

No. 65
STATE OF MICHIGAN
Journal of the Senate
92nd Legislature
REGULAR SESSION OF 2003

Senate Chamber, Lansing, Tuesday, July 1, 2003.

10:00 a.m.

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

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

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

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

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

Senator Gerald Van Woerkom of the 34th District offered the following invocation:

Almighty God, we come to You on this beautiful summer day, and we thank You for all the blessings that we have received. We recognize that we are in a period of time when we as a government struggle with budgets, and we often get hung up on what we don't have. But we know that we are blessed. We know that we have been blessed richly in this state, and we have very much to share with others. We give You thanks for the blessings that we have before us.

We pray, too, that You will be with us on this day. Help us with the deliberations that we make today. We pray that You will grant us wisdom, grant us direction, and help us to make this state a little bit better place. In Your name. Amen.

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

Recess

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

10:18 a.m.

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

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

A quorum of the Senate was present.

Motions and Communications

Senator Hammerstrom moved that Senator Kuipers be excused from today's session.
The motion prevailed.

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

The following communications were received:
Office of the Auditor General

June 25, 2003

Enclosed is a copy of the following audit report and/or report summary:
Financial Audit, Including the Provisions of the Single Audit Act, of the Department of Attorney General October 1, 2000 through September 30, 2002.

June 26, 2003

Enclosed is a copy of the following audit report and/or report summary:
Financial Audit, Including the Provisions of the Single Audit Act, of the Department of Civil Rights October 1, 2000 through September 30, 2002.

June 27, 2003

Enclosed is a copy of the following audit report and/or report summary:
Financial Audit, Including the Provisions of the Single Audit Act, of the Department of History, Arts, and Libraries October 1, 2001 through September 30, 2002 and the Library of Michigan October 1, 2000 through September 30, 2001.

June 27, 2003

Enclosed is a copy of the following audit report and/or report summary:
Financial Audit, Including the Provisions of the Single Audit Act, of the Michigan Strategic Fund October 1, 2000 through September 30, 2002.

June 30, 2003

Enclosed is a copy of the following audit report and/or report summary:
Financial Audit, Including the Provisions of the Single Audit Act, of the State-Funded Judicial Operations, October 1, 2000 through September 30, 2002.

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

The communications were referred to the Secretary for record.

The Secretary announced that the following House bills were received in the Senate and filed on Thursday, June 26:
House Bill Nos. 4311 4714 4753 4790 4855 4856 4857 4858 4859 4866

The Secretary announced the enrollment printing and presentation to the Governor on Monday, June 30, for her approval the following bills:

Enrolled Senate Bill No. 425 at 11:13 a.m.
Enrolled Senate Bill No. 293 at 11:15 a.m.

The Secretary announced that the following bills were available at the legislative Web site on Thursday, June 26:

Senate Bill Nos. 598 599 600
House Bill Nos. 4888 4889 4890 4891 4892 4893 4894 4895 4896

The Secretary announced that the following bills were available at the legislative Web site on Friday, June 27:

Senate Bill Nos. 601 602 603 604
House Bill Nos. 4897 4898 4899 4900 4901

Messages from the Governor

The following message from the Governor was received:

Date: June 26, 2003
Time: 9:41 a.m.

To the President of the Senate:

Sir—I have this day approved and signed
Enrolled Senate Bill No. 23 (Public Act No. 29), 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 512 (MCL 206.512), as amended by 1996 PA 484.

(Filed with the Secretary of State on June 26, 2003, at 10:06 a.m.)

Respectfully,
Jennifer M. Granholm
Governor

The following messages from the Governor were received and read:

June 26, 2003

I respectfully submit to the Senate, pursuant to Section 6 of Article 5 of the Michigan Constitution of 1963, the following appointment to state office under Section 7 of the Agricultural Commodities Marketing Act, 1965 PA 232, MCL 290.657:

Michigan Apple Committee

Alvin F. Dietrich, 882 Harding Street, Conklin, Michigan 49403, county of Ottawa, succeeding James D. Chase, representing growers from District 3, for a term commencing on June 26, 2003 and expiring on April 1, 2006.

Mark A. Doherty, 9680 East Carter Road, Traverse City, Michigan 49684, county of Leelanau, succeeding Michael D. Evans, representing growers from District 6, for a term commencing on June 26, 2003 and expiring on April 1, 2006.

June 26, 2003

I respectfully submit to the Senate, pursuant to Section 6 of Article 5 of the Michigan Constitution of 1963, the following appointment to state office under Section 3 of Article 5 of the Michigan Constitution of 1963:

Director of Department of Corrections

Patricia Louise Caruso, 3348 Lakeshore Drive, Sault Sainte Marie, Michigan 49783, county of Chippewa, succeeding William Overton, for a term commencing on June 30, 2003 and expiring at the pleasure of the Governor.

June 26, 2003

I respectfully submit to the Senate, pursuant to Section 6 of Article 5 of the Michigan Constitution of 1963, the following appointments to office under Section 209 of the Michigan Liquor Control Code of 1998, PA 58, MCL 436.1209:

Michigan Liquor Control Commission

Ms. Nida R. Samona of 23708 Hazen Street, Southfield, Michigan 48034, county of Oakland, a Democrat, succeeding Claudia L. Gartin, whose term has expired, for a term commencing August 25, 2003 and expiring June 12, 2007.

Mr. Patrick M. Gagliardi of 31533 East Tourist Road, Drummond Island, Michigan 49726, county of Chippewa, a Democrat, succeeding James E. McBryde, whose term has expired, for a term commencing July 17, 2003 and expiring June 12, 2007.

Sincerely,
Jennifer M. Granholm
Governor

The appointments were referred to the Committee on Government Operations.

The following message from the Governor was received and read:

SCHOOL AID PENALTIES; REPLACE 180 DAYS INSTRUCTION
REQUIREMENT WITH MINIMUM HOURS

June 30, 2003

Today, I return with my objections Enrolled Senate Bill 364, pursuant to Section 33 of Article IV of the Michigan Constitution of 1963. Senate Bill 364 is tie-barred to House Bill 4453, which is currently pending before the Michigan Senate. Given the impact of the bills upon schools, teachers, students, and parents, I do not intend to make any decisions on changes to existing policy without all proposed changes on my desk at the same time.

Respectfully,
Jennifer M. Granholm
Governor

This bill was returned from the Governor on June 30, 2003, at 3:25 p.m.

The question being on the passage of the bill, the objections of the Governor to the contrary notwithstanding, Senator Hammerstrom moved that consideration of the bill be postponed for today.
The motion prevailed.

By unanimous consent the Senate proceeded to the order of
General Orders

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

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

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

House Bill No. 4732, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," (MCL 760.1 to 777.69) by adding section 1j to chapter IX.

House Bill No. 4735, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," (MCL 600.101 to 600.9948) by adding section 185.

House Bill No. 4736, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending sections 629e and 907 (MCL 257.629e and 257.907), section 629e as amended by 2001 PA 213 and section 907 as amended by 2002 PA 534.

House Bill No. 4741, entitled

A bill to amend 1939 PA 288, entitled "Probate code of 1939," by amending section 29 of chapter XIA (MCL 712A.29), as added by 1993 PA 344.

House Bill No. 4743, entitled

A bill to amend 1953 PA 232, entitled "Corrections code of 1953," by amending section 36 (MCL 791.236), as amended by 1999 PA 271.

House Bill No. 4745, entitled

A bill to amend 1990 PA 250, entitled "DNA identification profiling system act," by amending section 6 (MCL 28.176), as amended by 2001 PA 87.

House Bill No. 4746, entitled

A bill to amend 1939 PA 288, entitled "Probate code of 1939," by amending section 18k of chapter XIA (MCL 712A.18k), as amended by 2001 PA 91.

House Bill No. 4749, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," (MCL 600.101 to 600.9948) by adding section 175.

House Bill No. 4750, entitled

A bill to amend 1988 PA 260, entitled "Community dispute resolution act," by amending section 10 (MCL 691.1560), as amended by 1993 PA 286.

House Bill No. 4606, entitled

A bill to amend 1976 PA 388, entitled "Michigan campaign finance act," by amending section 6 (MCL 169.206), as amended by 1995 PA 264.

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

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

House Bill No. 4733, entitled

A bill to amend 1939 PA 288, entitled "Probate code of 1939," by amending section 18 of chapter XIA (MCL 712A.18), as amended by 2000 PA 55, and by adding section 18m to chapter XIA.

Substitute (S-1).

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

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

House Bill No. 4748, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending sections 321, 880, 880a, 880b, 1027, 2529, 5756, 8371, and 8420 (MCL 600.321, 600.880, 600.880a, 600.880b, 600.1027, 600.2529, 600.5756, 600.8371, and 600.8420), section 321 as amended by 1997 PA 182, sections 880 and 880b as amended by 2000 PA 56, section 880a as added and sections 5756 and 8420 as amended by 1993 PA 189, section 1027 as added by 1996 PA 388, and sections 2529 and 8371 as amended by 2002 PA 605, and by adding section 171.

Substitute (S-2).

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

The Committee of the Whole reported back to the Senate, favorably and with a substitute therefor, the following bill:
Senate Bill No. 596, entitled

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

Substitute (S-1).

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

By unanimous consent the Senate returned to the order of

Motions and Communications

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

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

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

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

Recess

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

The motion prevailed, the time being 10:41 a.m.

10:47 a.m.

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

During the recess, Senator Toy introduced to the Senate Miss Michigan 2003, Madonna K. Emond of Livonia, and presented her with a special tribute.

Ms. Emond responded briefly.

By unanimous consent the Senate proceeded to the order of

Third Reading of Bills

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

House Bill No. 4732

House Bill No. 4733

House Bill No. 4735

House Bill No. 4736

House Bill No. 4741

House Bill No. 4743

House Bill No. 4745

House Bill No. 4746

House Bill No. 4748

House Bill No. 4749

House Bill No. 4750

Senate Bill No. 596

House Bill No. 4606

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

The following bill was read a third time:

House Bill No. 4732, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," (MCL 760.1 to 777.69) by adding section 1j to chapter IX.

The question being on the passage of the bill,

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

Roll Call No. 302**Yeas—36**

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

Nays—0**Excused—2**

Kuipers	Thomas
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Not Voting—0

In The Chair: President

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

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

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

“An act to revise, consolidate, and codify the laws relating to criminal procedure and to define the jurisdiction, powers, and duties of courts, judges, and other officers of the court under the provisions of this act; to provide laws relative to the rights of persons accused of criminal offenses and ordinance violations; to provide for the arrest of persons charged with or suspected of criminal offenses and ordinance violations; to provide for bail of persons arrested for or accused of criminal offenses and ordinance violations; to provide for the examination of persons accused of criminal offenses; to regulate the procedure relative to grand juries, indictments, informations, and proceedings before trial; to provide for trials of persons complained of or indicted for criminal offenses and ordinance violations and to provide for the procedure in those trials; to provide for judgments and sentences of persons convicted of criminal offenses and ordinance violations; to establish a sentencing commission and to prescribe its powers and duties; to provide for procedure relating to new trials and appeals in criminal and ordinance violation cases; to provide a uniform system of probation throughout this state and the appointment of probation officers; to prescribe the powers, duties, and compensation of probation officers; to provide penalties for the violation of the duties of probation officers; to provide for procedure governing proceedings to prevent crime and proceedings for the discovery of crime; to provide for fees of officers, witnesses, and others in criminal and ordinance violation cases; to set forth miscellaneous provisions as to criminal procedure in certain cases; to provide penalties for the violation of certain provisions of this act; and to repeal all acts and parts of acts inconsistent with or contravening any of the provisions of this act.”

The Senate agreed to the full title.

The following bill was read a third time:

House Bill No. 4733, entitled

A bill to amend 1939 PA 288, entitled “Probate code of 1939,” by amending section 18 of chapter XIA (MCL 712A.18), as amended by 2000 PA 55, and by adding section 18m to chapter XIA.

The question being on the passage of the bill,

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

Roll Call No. 303**Yeas—36**

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

Nays—0**Excused—2**

Kuipers	Thomas
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Not Voting—0

In The Chair: President

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

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

“An act to revise and consolidate the statutes relating to certain aspects of the family division of circuit court, to the jurisdiction, powers, and duties of the family division of circuit court and its judges and other officers, to the change of name of adults and children, and to the adoption of adults and children; to prescribe certain jurisdiction, powers, and duties of the family division of circuit court and its judges and other officers; to prescribe the manner and time within which certain actions and proceedings may be brought in the family division of the circuit court; to prescribe pleading, evidence, practice, and procedure in certain actions and proceedings in the family division of circuit court; to provide for appeals from certain actions in the family division of circuit court; to prescribe the powers and duties of certain state departments, agencies, and officers; to provide for certain immunity from liability; and to provide remedies and penalties.”.

The Senate agreed to the full title.

The following bill was read a third time:

House Bill No. 4735, entitled

A bill to amend 1961 PA 236, entitled “Revised judicature act of 1961,” (MCL 600.101 to 600.9948) by adding section 185.

The question being on the passage of the bill,

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

Roll Call No. 304**Yeas—36**

Allen	Cherry	Hammerstrom	Prusi
Barcia	Clark-Coleman	Hardiman	Sanborn
Basham	Clarke	Jacobs	Schauer
Bernero	Cropsey	Jelinek	Scott
Birkholz	Emerson	Johnson	Sikkema
Bishop	Garcia	Leland	Stamas

Brater
Brown
Cassis

George
Gilbert
Goschka

McManus
Olshove
Patterson

Switalski
Toy
Van Woerkom

Nays—0

Excused—2

Kuipers

Thomas

Not Voting—0

In The Chair: President

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

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

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

“An act to revise and consolidate the statutes relating to the organization and jurisdiction of the courts of this state; the powers and duties of such courts, and of the judges and other officers thereof; the forms and attributes of civil claims and actions; the time within which civil actions and proceedings may be brought in said courts; pleading, evidence, practice and procedure in civil and criminal actions and proceedings in said courts; to provide remedies and penalties for the violation of certain provisions of this act; to repeal all acts and parts of acts inconsistent with or contravening any of the provisions of this act; and to repeal acts and parts of acts.”.

The Senate agreed to the full title.

The following bill was read a third time:

House Bill No. 4736, entitled

A bill to amend 1949 PA 300, entitled “Michigan vehicle code,” by amending sections 629e and 907 (MCL 257.629e and 257.907), section 629e as amended by 2001 PA 213 and section 907 as amended by 2002 PA 534.

The question being on the passage of the bill,

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

Roll Call No. 305

Yeas—36

Allen
Barcia
Basham
Bernero
Birkholz
Bishop
Brater
Brown
Cassis

Cherry
Clark-Coleman
Clarke
Cropsey
Emerson
Garcia
George
Gilbert
Goschka

Hammerstrom
Hardiman
Jacobs
Jelinek
Johnson
Leland
McManus
Olshove
Patterson

Prusi
Sanborn
Schauer
Scott
Sikkema
Stamas
Switalski
Toy
Van Woerkom

Nays—0

Excused—2

Kuipers

Thomas

Not Voting—0

In The Chair: President

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

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

“An act to provide for the registration, titling, sale, transfer, and regulation of certain vehicles operated upon the public highways of this state or any other place open to the general public or generally accessible to motor vehicles and distressed vehicles; to provide for the licensing of dealers; to provide for the examination, licensing, and control of operators and chauffeurs; to provide for the giving of proof of financial responsibility and security by owners and operators of vehicles; to provide for the imposition, levy, and collection of specific taxes on vehicles, and the levy and collection of sales and use taxes, license fees, and permit fees; to provide for the regulation and use of streets and highways; to create certain funds; to provide penalties and sanctions for a violation of this act; to provide for civil liability of owners and operators of vehicles and service of process on residents and nonresidents; to provide for the levy of certain assessments; to provide for the enforcement of this act; to provide for the creation of and to prescribe the powers and duties of certain state and local agencies; to impose liability upon the state or local agencies; to provide appropriations for certain purposes; to repeal all other acts or parts of acts inconsistent with this act or contrary to this act; and to repeal certain parts of this act on a specific date.”.

The Senate agreed to the full title.

The following bill was read a third time:

House Bill No. 4741, entitled

A bill to amend 1939 PA 288, entitled “Probate code of 1939,” by amending section 29 of chapter XIIA (MCL 712A.29), as added by 1993 PA 344.

The question being on the passage of the bill,

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

Roll Call No. 306**Yeas—36**

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

Nays—0**Excused—2**

Kuipers

Thomas

Not Voting—0

In The Chair: President

Roll Call No. 309**Yeas—36**

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

Nays—0**Excused—2**

Kuipers	Thomas
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Not Voting—0

In The Chair: President

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

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

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

“An act to revise and consolidate the statutes relating to certain aspects of the family division of circuit court, to the jurisdiction, powers, and duties of the family division of circuit court and its judges and other officers, to the change of name of adults and children, and to the adoption of adults and children; to prescribe certain jurisdiction, powers, and duties of the family division of circuit court and its judges and other officers; to prescribe the manner and time within which certain actions and proceedings may be brought in the family division of the circuit court; to prescribe pleading, evidence, practice, and procedure in certain actions and proceedings in the family division of circuit court; to provide for appeals from certain actions in the family division of circuit court; to prescribe the powers and duties of certain state departments, agencies, and officers; to provide for certain immunity from liability; and to provide remedies and penalties.”

The Senate agreed to the full title.

The following bill was read a third time:

House Bill No. 4748, entitled

A bill to amend 1961 PA 236, entitled “Revised judicature act of 1961,” by amending sections 321, 880, 880a, 880b, 1027, 2529, 5756, 8371, and 8420 (MCL 600.321, 600.880, 600.880a, 600.880b, 600.1027, 600.2529, 600.5756, 600.8371, and 600.8420), section 321 as amended by 1997 PA 182, sections 880 and 880b as amended by 2000 PA 56, section 880a as added and sections 5756 and 8420 as amended by 1993 PA 189, section 1027 as added by 1996 PA 388, and sections 2529 and 8371 as amended by 2002 PA 605, and by adding section 171.

The question being on the passage of the bill,

Senator Hammerstrom moved that further consideration of the bill be postponed for today.

The motion prevailed.

The following bill was read a third time:

House Bill No. 4749, entitled

A bill to amend 1961 PA 236, entitled “Revised judicature act of 1961,” (MCL 600.101 to 600.9948) by adding section 175.

The question being on the passage of the bill,

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

Roll Call No. 310**Yeas—36**

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

Nays—0**Excused—2**

Kuipers	Thomas
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Not Voting—0

In The Chair: President

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

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

“An act to revise and consolidate the statutes relating to the organization and jurisdiction of the courts of this state; the powers and duties of such courts, and of the judges and other officers thereof; the forms and attributes of civil claims and actions; the time within which civil actions and proceedings may be brought in said courts; pleading, evidence, practice and procedure in civil and criminal actions and proceedings in said courts; to provide remedies and penalties for the violation of certain provisions of this act; to repeal all acts and parts of acts inconsistent with or contravening any of the provisions of this act; and to repeal acts and parts of acts.”.

The Senate agreed to the full title.

The following bill was read a third time:

House Bill No. 4750, entitled

A bill to amend 1988 PA 260, entitled “Community dispute resolution act,” by amending section 10 (MCL 691.1560), as amended by 1993 PA 286.

The question being on the passage of the bill,

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

Roll Call No. 311**Yeas—36**

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

Nays—0

Excused—2

Kuipers

Thomas

Not Voting—0

In The Chair: President

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

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

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

“An act to create the community dispute resolution program; to create the community dispute resolution fund; to establish criteria for funding and participation in the program; to provide for the administration of the program; to authorize pilot projects; to require the reporting of certain statistical data; and to repeal certain parts of this act on specific dates.”

The Senate agreed to the full title.

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

The motion prevailed.

The following bill was read a third time:

Senate Bill No. 596, entitled

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

The question being on the passage of the bill,

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

Roll Call No. 312

Yeas—34

Allen
Barcia
Basham
Bernero
Birkholz
Bishop
Brater
Brown
Cassis

Cherry
Clark-Coleman
Clarke
Cropsey
Garcia
George
Gilbert
Goschka
Hammerstrom

Hardiman
Jacobs
Jelinek
Johnson
Leland
McManus
Olshove
Patterson

Prusi
Schauer
Scott
Sikkema
Stamas
Switalski
Toy
Van Woerkom

Nays—1

Sanborn

Excused—3

Emerson

Kuipers

Thomas

Not Voting—0

In The Chair: President

The Senate agreed to the title of the bill.

The following bill was read a third time:

House Bill No. 4606, entitled

A bill to amend 1976 PA 388, entitled “Michigan campaign finance act,” by amending section 6 (MCL 169.206), as amended by 1995 PA 264.

The question being on the passage of the bill,

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

Roll Call No. 313**Yeas—35**

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

Nays—0**Excused—3**

Emerson	Kuipers	Thomas
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Not Voting—0

In The Chair: President

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

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

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

“An act to regulate political activity; to regulate campaign financing; to restrict campaign contributions and expenditures; to require campaign statements and reports; to regulate anonymous contributions; to regulate campaign advertising and literature; to provide for segregated funds for political purposes; to provide for the use of public funds for political purposes; to create certain funds; to provide for reversion, retention, or refunding of unexpended balances in certain funds; to require other statements and reports; to regulate acceptance of certain gifts, payments, and reimbursements; to prescribe the powers and duties of certain state departments and state and local officials and employees; to provide appropriations; to prescribe penalties and provide remedies; and to repeal certain acts and parts of acts;”.

The Senate agreed to the full title.

The following bill was read a third time:

House Bill No. 4133, entitled

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

The question being on the passage of the bill,

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

Roll Call No. 314

Yeas—35

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

Nays—0

Excused—3

Emerson	Kuipers	Thomas
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Not Voting—0

In The Chair: President

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

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

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

“An act to provide for the registration, titling, sale, transfer, and regulation of certain vehicles operated upon the public highways of this state or any other place open to the general public or generally accessible to motor vehicles and distressed vehicles; to provide for the licensing of dealers; to provide for the examination, licensing, and control of operators and chauffeurs; to provide for the giving of proof of financial responsibility and security by owners and operators of vehicles; to provide for the imposition, levy, and collection of specific taxes on vehicles, and the levy and collection of sales and use taxes, license fees, and permit fees; to provide for the regulation and use of streets and highways; to create certain funds; to provide penalties and sanctions for a violation of this act; to provide for civil liability of owners and operators of vehicles and service of process on residents and nonresidents; to provide for the levy of certain assessments; to provide for the enforcement of this act; to provide for the creation of and to prescribe the powers and duties of certain state and local agencies; to impose liability upon the state or local agencies; to provide appropriations for certain purposes; to repeal all other acts or parts of acts inconsistent with this act or contrary to this act; and to repeal certain parts of this act on a specific date.”.

The Senate agreed to the full title.

The following bill was read a third time:

House Bill No. 4224, entitled

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

The question being on the passage of the bill,

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

Roll Call No. 315**Yeas—35**

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

Nays—0**Excused—3**

Emerson	Kuipers	Thomas
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Not Voting—0

In The Chair: President

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

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

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

“An act to provide for the registration, titling, sale, transfer, and regulation of certain vehicles operated upon the public highways of this state or any other place open to the general public or generally accessible to motor vehicles and distressed vehicles; to provide for the licensing of dealers; to provide for the examination, licensing, and control of operators and chauffeurs; to provide for the giving of proof of financial responsibility and security by owners and operators of vehicles; to provide for the imposition, levy, and collection of specific taxes on vehicles, and the levy and collection of sales and use taxes, license fees, and permit fees; to provide for the regulation and use of streets and highways; to create certain funds; to provide penalties and sanctions for a violation of this act; to provide for civil liability of owners and operators of vehicles and service of process on residents and nonresidents; to provide for the levy of certain assessments; to provide for the enforcement of this act; to provide for the creation of and to prescribe the powers and duties of certain state and local agencies; to impose liability upon the state or local agencies; to provide appropriations for certain purposes; to repeal all other acts or parts of acts inconsistent with this act or contrary to this act; and to repeal certain parts of this act on a specific date.”

The Senate agreed to the full title.

The following bill was read a third time:

House Bill No. 4524, entitled

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

The question being on the passage of the bill,

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

Roll Call No. 316**Yeas—34**

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

Bernero
Birkholz
Bishop
Brown
Cassis
Cherry

Garcia
George
Gilbert
Goschka
Hammerstrom
Hardiman

Leland
McManus
Olshove
Patterson
Prusi

Sikkema
Stamas
Switalski
Toy
Van Woerkom

Nays—1

Brater

Excused—3

Emerson

Kuipers

Thomas

Not Voting—0

In The Chair: President

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

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

“An act to prescribe the powers and duties of the department of management and budget; to define the authority and functions of its director and its organizational entities; to authorize the department to issue directives; to provide for the capital outlay program; to provide for the leasing, planning, constructing, maintaining, altering, renovating, demolishing, conveying of lands and facilities; to provide for centralized administrative services such as purchasing, payroll, record retention, data processing, and publishing and for access to certain services; to provide for a system of internal accounting and administrative control for certain principal departments; to provide for an internal auditor in certain principal departments; to provide for certain powers and duties of certain state officers and agencies; to codify, revise, consolidate, classify, and add to the powers, duties, and laws relative to budgeting, accounting, and the regulating of appropriations; to provide for the implementation of certain constitutional provisions; to create funds and accounts; to make appropriations; to prescribe remedies and penalties; to rescind certain executive reorganization orders; to prescribe penalties; and to repeal certain acts and parts of acts.”

The Senate agreed to the full title.

The following bill was read a third time:

House Bill No. 4126, entitled

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

The question being on the passage of the bill,

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

Roll Call No. 317

Yeas—35

Allen
Barcia
Basham
Bernero
Birkholz

Cherry
Clark-Coleman
Clarke
Cropsey
Garcia

Hardiman
Jacobs
Jelinek
Johnson
Leland

Sanborn
Schauer
Scott
Sikkema
Stamas

Bishop
Brater
Brown
Cassis

George
Gilbert
Goschka
Hammerstrom

McManus
Olshove
Patterson
Prusi

Switalski
Toy
Van Woerkom

Nays—0

Excused—3

Emerson

Kuipers

Thomas

Not Voting—0

In The Chair: President

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

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

“An act to codify, revise, consolidate, and classify aspects of the law relating to wills and intestacy, relating to the administration and distribution of estates of certain individuals, relating to trusts, and relating to the affairs of certain individuals under legal incapacity; to provide for the powers and procedures of the court that has jurisdiction over these matters; to provide for the validity and effect of certain transfers, contracts, and deposits that relate to death; to provide procedures to facilitate enforcement of certain trusts; and to repeal acts and parts of acts.”.

The Senate agreed to the full title.

Senator Emerson entered the Senate Chambers.

The following bill was read a third time:

House Bill No. 4125, entitled

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

The question being on the passage of the bill,

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

Roll Call No. 318

Yeas—36

Allen
Barcia
Basham
Bernero
Birkholz
Bishop
Brater
Brown
Cassis

Cherry
Clark-Coleman
Clarke
Cropsey
Emerson
Garcia
George
Gilbert
Goschka

Hammerstrom
Hardiman
Jacobs
Jelinek
Johnson
Leland
McManus
Olshove
Patterson

Prusi
Sanborn
Schauer
Scott
Sikkema
Stamas
Switalski
Toy
Van Woerkom

Nays—0

Excused—2

Kuipers

Thomas

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

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

“An act to protect 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 provide for an appropriation and supplements; 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.”.

The Senate agreed to the full title.

Senator Hammerstrom moved that Senators Johnson and Sikkema be excused from the balance of today’s session. The motion prevailed.

By unanimous consent the Senate returned to the order of
Messages from the House

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

Senate Bill No. 239
Senate Bill No. 395
House Bill No. 4238
Senate Bill No. 537
Senate Bill No. 572
Senate Bill No. 573
Senate Bill No. 574

The motion prevailed.

Senate Bill No. 37, entitled

A bill to amend 1968 PA 251, entitled “Cemetery regulation act,” by amending section 16 (MCL 456.536), as amended by 1982 PA 132.

The House of Representatives has amended the bill as follows:

1. Amend page 3, line 4, after “commissioner.” by inserting “**It shall be the responsibility of each registrant under this act to assure that documents relating to the merchandise trust account are provided to the commissioner upon request. If a subpoena is issued to obtain these documents, the registrant shall pay all costs related to obtaining the documents regardless of the \$100.00 charge limitation contained in section 12a(2).**”.

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

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

Senate Bill No. 238, entitled

A bill to amend 1980 PA 350, entitled “The nonprofit health care corporation reform act,” by amending section 501 (MCL 550.1501).

The House of Representatives has amended the Senate substitute (S-1) to the House substitute (H-1) as follows:

1. Amend page 1, line 3 after “jurisdiction.” by inserting “**It is the intent of the legislature that contracts with health facilities outside of Michigan expand access to health care without reducing access to Michigan licensed health facilities.**”.

The House of Representatives has concurred in the Senate substitute (S-1) as amended to the House substitute (H-1).

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

Senate Bill No. 359, entitled

A bill to amend 1993 PA 23, entitled "Michigan limited liability company act," by amending section 1101 (MCL 450.5101), as amended by 2002 PA 686.

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

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

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

The Senate agreed to the full title.

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

Senate Bill No. 360, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 8317 (MCL 324.8317), as amended by 2002 PA 418.

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

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

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

The Senate agreed to the full title.

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

Senate Bill No. 361, entitled

A bill to amend 1969 PA 287, entitled "An act to regulate pet shops, animal control shelters, and animal protection shelters; to establish uniform procedures and minimum requirements for adoption of dogs, cats, and ferrets; and to prescribe penalties and civil fines and to provide remedies," by amending section 4 (MCL 287.334).

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

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

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

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

Senate Bill No. 370, entitled

A bill to amend 1936 (Ex Sess) PA 1, entitled "Michigan employment security act," by amending section 10 (MCL 421.10), as amended by 2002 PA 192.

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

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

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

The Senate agreed to the full title.

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

Senate Bill No. 386, entitled

A bill to amend 1937 PA 284, entitled "An act to prevent the spread of infectious and contagious diseases of livestock; to require persons, associations, partnerships and corporations engaged in the buying, receiving, selling, transporting, exchanging, negotiating, or soliciting sale, resale, exchange or transportation of livestock to be licensed and bonded by the department of agriculture; to keep a producers' proceeds account; to provide for the refusal, suspension or revocation of such licenses; to provide for weighmasters; to provide for the inspection and disinfection of yards, premises and vehicles; and to provide penalties for the violation of this act," by amending section 3 (MCL 287.123).

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

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

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

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

Senate Bill No. 390, entitled

A bill to amend 1974 PA 93, entitled "An act to license and regulate horse riding stables and sales barns; to prescribe the duties of the department of agriculture; and to provide a penalty," by amending section 3 (MCL 287.113).

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

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

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

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

Senate Bill No. 391, entitled

A bill to amend 1964 PA 265, entitled "Uniform securities act," by amending section 202 (MCL 451.602), as amended by 2000 PA 494.

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

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

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

The Senate agreed to the full title.

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

Senate Bill No. 431, entitled

A bill to amend 1979 PA 152, entitled "State license fee act," by amending sections 11, 13, 15, 17, 21, 23, 25, 27, 29, 31, 37, 38, 39, 43, 49, and 62 (MCL 338.2211, 338.2213, 338.2215, 338.2217, 338.2221, 338.2223, 338.2225, 338.2227, 338.2229, 338.2231, 338.2237, 338.2238, 338.2239, 338.2243, 338.2249, and 338.2262), sections 11, 13, 15, 17, 21, 23, 29, 31, 39, 43, 49, and 62 as amended by 1988 PA 461, section 25 as amended by 1997 PA 98, section 27 as amended by 1992 PA 252, section 37 as amended by 2002 PA 623, and section 38 as amended by 1999 PA 171.

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

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

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

The Senate agreed to the full title.

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

Senate Bill No. 480, entitled

A bill to amend 1931 PA 189, entitled "The insect pest and plant disease act," by amending section 9 (MCL 286.209), as amended by 1982 PA 157.

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

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

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

The Senate agreed to the full title.

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

Senate Bill No. 520, entitled

A bill to amend 1893 PA 206, entitled "The general property tax act," by amending sections 7cc, 7ee, 24c, and 53b (MCL 211.7cc, 211.7ee, 211.24c, and 211.53b), sections 7cc and 53b as amended by 2002 PA 624, section 7ee as amended by 1996 PA 476, and section 24c as amended by 2002 PA 620.

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

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

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

Senate Bill No. 530, entitled

A bill to amend 2001 PA 142, entitled "Michigan memorial highway act," (MCL 250.1001 to 250.1100) by adding section 86.

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

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

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

The Senate agreed to the full title.

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

Senate Bill No. 434, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending sections 8727, 8729, 8731, 8733, 8735, 8827, 8829, and 8835 (MCL 600.8727, 600.8729, 600.8731, 600.8733, 600.8735, 600.8827, 600.8829, and 600.8835), sections 8727, 8729, 8731, and 8733 as added by 1994 PA 12 and sections 8735, 8827, 8829, and 8835 as added by 1995 PA 54.

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

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

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

The Senate agreed to the full title.

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

Senate Bill No. 570, entitled

A bill to amend 1972 PA 284, entitled "Business corporation act," by amending section 1060 (MCL 450.2060), as amended by 2001 PA 57; and to repeal acts and parts of acts.

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

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

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

The Senate agreed to the full title.

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

Senate Bill No. 571, entitled

A bill to amend 1982 PA 162, entitled "Nonprofit corporation act," by amending section 1060 (MCL 450.3060), as amended by 1984 PA 209; and to repeal acts and parts of acts.

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

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

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

The Senate agreed to the full title.

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

Senate Bill No. 575, entitled

A bill to amend 1971 PA 140, entitled "Glenn Steil state revenue sharing act of 1971," by amending sections 11 and 13 (MCL 141.911 and 141.913), as amended by 2002 PA 679.

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

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

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

Senate Bill No. 589, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 20161 (MCL 333.20161), as amended by 2002 PA 562.

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

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

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

The Senate agreed to the full title.

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

Senate Bill No. 435, entitled

A bill to amend 1961 PA 236, entitled "Revised judiciary act of 1961," by amending section 8381 (MCL 600.8381), as amended by 1996 PA 374.

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

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

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

The Senate agreed to the full title.

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

Senate Bill No. 439, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," (MCL 600.101 to 600.9948) by adding section 181.

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

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

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

Senate Bill No. 442, entitled

A bill to amend 1985 PA 87, entitled "Crime victim's rights act," by amending sections 16a, 44a, and 76a (MCL 780.766a, 780.794a, and 780.826a), as added by 2000 PA 503.

The House of Representatives has amended the bill as follows:

1. Amend page 2, line 23, after "of" by inserting "**other**".
2. Amend page 3, line 9, after "and" by inserting "**other**".
3. Amend page 4, line 20, after "of" by inserting "**other**".
4. Amend page 5, line 6, after "and" by inserting "**other**".
5. Amend page 6, line 12, after "of" by inserting "**other**".
6. Amend page 6, following line 24, subdivision (**b**), after "and" by inserting "**other**".

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

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

Senate Bill No. 444, entitled

A bill to amend 1994 PA 35, entitled "The forensic laboratory funding act," by amending sections 5, 6, and 7 (MCL 12.205, 12.206, and 12.207), section 6 as amended by 1998 PA 98.

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

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

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

The Senate agreed to the full title.

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

Senate Bill No. 447, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending section 520m (MCL 750.520m), as amended by 2001 PA 89.

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

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

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

The Senate agreed to the full title.

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

By unanimous consent the Senate returned to the order of

General Orders

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

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

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

House Bill No. 4522, entitled

A bill to amend 1954 PA 116, entitled "Michigan election law," by amending sections 826, 845, and 933 (MCL 168.826, 168.845, and 168.933), as amended by 1999 PA 217, and by adding section 848.

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

The Committee of the Whole reported back to the Senate, favorably and with a substitute therefor, the following bill:
Senate Bill No. 189, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending sections 16263, 18501, 18503, 18505, 18507, 18509, 18511, 18513, and 18515 (MCL 333.16263, 333.18501, 333.18503, 333.18505, 333.18507, 333.18509, 333.18511, 333.18513, and 333.18515), section 16263 as amended by 2001 PA 139 and sections 18501, 18503, 18505, 18507, 18509, 18511, 18513, and 18515 as added by 2000 PA 11, and by adding sections 18504, 18506, and 18516.

Substitute (S-1).

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

Resolutions

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

Senate Resolution No. 122

The resolution consent calendar was adopted.

Senators Sikkema, Hammerstrom, Sanborn, Cropsey, Jelinek, Johnson, Hardiman, George, Birkholz, Allen, Stamas, Gilbert, Toy, Cassis, Brown, Van Woerkom, Patterson, McManus, Bishop and Garcia offered the following resolution:

Senate Resolution No. 122.

A resolution commemorating July 14, 2003, as President Gerald R. Ford Appreciation Day in Michigan.

Whereas, On July 14, 2003, President Gerald R. Ford will celebrate his ninetieth birthday. The members of the Michigan Senate wish to acknowledge his contributions to the state of Michigan and the nation and wish him a joyful birthday celebration by observing a special day in his honor; and

Whereas, Gerald Rudolph Ford was born on July 14, 1913, in Omaha, Nebraska, and moved to Grand Rapids, Michigan, in 1914; and

Whereas, He attended South High School in Grand Rapids, where he excelled scholastically and athletically, being named to the honor society and the all-city and all-state football teams. He was also active in scouting and achieved the rank of Eagle Scout in November 1927; and

Whereas, Gerald Ford attended the University of Michigan at Ann Arbor from 1931-1935, where he majored in economics and political science and graduated with a B.A. degree in June 1935. A gifted athlete, Gerald Ford played on the university's national championship football teams in 1932 and 1933 and was voted the Wolverine's most valuable player in 1934. In 1938, he was admitted to Yale University and graduated in the top third of his class, earning his L.L.B. degree in 1941; and

Whereas, He returned to Michigan and passed the bar exam and set up a law partnership in Grand Rapids. It was during the attack on Pearl Harbor when Gerald Ford felt the call to duty to his country and joined the U.S. Navy in 1942 and remained on active duty until 1946. He served aboard the *USS Monterey* and was discharged with the rank of lieutenant commander. He remained in the Naval Reserves until 1963; and

Whereas, Mr. Ford began his twenty-eight-year political career in 1948 when he was elected to serve Grand Rapids and Kent County in the United States House of Representatives. He was re-elected twelve times, each time with more than 60 percent of the vote. He served as the House Minority Leader from 1965-1973 and was confirmed as our country's 40th Vice President on December 6, 1973, following the resignation of Spiro Agnew; and

Whereas, Gerald R. Ford was sworn in as the 38th President of the United States following Richard Nixon's resignation on August 9, 1974. Michigan is very proud to honor its only son to have ever filled the highest office in the land. His unquestioned personal integrity went far toward healing the wounds of our nation during an unprecedented time of national crisis. Our country will forever be indebted to Gerald R. Ford as the President who led the healing of our nation and restored respect to the Office of the President of the United States; and

Whereas, In August 1999, President Ford received the Presidential Medal of Freedom. This honor, the nation's highest civilian award, was presented by President Clinton in recognition of President Ford's role in guiding the nation through the turbulent times of Watergate, the Nixon resignation, and the end of the Vietnam War. His peers put him in the White House because he told the truth and kept his word. In his remarks on taking the oath of office as President, Ford stated, "My fellow Americans, our long national nightmare is over. Our Constitution works; our great Republic is a government of laws and not of men. Here the people rule." He concluded, "I now solemnly reaffirm my promise I made to you...to uphold the Constitution, to do what is right as God gives me to see the right, and to do the very best I can for America. God helping me, I will not let you down." And surely he did not. During the inaugural speech by his successor, President Carter stated, "I want to thank my predecessor for all he has done to heal our land." And a grateful people concurred; and

Whereas, President Gerald R. Ford is a true patriot. As an elder statesman, he has modeled citizenship by actively participating in the political process by continuing to speak out on important political issues and is committed to continuing to contribute to the improvement of the quality of life for all Americans. In October 1999, President and Mrs. Ford were awarded the Congressional Gold Medal, Congress' highest expression of appreciation, which is inscribed, "Lives of Service, Examples of Integrity"; and

Whereas, In 1981, the Gerald R. Ford Library in Ann Arbor and the Gerald R. Ford Museum in Grand Rapids were dedicated. These fine institutions continue to carry on the rich legacy Michigan inherited from its pride and joy, President Gerald R. Ford. In addition, the University of Michigan has recognized his commitment by establishing the Gerald R. Ford School of Public Policy; now, therefore, be it

Resolved by the Senate, That a unanimous accolade of tribute be hereby accorded in commemoration of July 14, 2003, as President Gerald R. Ford Appreciation Day in Michigan; and be it further

Resolved, That a copy of this resolution be transmitted to President Ford and his family as evidence of our highest esteem.

Senator Hammerstrom moved that rule 3.204 be suspended to name the entire membership of the Senate and the Lieutenant Governor as co-sponsors of the resolution.

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

Senators Patterson, Cropsey and McManus offered the following resolution:

Senate Resolution No. 121.

A resolution to memorialize the Congress of the United States and the United States Supreme Court to examine the qualifications of Boyce F. Martin, Judge of the 6th U.S. Circuit Court of Appeals.

Whereas, Several questions have arisen over certain actions taken by Boyce F. Martin, chief judge of the 6th U.S. Circuit Court of Appeals in Cincinnati. Specifically, his actions in placing himself on the panel that reviewed a key appeal in the University of Michigan Law School admissions case may have been the result of maneuverings that clearly should not be part of the judicial process; and

Whereas, In the spring of 2002, Chief Judge Martin did not follow court rules requiring a random assignment of judges to a panel that heard the key affirmative action case. Instead of following the rules, he named himself to the panel. He may also have delayed the formation of the panel to ensure the exclusion of certain judges. These actions clearly have proven significant to the administration of justice in our country; and

Whereas, Acting contrary to court rules that are in place to ensure fairness is a serious matter, one that should not be ignored; and

Whereas, Article III, section 1 of the United States Constitution provides, in part, that federal judges "shall hold their Offices during good Behavior"; now, therefore, be it

Resolved by the Senate, That we memorialize the Congress of the United States and the United States Supreme Court to examine the qualifications of Boyce F. Martin, Judge of the 6th U.S. Circuit Court of Appeals; and be it further

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

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

Senator Hammerstrom moved that the rule be suspended.

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

The question being on the adoption of the resolution,

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

The motion prevailed.

Senators Cassis, Garcia and Toy were named co-sponsors of the resolution.

By unanimous consent the Senate proceeded to the order of

Statements

Senators Stamas, Cropsey, Clarke and George asked and were granted unanimous consent to make statements and moved that the statements be printed in the Journal.

The motion prevailed.

Senator Stamas' statement is as follows:

I rise in sadness to remember a friend. Many of you may have had the opportunity to have met Joe Overton. Joe was a good friend from Midland. He was also the vice president of the Mackinac Center in Midland. Tragically, he was killed last night in a plane crash in the Caro area. Anyone who knew Joe knew he was a person of conviction, a man of ideas, and a man of deep and abiding faith. I had the great pleasure to be with Joe in a Bible study for a number of years. Joe was a man who would always challenge you. Whether you agreed or disagreed, he would challenge your

ideas, challenge why you thought that, and why you felt that way. He was someone who believed passionately in the power of ideas. He believed in making a difference by putting out his ideas in terms of free market. His ideas could really make a difference not just here, but throughout the world. Joe lived a life that reflected that. Sadly, Joe was killed last night. He leaves behind a family, his wife of just three months, Helen, friends throughout the community, and people throughout our state and nation who know that Joe made a difference. He was an engineer, and he was an attorney. Most of all, he was a man of faith. He was truly a Christian gentleman, and he really made a difference for our state and our nation. He will be missed and remembered.

Senator Cropsey's statement is as follows:

I also want to say a few words about Mr. Overton. I've known him for—I can't even recall the number of years I've known him. He has had a dramatic impact on the people of the state of Michigan. He was not out front like those of us who are active in the political arena, but he was a very good administrator. He was also a very intense man, who as the previous speaker stated, he would always challenge your thinking, and that is one of the things he would do. You would sit down and talk with him, and he would ask why. Then he would try to go for different issues asking have you thought about it going this way or that way. We've truly lost a tremendous statesman with Joe Overton, and I regret his untimely passing.

Senator Clarke's statement is as follows:

Yesterday I was in Pontiac, Michigan, at the funeral of Macheikia Robinson and the funeral service of her two children. Macheikia and her children were tragically and brutally murdered a week ago in Pontiac. The suspect, apparently, was released under a newly enacted law that provides that certain nonviolent drug offenders could be eligible for parole. I co-sponsored that package of bills.

Publicly, on Friday, I expressed my sorrow to the family. I was hurt because of the way the mother and the children died and the fact that they did die. But I do not regret providing certain nonviolent drug offenders with the privilege of being eligible for parole, and we've got to make sure that the people we release out into the community aren't dangerous to the public. So a few thoughts are that possibly we could conduct extensive psychological exams and screenings of prisoners who are eligible for parole. We may want to look at having the prison monitor all outgoing mail because, apparently, this suspect wrote many threatening letters to his ex-wife from prison.

I believe that Macheikia's death doesn't really focus on a failure of the criminal justice system, but rather it focuses on the issue of domestic violence. Apparently, Macheikia, a few days before she was murdered, was raped by her ex-husband, and she and her mother reported this to the police. Also, apparently, the deceased mentioned to her Family Independence Agency caseworker that her ex-husband had written letters threatening to kill her when he was released.

To that end, I support the Senator from Highland Park's initiative to require Family Independence Agency caseworkers to report instances of domestic violence. But the duty to report domestic violence threats and incidents isn't just borne by police officers or social workers. It's really borne by the public because it's the neighbor next door who may be the first person to hear those screams for help. So the message I would like to send the Legislature and the Governor, and the message that I would like to promote out in the community and educate the public is this: Every rumor, every threat, and every act of domestic violence should be considered a matter of life and death because it could have made the difference in Macheikia Robinson's life.

Senator George's statement is as follows:

I just thought I would take this opportunity to relay a personal experience that illustrates one of the features of our health care system. We've had a lot of debate and discussion about the reasons for rising costs in health care, and part of that is due to the aging of our population, and part is due to rising technology and increasing demand for services. Well, I had an experience over the weekend that illustrates another facet to our health care costs, and that is the fact that hospitals and those providing medical services often have to provide that at off hours basically for free. It's the only field, the only profession, the only segment of our economy where it's expected that services will be provided really, at any time, maybe with short notice, basically for free.

Sunday I was working at one of the hospitals in my district where I cover the anesthesia services, and we received a call to take care of a gentleman who had been shot in the foot. He had been out Saturday night drinking, he was at a local club, and apparently, as he left the club, he was involved in an altercation. A gun went off, and a bullet went through the top of his foot and came out the bottom.

Well, he didn't go to a local emergency room to seek help. Instead, he hopped in a car and drove to South Haven and went to a hospital there. I'm only guessing that he probably was trying to avoid having it reported to the police, but it didn't quite work because in South Haven there is no orthopedic surgeon on call in the middle of the night, so he was sent back to Kalamazoo.

He came into surgery Sunday afternoon, and I had the pleasure of spending several hours with him providing him with anesthesia. The bullet was removed, and his broken foot was fixed. He had various plates and rods and screws put in it. He was a young man in his twenties with no medical insurance and no job. I'm certain the hospital will never see a dime for any of the services it provided, but yet, he had \$600 in his pocket.

I don't know many people who walk around with that kind of cash in their pockets, but it just illustrates, I think, the dilemma for the health care system when doctors have to come in from home, nurses have to come in from home, surgical technicians, and the operating room has to be geared up to take care of someone who was involved in an altercation or an assault. I don't really know if he was the victim or the perpetrator. We'll never know, but all is expected to provide these services for free during off hours. I don't know any other business or field or office that would open up on a Sunday if you just knocked on the door and demanded services and didn't have any plan, desire, or design to pay for those services.

So, Mr. President, it just illustrates, I think, one of the features as to why health care costs are high in this state and in this country because those costs are then passed on to the paying customers.

By unanimous consent the Senate returned to the order of

Introduction and Referral of Bills

Senator Brown introduced

Senate Bill No. 605, entitled

A bill to repeal 1935 LA 1, entitled "An act to prevent hunting for game animals or game birds on Sunday, in the county of Hillsdale; to authorize the arrest of person or persons so offending and to prescribe the penalty therefor; and to provide a referendum thereon;" and to authorize a referendum.

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

House Bill No. 4311, entitled

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

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

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

House Bill No. 4714, entitled

A bill to amend 1976 PA 451, entitled "The revised school code," by amending section 1525 (MCL 380.1525), as amended by 1995 PA 289.

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

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

House Bill No. 4753, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 57b (MCL 257.57b).

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

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

House Bill No. 4790, entitled

A bill to amend 1964 PA 283, entitled "Weights and measures act," by amending section 28c (MCL 290.628c), as amended by 2002 PA 208.

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

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

House Bill No. 4855, entitled

A bill to amend 1945 PA 246, entitled "An act to authorize township boards to adopt ordinances and regulations to secure the public health, safety and general welfare; to provide for the establishment of a township police department; to provide for policing of townships by certain law enforcement officers and agencies; to provide for the publication of ordinances; to prescribe powers and duties of township boards and certain local and state officers and agencies; to provide sanctions; and to repeal all acts and parts of acts in conflict with the act," by amending section 3 (MCL 41.183), as amended by 1999 PA 59.

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

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

House Bill No. 4856, entitled

A bill to amend 1947 PA 359, entitled "The charter township act," by amending section 21 (MCL 42.21), as amended by 1999 PA 58.

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

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

House Bill No. 4857, entitled

A bill to amend 1909 PA 279, entitled "The home rule city act," by amending sections 3 and 4i (MCL 117.3 and 117.4i), section 3 as amended by 2002 PA 201 and section 4i as amended by 1999 PA 55.

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

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

House Bill No. 4858, entitled

A bill to amend 1895 PA 3, entitled "The general law village act," by amending section 2 (MCL 66.2), as amended by 1999 PA 57.

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

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

House Bill No. 4859, entitled

A bill to amend 1909 PA 278, entitled "The home rule village act," by amending sections 23 and 24 (MCL 78.23 and 78.24), section 23 as amended by 1999 PA 258 and section 24 as amended by 1999 PA 56.

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

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

House Bill No. 4866, entitled

A bill to amend 1961 PA 112, entitled "An act to authorize and provide for the issuance, sale, and refunding of bonds, notes, or commercial paper of the state; to provide funds for making loans to school districts for payment of principal and interest on certain school bonds; to provide for use of moneys repaid to the state by school districts; and to make an appropriation," by amending section 3 (MCL 388.983), as amended by 1991 PA 64.

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

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

Committee Reports

The Committee on Commerce and Labor reported

Senate Bill No. 501, entitled

A bill to amend 1981 PA 230, entitled "Michigan economic and social opportunity act of 1981," by amending the title and sections 3, 4, 5, 6, 7, 8, 9, 10, and 11 (MCL 400.1103, 400.1104, 400.1105, 400.1106, 400.1107, 400.1108, 400.1109, 400.1110, and 400.1111), section 11 as amended by 1998 PA 76; and to repeal acts and parts of acts.

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

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

Jason Allen
Chairperson

To Report Out:

Yeas: Senators Allen, Kuipers and Schauer

Nays: None

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

The Committee on Commerce and Labor reported

House Bill No. 4502, entitled

A bill to amend 1981 PA 230, entitled "Michigan economic and social opportunity act of 1981," by amending the title and sections 3, 4, 5, 6, 7, 8, 9, 10, and 11 (MCL 400.1103, 400.1104, 400.1105, 400.1106, 400.1107, 400.1108, 400.1109, 400.1110, and 400.1111), section 11 as amended by 1998 PA 76; and to repeal acts and parts of acts.

With the recommendation that the bill pass.

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

Jason Allen
Chairperson

To Report Out:

Yeas: Senators Allen, Kuipers, Schauer and Olshove

Nays: None

The bill was referred to the Committee of the Whole.

COMMITTEE ATTENDANCE REPORT

The Committee on Commerce and Labor submitted the following:

Meeting held on Wednesday, June 25, 2003, at 3:00 p.m., Room 110, Farnum Building

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

The Committee on Education reported

House Bill No. 4218, entitled

A bill to amend 1976 PA 451, entitled "The revised school code," by amending section 1303 (MCL 380.1303), as amended by 1995 PA 289.

With the recommendation that the bill pass.

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

Wayne Kuipers
Chairperson

To Report Out:

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

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Education reported

House Bill No. 4453, entitled

A bill to amend 1980 PA 300, entitled "The public school employees retirement act of 1979," by amending section 68 (MCL 38.1368).

With the recommendation that the bill pass.

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

Wayne Kuipers
Chairperson

To Report Out:

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

Nays: None

The bill was referred to the Committee of the Whole.

COMMITTEE ATTENDANCE REPORT

The Committee on Education submitted the following:

Meeting held on Wednesday, June 25, 2003, at 2:00 p.m., Room 100, Farnum Building

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

The Committee on Banking and Financial Institutions reported

House Bill No. 4579, entitled

A bill to amend 1980 PA 307, entitled "Savings and loan act of 1980," by amending section 1135 (MCL 491.1135), as added by 2002 PA 185.

With the recommendation that the bill pass.

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

Michael Bishop
Chairperson

To Report Out:

Yeas: Senators Bishop, Van Woerkom, Stamas, Leland and Olshove

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Banking and Financial Institutions reported

House Bill No. 4580, entitled

A bill to amend 1999 PA 276, entitled "Banking code of 1999," by amending section 4406 (MCL 487.14406), as added by 2002 PA 183.

With the recommendation that the bill pass.

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

Michael Bishop
Chairperson

To Report Out:

Yeas: Senators Bishop, Van Woerkom, Stamas, Leland and Olshove

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Banking and Financial Institutions reported

House Bill No. 4581, entitled

A bill to amend 1996 PA 354, entitled "Savings bank act," by amending section 514 (MCL 487.3514), as added by 2002 PA 247.

With the recommendation that the bill pass.

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

Michael Bishop
Chairperson

To Report Out:

Yeas: Senators Bishop, Van Woerkom, Stamas, Leland and Olshove

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Banking and Financial Institutions reported

House Bill No. 4582, entitled

A bill to amend 1925 PA 285, entitled "An act to provide for the organization, operation, and supervision of credit unions; to provide for the conversion of a state credit union into a federal credit union or a credit union organized and supervised under the laws of any other state or territory of the United States or any other federally insured depository institution and for the conversion of a federal credit union or a credit union organized and supervised under the laws of any other state or territory of the United States or any other federally insured depository institution into a state credit union; and to provide for the merger of credit unions organized and supervised under the laws of this state, credit unions organized and supervised under the laws of any other state or territory of the United States, and federal credit unions," by amending section 16c (MCL 490.16c), as added by 2002 PA 184.

With the recommendation that the bill pass.

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

Michael Bishop
Chairperson

To Report Out:

Yeas: Senators Bishop, Van Woerkom, Stamas, Leland, Olshove and Clark-Coleman

Nays: None

The bill was referred to the Committee of the Whole.

COMMITTEE ATTENDANCE REPORT

The Committee on Banking and Financial Institutions submitted the following:

Meeting held on Thursday, June 26, 2003, at 12:00 noon, Room 100, Farnum Building

Present: Senators Bishop (C), Van Woerkom, Stamas, Leland, Olshove and Clark-Coleman

Excused: Senator Sanborn

COMMITTEE ATTENDANCE REPORT

The Subcommittee on Capital Outlay submitted the following:

Meeting held on Thursday, June 19, 2003, at 8:30 a.m., House Appropriations Room, 3rd Floor, Capitol Building

Present: Senators Johnson (C), George, Cropsey, Goschka, Hardiman, Prusi, Clarke and Cherry

COMMITTEE ATTENDANCE REPORT

The Conference Committee on Health Care Corporations Insurance (SB 234) submitted the following:
Meeting held on Wednesday, June 25, 2003, at 9:45 a.m., Elijah Myers Room, 2nd Floor, Capitol Building
Present: Senators Hammerstrom (C), Patterson and Emerson

COMMITTEE ATTENDANCE REPORT

The Conference Committee on HMO Coverage for Off-Label Drug Use (SB 460) submitted the following:
Meeting held on Wednesday, June 25, 2003, at 9:45 a.m., Elijah Myers Room, 2nd Floor, Capitol Building
Present: Senators Hammerstrom (C), Patterson and Emerson

COMMITTEE ATTENDANCE REPORT

The Conference Committee on Agriculture (SB 288) submitted the following:
Meeting held on Wednesday, June 25, 2003 at 1:00 p.m., Senate Appropriations Room, 3rd Floor, Capitol Building
Present: Senators Brown (C), Jelinek and Barcia

COMMITTEE ATTENDANCE REPORT

The Conference Committee on Department of Community Health (HB 4392) submitted the following:
Meeting held on Wednesday, June 25, 2003, at 5:00 p.m., House Appropriations Room, 3rd Floor, Capitol Building
Present: Senators Stamas, Johnson and Cherry

COMMITTEE ATTENDANCE REPORT

The Conference Committee on Family Independence Agency (SB 283) submitted the following:
Meeting held on Wednesday, June 25, 2003, at 5:40 p.m., Rooms 402 and 403, Capitol Building
Present: Senators Hardiman (C), George and Scott

COMMITTEE ATTENDANCE REPORT

The Conference Committee on K-12, School Aid, Education (HB 4401) submitted the following:
Meeting held on Thursday, June 26, 2003, at 8:00 a.m., Room H-426, Capitol Building
Present: Senators Jelinek, Cropsey and Switalski

Scheduled Meetings

Administrative Rules - Wednesday, July 2, 6:00 p.m., Room H-424, Capitol Building (373-2417)

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

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

Conference Committees -

Career Development and Strategic Fund Agency (SB 285) - Wednesday, July 2, 3:00 p.m., Senate Appropriations Room, 3rd Floor, Capitol Building (373-2420) (CANCELED)

General Government (SB 270) - Wednesday, July 2, 3:30 p.m., Senate Appropriations Room, 3rd Floor, Capitol Building (373-2420) (CANCELED)

Natural Resources (HB 4400) - Wednesday, July 2, 12:00 noon or later after committees are given leave by the House or Senate to meet, House Appropriations Room, 3rd Floor, Capitol Building (373-1725)

Local, Urban and State Affairs - Thursday, July 3, 9:00 a.m., Room 110, Farnum Building (373-1707)

Senator Hammerstrom moved that the Senate adjourn.
The motion prevailed, the time being 12:19 p.m.

The President, Lieutenant Governor Cherry, declared the Senate adjourned until Wednesday, July 2, 2003, at 10:00 a.m.

CAROL MOREY VIVENTI
Secretary of the Senate

