

No. 93
STATE OF MICHIGAN
Journal of the Senate
92nd Legislature
REGULAR SESSION OF 2003

Senate Chamber, Lansing, Tuesday, November 4, 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—present
Leland—present
McManus—present

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

Senator Michael Switalski of the 10th District offered the following invocation:

Good morning, Lord. This is the month of Thanksgiving, and we have a lot to be thankful for. And today is Election Day. Thirty-eight of us want to renew our thanks to You on the anniversary of our election to the Senate. We hope we haven't disappointed You in the year since You smiled on us.

Lord, today we especially want to thank You for our democracy, and specifically for the election day we get to have every year. You have been very generous in this respect. Some would say too generous. A few of us would be happy with four election days a year, but we'll work all that out with Your help.

Please disregard all the complaining we may have done in the past about having to stand at the polls all day passing out literature and about having to wait half the night for the returns from some God-forsaken precinct out in the hinterland. You know we secretly like it. And, Lord, thanks for the 70-degree weather today for the voters and the poll workers.

I'll end with an apology for how we've misused Your great gifts. You give us a great present every November, and most of us leave it in the closet. So if You can, grant us one last thing. Help this Senate to conduct itself in a way that inspires people to participate in democracy. Grant us the vision to see politics for what it should be, an activity that allows us to fulfill Your creation's potential.

And finally, during our campaigns, give us the faith to appeal to the better angels of voters' nature so that we can uplift and ennoble people with our campaigns. Grant us humility when we win, and if we lose, grant us the grace and honor to lose well. Amen.

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

Recess

Senator Hammerstrom moved that the Senate recess subject to the call of the Chair.
The motion prevailed, the time being 10:05 a.m.

10:43 a.m.

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

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

A quorum of the Senate was present.

Motions and Communications

The following communications were received:
Department of State

Administrative Rules Notices of Filing

October 21, 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 11:00 a.m. this date, administrative rule (03-10-02) for the Department of Consumer and Industry Services, Director's Office, entitled "*Counseling*," effective 7 days after filing with the Secretary of State.

October 21, 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 11:02 a.m. this date, administrative rule (03-10-03) for the Department of Consumer and Industry Services, Director's Office, entitled "*Accounting*," effective 7 days after filing with the Secretary of State.

October 21, 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 11:04 a.m. this date, administrative rule (03-10-04) for the Department of Treasury, Higher Education Assistance Authority, entitled "*Michigan Education Trust*," effective 7 days after filing with the Secretary of State.

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 communication was received:
Department of Consumer and Industry Services

October 28, 2003

Pursuant to Section 316 of P.A. 527 of 2002, enclosed is a report on the initial and follow-up surveys conducted on all nursing homes in the state as prepared by the Department of Consumer and Industry Services.

The notification may also be viewed on our website under "Inside CIS" at the following address: <http://www.michigan.gov/cis/>. If you have any questions regarding this information, please feel free to contact me at 335-1976.

Sincerely,
Allan R. Pohl
Acting Director
Finance and Administrative Services

The communication was referred to the Secretary for record.

The following communication was received:
Office of the Senate Majority Leader

October 30, 2003

Pursuant to Senate Rule 3.203c, I am hereby re-referring Senate Bill 808 from the Senate Education Committee to the Senate Commerce and Labor Committee.

Respectfully yours,
Ken Sikkema
Senate Majority Leader

The communication was referred to the Secretary for record.

The Secretary announced that the following House bills were received in the Senate and filed on Thursday, October 30:
House Bill Nos. 4600 5183

The Secretary announced that the following bills were available at the legislative Web site on Thursday, October 30:
Senate Bill Nos. 804 805 806 807

The Secretary announced that the following bills were available at the legislative Web site on Friday, October 31:
Senate Bill Nos. 808 809 810 811 812 813 814 815 816 817 818
House Bill Nos. 5212 5213 5214 5215 5216 5217 5218 5219 5220

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 message from the Governor was received:

Date: October 31, 2003
Time: 10:50 a.m.

To the President of the Senate:

Sir—I have this day approved and signed
Enrolled Senate Bill No. 725 (Public Act No. 191), being

An act to amend 1947 PA 359, entitled “An act to authorize the incorporation of charter townships; to provide a municipal charter therefor; to prescribe the powers and functions thereof; and to prescribe penalties and provide remedies,” by amending section 27 (MCL 42.27), as amended by 1988 PA 82.

(Filed with the Secretary of State on October 31, 2003, at 11:20 a.m.)

Respectfully,
Jennifer M. Granholm
Governor

Messages from the House

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

Senate Bill No. 493
Senate Bill No. 494
Senate Bill No. 495
Senate Bill No. 496
The motion prevailed.

Senate Bill No. 352, entitled

A bill to designate March 31 of each year as Cesar E. Chavez day in the state of Michigan.

The House of Representatives has substituted (H-4) the bill.

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

A bill to designate March 31 of each year as Cesar E. Chavez day in the state of Michigan; to designate July 14 of each year as President Gerald R. Ford day in the state of Michigan; and to designate July 30 of each year as Henry Ford day in the state of Michigan.

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

Third Reading of Bills

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

Senate Bill No. 712
The motion prevailed.

The following bill was read a third time:

Senate Bill No. 712, entitled

A bill to amend 1949 PA 300, entitled “Michigan vehicle code,” by amending section 248e (MCL 257.248e), as added by 1993 PA 300.

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. 523**Yeas—38**

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

Nays—0**Excused—0****Not Voting—0**

In The Chair: President

The Senate agreed to the title of the bill.

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 Leland as Chairperson.

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

House Bill No. 4753, entitled

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

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:

Senate Bill No. 744, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 2505 (MCL 324.2505), as added by 1995 PA 60, and by adding section 2505a.

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

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

Senate Resolution No. 141

The motion prevailed.

Senator Thomas offered the following resolution:

Senate Resolution No. 191.

A resolution to urge the Children's Special Health Care Services program of the Department of Community Health to offer treatment beyond the age of 21 for those with sickle cell disease.

Whereas, Children's Special Health Care Services is a program that touches the lives of Michigan children and families coping with chronic conditions. Established with the creation of the Crippled Children's Fund in 1944 by a major gift from Dr. James Pardee, this program supports unique services beyond those available from other public health care programs; and

Whereas, Now known as Children's Special Health Care Services, this program offers a wide range of assistance for young people suffering from any of more than 2,700 conditions. Services emphasize a family approach, promote care for children in their homes and communities, and respect cultural differences. For the most part, children and families are eligible for the program's services until the age of 21, although services are offered to people aged 21 and older who suffer from certain conditions; and

Whereas, The unique properties of sickle cell disease make this condition extremely challenging for its victims. Sickle cell disease, which afflicts people of African descent almost exclusively, requires a lifetime of specialty care. Many of the aspects of this painful blood cell disease closely mirror the acute problems of other diseases for which Children's Special Health Care Services are offered for a person 21 years old and older; now, therefore, be it

Resolved by the Senate, That we urge the Children's Special Health Care Services program of the Department of Community Health to offer treatment beyond the age of 21 for those with sickle cell disease; and be it further

Resolved, That copies of this resolution be transmitted to the Department of Community Health.

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 Health Policy.

The motion prevailed.

Senators Clark-Coleman, Clarke, Goschka, Hardiman, Jacobs, Prusi and Scott were named co-sponsors of the resolution.

Senators Johnson, Jacobs, Brater, Clark-Coleman, Clarke, Jelinek, Leland, Scott and Toy offered the following resolution:
Senate Resolution No. 192.

A resolution recognizing the mourning dove, *Zenaida macroura*, as the Michigan Bird of Peace.

Whereas, The mourning dove is an American bird known for its sad, cooing call. Its grayish-brown feathers and long tapering tail are widely recognized in Michigan, as is its soft and mournful sound. The mourning dove, or *Zenaida macroura*, as it is known in the scientific realm, is a peaceful songbird; and

Whereas, The day of the mourning dove begins early in the morning when it begins to look for food and water. The doves then rest during part of the afternoon, seek more food and water, and before nightfall, return to their nests built loosely of twigs in a tree or bush or on the ground. Many scientists believe that a male and female mourning dove mate with each other for life. Bird watchers will note that mourning doves are often found in pairs and, as parents, the doves are both responsible for feeding the young, called squabs, which are born blind and almost featherless; and

Whereas, The dove has traditionally symbolized peace. It is often depicted with an olive branch in its beak. Mourning doves do not eat olive branches, but do, however, feed on weed seeds and insects. It is a peaceful bird which will swiftly fly from conflict on strong wings that make a whistling sound as they move through the air. The mourning dove plays a quiet but vital role in the fragile and beautiful ecosystem that is the Michigan water wonderland; now, therefore, be it

Resolved by the Senate, That the mourning dove, *Zenaida macroura*, be known throughout the state as the Michigan Bird of Peace.

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

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

The question being on the adoption of the resolution,

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

The motion prevailed.

By unanimous consent the Senate proceeded to the order of

Statements

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

The motion prevailed.

Senator Clarke's statement is as follows:

Seniors in the state of Michigan have to make a lot of choices. Many times those choices aren't favorable. Sometimes they have to choose between ordering a full dosage of prescription drug medication, paying the rent, or buying groceries. I believe those kinds of choices aren't necessary, especially for seniors who live in the Detroit area, when they can go right across the Detroit River to Windsor and buy U.S.-made prescription drugs in Canada at a price that's a fraction of what they're available for in the United States.

I'm urging the Legislature in Michigan to join the Governor of Illinois and the Mayor of New York City in a bipartisan effort to urge the Federal Drug Administration to allow U.S.-made prescription drugs that are sold in Canada to be purchased by Michigan seniors. A change in that policy would allow our seniors to save hundreds, if not thousands, of dollars each year by purchasing U.S.-made prescription drugs that are currently sold in Canada. If we would allow those same drugs to be purchased on behalf of state employees, state retirees, and Medicaid patients, those Canadian drugs would help reduce this state's Medicaid budget, and I believe it would help us balance the budget in the upcoming few months.

I will be offering a formal resolution memorializing my request to the Federal Drug Administration, and I do urge the support of this body and the Legislature as a whole.

Senator Johnson's statement is as follows:

I have the opportunity this morning to introduce Senate Resolution No. 192. I'd like to read it as follows:

A resolution recognizing the mourning dove, called the *Zenaida macroura* (I've never been a linguist), as the Michigan Bird of Peace.

Whereas, The mourning dove is an American bird known for its sad, cooing call. Its grayish-brown feathers and long tapering tail are widely recognized in Michigan, as is its soft and mournful sound. The mourning dove, or *Zenaida macroura*, as it is known in the scientific realm, is a peaceful songbird; and

Whereas, The day of the mourning dove begins early in the morning when it begins to look for food and water. The doves then rest during part of the afternoon, seek more food and water, and before nightfall, return to their nests which are built loosely of twigs in a tree or brush or on the ground. Many scientists believe that a male and female mourning dove mate with each other for life. Bird watchers will note that mourning doves are often found in pairs and, as parents, the doves are both responsible for feeding the young, called squabs, which are born blind and almost featherless; and

Whereas, The dove has traditionally symbolized peace. It is often depicted with an olive branch in its beak. Mourning doves do not eat olive branches, but they do, however, eat and feed on weeds and seeds and insects. It is a peaceful bird which will swiftly fly from conflict on strong wings that make a whistling sound as it moves through the air. The mourning dove plays a quiet but vital role in the fragile and beautiful ecosystem that is the Michigan's water wonderland; now, therefore, be it

Resolved by the Senate, That the mourning dove, *Zenaida macroura*, be known throughout the state as the Michigan Bird of Peace.

And, Mr. President, this same resolution was introduced in 1998 by Representative Kirk Profit, and there are 19 members of this Senate who voted for it.

By unanimous consent the Senate returned to the order of

Introduction and Referral of Bills

Senators Toy, Bishop, Clarke, Sanborn, Olshove, Gilbert, George, Garcia, Cropsy, Birkholz, Leland, Jelinek, Prusi, Scott, Clark-Coleman and Hammerstrom introduced

Senate Bill No. 819, entitled

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," (MCL 500.100 to 500.8302) by adding chapter 21A. The bill was read a first and second time by title and referred to the Committee on Banking and Financial Institutions.

Senators Barcia, Sanborn, Garcia, Birkholz, Kuipers, McManus, George, Bishop, Sikkema, Cropsy, Gilbert, Brown, Van Woerkom, Toy, Jelinek, Hardiman, Johnson and Hammerstrom introduced

Senate Bill No. 820, entitled

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

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

Senators Garcia, Sanborn, Kuipers, McManus, George, Bishop, Birkholz, Sikkema, Cropsy, Gilbert, Brown, Van Woerkom, Toy, Jelinek, Hardiman, Johnson and Hammerstrom introduced

Senate Bill No. 821, entitled

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

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

Senators Sanborn, Garcia, Kuipers, Birkholz, McManus, George, Bishop, Sikkema, Cropsey, Gilbert, Brown, Van Woerkom, Toy, Jelinek, Hardiman, Johnson and Hammerstrom introduced

Senate Bill No. 822, entitled

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

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

Senator Cropsey introduced

Senate Bill No. 823, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending sections 504, 517, 518, 542, 549g, 803, 810a, 8117, 8142, 8162, and 8163 (MCL 600.504, 600.517, 600.518, 600.542, 600.549g, 600.803, 600.810a, 600.8117, 600.8142, 600.8162, and 600.8163), sections 504, 517, 803, and 810a as amended by 2002 PA 715, section 518 as amended by 2001 PA 256, section 542 as amended by 1984 PA 95, section 549g as added by 1981 PA 182, and section 8117 as amended by 1997 PA 161.

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

Senator Allen introduced

Senate Bill No. 824, entitled

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

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

Senator Allen introduced

Senate Bill No. 825, entitled

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

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

Senator Goschka introduced

Senate Bill No. 826, entitled

A bill to repeal 1903 LA 540, entitled "An act to establish a board of county auditors for the county of Saginaw and to prescribe their powers and duties."

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

Senator Goschka introduced

Senate Bill No. 827, entitled

A bill to repeal 1905 LA 653, entitled "An act to provide the manner of voting by the members of the board of supervisors of Saginaw county."

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

House Bill No. 4600, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 310e (MCL 257.310e), as amended by 2003 PA 61.

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. 5183, entitled

A bill to amend 1939 PA 280, entitled "The social welfare act," (MCL 400.1 to 400.119b) by adding section 18e.

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 Families and Human Services.

Committee Reports

The Committee on Finance reported

Senate Bill No. 700, entitled

A bill to amend 1893 PA 206, entitled "The general property tax act," by amending section 89a (MCL 211.89a), as added by 1994 PA 189, and by adding section 89b.

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, McManus, Thomas and Brater

Nays: None

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

COMMITTEE ATTENDANCE REPORT

The Committee on Finance submitted the following:

Meeting held on Wednesday, October 29, 2003, at 1:02 p.m., Room 110, Farnum Building

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

Excused: Senator Garcia

The Committee on Health Policy reported

House Bill No. 4518, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 20919 (MCL 333.20919), as amended by 2000 PA 375.

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

1. Amend page 3, line 27, after "(c)" by striking out "Not later than" and inserting "**Within**".

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

Beverly S. Hammerstrom
Chairperson

To Report Out:

Yeas: Senators Hammerstrom, Patterson, George and Jacobs

Nays: None

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

COMMITTEE ATTENDANCE REPORT

The Committee on Health Policy submitted the following:

Meeting held on Wednesday, October 29, 2003, at 1:00 p.m., Senate Hearing Room, Ground Floor, Boji Tower (formerly Michigan National Tower)

Present: Senators Hammerstrom (C), Patterson, George, Bernero and Jacobs

The Committee on Technology and Energy reported

House Bill No. 4660, entitled

A bill to amend 1939 PA 3, entitled "An act to provide for the regulation and control of public utilities and other services affected with a public interest within this state; to provide for alternative energy suppliers; to provide for licensing; to include municipally owned utilities and other providers of energy under certain provisions of this act; to create a public service commission and to prescribe and define its powers and duties; to abolish the Michigan public utilities commission and to confer the powers and duties vested by law on the public service commission; to provide for the continuance, transfer, and completion of certain matters and proceedings; to abolish automatic adjustment clauses; to prohibit certain rate increases without notice and hearing; to qualify residential energy conservation programs permitted under state law for certain federal exemption; to create a fund; to provide for a restructuring of the manner in which energy is provided in this state; to encourage the utilization of resource recovery facilities; to prohibit

certain acts and practices of providers of energy; to allow for the securitization of stranded costs; to reduce rates; to provide for appeals; to provide appropriations; to declare the effect and purpose of this act; to prescribe remedies and penalties; and to repeal acts and parts of acts," (MCL 460.1 to 460.10cc) by adding section 9c.

With the recommendation that the bill pass.

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

Bruce Patterson
Chairperson

To Report Out:

Yeas: Senators Patterson, Toy, Birkholz, Brown, Olshove and Leland

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Technology and Energy reported

House Bill No. 4283, entitled

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

With the recommendation that the bill pass.

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

Bruce Patterson
Chairperson

To Report Out:

Yeas: Senators Patterson, Toy, Birkholz, Brown, Olshove and Leland

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Technology and Energy reported

Senate Resolution No. 140.

A resolution to encourage research in Michigan on the thermal depolymerization process.

(For text of resolution, see Senate Journal No. 72, p. 1616.)

With the recommendation that the resolution be adopted.

Bruce Patterson
Chairperson

To Report Out:

Yeas: Senators Patterson, Toy, Birkholz, Brown and Olshove

Nays: None

The resolution was placed on the order of Resolutions.

COMMITTEE ATTENDANCE REPORT

The Committee on Technology and Energy submitted the following:

Meeting held on Wednesday, October 29, 2003, at 3:00 p.m., Room 210, Farnum Building

Present: Senators Patterson (C), Toy, Birkholz, Brown, Olshove and Leland

Excused: Senators Cassis and Bernero

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

House Bill No. 5054, entitled

A bill to amend 1980 PA 299, entitled "Occupational code," by amending section 1117 (MCL 339.1117), as amended by 1984 PA 25.

With the recommendation that the bill pass.

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

Alan Sanborn
Chairperson

To Report Out:

Yeas: Senators Sanborn, Gilbert, Jacobs and Basham

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Economic Development, Small Business and Regulatory Reform reported
Senate Bill No. 774, entitled

A bill to amend 1986 PA 281, entitled "The local development financing act," by amending section 21a (MCL 125.2162a), as amended by 2002 PA 575.

With the recommendation that the bill pass.

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

Alan Sanborn
Chairperson

To Report Out:

Yeas: Senators Sanborn, Gilbert, Jacobs and Basham

Nays: None

The bill was referred to the Committee of the Whole.

COMMITTEE ATTENDANCE REPORT

The Committee on Economic Development, Small Business and Regulatory Reform submitted the following:
Meeting held on Wednesday, October 29, 2003, at 3:00 p.m., Rooms 402 and 403, Capitol Building

Present: Senators Sanborn (C), Gilbert, Jacobs and Basham

Excused: Senator Allen

The Committee on Local, Urban and State Affairs reported

House Bill No. 4950, entitled

A bill to amend 1947 PA 359, entitled "The charter township act," (MCL 42.1 to 42.34) by adding section 10a.

With the recommendation that the bill pass.

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

Laura M. Toy
Chairperson

To Report Out:

Yeas: Senators Toy, Birkholz, Goschka, Basham and Bernero

Nays: None

The bill was referred to the Committee of the Whole.

COMMITTEE ATTENDANCE REPORT

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

Meeting held on Thursday, October 30, 2003, at 1:00 p.m., Room 110, Farnum Building

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

The Committee on Agriculture, Forestry and Tourism reported

Senate Resolution No. 175.

A resolution urging United States trade negotiators to support our nation's sugar industry.

(For text of resolution, see Senate Journal No. 86, p. 1866.)

With the recommendation that the resolution be adopted.

Gerald Van Woerkom
Chairperson

To Report Out:

Yeas: Senators Van Woerkom, Gilbert, Jelinek, Brater and Thomas

Nays: None

The resolution was placed on the order of Resolutions.

COMMITTEE ATTENDANCE REPORT

The Committee on Agriculture, Forestry and Tourism submitted the following:

Meeting held on Thursday, October 30, 2003, at 9:00 a.m., Room 110, Farnum Building

Present: Senators Van Woerkom (C), Gilbert, Jelinek, Brater and Thomas

The Committee on Banking and Financial Institutions reported
House Bill No. 4695, entitled

A bill to amend 1851 PA 156, entitled "An act to define the powers and duties of the county boards of commissioners of the several counties, and to confer upon them certain local, administrative and legislative powers; and to prescribe penalties for the violation of the provisions of this act," by amending section 12a (MCL 46.12a), as amended by 2002 PA 730.

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, Sanborn, Stamas, Leland, Olshove and Clark-Coleman

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Banking and Financial Institutions reported
House Bill No. 4698, entitled

A bill to amend 1978 PA 322, entitled "An act to authorize financial institutions to make electronic funds transfer terminals available to their customers; to protect the privacy and security of customers; to prohibit unfair discrimination among financial institutions and monopolistic practices in the use and availability of electronic funds transfer terminals; to prescribe remedies; and to prescribe penalties," by amending sections 2 and 3 (MCL 488.2 and 488.3).

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, Sanborn, Stamas, Leland, Olshove and Clark-Coleman

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Banking and Financial Institutions reported
House Bill No. 4699, entitled

A bill to amend 1950 (Ex Sess) PA 27, entitled "Motor vehicle sales finance act," by amending section 36 (MCL 492.136).

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, Sanborn, 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, October 30, 2003, at 12:00 noon, Room 100, Farnum Building

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

The Committee on Education reported

House Bill No. 4613, entitled

A bill to amend 2001 PA 181, entitled "An act to authorize the board of a school district to award high school diplomas to World War II veterans under certain circumstances; and to prescribe duties and responsibilities of certain state officers and officials," by amending the title and section 1 (MCL 35.341).

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 and Leland

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Education reported

Senate Bill No. 787, entitled

A bill to amend 1976 PA 451, entitled "The revised school code," by amending section 1280 (MCL 380.1280), as amended by 1997 PA 180.

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.

Wayne Kuipers

Chairperson

To Report Out:

Yeas: Senators Kuipers, Cassis, Van Woerkom and Leland

Nays: None

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

COMMITTEE ATTENDANCE REPORT

The Committee on Education submitted the following:

Meeting held on Thursday, October 30, 2003, at 2:00 p.m., Room 210, Farnum Building

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

Excused: Senator Clark-Coleman

The Committee on Local, Urban and State Affairs reported

House Bill No. 4938, entitled

A bill to provide for the qualification, appointment, and regulation of notaries; to provide for the levy, assessment, and collection of certain service charges and fees and to provide for their disposition; to create certain funds for certain purposes; to provide for liability for certain persons; to provide for the admissibility of certain evidence; to prescribe powers and duties of certain state agencies and local officers; to provide for remedies and penalties; 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.

Laura M. Toy

Chairperson

To Report Out:

Yeas: Senators Toy, Birkholz, Goschka, Basham and Bernero

Nays: None

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

The Committee on Local, Urban and State Affairs reported

House Bill No. 5156, entitled

A bill to amend 1909 PA 279, entitled "The home rule city act," (MCL 117.1 to 117.38) by adding section 36a.

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

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

Laura M. Toy

Chairperson

To Report Out:

Yeas: Senators Toy, Birkholz, Goschka, Basham and Bernero

Nays: None

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

COMMITTEE ATTENDANCE REPORT

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

Meeting held on Wednesday, October 29, 2003, at 1:00 p.m., Room 100, Farnum Building

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

COMMITTEE ATTENDANCE REPORT

The Committee on Families and Human Services submitted the following:
Meeting held on Thursday, October 30, 2003, at 8:30 a.m., Room 210, Farnum Building
Present: Senators Hardiman (C), Hammerstrom, Sanborn, Jacobs and Clark-Coleman

Scheduled Meetings

Agriculture, Forestry and Tourism - Thursday, November 6, 9:00 a.m., Room 110, Farnum Building (373-1635)

Appropriations -**Subcommittee -**

Natural Resources Department - Thursday, November 6, 12:00 noon, Senate Appropriations Room, 3rd Floor, Capitol Building (373-1725)

Commerce and Labor - Thursday, November 6, 1:00 p.m., Room 810, Farnum Building (373-2413)

Economic Development, Small Business and Regulatory Reform - Wednesday, November 5, 3:00 p.m., Rooms 402 and 403, Capitol Building (373-7670)

Finance - Wednesday, November 5, 1:00 p.m., Room 110, Farnum Building (373-1758)

Health Policy - Wednesday, November 5, 1:00 p.m., Senate Hearing Room, Ground Floor, Boji Tower (formerly Michigan National Tower) (373-3543)

Technology and Energy - Wednesday, November 5, 3:00 p.m., Room 210, Farnum Building (373-7350)

Senator Hammerstrom moved that the Senate adjourn.
The motion prevailed, the time being 11:07 a.m.

The President, Lieutenant Governor Cherry, declared the Senate adjourned until Wednesday, November 5, 2003, at 10:00 a.m.

CAROL MOREY VIVENTI
Secretary of the Senate