were placed on the order of Messages from the Governor.

The Committee on Government Operations reported the following appointment to office:

**Michigan State Waterways Commission**

Mr. Curtis A. Hertel, Sr., of 1464 Blairmoor Court, Grosse Pointe Woods, Michigan 48236, County of Wayne, succeeding E. Peter Beauregard, whose term has expired, for a term commencing October 15, 2003 and expiring September 18, 2006.

With the recommendation that the Senate advise and consent to the said appointment.

Kenneth R. Sikkema  
Chairperson

## To Report Out:

Yeas: Senators Sikkema, Hammerstrom, Allen, Cassis, Jacobs and Thomas

Nays: Senator Emerson

The appointment was placed on the order of Messages from the Governor.

The Committee on Government Operations reported:

**Senate Bill No. 800, entitled**

A bill to amend 1969 PA 306, entitled "Administrative procedures act of 1969," by amending sections 3, 5, 24, 28, 39, 41, 41a, 42, 44, 45, 45a, 49, and 52 (MCL 24.203, 24.205, 24.224, 24.228, 24.239, 24.241, 24.241a, 24.242, 24.244, 24.245, 24.245a, 24.249, and 24.252), section 3 as amended by 1988 PA 277, sections 5, 24, 41a, 42, 44, 45, and 52 as amended and sections 28, 39, and 45a as added by 1999 PA 262, and section 41 as amended by 1993 PA 141.

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

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

Kenneth R. Sikkema  
Chairperson

## To Report Out:

Yeas: Senators Sikkema, Hammerstrom, Allen, Emerson, Jacobs and Thomas

Nays: None

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

The Committee on Government Operations reported

**Senate Bill No. 801, entitled**

A bill to amend 1899 PA 44, entitled "An act to provide for the publication and distribution of publications, laws, and documents, reports of the several officers, boards of officers and public institutions of this state now or hereafter to be published; to provide for the replacing of publications lost by fire or otherwise; to provide for the publication and distribution of the Michigan manual; to provide for duties of certain state and local government departments and agencies; to establish certain funds; and to provide for certain penalties and remedies," by amending section 2 (MCL 24.2), as amended by 1995 PA 179.

With the recommendation that the bill pass.

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

Kenneth R. Sikkema  
Chairperson

## To Report Out:

Yeas: Senators Sikkema, Hammerstrom, Allen, Emerson, Jacobs and Thomas

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Government Operations reported

**Senate Bill No. 845, entitled**

A bill to amend 1954 PA 116, entitled "Michigan election law," by amending section 686 (MCL 168.686), as amended by 1999 PA 216.

With the recommendation that the bill pass.

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

Kenneth R. Sikkema  
Chairperson

## To Report Out:

Yeas: Senators Sikkema, Hammerstrom, Allen, Emerson, Jacobs and Thomas

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Government Operations reported

**House Bill No. 4820, entitled**

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

380.1361, 380.1451, 380.1722, and 380.1724), sections 5 and 14 as amended by 1999 PA 23, sections 6, 503, and 690 as amended and section 11a as added by 1995 PA 289, sections 614 and 617 as amended by 2002 PA 157, section 629 as amended by 2002 PA 61, sections 681, 682, 705, 1451, and 1724 as amended by 1994 PA 258, section 687 as amended by 2002 PA 62, section 703 as amended by 1981 PA 87, sections 857 and 858 as amended by 1992 PA 263, section 859 as amended by 2002 PA 509, section 945 as added by 1984 PA 154, section 1212 as amended by 1993 PA 312, section 1216 as amended by 2002 PA 64, and section 1351 as amended by 2002 PA 67, and by adding section 1206; and to repeal acts and parts of acts.

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

Kenneth R. Sikkema  
Chairperson

To Report Out:

Yeas: Senators Sikkema, Hammerstrom, Allen, Cassis and Emerson

Nays: Senator Jacobs

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

The Committee on Government Operations reported

**Senate Bill No. 877, entitled**

A bill to amend 1954 PA 116, entitled "Michigan election law," by amending section 641 (MCL 168.641); and to repeal acts and parts of acts.

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

Kenneth R. Sikkema  
Chairperson

To Report Out:

Yeas: Senators Sikkema, Hammerstrom, Allen, Cassis and Emerson

Nays: Senator Jacobs

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

The Committee on Government Operations reported

**House Bill No. 4822, entitled**

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

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

Kenneth R. Sikkema  
Chairperson

To Report Out:

Yeas: Senators Sikkema, Hammerstrom, Allen, Cassis, Emerson, Jacobs and Thomas

Nays: None

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

The Committee on Government Operations reported

**House Bill No. 4823, entitled**

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

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

Kenneth R. Sikkema  
Chairperson

To Report Out:

Yeas: Senators Sikkema, Hammerstrom, Allen, Cassis, Emerson, Jacobs and Thomas

Nays: None

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

The Committee on Government Operations reported

**House Bill No. 4824, entitled**

A bill to amend 1954 PA 116, entitled "Michigan election law," by amending sections 2, 3, 4, 30a, 321, 322, 358a, 370, 381, 382, 500f, 500g, 501a, 505, 509n, 509r, 509gg, 538, 635, 643, 644e, 644g, 644k, 646a, 690, 821, 862, 863, 954, 963, 971, and 972 (MCL 168.2, 168.3, 168.4, 168.30a, 168.321, 168.322, 168.358a, 168.370, 168.381, 168.382,

168.500f, 168.500g, 168.501a, 168.505, 168.509n, 168.509r, 168.509gg, 168.538, 168.635, 168.643, 168.644e, 168.644g, 168.644k, 168.646a, 168.690, 168.821, 168.862, 168.863, 168.954, 168.963, 168.971, and 168.972), sections 2 and 971 as amended by 2002 PA 163, section 321 as amended by 1994 PA 277, section 322 as amended by 1999 PA 218, section 358a as amended by 1990 PA 235, section 370 as amended by 1990 PA 83, section 381 as amended by 1991 PA 16, section 501a as amended by 1995 PA 87, section 509n as amended by 1999 PA 216, sections 509r and 509gg as added by 1994 PA 441, section 643 as amended by 1998 PA 364, section 646a as amended by 2002 PA 431, section 821 as amended by 1988 PA 275, section 963 as amended by 1999 PA 220, and section 972 as amended by 1989 PA 26, and by adding chapter XIV and sections 642, 642a, and 659; and to repeal acts and parts of acts.

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

Kenneth R. Sikkema  
Chairperson

To Report Out:

Yeas: Senators Sikkema, Hammerstrom, Allen, Cassis and Emerson

Nays: Senator Jacobs

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

The Committee on Government Operations reported

**House Bill No. 4825, entitled**

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

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

Kenneth R. Sikkema  
Chairperson

To Report Out:

Yeas: Senators Sikkema, Hammerstrom, Allen, Cassis, Emerson, Jacobs and Thomas

Nays: None

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

The Committee on Government Operations reported

**House Bill No. 4826, entitled**

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

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

Kenneth R. Sikkema  
Chairperson

To Report Out:

Yeas: Senators Sikkema, Hammerstrom, Allen, Cassis, Emerson, Jacobs and Thomas

Nays: None

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

The Committee on Government Operations reported

**House Bill No. 4827, entitled**

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

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

Kenneth R. Sikkema  
Chairperson

To Report Out:

Yeas: Senators Sikkema, Hammerstrom, Allen, Cassis, Emerson, Jacobs and Thomas

Nays: None

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

The Committee on Government Operations reported

**House Bill No. 4828, entitled**

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

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

Kenneth R. Sikkema  
Chairperson

To Report Out:

Yeas: Senators Sikkema, Hammerstrom, Allen, Cassis and Emerson

Nays: Senator Jacobs

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

The Committee on Government Operations reported

**Senate Bill No. 432, entitled**

A bill to amend 1954 PA 116, entitled "Michigan election law," by amending sections 31, 73, 283, 393, 509t, 509y, 509aa, 561a, 624, 624a, 686, 727, 745, 761, 769, 797a, 798c, 799a, 803, 842, and 931 (MCL 168.31, 168.73, 168.283, 168.393, 168.509t, 168.509y, 168.509aa, 168.561a, 168.624, 168.624a, 168.686, 168.727, 168.745, 168.761, 168.769, 168.797a, 168.798c, 168.799a, 168.803, 168.842, and 168.931), section 31 as amended by 1999 PA 220, sections 73, 283, 393, and 686 as amended by 1999 PA 216, section 509t as amended by 1998 PA 21, sections 509y and 509aa as added by 1994 PA 441, section 624 as amended by 1999 PA 218, section 624a as amended by 1988 PA 116, sections 727 and 769 as amended by 1995 PA 261, section 761 as amended by 1996 PA 207, sections 797a and 931 as amended by 1996 PA 583, section 798c as amended by 1990 PA 109, and sections 799a and 803 as amended by 1997 PA 137; and to repeal acts and parts of acts.

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

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

Kenneth R. Sikkema  
Chairperson

To Report Out:

Yeas: Senators Sikkema, Hammerstrom, Allen, Cassis, Emerson, Jacobs and Thomas

Nays: None

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

The Committee on Government Operations reported

**Senate Bill No. 350, entitled**

A bill to amend 1954 PA 116, entitled "Michigan election law," by amending sections 560, 666, 706, and 777 (MCL 168.560, 168.666, 168.706, and 168.777), section 706 as amended by 1985 PA 160.

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

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

Kenneth R. Sikkema  
Chairperson

To Report Out:

Yeas: Senators Sikkema, Hammerstrom, Allen, Cassis, Emerson, Jacobs and Thomas

Nays: None

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

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

**Senate Bill No. 862, entitled**

A bill to amend 1975 PA 228, entitled "Single business tax act," (MCL 208.1 to 208.145) by adding section 31a.

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

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

Alan Sanborn  
Chairperson

## To Report Out:

Yeas: Senators Sanborn, Allen, Gilbert and Jacobs

Nays: None

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

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

**Senate Bill No. 863, entitled**

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," (MCL 206.1 to 206.532) by adding section 51f.

With the recommendation that the bill pass.

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

Alan Sanborn  
Chairperson

## To Report Out:

Yeas: Senators Sanborn, Allen and Gilbert

Nays: None

The bill was referred to the Committee of the Whole.

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

**Senate Bill No. 864, entitled**

A bill to amend 1893 PA 206, entitled "The general property tax act," (MCL 211.1 to 211.157) by adding section 7gg.

With the recommendation that the bill pass.

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

Alan Sanborn  
Chairperson

## To Report Out:

Yeas: Senators Sanborn, Allen and Gilbert

Nays: None

The bill was referred to the Committee of the Whole.

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

**House Bill No. 5306, entitled**

A bill to create certain offices in the Michigan economic development corporation; to provide for the appointment of certain officers with the advice and consent of the senate; and to impose certain duties and responsibilities on those officers and on certain state employees and public employees.

With the recommendation that the bill pass.

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

Alan Sanborn  
Chairperson

## To Report Out:

Yeas: Senators Sanborn, Allen and Gilbert

Nays: Senators Jacobs and Basham

The bill was referred to the Committee of the Whole.

## COMMITTEE ATTENDANCE REPORT

The Committee on Economic Development, Small Business and Regulatory Reform submitted the following:

Meeting held on Wednesday, December 10, 2003, at 3:03 p.m., Rooms 402 and 403, Capitol Building

Present: Senators Sanborn (C), Allen, Gilbert, Jacobs and Basham

The Committee on Appropriations reported

**House Bill No. 4367, entitled**

A bill to make, supplement, and adjust appropriations for various state departments and agencies for the fiscal year ending September 30, 2004; and to provide for the expenditure of the appropriations.

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

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

Shirley Johnson  
Chairperson

## To Report Out:

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

Nays: None

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

## COMMITTEE ATTENDANCE REPORT

The Committee on Appropriations submitted the following:

Meeting held on Wednesday, December 10, 2003, at 1:15 p.m., Senate Appropriations Room, 3rd Floor, Capitol Building  
Present: Senators Johnson (C), Stamas, Brown, Goschka, Garcia, Cropsey, Jelinek, McManus, Hardiman, George, Prusi, Barcia, Scott, Cherry, Clarke and Switalski

The Committee on Commerce and Labor reported

**Senate Bill No. 811, entitled**

A bill to amend 1893 PA 206, entitled "The general property tax act," by amending section 9b and 27 (MCL 211.9b and 211.27), section 9b as amended by 1994 PA 189 and section 27 as amended by 2002 PA 744.

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

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

Jason Allen  
Chairperson

## To Report Out:

Yeas: Senators Allen, Kuipers, Schauer and Olshove

Nays: None

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

## COMMITTEE ATTENDANCE REPORT

The Committee on Commerce and Labor submitted the following:

Meeting held on Thursday, December 11, 2003, at 9:00 a.m., Room 810, Farnum Building

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

Excused: Senator McManus

The Committee on Appropriations reported

**Senate Bill No. 556, entitled**

A bill to amend 1979 PA 94, entitled "The state school aid act of 1979," by amending sections 11 and 17b (MCL 388.1611 and 388.1617b), section 11 as amended by 2002 PA 521 and section 17b as amended by 2000 PA 297

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

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

Shirley Johnson  
Chairperson

## To Report Out:

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

Nays: None

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

## COMMITTEE ATTENDANCE REPORT

The Committee on Appropriations submits the following:

Meeting held on Thursday, December 11, 2003, at 9:00 a.m., Senate Appropriations Room, 3rd Floor, Capitol Building  
Present: Senators Johnson (C), Stamas, Brown, Goschka, Cropsey, Jelinek, McManus, Hardiman, George, Prusi, Barcia, Scott, Cherry, Clarke and Switalski

Excused: Senator Garcia

## COMMITTEE ATTENDANCE REPORT

The Committee on Appropriations submitted the following:

Joint meeting held on Wednesday, December 10, 2003, at 12:00 noon, House Appropriations Room, 3rd Floor, Capitol Building

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

## COMMITTEE ATTENDANCE REPORT

The Committee on Senior Citizens and Veterans Affairs submitted the following:

Meeting held on Wednesday, December 10, 2003, at 1:00 p.m., Room 100, Farnum Building

Present: Senators Toy (C), Gilbert, Clark-Coleman and Olshove

Excused: Senator Stamas

**Scheduled Meetings**

**Commerce and Labor** - Tuesday, December 16, 2:00 p.m., Room 810, Farnum Building (373-2413)

**Family Resource Center Curriculum Joint Study Committee (SCR 36)** - Wednesday, December 17, 4:00 p.m., Senate Appropriations Room, 3rd Floor, Capitol Building (373-6960)

**Natural Resources and Environmental Affairs** - Tuesday, December 16, 3:00 p.m., Room 110, Farnum Building (373-3447)

Senator Hammerstrom moved that the Senate adjourn.

The motion prevailed, the time being 1:35 p.m.

The President, Lieutenant Governor Cherry, declared the Senate adjourned until Tuesday, December 16, 2003, at 10:00 a.m.

CAROL MOREY VIVENTI  
Secretary of the Senate