

No. 90
STATE OF MICHIGAN
Journal of the Senate
92nd Legislature
REGULAR SESSION OF 2003

Senate Chamber, Lansing, Tuesday, October 28, 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—excused
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—excused
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—excused
Van Woerkom—present

Senator Kenneth R. Sikkema of the 28th District offered the following invocation:

Almighty and gracious God, we are saddened today beyond the ability to describe in words over the death of a son— Jack Edward Allen. In our inability to put into words our feelings, maybe it's best that we return to Your words that You spoke through Your prophet Jeremiah as he spoke to the land of Israel when he said, "A voice is heard in Ramah, lamentation and bitter weeping. Rachel is weeping for her children. She refuses to be comforted for her children, because they are no more."

Lord, we know that suffering is a part of life. It's touched everyone within the sound of my voice at some point. Although we know that, we don't pretend to understand it fully. We know that, as You have said, we in this life see through a glass darkly, and at some point in the future, we will understand.

This morning we ask for Your comfort, for Your love, and for Your grace. We ask You to pour it down upon us, and then help us in turn to embrace the Allens—Jason, Suzanne, and Meredith—with that same love and comfort.

We have work to do today in this chamber, in committee rooms, in caucus rooms, and in our offices, but we do that work today with a heavy heart that seeks comfort.

This we pray in Your name. Amen.

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

Motions and Communications

Senator Hammerstrom moved that Senator Johnson be temporarily excused from today's session.

The motion prevailed.

Senator Hammerstrom moved that Senators Toy, Allen and Garcia be excused from today's session.

The motion prevailed.

Senator Garcia is in Mexico attending a meeting with Hispanic legislators from around the country, at the request of the Mexican government.

Senator Schauer moved that Senator Barcia be temporarily excused from today's session.

The motion prevailed.

Senators Johnson and Barcia entered the Senate Chamber.

Recess

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

The motion prevailed, the time being 10:08 a.m.

10:19 a.m.

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

The following communication was received and read:

Office of the Senate Majority Leader

October 23, 2003

Pursuant to Executive Order 2003-19, which creates the Technology Tri-Corridor Steering Committee, I would like to nominate Mr. Brian Ellis to serve on the Committee. I have known Mr. Ellis many years and believe he is eminently qualified.

Respectfully yours,
Ken Sikkema
Senate Majority Leader

The communication was referred to the Secretary for record.

The Secretary announced that the following House bill was received in the Senate and filed on Thursday, October 23:
House Bill No. 4659

The Secretary announced that the following bills were available at the legislative Web site on Thursday, October 23:

Senate Bill Nos. 786 787

House Bill Nos. 5193 5194 5195 5196 5197 5198 5199 5200

The Secretary announced that the following bills were available at the legislative Web site on Friday, October 24:

Senate Bill Nos. 788 789 790 791 792 793 794 795 796 797 798

House Bill Nos. 5201 5202 5203 5204 5205

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

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

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

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

Recess

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

The motion prevailed, the time being 10:20 a.m.

10:30 a.m.

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

During the recess, Senator Scott introduced to the Senate the Detroit Shock, 2003 WNBA Champions, and presented them with Senate Resolution No. 166.

Head Coach Bill Laimbeer and Team Captain Swin Cash responded briefly.

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 and read:

October 24, 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 1978 PA 389, MCL 400.1502:

Domestic Violence Prevention and Treatment Board

Ms. Gwendolyn Brown of 17600 Pennington Drive, Detroit, Michigan 48221, county of Wayne, succeeding Ferne A. Farber, whose term has expired, for a term commencing October 24, 2003 and expiring September 30, 2006.

Ms. Marie L. Donigan of 815 Gardenia, Royal Oak, Michigan 48067, county of Oakland, succeeding Catherine C. Lucas, whose term has expired, for term commencing October 24, 2003 and expiring September 30, 2006.

Ms. Mary Beth Kur of 09095 Mercer, Charlevoix, Michigan 49720, county of Charlevoix, succeeding the Honorable Darnell Jackson, whose term has expired, for a term commencing October 24, 2003 and expiring September 30, 2006.

The Honorable Amy R. Krause of 415 LaSalle Boulevard, Lansing, Michigan 48912, county of Ingham, succeeding James A. Fink, whose term has expired, designated as Chair, for a term commencing October 24, 2003 and expiring September 30, 2006.

October 24, 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 2 of 1968 PA 1, MCL 10.72:

Michigan Women's Commission

Sally Shaheen Joseph of 6263 Stonegate Parkway, Flint, Michigan 48532, county of Genesee, succeeding Ramirra Stackhouse, who has resigned, for a term commencing October 24, 2003 and expiring July 15, 2004.

October 27, 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 511 of the Worker's Disability Compensation Act, 1969 PA 317, MCL 418.511:

Self-Insurers' Security Fund, Second Injury Fund, Silicosis, Dust Disease, and Logging Industry Compensation Fund Board of Trustees

Mr. Mark R. Hogle of 25760 Abbey Drive, Novi, Michigan 48374, county of Oakland, succeeding Eleanor Powell, who has resigned, for a term commencing October 27, 2003 and expiring April 30, 2006.

Sincerely,
Jennifer M. Granholm
Governor

The appointments were referred to the Committee on Government Operations.

Messages from the House

Senate Bill No. 725, entitled

A bill to amend 1947 PA 359, entitled "The charter township act," by amending section 27 (MCL 42.27), as amended by 1988 PA 82.

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

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

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

The Senate agreed to the full title.

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

By unanimous consent the Senate returned to the order of

Third Reading of Bills

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

House Bill No. 4070

The motion prevailed.

The following bill was read a third time:

House Bill No. 4070, entitled

A bill to require textbook publishers to provide electronic versions of certain instructional materials used in colleges and universities.

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. 508**Yeas—35**

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

Nays—0**Excused—3**

Allen	Garcia	Toy
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Not Voting—0

In The Chair: President

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

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

House Bill No. 5050, entitled

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," by amending section 4072 (MCL 500.4072), as amended by 2002 PA 635.

Senate Bill No. 215, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 13e of chapter XVII (MCL 777.13e), as added by 2002 PA 30.

Senate Bill No. 227, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 13e of chapter XVII (MCL 777.13e), as added by 2002 PA 30.

Senate Bill No. 228, entitled

A bill to amend 1988 PA 466, entitled "Animal industry act," by amending sections 4, 6, 12, and 31 (MCL 287.704, 287.706, 287.712, and 287.731), sections 4, 6, and 12 as amended by 2002 PA 458 and section 31 as amended by 2000 PA 323.

Senate Bill No. 229, entitled

A bill to amend 1996 PA 199, entitled "Michigan aquaculture development act," by amending sections 2 and 4 (MCL 286.872 and 286.874).

House Bill No. 5133, entitled

A bill to amend 1941 PA 122, entitled "An act to establish the revenue collection duties of the department of treasury; to prescribe its powers and duties as the revenue collection agency of the state; to prescribe certain powers and duties of the state treasurer; to regulate the importation, stamping, and disposition of certain tobacco products; to provide for the transfer of powers and duties now vested in certain other state boards, commissions, departments and offices; to prescribe certain duties of and require certain reports from the department of treasury; to provide procedures for the payment, administration, audit, assessment, levy of interests or penalties on, and appeals of taxes and tax liability; to prescribe its powers and duties if an agreement to act as agent for a city to administer, collect, and enforce the city income tax act on behalf of a city is entered into with any city; to provide an appropriation; to abolish the state board of tax administration; to prescribe penalties and provide remedies; and to declare the effect of this act," by amending section 24 (MCL 205.24), as amended by 2002 PA 657.

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

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

Senate Bill No. 214, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," (MCL 324.101 to 324.90106) by adding part 413.

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. 226, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 45901, 45906, 45908, 48701, 48735, and 48738 (MCL 324.45901, 324.45906, 324.45908, 324.48701, 324.48735, and 324.48738), sections 45901, 45906, 45908, 48735, and 48738 as added by 1995 PA 57 and section 48701 as amended by 2002 PA 434, and by adding part 413.

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.

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

Senate Resolution No. 181**Senate Resolution No. 184****Senate Resolution No. 185**

The resolution consent calendar was adopted.

Senator Clarke offered the following resolution:

Senate Resolution No. 181.

A resolution honoring Master Chief/Master Diver Michael J. Washington.

Whereas, Michael J. Washington enlisted in the United States Navy in 1973 and served honorably for thirty years; and
Whereas, While deployed to the western Pacific, Michael Washington participated in the evacuation of Vietnam and the rescue of the USS Mayaguez crew; and

Whereas, In 1975, he was accepted to the Second Class Diving School, beginning his successful career in diving; and

Whereas, Michael J. Washington advanced to Master Chief Petty Officer in 1992 and was reassigned to the Consolidated Divers Unit as Command Master Chief/Master Diver in 1994; and

Whereas, He was the project manager for a major revision of the United States Navy Diving Manual, a benchmark for diving guidance throughout the world; and

Whereas, Michael J. Washington was hand-selected by the Commander of the Naval Special Warfare Command to be the 1st Force Master Diver for Naval Special Warfare; and

Whereas, Michael J. Washington is the fourth African American master diver, the second saturation master diver, and the first SEAL master diver in Navy history; now, therefore, be it

Resolved by the Senate, That we hereby recognize the outstanding service and citizenship that Master Chief/Master Diver Michael J. Washington has provided to the United States of America; and be it further

Resolved, That a copy of this resolution be transmitted to Master Chief/Master Diver Michael J. Washington as a token of our esteem.

Senators Brater, Cherry, Clark-Coleman, Goschka, Hardiman, Leland, Schauer, Scott and Thomas were named co-sponsors of the resolution.

Senator Thomas offered the following resolution:

Senate Resolution No. 184.

A resolution celebrating the life of Judge Geraldine Bledsoe Ford.

Whereas, It is with deep sadness that we learned of the passing of the Honorable Geraldine Bledsoe Ford, a dedicated public servant and caring person who enriched many lives. With genuine respect for her legacy of accomplishment, we join with the community in extending our condolences to her family and many friends. She will be sincerely missed and long remembered; and

Whereas, Serving others was a well-established trait of Judge Ford. In 1966, she was elected to the Detroit Recorder's Court as Michigan's first African American female judge. She continued her work on the Wayne County Circuit Court until retiring in December 1998; and

Whereas, In addition to her many judgeships, Judge Ford served as the first African American Assistant United States Attorney General. She was also the second woman to hold the post of United States Attorney for the Eastern District of Michigan, opening doors for women judges all around the state and country. Finally, Judge Ford served on many councils and commissions, which included the Michigan Gaming Control Board and the city of Detroit's corporation counsel. However, most important to her were her two children and three grandchildren whom she loved dearly; and

Whereas, The life of Judge Geraldine Bledsoe Ford is a study in the power of hard work, dedication, and commitment to her career, her family, and her state. We are clearly grateful for her achievements, which will continue to help the state of Michigan in the future; now, therefore, be it

Resolved by the Senate, That we hereby offer words of praise as a memorial for the life of Judge Geraldine Bledsoe Ford. May her family find comfort in their faith and their memories of this fine woman and her distinguished career on the bench and in the community; and be it further

Resolved, That a copy of this resolution be transmitted to the family of Judge Geraldine Bledsoe Ford as a token of our esteem.

Senators Brater, Cherry, Clark-Coleman, Clarke, Goschka, Hardiman, Leland, Schauer and Scott were named co-sponsors of the resolution.

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

Senate Resolution No. 185.

A resolution to commend Michigan State University President Peter McPherson for his service to his country and his significant contributions to the financial reconstruction of Iraq.

Whereas, Peter McPherson's long career includes public service as deputy secretary of the U.S. Department of Treasury and administrator of the Agency for International Development, in addition to service in the private sector as executive vice president of Bank of America; and

Whereas, In 1993, Peter McPherson was named the 19th president of Michigan State University, and he continues to serve in that position today; and

Whereas, Because of his significant experience in international finance and his personal commitment to humanitarian service, Peter McPherson was asked by the Bush administration to aid in the financial reconstruction of Iraq, and on April 25, 2003, he was granted an unpaid leave of absence from Michigan State University by its Board of Trustees; and

Whereas, Peter McPherson spent 160 days in Iraq, serving as financial coordinator for the Office of Reconstruction and Humanitarian Assistance and spearheading the efforts of the United States to restructure and mobilize the Iraqi economy; and

Whereas, As financial coordinator, Peter McPherson worked closely with Iraqis rebuilding the Ministry of Finance and the Iraqi banking system and establishing the Central Bank of Iraq; and

Whereas, Along with the 20-person United States economic team, Peter McPherson effected policies to stabilize and bolster the Iraqi currency after the deposition of the Hussein regime, preventing a collapse of the Iraqi economy, and as a result, a new Iraqi currency began to circulate on October 15, 2003; and

Whereas, Peter McPherson provided the Iraqi Governing Council with sound advice on all aspects of financial governance, including tax policy, investment rules, and tariffs; and

Whereas, On October 1, 2003, having completed his objectives in Iraq, Peter McPherson returned home and resumed his duties as the president of Michigan State University; now, therefore, be it

Resolved by the Senate, That we thank the Michigan State University Board of Trustees and the university community for allowing their president to temporarily set aside his commitment to the university in order to perform his patriotic duty by serving the Iraqi people and the United States of America; and be it further

Resolved, That we express our appreciation of Peter McPherson for his significant contributions to the financial reconstruction of Iraq. We commend him on his long and successful career in public service; and be it further

Resolved, That a copy of this resolution be transmitted to Peter McPherson as a token of our esteem.

Senators Cherry, Garcia and Switalski were named co-sponsors of the resolution.

By unanimous consent the Senate proceeded to the order of

Statements

Senators Thomas, Scott and Leland asked and were granted unanimous consent to make statements and moved that the statements be printed in the Journal.

The motion prevailed.

Senator Thomas' statement is as follows:

Yesterday at 6:05 a.m., nearly 1,000 new casinos opened in the state of Michigan. It was the birth of what's been known as Club Games. Across Michigan, nearly 1,000 bars, restaurants, and bowling alleys—family locations in neighborhoods in urban areas as well as neighborhoods in rural areas and suburban areas—welcomed gambling through Club Keno and Pull Tabs into their communities. There was no vote of the people. There was no real legislative debate on this issue. It was simply entered into by the Lottery Bureau as a way to generate new revenue.

I believe this is a completely inappropriate action taken by the Lottery. It completely subverts the will of the people who very clearly voted in 1996 that they wanted a measured expansion of gaming in Michigan. They were willing to allow for three casinos in Detroit, and three casinos in Detroit alone. Yet the Lottery proceeded and yesterday launched this game. They will offer this game to all establishments holding Class C liquor licenses in the state of Michigan. Nearly 8,000 potentially new casinos can open in our state. This is completely inappropriate. It creates a bifurcated regulatory structure for gaming, so that casinos are regulated by the Gaming Control Board, yet these new casino bars, Keno bars, are simply run by the Lottery Bureau. I remind folks that any 18-year-old can play the lottery, any 18-year-old can go to a Bennigan's restaurant, any 18-year-old can go to a bowling alley, and now any 18-year-old can gamble in the state of Michigan.

This is bad policy. It's a wrongful expansion of gaming. We should not be looking to balance our state budget at the expense of folks' pocketbooks. Let's make serious decisions, and let's not make Michigan the Nevada of the Midwest. Again, I believe this is a wrong expansion for the state of Michigan. It is bad policy. It is something that this Legislature should stand up and say we don't want to accept.

Further, for those of you on the Appropriations Committee, it's entirely possible that with the new introduction of these games in bars and taverns across the state, the remaining four Indian tribes who had been paying state taxes as related to their compacts are now excused from that. Several Indian tribes were excused from having to pay taxes when Detroit casinos came online. A legal opinion written by the law firm of Dickinson Wright in Detroit believes that now those new casinos don't have to pay taxes. So as you seek to balance our state budget deficit, the \$900 million plus, I believe the Lottery Bureau has just made your job about \$30-\$40 million harder.

Again, this is an inappropriate expense and an inappropriate action. The state of Michigan does not need to run organized numbers games, and Keno is an organized numbers game that is well out of the purview of the Lottery Bureau.

Senator Scott's statement is as follows:

Recently, I co-chaired the Senate Democratic Caucus' Consumer Protection Task Force, which was established to gather public input on consumer protection issues affecting individuals and families across Michigan. What quickly became apparent during our hearings is that the issue area in need of the most immediate attention is auto insurance

reform. Nowhere in the state is the need for such reform greater than in the city of Detroit, Highland Park, and Hamtramck.

Now, more than ever before, Michigan has greater insurance competition. However, insurance rates have continued to increase far beyond the rate of inflation and have skyrocketed in large urban centers in the cities I just mentioned. Insurance rate increases in Michigan have outpaced inflation by more than a 2-to-1 ratio. Detroit insurance rates have outpaced inflation by more than 4-to-1 during the past eight years. In Detroit, 46 percent of vehicles are reported to be uninsured. The correlation between Detroit having the highest insurance rates and highest number of uninsured motorists in the state is no coincidence. Unless major insurance reforms are enacted soon, Detroit will continue to see spiraling auto insurance costs and a rising number of uninsured drivers.

This excessive price gouging is taking a terrible toll on the city of Detroit and the others that I mentioned, as many residents consider relocating to other communities where insurance rates are dramatically lower. In effect, the crippling cost of auto insurance in Detroit is yet another tax driving residents out of the city. Thanks to technology provided by Michigan Virtual University, a real-time public survey was conducted at each task force meeting. At our Detroit hearing, 50 percent of the respondents selected the practice of insurance redlining as their number one consumer protection concern. When averaged over all of the cities our task force visited, the redlining issue was still the top concern of Michigan consumers with 39 percent of the vote.

As a result of the statewide Consumer Protection Task Force hearings, the Senate Democratic Caucus released a report yesterday that calls for legislative action on a number of consumer protection issues. At the top of that list is insurance redlining reform.

I rise today to ask that all of my Senate colleagues join with the Senate Democratic Caucus in supporting these badly needed consumer protection reforms.

Senator Leland's statement is as follows:

I would like the members to pay close attention to what I'm going to say. I think some of my colleagues actually may be a little bit upset with me when I make the following comments, but I feel that I have to make this statement concerning insurance and how it pertains to Detroit.

I was on that task force, and I agree with all of the recommendations. I think the task force did an outstanding job gathering information, going around the state talking to our citizens, gathering the data, and coming out with a final report. Again, I support those recommendations. I will be following up with some legislation built in that package dealing with credit scoring.

But I think insurance is a problem that has to be dealt with in a very participatory fashion. It isn't just the insurance companies redlining, gouging, and trying to make as much money from my constituents as they possibly can. I'm of the belief that insurance is a business. They operate like any other business. Their bottom line is profit. They try to make as much money as they can. If we're going to lower the cost of insurance in Detroit, we've got to become part of the solution. Part of the solution is some very simple things. Let's keep our streets lit; let's repair our street lights. Let's repair our traffic signs and our yield signs. Let's do some enforcement. When people drive in my district, I live on a street called Bentley. It's a residential street. The speed limit is 25 miles per hour, but you'd think I live on the German Autobahn. People drive down my street 50-60 miles an hour. There is absolutely very little enforcement.

If you're going to get the cost of insurance lowered, you've got to convince people that if they do something wrong, there's a certainty of punishment. When you can drive recklessly in my community in Detroit, when you can go through stop signs, go through red lights, and speed down the streets, and nobody's out there doing any kind of enforcement, well, what's the message? What is that message? That kind of driving behavior causes accidents.

One of my neighborhoods has 33 street lights, in the Elisa Howell community, and 23 of those street lights in that community are not operational. That is a crime area. What message does that send to people who want to violate your premise? Hey, there's no lights here. This is an easy mark.

What I'm saying here, members, is that there are things that we can do in my city to deal with the high cost of crime and the high cost of insurance—very simple things. Let's light the city up; let's make street lights operational. Let's pull somebody over for going through a red light. I want to put some blame where blame is due. Let's take responsibility, Detroiters, for our action, and hopefully, the city will follow up with some more enforcement. In the final analysis, I believe that will add to or, I hope, solve the problem of the high cost of insurance.

By unanimous consent the Senate returned to the order of

Introduction and Referral of Bills

Senators Schauer, Scott, Basham, Brater, Leland and Garcia introduced
Senate Bill No. 799, entitled

A bill to establish and protect the rights of manufactured home park tenants; to prescribe the powers and duties of certain agencies and departments; and to provide remedies and penalties.

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

Senator Allen introduced

Senate Bill No. 800, entitled

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

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

Senator Allen introduced

Senate Bill No. 801, entitled

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

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

Senator Allen introduced

Senate Bill No. 802, entitled

A bill to amend 1984 PA 431, entitled "The management and budget act," by amending section 273 (MCL 18.1273), as amended by 1988 PA 412.

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

Senator Cropsey introduced

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.

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

House Bill No. 4659, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 20906 (MCL 333.20906), as amended by 2000 PA 375.

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 Health Policy.

Committee Reports

The Committee on Technology and Energy reported

Senate Bill No. 612, 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," by amending section 10a (MCL 460.10a), as added by 2000 PA 141.

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 Toy, Birkholz, Brown, Cassis, Olshove, Leland and Bernero

Nays: Senator Patterson

The bill was referred to the Committee of the Whole.

COMMITTEE ATTENDANCE REPORT

The Committee on Technology and Energy submitted the following:

Meeting held on Wednesday, October 22, 2003, at 3:00 p.m., Room 210, Farnum Building

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

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

House Bill No. 4263, entitled

A bill to amend 1961 PA 120, entitled "An act to authorize the development or redevelopment of principal shopping districts and business improvement districts; to permit the creation of certain boards; to provide for the operation of principal shopping districts and business improvement districts; to provide for the creation, operation, and dissolution of business improvement zones; and to authorize the collection of revenue and the bonding of certain cities for the development or redevelopment projects," by amending the title and sections 1, 2, 4, 5, and 6 (MCL 125.981, 125.982, 125.984, 125.985, and 125.986), the title as amended by 2001 PA 260, sections 1, 2, and 5 as amended by 2001 PA 261, section 4 as amended by 1999 PA 49, and section 6 as amended by 1992 PA 146.

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

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

Alan Sanborn

Chairperson

To Report Out:

Yeas: Senators Sanborn, Allen, Gilbert, 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 Economic Development, Small Business and Regulatory Reform reported

Senate Bill No. 275, entitled

A bill to amend 1996 PA 376, entitled "Michigan renaissance zone act," by amending section 6 (MCL 125.2686), as amended by 2002 PA 478.

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 Sanborn

Chairperson

To Report Out:

Yeas: Senators Sanborn, Allen, Gilbert, 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 Economic Development, Small Business and Regulatory Reform reported

House Bill No. 4872, entitled

A bill to amend 1992 PA 147, entitled "Neighborhood enterprise zone act," by amending section 4 (MCL 207.774), as amended by 2002 PA 608.

With the recommendation that the bill pass.

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

Alan Sanborn

Chairperson

To Report Out:

Yeas: Senators Sanborn, Allen, 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 22, 2003, at 3:00 p.m., Rooms 402 and 403, Capitol Building
 Present: Senators Sanborn (C), Allen, Gilbert, Jacobs and Basham

The Committee on Education reported

House Bill No. 4714, entitled

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

With the recommendation that the bill pass.

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

Wayne Kuipers
 Chairperson

To Report Out:

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

Nays: None

The bill was referred to the Committee of the Whole.

COMMITTEE ATTENDANCE REPORT

The Committee on Education submitted the following:

Meeting held on Thursday, October 23, 2003, at 2:00 p.m., Room 210, Farnum Building

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

COMMITTEE ATTENDANCE REPORT

The Legislative Council submitted the following:

Meeting held on Thursday, October 23, 2003, at 8:30 a.m., Senate Appropriations Room, 3rd Floor, Capitol Building

Present: Senators Sikkema (C), Allen, Hammerstrom, Emerson and Schauer

Absent: Senator Patterson

Scheduled Meetings

Agriculture, Forestry and Tourism - Thursday, October 30, 9:00 a.m., Room 110, Farnum Building (373-1635)

Appropriations -

Subcommittees -

Capital Outlay - Thursday, October 30, 8:45 a.m., House Appropriations Room, 3rd Floor, Capitol Building (373-2523)

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

Banking and Financial Institutions - Thursday, October 30, 12:00 noon, Room 100, Farnum Building (373-2417)

Economic Development, Small Business and Regulatory Reform - Wednesday, October 29, 3:00 p.m., Rooms 402 and 403, Capitol Building (373-7670)

Education - Thursday, October 30, 2:00 p.m., Room 210, Farnum Building (373-6920)

Families and Human Services - Thursday, October 30, 8:30 a.m., Room 210, Farnum Building (373-1801)

Finance - Wednesday, October 29, 1:00 p.m., Room 110, Farnum Building (373-1758)

Health Policy - Wednesday, October 29, 1:00 p.m., Senate Hearing Room, Ground Floor, Boji Tower (formerly Michigan National Tower) (373-3543)

Local, Urban and State Affairs - Thursday, October 30, 1:00 p.m., Room 110, Farnum Building (373-1707)

Senior Citizens and Veterans Affairs - Wednesday, October 29, 1:00 p.m., Room 100, Farnum Building (373-1707)

Technology and Energy - Wednesday, October 29, 3:00 p.m., Room 210, Farnum Building (373-7350)

Senator Hammerstrom moved that the Senate adjourn.
The motion prevailed, the time being 11:06 a.m.

The President, Lieutenant Governor Cherry, declared the Senate adjourned until Wednesday, October 29, 2003, at 10:00 a.m.

CAROL MOREY VIVENTI
Secretary of the Senate

