

No. 80
STATE OF MICHIGAN
JOURNAL
OF THE
House of Representatives
91st Legislature
REGULAR SESSION OF 2001

House Chamber, Lansing, Tuesday, November 27, 2001.

2:00 p.m.

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

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

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

e/d/s = entered during session

Mr. Dennis O. Richardville, father of Rep. Randy Richardville from the 56th District, offered the following invocation:

“Dear Heavenly Father, as we seek Your guidance today, let me not insult those who believe differently than I do. On the opening day of this session of the House of Representatives of the fine state of Michigan, let us not forget those victims of the dastardly and vicious acts of September 11. Please be with the families and friends of those victims, including the heroic firemen and police who died attempting to save the victims.

Heavenly Father, we ask that You guide President Bush, and all the federal leaders in their fight against terrorism; in their efforts to bring swift justice to those responsible for those horrible acts; to keep the citizens of the United States safe; and keep the casualties of our armed forces to a minimum.

We thank You for all these people who can and will make this happen. We ask You for patience throughout this long campaign.

Especially today, dear God, we ask You to be with our state representatives, as well as all other people who guide, as well as protect, our State. Help them to make the decisions that are best for our state and be proud of their decisions. Help everyone else understand the significance of these laws.

Heavenly Father, we deeply thank You for this House of Representatives, and I thank You especially for the one whom you gave me as my son. In the most holy precious name of Jesus Christ, we pray. Amen.”

The Speaker assumed the Chair.

Rep. Bovin moved that Reps. Daniels, Hardman, Lemmons, Quarles, Schauer and Schermesser be excused from today’s session.

The motion prevailed.

Motions and Resolutions

By unanimous consent the House considered **House Resolution 264** out of numerical order.

The Speaker, on behalf of the entire membership of the House of Representatives, offered the following resolution: **House Resolution No. 264.**

A resolution of tribute offered as a memorial for John D. Payant, former member of the House of Representatives.

Whereas, The recent passing of Judge John D. Payant has taken from the Iron Mountain area a gentleman of great public spirit and dedication. With gratitude for his exemplary contributions to our state’s judicial system and to the legislative branch through his service as a lawmaker, we offer this expression of our respect and extend our condolences to his family and friends; and

Whereas, A native of Iron Mountain who graduated from Kingsford High School, John Payant served our nation with the Marine Corps from 1954 to 1957 and earned his law degree at Marquette University. Over the course of his accomplishment-filled life, he took on many responsibilities within the community, in addition to his legal work in private practice. Mr. Payant was involved with numerous civic groups to complement his efforts as an attorney for the city of Iron Mountain, the Breitung Township School District, and the village of Niagara, Wisconsin; and

Whereas, In 1968, John Payant was elected to the first of his two terms as State Representative for the One-Hundred Ninth District. In Lansing, he brought his experiences in local government and the law to his duties within the legislative process, including his committee assignments. For the better part of the past two decades, John Payant compiled a record of achievement and effectiveness as a circuit court judge serving the people of Iron, Dickinson, and Menominee Counties. His entire tenure on the bench was marked by excellence and thoroughness that earned him a special place of respect among his peers; now, therefore, be it

Resolved by the House of Representatives, That we offer this expression of our highest tribute to honor the memory of John D. Payant, who served this state as a lawmaker and circuit court judge; and be it further

Resolved, That copies of this resolution be transmitted to Judge Payant’s family as evidence of our admiration for his distinguished service to our state.

The question being on the adoption of the resolution,

The resolution was adopted by a unanimous standing vote.

The Speaker called the Speaker Pro Tempore to the Chair.

Notices

November 8, 2001

Mr. Gary L. Randall, Clerk
House of Representatives
State Capitol Building
Lansing, Michigan 48913

Dear Mr. Randall:

Please accept this letter as my official resignation from the Michigan House of Representatives.

Sincerely,
Alan Sanborn
State Representative
Thirty-Second District

By unanimous consent the House returned to the order of
Reports of Standing Committees

The Speaker laid before the House
House Resolution No. 234.

A resolution to urge the Department of Community Health to embark on a public service campaign to encourage Michigan citizens to make preparations for end-of-life care.

(For text of resolution, see House Journal No. 71, p. 2094.)

(The resolution was reported by the Committee on Health Policy on October 23, consideration of which, under the rules, was postponed until October 24.)

The question being on the adoption of the resolution,

The resolution was adopted.

Third Reading of Bills

House Bill No. 4639, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 15 of chapter XVII (MCL 777.15), as amended by 2000 PA 279.

(The bill was read a third time and postponed temporarily on October 16, see House Journal No. 70, p. 2064.)

The question being on the passage of the bill,

Rep. Lipsey moved to substitute (H-3) the bill.

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

The question being on the passage of the bill,

The bill was then passed, a majority of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 628

Yeas—102

Adamini	Frank	Lipsey	Rocca
Allen	George	Lockwood	Scranton
Anderson	Gieleghem	Mans	Shackleton
Basham	Gilbert	McConico	Sheltrown
Bernero	Godchaux	Mead	Shulman
Birkholz	Gosselin	Meyer	Spade

Bisbee	Hager	Middaugh	Stallworth
Bishop	Hale	Minore	Stamas
Bogardus	Hansen	Mortimer	Stewart
Bovin	Hart	Murphy	Switalski
Bradstreet	Howell	Neumann	Tabor
Brown, B.	Hummel	Newell	Thomas
Brown, C.	Jacobs	O'Neil	Toy
Brown, R.	Jamnick	Pappageorge	Van Woerkom
Callahan	Jansen	Patterson	Vander Roest
Cassis	Jelinek	Pestka	Vander Veen
Caul	Johnson, Rick	Phillips	Vear
Clark, I.	Johnson, Ruth	Plakas	Voorhees
Clarke, H.	Julian	Pumford	Waters
Dennis	Kilpatrick	Raczkowski	Whitmer
DeRossett	Koetje	Reeves	Williams
DeVuyst	Kolb	Richardville	Wojno
DeWeese	Kooiman	Richner	Woodward
Drolet	Kowall	Rison	Woronchak
Ehardt	Kuipers	Rivet	Zelenko
Faunce	LaSata		

Nays—0

In The Chair: Birkholz

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

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

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 15 of chapter XVII (MCL 777.15), as amended by 2001 PA 152.

The motion prevailed.

The House agreed to the title as amended.

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

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

House Bill No. 4901, entitled

A bill to amend 1939 PA 342, entitled "County public improvement act of 1939," (MCL 46.171 to 46.188) by adding section 5d.

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

Roll Call No. 629**Yeas—102**

Adamini	Frank	Lipsey	Rocca
Allen	George	Lockwood	Scranton
Anderson	Gielegem	Mans	Shackleton
Basham	Gilbert	McConico	Sheltrown
Bernero	Godchaux	Mead	Shulman
Birkholz	Gosselin	Meyer	Spade
Bisbee	Hager	Middaugh	Stallworth
Bishop	Hale	Minore	Stamas
Bogardus	Hansen	Mortimer	Stewart
Bovin	Hart	Murphy	Switalski
Bradstreet	Howell	Neumann	Tabor
Brown, B.	Hummel	Newell	Thomas

Brown, C.	Jacobs	O'Neil	Toy
Brown, R.	Jamnick	Pappageorge	Van Woerkom
Callahan	Jansen	Patterson	Vander Roest
Cassis	Jelinek	Pestka	Vander Veen
Caul	Johnson, Rick	Phillips	Vear
Clark, I.	Johnson, Ruth	Plakas	Voorhees
Clarke, H.	Julian	Pumford	Waters
Dennis	Kilpatrick	Rackowski	Whitmer
DeRossett	Koetje	Reeves	Williams
DeVuyst	Kolb	Richardville	Wojno
DeWeese	Kooiman	Richner	Woodward
Drolet	Kowall	Rison	Woronchak
Ehardt	Kuipers	Rivet	Zelenko
Faunce	LaSata		

Nays—0

In The Chair: Birkholz

The House agreed to the title of the bill.

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

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

Rep. Reeves moved that Rep. Garza be excused temporarily from today's session.

The motion prevailed.

House Bill No. 4902, entitled

A bill to amend 1949 PA 208, entitled "An act to authorize cities, villages and townships of this state to designate neighborhood areas for the purpose of planning and carrying out local public improvements for the prevention of blight within such areas; to authorize assistance in carrying out plans for local improvements by the acquisition and disposal of real property in such areas; to provide for the combining of neighborhood improvements that benefit the entire neighborhood into 1 improvement project; to provide for the establishment of local assessment districts coterminous with the neighborhood boundaries; to prescribe the methods of financing the exercise of these powers, and to declare the effect of this act," (MCL 125.941 to 125.952) by adding section 6d.

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

Roll Call No. 630**Yeas—101**

Adamini	Frank	LaSata	Rocca
Allen	George	Lipsey	Scranton
Anderson	Gielegem	Lockwood	Shackleton
Basham	Gilbert	Mans	Sheltrown
Bernero	Godchaux	McConico	Shulman
Birkholz	Gosselin	Mead	Spade
Bisbee	Hager	Meyer	Stallworth
Bishop	Hale	Middaugh	Stamas
Bogardus	Hansen	Minore	Stewart
Bovin	Hart	Mortimer	Switalski
Bradstreet	Howell	Murphy	Tabor
Brown, B.	Hummel	Neumann	Thomas
Brown, C.	Jacobs	Newell	Toy
Brown, R.	Jamnick	O'Neil	Van Woerkom

Callahan	Jansen	Pappageorge	Vander Roest
Cassis	Jelinek	Patterson	Vander Veen
Caul	Johnson, Rick	Pestka	Vear
Clark, I.	Johnson, Ruth	Phillips	Voorhees
Clarke, H.	Julian	Plakas	Waters
Dennis	Kilpatrick	Pumford	Whitmer
DeRossett	Koetje	Raczkowski	Williams
DeVuyst	Kolb	Richardville	Wojno
DeWeese	Kooiman	Richner	Woodward
Drolet	Kowall	Rison	Woronchak
Ehardt	Kuipers	Rivet	Zelenko
Faunce			

Nays—0

In The Chair: Birkholz

The House agreed to the title of the bill.

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

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

House Bill No. 4904, entitled

A bill to amend 1895 PA 215, entitled "The fourth class city act," (MCL 81.1 to 113.20) by adding section 19a to chapter 30.

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

Roll Call No. 631**Yeas—98**

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

Nays—0

In The Chair: Birkholz

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

House Bill No. 4905, entitled

A bill to amend 1966 PA 331, entitled “Community college act of 1966,” (MCL 389.1 to 389.195) by adding section 122b.

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

Roll Call No. 632

Yeas—93

Adamini	George	Kuipers	Rison
Allen	Gielegem	LaSata	Rivet
Anderson	Gilbert	Lipsey	Rocca
Basham	Godchaux	Lockwood	Shackleton
Birkholz	Gosselin	Mans	Sheltrown
Bisbee	Hager	McConico	Shulman
Bishop	Hale	Mead	Spade
Bogardus	Hansen	Meyer	Stallworth
Bovin	Hart	Minore	Stamas
Bradstreet	Howell	Mortimer	Stewart
Brown, B.	Hummel	Neumann	Switalski
Brown, C.	Jacobs	Newell	Tabor
Brown, R.	Jamnick	O’Neil	Thomas
Callahan	Jansen	Pappageorge	Toy
Cassis	Jelinek	Patterson	Van Woerkom
Caul	Johnson, Rick	Pestka	Vander Roest
Clark, I.	Johnson, Ruth	Phillips	Vander Veen
Clarke, H.	Julian	Plakas	Vear
DeRossett	Kilpatrick	Pumford	Voorhees
DeVuyst	Koetje	Raczkowski	Williams
DeWeese	Kolb	Reeves	Woodward
Drolet	Kooiman	Richardville	Woronchak
Ehardt	Kowall	Richner	Zelenko
Frank			

Nays—7

Bernero	Middaugh	Waters	Wojno
Faunce	Murphy	Whitmer	

In The Chair: Birkholz

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

Rep. Vander Roest moved that Rep. Koetje be excused from the balance of today’s session.
 The motion prevailed.

House Bill No. 4906, entitled

A bill to amend 1976 PA 451, entitled "The revised school code," (MCL 380.1 to 380.1852) by adding sections 629a and 1351c.

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

Roll Call No. 633**Yeas—98**

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

Nays—0

In The Chair: Birkholz

The House agreed to the title of the bill.

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

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

Senate Bill No. 331, entitled

A bill to amend 1998 PA 58, entitled "Michigan liquor control code of 1998," by amending sections 107, 525, 531, and 537 (MCL 436.1107, 436.1525, 436.1531, and 436.1537), section 531 as amended by 2000 PA 399, and by adding section 532.

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

Roll Call No. 634**Yeas—91**

Allen	Gielegem	Mans	Scranton
Basham	Gilbert	McConico	Shackleton
Bernero	Godchaux	Mead	Sheltrown
Birkholz	Hager	Meyer	Shulman
Bisbee	Hale	Middaugh	Spade

Bishop	Hansen	Minore	Stallworth
Bovin	Hart	Mortimer	Stamas
Brown, C.	Howell	Murphy	Stewart
Brown, R.	Hummel	Neumann	Switalski
Callahan	Jacobs	Newell	Tabor
Cassis	Jamnick	O'Neil	Thomas
Caul	Jansen	Pappageorge	Toy
Clark, I.	Jelinek	Patterson	Van Woerkom
Clarke, H.	Johnson, Rick	Pestka	Vander Roest
Dennis	Johnson, Ruth	Plakas	Vear
DeRossett	Julian	Pumford	Waters
DeVuyst	Kilpatrick	Raczkowski	Whitmer
DeWeese	Kooiman	Reeves	Williams
Drolet	Kowall	Richardville	Wojno
Ehardt	Kuipers	Richner	Woodward
Faunce	LaSata	Rison	Woronchak
Frank	Lipsey	Rivet	Zelenko
George	Lockwood	Rocca	

Nays—9

Adamini	Bradstreet	Gosselin	Vander Veen
Anderson	Brown, B.	Phillips	Voorhees
Bogardus			

In The Chair: Birkholz

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

“An act to create a commission for the control of the alcoholic beverage traffic within this state, and to prescribe its powers, duties, and limitations; to provide for powers and duties for certain state departments and agencies; to impose certain taxes for certain purposes; to provide for the control of the alcoholic liquor traffic within this state and to provide for the power to establish state liquor stores; to provide for the care and treatment of alcoholics; to provide for the incorporation of farmer cooperative wineries and the granting of certain rights and privileges to those cooperatives; to provide for the licensing and taxation of activities regulated under this act and the disposition of the money received under this act; to prescribe liability for retail licensees under certain circumstances and to require security for that liability; to provide procedures, defenses, and remedies regarding violations of this act; to provide for the enforcement and to prescribe penalties for violations of this act; to provide for allocation of certain funds for certain purposes; to provide for the confiscation and disposition of property seized under this act; to provide referenda under certain circumstances; and to repeal acts and parts of acts.”.

The House agreed to the full title.

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

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

By unanimous consent the House returned to the order of

Reports of Standing Committees

The Speaker laid before the House

House Resolution No. 188.

A resolution to condemn violence and bigotry against Arab Americans, American Muslims, and Americans from South Asia.

(For text of resolution, see House Journal No. 63, p. 1942.)

(The resolution was reported by the Committee on House Oversight and Operations on October 10, with substitute (H-3), consideration of which, under the rules, was postponed until October 11.)

(For substitute, see House Journal No. 68, p. 2034.)

The question being on the adoption of the proposed substitute (H-3) recommended by the Committee,

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

The question being on the adoption of the resolution,

Rep. Woodward moved to amend the resolution as follows:

1. Amend the title, after the second "Americans" by inserting a comma and "as well as visitors, visiting students, and legal aliens living here".
2. Amend the Resolving clause, line 2, after "Americans" by inserting a comma and "as well as visitors, visiting students, and legal aliens living here,".
3. Amend the Resolving clause, line 4, after "citizens" by inserting a comma and "visitors,".

The motion prevailed and the amendments were adopted, a majority of the members serving voting therefor.
The question being on the adoption of the resolution,
The resolution was adopted.

Second Reading of Bills

House Bill No. 5145, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 9307 (MCL 324.9307), as amended by 1998 PA 463.

The bill was read a second time.

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

The motion prevailed.

House Bill No. 5186, entitled

A bill to amend 1953 PA 181, entitled "An act relative to investigations in certain instances of the causes of death within this state due to violence, negligence or other act or omission of a criminal nature or to protect public health; to provide for the taking of statements from injured persons under certain circumstances; to abolish the office of coroner and to create the office of county medical examiner in certain counties; to prescribe the powers and duties of county medical examiners; to prescribe penalties for violations of the provisions of this act; and to prescribe a referendum thereon," by amending section 1 (MCL 52.201).

Was read a second time, and the question being on the adoption of the proposed substitute (H-1) previously recommended by the Committee on Local Government and Urban Policy,

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

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

The motion prevailed.

House Bill No. 4141, entitled

A bill to regulate certain health clubs with respect to potential medical emergencies; and to provide for civil sanctions.

The bill was read a second time.

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

The motion prevailed.

House Bill No. 5212, entitled

A bill to amend 1937 PA 94, entitled "Use tax act," by amending section 14 (MCL 205.104), as amended by 1986 PA 41.

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

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

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

The motion prevailed.

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

By unanimous consent the House returned to the order of

Motions and Resolutions

Reps. DeWeese, Tabor, Vander Roest, Rivet, Richardville, Hager, Hansen, Clarke, Shulman, Caul, Faunce, Van Woerkom, Meyer, Mead, Vander Veen, Gosselin, Bradstreet, Julian, Switalski, Basham, Woodward, DeRossett, Kilpatrick, Pappageorge, Raczkowski, DeVuyst, Kowall, Koetje, Toy, Kuipers, Voorhees, Howell, Cassis, Jamnick, Bovin, Murphy, Neumann, Rich Brown, Scranton, Gielegem, Jansen, Kooiman, Waters, Hale, Spade, Anderson, Richner, Vear, Jacobs, Wojno and Birkholz offered the following resolution:

House Resolution No. 263.

A resolution congratulating the Amateur Radio Relay League.

Whereas, We commend the Amateur Radio Relay League, specifically the Delta Township Auxiliary Communications Service, for benefitting the public through community service; and

Whereas, The tragic events of September 11, 2001, have further demonstrated the importance and necessity of having an amateur radio network to assist local emergency crews. During that time, the Amateur Radio Relay League admirably volunteered their time and services to aid both the American Red Cross and the Salvation Army; and

Whereas, The Amateur Radio Relay League provides assistance to countless civilians during severe weather events such as thunderstorms, tornados, or hurricanes. Members of this distinguished association relay vital information, such as downed power lines or severe weather sightings, to local emergency departments; and

Whereas, The Radio Amateur Civil Emergency Service has demonstrated, on numerous occasions, their ability to aid communities in times of emergency. They train people in their local areas for possible disaster situations. Amateur radio broadcasters also provide their local communities with a variety of unique opportunities, such as allowing elementary school students to speak directly with astronauts on the International Space Station; now, therefore, be it

Resolved by the House of Representatives, That the members of this legislative body congratulate the Amateur Radio Relay League. We commend this association for their loyal and diligent effort to serving their surrounding areas; and be it further

Resolved, That a copy of this resolution be forwarded to the American Radio Relay League, Delta Township Auxiliary Communications Service, Central Michigan Amateur Radio Club, and the Eaton County Amateur Radio Club as a token of our esteem.

Pending the reference of the resolution to a committee,

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

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

The question being on the adoption of the resolution,

The resolution was adopted.

Reps. Vander Veen, Vander Roest, Rivet, Richardville, Shulman, Caul, Faunce, Van Woerkom, Meyer, Mead, Gosselin, Bradstreet, Julian, Switalski, DeRossett, Middaugh, Kilpatrick, Pappageorge, Raczkowski, DeVuyst, Godchaux, Kowall, Koetje, Toy, Kuipers, Voorhees, Howell, Cassis, Jamnick, Murphy, Rich Brown, Scranton, Bisbee, Ruth Johnson, Jansen, Kooiman, Waters, Hale, Anderson, Mans, Richner, Vear, DeWeese, Wojno and Birkholz offered the following resolution:

House Resolution No. 265.

A resolution to memorialize the Congress of the United States not to take control of the Great Lakes away from the Great Lakes states and to reaffirm authority granted to the Council of Great Lakes Governors.

Whereas, The Great Lakes states have taken many steps to protect the lakes. Most recently, Annex 2001 to the Great Lakes Charter has demonstrated the concern of the people of this region that the stewardship for this fresh water resource must remain where it belongs—with the people of the Great Lakes; and

Whereas, The Great Lakes governors work closely with one another and their Canadian provincial counterparts on protecting the Great Lakes on a wide range of issues related to water management and a host of economic matters that strongly influence the lakes. This cooperation mirrors the shared stake in the quality of the lakes and reflects the appropriateness of policies that clearly affirm the authority of the Council of Great Lakes Governors pursuant to the Great Lakes Charter; and

Whereas, The Great Lakes states have demonstrated that we are an effective and efficient manager of Great Lakes water resources. We implore the federal government to continue to allow the Great Lakes states the ability to control the Great Lakes; now, therefore, be it

Resolved by the House of Representatives, That we memorialize the Congress to increase protections for the Great Lakes and to affirm the authority of the Great Lakes governors on matters of the usage of Great Lakes waters; and be it further

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

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

Reps. Thomas, Dennis, Vander Roest, Rivet, Hansen, Clarke, Caul, Faunce, Van Woerkom, Meyer, Julian, Switalski, Basham, Woodward, Garza, Clark, DeRossett, Sheltroun, Minore, Kilpatrick, Pappageorge, Raczkowski, Godchaux, Kowall, Voorhees, Jamnick, Bovin, Murphy, Neumann, Rich Brown, Scranton, Gielegem, Waters, Hale, Spade, Anderson, Bernero, Richner, Vear, Jacobs, DeWeese, Reeves, Wojno and Birkholz offered the following resolution:

House Resolution No. 266.

A resolution honoring the WARM Training Center upon the occasion of its 20th anniversary.

Whereas, It is with a deep appreciation of the significance of this milestone that we commend the management and staff of the WARM Training Center as they mark the 20th anniversary of the founding of this exemplary nonprofit organization. We are proud to recognize the important role that the WARM Training Center has played in supporting other housing organizations by providing construction management related training programs. This contributes to both the economic well-being of the area and the lives of countless citizens; and

Whereas, Since its founding in Detroit, the WARM Training Center has become a vital element in helping Michigan grow. Its success in maintaining competitiveness during an era of many challenges is the direct result of the commitment of the people of this organization and their ability to work together to offer the best services over the years, even as our cyclical Michigan economy has presented obstacles to growth and stability; and

Whereas, In looking back over the 20 years of WARM Training Center's history, it is clear that this organization has set its course with a continuing look to the future. The WARM Training Center's mission is to create a stronger local infrastructure for the production of low and moderate income housing by providing contracting services, technical assistance, training, and project management to other community-based groups and their constituencies. In doing so, the WARM Training Center has contributed to the ongoing public dialogue regarding national and local housing policies. While changes in the marketplace dictate many of the decisions for any good organization, the WARM Training Center has demonstrated the importance of including the ideas of its employees and the role of the organization in the community. We are grateful for all that the WARM Training Center has contributed to Detroit and all of Michigan; now, therefore, be it

Resolved by the House of Representatives, That the members of this legislative body honor the 20th anniversary of the WARM Training Center. We salute them on this happy occasion and wish them well in the years to come; and be it further

Resolved, That a copy of this resolution be transmitted to the WARM Training Center as a token of our esteem.

Pending the reference of the resolution to a committee,

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

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

The question being on the adoption of the resolution,

The resolution was adopted.

Reps. Bradstreet, Middaugh, Kowall, Vander Veen, Bishop, Bisbee, Gosselin and Cassis offered the following concurrent resolution:

House Concurrent Resolution No. 49.

A concurrent resolution to urge the United States Environmental Protection Agency to reevaluate and adjust Michigan's cap on nitrogen oxide emissions.

Whereas, Identifying specific strategies to control the transport of ozone-causing pollutants is a major challenge facing Michigan and our country. Michigan is strongly committed to the development of an effective and fair program based on emissions standards and practices that are appropriate for the state's future; and

Whereas, Several years ago, the EPA NOx State Implementation Plan Call Rule set a cap on nitrogen oxide emissions that is based on miscalculations of Michigan's energy needs. The EPA assumptions, upon which the NOx emissions cap is determined, factor in an annual energy demand growth rate to the year 2007 at approximately one percent. In fact, however, the Michigan Public Service Commission has confirmed that the state's annual energy growth rate is currently projected to be approximately 2.28 percent, more than twice the rate used in the EPA calculations; and

Whereas, The impact of using the wrong energy growth assumptions is that Michigan would be forced to live under emissions thresholds that are prohibitively expensive. The restrictions would seriously hamper the state's economic strength, as well as jeopardizing energy supplies in the years to come. For this to occur because of erroneous assumptions is clearly wrong; and

Whereas, The EPA has provided other affected states surrounding Michigan with much more realistic estimates of their energy demand growth rates. The use of such unrealistically low energy growth rates for Michigan would place this state at an unfair competitive disadvantage with surrounding states; and

Whereas, Michigan is in the process of adopting regulations to impose control levels that comply with EPA goals for air quality, including in areas of the Atlantic coast. Our state is also seeking a legal remedy in the federal courts, a process which is protracted and expensive, and which directs resources away from other productive endeavors. Clearly, it would be far more effective for the EPA to revisit the issue of Michigan's NOx budget in the context of the correct data on energy demand growth rates; and

Whereas, This state is in the process of evaluating its energy policies by reviewing its electric generation capabilities and its ability to meet our future energy demands; now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That we urge the United States Environmental Protection Agency to reevaluate and adjust Michigan's cap on nitrogen oxide emissions, using realistic energy growth rates for prior years and projections for the years to come; and be it further

Resolved, That copies of this resolution be transmitted to the United States Environmental Protection Agency.

The concurrent resolution was referred to the Committee on Energy and Technology.

Announcement by the Clerk of Printing and Enrollment

The Clerk announced that the following bills had been printed and placed upon the files of the members, Wednesday, October 31:

Senate Bill Nos. 807 808

The Clerk announced that the following bills had been printed and placed upon the files of the members, Friday, November 2:

House Bill Nos. 5389 5390 5391 5392 5393

The Clerk announced the enrollment printing and presentation to the Governor on Monday, November 5, for his approval of the following bills:

Enrolled House Bill No. 4548 at 10:35 a.m.

Enrolled House Bill No. 4626 at 10:37 a.m.

The Clerk announced that the following bills had been printed and placed upon the files of the members, Monday, November 5:

Senate Bill Nos. 809 810 811 812 813

The Clerk announced that the following bills had been printed and placed upon the files of the members, Tuesday, November 6:

House Bill Nos. 5371 5372 5373 5374 5375 5376 5377 5378 5379 5380 5381 5382 5383 5384
5385 5386 5387 5388 5394 5395 5396 5397 5398 5399 5400 5401 5402 5403
5404 5405 5406 5407 5408 5409 5410 5411 5412 5413 5414 5415 5416 5417
5418 5419 5420 5421 5422 5423 5424 5425 5426 5427 5428 5429 5430 5431
5432 5433 5434 5435 5436 5437 5438 5439 5440 5441 5442 5443 5444 5445
5446 5447 5448 5449 5450 5451 5452 5453

The Clerk announced that the following Senate bills had been received on Tuesday, November 6:

Senate Bill Nos. 459 562 627

The Clerk announced that the following bill had been printed and placed upon the files of the members, Tuesday, November 6:

Senate Bill No. 817

The Clerk announced that the following Senate bills and joint resolution had been received on Wednesday, November 7:

Senate Bill No. 278 472 796 797 798 799 800 801

Senate Joint Resolution T

The Clerk announced that the following bills had been printed and placed upon the files of the members, Wednesday, November 7:

Senate Bill Nos. 814 815 816

The Clerk announced that the following Senate bills had been received on Thursday, November 8:

Senate Bill Nos. 173 422 638 639 677 715 718 719 720 721 722 723 725 726
727 728 729 731 732 733 734 735 736 738 751 752 753 754
755 756 757 758 759 808

The Clerk announced that the following Senate bill had been received on Friday, November 9:

Senate Bill No. 516

The Clerk announced the enrollment printing and presentation to the Governor on Tuesday, November 13, for his approval of the following bills:

Enrolled House Bill No. 4491 at 10:04 a.m.

Enrolled House Bill No. 5036 at 10:06 a.m.

The Clerk announced the enrollment printing and presentation to the Governor on Friday, November 16, for his approval of the following bills:

Enrolled House Bill No. 4481 at 3:02 p.m.

Enrolled House Bill No. 4775 at 3:04 p.m.

Enrolled House Bill No. 5181 at 3:06 p.m.

The Clerk announced that the following Senate bills had been received on Tuesday, November 27:

Senate Bill Nos. 536 678

By unanimous consent the House returned to the order of

Reports of Standing Committees

The Committee on Criminal Justice, by Rep. Faunce, Chair, reported

House Bill No. 5389, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 17 of chapter XVII (MCL 777.17), as amended by 2000 PA 300, and by adding sections 17b, 17c, 17d, 17f, and 17g to chapter XVII.

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

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

Favorable Roll Call

HB 5389 To Report Out:

Yeas: Reps. Faunce, Kowall, DeWeese, Julian, McConico, O'Neil,

Nays: None.

The Committee on Criminal Justice, by Rep. Faunce, Chair, reported

House Bill No. 5390, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 14 of chapter XVII (MCL 777.14), as amended by 2000 PA 363, and by adding sections 14a, 14b, 14c, 14d, 14f, 14g, 14h, 14j, 14m, and 14p to chapter XVII.

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

1. Amend page 15, following line 20, by inserting:

"Enacting section 1. This amendatory act takes effect February 1, 2002."

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

Favorable Roll Call

HB 5390 To Report Out:

Yeas: Reps. Faunce, Kowall, DeWeese, Julian, McConico, O'Neil,

Nays: None.

The Committee on Criminal Justice, by Rep. Faunce, Chair, reported

House Bill No. 5391, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 13 of chapter XVII (MCL 777.13), as amended by 2001 PA 13, and by adding sections 13b, 13c, 13d, 13e, 13f, 13g, 13j, 13k, 13m, 13n, and 13p.

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

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

Favorable Roll Call

HB 5391 To Report Out:

Yeas: Reps. Faunce, Kowall, DeWeese, Julian, McConico, O'Neil,
Nays: None.

The Committee on Criminal Justice, by Rep. Faunce, Chair, reported

House Bill No. 5392, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 11 of chapter XVII (MCL 777.11), as amended by 2000 PA 492, and by adding sections 11a, 11b, 11c, 11d, and 11e to chapter XVII.

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

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

Favorable Roll Call

HB 5392 To Report Out:

Yeas: Reps. Faunce, Kowall, DeWeese, Julian, McConico, O'Neil,
Nays: None.

The Committee on Criminal Justice, by Rep. Faunce, Chair, reported

House Bill No. 5393, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 12 of chapter XVII (MCL 777.12), as amended by 2001 PA 104, and by adding sections 12a, 12b, 12c, 12d, 12e, 12f, 12g, 12h, 12j, and 12k to chapter XVII.

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

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

Favorable Roll Call

HB 5393 To Report Out:

Yeas: Reps. Faunce, Kowall, DeWeese, Julian, McConico, O'Neil,
Nays: None.

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Faunce, Chair of the Committee on Criminal Justice, was received and read:

Meeting held on: Wednesday, November 7, 2001, at 1:00 p.m.,

Present: Reps. Faunce, Kowall, DeWeese, Julian, McConico, O'Neil,

Absent: Reps. George, Raczkowski, Sanborn, Callahan, Rison,

Excused: Reps. George, Raczkowski, Sanborn, Callahan, Rison.

The Committee on Commerce, by Rep. Allen, Chair, reported

House Bill No. 4812, entitled

A bill to amend 1981 PA 155, entitled "An act to provide for ownership rights in dies, molds, and forms for use in the fabrication of plastic parts under certain conditions and to establish a lien on certain dies, molds, and forms," by amending sections 1 and 8a (MCL 445.611 and 445.618a), section 8a as added by 1986 PA 103, and by adding sections 9, 10, 10a, 10b, and 10c.

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

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

Favorable Roll Call

HB 4812 To Report Out:

Yeas: Reps. Allen, Bishop, Howell, Koetje, Middaugh, Mortimer, Van Woerkom, Vear, Kolb, Lipsey, Rivet, Waters, Zelenko,

Nays: None.

The Committee on Commerce, by Rep. Allen, Chair, reported

House Bill No. 4987, entitled

A bill to amend 1980 PA 299, entitled "Occupational code," by amending section 2512 (MCL 339.2512), as amended by 2000 PA 436.

Without amendment and with the recommendation that the bill pass.

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

Favorable Roll Call

HB 4987 To Report Out:

Yeas: Reps. Allen, Bishop, Howell, Koetje, Middaugh, Mortimer, Van Woerkom, Kolb, Lipsey, Rivet, Waters, Zelenko,

Nays: None.

The Committee on Commerce, by Rep. Allen, Chair, reported

House Bill No. 5317, entitled

A bill to amend 2000 PA 161, entitled "Michigan education savings program act," by amending sections 2 and 7 (MCL 390.1472 and 390.1477).

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

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

Favorable Roll Call

HB 5317 To Report Out:

Yeas: Reps. Allen, Bishop, Howell, Koetje, Middaugh, Mortimer, Van Woerkom, Vear, Kolb, Lipsey, Waters, Zelenko,

Nays: None.

The Committee on Commerce, by Rep. Allen, Chair, reported

House Bill No. 5382, entitled

A bill to amend 1962 PA 174, entitled "Uniform commercial code," by amending section 9201 (MCL 440.9201), as amended by 2000 PA 348.

Without amendment and with the recommendation that the bill pass.

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

Favorable Roll Call

HB 5382 To Report Out:

Yeas: Reps. Allen, Bishop, Koetje, Middaugh, Mortimer, Van Woerkom, Vear, Kolb, Lipsey, Waters, Zelenko,

Nays: None.

The Committee on Commerce, by Rep. Allen, Chair, reported

House Bill No. 5404, entitled

A bill to amend 1976 PA 451, entitled "The revised school code," by amending section 442 (MCL 380.442), as amended by 1985 PA 22.

Without amendment and with the recommendation that the bill pass.

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

Favorable Roll Call

HB 5404 To Report Out:

Yeas: Reps. Allen, Bishop, Howell, Koetje, Middaugh, Mortimer, Van Woerkom, Vear, Kolb, Lipsey, Rivet, Waters, Zelenko,

Nays: None.

The Committee on Commerce, by Rep. Allen, Chair, reported

House Bill No. 5405, entitled

A bill to amend 1961 PA 108, entitled "An act to provide for loans by the state of Michigan to school districts for the payment of principal and interest upon school bonds; to prescribe the terms and conditions of the loans and the conditions upon which levies for bond principal and interest shall be included in computing the amount to be so loaned by the state; to prescribe the powers and duties of the superintendent of public instruction and the state treasurer in relation to such loans; to provide for the repayment of such loans; to provide incentives for repayment of such loans; to provide for other matters in respect to such loans; and to make an appropriation," by amending section 4 (MCL 388.954), as amended by 1992 PA 228.

Without amendment and with the recommendation that the bill pass.

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

Favorable Roll Call

HB 5405 To Report Out:

Yeas: Reps. Allen, Bishop, Howell, Koetje, Middaugh, Mortimer, Van Woerkom, Vear, Kolb, Lipsey, Rivet, Waters, Zelenko,

Nays: None.

The Committee on Commerce, by Rep. Allen, Chair, reported

House Bill No. 5406, entitled

A bill to repeal 1973 PA 12, entitled "An act to provide for emergency financial assistance for school districts; to prescribe certain powers and duties of the intermediate board of education in connection therewith; to provide certain powers and duties of the state board of education in connection therewith; to create an emergency loan revolving fund; and to make an appropriation," (MCL 388.251 to 388.271).

Without amendment and with the recommendation that the bill pass.

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

Favorable Roll Call

HB 5406 To Report Out:

Yeas: Reps. Allen, Bishop, Howell, Koetje, Middaugh, Mortimer, Van Woerkom, Vear, Kolb, Lipsey, Rivet, Waters, Zelenko,

Nays: None.

The Committee on Commerce, by Rep. Allen, Chair, reported

House Bill No. 5407, entitled

A bill to amend 1976 PA 451, entitled "The revised school code," by amending section 629 (MCL 380.629), as amended by 1997 PA 152.

Without amendment and with the recommendation that the bill pass.

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

Favorable Roll Call

HB 5407 To Report Out:

Yeas: Reps. Allen, Bishop, Howell, Koetje, Middaugh, Mortimer, Van Woerkom, Vear, Kolb, Lipsey, Rivet, Waters, Zelenko,

Nays: None.

The Committee on Commerce, by Rep. Allen, Chair, reported

House Bill No. 5408, entitled

A bill to amend 1976 PA 451, entitled "The revised school code," by amending section 687 (MCL 380.687), as amended by 1995 PA 289.

Without amendment and with the recommendation that the bill pass.

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

Favorable Roll Call

HB 5408 To Report Out:

Yeas: Reps. Allen, Bishop, Howell, Koetje, Middaugh, Mortimer, Van Woerkom, Vear, Kolb, Lipsey, Rivet, Waters, Zelenko,

Nays: None.

The Committee on Commerce, by Rep. Allen, Chair, reported

House Bill No. 5409, entitled

A bill to amend 1976 PA 451, entitled "The revised school code," by amending section 1215 (MCL 380.1215).

Without amendment and with the recommendation that the bill pass.

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

Favorable Roll Call

HB 5409 To Report Out:

Yeas: Reps. Allen, Bishop, Howell, Koetje, Middaugh, Mortimer, Van Woerkom, Vear, Kolb, Lipsey, Rivet, Waters, Zelenko,

Nays: None.

The Committee on Commerce, by Rep. Allen, Chair, reported

House Bill No. 5410, entitled

A bill to amend 1976 PA 451, entitled "The revised school code," by amending section 1216 (MCL 380.1216), as amended by 1992 PA 236.

Without amendment and with the recommendation that the bill pass.

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

Favorable Roll Call

HB 5410 To Report Out:

Yeas: Reps. Allen, Bishop, Howell, Koetje, Middaugh, Mortimer, Van Woerkom, Vear, Kolb, Lipsey, Rivet, Waters, Zelenko,

Nays: None.

The Committee on Commerce, by Rep. Allen, Chair, reported

House Bill No. 5411, entitled

A bill to amend 1976 PA 451, entitled "The revised school code," by amending section 1225 (MCL 380.1225), as amended by 1997 PA 152.

Without amendment and with the recommendation that the bill pass.

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

Favorable Roll Call

HB 5411 To Report Out:

Yeas: Reps. Allen, Bishop, Howell, Koetje, Middaugh, Mortimer, Van Woerkom, Vear, Kolb, Lipsey, Rivet, Waters, Zelenko,

Nays: None.

The Committee on Commerce, by Rep. Allen, Chair, reported

House Bill No. 5412, entitled

A bill to amend 1976 PA 451, entitled "The revised school code," by amending section 1227 (MCL 380.1227), as added by 1995 PA 289.

Without amendment and with the recommendation that the bill pass.

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

Favorable Roll Call

HB 5412 To Report Out:

Yeas: Reps. Allen, Bishop, Howell, Koetje, Middaugh, Mortimer, Van Woerkom, Vear, Kolb, Lipsey, Rivet, Waters, Zelenko,

Nays: None.

The Committee on Commerce, by Rep. Allen, Chair, reported

House Bill No. 5413, entitled

A bill to amend 1976 PA 451, entitled "The revised school code," by amending section 1351 (MCL 380.1351), as amended by 1997 PA 152.

Without amendment and with the recommendation that the bill pass.

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

Favorable Roll Call

HB 5413 To Report Out:

Yeas: Reps. Allen, Bishop, Howell, Koetje, Middaugh, Mortimer, Van Woerkom, Vear, Kolb, Lipsey, Rivet, Waters, Zelenko,

Nays: None.

The Committee on Commerce, by Rep. Allen, Chair, reported

House Bill No. 5414, entitled

A bill to amend 1976 PA 451, entitled "The revised school code," by amending section 1351a (MCL 380.1351a), as amended by 1997 PA 152.

Without amendment and with the recommendation that the bill pass.

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

Favorable Roll Call

HB 5414 To Report Out:

Yeas: Reps. Allen, Bishop, Howell, Koetje, Middaugh, Mortimer, Van Woerkom, Vear, Kolb, Lipsey, Rivet, Waters, Zelenko,

Nays: None.

The Committee on Commerce, by Rep. Allen, Chair, reported

House Bill No. 5415, entitled

A bill to amend 1976 PA 451, entitled "The revised school code," by amending section 1356 (MCL 380.1356), as amended by 1993 PA 312.

Without amendment and with the recommendation that the bill pass.

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

Favorable Roll Call

HB 5415 To Report Out:

Yeas: Reps. Allen, Bishop, Howell, Koetje, Middaugh, Mortimer, Van Woerkom, Vear, Kolb, Lipsey, Rivet, Waters, Zelenko,

Nays: None.

The Committee on Commerce, by Rep. Allen, Chair, reported

House Bill No. 5416, entitled

A bill to amend 1976 PA 451, entitled "The revised school code," by amending section 1362 (MCL 380.1362).

Without amendment and with the recommendation that the bill pass.

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

Favorable Roll Call

HB 5416 To Report Out:

Yeas: Reps. Allen, Bishop, Howell, Koetje, Middaugh, Mortimer, Van Woerkom, Vear, Kolb, Lipsey, Rivet, Waters, Zelenko,

Nays: None.

The Committee on Commerce, by Rep. Allen, Chair, reported

House Bill No. 5417, entitled

A bill to amend 1976 PA 451, entitled "The revised school code," by amending section 1363 (MCL 380.1363).

Without amendment and with the recommendation that the bill pass.

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

Favorable Roll Call

HB 5417 To Report Out:

Yeas: Reps. Allen, Bishop, Howell, Koetje, Middaugh, Mortimer, Van Woerkom, Vear, Kolb, Lipsey, Rivet, Waters, Zelenko,

Nays: None.

The Committee on Commerce, by Rep. Allen, Chair, reported

House Bill No. 5418, entitled

A bill to amend 1976 PA 451, entitled "The revised school code," by amending section 1731 (MCL 380.1731).

Without amendment and with the recommendation that the bill pass.

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

Favorable Roll Call

HB 5418 To Report Out:

Yeas: Reps. Allen, Bishop, Howell, Koetje, Middaugh, Mortimer, Van Woerkom, Vear, Kolb, Lipsey, Rivet, Waters, Zelenko,

Nays: None.

The Committee on Commerce, by Rep. Allen, Chair, reported

House Bill No. 5419, entitled

A bill to amend 1979 PA 94, entitled "The state school aid act of 1979," by amending section 17a (MCL 388.1617a), as amended by 1996 PA 300.

Without amendment and with the recommendation that the bill pass.

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

Favorable Roll Call

HB 5419 To Report Out:

Yeas: Reps. Allen, Bishop, Howell, Koetje, Middaugh, Mortimer, Van Woerkom, Vear, Kolb, Lipsey, Rivet, Waters, Zelenko,

Nays: None.

The Committee on Commerce, by Rep. Allen, Chair, reported

House Bill No. 5420, entitled

A bill to amend 1966 PA 331, entitled "Community college act of 1966," by amending section 122 (MCL 389.122), as amended by 1984 PA 148.

Without amendment and with the recommendation that the bill pass.

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

Favorable Roll Call

HB 5420 To Report Out:

Yeas: Reps. Allen, Bishop, Howell, Koetje, Middaugh, Mortimer, Van Woerkom, Vear, Kolb, Lipsey, Rivet, Waters, Zelenko,

Nays: None.

The Committee on Commerce, by Rep. Allen, Chair, reported

House Bill No. 5421, entitled

A bill to amend 1966 PA 331, entitled "Community college act of 1966," by amending section 126 (MCL 389.126).

Without amendment and with the recommendation that the bill pass.

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

Favorable Roll Call

HB 5421 To Report Out:

Yeas: Reps. Allen, Bishop, Howell, Koetje, Middaugh, Mortimer, Van Woerkom, Vear, Kolb, Lipsey, Rivet, Waters, Zelenko,

Nays: None.

The Committee on Commerce, by Rep. Allen, Chair, reported

House Bill No. 5422, entitled

A bill to amend 1966 PA 331, entitled "Community college act of 1966," by amending section 127 (MCL 389.127), as added by 1982 PA 342.

Without amendment and with the recommendation that the bill pass.

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

Favorable Roll Call

HB 5422 To Report Out:

Yeas: Reps. Allen, Bishop, Howell, Koetje, Middaugh, Mortimer, Van Woerkom, Vear, Kolb, Lipsey, Rivet, Waters, Zelenko,

Nays: None.

The Committee on Commerce, by Rep. Allen, Chair, reported

House Bill No. 5423, entitled

A bill to amend 1966 PA 331, entitled "Community college act of 1966," by amending section 144 (MCL 389.144), as amended by 1990 PA 287.

Without amendment and with the recommendation that the bill pass.

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

Favorable Roll Call

HB 5423 To Report Out:

Yeas: Reps. Allen, Bishop, Howell, Koetje, Middaugh, Mortimer, Van Woerkom, Vear, Kolb, Lipsey, Rivet, Waters, Zelenko,

Nays: None.

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Allen, Chair of the Committee on Commerce, was received and read:

Meeting held on: Tuesday, November 6, 2001, at 9:00 a.m.,

Present: Reps. Allen, Bishop, Gilbert, Howell, Koetje, Middaugh, Mortimer, Van Woerkom, Vear, Kolb, Lipsey, Rivet, Waters, Zelenko,

Absent: Reps. DeVuyst, Thomas, Lemmons,

Excused: Reps. DeVuyst, Thomas, Lemmons.

The Committee on Senior Health, Security and Retirement, by Rep. Voorhees, Chair, reported
Senate Bill No. 525, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 21712 (MCL 333.21712).
 Without amendment and with the recommendation that the bill pass.
 The bill was referred to the order of Second Reading of Bills.

Favorable Roll Call

SB 525 To Report Out:

Yeas: Reps. Voorhees, Woronchak, Cassis, Kuipers, Vear, Williams, Bovin, Spade, Zelenko,
 Nays: None.

The Committee on Senior Health, Security and Retirement, by Rep. Voorhees, Chair, reported
Senate Bill No. 746, entitled

A bill to amend 1972 PA 284, entitled "Business corporation act," by amending section 213 (MCL 450.1213).
 Without amendment and with the recommendation that the bill pass.
 The bill was referred to the order of Second Reading of Bills.

Favorable Roll Call

SB 746 To Report Out:

Yeas: Reps. Voorhees, Woronchak, Cassis, Kuipers, Vear, Williams, Bovin, Spade, Zelenko,
 Nays: None.

The Committee on Senior Health, Security and Retirement, by Rep. Voorhees, Chair, reported
Senate Bill No. 747, entitled

A bill to amend 1993 PA 23, entitled "Michigan limited liability company act," (MCL 450.4101 to 450.5200) by
 adding section 204a.
 Without amendment and with the recommendation that the bill pass.
 The bill was referred to the order of Second Reading of Bills.

Favorable Roll Call

SB 747 To Report Out:

Yeas: Reps. Voorhees, Woronchak, Cassis, Kuipers, Vear, Williams, Bovin, Spade, Zelenko,
 Nays: None.

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Voorhees, Chair of the Committee on Senior Health, Security and Retirement, was received and read:

Meeting held on: Tuesday, November 27, 2001, at 10:30 a.m.,

Present: Reps. Voorhees, Woronchak, Cassis, Kuipers, Vear, Williams, Bovin, Spade, Zelenko.

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Gilbert, Chair of the Committee on Transportation, was received and read:

Meeting held on: Tuesday, November 6, 2001, at 10:30 a.m.,

Present: Reps. Gilbert, DeRossett, Hart, Hummel, Ruth Johnson, Scranton, Anderson, Jamnick, Murphy, Neumann,
 Absent: Reps. George, Drolet, Gosselin, Julian, Bovin, Daniels, Schermesser,
 Excused: Reps. George, Drolet, Gosselin, Julian, Bovin, Daniels, Schermesser.

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Shulman, Chair of the Committee on Appropriations, was received and read:

Meeting held on: Tuesday, November 6, 2001, at 2:00 p.m.,

Present: Reps. Shulman, LaSata, Cameron Brown, Caul, Drolet, Jansen, Jelinek, Kooiman, Mead, Mortimer, Newell, Pappageorge, Pumford, Shackleton, Stamas, Stewart, Toy, Vander Roest, Frank, Rich Brown, Lockwood, Pestka, Phillips, Plakas, Stallworth, Switalski, Whitmer,

Absent: Reps. Clarke, Reeves,

Excused: Reps. Clarke, Reeves.

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Howell, Chair of the Committee on Civil Law and the Judiciary, was received and read:

Meeting held on: Tuesday, November 20, 2001, at 10:30 a.m.,

Present: Reps. Howell, Faunce, Hummel, Koetje, Adamini, Lipsey,

Absent: Reps. Richner, Bisbee, Voorhees, Minore, Waters,

Excused: Reps. Richner, Bisbee, Voorhees, Minore, Waters.

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Howell, Chair of the Committee on Civil Law and the Judiciary, was received and read:

Meeting held on: Tuesday, November 20, 2001, at 1:00 p.m.,

Present: Reps. Howell, Richner, Faunce, Hummel, Adamini, Lipsey, Minore,

Absent: Reps. Bisbee, Koetje, Voorhees, Waters,

Excused: Reps. Bisbee, Koetje, Voorhees, Waters.

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Allen, Chair of the Committee on Commerce, was received and read:

Meeting held on: Tuesday, November 27, 2001, at 9:00 a.m.,

Present: Reps. Allen, Bishop, DeVuyst, Gilbert, Howell, Koetje, Middaugh, Mortimer, Van Woerkom, Vear, Thomas, Kolb, Lipsey, Rivet, Waters, Zelenko,

Absent: Rep. Lemmons,

Excused: Rep. Lemmons.

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Gilbert, Chair of the Committee on Transportation, was received and read:

Meeting held on: Tuesday, November 27, 2001, at 10:30 a.m.,

Present: Reps. Gilbert, George, DeRossett, Drolet, Gosselin, Hart, Hummel, Ruth Johnson, Julian, Scranton, Anderson, Bovin, Jamnick, Murphy, Neumann,

Absent: Reps. Daniels, Schermesser,

Excused: Reps. Daniels, Schermesser.

Messages from the Senate**House Bill No. 4481, entitled**

A bill to amend 1967 PA 281, entitled "An act to meet deficiencies in state funds by providing for the imposition, levy, computation, collection, assessment, and enforcement by lien and otherwise of taxes on or measured by net income; to prescribe the manner and time of making reports and paying the taxes, and the functions of public officers

and others as to the taxes; to permit the inspection of the records of taxpayers; to provide for interest and penalties on unpaid taxes; to provide exemptions, credits and refunds of the taxes; to prescribe penalties for the violation of this act; to provide an appropriation; and to repeal certain acts and parts of acts," by amending section 527a (MCL 206.527a), as amended by 1996 PA 484.

The Senate has concurred in the House amendment to the Senate substitute (S-2).

The bill was referred to the Clerk for enrollment printing and presentation to the Governor on November 7, 2001.

House Bill No. 4491, entitled

A bill to amend 1976 PA 451, entitled "The revised school code," by amending section 1284b (MCL 380.1284b), as added by 1999 PA 141.

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

The House agreed to the full title.

The bill was referred to the Clerk for enrollment printing and presentation to the Governor on November 6, 2001.

House Bill No. 4775, entitled

A bill to amend 1978 PA 390, entitled "An act to regulate the time and manner of payment of wages and fringe benefits to employees; to prescribe rights and responsibilities of employers and employees, and the powers and duties of the department of labor; to require keeping of records; to provide for settlement of disputes regarding wages and fringe benefits; to prohibit certain practices by employers; to prescribe penalties and remedies; and to repeal certain acts and parts of acts," by amending section 11a (MCL 408.481a), as added by 1996 PA 215.

The Senate has passed the bill and ordered that it be given immediate effect.

The bill was referred to the Clerk for enrollment printing and presentation to the Governor on November 8, 2001.

House Bill No. 4868, entitled

A bill to amend 1909 PA 279, entitled "The home rule city act," by amending sections 5i and 35a (MCL 117.5i and 117.35a), section 5i as added by 1994 PA 431.

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

The House agreed to the full title.

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

House Bill No. 5036, entitled

A bill to amend 1941 PA 122, entitled "An act to establish a revenue division of the department of treasury; to prescribe its powers and duties as the revenue collection agency of the state; to prescribe certain powers and duties of the state treasurer; to regulate the importation, stamping, and disposition of certain tobacco products; to create the position and to define the powers and duties of the state commissioner of revenue; to provide for the transfer of powers and duties now vested in certain other state boards, commissions, departments and offices; to prescribe certain duties of and require certain reports from the department of treasury; to provide procedures for the payment, administration, audit, assessment, levy of interests or penalties on, and appeals of taxes and tax liability; to prescribe its powers and duties if an agreement to act as agent for a city to administer, collect, and enforce the city income tax act on behalf of a city is entered into with any city; to provide an appropriation; to abolish the state board of tax administration; to prescribe penalties and provide remedies; and to declare the effect of this act," by amending sections 24, 30c, and 31 (MCL 205.24, 205.30c, and 205.31), sections 24 and 31 as amended by 1993 PA 14 and section 30c as amended by 1998 PA 493.

The Senate has passed the bill and ordered that it be given immediate effect.

The bill was referred to the Clerk for enrollment printing and presentation to the Governor on November 6, 2001.

House Bill No. 5181, entitled

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

The Senate has passed the bill and ordered that it be given immediate effect.

The bill was referred to the Clerk for enrollment printing and presentation to the Governor on November 8, 2001.

House Bill No. 4733, entitled

A bill to authorize the board of a school district to award high school diplomas to World War II veterans under certain circumstances; and to prescribe duties and responsibilities of certain state officers and officials.

The Senate has substituted (S-1) the bill.

The Senate has passed the bill as substituted (S-1) and ordered that it be given immediate effect.

The Speaker announced that pursuant to Rule 45, the bill was laid over one day.

House Bill No. 4753, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 2131 (MCL 324.2131), as added by 1995 PA 60.

1. Amend page 2, line 10, by striking out "\$5,000,000.00" and inserting "\$2,500,000.00".

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

The Speaker announced that pursuant to Rule 45, the bill was laid over one day.

House Bill No. 4872, entitled

A bill to amend 1978 PA 639, entitled "Hertel-Law-T. Stopczynski port authority act," by amending section 5 (MCL 120.105).

The Senate has substituted (S-2) the bill.

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

The Speaker announced that pursuant to Rule 45, the bill was laid over one day.

House Bill No. 4995, entitled

A bill to amend 1943 PA 184, entitled "Township zoning act," by amending section 40 (MCL 125.310), as amended by 2000 PA 384, and by adding section 16h.

The Senate has substituted (S-4) the bill.

The Senate has passed the bill as substituted (S-4), ordered that it be given immediate effect and amended the title to read as follows:

A bill to amend 1943 PA 184, entitled "An act to provide for the establishment in townships of zoning districts within which the proper use of land and natural resources may be encouraged or regulated by ordinance, and for which districts provisions may also be adopted designating the location of, the size of, the uses that may be made of, the minimum open spaces, sanitary, safety, and protective measures that shall be required for, and the maximum number of families that may be housed in dwellings, buildings, and structures, including tents and trailer coaches, that are erected or altered; to designate the use of certain state licensed residential facilities; to provide for a method for the adoption of ordinances and amendments to ordinances; to provide for emergency interim ordinances; to provide for the acquisition by purchase, condemnation, or otherwise of nonconforming property; to provide for the administering of ordinances adopted; to provide for conflicts with other acts, ordinances, or regulations; to provide sanctions for violations; to provide for the assessment, levy, and collection of taxes; to provide for the collection of fees for building permits; to provide for petitions, public hearings, and referenda; to provide for appeals; to authorize the purchase of development rights; to authorize the issuance of bonds and notes; to provide for special assessments; and to prescribe penalties and provide remedies," by amending sections 12 and 40 (MCL 125.282 and 125.310), section 12 as amended by 1996 PA 297 and section 40 as amended by 2000 PA 384, and by adding section 16h.

The Speaker announced that pursuant to Rule 45, the bill was laid over one day.

House Bill No. 5028, entitled

A bill to amend 1943 PA 183, entitled "County zoning act," by amending section 40 (MCL 125.240), as amended by 2000 PA 385, and by adding section 16h.

The Senate has substituted (S-4) the bill.

The Senate has passed the bill as substituted (S-4), ordered that it be given immediate effect and pursuant to Joint Rule 20, inserted the full title.

The Speaker announced that pursuant to Rule 45, the bill was laid over one day.

House Bill No. 5029, entitled

A bill to amend 1921 PA 207, entitled "City and village zoning act," by amending section 20 (MCL 125.600), as amended by 2000 PA 383, and by adding section 4f.

The Senate has substituted (S-4) the bill.

The Senate has passed the bill as substituted (S-4), ordered that it be given immediate effect and pursuant to Joint Rule 20, inserted the full title.

The Speaker announced that pursuant to Rule 45, the bill was laid over one day.

House Bill No. 5189, entitled

A bill to enter into the interstate emergency management assistance compact.

The Senate has substituted (S-1) the bill.

The Senate has passed the bill as substituted (S-1) and ordered that it be given immediate effect.

The Speaker announced that pursuant to Rule 45, the bill was laid over one day.

Senate Bill No. 173, entitled

A bill to amend 1954 PA 116, entitled "Michigan election law," by amending sections 2, 31, 73, 283, 393, 509y, 509aa, 558, 561, 561a, 590f, 686, 691, 706, 727, 737, 745, 769, 782b, 795, 795c, 799a, 803, 804, 842, 880a, 931, and 992 (MCL 168.2, 168.31, 168.73, 168.283, 168.393, 168.509y, 168.509aa, 168.558, 168.561, 168.561a, 168.590f, 168.686, 168.691, 168.706, 168.727, 168.737, 168.745, 168.769, 168.782b, 168.795, 168.795c, 168.799a, 168.803, 168.804, 168.842, 168.880a, 168.931, and 168.992), sections 2, 73, 283, 393, and 686 as amended by 1999 PA 216, section 31 as amended by 1999 PA 220, sections 509y and 509aa as added by 1994 PA 441, section 558 as amended by 1999 PA 217, section 590f as added by 1988 PA 116, sections 706 and 737 as amended by 1985 PA 160, sections 727 and 769 as amended by 1995 PA 261, section 795 as amended by 1999 PA 218, section 795c as amended by 1990 PA 109, sections 799a and 803 as amended by 1997 PA 137, and section 931 as amended by 1996 PA 583, and by adding sections 560b and 701; and to repeal acts and parts of acts.

The Senate has passed the bill.

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

Senate Bill No. 278, entitled

A bill to amend 1976 PA 451, entitled "The revised school code," (MCL 380.1 to 380.1852) by adding section 1523.

The Senate has passed the bill.

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

Senate Bill No. 422, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by repealing sections 3520 and 3615 (MCL 600.3520 and 600.3615).

The Senate has passed the bill.

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

Senate Bill No. 459, entitled

A bill to establish a teachers loan forgiveness program for eligible new teachers in at-risk schools and shortage areas; to establish a teachers loan forgiveness fund and to provide for its administration; and to prescribe certain powers and duties of certain state officers, agencies, and departments.

The Senate has passed the bill.

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

Senate Bill No. 472, entitled

A bill to amend 1982 PA 249, entitled "An act to establish the state children's trust fund in the department of treasury; and to provide certain powers and duties of the department of treasury with respect to the trust fund," by amending section 1 (MCL 21.171), as amended by 2000 PA 72.

The Senate has passed the bill.

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

Senate Bill No. 516, entitled

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

The Senate has passed the bill.

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

Senate Bill No. 536, entitled

A bill to amend 2000 PA 161, entitled "Michigan education savings program act," by amending section 7 (MCL 390.1477).

The Senate has passed the bill.

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

Senate Bill No. 562, entitled

A bill to amend 1976 PA 451, entitled "The revised school code," (MCL 380.1 to 380.1852) by adding section 1279a.

The Senate has passed the bill.

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

Senate Bill No. 627, entitled

A bill to amend 1997 PA 16, entitled "The playground equipment safety act," by amending section 4 (MCL 408.684), as amended by 1998 PA 137.

The Senate has passed the bill.

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

Senate Bill No. 638, entitled

A bill to amend 1996 PA 480, entitled "An act to make appropriations for the judicial branch for the fiscal year ending September 30, 1997; to make appropriations to various state departments for the fiscal year ending September 30, 1997; to make appropriations for a capital outlay program for fiscal years ending September 30, 1997; to implement the appropriations within the budgetary process; to make appropriations for planning and construction at state agencies, universities, and community colleges; to make appropriations for state building authority rent and insurance; to make a grant for state building authority rent; to provide for the acquisition of land and buildings; to provide for the elimination of fire hazards; to provide for special maintenance, remodeling and addition, alteration, renovation, demolition, and other projects; to provide for elimination of occupational safety and health hazards; to provide for the award and implementation of contracts; to provide for the purchase of furnishings and equipment relative to occupancy of a project; to provide for certain advances from the general fund; to require certain reports, plans, and agreements; to provide for leases; to provide for transfers; to prescribe standards and conditions relating to the appropriations; to provide for the acquisition of land and the development of public recreation facilities; to provide for the powers and duties of certain state agencies, employees, and officials; and to provide for the expenditure of the appropriations," by amending section 1813.

The Senate has passed the bill.

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

Senate Bill No. 639, entitled

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," by amending section 8142 (MCL 500.8142), as amended by 1998 PA 279.

The Senate has passed the bill.

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

Senate Bill No. 677, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 629e (MCL 257.629e), as amended by 2000 PA 268.

The Senate has passed the bill.

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

Senate Bill No. 678, entitled

A bill to amend 1937 PA 94, entitled "Use tax act," by amending section 3 (MCL 205.93), as amended by 1999 PA 117.

The Senate has passed the bill.

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

Senate Bill No. 715, entitled

A bill to enter into an interstate emergency management assistance compact.

The Senate has passed the bill.

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

Senate Bill No. 718, entitled

A bill to amend 1969 PA 317, entitled "Worker's disability compensation act of 1969," by amending section 551 (MCL 418.551), as amended by 1992 PA 269.

The Senate has passed the bill.

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

Senate Bill No. 719, entitled

A bill to amend 1978 PA 389, entitled "An act to provide for the prevention and treatment of domestic violence; to develop and establish policies, procedures, and standards for providing domestic violence assistance programs and services; to create a domestic violence prevention and treatment board and prescribe its powers and duties; to establish a domestic violence prevention and treatment fund and provide for its use; and to prescribe powers and duties of the family independence agency," (MCL 400.1501 to 400.1511) by adding section 11.

The Senate has passed the bill.

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

Senate Bill No. 720, entitled

A bill to amend 1968 PA 319, entitled "An act to provide a uniform crime reporting system; to provide for the submitting of such report to the department of state police; to require submission of the report by certain police agencies; to require the reporting on wanted persons and stolen vehicles; to require the reporting of information regarding certain persons and unidentified bodies of deceased persons; to prescribe certain powers and duties of law enforcement agencies; and to vest the director of the department of state police with certain authority," by amending section 7 (MCL 28.257).

The Senate has passed the bill.

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

Senate Bill No. 721, entitled

A bill to amend 1925 PA 289, entitled "An act to create a bureau of criminal identification and records within the department of state police; to require peace officers, persons in charge of certain institutions, and others to make reports respecting juvenile offenses, crimes, and criminals to the state police; to require the fingerprinting of an accused by certain persons; and to provide penalties for violation of this act," by amending sections 2 and 3 (MCL 28.242 and 28.243), section 2 as amended by 1988 PA 40 and section 3 as amended by 1999 PA 266.

The Senate has passed the bill.

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

Senate Bill No. 722, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 16a of chapter IX (MCL 769.16a), as amended by 2000 PA 220.

The Senate has passed the bill.

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

Senate Bill No. 723, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending sections 81 and 81a (MCL 750.81 and 750.81a), section 81 as amended by 2000 PA 462 and section 81a as amended by 1999 PA 270.

The Senate has passed the bill.

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

Senate Bill No. 725, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," (MCL 600.101 to 600.9948) by adding section 2972.

The Senate has passed the bill.

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

Senate Bill No. 726, entitled

A bill to amend 1927 PA 372, entitled "An act to regulate and license the selling, purchasing, possessing, and carrying of certain firearms and gas ejecting devices; to prohibit the buying, selling, or carrying of certain firearms and gas ejecting devices without a license or other authorization; to provide for the forfeiture of firearms under certain

circumstances; to provide for penalties and remedies; to provide immunity from civil liability under certain circumstances; to prescribe the powers and duties of certain state and local agencies; to prohibit certain conduct against individuals who apply for or receive a license to carry a concealed pistol; to make appropriations; to prescribe certain conditions for the appropriations; and to repeal all acts and parts of acts inconsistent with this act," by amending section 2b (MCL 28.422b), as added by 1994 PA 338.

The Senate has passed the bill.

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

Senate Bill No. 727, entitled

A bill to amend 1961 PA 44, entitled "An act to provide for the release of misdemeanor prisoners by giving bond to the arresting officer in certain circumstances not inconsistent with public safety; and to repeal certain acts and parts of acts," by amending section 2a (MCL 780.582a), as added by 1990 PA 308.

The Senate has passed the bill.

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

Senate Bill No. 728, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending section 2950a (MCL 600.2950a), as amended by 1999 PA 268.

The Senate has passed the bill.

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

Senate Bill No. 729, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," (MCL 600.101 to 600.9948) by adding sections 2950h, 2950i, 2950j, 2950k, and 2950l.

The Senate has passed the bill.

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

Senate Bill No. 731, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 15c of chapter IV (MCL 764.15c), as amended by 1999 PA 269.

The Senate has passed the bill.

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

Senate Bill No. 732, entitled

A bill to adopt the uniform child-custody jurisdiction and enforcement act prescribing the powers and duties of the court in a child-custody proceeding involving this state and a proceeding or party outside of this state; and to repeal acts and parts of acts.

The Senate has passed the bill.

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

Senate Bill No. 733, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," (MCL 760.1 to 777.69) by adding section 27b to chapter VIII.

The Senate has passed the bill.

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

Senate Bill No. 734, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," (MCL 760.1 to 777.69) by adding sections 27a and 27b to chapter VIII.

The Senate has passed the bill.

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

Senate Bill No. 735, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending sections 9c and 15a of chapter IV, section 4a of chapter IX, and section 9a of chapter X (MCL 764.9c, 764.15a, 769.4a, and 770.9a), section 9c of

chapter IV as amended by 1999 PA 76, section 15a of chapter IV as amended by 1999 PA 269, section 4a of chapter IX as amended by 1994 PA 68, and section 9a of chapter X as amended by 1994 PA 195.

The Senate has passed the bill.

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

Senate Bill No. 736, entitled

A bill to amend 1982 PA 294, entitled "Friend of the court act," by amending section 19 (MCL 552.519), as amended by 1998 PA 63.

The Senate has passed the bill.

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

Senate Bill No. 738, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending section 2021 (MCL 600.2021).

The Senate has passed the bill.

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

Senate Bill No. 751, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending section 2950 (MCL 600.2950), as amended by 1999 PA 268.

The Senate has passed the bill.

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

Senate Bill No. 752, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending section 2950a (MCL 600.2950a), as amended by 1999 PA 268.

The Senate has passed the bill.

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

Senate Bill No. 753, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 15b of chapter IV (MCL 764.15b), as amended by 1999 PA 269.

The Senate has passed the bill.

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

Senate Bill No. 754, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 15c of chapter IV (MCL 764.15c), as amended by 1999 PA 269.

The Senate has passed the bill.

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

Senate Bill No. 755, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending section 2529 (MCL 600.2529), as amended by 1999 PA 268.

The Senate has passed the bill.

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

Senate Bill No. 756, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 22 of chapter XVI (MCL 776.22), as amended by 1994 PA 418.

The Senate has passed the bill.

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

Senate Bill No. 757, entitled

A bill to amend 1939 PA 288, entitled "Probate code of 1939," by amending sections 1, 2, 2c, and 14 of chapter XIII (MCL 712A.1, 712A.2, 712A.2c, and 712A.14), section 1 as amended by 2000 PA 46, section 2 as amended by 2000 PA 55, and sections 2c and 14 as amended by 1998 PA 474.

The Senate has passed the bill.

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

Senate Bill No. 758, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 15 of chapter IV (MCL 764.15), as amended by 2000 PA 208.

The Senate has passed the bill.

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

Senate Bill No. 759, entitled

A bill to amend 1976 PA 388, entitled "Michigan campaign finance act," by amending sections 2, 6, 7, 9, 11, 15, 29, 42, and 57 (MCL 169.202, 169.206, 169.207, 169.209, 169.211, 169.215, 169.229, 169.242, and 169.257), sections 2 and 7 as amended by 1994 PA 385, section 6 as amended by 1995 PA 264, sections 9, 11, and 57 as amended by 1996 PA 590, section 15 as amended by 2000 PA 201, and sections 29 and 42 as amended by 1999 PA 237, and by adding sections 58 and 59.

The Senate has passed the bill.

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

Senate Bill No. 796, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 1902, 1903, and 1904 (MCL 324.1902, 324.1903, and 324.1904), section 1902 as amended by 1996 PA 134 and sections 1903 and 1904 as added by 1995 PA 60, and by adding section 1907a.

The Senate has passed the bill.

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

Senate Bill No. 797, entitled

A bill to amend 1946 (Ex Sess) PA 9, entitled "An act to create the Michigan veterans' trust fund, and to define who shall be eligible to receive assistance therefrom; to provide for the disbursement of the income thereof and surplus therein; to create a board of trustees, and to prescribe its powers and duties; to provide for county and district committees, and their powers, duties, and expenses; to prescribe penalties; and to make appropriations to carry out the provisions of this act," by amending section 5 (MCL 35.605).

The Senate has passed the bill.

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

Senate Bill No. 798, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 74119 (MCL 324.74119), as added by 1995 PA 58.

The Senate has passed the bill.

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

Senate Bill No. 799, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 43902 (MCL 324.43902), as amended by 2000 PA 69.

The Senate has passed the bill.

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

Senate Bill No. 800, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 43704 (MCL 324.43704), as amended by 2001 PA 50.

The Senate has passed the bill.

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

Senate Bill No. 801, entitled

A bill to amend 1984 PA 22, entitled "Michigan civilian conservation corps act," by amending section 12a (MCL 409.312a), as added by 1994 PA 394.

The Senate has passed the bill.

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

Senate Bill No. 808, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 907 (MCL 257.907), as amended by 1998 PA 103.

The Senate has passed the bill.

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

Senate Joint Resolution T, entitled

A joint resolution proposing an amendment to the state constitution of 1963, by amending sections 19 and 35, section 36 related to the Michigan state parks endowment fund, and section 37 of article IX, to eliminate certain investment restrictions for certain state funds, to increase the accumulated principal limitation of the Michigan natural resources trust fund, to modify provisions of the Michigan natural resources trust fund and the state parks endowment fund related to their allowable expenditures and the investment of their assets, to provide for the investment of the assets of the Michigan veterans' trust fund, and to renumber certain sections.

The Senate has adopted the joint resolution by a 2/3 vote.

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

Communications from State Officers

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

October 30, 2001

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

<u>Type of Report</u>	<u>Facility</u>	<u>Report #</u>	<u>License #</u>
Licensing Study Report	Adrian Training School		CS460200931

This report was performed in compliance with the requirements of P.A. 116 of 1973 as amended, and the Administrative Rules for Child Caring Institutions. The report may also be viewed on our web site at the following address: http://www.cis.state.mi.us/fast/leg_rep.htm.

If you have any questions regarding this information, please feel free to contact me at 373-3892.

Sincerely,
John R. Suckow, C.P.A.
Director, Finance and
Administrative Services

November 6, 2001

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

<u>Type of Report</u>	<u>Facility</u>	<u>Report #</u>	<u>License #</u>
Renewal Approval Report	Bay Pines Center		CS210200969
Special Investigation Report	Summit Center	#2001C0201026	CS470201446

This report was performed in compliance with the requirements of P.A. 116 of 1973 as amended, and the Administrative Rules for Child Caring Institutions. The report may also be viewed on our web site at the following address: http://www.cis.state.mi.us/fast/leg_rep.htm.

If you have any questions regarding this information, please feel free to contact me at 373-3892.

Sincerely,
John R. Suckow, C.P.A.
Director, Finance and
Administrative Services

The communications were referred to the Clerk.

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

November 2, 2001

Enclosed is a copy of the following audit report and/or executive digest:
Performance Audit of the
School Restructuring and Accountability Program
Department of Education and
Center for Educational Performance and Information
November 2001

November 2, 2001

Enclosed is a copy of the following audit report and/or executive digest:
Performance Audit of the
Michigan State Disbursement Unit
Office of Child Support
Family Independence Agency
November 2001

November 6, 2001

Enclosed is a copy of the following audit report and/or executive digest:
Performance Audit of the
Macomb Correctional Facility
Department of Corrections
November 2001

November 7, 2001

Enclosed is a copy of the following audit report and/or executive digest:
Performance Audit of the
Office of Special Education and
Early Intervention Services
Department of Education
November 2001

November 8, 2001

Enclosed is a copy of the following audit report and/or executive digest:
Financial Audit of the
Michigan Legislative Retirement System
October 1, 1998 through September 30, 2000

November 8, 2001

Enclosed is a copy of the following audit report and/or executive digest:
Financial Audit of the
School Aid Fund
Department of Education
October 1, 1997 through September 30, 2000

November 13, 2001

Enclosed is a copy of the following audit report and/or executive digest:
Performance Audit of
Northeast Michigan Community Mental Health Services
An Agency Under Contract with the
Department of Community Health
November 2001

November 15, 2001

Enclosed is a copy of the following audit report and/or executive digest:
Performance Audit of
Services Provided to Local Road Agencies
Michigan Department of Transportation
November 2001

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

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

By unanimous consent the House returned to the order of
Notices

November 26, 2001

Mr. Gary L. Randall, Clerk
 House of Representatives
 State Capitol Building
 Lansing, Michigan 48913

Dear Mr. Randall:

Effective immediately, I am removing Representative Leon Drolet from the Committee on Appropriations and replacing him with Representative Patricia Godchaux.

Thank you for your attention to this matter. Please contact my office if you have any questions.

Sincerely,
 Rick Johnson
 Speaker of the House

November 26, 2001

Mr. Gary L. Randall, Clerk
 House of Representatives
 State Capitol Building
 Lansing, Michigan 48913

Dear Mr. Randall:

Please make note of the following changes in your records:

1. Representative Mike Bishop is assigned to the Criminal Justice Committee.
2. Representative Andrew Richner is hereby appointed Chairman of the Insurance and Financial Services Committee. Representative Scott Hummel is assigned to the Insurance and Financial Services Committee.
3. Representative Mickey Mortimer is removed from the Commerce Committee and replaced by Representative Clark Bisbee.
4. Representative Andrew Richner is removed as Vice-Chair of the Civil Law and the Judiciary Committee, but remains as a standing committee member. Representative Scott Hummel is appointed Civil Law and the Judiciary Committee Vice-Chair. Representative Andrew Richner is replaced by Representative Scott Hummel as crossover member on the Appropriations Subcommittee on Judiciary.

Thank you for your attention to this matter.

Sincerely,
 Rick Johnson
 Speaker of the House

Messages from the Governor

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

Date: November 5, 2001
 Time: 8:50 a.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 4924 (Public Act No. 147, I.E.), being

An act to amend 1956 PA 218, entitled “An act to revise, consolidate, and classify the laws relating to the insurance and surety business; to regulate the incorporation or formation of domestic insurance and surety companies and

associations and the admission of foreign and alien companies and associations; to provide their rights, powers, and immunities and to prescribe the conditions on which companies and associations organized, existing, or authorized under this act may exercise their powers; to provide the rights, powers, and immunities and to prescribe the conditions on which other persons, firms, corporations, associations, risk retention groups, and purchasing groups engaged in an insurance or surety business may exercise their powers; to provide for the imposition of a privilege fee on domestic insurance companies and associations and the state accident fund; to provide for the imposition of a tax on the business of foreign and alien companies and associations; to provide for the imposition of a tax on risk retention groups and purchasing groups; to provide for the imposition of a tax on the business of surplus line agents; to provide for the imposition of regulatory fees on certain insurers; to modify tort liability arising out of certain accidents; to provide for limited actions with respect to that modified tort liability and to prescribe certain procedures for maintaining those actions; to require security for losses arising out of certain accidents; to provide for the continued availability and affordability of automobile insurance and homeowners insurance in this state and to facilitate the purchase of that insurance by all residents of this state at fair and reasonable rates; to provide for certain reporting with respect to insurance and with respect to certain claims against uninsured or self-insured persons; to prescribe duties for certain state departments and officers with respect to that reporting; to provide for certain assessments; to establish and continue certain state insurance funds; to modify and clarify the status, rights, powers, duties, and operations of the nonprofit malpractice insurance fund; to provide for the departmental supervision and regulation of the insurance and surety business within this state; to provide for regulation over worker's compensation self-insurers; to provide for the conservation, rehabilitation, or liquidation of unsound or insolvent insurers; to provide for the protection of policyholders, claimants, and creditors of unsound or insolvent insurers; to provide for associations of insurers to protect policyholders and claimants in the event of insurer insolvencies; to prescribe educational requirements for insurance agents and solicitors; to provide for the regulation of multiple employer welfare arrangements; to create an automobile theft prevention authority to reduce the number of automobile thefts in this state; to prescribe the powers and duties of the automobile theft prevention authority; to provide certain powers and duties upon certain officials, departments and authorities of this state; to repeal acts and parts of acts; and to provide penalties for the violation of this act," by amending section 2103 (MCL 500.2103), as amended by 1990 PA 305.

(Filed with the Secretary of State November 5, 2001, at 11:50 a.m.)

Date: November 5, 2001

Time: 8:54 a.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 4925 (Public Act No. 148, I.E.), being

An act to amend 1994 PA 451, entitled "An act to protect the environment and natural resources of the state; to codify, revise, consolidate, and classify laws relating to the environment and natural resources of the state; to regulate the discharge of certain substances into the environment; to regulate the use of certain lands, waters, and other natural resources of the state; to prescribe the powers and duties of certain state and local agencies and officials; to provide for certain charges, fees, and assessments; to provide certain appropriations; to prescribe penalties and provide remedies; to repeal certain parts of this act on a specific date; and to repeal certain acts and parts of acts," by amending section 82147 (MCL 324.82147), as added by 1995 PA 58.

(Filed with the Secretary of State November 5, 2001, at 11:52 a.m.)

Date: November 6, 2001

Time: 3:00 p.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 4156 (Public Act No. 157, I.E.), being

An act to amend 1974 PA 198, entitled "An act to provide for the establishment of plant rehabilitation districts and industrial development districts in local governmental units; to provide for the exemption from certain taxes; to levy and collect a specific tax upon the owners of certain facilities; to provide for the disposition of the tax; to provide for the obtaining and transferring of an exemption certificate and to prescribe the contents of those certificates; to prescribe the powers and duties of the state tax commission and certain officers of local governmental units; and to provide penalties," by amending the title and section 11 (MCL 207.561), section 11 as amended by 1996 PA 446.

(Filed with the Secretary of State November 6, 2001, at 4:25 p.m.)

Date: November 6, 2001
Time: 3:05 p.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 4548 (Public Act No. 158, I.E.), being

An act to amend 1992 PA 147, entitled “An act to provide for the development and rehabilitation of residential housing; to provide for the creation of neighborhood enterprise zones; to provide for obtaining neighborhood enterprise zone certificates for a period of time and to prescribe the contents of the certificates; to provide for the exemption of certain taxes; to provide for the levy and collection of a specific tax on the owner of certain facilities; and to prescribe the powers and duties of certain officers of the state and local governmental units,” by amending section 10 (MCL 207.780).

(Filed with the Secretary of State November 6, 2001, at 4:27 p.m.)

Date: November 6, 2001
Time: 5:35 p.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 4174 (Public Act No. 162, I.E.), being

An act to amend 1961 PA 236, entitled “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,” by amending section 5735 (MCL 600.5735).

(Filed with the Secretary of State November 7, 2001, at 10:55 a.m.)

Date: November 6, 2001
Time: 5:40 p.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 4562 (Public Act No. 163, I.E.), being

An act to amend 1978 PA 368, entitled “An act to protect and promote the public health; to codify, revise, consolidate, classify, and add to the laws relating to public health; to provide for the prevention and control of diseases and disabilities; to provide for the classification, administration, regulation, financing, and maintenance of personal, environmental, and other health services and activities; to create or continue, and prescribe the powers and duties of, departments, boards, commissions, councils, committees, task forces, and other agencies; to prescribe the powers and duties of governmental entities and officials; to regulate occupations, facilities, and agencies affecting the public health; to regulate health maintenance organizations and certain third party administrators and insurers; to provide for the imposition of a regulatory fee; to promote the efficient and economical delivery of health care services, to provide for the appropriate utilization of health care facilities and services, and to provide for the closure of hospitals or consolidation of hospitals or services; to provide for the collection and use of data and information; to provide for the transfer of property; to provide certain immunity from liability; to regulate and prohibit the sale and offering for sale of drug paraphernalia under certain circumstances; to provide for the implementation of federal law; to provide for penalties and remedies; to provide for sanctions for violations of this act and local ordinances; to repeal certain acts and parts of acts; to repeal certain parts of this act; and to repeal certain parts of this act on specific dates,” (MCL 333.1101 to 333.25211) by adding section 9205a.

(Filed with the Secretary of State November 7, 2001, at 10:57 a.m.)

Date: November 6, 2001
Time: 5:42 p.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 4771 (Public Act No. 164, I.E.), being

An act to amend 1972 PA 230, entitled “An act to create a construction code commission and prescribe its functions; to authorize the director to promulgate rules with recommendations from each affected board relating to the construction, alteration, demolition, occupancy, and use of buildings and structures; to prescribe energy conservation

standards for the construction of certain buildings; to provide for statewide approval of premanufactured units; to provide for the testing of new devices, materials, and techniques for the construction of buildings and structures; to define the classes of buildings and structures affected by the act; to provide for administration and enforcement of the act; to create a state construction code fund; to prohibit certain conduct; to establish penalties, remedies, and sanctions for violations of the act; to repeal acts and parts of acts; and to provide an appropriation,” by amending section 16 (MCL 125.1516).

(Filed with the Secretary of State November 7, 2001, at 11:00 a.m.)

Date: November 6, 2001

Time: 5:45 p.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 4626 (Public Act No. 165, I.E.), being

An act to amend 1994 PA 451, entitled “An act to protect the environment and natural resources of the state; to codify, revise, consolidate, and classify laws relating to the environment and natural resources of the state; to regulate the discharge of certain substances into the environment; to regulate the use of certain lands, waters, and other natural resources of the state; to prescribe the powers and duties of certain state and local agencies and officials; to provide for certain charges, fees, and assessments; to provide certain appropriations; to prescribe penalties and provide remedies; to repeal certain parts of this act on a specific date; and to repeal certain acts and parts of acts,” by amending sections 11104, 11108, 11130, 11135, 12101, 12102, 12103, 12109, and 12112 (MCL 324.11104, 324.11108, 324.11130, 324.11135, 324.12101, 324.12102, 324.12103, 324.12109, and 324.12112), sections 11104 and 11130 as amended by 1998 PA 139 and sections 12101, 12102, 12103, and 12109 as amended by 1998 PA 140, and by adding sections 5419 and 11153; and to repeal acts and parts of acts.

(Filed with the Secretary of State November 7, 2001, at 11:02 a.m.)

Date: November 26, 2001

Time: 9:30 a.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 4491 (Public Act No. 167, I.E.), being

An act to amend 1976 PA 451, entitled “An act to provide a system of public instruction and elementary and secondary schools; to revise, consolidate, and clarify the laws relating to elementary and secondary education; to provide for the organization, regulation, and maintenance of schools, school districts, public school academies, and intermediate school districts; to prescribe rights, powers, duties, and privileges of schools, school districts, public school academies, and intermediate school districts; to provide for the regulation of school teachers and certain other school employees; to provide for school elections and to prescribe powers and duties with respect thereto; to provide for the levy and collection of taxes; to provide for the borrowing of money and issuance of bonds and other evidences of indebtedness; to establish a fund and provide for expenditures from that fund; to provide for and prescribe the powers and duties of certain state departments, the state board of education, and certain other boards and officials; to provide for licensure of boarding schools; to prescribe penalties; and to repeal acts and parts of acts,” by amending section 1284b (MCL 380.1284b), as added by 1999 PA 141.

(Filed with the Secretary of State November 26, 2001, at 4:40 p.m.)

Date: November 26, 2001

Time: 4:12 p.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 5036 (Public Act No. 168, I.E.), being

An act to amend 1941 PA 122, entitled “An act to establish a revenue division of the department of treasury; to prescribe its powers and duties as the revenue collection agency of the state; to prescribe certain powers and duties of the state treasurer; to regulate the importation, stamping, and disposition of certain tobacco products; to create the position and to define the powers and duties of the state commissioner of revenue; to provide for the transfer of powers and duties now vested in certain other state boards, commissions, departments and offices; to prescribe certain duties of and require certain reports from the department of treasury; to provide procedures for the payment, administration, audit, assessment, levy of interests or penalties on, and appeals of taxes and tax liability; to prescribe its powers and duties if an agreement to act as agent for a city to administer, collect, and enforce the city income tax act on behalf of

a city is entered into with any city; to provide an appropriation; to abolish the state board of tax administration; to prescribe penalties and provide remedies; and to declare the effect of this act," by amending sections 24, 30c, and 31 (MCL 205.24, 205.30c, and 205.31), sections 24 and 31 as amended by 1993 PA 14 and section 30c as amended by 1998 PA 493.

(Filed with the Secretary of State November 27, 2001, at 9:28 a.m.)

Date: November 26, 2001

Time: 4:25 p.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 4481 (Public Act No. 169, I.E.), being

An act to amend 1967 PA 281, entitled "An act to meet deficiencies in state funds by providing for the imposition, levy, computation, collection, assessment, and enforcement by lien and otherwise of taxes on or measured by net income; to prescribe the manner and time of making reports and paying the taxes, and the functions of public officers and others as to the taxes; to permit the inspection of the records of taxpayers; to provide for interest and penalties on unpaid taxes; to provide exemptions, credits and refunds of the taxes; to prescribe penalties for the violation of this act; to provide an appropriation; and to repeal certain acts and parts of acts," by amending section 527a (MCL 206.527a), as amended by 1996 PA 484.

(Filed with the Secretary of State November 27, 2001, at 9:30 a.m.)

Messages from the Governor

The following message from the Governor was received November 6, 2001 and read:

EXECUTIVE ORDER

No. 2001 - 9

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

WHEREAS, Article V, Section 20, of the Michigan Constitution of 1963 states that no appropriation is a mandate to spend, and that the Governor, with the approval of the appropriating committees of the House of Representatives and 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 that reductions shall be made in accordance with procedures prescribed by law; and

WHEREAS, it appears that actual revenues for the fiscal period October 1, 2001 to September 30, 2002, will fall below the revenue estimates on which appropriations for that period were based, said estimates having been determined by the Legislature in accordance with Article IV, Section 31, of the Constitution of the State of Michigan; and

WHEREAS, under provisions of Section 391, Act 431 of the Public Acts of 1984, on the basis of written information from the State Budget Director and the State Treasurer, a finding has been made that actual revenue will fall below such revenue estimates; and

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

WHEREAS, expenditure reductions totaling \$319,156,893.00 are necessary; and

WHEREAS, the transfer of unexpended balances and excess revenues from restricted revenue sources totaling \$144,571,000.00 to be used as general fund-general purpose revenues are necessary.

NOW, THEREFORE, I, John Engler, Governor of the State of Michigan, pursuant to the authority vested in me by the Michigan Constitution of 1963 and the laws of the State of Michigan, and with the approval of a majority of members of each appropriations committee, do hereby order the following reductions:

1. For the purposes of reducing state funds, the following amounts from Capital Outlay appropriations totaling \$21,896,500.00 are hereby transferred to the unappropriated balance of the general fund as of September 30, 2002.

Appropriation Number
(Appropriation Year)

Item

Reduction
Amount

74709 (AY 02)

Major special maintenance and remodeling for department of corrections

1,927,800

74710 (AY 02)	Major special maintenance and remodeling for department of management and budget	1,012,500
74711 (AY 02)	Major special maintenance and remodeling for family independence agency	550,000
74712 (AY 02)	Major special maintenance and remodeling for department of community health	500,000
74713 (AY 02)	Major special maintenance and remodeling for department of natural resources	150,000
74714 (AY 02)	Major special maintenance and remodeling for department of state police	256,200
02750 (AY 94)	Planning and special studies for conducting planning projects and special studies regarding service requirements and related facility needs of various state agencies, universities, and community colleges	3,200,000
01738 (AY 02)	State building authority rent - state agencies	2,974,400
01739 (AY 02)	State building authority rent - department of corrections	3,873,500
01737 (AY 02)	State building authority rent - universities	2,152,100
40009 (AY 00)	Kalamazoo aviation history museum	3,000,000
40004 (AY 99)	Art, cultural, development, and quality of life grants	2,300,000

2. Portions of general fund-general purpose appropriations amounting to \$285,288,985.00 for departments and agencies contained in the following public acts are hereby transferred to the unappropriated balance of the general fund as of September 30, 2002. 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>
2001 PA 53	Agriculture	2,323,500
2001 PA 83	Attorney General	1,860,600
2001 PA 80	Career Development	1,654,900
2001 PA 83	Civil Rights	260,000
2001 PA 83	Civil Service	560,860
2001 PA 60	Community Health	85,304,100
2001 PA 119	Consumer and Industry Services	4,875,100
2001 PA 41	Corrections	54,900,000
2001 PA 42	Education	1,572,100
2001 PA 43	Environmental Quality	17,394,200
2001 PA 83	Executive Office	228,900
2001 PA 82	Family Independence Agency	24,197,100
2001 PA 83	History, Arts and Libraries	4,420,800
2001 PA 120	History, Arts and Libraries	2,217,800
2001 PA 83	Management and Budget	2,308,900
2001 PA 54	Military and Veterans Affairs	1,791,625
2001 PA 44	Natural Resources	6,770,300
2001 PA 83	State	43,037,800
2001 PA 51	State Police	7,550,000
2001 PA 121	State School Aid	7,200,000
2001 PA 80	Strategic Fund	4,755,600
2001 PA 83	Treasury	10,104,800

3. The reduction totals for departments and agencies in item No. 2 include the following appropriation items or are predicated upon the following actions:

a. Department of Agriculture

<u>Appropriation Number</u>	<u>Item</u>	<u>Reduction Amount</u>
03909	Migrant labor housing	345,400
03903	Food bank	319,000
03904	Grown in Michigan	94,500
03946	Northwest Michigan horticultural research station	41,800
03970	Orchard or vineyard removal	37,800
01290	Horse shows	15,000
02280	Disease and pest intervention fund	50,000

03908	Local conservation districts	780,000
01220	Agriculture development	290,000
01210	Management services	224,000
01270	Upper Peninsula state fair	10,000
03900	Fairs and expositions	9,400
01120	Statistical reporting services	30,000
02205	Pesticide and plant pest management	76,600

Sections 303 and 705 of 2001 PA 53 are amended as follows:

Sec. 303. Of the funds appropriated in part 1 for statistical reporting service ~~\$120,000.00~~ \$90,000.00 shall be used for surveys which include, but are not limited to, fruit, vegetables, and nursery stock, which encompasses Christmas trees and ornamental plants. The director of the Michigan department of agriculture is given authority to include other agricultural surveys such as turfgrass in the 3-to-5-year rotation. The survey shall include information such as existing plantings/acreage, new plantings/ acreage, production, and number of growers.

Sec. 705. Of the funds appropriated in section 109 for agriculture development, ~~\$200,000.00~~ \$100,000.00 shall be used to coordinate state participation in the federal market access program and to leverage federal funds for the purpose of developing new and enhancing existing export markets for Michigan agricultural products.

Sections 504, 604(a) and 703 of 2001 PA 53 are repealed.

b. Department of Attorney General

Appropriation Number	Item	Reduction Amount
01040	Attorney general operations	1,800,200
05000	Prosecuting attorneys coordinating council	60,400

c. Department of Career Development

Appropriation Number	Item	Reduction Amount
08220	Precollege programs in engineering and the sciences	104,500
08219	Michigan community service commission subgrantees	50,000
08230	Welfare-to-work programs	1,500,400

Section 309 of 2001 PA 80 is amended as follows:

Sec. 309. (1) Of the funds appropriated in part 1 for precollege programs in engineering and the sciences, ~~\$620,000.00~~ \$558,000.00 shall be provided in the form of a grant to the Detroit precollege engineering program, incorporated and ~~\$424,700.00~~ \$382,200.00 shall be provided in the form of a grant to the Grand Rapids area precollege engineering program.

d. Department of Civil Rights

Appropriation Number	Item	Reduction Amount
01092	Unclassified positions	120,000
01000	Civil rights operations	140,000

e. Department of Civil Service

Appropriation Number	Item	Reduction Amount
19100	Civil service operations	560,860

f. Department of Community Health

Appropriation Number	Item	Reduction Amount
02968	Multicultural services	396,200
01718	Pilot projects in prevention for adults and children	800,000
11352	Cancer prevention and control program	112,500
11387	Michigan Parkinson's Foundation	150,000
14283	Adolescent and child health care services	2,164,000
46514	Senior citizen centers staffing and equipment	1,000,000
33500	Hospital services and therapy	13,745,000
33600	Ambulance services	436,400
33680	Long-term care services	6,500,000
33860	Special adjustor payments	60,000,000

Sections 1001, 1614, 1634, and 1644 of 2001 PA 60 are amended as follows:

Sec. 1001. From the state funds appropriated in part 1, the department shall allocate funds to promote awareness, education, and early detection of breast, cervical, prostate, and colorectal cancer, and provide for other health promotion media activities. ~~The department shall allocate no less than \$150,000.00 under this section for colorectal cancer awareness, education, and early detection.~~

Sec. 1614. The department may rebase Medicaid fee for service rates for inpatient hospital services in fiscal year 2001-2002. ~~if, in the aggregate for inpatient services, the rebasing is budget neutral.~~

Sec. 1634. (1) From the funds appropriated in part 1 for ambulance services, the department shall continue the 5% increase in payment rates for ambulance services implemented in fiscal year 2000-2001.

~~(2) Effective October 1, 2001, the department shall implement a surcharge payable for all allowable ambulance runs made for Medicaid recipients excluding those recipients enrolled in Medicaid health maintenance organizations.~~

~~(3) This surcharge shall be based on average mileage per ambulance run and shall be structured so as not to exceed \$1,000,000.00 in total payments.~~

Sec. 1644. (1) From the funds appropriated in part 1 for the rural health initiative, ~~\$5,220,000.00 shall be allocated as an outpatient adjustor payment to be paid directly to hospitals in rural counties in proportion to each hospital's Medicaid and indigent patient population.~~ ONE hundred fifty thousand dollars shall be allocated for free clinics in rural areas as designated by the federal government or such designation as may be modified by the department. These funds shall be allocated consistent with the requirements of section 1507 of this act. Two million dollars of the rural health initiative funds may be allocated for defibrillator grants, EMT training and support, or other similar programs. Four and one-half million dollars shall be allocated to defray the costs of construction and operation of health care clinics on Mackinac Island.

Sections 1643 and 1647 of 2001 PA 60 are repealed.

g. Department of Consumer and Industry Services

Appropriation		Reduction
<u>Number</u>	<u>Item</u>	<u>Amount</u>
05011	Nursing home quality incentive grants	4,536,500
01004	Policy development	25,000
01013	Bureau of hearings	25,000
03001	Administrative services	25,000
03005	Technology support	42,500
09002	Occupational safety and health	50,000
07008	Commercial services	121,100
17001	Operations	50,000

Sections 328 and 333 of 2001 PA 119 are repealed.

h. Department of Corrections

Appropriation		Reduction
<u>Number</u>	<u>Item</u>	<u>Amount</u>
02072	Training	2,900,000
22251	Field programs	1,048,000
22260	Personnel costs	500,000
25290	Community residential programs	1,012,900
28531	County jail reimbursement programs	4,500,000
10362	DOJ consent decree	81,100
10370	DOJ psychiatric plan - MDCH mental health services	5,000,000
28530	Inmate housing fund	361,400
46002	Alger maximum correctional facility - Munising	496,600
47002	Baraga maximum correctional facility - Baraga	639,600
49002	Chippewa correctional facility - Kincheloe	1,405,100
50002	Kinross correctional facility - Kincheloe	154,200
51002	Marquette branch prison - Marquette	361,400
54002	Newberry correctional facility - Newberry	101,100
52002	Oaks correctional facility - Eastlake	618,700
55002	Ojibway correctional facility - Marenisco	29,400
56002	Pugsley correctional facility - Kingsley	100,400
83002	Saginaw correctional facility - Freeland	326,800
53002	Standish maximum correctional facility - Standish	40,300
35002	Cooper street correctional facility - Jackson	257,600
36002	G. Robert Cotton correctional facility - Jackson	61,800
32002	Charles E. Egeler correctional facility - Jackson	353,200
79002	Gus Harrison correctional facility - Adrian	382,600
78002	Huron Valley men's facility - Ypsilanti	446,600
37002	Jackson maximum correctional facility - Jackson	28,838,100
89002	Macomb correctional facility - New Haven	207,700

87002	Mound correctional facility - Detroit	289,700
34002	Parnall correctional facility - Jackson	415,000
86002	Ryan correctional facility - Detroit	258,400
82002	Scott correctional facility - Plymouth	40,300
33002	Southern Michigan correctional facility - Jackson	1,353,100
80002	Thumb correctional facility - Lapeer	61,800
85002	Western Wayne correctional facility - Plymouth	152,700
30522	Jackson area support and services	41,200
72002	E. C. Brooks correctional facility - Muskegon	398,900
48002	Carson City correctional facility - Carson City	61,800
76002	Florence Crane correctional facility - Coldwater	100,400
63002	Deerfield correctional facility - Ionia	51,900
61002	Richard A. Handlon Michigan training unit - Ionia	38,500
62002	Ionia maximum correctional facility - Ionia	299,600
77002	Lakeland correctional facility - Coldwater	61,800
66002	Muskegon correctional facility - Muskegon	262,900
70002	Pine River correctional facility - St. Louis	36,000
64002	Riverside correctional facility - Ionia	344,000
69002	St. Louis correctional facility - St. Louis	407,400

1927 PA 175, being Sections 760.1 to 777.69 of the Michigan Compiled Laws, is amended as follows:

762.13 Assignment as youthful trainee, duties of court.

Sec. 13 (5) The court shall include in each order of probation for an individual placed on probation under this section that the department of corrections shall collect a probation supervision fee of not more than \$30.00 multiplied by the number of months of probation ordered, but not more than 36 months. The fee is payable when the probation order is entered, but the fee may be paid in monthly installments if the court approves installment payments for the probationer. In determining the amount of the fee, the court shall consider the probationer's projected income and financial resources. The court shall use the following table of projected monthly income in determining the amount of the fee to be ordered:

<u>Projected Monthly Income</u>	<u>Amount of Fee</u>
\$0.00 - 249.99	\$0.00
\$250.00 - 499.99	\$10.00
\$500.00 - 749.99	\$20.00
\$750.00 or more	\$30.00

The court may order a higher amount than indicated by the table, up to the maximum of \$30.00 multiplied by the number of months of probation ordered but not more than 36 months, if the court determines that the probationer has sufficient assets or other financial resources to warrant the higher amount. If the court orders a higher amount, the amount and the reasons for ordering that amount shall be stated in the court order. The fee shall be collected as provided in section 25a of Act No. 232 of the Public Acts of 1953, being section 791.225a of the Michigan Compiled Laws. A person shall not be subject to more than 1 supervision fee at the same time. If a supervision fee is ordered for a person for any month or months during which that person already is subject to a supervision fee, the court shall waive the fee having the shorter remaining duration. FOR FISCAL YEAR 2002, THE DEPARTMENT OF CORRECTIONS SHALL COLLECT A PROBATION SUPERVISION FEE OF NOT MORE THAN \$135.00 MULTIPLIED BY THE NUMBER OF MONTHS OF PROBATION ORDERED, BUT NOT MORE THAN 36 MONTHS. THE COURT SHALL USE THE FOLLOWING TABLE OF PROJECTED MONTHLY INCOME IN DETERMINING THE AMOUNT OF THE FEE TO BE ORDERED:

<u>PROJECTED MONTHLY INCOME</u>	<u>AMOUNT OF FEE</u>
\$0.00 - 249.99	\$0.00
\$250.00 - 499.99	\$10.00
\$500.00 - 749.99	\$25.00
\$750.00 - 999.99	\$40.00
\$1,000 and up	5% OF MONTHLY INCOME, FEE NOT TO EXCEED \$135.00

THE COURT MAY ORDER A HIGHER AMOUNT THAN INDICATED BY THE TABLE, UP TO THE MAXIMUM OF \$135.00 MULTIPLIED BY THE NUMBER OF MONTHS OF PROBATION ORDERED BUT NOT MORE THAN 36 MONTHS, IF THE COURT DETERMINES THAT THE PROBATIONER HAS SUFFICIENT ASSETS OR OTHER FINANCIAL RESOURCES TO WARRANT THE HIGHER AMOUNT.

771.1 Requirements for probation; delayed sentence; fee; life probation; applicability of section to certain juveniles.

Sec. 1. (3) If a defendant is before the circuit court and the court delays imposing sentence under subsection (2), the court shall include in the delayed sentence order that the department of corrections shall collect a supervision fee of not more than \$30.00 multiplied by the number of months of delay ordered, but not more than 12 months. The fee is payable when the delayed sentence order is entered, but the fee may be paid in monthly installments if the court approves installment payments for that defendant. In determining the amount of the fee, the court shall consider the defendant's projected income and financial resources. The court shall use the following table of projected monthly income in determining the amount of the fee to be ordered:

<u>Projected Monthly Income</u>	<u>Amount of Fee</u>
\$0.00 - 249.99	\$0.00
\$250.00 - 499.99	\$10.00
\$500.00 - 749.99	\$20.00
\$750.00 or more	\$30.00

The court may order a higher amount than indicated by the table, up to the maximum of \$30.00 multiplied by the number of months of delay ordered but not more than 12 months, if the court determines that the defendant has sufficient assets or other financial resources to warrant the higher amount. If the court orders a higher amount, the amount and the reasons for ordering that amount shall be stated in the court order. The fee shall be collected as provided in section 25a of 1953 PA 232, MCL 791.225a. A person shall not be subject to more than 1 supervision fee at the same time. If a supervision fee is ordered for a person for any month or months during which that person already is subject to a supervision fee, the court shall waive the fee having the shorter remaining duration. FOR FISCAL YEAR 2002, THE CIRCUIT COURT SHALL INCLUDE IN THE DELAYED SENTENCE ORDER THAT THE DEPARTMENT OF CORRECTIONS SHALL COLLECT A SUPERVISION FEE OF NOT MORE THAN \$135.00 MULTIPLIED BY THE NUMBER OF MONTHS OF DELAY ORDERED, BUT NOT MORE THAN 12 MONTHS. THE COURT SHALL USE THE FOLLOWING TABLE OF PROJECTED MONTHLY INCOME IN DETERMINING THE AMOUNT OF THE FEE TO BE ORDERED:

<u>PROJECTED MONTHLY INCOME</u>	<u>AMOUNT OF FEE</u>
\$0.00 - 249.99	\$0.00
\$250.00 - 499.99	\$10.00
\$500.00 - 749.99	\$25.00
\$750.00 - 999.99	\$40.00
\$1,000 and up	5% OF MONTHLY INCOME, FEE NOT TO EXCEED \$135.00

THE COURT MAY ORDER A HIGHER AMOUNT THAN INDICATED BY THE TABLE, UP TO THE MAXIMUM OF \$135.00 MULTIPLIED BY THE NUMBER OF MONTHS OF DELAY ORDERED BUT NOT MORE THAN 12 MONTHS, IF THE COURT DETERMINES THAT THE DEFENDANT HAS SUFFICIENT ASSETS OR OTHER FINANCIAL RESOURCES TO WARRANT THE HIGHER AMOUNT.

771.3c Probation supervision fee; enforcement of probation oversight fee; person subject to other obligations arising out of criminal proceeding; applicability of section to certain juveniles.

Sec. 3c. (1) The circuit court shall include in each order of probation for a defendant convicted of a felony that the department of corrections shall collect a probation supervision fee of not more than \$30.00 multiplied by the number of months of probation ordered, but not more than 60 months. The fee is payable when the probation order is entered, but the fee may be paid in monthly installments if the court approves installment payments for the probationer. In determining the amount of the fee, the court shall consider the probationer's projected income and financial resources. The court shall use the following table of projected monthly income in determining the amount of the fee to be ordered:

<u>Projected Monthly Income</u>	<u>Amount of Fee</u>
\$0.00 - 249.99	\$0.00
\$250.00 - 499.99	\$10.00
\$500.00 - 749.99	\$20.00
\$750.00 or more	\$30.00

The court may order a higher amount than indicated by the table, up to the maximum of \$30.00 multiplied by the number of months of probation ordered but not more than 60 months, if the court determines that the probationer has sufficient assets or other financial resources to warrant the higher amount. If the court orders a higher amount, the amount and the reasons for ordering that amount shall be stated in the court order. The fee shall be collected as provided in section 25a of 1953 PA 232, MCL 791.225a. A person shall not be subject to more than 1 supervision fee at the same time. If a supervision fee is ordered for a person for any month or months during which that person already is subject to a supervision fee, the court shall waive the fee having the shorter remaining duration. FOR FISCAL YEAR 2002, THE CIRCUIT COURT SHALL INCLUDE IN EACH ORDER

OF PROBATION THAT THE DEPARTMENT OF CORRECTIONS SHALL COLLECT A SUPERVISION FEE OF NOT MORE THAN \$135.00 MULTIPLIED BY THE NUMBER OF MONTHS OF PROBATION ORDERED, BUT NOT MORE THAN 60 MONTHS. THE COURT SHALL USE THE FOLLOWING TABLE OF PROJECTED MONTHLY INCOME IN DETERMINING THE AMOUNT OF THE FEE TO BE ORDERED:

<u>PROJECTED MONTHLY INCOME</u>	<u>AMOUNT OF FEE</u>
\$0.00 - 249.99	\$0.00
\$250.00 - 499.99	\$10.00
\$500.00 - 749.99	\$25.00
\$750.00 - 999.99	5% OF MONTHLY INCOME, FEE NOT TO EXCEED \$135.00

THE COURT MAY ORDER A HIGHER AMOUNT THAN INDICATED BY THE TABLE, UP TO THE MAXIMUM OF \$135.00 MULTIPLIED BY THE NUMBER OF MONTHS OF PROBATION ORDERED BUT NOT MORE THAN 60 MONTHS, IF THE COURT DETERMINES THAT THE DEFENDANT HAS SUFFICIENT ASSETS OR OTHER FINANCIAL RESOURCES TO WARRANT THE HIGHER AMOUNT.

1953 PA 232, being Sections 792.201 to 791.283 of the Michigan Compiled Laws, is amended as follows:

791.225a Supervision fees; collection; records; payment; waiver; determination; allocation of money collected for other obligations; administrative costs; enhanced services; unpaid amounts.

Sec. 25a. (3) The department shall waive any applicable supervision fee for a person who is transferred to another state under the interstate compact entered into pursuant to Act No. 89 of the Public Acts of 1935, being sections 798.101 to 798.103 of the Michigan Compiled Laws, for the months during which he or she is in another state. The department shall collect a supervision fee of not more than \$30.00 per month for each month of supervision in this state for an offender transferred to this state under that interstate compact. In determining the amount of the fee, the department shall consider the offender's projected income and financial resources. The department shall use the following table of projected monthly income in determining the amount of the fee:

<u>Projected Monthly Income</u>	<u>Amount of Fee</u>
\$0.00 - 249.99	\$0.00
\$250.00 - 499.99	\$10.00
\$500.00 - 749.99	\$20.00
\$750.00 or more	\$30.00

The department may collect a higher amount than indicated by the table, up to the maximum of \$30.00 for each month of supervision in this state, if the department determines that the offender has sufficient assets or other financial resources to warrant the higher amount. If the department collects a higher amount, the amount and the reasons for collecting that amount shall be stated in the department records. FOR FISCAL YEAR 2002, THE DEPARTMENT OF CORRECTIONS SHALL COLLECT A SUPERVISION FEE OF NOT MORE THAN \$135.00 PER MONTH FOR EACH MONTH OF SUPERVISION IN THIS STATE FOR AN OFFENDER TRANSFERRED TO THIS STATE UNDER THAT INTERSTATE COMPACT. IN DETERMINING THE AMOUNT OF THE FEE, THE DEPARTMENT SHALL CONSIDER THE OFFENDER'S PROJECTED INCOME AND FINANCIAL RESOURCES. THE DEPARTMENT SHALL USE THE FOLLOWING TABLE OF PROJECTED MONTHLY INCOME IN DETERMINING THE AMOUNT OF THE FEE:

<u>PROJECTED MONTHLY INCOME</u>	<u>AMOUNT OF FEE</u>
\$0.00 - 249.99	\$0.00
\$250.00 - 499.99	\$10.00
\$500.00 - 749.99	\$25.00
\$750.00 - 999.99	\$40.00
\$1,000 and up	5% OF MONTHLY INCOME, FEE NOT TO EXCEED \$135.00

THE DEPARTMENT MAY COLLECT A HIGHER AMOUNT THAN INDICATED BY THE TABLE, UP TO THE MAXIMUM OF \$135.00 FOR EACH MONTH OF SUPERVISION IN THIS STATE, IF THE DEPARTMENT DETERMINES THAT THE OFFENDER HAS SUFFICIENT ASSETS OR OTHER FINANCIAL RESOURCES TO WARRANT THE HIGHER AMOUNT.

791.236a Collection of supervision fee by parole board; limitation; payment; determination of amount; enforcement of parole oversight fee; allocation of money collected for other obligations; waiver of fee; determination and collection of fee for offender transferred to state under interstate compact; administrative costs; unpaid amounts.

Sec. 36a. (1) The parole board shall include in each order of parole that the department of corrections shall collect a parole supervision fee of not more than \$30.00 multiplied by the number of months of parole ordered, but not more than 60 months. The fee is payable when the parole order is entered, but the fee may be paid in monthly

installments if the parole board approves installment payments for the parolee. In determining the amount of the fee, the parole board shall consider the parolee's projected income and financial resources. The parole board shall use the following table of projected monthly income in determining the amount of the fee to be ordered:

<u>Projected Monthly Income</u>	<u>Amount of Fee</u>
\$0.00 - 249.99	\$0.00
\$250.00 - 499.99	\$10.00
\$500.00 - 749.99	\$20.00
\$750.00 or more	\$30.00

The parole board may order a higher amount than indicated by the table, up to the maximum of \$30.00 multiplied by the number of months of parole ordered but not more than 60 months, if the parole board determines that the parolee has sufficient assets or other financial resources to warrant the higher amount. If the parole board orders a higher amount, the amount and the reasons for ordering that amount shall be stated in the parole order. FOR FISCAL YEAR 2002, THE PAROLE BOARD SHALL INCLUDE IN EACH ORDER OF PAROLE THAT THE DEPARTMENT OF CORRECTIONS SHALL COLLECT A PAROLE SUPERVISION FEE OF NOT MORE THAN \$135.00 MULTIPLIED BY THE NUMBER OF MONTHS OF PAROLE ORDERED, BUT NOT MORE THAN 60 MONTHS. THE COURT SHALL USE THE FOLLOWING TABLE OF PROJECTED MONTHLY INCOME IN DETERMINING THE AMOUNT OF THE FEE TO BE ORDERED:

<u>PROJECTED MONTHLY INCOME</u>	<u>AMOUNT OF FEE</u>
\$0.00 - 249.99	\$0.00
\$250.00 - 499.99	\$10.00
\$500.00 - 749.99	\$25.00
\$750.00 - 999.99	\$40.00
\$1,000 and up	5% OF MONTHLY INCOME, FEE NOT TO EXCEED \$135.00

THE PAROLE BOARD MAY ORDER A HIGHER AMOUNT THAN INDICATED BY THE TABLE, UP TO THE MAXIMUM OF \$135.00 MULTIPLIED BY THE NUMBER OF MONTHS OF PAROLE ORDERED BUT NOT MORE THAN 60 MONTHS, IF THE PAROLE BOARD DETERMINES THAT THE DEFENDANT HAS SUFFICIENT ASSETS OR OTHER FINANCIAL RESOURCES TO WARRANT THE HIGHER AMOUNT.

Sec. 36a. (5) The department shall waive the parole supervision fee for a parolee who is transferred to another state under the interstate compact entered into pursuant to Act No. 89 of the Public Acts of 1935, being sections 798.101 to 798.103 of the Michigan Compiled Laws, for the months during which he or she is in another state. The department shall collect a parole supervision fee of not more than \$30.00 per month for each month of parole supervision in this state for an offender transferred to this state under that interstate compact. In determining the amount of the fee, the department shall consider the parolee's projected income and financial resources. The department shall use the following table of projected monthly income in determining the amount of the fee:

<u>Projected Monthly Income</u>	<u>Amount of Fee</u>
\$0.00 - 249.99	\$0.00
\$250.00 - 499.99	\$10.00
\$500.00 - 749.99	\$20.00
\$750.00 or more	\$30.00

The department may collect a higher amount than indicated by the table, up to the maximum of \$30.00 for each month of parole supervision in this state, if the department determines that the parolee has sufficient assets or other financial resources to warrant the higher amount. If the department collects a higher amount, the amount and the reasons for collecting that amount shall be stated in the department records. FOR FISCAL YEAR 2002, THE DEPARTMENT OF CORRECTIONS SHALL COLLECT A PAROLE SUPERVISION FEE OF NOT MORE THAN \$135.00 PER MONTH FOR EACH MONTH OF PAROLE SUPERVISION IN THIS STATE FOR AN OFFENDER TRANSFERRED TO THIS STATE UNDER THAT INTERSTATE COMPACT. IN DETERMINING THE AMOUNT OF THE FEE, THE DEPARTMENT SHALL CONSIDER THE PAROLEE'S PROJECTED INCOME AND FINANCIAL RESOURCES. THE DEPARTMENT SHALL USE THE FOLLOWING TABLE OF PROJECTED MONTHLY INCOME IN DETERMINING THE AMOUNT OF THE FEE:

<u>PROJECTED MONTHLY INCOME</u>	<u>AMOUNT OF FEE</u>
\$0.00 - 249.99	\$0.00
\$250.00 - 499.99	\$10.00
\$500.00 - 749.99	\$25.00
\$750.00 - 999.99	\$40.00
\$1,000 and up	5% OF MONTHLY INCOME, FEE NOT TO EXCEED \$135.00

THE DEPARTMENT MAY COLLECT A HIGHER AMOUNT THAN INDICATED BY THE TABLE, UP TO THE MAXIMUM OF \$135.00 FOR EACH MONTH OF PAROLE SUPERVISION IN THIS STATE, IF THE DEPARTMENT DETERMINES THAT THE PAROLEE HAS SUFFICIENT ASSETS OR OTHER FINANCIAL RESOURCES TO WARRANT THE HIGHER AMOUNT.

i. Department of Education

Appropriation Number	Item	Reduction Amount
01403	Unclassified positions	150,000
01404	State board/superintendent operations	35,000
01605	Central support	115,000
03801	Information technology operations	50,000
04405	Summer institute	242,100
04801	School excellence operations	200,000
07602	Administrative law operations	15,000
07701	Education options operations	65,000
04856	School readiness grants	650,000
04401	Michigan schools for the deaf and blind operations	50,000

j. Department of Environmental Quality

Appropriation Number	Item	Reduction Amount
04530	Environmental cleanup and redevelopment program	11,049,800
04561	State cleanup	550,400
04541	Contaminated site investigations, cleanup, and revitalization	4,732,630
04903	Laboratory services administration	85,000
02801	Land and water program direction	50,000
04811	Surface water surveillance program	500,000
04822	Volunteer river, stream, and creek cleanup	75,000
04318	Low-income community wastewater assistance	67,500
02818	Great Lakes shorelands	83,870
04808	Compliance and permits	100,000
04912	Drinking water	100,000

Section 501 of 2001 PA 43 is repealed.

k. Executive Office

Appropriation Number	Item	Reduction Amount
00139	Executive office	228,900

l. Family Independence Agency

Appropriation Number	Item	Reduction Amount
11010	Salaries and wages	297,200
11250	Data system enhancement	500,000
11500	Child support automation	6,050,500
81010	Salaries and wages	96,400
81600	State incentive payments	2,449,500
81700	Training and staff development	250,000
72260	Family preservation and prevention services	236,600
47400	Juvenile justice operations	4,886,700
62610	Field staff, salaries and wages	2,384,400
62040	Contractual services, supplies, and materials	750,000
12070	Rent	500,000
12050	Travel	250,000
12060	Equipment	500,000
12080	Payroll taxes and fringe benefits	960,300
32590	State emergency relief	4,085,500

Sections 401 and 710 of 2001 PA 82 are amended as follows:

Sec. 401. (1) From the federal money received for child support incentive payments, up to ~~\$4,365,200.00~~ \$10,415,700.00 shall be retained by the state and expended for legal support contracts ~~state incentive payments and salaries and wages for office of child support staff.~~ AND CHILD SUPPORT PROGRAM EXPENSES.

Sec. 710. From the funds appropriated in part 1 for juvenile justice services, the department ~~shall~~ MAY continue contracts for county juvenile justice day treatment programs.

Sections 621 and 644 of 2001 PA 82 are repealed.

Section 233 of 2001 PA 120 is amended as follows:

Sec. 233 (1). From the funds appropriated in part 1 of 2001 PA 82 for state emergency relief, the maximum allowable charge limit for indigent burials shall be ~~\$1,310.00~~ \$1,114.00. The funds shall be distributed as follows: ~~\$835.00~~ \$710.00 for funeral directors; ~~\$275.00~~ \$234.00 for cemeteries or crematoriums; and ~~\$200.00~~ \$170.00 for the provider of the vault.

m. 1 - History, Arts and Libraries - 2001 PA 83

Appropriation Number	Item	Reduction Amount
03150	State aid to libraries	736,700
03050	Operations	475,200
03200	Grant to the Detroit public library	2,877,100
03100	Statewide database access	55,500
03300	Subregional state aid	31,000
03250	Grand Rapids public library	199,100
03400	Book distribution centers	17,000
03350	Wayne County library for the blind & physically handicapped	2,600
03500	Library automation	26,600

m. 2 - History, Arts and Libraries - 2001 PA 120

Appropriation Number	Item	Reduction Amount
02002	Arts and cultural grants	1,276,500
02001	Administration	46,500
02003	Arts and cultural supplemental grants	500,000
01200	Building occupancy charges and rent	10,100
01400	Office of film and television services	7,900
07511	Mackinac Island state park operations	81,500
07516	Historical facilities system	20,500
04100	Historical administration and services	274,800

n. Department of Management and Budget

Appropriation Number	Item	Reduction Amount
08502	Health insurance reserve fund payment	154,100
01101	Departmentwide services	412,300
01401	Statewide administrative services	687,300
02816	Office of children's ombudsman	61,100
02206	Michigan administrative information network	994,100

Section 714 of 2001 PA 83 is repealed.

o. Department of Military and Veterans Affairs

Appropriation Number	Item	Reduction Amount
05012	Marine corps league	252,225
05016	Purple heart	18,425
05019	Polish legion of American veterans	30,900
05020	Jewish veterans of America	30,900
05023	Catholic war veterans	9,975
05010	American legion	120,800
05011	Disabled American veterans	99,800
05013	American veterans of World War II and Korea	63,400
05014	Veterans of foreign wars	120,800
05015	Michigan paralyzed veterans of America	22,600
05017	Veterans of World War I	100
05021	State of Michigan council Vietnam veterans of America	21,700
02011	Military training sites and support facilities	600,000
03016	Special maintenance - state	100,000
03011	Departmentwide accounts	200,000

Section 212 of 2001 PA 54 is amended as follows:

Sec. 212. (1) Of the funds appropriated in section 103 for military training sites and support facilities, there shall be established a Michigan national guard education assistance program. Disbursements to the educational assistance program shall not exceed ~~\$2,000,000.00~~ \$1,500,000.00 without legislative approval. Under the program, a member of the national guard who is in active service and who enrolls as a full- or part-time student at a public or private state college or university may be eligible to receive up to an equivalent of 50% of the total cost of tuition not to exceed \$2,000.00 as education assistance, in any academic year.

p. Department of Natural Resources

Appropriation		Reduction
<u>Number</u>	<u>Item</u>	<u>Amount</u>
01101	Finance and operations services	2,300,000
01645	Abandoned mineshaft closures	350,000
02107	Timber harvest	1,042,900
02153	Cooperative resource program	256,500
02436	Michigan civilian conservation corps	500,000
03116	General law enforcement	500,000
05502	Purchased lands taxes/open space payments	1,820,900

Section 402 of 2001 PA 44 is repealed.**q. Department of State**

Appropriation		Reduction
<u>Number</u>	<u>Item</u>	<u>Amount</u>
10000	Operations	437,700
14100	Operations	4,498,000
14300	Data processing	6,287,500
15100	Operations	2,570,200
15200	Auto regulations	1,024,600
19100	Branch operations	19,813,000
19200	Central records	4,973,000
19900	Field services administration	679,300
19010	Record administration	109,100
21100	Elections administration	94,500
21400	Qualified voter file	46,300
50100	Building occupancy charges/rent	2,247,200
50110	Workers' compensation	257,400

The Department of State shall submit billings to the Michigan Department of Transportation for payment of transportation related activities performed by the Department of State up to an amount not to exceed \$95,814,100.00, including \$55,814,100.00 authorized through an interdepartmental grant, for the fiscal year ending September 30, 2002.

r. State Police

Appropriation		Reduction
<u>Number</u>	<u>Item</u>	<u>Amount</u>
41010	Criminal justice information center division	2,800,00
34010	Criminal investigations	250,000
11290	Secondary road patrol and traffic accident basic grants	4,500,000

1935 PA 120, being Sections 28.271 to 28.273 of the Michigan Compiled Laws, is amended by amending Section 28.273 as follows:

Sec. 3. (1) The department of state police may charge a fee, not to exceed \$15.00, for taking and processing the fingerprints and completing a criminal record check of a resident of this state when the impression of the fingerprints are requested for employment- or licensing-related purposes. The fee shall not exceed the actual cost of taking and processing the impression of the fingerprints and completing a criminal record check on that person. The fee shall be collected and forwarded to the state police by the licensing body or the employer. FOR FISCAL YEAR 2002, THE FEE SHALL BE \$30.00.

1965 PA 213, being Sections 780.621 to 780.624 of the Michigan Compiled Laws, is amended by amending Section 780.621 as follows:

Sec. 1 (6) The copy of the application submitted to the department of state police under subsection (5) shall be accompanied by a fee of \$25.00 payable to the state of Michigan which shall be used by the department of state police to defray the expenses incurred in processing the application. FOR FISCAL YEAR 2002, THE FEE SHALL BE \$30.00.

1965 PA 285, being Section 338.846 of the Michigan Compiled Laws, is amended as follows:

Sec. 26. A license granted under the provisions of this act may be renewed by the secretary of state upon application therefor by the licensee, and the payment of a renewal fee of \$50.00 if a person, or of \$200.00 if a firm, partnership, company or corporation, and filing of a renewal surety bond in the amount equivalent to that specified in section 9 of this act. A renewal license shall be dated as of the expiration date of the previously existing license. For the renewal of a license, the licensee shall submit an application in such form as prescribed by the secretary of state, and a license shall be issued forthwith, except that the secretary of state may defer the renewal if there are uninvestigated complaints then outstanding against the licensee or if there is a criminal complaint then pending against the licensee. The renewal application shall be approved by the sheriff or chief of police and the prosecuting attorney, as required for an initial license. FOR FISCAL YEAR 2002, THE RENEWAL FEE SHALL BE \$500.00 FOR A PERSON, FIRM, PARTNERSHIP, COMPANY OR CORPORATION.

1968 PA 330, being Sections 338.1051 to 338.1085 of the Michigan Compiled Laws, is amended by amending Section 338.1068 and Section 338.1075 as follows:

Sec. 18. (3) The fingerprints required to be taken under subsection (2) may be taken by a law enforcement agency or any other person determined by the department to be qualified to take fingerprints. The department may charge a fee not to exceed \$100.00 for training. The licensee shall submit a 1-time \$15.00 processing fee for each person applying for employment at that agency. If a licensee takes the fingerprints, that licensee shall obtain training in taking fingerprints from the department or a law enforcement agency or other person determined qualified by the department. The department may impose a fee not to exceed \$5.00 for fingerprints submitted to the department that do not meet standards imposed by the department. FOR FISCAL YEAR 2002, THE PROCESSING FEE SHALL BE \$30.00.

Sec. 18. (5) A licensee shall request the department to conduct a background check of each prospective employee based upon a name check. The licensee shall obtain a complete and signed employment application for all individuals for whom a name check is requested and conducted. The employment application shall be retained for at least 1 year from the date of its submission. The department shall conduct the background check upon a written or telephonic request of a licensee accompanied by a fee of \$5.00. The background check shall be conducted not later than 3 days after the date a written request is made and not later than 24 hours after a telephonic request is made. Provisional clearance based on the name check shall allow the employee to be employed, for a period of time not to exceed 90 days, pending final clearance based upon a fingerprint check. If an approval is once denied, that individual may not again be employed by the submitting licensee except upon receipt of an approved fingerprint clearance. A licensee or employee of a licensee who uses a name check or results of a name check for purposes other than prospective employment is guilty of a misdemeanor punishable by imprisonment for not more than 93 days, a fine of not more than \$1,000.00, or both. FOR FISCAL YEAR 2002, THE FEE SHALL BE \$15.00.

Sec. 25. (1) A license granted under this act may be renewed by the department upon application by the licensee and the payment of a renewal fee of \$100.00 if an individual, \$150.00 if a private security guard firm, company, partnership, or corporation, or \$250.00 if a security alarm system contractor, and filing of a renewal surety bond in the amount specified in section 9. FOR FISCAL YEAR 2002, THE RENEWAL FEE SHALL BE \$1,500.00 FOR AN INDIVIDUAL, A PRIVATE SECURITY GUARD FIRM, COMPANY, PARTNERSHIP, CORPORATION, OR A SECURITY ALARM SYSTEM CONTRACTOR.

1949 PA 300, being Section 257.629e of the Michigan compiled Laws, is amended as follows:

Sec. 629e. (1) In addition to any fine or cost ordered to be paid under this act, and in addition to any assessment levied under section 907, the judge, district or municipal court referee, or district or municipal court magistrate shall levy a highway safety assessment of \$5.00 and a secondary road patrol and training assessment of \$5.00 for each civil infraction determination except for a parking violation or a violation for which the total fine and costs imposed are \$10.00 or less. Upon payment of the assessments, the clerk of the court shall transmit the assessments levied to the department of treasury. The state treasurer shall deposit the revenue received pursuant to this subsection in the highway safety fund and in the secondary road patrol and training fund, and shall report annually to the legislature all revenues received and disbursed under this section. An assessment levied under this subsection shall not be considered a civil fine for purposes of section 909. FOR FISCAL YEAR 2002, THE SECONDARY ROAD PATROL AND TRAINING ASSESSMENT SHALL BE \$10.00.

s. State School Aid

Appropriation Number	Item	Reduction Amount
22286	Golden Apple MEAP Incentives	7,200,000

The general fund transferred to the state school aid fund in accordance with section 11 of the state school aid act, 2001 PA121, being section 388.1611 of the Michigan Compiled Laws is hereby reduced by \$7,200,000 and transferred to the unappropriated balance of the general fund as of September 30, 2002.

t. Strategic Fund

<u>Appropriation Number</u>	<u>Item</u>	<u>Reduction Amount</u>
01000	Administration	139,600
01100	Job creation services	1,216,000
03000	Michigan promotion program	400,000
03010	Economic development job training grants	3,000,000

u. Department of Transportation

The Michigan Department of Transportation is authorized to receive billings from the Department of State up to an amount not to exceed \$95,814,100.00, including \$55,814,100.00 authorized through an interdepartmental grant, and to make payments from the Michigan Transportation Fund for transportation related activities performed by the Department of State for the fiscal year ending September 30, 2002, based on allowable expenditures and subject to verification by the Michigan Department of Transportation.

The Michigan Department of Transportation is authorized to receive billings from the Department of Treasury up to an amount not to exceed \$8,000,000.00 and to make payment from the Michigan Transportation Fund for tax collection and audit activities performed by the Department of Treasury for the fiscal year ending September 30, 2002, based on allowable expenditures and subject to verification by the Michigan Department of Transportation.

v. Department of Treasury

<u>Appropriation Number</u>	<u>Item</u>	<u>Reduction Amount</u>
02401	Revenue	9,500,000
01801	Financial services	604,800

The Department of Treasury shall submit billings to the Michigan Department of Transportation for payment of transportation related tax collection and audit activities performed by the Department of Treasury up to an amount not to exceed \$8,000,000.00 for the fiscal year ending September 30, 2002.

4. The following general fund-general purpose amounts from work project accounts, totaling \$11,971,408.00 are hereby transferred to the unappropriated balance of the general fund as of September 30, 2002:

<u>Appropriation Number (Appropriation Year)</u>	<u>Item</u>	<u>Reduction Amount</u>
01260 (AY 01)	<u>Department of Agriculture</u> Value-adding processing ethanol	200,000
01000 (AY 00)	<u>Department of Civil Rights</u> Succession planning	740,000
04530 (AY 97)	<u>Department of Environmental Quality</u> Environmental cleanup and pollution prevention	2,712,616
04530 (AY 98)	<u>Department of Environmental Quality</u> Environmental cleanup and redevelopment program	1,707,460
04530 (AY 99)	<u>Department of Environmental Quality</u> Environmental cleanup and redevelopment program	1,125,926
04419 (AY 98)	<u>Department of Environmental Quality</u> Leaking underground storage tank cleanup program	35,406
04419 (AY 99)	<u>Department of Environmental Quality</u> Leaking underground storage tank cleanup program	50,000
11250 (AY 01)	<u>Family Independence Agency</u> Data system enhancement	3,400,000
03030 (AY 00)	<u>Michigan Strategic Fund</u> Core communities initiative	2,000,000

5. Fund balances established in the following public acts amounting to \$144,571,000.00 are hereby transferred to the general fund as of September 30, 2002. The public acts establishing these funds are amended for the balance of fiscal year 2002.

a. Certification Fees

Certification fees, distributed to the Department of Education for the operation of the preparation and certification program in accordance with 1976 PA 451, being Sections 380.1 to 380.1853 of the Michigan Compiled Laws, is reduced by amending Section 380.1539 as follows:

- (4) Money in the teacher - administrator preparation and certification fund that is unexpended at the end of the state fiscal year shall be carried over to the succeeding state fiscal year, shall not revert to the general fund, and shall be expended as provided in subsection (3). FOR THE FISCAL YEAR ENDING SEPTEMBER 30, 2002, FUNDS ACCUMULATED IN THE TEACHER - ADMINISTRATOR PREPARATION AND CERTIFICATION

FUND OF \$1,400,000.00 IS HEREBY TRANSFERRED TO THE UNAPPROPRIATED BALANCE OF THE GENERAL FUND FOR FISCAL YEAR ENDING SEPTEMBER 30, 2002.

b. Comprehensive Transportation Fund

Distribution of the 25 percent of the collections of the general sales tax imposed at a rate of 4 percent directly or indirectly on fuels sold to propel motor vehicles upon highways, on the sale of motor vehicles, and on the sale of the parts and accessories of motor vehicles by new and used car businesses, used car businesses, accessory dealer businesses, and gasoline station businesses as classified by the Department of Treasury in accordance with 1933 PA 167, being Section 205.75 of the Michigan Compiled Laws, is reduced by amending Section 25 as follows:

Sec. 25. (4) For the fiscal year ending September 30, 1988 and each fiscal year ending after September 30, 1988, of the 25% of the collections of the general sales tax imposed at a rate of 4% directly or indirectly on fuels sold to propel motor vehicles upon highways, on the sale of motor vehicles, and on the sale of the parts and accessories of motor vehicles by new and used car businesses, used car businesses, accessory dealer businesses, and gasoline station businesses as classified by the department of treasury remaining after the allocations and distributions are made pursuant to subsections (2) and (3), the following amounts shall be deposited each year into the respective funds:

(a) Not less than 27.9% to the comprehensive transportation fund. However, for the fiscal year ending September 30, 1991 only, the amount to be deposited in the comprehensive transportation fund shall be reduced by \$1,500,000.00. FOR THE FISCAL YEAR ENDING SEPTEMBER 30, 2002, THE AMOUNT TO BE DEPOSITED IN THE COMPREHENSIVE TRANSPORTATION FUND SHALL BE REDUCED BY \$12,750,000.00 AND THAT AMOUNT SHALL BE TRANSFERRED TO THE UNAPPROPRIATED BALANCE OF THE GENERAL FUND FOR THE FISCAL YEAR ENDING SEPTEMBER 30, 2002. THE FOLLOWING COMPREHENSIVE TRANSPORTATION FUND ACCOUNTS ARE REDUCED BY \$12,750,000.00 FOR THE FISCAL YEAR ENDING SEPTEMBER 30, 2002:

72000 - ADMINISTRATION (\$200,000)

75170 - LOCAL BUS OPERATING (\$3,247,300)

78120 - FREIGHT PROPERTY MANAGEMENT (\$119,300)

79030 - DETROIT/WAYNE COUNTY PORT AUTHORITY (\$31,500)

74050 - INTERCITY BUS EQUIPMENT (\$1,000,000)

77610 - RAIL PASSENGER SERVICE (\$78,000)

78430 - RAIL INFRASTRUCTURE LOAN PROGRAM (\$800,000)

77400 - INTERCITY BUS SERVICE DEVELOPMENT (\$100,000)

79050 - MARINE PASSENGER SERVICES (\$500,000)

77090 - TERMINAL DEVELOPMENT (\$200,000)

75260 - SPECIALIZED SERVICES (\$190,000)

75200 - BUS CAPITAL (\$378,900)

75210 - BUS PROPERTY MANAGEMENT (\$60,000)

76190 - SERVICE DEVELOPMENT AND NEW TECHNOLOGY (\$155,000)

76180 - PLANNING GRANTS (\$40,000)

75220 - AUDIT SETTLEMENTS (\$50,000)

75230 - REGION SERVICE COORDINATION (\$900,000)

75300 - WORK FIRST INITIATIVE (\$1,500,000)

3078 - RAIL INFRASTRUCTURE LOAN PROGRAM - RESERVE FOR REVOLVING LOAN PROGRAMS (\$3,200,000)

(b) The balance to the state general fund.

Section 705 of 2001 PA 59 is amended as follows:

~~From the funds appropriated in part 1, \$800,000.00 is allocated for a rail infrastructure loan program.~~ The RAIL INFRASTRUCTURE LOAN program shall provide noninterest-bearing loans for rail infrastructure improvements. The department shall evaluate loan applications according to the relative merit of the project in conjunction with program goals. The transportation commission shall approve the loans. The loans shall fund not less than 90% of the rail portion of project costs, and the loan repayment period shall not exceed 10 years. Local governments, railroads, and current or potential users of freight railroad services are eligible applicants. At the end of the fiscal year, unexpended funds shall remain in the rail infrastructure loan program and shall be available to be allocated for the purposes of the program in the succeeding fiscal year. Money that is received by this state as repayment for rail infrastructure loans made pursuant to this program shall remain within the rail infrastructure loan program and shall be allocated for the purposes of the program. The state's total contribution to the rail infrastructure loan program shall not exceed \$15,000,000.00.

c. Healthy Michigan Fund

Healthy Michigan Fund revenue, distributed to the Department of Community Health for support of programs in

accordance with 1978 PA 368, as amended, being Sections 333.1101 to 333.25211 of the Michigan Compiled Laws is reduced by amending Section 333.5953 as follows:

(5) Money remaining in the fund at the end of the fiscal year shall remain in the fund and be available for expenditure in the following year. The unencumbered balance at the close of the fiscal year shall not revert to the general fund. FOR THE FISCAL YEAR ENDING SEPTEMBER 30, 2002, OF THE FUNDS ACCUMULATED IN THE FOLLOWING ACCOUNTS \$3,448,000.00 IS HEREBY TRANSFERRED TO THE UNAPPROPRIATED BALANCE OF THE GENERAL FUND AS OF SEPTEMBER 30, 2002:

11354 - EMPLOYEE WELLNESS PROGRAM GRANTS (\$1,312,000)

11386 - VIOLENCE PREVENTION (\$1,500,000)

14283 - ADOLESCENT AND CHILD HEALTH CARE SERVICES (\$636,000)

d. Medical Waste Emergency Response Fund

Medical waste fee revenue, distributed to the Department of Environmental Quality for environmental health purposes in accordance with 1978 PA 368, as amended, being Sections 333.1101 to 333.25211 of the Michigan Compiled Laws is reduced by amending Section 13829 as follows:

(3) The state treasurer shall direct the investment of the fund. Interest and earnings of the fund shall be credited to the fund. Money in the fund at the close of the fiscal year shall remain in the fund and shall not revert to the general fund. FOR THE FISCAL YEAR ENDING SEPTEMBER 30, 2002, FUNDS ACCUMULATED IN THE MEDICAL WASTE EMERGENCY RESPONSE FUND OF \$1,100,000.00 IS HEREBY TRANSFERRED TO THE UNAPPROPRIATED BALANCE OF THE GENERAL FUND AS OF SEPTEMBER 30, 2002, INCLUDING FUNDS ACCUMULATED IN ACCOUNT 04913 -ENVIRONMENTAL HEALTH (\$402,500).

e. Michigan Health Initiative Fund

Michigan Health Initiative Fund revenue, distributed to the Department of Community Health for support of programs in accordance with 1978 PA 368, as amended, being Sections 33.1101 to 33.25211 of the Michigan Compiled Laws is reduced by amending Section 333.5911 as follows:

(4) The unencumbered balance remaining in the fund at the close of the fiscal year shall remain in the fund, and shall not revert to the general fund. FOR THE FISCAL YEAR ENDING SEPTEMBER 30, 2002, OF THE FUNDS ACCUMULATED IN THE FOLLOWING ACCOUNTS \$2,488,000.00 IS HEREBY TRANSFERRED TO THE UNAPPROPRIATED BALANCE OF THE GENERAL FUND AS OF SEPTEMBER 30, 2002:

16764 - AIDS PREVENTION, TESTING AND CARE PROGRAMS (\$600,000)

11354 - EMPLOYEE WELLNESS PROGRAM GRANTS (\$1,888,000)

f. Michigan Merit Award Trust Fund revenue, distributed in accordance with the Michigan Merit Award Scholarship Act, 1999 PA 94, being Sections 390.1451 to 390.1459 of the Michigan Compiled Laws is reduced by amending Section 390.1453 as follows:

(2) Money in the trust fund at the close of a fiscal year shall remain in the trust fund and shall not revert to the general fund. FOR THE FISCAL YEAR ENDING SEPTEMBER 30, 2002, FUNDS ACCUMULATED IN THE MICHIGAN MERIT AWARD TRUST FUND OF \$59,000,000.00 ARE HEREBY TRANSFERRED TO THE UNAPPROPRIATED BALANCE OF THE GENERAL FUND AS OF SEPTEMBER 30, 2002, INCLUDING FUNDS ACCUMULATED IN THE FOLLOWING ACCOUNTS:

80000 (AY 02) - MICHIGAN MERIT AWARD PROGRAM (\$22,000,000)

80000 (AY 00 and AY 01) - MICHIGAN MERIT AWARD PROGRAM (\$33,000,000)

03550 - POSTSECONDARY ACCESS STUDENT SCHOLARSHIP PROGRAM (\$3,000,000)

03216 - TREASURY - MICHIGAN EDUCATION SAVINGS PROGRAM (\$1,000,000)

Section 404 of 2001 PA 52 is amended as follows:

Sec. 404. (1) The Michigan postsecondary access student scholarship (PASS) program is established to provide a PASS award as calculated under this section for a student who is eligible under subsection (2), (3), or (4). The Michigan higher education assistance authority (MHEAA) shall administer the PASS program, for which there is ~~\$5,000,000.00~~ \$2,000,000.00 appropriated in part 1, and the PASS program shall comply with the requirements of this section.

g. Motorcycle License Fees

Motorcycle license fees, distributed to the Department of Education for support of motorcycle education in accordance with 1949 PA 300, being Sections 257.311a to 257.312g of the Michigan Compiled Laws, is reduced by amending Section 257.312c as follows:

(2) Except as otherwise provided in this subsection, the money received and collected under this section shall be deposited in the state treasury to the credit of the general fund. The secretary of state shall refund out of the fees collected to each county or municipality, acting as an examining officer or examining bureau, \$3.00 for each applicant examined for a first endorsement to a 3- or 4-year operator's or chauffeur's license, \$2.50 for each original endorsement to a 2-year operator's or chauffeur's license, \$1.50 for each renewal endorsement to a 2-year operator's or chauffeur's license, and \$1.50 for every other applicant examined whose application is not denied, on the condition, however, that the money refunded shall be paid to the county or local treasurer and is

appropriated to the county, municipality, or officer or bureau receiving the money for the purpose of carrying out this act. Ten dollars of each original motorcycle endorsement and \$3.00 of each renewal motorcycle endorsement shall be placed in a motorcycle safety fund in the state treasury and shall be used only by the department of education for the motorcycle safety education program as provided under section 811a. FOR FISCAL YEAR ENDING SEPTEMBER 30, 2002, FUNDS ACCUMULATED IN THE MOTORCYCLE SAFETY FUND OF \$200,000.00 IS HEREBY TRANSFERRED TO THE UNAPPROPRIATED BALANCE OF THE GENERAL FUND FOR THE FISCAL YEAR ENDING SEPTEMBER 30, 2002.

h. Teacher Testing Fees

Teacher testing fees, distributed to the Department of Education for administrative expenses of conducting teacher testing of the basic skills examination, elementary certification examination, and the subject area examinations in accordance with 1976 PA 451, being Sections 380.1 to 380.1853 of the Michigan Compiled Laws, is reduced by amending Section 380.1531 as follows:

(14) The department, or if approved by the superintendent of public instruction, a private testing service, may assess fees for taking the basic skills examination, elementary certification examination, and the subject area examinations. The fees, which shall be set by the superintendent of public instruction, shall not exceed \$50.00 for a basic skills examination or \$75.00 for an elementary certification examination or a subject area examination. However, if a subject area examination for vocational education includes a performance examination, an additional fee may be assessed for taking the performance examination, not to exceed the actual cost of administering the performance examination. Fees received by the department shall be expended solely for administrative expenses that it incurs in implementing this section. FOR FISCAL YEAR ENDING SEPTEMBER 30, 2002, FUNDS ACCUMULATED IN THE TEACHER TESTING FEES FUND OF \$250,000.00 IS HEREBY TRANSFERRED TO THE UNAPPROPRIATED BALANCE OF THE GENERAL FUND FOR THE FISCAL YEAR ENDING SEPTEMBER 30, 2002.

i. Tobacco Settlement Trust Fund

Tobacco Settlement revenue, distributed to the Department of Career Development, Michigan Strategic Fund, and to the Department of Community Health for support of programs in accordance with 2000 PA 489, being Sections 12.251 to 12.256 of the Michigan Compiled Laws, is reduced by amending Section 12.254 as follows:

Sec. 4. The legislature shall authorize the expenditure of tobacco settlement trust fund revenues through an appropriation act. FOR THE FISCAL YEAR ENDING SEPTEMBER 30, 2002, OF THE FUNDS ACCUMULATED IN THE FOLLOWING ACCOUNTS \$24,485,000.00 IS HEREBY TRANSFERRED TO THE UNAPPROPRIATED BALANCE OF THE GENERAL FUND AS OF SEPTEMBER 30, 2002:

COMMUNITY HEALTH: 33750 - STATE AND LOCAL MEDICAL PROGRAMS (\$7,200,000)

46509 - LONG-TERM CARE ADVISOR (\$2,285,000)

CAREER DEVELOPMENT: 08221 - COUNCIL OF MICHIGAN FOUNDATIONS (\$2,000,000)

08260 - AY 00 - MICHIGAN TECHNICAL EDUCATION CENTERS (\$8,000,000)

MICHIGAN STRATEGIC FUND: 03020 - HEALTH AND AGING RESEARCH AND DEVELOPMENT STRATEGIES (\$5,000,000)

Section 1407 of 2001 PA 60 is amended as follows:

Sec. 1407. (1) The appropriation of ~~\$3,046,000.00~~ \$761,000.00 of tobacco settlement funds to the office of services to the aging for the long-term care advisor shall be allocated in accordance with a long-term care plan developed by the long-term care working group established in section 1657 of 1998 PA 336 upon implementation of the plan. The plan shall be implemented upon meeting the requirements of section 1684 of this act.

j. Statutory State General Revenue Sharing Grants

A portion of Michigan sales tax revenue, distributed to the Department of Treasury for revenue sharing payment in accordance with the 1971 PA 140, as amended, being Sections 141.901 to 141.921 of the Michigan Compiled Laws, is reduced by \$37,200,000.00 and transferred to the unappropriated balance of the general fund as of September 30, 2002.

Section 952 of 2001 PA 83 is amended as follows:

Sec. 952. Revenue collected in accordance with article IX, section 10 of the Michigan constitution of 1963 in excess of the amount appropriated in part 1 for constitutional revenue sharing is appropriated for distribution to townships, cities, and villages on a population basis as specified by law. The appropriation in part 1 for statutory state general revenue sharing grants to townships, cities, and villages shall be reduced by an amount equal to any additional constitutional revenue sharing appropriations authorized in this section. FOR THE FISCAL YEAR ENDING SEPTEMBER 30, 2002, THE APPROPRIATION CONTAINED IN PART 1 FOR STATUTORY STATE GENERAL REVENUE SHARING GRANTS IS REDUCED FROM \$905,200,000.00 TO \$868,000,000.00.

k. Transportation Economic Development Fund

Revenues from increases in operator's and chauffeurs license fees, distributed to the Department of

Transportation for economic development fund purposes in accordance with 1949 PA 300, being Section 257.819 of the Michigan Compiled Laws, is reduced by amending Section 257.819 as follows:

Sec. 819. (1) Except as provided in subsections (2) and (3), revenue from the increases in fees provided in the 1987 amendatory act that added this section is appropriated to the transportation economic development fund, and shall not be appropriated for any other purpose in any act making appropriations of state funds. FOR THE FISCAL YEAR ENDING SEPTEMBER 30, 2002, OF THE FUNDS ACCUMULATED IN THE FOLLOWING TRANSPORTATION ECONOMIC DEVELOPMENT FUND ACCOUNTS \$2,250,000.00 IS HEREBY TRANSFERRED TO THE UNAPPROPRIATED BALANCE OF THE GENERAL FUND FOR THE FISCAL YEAR ENDING SEPTEMBER 30, 2002:

87200 - TARGET INDUSTRIES/ECONOMIC REDEVELOPMENT (\$1,125,000)

87400 - URBAN COUNTY CONGESTION (\$562,500)

87500 - RURAL COUNTY PRIMARY (\$562,500)

6. Expenditure reduction amounts and associated sources of restricted financing shall be transferred in accordance with provisions of Section 391, Act 431 of the Public Acts of 1984, as amended.

The State Budget Director is hereby authorized to take any and all actions necessary to implement the provisions of this order so that expenditures authorized by appropriations shall be reduced as specified above for the fiscal year October 1, 2001 to September 30, 2002.

[SEAL]

Given under my hand and the Great Seal of the State of Michigan this 6th day of November, in the Year of our Lord, Two Thousand One.

John Engler

Governor

By the Governor:

Candice S. Miller

Secretary of State

The message was referred to the Clerk.

By unanimous consent the House returned to the order of

Reports of Standing Committees

November 6, 2001

Mr. Gary L. Randall, Clerk
House of Representatives
State Capitol Building
Lansing, Michigan 48913

Dear Mr. Randall:

Pursuant to the authority vested in Governor John Engler by Article V. Section 20 of the Constitution of the State of Michigan and language contained in P.A. 431 of 1984, as amended: I Representative Marc Shulman, Chair of the House Appropriations Committee of the Michigan State Legislature, hereby certify that the official minutes of our Committee show that the majority of the members of the Committee, elected and serving, are recorded as approving Executive Order No. 2001-9 dated November 6, 2001.

Sincerely,

Marc Shulman, Chair

House Appropriations Committee

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Shulman, Chair of the Committee on Appropriations, was received and read:

Meeting held on: Tuesday, November 6, 2001, at 4:00 p.m.,

Present: Reps. Shulman, LaSata, Cameron Brown, Caul, Drolet, Jansen, Jelinek, Kooiman, Mead, Mortimer, Newell, Pappageorge, Pumford, Shackleton, Stamas, Stewart, Toy, Vander Roest, Frank, Rich Brown, Lockwood, Pestka, Phillips, Plakas, Stallworth, Switalski, Whitmer,

Absent: Reps. Clarke, Reeves,

Excused: Reps. Clarke, Reeves.

Messages from the Governor

The following message from the Governor was received November 21, 2001 and read:

EXECUTIVE ORDER

No. 2001 - 10

Michigan Veterans' Memorial Park Commission

Department of Military and Veterans Affairs

Department of Management and Budget

Executive Reorganization

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

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

WHEREAS, the citizens of this state are forever indebted to those men and women who have loyally served in our nation's armed forces; and

WHEREAS, the Michigan Veterans' Memorial Park Commission was established by Executive Order 1992-11 within the Department of Military and Veterans Affairs; and

WHEREAS, the veterans memorial park was established within the City of Lansing by Section 5a of Act No. 234 of 1988, as amended, being Section 35.1055a of the Michigan Compiled Laws; and

WHEREAS, it is necessary to create a new Michigan Veterans' Memorial Park Commission to oversee the completed Michigan Vietnam Memorial Monument and the veterans memorial park; and

WHEREAS, the purposes and functions of the current Veterans' Memorial Park Commission have evolved since the Commission's creation in 1992; and

WHEREAS, the powers, functions, duties and responsibilities assigned to the current Michigan Veterans' Memorial Park Commission can be more effectively carried out by a new Michigan Veterans' Memorial Park Commission; and

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

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

I. DEFINITIONS

A. "Commission" means the Michigan Veterans' Memorial Park Commission established by this Executive Order.

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

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

D. "Veterans memorial park" means the 2.5-acre parcel of land established and legally described by Section 5a of Act No. 234 of the Public Acts of 1988, as amended, being Section 35.1055a of the Michigan Compiled Laws.

II. ESTABLISHMENT OF THE MICHIGAN VETERANS' MEMORIAL PARK COMMISSION

A. A new Michigan Veterans' Memorial Park Commission is hereby created as a Type II entity within the Department of Management and Budget.

B. All the statutory authority, powers, duties, functions and responsibilities of the current Michigan Veterans' Memorial Park Commission, including, but not limited to, the statutory authority, powers, duties, functions and responsibilities set forth in:

1. Executive Order 1992-11 (creating the Michigan Veterans' Memorial Park Commission; and,)

2. Executive Order 1992-12, being Section 35.1081 of the Michigan Compiled Laws (transferring authority over the Michigan Veterans' Memorial Park and the duties of the Michigan Capitol Park Commission related to the Michigan Veterans' Memorial Park from the Michigan Capitol Park Commission to the Michigan Veterans' Memorial Park Commission;)

are hereby transferred from the existing Michigan Veterans' Memorial Park Commission located within the Department of Military and Veterans Affairs to the new Michigan Veterans' Memorial Park Commission located within

the Department of Management and Budget by a Type III transfer, as defined by Section 3 of Act No. 380 of the Public Acts of 1965, as amended, being Section 16.103 of the Michigan Compiled Laws.

C. The Commission shall consist of seven (7) members:

- Five members of the general public appointed by the Governor;
- The Director of the Department of Military and Veterans Affairs who is the Adjutant General of state of Michigan, or the designee of the Director/Adjutant General; and
- The Director of the Department of Management and Budget, or the designee of the Director of the Department of Management and Budget.

D. The members of the Commission appointed by the Governor shall serve a term of three (3) years, except that, of the members first appointed, two (2) members shall be appointed for a term of three (3) years, two (2) members shall be appointed for a term of two(2) years, and one (1) member shall be appointed for a term of one (1) year.

E. Any vacancy on the commission shall be filled in the same manner as the original appointment.

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

III. CHARGE TO THE COMMISSION

The Commission shall assist the Department of Management and Budget with the following functions pursuant to the applicable law:

A. The Commission shall advise the Department of Management and Budget on the development, management and maintenance of the Michigan Veterans' Memorial Park.

B. The Commission shall advise the Department and work with organizations on the operation of programs, exclusive to the Michigan Veterans' Memorial Park.

C. The Commission shall advise the state police regarding the provisions of police and security services for the Michigan Veterans' Memorial Park and the enforcement of rules for the care and preservation of the park.

D. The Commission shall coordinate with the City of Lansing regarding state activities or development of the Michigan Veterans' Memorial Park affecting city operations.

E. The Commission shall annually report to the Governor and the Legislature on the activities of the Commission.

IV. OPERATIONS OF THE COMMISSION

A. The Governor shall designate one (1) member of the Commission to serve as chairperson. This member shall serve as Chair at the pleasure of the Governor.

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

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

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

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

F. The Commission may establish one or more subcommittees consisting of Commission members to investigate and analyze specific issues, consistent with the charge to the Commission contained in Section III of this order. The chair of the Commission, or a member of the Commission designated by the chair, shall chair each subcommittee established by the Commission. Subcommittees shall recommend proposed actions, plans, comments, formulas, measures, reports or policies to the Commission, consistent with the Commission's charge. The Commission may adopt, reject or modify recommendations proposed by subcommittees.

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

H. The Department of Management and Budget may hire or retain such contractors, sub-contractors, advisors, consultants and agents, and may make and enter into contracts necessary or incidental to the exercise of the performance of the Commission's duties, as the Department Director deems appropriate. Such procurements shall be in accordance with the relevant statutes, rules and procedures of the Department of Management and Budget and the Civil Service Commission.

I. The Commission may apply for, receive and expend monies from any source, public or private, including but not limited to, gifts, grants, donations of monies and government appropriations. The Commission may also accept donations of labor, services, or other things of value from any public or private agency or person. Individual members of the Commission shall fully comply with the provisions of the Act No. 196 of the Public Acts of 1973, as amended, being Section 15.341 et seq. of the Michigan Compiled Laws, governing the standards of conduct for public officers and employees of the state of Michigan.

J. Members of the Commission shall refer all legal, legislative and media issues to the Department of Management and Budget.

K. The Commission shall be staffed by personnel within the Department of Management and Budget as designated by the Director.

V. MISCELLANEOUS

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

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

C. The Michigan Veterans' Park Commission, established with the Department of Military and Veterans Affairs by Executive Order 1992-11, is hereby abolished.

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

[SEAL]

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

John Engler

Governor

By the Governor:

Candice S. Miller

Secretary of State

The message was referred to the Clerk.

Introduction of Bills

Reps. Bishop, Vander Veen, Pappageorge, Vander Roest and Shackleton introduced

House Bill No. 5454, entitled

A bill to amend 1964 PA 170, entitled "An act to make uniform the liability of municipal corporations, political subdivisions, and the state, its agencies and departments, officers, employees, and volunteers thereof, and members of certain boards, councils, and task forces when engaged in the exercise or discharge of a governmental function, for injuries to property and persons; to define and limit this liability; to define and limit the liability of the state when engaged in a proprietary function; to authorize the purchase of liability insurance to protect against loss arising out of this liability; to provide for defending certain claims made against public officers and paying damages sought or awarded against them; to provide for the legal defense of public officers and employees; to provide for reimbursement of public officers and employees for certain legal expenses; and to repeal certain acts and parts of acts," by amending the title and sections 8 and 9 (MCL 691.1408 and 691.1409), the title as amended by 1986 PA 175.

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

Rep. Stallworth introduced

House Bill No. 5455, entitled

A bill to amend 1951 PA 51, entitled "An act to provide for the classification of all public roads, streets, and highways in this state, and for the revision of that classification and for additions to and deletions from each classification; to set up and establish the Michigan transportation fund; to provide for the deposits in the Michigan transportation fund of specific taxes on motor vehicles and motor vehicle fuels; to provide for the allocation of funds from the Michigan transportation fund and the use and administration of the fund for transportation purposes; to set up and establish the truck safety fund; to provide for the allocation of funds from the truck safety fund and administration of the fund for truck safety purposes; to set up and establish the Michigan truck safety commission; to establish certain standards for road contracts for certain businesses; to provide for the continuing review of transportation needs within the state; to authorize the state transportation commission, counties, cities, and villages to borrow money, issue bonds, and make pledges of funds for transportation purposes; to authorize counties to advance funds for the payment of deficiencies necessary for the payment of bonds issued under this act; to provide for the limitations, payment, retirement, and security of the bonds and pledges; to provide for appropriations and tax levies by counties and townships for county roads; to authorize contributions by townships for county roads; to provide for the establishment and administration of the state trunk line fund, critical bridge fund, comprehensive transportation fund, and certain

other funds; to provide for the deposits in the state trunk line fund, critical bridge fund, comprehensive transportation fund, and certain other funds of money raised by specific taxes and fees; to provide for definitions of public transportation functions and criteria; to define the purposes for which Michigan transportation funds may be allocated; to provide for Michigan transportation fund grants; to provide for review and approval of transportation programs; to provide for submission of annual legislative requests and reports; to provide for the establishment and functions of certain advisory entities; to provide for conditions for grants; to provide for the issuance of bonds and notes for transportation purposes; to provide for the powers and duties of certain state and local agencies and officials; to provide for the making of loans for transportation purposes by the state transportation department and for the receipt and repayment by local units and agencies of those loans from certain specified sources; and to repeal acts and parts of acts," (MCL 247.651 to 247.675) by adding section 1i; and to repeal acts and parts of acts.

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

Rep. Mortimer introduced

House Bill No. 5456, entitled

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

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

Rep. Bovin moved that the House adjourn.

The motion prevailed, the time being 4:35 p.m.

The Speaker Pro Tempore declared the House adjourned until Wednesday, November 28, at 2:00 p.m.

GARY L. RANDALL

Clerk of the House of Representatives.