

No. 98
STATE OF MICHIGAN
Journal of the Senate
92nd Legislature
REGULAR SESSION OF 2003

Senate Chamber, Lansing, Tuesday, December 2, 2003.

10:00 a.m.

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

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

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

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

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

Pastor Tim Brand of St. Michael's Lutheran Church of Traverse City offered the following invocation:
In the name of the Father, and of the Son, and of the Holy Spirit. Amen.

A reading from the New Testament book of James, the first chapter: "Every good and perfect gift is from above, coming down from the Father of the heavenly lights, who does not change like shifting shadows."

Last Friday, I braved the crowds at Best Buy to find that perfect gift for my two teenage sons, and I realized that people of all ages like to both give and to receive gifts. When we give a gift to someone, we try to find something that will be particularly meaningful or useful to that person. Ideally we would like it to be something very special, but our gifts wear out. Everything we have sometimes have to be replaced, and at best, the gifts we cherish most from others point beyond themselves, and they point to the relationship we have with that person. Gifts are intended to point to the person who gives them to us.

The book of James reminds us that God's gifts are good, and God's gifts are perfect, just as he is. God knows what is best for us. He knows what we need most. He even knew that before we would recognize and trust him as our Father, that we needed him. He knew that he had to redeem and restore us as his children. God's greatest gift is the righteousness of his Son Jesus, and in giving us Jesus, he has given us life and eternal life. Now that, my friends, is a gift that is abiding and unchanging just like God, our good giver.

Eternal Lord, ruler of all, graciously regard those who have been set in positions of authority among us, that they may be guided by Your Holy Spirit—be high in their purpose, wise in counsel, firm in good resolution, and unwavering in duty, that under them we may be governed quietly and peaceably. Lord, we pray that You keep this, our nation, under Your care. Continue to bless the leaders of our land that we may be a people at peace among ourselves and a blessing to other nations of the Earth. Help us provide trustworthy leaders, contribute to wise decisions for the general welfare, and thus, serve You faithfully in our generation to the honor of Your holy name.

Gracious and almighty God, You have given us this good land as our heritage. Grant that we remember Your generosity and constantly do Your will. Bless our land with honest industry, truthful education, and an honorable way of life. Save us from violence, discord, and confusion; from pride and arrogance and from every evil course of action. Make us, who came from many nations with many different languages, a united people. Defend our liberties, and give those whom we have entrusted with the authority of government the spirit of wisdom that there may be justice and peace in our land. Lord, when times are prosperous, let our hearts continue to be thankful. And in troubled times, Lord, do not let our trust in You fail.

Through Jesus Christ our Lord. Amen.

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

Motions and Communications

Senators Brater, Bishop and George entered the Senate Chamber.

The following communications were received:
Department of State

Administrative Rules Notices of Filing

November 17, 2003

In accordance with the provisions of Section 46(1) of Act 306, Public Acts of 1969, as amended, and Executive Order 1995-6, this is to advise you that the Office of Regulatory Reform, Legal Division filed at 10:48 a.m. this date, administrative rule (03-11-01) for the Department of Consumer and Industry Services, Director's Office, entitled "*Rehabilitation Code (Single State Construction Code)*," effective December 31, 2003.

November 17, 2003

In accordance with the provisions of Section 46(1) of Act 306, Public Acts of 1969, as amended, and Executive Order 1995-6, this is to advise you that the Office of Regulatory Reform, Legal Division filed at 10:50 a.m. this date, administrative rule (03-11-02) for the Department of Consumer and Industry Services, Director's Office, entitled "*Construction Code - Part 7. Plumbing Code*," effective December 31, 2003.

November 17, 2003

In accordance with the provisions of Section 46(1) of Act 306, Public Acts of 1969, as amended, and Executive Order 1995-6, this is to advise you that the Office of Regulatory Reform, Legal Division filed at 10:52 a.m. this date, administrative rule (03-11-03) for the Department of Consumer and Industry Services, Director's Office, entitled "*Construction Code - Part 9A. Mechanical Code,*" effective December 31, 2003.

Sincerely,
Terri Lynn Land
Secretary of State
Elena L. Beasley, Manager
Office of the Great Seal

The communications were referred to the Secretary for record.

The following communications were received:

Office of the Auditor General

November 18, 2003

The financial audit of the Transition in the Office of State Treasurer, Department of Treasury, as of December 31, 2002, released November 18, 2003.

November 18, 2003

The financial audit of the Transition in the Office of State Treasurer, Department of Treasury, as of January 5, 2003, released November 18, 2003.

November 19, 2003

Performance audit of the Surface Water Program, Water Division, Department of Environmental Quality, released November 19, 2003.

November 19, 2003

The Performance audit of the Office of Commission Audits, Michigan Department of Transportation, released November 19, 2003.

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

The communications were referred to the Secretary for record.

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

Senator Hammerstrom moved that the Committee on Judiciary be discharged from further consideration of the following bill:

House Bill No. 5173, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 601b (MCL 257.601b), as amended by 2001 PA 103.

The motion prevailed, a majority of the members serving voting therefor, and the bill was placed on the order of General Orders.

Senator Hammerstrom moved that the bill be referred to the Committee on Transportation.
The motion prevailed.

The Secretary announced the enrollment printing and presentation to the Governor on Tuesday, November 18, for her approval the following bills:

Enrolled Senate Bill No. 495 at 4:27 p.m.

Enrolled Senate Bill No. 496 at 4:29 p.m.

Enrolled Senate Bill No. 224 at 4:31 p.m.
Enrolled Senate Bill No. 516 at 4:33 p.m.
Enrolled Senate Bill No. 770 at 4:35 p.m.
Enrolled Senate Bill No. 493 at 4:37 p.m.
Enrolled Senate Bill No. 494 at 4:39 p.m.
Enrolled Senate Bill No. 687 at 4:41 p.m.

The Secretary announced the enrollment printing and presentation to the Governor on Thursday, November 20, for her approval the following bill:

Enrolled Senate Bill No. 352 at 9:24 a.m.

The Secretary announced that the following bills and joint resolution were available at the legislative Web site on Thursday, November 13:

Senate Bill Nos. 837 838 839
House Joint Resolution Q

The Secretary announced that the following bills were available at the legislative Web site on Friday, November 14:

Senate Bill Nos. 842 843 844

Messages from the Governor

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

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

The motion prevailed.

The following messages from the Governor were received:

Date: November 25, 2003
Time: 3:28 p.m.

To the President of the Senate:

Sir—I have this day approved and signed
Enrolled Senate Bill No. 770 (Public Act No. 211), 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,” (MCL 206.1 to 206.532) by adding section 355a.

(Filed with the Secretary of State on November 26, 2003, at 9:52 a.m.)

Date: November 25, 2003
Time: 3:30 p.m.

To the President of the Senate:

Sir—I have this day approved and signed
Enrolled Senate Bill No. 224 (Public Act No. 213), being

An act to designate the fourth Friday in April of each year as children’s memorial day in the state of Michigan.

(Filed with the Secretary of State on November 26, 2003, at 9:56 a.m.)

Respectfully,
Jennifer M. Granholm
Governor

The following message from the Governor was received on November 26, 2003, and read:

EXECUTIVE ORDER
No. 2003-22

**Governor's Council of Economic Advisors
Amendment of Executive Order No. 2003-8**

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

Whereas, on July 30, 2003, the Governor's Council of Economic Advisors was created under Executive Order 2003-8;

Whereas, it is necessary to amend Executive Order 2003-8 so that the composition of the Governor's Council of Economic Advisors reflects both the size and diversity that enables the most effective fulfillment of the Council's mission;

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

A. Section I.B of Executive Order 2003-8 is amended to read as follows:

"The Governor shall appoint 51 members to the Council. Of the initial members appointed by the Governor, 17 members shall be appointed to terms expiring on October 7, 2005, 17 members shall be appointed to terms expiring on October 7, 2006, and 17 members shall be appointed to terms expiring on October 7, 2007. After the initial appointments, members of the Council shall be appointed to 4-year terms. A vacancy on the Council shall be filled in the same manner as the original appointment for the balance of the unexpired term."

B. Effective December 7, 2003, all references in Executive Order 2003-8 to the Department of Consumer and Industry Services shall be deemed references to the Department of Labor and Economic Growth created under Executive Order 2003-18.

This Order is effective upon filing.

[SEAL]

Given under my hand and the Great Seal of the State of Michigan this 26th day of November, 2003.

Jennifer M. Granholm
Governor

By the Governor:

Terri L. Land
Secretary of State

The Executive Order was referred to the Secretary for record.

The following messages from the Governor were received and read:

November 13, 2003

I respectfully submit to the Senate, pursuant to Section 6 of Article 5 of the Michigan Constitution of 1963, the following reappointment to state office under Section 2 of 1927 PA 360, MCL 209.102:

State Tax Commission

Mr. Robert H. Naftaly, a Democrat, of 5402 Pleasant Lake Drive, West Bloomfield, Michigan 48322, county of Oakland, reappointed for a term expiring September 13, 2009.

November 20, 2003

I respectfully submit to the Senate, pursuant to Section 6 of Article 5 of the Michigan Constitution of 1963, the following appointments to state office under Section 2 of 1976 PA 223, MCL 18.352:

Crime Victims Services Commission

Ms. Janet K. Praefke, a Democrat, of 1394 Baldwin Road, Lapeer, Michigan 48446, county of Lapeer, succeeding Reverend Dr. Laura E. Foster, whose term has expired, representing community-based victim advocates, for a term commencing November 20, 2003 and expiring September 27, 2006.

Mr. Joseph K. Sheeran, a Democrat, of 1206 Wilderness Court, Essexville, Michigan 48732, county of Bay, succeeding William A. Forsyth, whose term has expired, representing county prosecuting attorneys, for a term commencing November 20, 2003 and expiring September 27, 2006.

November 20, 2003

I respectfully submit to the Senate, pursuant to Section 6 of Article 5 of the Michigan Constitution of 1963, the following appointments and reappointment to state office under Section 16621 of the Public Health Code, 1978 PA 368, MCL 333.16621:

Michigan Board of Dentistry

Ms. Jo Ann Buchheister, CDA, R.D.A., B.S., of 5573 Woodfield Drive, Troy, Michigan 49098, county of Oakland, succeeding Betty Finkbeiner, whose term has expired, representing dental assistants, for a term commencing November 20, 2003 and expiring June 30, 2007.

Ms. Jane F. Halaris, R.D.H., of 19334 Lakeland Drive, Macomb, Michigan 48044, county of Macomb, succeeding Ginger Granger, whose term has expired, representing dental hygienists, for a term commencing November 20, 2003 and expiring June 30, 2007.

Ms. Amy C. Parker, D.D.S., M.S., of 31900 Robinhood, Beverly Hills, Michigan 48025, county of Oakland, succeeding William Bloom, whose term has expired, representing dentists with a health profession specialty certification, for a term commencing November 20, 2003 and expiring June 30, 2007.

Mr. Solomon K. Pesis, D.D.S., of 1801 West Maple Road, Milford, Michigan 48381, county of Oakland, succeeding Gale Thomas, whose term has expired, representing dentists, for a term commencing November 20, 2003 and expiring June 30, 2007.

Mr. Verne M. Primack, D.D.S., of 1450 West Delta Drive, Saginaw, Michigan 49603, county of Saginaw, succeeding Hank Fuhs, Jr., whose term has expired, representing the general public, for a term commencing November 20, 2003 and expiring June 30, 2007.

Mr. Martin J. Tuck, D.D.S., of 361 Southlawn Avenue, East Lansing, Michigan 48823, county of Ingham, reappointed to represent dentists with a health profession specialty certification, for a term expiring June 30, 2007.

November 25, 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 302 and 802 of the Occupational Code, 1980 PA 299, MCL 339.302 and 339.802:

Athletic Board of Control

Mr. James K. Sype of 1845 Pine Knoll Drive, Okemos, Michigan 48864, county of Ingham, succeeding Bruce L. Birger, whose term has expired, representing the general public for a term commencing November 25, 2003 and expiring March 31, 2007.

November 25, 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 1905 of the Natural Resources and Environmental Protection Act, 1994 PA 451, MCL 324.1905:

Michigan Natural Resources Trust Fund Board

Mr. David D. Dempsey of 323 North Walnut, Apt. 801, Lansing, Michigan 48933, county of Ingham, succeeding Kevin E. Johnson, whose term has expired, for a term commencing November 25, 2003 and expiring October 1, 2007.

November 25, 2003

I respectfully submit to the Senate, pursuant to Section 6 of Article 5 of the Michigan Constitution of 1963, the following appointments to state office under Sections 16121 and 17721 of the Public Health Code, 1978 PA 368, MCL 333.16121 and 333.17721:

Michigan Board of Pharmacy

Mr. David S. Bach, R.Ph., of 6295 Charles Drive, West Bloomfield, Michigan 48322, county of Oakland, succeeding Stephen Durst, R.Ph., whose term has expired, representing pharmacists, for a term commencing November 25, 2003 and expiring June 30, 2007.

Ms. Pamela G. Byrnes Brown of 17381 North M-52, Chelsea, Michigan 48118, county of Washtenaw, succeeding Bonita Patricia Gibson, whose term has expired, representing the general public, for a term commencing November 25, 2003 and expiring June 30, 2007.

Ms. Suhair Farida, R.Ph., of 7053 Timberview Trail, West Bloomfield, Michigan 48322, county of Oakland, succeeding William McCarthy, R.Ph., whose term has expired, representing pharmacists, for a term commencing November 25, 2003 and expiring June 30, 2007.

Roll Call No. 571**Yeas—22**

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

Nays—14

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

Excused—2

Barcia	Thomas
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Not Voting—0

In The Chair: President

The Senate agreed to the title of the bill.

Protests

Senators Schauer and Jacobs, under their constitutional right of protest (Art. 4, Sec. 18), protested against the passage of Senate Bill No. 840 and moved that the statements they made during the discussion of the bill be printed as their reasons for voting “no.”

The motion prevailed.

Senator Schauer’s statement is as follows:

Through you to the previous speaker, I would urge that he continue to work with the Michigan Economic Development Corporation and the Department of Labor and Economic Growth, and I’m sure he will hear that they are fully committed to this focus on small business and in the following bill’s focus on manufacturing. There’s no doubt about that.

We have an outstanding new CEO of the MEDC, Don Jakeway, who has got a tremendous set of priorities in conjunction with David Hollister, so this bill is unnecessary. It’s an attempt to micromanage the MEDC, and I doubt we would have seen these bills under the previous administration. I urge a “no” vote.

Senator Jacobs’ statement is as follows:

I rise also in opposition to this bill. At a time when we should be streamlining government and streamlining our departments, instead we’re creating another layer of bureaucracy. I think that the Governor and her department heads, in particular Dave Hollister, have done a very fine job of reorganizing government here in Michigan and doing the streamlining that we need.

This is purely government waste. It’s window dressing. It’s not necessary, and I would urge my colleagues to vote against adding unnecessary bureaucracy to the state at this time.

The following bill was read a third time:

Senate Bill No. 841, entitled

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

The 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. 572

Yeas—22

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

Nays—14

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

Excused—2

Barcia	Thomas
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Not Voting—0

In The Chair: President

The Senate agreed to the title of the bill.

Protests

Senators Prusi, Basham, Schauer and Jacobs, under their constitutional right of protest (Art. 4, Sec. 18), protested against the passage of Senate Bill No. 841.

Senators Prusi, Basham and Jacobs moved that the statements they made during the discussion of the bill be printed as their reasons for voting “no.”

The motion prevailed.

Senator Prusi’s statement is as follows:

Colleagues, there’s an old adage that too many cooks can spoil the broth. I think we have sufficient resources already dedicated here in the state of Michigan, and in Michigan’s government, to deal with the loss of manufacturing and the crying need to attract more manufacturing jobs and to retain the jobs that we have. To add another layer of bureaucracy, particularly with the last bill and this bill, adds additional drains on our General Fund resources when we are about to conclude an executive order to cut another \$900 million out of state government’s budget. I think the financial impact of adding these redundant positions within state government is uncalled for at this time.

There is another issue that has just arisen, and I don't know if many of you heard the news this morning that the President has removed the tariffs on steel, which is going to tremendously impact an important manufacturing development in Downriver Detroit, as well as the iron ore mines that are in my district. I think that if we are going to coordinate policy with the federal government, we need to get some attention paid in Washington to the continued erosion of our industrial base in America, and particularly here in Michigan. But adding another layer of bureaucracy into state government is not an effective way to do this. I would encourage my colleagues to vote "no."

Senator Basham's statement is as follows:

I wasn't going to debate my colleagues across the aisle because I think we have a willingness to agree to disagree on this issue, but I think there is some confusion between international law and state law. And I think my colleague is confused when it comes to a czar on the federal level with international law and a czar when it comes to state law.

I think the Governor made a right choice to ask the President to do that, but certainly we have the tools in place with the MEDC to do the things that they need to do. We need to get out of the way, the legislators do, and let the MEDC do their work and bring these jobs to Michigan.

Senator Schauer moved that the statement he made during the discussion of Senate Bill No. 840 be printed as his reasons for voting "no."

The motion prevailed.

Senator Schauer's statement is as follows:

Through you to the previous speaker, I would urge that he continue to work with the Michigan Economic Development Corporation and the Department of Labor and Economic Growth, and I'm sure he will hear that they are fully committed to this focus on small business and in the following bill's focus on manufacturing. There's no doubt about that.

We have an outstanding new CEO of the MEDC, Don Jakeway, who has got a tremendous set of priorities in conjunction with David Hollister, so this bill is unnecessary. It's an attempt to micromanage the MEDC, and I doubt we would have seen these bills under the previous administration. I urge a "no" vote.

Senator Jacobs' statement is as follows:

Let's all be honest with each other. All of us agree that we need to help small businesses, and we need to help bring more manufacturing jobs back to Michigan. It's true that we've lost somewhere up to 23 percent of all the manufacturing jobs in the entire nation. Something has been terribly wrong for the last decade here in Michigan, to have that bleeding going on. However, all this bill attempts to do is micromanage our Governor, our head of MEDC, and our head of labor and commerce. That's really what we're talking about doing with this bill.

When Don Jakeway went through the advice and consent process, when he was nominated to take this position, everybody gave bipartisan support because here was a man whose manufacturing background made him the perfect candidate for that job. He does have that laser focus. We don't need to be pushing somebody else onto him or his department. He is very well capable of making those decisions and deciding who in his department needs to be taking care of this kind of business. I urge my colleagues to be honest with themselves, to vote "no" against this bill, and let the folks whom we have given the job to do, to do their job.

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 Sanborn as Chairperson.

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

House Bill No. 4454, entitled

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

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

1. Amend page 6, line 26, after "(c)" by striking out the balance of the subdivision and inserting "**The chief executive officer of the Michigan economic development corporation.**".

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

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

House Bill No. 4472, entitled

A bill to amend 1893 PA 206, entitled "The general property tax act," by amending section 9f (MCL 211.9f), as amended by 2000 PA 415.

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

1. Amend page 2, line 6, after "**exempt**" by striking out the balance of the line through "**act**" on line 7.
2. Amend page 2, line 9, after "**unit**" by inserting "**from the collection of taxes under this act**".

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

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

Senate Bill No. 193, entitled

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

Substitute (S-3).

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

1. Amend page 2, line 14, by striking out all of subsection (4).

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

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

Senate Bill No. 601, entitled

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

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 proceeded to the order of

Introduction and Referral of Bills

Senator Allen introduced

Senate Bill No. 845, entitled

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

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

Senator Cassis introduced

Senate Bill No. 846, entitled

A bill to amend 1975 PA 197, entitled "An act to provide for the establishment of a downtown development authority; to prescribe its powers and duties; to correct and prevent deterioration in business districts; to encourage historic preservation; to authorize the acquisition and disposal of interests in real and personal property; to authorize the creation and implementation of development plans in the districts; to promote the economic growth of the districts; to create a board; to prescribe its powers and duties; to authorize the levy and collection of taxes; to authorize the issuance of bonds and other evidences of indebtedness; to authorize the use of tax increment financing; to reimburse downtown development authorities for certain losses of tax increment revenues; and to prescribe the powers and duties of certain state officials," by amending section 1 (MCL 125.1651), as amended by 2003 PA 136.

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

Senators Switalski and Olshove introduced

Senate Bill No. 847, entitled

A bill to amend 2002 PA 440, entitled "An act to authorize the state administrative board to convey certain state owned property in Macomb county; to prescribe conditions for the conveyance; and to provide for disposition of the revenue from the conveyance," by amending sections 3 and 4.

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

Senator Patterson introduced
Senate Bill No. 848, entitled

A bill to amend 1999 PA 78, entitled "An act to amend 1986 PA 32, entitled "An act to provide for the establishment of emergency telephone districts; to provide for the installation, operation, modification, and maintenance of universal emergency number service systems; to provide for the imposition and collection of certain charges; to provide the powers and duties of certain state agencies, local units of government, public officers, telephone service suppliers, and others; to create an emergency telephone service committee; to provide remedies; to provide penalties; and to repeal certain parts of this act on specific dates," by amending section 201 (MCL 484.1201), as amended by 1994 PA 29, and by adding sections 407, 408, 409, 410, 411, and 412; and to repeal acts and parts of acts," by repealing enacting section 1.

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

Senators Birkholz and Kuipers introduced
Senate Bill No. 849, entitled

A bill to amend 1996 PA 381, entitled "Brownfield redevelopment financing act," by amending section 2 (MCL 125.2652), as amended by 2002 PA 254.

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

Senators Allen and Birkholz introduced
Senate Bill No. 850, entitled

A bill to amend 1984 PA 431, entitled "The management and budget act," (MCL 18.1101 to 18.1594) by adding section 283a.

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

Senators Allen and Birkholz introduced
Senate Bill No. 851, entitled

A bill to amend 1978 PA 390, entitled "An act to regulate the time and manner of payment of wages and fringe benefits to employees; to prescribe rights and responsibilities of employers and employees, and the powers and duties of the department of labor; to require keeping of records; to provide for settlement of disputes regarding wages and fringe benefits; to prohibit certain practices by employers; to prescribe penalties and remedies; and to repeal certain acts and parts of acts," by amending section 6 (MCL 408.476).

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

Senator Emerson introduced
Senate Bill No. 852, entitled

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," by amending section 51e (MCL 206.51e), as added by 1999 PA 5.

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

Senator Brown introduced
Senate Bill No. 853, entitled

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

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

Senator Birkholz introduced
Senate Bill No. 854, entitled

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

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

Senator Basham introduced

Senate Bill No. 855, entitled

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

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

Senator Cropsey introduced

Senate Bill No. 856, entitled

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

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

Senator Bishop introduced

Senate Bill No. 857, entitled

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

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

Senator Gilbert introduced

Senate Bill No. 858, entitled

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

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

Senator Olshove introduced

Senate Bill No. 859, entitled

A bill to amend the Initiated Law of 1976, entitled "A petition to initiate legislation to provide for the use of returnable containers for soft drinks, soda water, carbonated natural or mineral water, other nonalcoholic carbonated drink, and for beer, ale, or other malt drink of whatever alcoholic content, and for certain other beverage containers; to provide for the use of unredeemed bottle deposits; to prescribe the powers and duties of certain state agencies and officials; and to prescribe penalties and provide remedies," by amending section 2 (MCL 445.572), as amended by 1998 PA 473.

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

Senator Kuipers introduced

Senate Bill No. 860, entitled

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

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

Senator Patterson introduced

Senate Bill No. 861, entitled

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

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

Recess

Senator Hammerstrom moved that the Senate recess subject to the call of the Chair.
The motion prevailed, the time being 10:52 a.m.

11:40 a.m.

Pursuant to rule 1.101, in the absence of the Presiding Officers, the Senate was called to order by the Secretary of the Senate.

Senators Toy, Sanborn, Patterson, Gilbert, Brown, Bishop, Cropsey, Sikkema, Hardiman, Hammerstrom, Van Woerkom, Allen, Kuipers, Jelinek, Birkholz, Goschka and George introduced

Senate Bill No. 862, entitled

A bill to amend 1975 PA 228, entitled "Single business tax act," (MCL 208.1 to 208.145) by adding section 31a.
The bill was read a first and second time by title and referred to the Committee on Finance.

Senators Hardiman, Kuipers, Sikkema, Hammerstrom, Cropsey, Bishop and Brown introduced

Senate Bill No. 863, entitled

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," (MCL 206.1 to 206.532) by adding section 51f.
The bill was read a first and second time by title and referred to the Committee on Finance.

Senator George introduced

Senate Bill No. 864, entitled

A bill to amend 1893 PA 206, entitled "The general property tax act," (MCL 211.1 to 211.157) by adding section 7gg.
The bill was read a first and second time by title and referred to the Committee on Finance.

Senators Bernero, Allen, Toy, Van Woerkom, Sanborn, Goschka, Bishop, Birkholz, Cropsey, Hammerstrom, Sikkema, Kuipers, Johnson, Hardiman, Jelinek, George and Gilbert introduced

Senate Bill No. 865, entitled

A bill to amend 1953 PA 189, entitled "An act to provide for the taxation of lessees and users of tax-exempt property," (MCL 211.181 to 211.182) by adding section 1a.

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

Senator Brown introduced

Senate Bill No. 866, entitled

A bill to amend 1964 PA 284, entitled "City income tax act," (MCL 141.501 to 141.787) by adding section 635a.
The bill was read a first and second time by title and referred to the Committee on Finance.

Senators Van Woerkom, Sanborn, Allen and Brown introduced

Senate Bill No. 867, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 51105 (MCL 324.51105), as amended by 1996 PA 451.

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

Senators Sanborn, Patterson, Toy, Van Woerkom and Allen introduced

Senate Bill No. 868, entitled

A bill to amend 1985 PA 224, entitled "Enterprise zone act," by amending section 21c (MCL 125.2121c), as amended by 1998 PA 242.

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

Senators Birkholz, Jelinek, George, Allen, Van Woerkom and Sanborn introduced

Senate Bill No. 869, entitled

A bill to amend 1974 PA 198, entitled "An act to provide for the establishment of plant rehabilitation districts and industrial development districts in local governmental units; to provide for the exemption from certain taxes; to levy and collect a specific tax upon the owners of certain facilities; to impose and provide for the disposition of an administrative fee; to provide for the disposition of the tax; to provide for the obtaining and transferring of an exemption certificate and to prescribe the contents of those certificates; to prescribe the powers and duties of the state tax commission and certain officers of local governmental units; and to provide penalties," by amending section 11 (MCL 207.561), as amended by 2001 PA 157.

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

Senators Cropsey, Birkholz, Garcia, Brown, Sanborn, Gilbert and Allen introduced

Senate Bill No. 870, entitled

A bill to amend 2000 PA 146, entitled "Obsolete property rehabilitation act," by amending section 10 (MCL 125.2790).

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

Senators Jelinek, Birkholz and Goschka introduced

Senate Bill No. 871, entitled

A bill to amend 1992 PA 147, entitled "Neighborhood enterprise zone act," by amending section 9 (MCL 207.779), as amended by 2003 PA 127.

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

Senator Patterson introduced

Senate Bill No. 872, entitled

A bill to amend 1984 PA 385, entitled "Technology park development act," by amending section 12 (MCL 207.712), as amended by 1996 PA 445.

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

Senators Allen, Toy, Van Woerkom, Sanborn, Goschka, Bishop, Birkholz, Cropsey, Hammerstrom, Sikkema, Kuipers, Johnson, Hardiman, Jelinek, George and Gilbert introduced

Senate Bill No. 873, entitled

A bill to amend 1978 PA 255, entitled "Commercial redevelopment act," by amending section 12 (MCL 207.662), as amended by 1998 PA 243.

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

Committee Reports

The Committee on Commerce and Labor reported

Senate Bill No. 834, entitled

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

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

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

Jason Allen
Chairperson

To Report Out:

Yeas: Senators Allen, Kuipers, McManus and Olshove

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

Senate Bill No. 835, entitled

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

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, McManus, Schauer and Olshove

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Commerce and Labor reported

Senate Bill No. 836, entitled

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

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, McManus, 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 Thursday, November 13, 2003, at 9:00 a.m., Room 100, Farnum Building

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

The Committee on Finance reported

House Bill No. 4480, entitled

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

With the recommendation that the bill pass.

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

Nancy Cassis
Chairperson

To Report Out:

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

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Finance reported

House Bill No. 4481, entitled

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

With the recommendation that the bill pass.

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

Nancy Cassis
Chairperson

To Report Out:

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

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Finance reported

House Bill No. 4482, entitled

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

With the recommendation that the bill pass.

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

Nancy Cassis

Chairperson

To Report Out:

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

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Finance reported

House Bill No. 4483, entitled

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

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

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

Nancy Cassis

Chairperson

To Report Out:

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

Nays: None

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

The Committee on Finance reported

House Bill No. 4484, entitled

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

With the recommendation that the bill pass.

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

Nancy Cassis

Chairperson

To Report Out:

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

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Finance reported

House Bill No. 4488, entitled

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

With the recommendation that the bill pass.

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

Nancy Cassis

Chairperson

To Report Out:

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

Nays: None

The bill was referred to the Committee of the Whole.

COMMITTEE ATTENDANCE REPORT

The Committee on Finance submitted the following:

Meeting held on Wednesday, November 12, 2003, at 1:24 p.m., Room 110, Farnum Building

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

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

Senate Bill No. 220, entitled

A bill to amend 1976 PA 331, entitled "Michigan consumer protection act," by amending section 3 (MCL 445.903), as amended by 2002 PA 613.

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

Alan Sanborn

Chairperson

To Report Out:

Yeas: Senators Sanborn, Allen, Jacobs and Basham

Nays: None

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

The Committee on Appropriations reported

House Concurrent Resolution No. 28.

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

(For text of resolution, see Senate Journal No. 87, p. 1890.)

With the recommendation that the concurrent resolution be adopted.

Shirley Johnson

Chairperson

To Report Out:

Yeas: Senators Johnson, Stamas, Brown, Goschka, Garcia, Cropsey, Jelinek, McManus, Hardiman, George, Prusi, Barcia, Scott, Cherry, Clarke and Switalski

Nays: None

The concurrent resolution was placed on the order of Resolutions.

COMMITTEE ATTENDANCE REPORT

The Committee on Appropriations submitted the following:

Meeting held on Wednesday, November 12, 2003, at 2:15 p.m., Senate Appropriations Room, 3rd Floor, Capitol Building

Present: Senators Johnson (C), Stamas, Brown, Goschka, Garcia, Cropsey, Jelinek, McManus, Hardiman, George, Prusi, Barcia, Scott, Cherry, Clarke and Switalski

The Committee on Judiciary reported
Senate Bill No. 792, entitled

A bill to prohibit certain acts and practices concerning identity theft; to provide for the powers and duties of certain state and local governmental officers and entities; to prescribe penalties and provide remedies; to require the promulgation of rules; 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.

Alan L. Cropsey
Chairperson

To Report Out:

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

Nays: None

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

The Committee on Judiciary reported
Senate Bill No. 797, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending sections 14h and 16o of chapter XVII (MCL 777.14h and 777.16o), section 14h as amended by 2003 PA 134 and section 16o as amended by 2000 PA 389.

With the recommendation that the bill pass.

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

Alan L. Cropsey
Chairperson

To Report Out:

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

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Judiciary reported
Senate Bill No. 793, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," (MCL 760.1 to 777.69) by adding section 10c to chapter II.

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

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

Alan L. Cropsey
Chairperson

To Report Out:

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

Nays: None

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

The Committee on Judiciary reported
Senate Bill No. 794, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," (MCL 760.1 to 777.69) by adding section 23 to chapter XVI.

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.

Alan L. Cropsey
Chairperson

To Report Out:

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

Nays: None

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

The Committee on Judiciary reported
Senate Bill No. 795, entitled

A bill to establish the social security number privacy act in the state of Michigan; to prescribe penalties and civil sanctions; and to provide remedies.

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.

Alan L. Cropsey
Chairperson

To Report Out:

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

Nays: None

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

The Committee on Judiciary reported
Senate Bill No. 798, entitled

A bill to amend 1976 PA 331, entitled "Michigan consumer protection act," by amending section 3 (MCL 445.903), as amended by 2002 PA 613.

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

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

Alan L. Cropsey
Chairperson

To Report Out:

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

Nays: None

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

The Committee on Judiciary reported
Senate Bill No. 657, entitled

A bill to amend 1976 PA 331, entitled "Michigan consumer protection act," by amending section 3 (MCL 445.903), as amended by 2002 PA 613.

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

1. Amend page 7, following line 14, by inserting:

"Enacting section 1. This amendatory act takes effect March 31, 2004."

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

Alan L. Cropsey
Chairperson

To Report Out:

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

Nays: None

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

The Committee on Judiciary reported
Senate Bill No. 803, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 24 of chapter VII (MCL 767.24), as amended by 2002 PA 119.

With the recommendation that the bill pass.

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

Alan L. Cropsey
Chairperson

To Report Out:

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

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Judiciary reported
Senate Resolution No. 182.

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

(For text of resolution, see Senate Journal No. 89, p. 1926.)

With the recommendation that the following substitute (S-1) be adopted and that the resolution then be adopted:

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

Whereas, Identity theft has become a significant and growing problem in twenty-first century America. The advantages of instant communications and extensive records, which are facilitated by the technology of the digital age, have also brought misuses of these tools for criminal purposes. With frightening speed and ease, an innocent person can face great problems or even financial ruin through identity theft; and

Whereas, Much stronger protections need to be created to deal with identity theft. In addition to the steps of increasing penalties and trying to prevent this crime from occurring, there are legislative measures that should be enacted to try to make sure that people who are victims of this crime can recover with a minimum of time, cost, and disruption to their lives; and

Whereas, Michigan is taking numerous steps to fight identity theft, but federal actions are clearly vital to the ultimate success of this initiative. Specific measures that should be enacted into federal law include restricting the commercial use of Social Security numbers as identification numbers and allowing consumers to freeze their credit reports to minimize losses. Clearly, stronger protections against identity theft are long overdue; now, therefore, be it

Resolved by the Senate, That we memorialize the Congress of the United States to enact legislation to provide greater protections against identity theft. We urge that measures be enacted to restrict the commercial use of Social Security numbers as identification numbers and to allow consumers to freeze their credit reports to minimize losses; and be it further

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

Alan L. Cropsey
Chairperson

To Report Out:

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

Nays: None

The resolution and the substitute recommended by the committee were placed on the order of Resolutions.

The Committee on Judiciary reported

Senate Resolution No. 183.

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

(For text of resolution, see Senate Journal No. 89, p. 1926.)

With the recommendation that the resolution be adopted.

Alan L. Cropsey
Chairperson

To Report Out:

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

Nays: None

The resolution was placed on the order of Resolutions.

The Committee on Judiciary reported

Senate Resolution No. 186.

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

(For text of resolution, see Senate Journal No. 91, p. 1955.)

With the recommendation that the resolution be adopted.

Alan L. Cropsey
Chairperson

To Report Out:

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

Nays: None

The resolution was placed on the order of Resolutions.

COMMITTEE ATTENDANCE REPORT

The Committee on Judiciary submitted the following:

Meeting held on Wednesday, November 12, 2003, at 3:00 p.m., Room 110, Farnum Building

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

COMMITTEE ATTENDANCE REPORT

The Subcommittee on Capital Outlay submitted the following:

Meeting held on Thursday, November 6, 2003, at 8:45 a.m., House Appropriations Room, 3rd Floor, Capitol Building

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

Excused: Senator Prusi

COMMITTEE ATTENDANCE REPORT

The Committee on Senior Citizens and Veterans Affairs submitted the following:

Meeting held on Wednesday, November 12, 2003, at 1:00 p.m., Room 100, Farnum Building

Present: Senators Toy (C), Stamas, Gilbert, Clark-Coleman and Olshove

COMMITTEE ATTENDANCE REPORT

The Joint Study Committee on Family Resource Center Curriculum submitted the following:

Meeting held on Wednesday, November 12, 2003, at 4:00 p.m., Senate Appropriations Room, 3rd Floor, Capitol Building

Present: Senators Jelinek (C), Brown and Scott

COMMITTEE ATTENDANCE REPORT

The Joint Study Committee on Family Resource Center Curriculum submitted the following:

Meeting held on Tuesday, November 18, 2003, at 1:00 p.m., Senate Appropriations Room, 3rd Floor, Capitol Building

Present: Senators Jelinek (C), Brown and Scott

Scheduled Meetings

Administrative Rules - Wednesday, December 3, 3:30 p.m., Room 424, Capitol Building (373-6476)

Agriculture, Forestry and Tourism - Thursday, December 4, 8:30 a.m., Room 110, Farnum Building (373-1635)

Appropriations -**Subcommittees -**

Capital Outlay - Wednesday, December 10, 8:30 a.m., House Appropriations Room, 3rd Floor, Capitol Building (373-2523)

Natural Resources Department - Thursday, December 4, 8:30 a.m., Senate Appropriations Room, 3rd Floor, Capitol Building (373-1725)

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

Education - Thursday, December 4, 2:00 p.m., Room 210, Farnum Building (373-6920)

Finance - Wednesday, December 3, 1:00 p.m., Room 110, Farnum Building (373-1758)

Health Policy - Wednesday, December 3, 1:00 p.m., Rooms 402 and 403, Capitol Building (373-3543)

Legislative Retirement Board of Trustees - Wednesday, December 3, 3:00 p.m., Room H-252, Capitol Building (373-0575)

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

Senator Hammerstrom moved that the Senate adjourn.
The motion prevailed, the time being 11:44 a.m.

The Secretary of the Senate declared the Senate adjourned until Wednesday, December 3, 2003, at 10:00 a.m.

CAROL MOREY VIVENTI
Secretary of the Senate

