

**No. 14**  
**STATE OF MICHIGAN**  
**Journal of the Senate**  
**94th Legislature**  
**REGULAR SESSION OF 2007**

---

---

Senate Chamber, Lansing, Wednesday, February 21, 2007.

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

Garcia—present  
George—present  
Gilbert—present  
Gleason—present  
Hardiman—present  
Hunter—present  
Jacobs—present  
Jansen—present  
Jelinek—present  
Kahn—present  
Kuipers—present  
McManus—present  
Olshove—present

Pappageorge—present  
Patterson—present  
Prusi—present  
Richardville—present  
Sanborn—present  
Schauer—present  
Scott—present  
Stamas—present  
Switalski—present  
Thomas—present  
Van Woerkom—present  
Whitmer—present

Pastor Toby Teague of First Baptist Church of Leslie offered the following invocation:

God, we come to You today and we just thank You for these Senators who give of their lives and of their time to come and serve the people of Michigan. I pray that You would bless them, that You would watch over their families as they give their time, and as they are away from homes, that You would just bless them and just touch their lives.

But I do pray, Lord, that You would help them to see this great hall not as a place of political posturing, but a place of cooperation and working together; that in the forefront of their minds will always be that there are thousands of people depending upon their every decision. I pray that You would guide them as they take our state through these times, that You would just bless their efforts, that You would give them Your wisdom, and that You would just guide their hearts and minds as they vote.

I just pray Your blessings to be upon them. We ask this in Jesus' name. Amen.

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

### Motions and Communications

The following communications were received and read:  
Office of the Auditor General

February 15, 2007

Enclosed is a copy of the Michigan Legislature's audited Schedule of Sources and Disposition of General Fund Authorizations with Supplemental Schedules for the years ended September 30, 2006 and 2005. This audit was performed by the public accounting firm, Yeo and Yeo, under a contract with my office.

This report includes independent auditor's report letters on the financial schedules and compliance with laws and regulations and internal controls of the Michigan Legislature.

The Independent Auditor's Report letter on the financial schedules contains a clean opinion on the financial schedules. The Report Letter on Compliance with Laws and Regulations and Internal Control reports that, with respect to the items tested, nothing came to the auditor's attention that caused the auditor to believe that the Michigan Legislature had not complied, in all material respects, with those provisions of laws, regulations, and contracts tested for. In addition, the auditors reported no matters involving the internal control over financial reporting and its operations that they considered to be material weaknesses.

If you have any questions regarding this report, please contact me.

February 16, 2007

Enclosed is a copy of the following audit report:

Financial audit, including the provisions of the Single Audit Act, of the Department of Community Health for the period October 1, 2003 through September 30, 2005.

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

The audit reports were referred to the Committee on Government Operations and Reform.

### Messages from the Governor

Senator Kahn entered the Senate Chamber.

The following message from the Governor was received and read:

February 20, 2007

I respectfully submit to the Senate, pursuant to Section 6 of Article 5 of the Michigan Constitution of 1963, the following appointments to office under Section 2 of 1969 PA 26, MCL 390.392:

#### **Lake Superior State University Board of Trustees**

Ms. Jenny L. Kronk of 1291 La Chaumiere, #103, Petoskey, Michigan 49770, county of Emmett, succeeding Devereaux Trepp, whose term has expired, representing the general public, for a term commencing February 20, 2007 and expiring January 27, 2014.

Mr. E. Gary Toffolo of 6785 South Taylor Road, Sault Sainte Marie, Michigan 49783, county of Chippewa, succeeding Linda M. Brown, whose term has expired, representing the general public, for a term commencing February 20, 2007 and expiring January 27, 2014.

Sincerely,  
Jennifer M. Granholm  
Governor

The appointments were referred to the Committee on Government Operations and Reform.

### General Orders

Senator Cropsy 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 Birkholz 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:

#### Senate Bill No. 1, entitled

A bill to amend 1939 PA 280, entitled "The social welfare act," (MCL 400.1 to 400.119b) by adding section 105b. Substitute (S-1).

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

1. Amend page 1, line 1, after "**SHALL**" by striking out the balance of the line through "**TO**" on line 2.
2. Amend page 2, line 23, after the first "**HEALTH**" by striking out the comma and inserting "**AND SHALL PERMIT**".
3. Amend page 2, line 24, after the first "**ORGANIZATIONS**" by striking out the balance of the sentence and inserting "**AND PROVIDER ORGANIZATIONS TO PARTICIPATE.**".
4. Amend page 3, following line 8, by inserting:

**"(6) THE DEPARTMENT OF COMMUNITY HEALTH SHALL NOT IMPLEMENT INCENTIVES UNDER THIS SECTION THAT CONFLICT WITH FEDERAL STATUTE OR REGULATION."**

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.

### Resolutions

Senators Pappageorge, Kahn, Kuipers, Patterson, Bishop, Jelinek, Cropsy, Garcia and Barcia offered the following resolution:

#### Senate Resolution No. 12.

A resolution to memorialize the Congress of the United States to refrain from raising C.A.F.E. mileage standards.

Whereas, Since the enactment of the Energy Policy Conservation Act in 1975, Corporate Average Fuel Economy mileage standards have been in place for passenger cars and light trucks. Over the course of the past 30 years, these standards have had virtually no impact at all in lowering the country's per capita consumption of gasoline or in reducing the nation's thirst for energy. During this same period, the market responses to price fluctuations have proven far more effective in encouraging innovation, new technologies, and the development of alternative fuels; and

Whereas, There is a move to increase C.A.F.E. standards in an effort to reduce our country's use of fuel. This government mandate represents a very real and serious threat to the lifeblood of Michigan's economy—the automobile industry. Even at a time when this vital industry is reeling from losses that run at record levels, however, efforts to raise the mileage requirements dramatically have drawn support from some in Michigan.; and

Whereas, Those who follow the auto industry closely and who study the challenges facing it have expressed repeatedly their grave concerns that major increases in mileage requirements could mean the loss of tens of thousands more Michigan jobs; and

Whereas, Clearly, this is the time for Michigan to come together to resist the effort to increase C.A.F.E. standards. This issue, which is fundamental to our economic future, requires people of both parties to stand up for our most important industry and the men and women who derive their livelihoods from it. We invite the Governor to join in this bipartisan move to stand up for the auto industry and encourage change and innovation in more effective ways; now, therefore, be it

Resolved by the Senate, That we memorialize the Congress of the United States to refrain from raising C.A.F.E. mileage standards; and be it further

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

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

Senator Cropsey 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 Cropsey moved that the resolution be referred to the Committee on Energy Policy.

The motion prevailed.

Senator Cassis was named co-sponsor of the resolution.

### Introduction and Referral of Bills

Senator Jelinek introduced

#### **Senate Bill No. 220, entitled**

A bill to make, supplement, and adjust appropriations for various state departments and agencies for the fiscal year ending September 30, 2007; and to provide for the expenditure of the appropriations.

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

Senator Jelinek introduced

#### **Senate Bill No. 221, entitled**

A bill to amend 1979 PA 94, entitled "The state school aid act of 1979," by amending sections 11 and 17b (MCL 388.1611 and 388.1617b), as amended by 2006 PA 342.

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

Senator Brown introduced

#### **Senate Bill No. 222, entitled**

A bill to make appropriations for the department of agriculture for the fiscal year ending September 30, 2008; to provide for the expenditure of the appropriations; and to provide for the disposition of fees and other income received by various agencies.

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

Senators McManus, Cropsey and Garcia introduced

#### **Senate Bill No. 223, entitled**

A bill to provide for a capital outlay program; to set forth the provisions for its implementation within the budgetary process; to make appropriations for planning and construction at state institutions and the acquisition of land; to provide for the elimination of fire hazards at the institutions; to provide for certain special maintenance, remodeling, alteration, renovation, or demolition of and additions to projects at state institutions; to provide for elimination of occupational safety and health hazards at state agencies and institutions; to provide for the award of contracts; and to provide for the expenditure thereof under the supervision of the director of the department of management and budget and the state administrative board.

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

Senator Hardiman introduced

#### **Senate Bill No. 224, entitled**

A bill to make appropriations for community and junior colleges for the fiscal year ending September 30, 2008; and to provide for the expenditure of the appropriations.

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

Senator Kahn introduced

**Senate Bill No. 225, entitled**

A bill to make appropriations for the department of community health for the fiscal year ending September 30, 2008; to provide for the expenditure of the appropriations; and to provide for the disposition of fees and other income received by the state agency.

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

Senator Cropsey introduced

**Senate Bill No. 226, entitled**

A bill to make appropriations for the department of corrections and certain state purposes related to adult corrections for the fiscal year ending September 30, 2008; to provide for the expenditure of the appropriations; and to provide for the disposition of fees and other income received by state agencies.

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

Senator Jelinek introduced

**Senate Bill No. 227, entitled**

A bill to make appropriations for the department of education and certain other purposes relating to education for the fiscal year ending September 30, 2008; to provide for the expenditure of the appropriations; and to provide for the disposition of fees and other income received by the state agency.

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

Senator Garcia introduced

**Senate Bill No. 228, entitled**

A bill to make appropriations for the department of environmental quality for the fiscal year ending September 30, 2008; to provide for the expenditure of the appropriations; and to provide for the disposition of fees and other income received by the various state agencies.

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

Senator Pappageorge introduced

**Senate Bill No. 229, entitled**

A bill to make appropriations for the legislature, the judiciary, the executive, the department of attorney general, the department of state, the department of treasury, the department of management and budget, the department of civil service, the department of civil rights, and certain state purposes related thereto for the fiscal year ending September 30, 2008; to provide for the expenditure of the appropriations; to provide for the disposition of fees and other income received by the state agencies; and to declare the effect of this act.

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

Senator Stamas introduced

**Senate Bill No. 230, entitled**

A bill to make appropriations for the state institutions of higher education for the fiscal year ending September 30, 2008; and to provide for the expenditures of the appropriations.

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

Senator George introduced

**Senate Bill No. 231, entitled**

A bill to make appropriations for the department of history, arts, and libraries and certain other state purposes for the fiscal year ending September 30, 2008; to provide for the expenditure of the appropriations; and to provide for the disposition of fees and other income received by the state agencies.

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

Senator Hardiman introduced

**Senate Bill No. 232, entitled**

A bill to make appropriations for the department of human services and certain state purposes related to public welfare services for the fiscal year ending September 30, 2008; to provide for the expenditure of the appropriations; and to provide for the disposition of fees and other income received by the state agency.

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

Senator Cropsey introduced

**Senate Bill No. 233, entitled**

A bill to make appropriations for the judicial branch for the fiscal year ending September 30, 2008; to provide for the expenditure of these appropriations; to place certain restrictions on the expenditure of these appropriations; to prescribe the powers and duties of certain officials and employees; to require certain reports; and to provide for the disposition of fees and other income received by the judicial branch.

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

Senator Jansen introduced

**Senate Bill No. 234, entitled**

A bill to make appropriations for the department of labor and economic growth and certain other state purposes for the fiscal year ending September 30, 2008; to provide for the expenditure of the appropriations; and to provide for the disposition of fees and other income received by the state agencies.

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

Senator Garcia introduced

**Senate Bill No. 235, entitled**

A bill to make appropriations for the department of military affairs and certain other state purposes for the fiscal year ending September 30, 2008; to provide for the expenditure of the appropriations; and to provide for the disposition of fees and other income received by the various state agencies.

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

Senator McManus introduced

**Senate Bill No. 236, entitled**

A bill to make appropriations for the department of natural resources for the fiscal year ending September 30, 2008; to provide for the expenditure of the appropriations; and to provide for the disposition of fees and other income received by the various state agencies.

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

Senator Jelinek introduced

**Senate Bill No. 237, entitled**

A bill to amend 1979 PA 94, entitled "The state school aid act of 1979," by amending sections 11 and 17b (MCL 388.1611 and 388.1617b), as amended by 2006 PA 342.

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

Senator Garcia introduced

**Senate Bill No. 238, entitled**

A bill to make appropriations for the department of state police and certain other state purposes for the fiscal year ending September 30, 2008; to provide for the expenditure of the appropriations; and to provide for the disposition of fees and other income received by the various state agencies.

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

Senator Jansen introduced

**Senate Bill No. 239, entitled**

A bill to make appropriations for the Michigan strategic fund and certain other state purposes for the fiscal year ending September 30, 2008; to provide for the expenditure of the appropriations; to provide certain conditions on appropriations; and to provide for the disposition of fees and other income received by certain state agencies.

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

Senator Hardiman introduced

**Senate Bill No. 240, entitled**

A bill to make appropriations for the state transportation department and certain state purposes from the funds designated in this act for the fiscal year ending September 30, 2008; and to provide for the expenditure of the appropriations.

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

Senator Jacobs introduced

**Senate Bill No. 241, entitled**

A bill to amend 1973 PA 116, entitled "An act to provide for the protection of children through the licensing and regulation of child care organizations; to provide for the establishment of standards of care for child care organizations; to prescribe powers and duties of certain departments of this state and adoption facilitators; to provide penalties; and to repeal acts and parts of acts," by amending sections 1, 2a, 2b, 3c, 3d, 3e, 5, 5f, 5g, 9a, and 11b (MCL 722.111, 722.112a, 722.112b, 722.113c, 722.113d, 722.113e, 722.115, 722.115f, 722.115g, 722.119a, and 722.121b), section 1 as amended by 2005 PA 202, section 2a as amended by 1998 PA 440, section 2b as added by 2004 PA 531, section 3c as added by 1993 PA 219, section 3d as added by 1993 PA 218, section 3e as added by 2002 PA 717, sections 5 and 5f as amended by 2006 PA 580, section 5g as added by 2005 PA 128, section 9a as amended by 2004 PA 315, and section 11b as added by 2002 PA 645.

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

Senator Jacobs introduced

**Senate Bill No. 242, entitled**

A bill to amend 2006 PA 110, entitled "Michigan zoning enabling act," by amending sections 102 and 206 (MCL 125.3102 and 125.3206).

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

Senator Jacobs introduced

**Senate Bill No. 243, entitled**

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 15g of chapter XVII (MCL 777.15g), as amended by 2005 PA 134.

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

Senators Kahn, Pappageorge, Jelinek, Anderson and Richardville introduced

**Senate Bill No. 244, entitled**

A bill to amend 1967 PA 150, entitled "Michigan military act," by amending sections 113 and 283 (MCL 32.513 and 32.683).

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

Senator Thomas introduced

**Senate Bill No. 245, entitled**

A bill to amend 1939 PA 280, entitled "The social welfare act," (MCL 400.1 to 400.119b) by adding section 111m. The bill was read a first and second time by title and referred to the Committee on Health Policy.

Senators Scott and Schauer introduced

**Senate Bill No. 246, entitled**

A bill to make appropriations for the department of agriculture for the fiscal year ending September 30, 2008; to provide for the expenditure of the appropriations; to create funds; to provide for the imposition of fees; to require reports, audits, and plans; to authorize certain transfers by certain state agencies; and to provide for the disposition of fees and other income received by certain state agencies.

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

Senators Clark-Coleman and Schauer introduced

**Senate Bill No. 247, entitled**

A bill to make appropriations for community colleges and certain state purposes related to education for the fiscal year ending September 30, 2008; to provide for the expenditure of those appropriations; to establish or continue certain funds, programs, and categories; and to prescribe the powers and duties of certain state departments, institutions, agencies, employees, and officers.

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

Senators Cherry and Schauer introduced

**Senate Bill No. 248, entitled**

A bill to make appropriations for the department of community health and certain state purposes related to mental health, public health, and medical services for the fiscal year ending September 30, 2008; to provide for the expenditure of those appropriations; to create funds; to require and provide for reports; to prescribe the powers and duties of certain local and state agencies and departments; and to provide for disposition of fees and other income received by the various state agencies.

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

Senators Brater and Schauer introduced

**Senate Bill No. 249, entitled**

A bill to make appropriations for the department of corrections and certain state purposes related to corrections for the fiscal year ending September 30, 2008; to provide for the expenditure of the appropriations; to provide for reports; to provide for the creation of certain advisory committees and boards; to prescribe certain powers and duties of the department of corrections, certain other state officers and agencies, and certain advisory committees and boards; to provide for the collection of certain funds; and to provide for the disposition of fees and other income received by certain state agencies.

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

Senators Switalski and Schauer introduced

**Senate Bill No. 250, entitled**

A bill to make appropriations for the department of education and certain other purposes relating to education for the fiscal year ending September 30, 2008; to provide for the expenditure of the appropriations; to prescribe the powers and duties of certain state departments, school districts, and other governmental bodies; and to provide for the disposition of fees and other income received by certain legal entities and state agencies.

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

Senators Brater and Schauer introduced

**Senate Bill No. 251, entitled**

A bill to make appropriations for the department of environmental quality for the fiscal year ending September 30, 2008; to provide for the expenditure of those appropriations; to create certain funds and accounts; to require certain reports; to prescribe the powers and duties of certain state agencies and officials; to authorize certain transfers by certain state agencies; and to provide for the disposition of fees and other income received by the various state agencies.

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

Senators Anderson and Schauer introduced

**Senate Bill No. 252, entitled**

A bill to make, supplement, and adjust appropriations for the departments of attorney general, civil rights, civil service, information technology, management and budget, state, and treasury, the executive office, and the legislative branch for the fiscal year ending September 30, 2008; to provide for the expenditure of these appropriations; to provide for the funding of certain work projects; to provide for the imposition of certain fees; to establish or continue certain funds, programs, and categories; to transfer certain funds; to prescribe certain requirements for bidding on state contracts; to provide for disposition of year-end balances; to prescribe the powers and duties of certain principal executive departments and state agencies, officials, and employees; and to provide for the disposition of fees and other income received by the various principal executive departments and state agencies.

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

Senators Switalski and Schauer introduced

**Senate Bill No. 253, entitled**

A bill to make appropriations for the state institutions of higher education and certain state purposes related to education for the fiscal year ending September 30, 2008; to provide for the expenditures of those appropriations; and to prescribe the powers and duties of certain state departments, institutions, agencies, employees, and officers.

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

Senators Switalski and Schauer introduced

**Senate Bill No. 254, entitled**

A bill to make appropriations for Michigan State University, University of Michigan - Ann Arbor, and Wayne State University for the fiscal year ending September 30, 2008; to provide for the expenditures of those appropriations; and to prescribe the powers and duties of certain state departments, institutions, agencies, employees, and officers.

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

Senators Clark-Coleman and Schauer introduced

**Senate Bill No. 255, entitled**

A bill to make appropriations for the department of history, arts and libraries for the fiscal year ending September 30, 2008; to provide for the expenditure of those appropriations; to provide for the disposition of fees and other income received by the state agencies; to create funds; to provide for the disbursement of certain grants; to provide for reports; to prescribe powers and duties of certain state departments and certain state and local agencies and officers.

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

Senators Scott and Schauer introduced

**Senate Bill No. 256, entitled**

A bill to make appropriations for the department of human services and certain state purposes related to public welfare services for the fiscal year ending September 30, 2008; to provide for the expenditure of the appropriations; to create funds; to provide for the imposition of fees; to provide for reports; to provide for the disposition of fees and other income received by the state agency; and to provide for the powers and duties of certain individuals, local governments, and state departments, agencies, and officers.

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

Senators Brater and Schauer introduced

**Senate Bill No. 257, entitled**

A bill to make appropriations for the judicial branch for the fiscal year ending September 30, 2008; to provide for the expenditure of these appropriations; to place certain restrictions on the expenditure of these appropriations; to prescribe the powers and duties of certain officials and employees; to require certain reports; and to provide for the disposition of fees and other income received by the judicial branch.

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

Senators Scott and Schauer introduced

**Senate Bill No. 258, entitled**

A bill to make appropriations for the department of labor and economic growth, and certain other state purposes for the fiscal year ending September 30, 2008; to provide for the expenditure of those appropriations; to provide for the imposition of certain fees; to provide for the disposition of fees and other income received by the state agencies; to provide for reports to certain persons; and to prescribe powers and duties of certain state departments and certain state and local agencies and officers.

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

Senators Barcia and Schauer introduced

**Senate Bill No. 259, entitled**

A bill to make appropriations for the department of military and veterans affairs for the fiscal year ending September 30, 2008; to provide for the expenditure of the appropriations; to provide for certain powers and duties of the department of military and veterans affairs, other state agencies, and local units of government related to the appropriations; and to provide for the preparation of certain reports related to the appropriations.

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

Senators Brater and Schauer introduced

**Senate Bill No. 260, entitled**

A bill to make appropriations for the department of natural resources for the fiscal year ending September 30, 2008; to provide for the expenditure of those appropriations; to create funds and accounts; to require reports; to prescribe certain powers and duties of certain state agencies and officials; to authorize certain transfers by certain state agencies; and to provide for the disposition of fees and other income received by the various state agencies.

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

Senators Barcia and Schauer introduced

**Senate Bill No. 261, entitled**

A bill to make appropriations for the department of state police and certain other state purposes for the fiscal year ending September 30, 2008; to provide for the expenditure of those appropriations; to provide for certain reports and the consideration of those reports; to provide for the disposition of other income received by the various state agencies; to provide for certain emergency powers; and to provide for the powers and duties of certain committees, certain state agencies, and certain employees.

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

Senators Anderson and Schauer introduced

**Senate Bill No. 262, entitled**

A bill to make appropriations for the state transportation department and certain transportation purposes for the fiscal year ending September 30, 2008; to provide for the imposition of fees; to provide for reports; to create certain funds and programs; to prescribe requirements for certain railroad and bus facilities; to prescribe certain powers and duties of certain state departments and officials and local units of government; and to provide for the expenditure of the appropriations.

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

Senators Switalski and Schauer introduced

**Senate Bill No. 263, entitled**

A bill to amend 1979 PA 94, entitled "The state school aid act of 1979," by amending sections 3, 6, 8b, 11, 11a, 11f, 11g, 11j, 11k, 11m, 15, 18, 19, 20, 20d, 20j, 22a, 22b, 22d, 24, 24a, 24c, 26a, 26b, 29, 31a, 31d, 31f, 32b, 32c, 32d, 32j, 32l, 37, 38, 39, 39a, 41, 51a, 51c, 51d, 53a, 54, 54a, 56, 57, 61a, 62, 64, 65, 74, 76, 81, 94a, 98, 99, 99e, 99h, 104, 107, 147, and 163 (MCL 388.1603, 388.1606, 388.1608b, 388.1611, 388.1611a, 388.1611f, 388.1611g, 388.1611j, 388.1611k, 388.1611m, 388.1615, 388.1618, 388.1619, 388.1620, 388.1620d, 388.1620j, 388.1622a, 388.1622b, 388.1622d, 388.1624, 388.1624a, 388.1624c, 388.1626a, 388.1626b, 388.1629, 388.1631a, 388.1631d, 388.1631f, 388.1632b, 388.1632c, 388.1632d, 388.1632j, 388.1632l, 388.1637, 388.1638, 388.1639, 388.1639a, 388.1641, 388.1651a, 388.1651c, 388.1651d, 388.1653a, 388.1654, 388.1654a, 388.1656, 388.1657, 388.1661a, 388.1662, 388.1664, 388.1665, 388.1674, 388.1676, 388.1681, 388.1694a, 388.1698, 388.1699, 388.1699e, 388.1699h, 388.1704, 388.1707, 388.1747, and 388.1763), sections 3, 6, 11, 11a, 11f, 11g, 11j, 11k, 15, 18, 20, 20j, 22a, 22b, 22d, 24, 26a, 26b, 31a, 31d, 31f, 32c, 32d, 32j, 32l, 37, 39a, 41, 51a, 51c, 51d, 53a, 54, 54a, 56, 57, 61a, 62, 74, 81, 94a, 98, 99, 107, and 147 as amended and sections 11m, 24a, 24c, 29, 32b, 64, 65, 99e, 99h, and 104 as added by 2006 PA 342, sections 8b and 38 as amended by 2003 PA 158, sections 19 and 39 as amended by 2005 PA 155, section 20d as amended by 1997 PA 93, section 76 as amended by 1996 PA 300, and section 163 as amended by 2004 PA 351, and by adding sections 22e and 32e; and to repeal acts and parts of acts.

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

Senators Schauer, Clark-Coleman and Thomas introduced

**Senate Bill No. 264, entitled**

A bill to amend 1976 PA 267, entitled "Open meetings act," by amending section 3 (MCL 15.263), as amended by 1988 PA 278.

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

### Statements

Senators Scott, Sanborn, Jelinek, Richardville, Jansen, Switalski, Brater, Cassis and Basham asked and were granted unanimous consent to make statements and moved that the statements be printed in the Journal.

The motion prevailed.

Senator Scott's statement is as follows:

You know, colleagues, I would not get up here and speak every day if we would just do what we are supposed to do. I made a promise—it would be three years ago next month—that it was the worst day that I had spent in the Legislature because we dealt with one segment of the population and not the other.

All I'm asking you to do is just be fair to all. We're not asking you to give us anything, but just be fair in that we don't deal with insurance by zip codes or by credit scores, but by each individual who has to stand on their own merit.

We can take up these bills and we can eliminate all of that. So the sooner we do it, the sooner I will stop standing up here talking every day. So to my colleagues, let me just say to you it is so important that we deal with the least of these. The Bible says when you do it to the least of these, you've done it unto Thee. I know we are better than that. So let's get busy and start dealing with these bills. That's homeowners insurance and car insurance.

Senator Sanborn's statement is as follows:

The No. 1 team in the nation in basketball visited East Lansing to play our Michigan State Spartans last night. I'm pleased to report that Wisconsin is no longer the No. 1 team in the nation. Our Spartans sent the Badgers home green with envy.

The statement, Mr. Lieutenant Governor—and I hope you'll agree—is Go Spartans! I'm glad that they were able to, for the first time in their history, defeat the No. 1 team in the nation on their home court. Of course, they did it once before. That was the year I graduated—1979—from Michigan State when they beat Indiana. But the statement is that I'm very proud of the Michigan State Spartans, as I know many of our colleagues are.

Senator Jelinek's statement is as follows:

Each year, students across Michigan and across the country take a senior class trip. It's a tradition that remains memorable to those who have participated in these trips over years past. This year, I am proud to commend the seniors participating in the River Valley High School senior class trip. Approximately 30 students and four adult chaperones will be traveling to Slidell, Louisiana, where they will work with the East Saint Tammany Habitat for Humanity to build replacement homes for those who lost theirs during Hurricane Katrina.

As a former teacher in the River Valley School District, I couldn't be prouder of their commitment to helping others, which has been a long tradition in our school system. They will be leaving on March 17 and returning on March 25. I'm sure they will have many stories to tell and pictures to share about this experience. But, more importantly, they will have learned about the satisfaction one feels from helping someone else in need. They also represent the caliber of students graduating from our school system.

I would like to congratulate them for their service to their fellowman.

Senator Richardville's statement is as follows:

Michigan is currently in a state of economic crisis, but closing prisons, reducing our State Police force, and putting the public's safety in jeopardy is not the way to solve our budget shortfalls. Many of my colleagues and I are committed to protecting Michigan families and neighborhoods, and we call on the administration to consider how its actions could endanger our population's safety and economic welfare.

The decision to close the Southern Michigan Correctional Facility in Jackson comes as a complete surprise, and as a State Senator representing many of the employees of this facility, I am disappointed that the administration did not communicate with members of the Legislature on actions that affect thousands of Michigan residents and families. Over the past year, I have gotten to know a lot of hardworking men and women in Jackson County, many of whom work for the Department of Corrections. This surprise announcement, made in the closing hours of the day yesterday, is a huge disappointment not only to the many families in Jackson County and Southeast Michigan, but also to me and the other legislators who represent the area and were not given the opportunity to discuss this important decision.

I would like to assure my constituents who are directly impacted by this decision that I am committed to working with both state and local officials on both sides of the aisle to minimize any negative effects that this decision could have on them. Now is the time to come together to ensure that this decision does not hurt Jackson County families.

Senator Jansen's statement is as follows:

Last night, I was able to enjoy a lot of white and green; typically I don't do that. I wanted to let this body know that a young man from the 28th State Senate District carried MSU past the No. 1 basketball team in the nation.

West Michigan's economy is also a major contributor to Michigan's success, just as Mr. Drew Neitzel carried MSU last night. The 28th State Senate District and West Michigan is honored to help carry Michigan through these trying times. I just wanted to brag a little bit about a young man from our district, and we would like to export some of our quality folks even here to Lansing.

Senator Switalski's statement is as follows:

I want to apologize today to everyone that my office has been unable to keep up with the constant barrage of phone calls and e-mails regarding the status of the St. Angela Cougars 8th Grade Basketball Team's campaign for a second CYO title. I am happy to report that the Cougars committed regicide this past Sunday dethroning Queen of Peace 49-37, led by Liam Switalski's 23 points and 14 rebounds.

Congratulations to the Cougars on their second straight title under their brilliant coach.

Senator Brater's statement is as follows:

Through you to my neighbor from the 17th District, I certainly share your concern about the announcement yesterday, but I can't quite share your surprise about it considering that the Governor has been talking about the need to reduce the Corrections budget, which is over 20 percent of our General Fund. It's costing us over \$1.5 billion a year to run that system. We have the highest rate of incarceration of the entire Midwest, and yet, we do not have a lower crime rate than our surrounding states. I think there is a lot of bipartisan agreement that we are going to have to do something to look at ways to safely reduce the prison population in this state, looking at our sentencing guidelines, looking at the people with mental illness who are going into the prison system who maybe should be in mental health care instead.

I do share your concern about the employees of the corrections system, and I know that we'll be working together to make every effort to make sure they are employed in other ways in state government, although that is difficult since we are already spending 40 percent less than we were under Governor Engler in state budget terms. I just think that we are going to have to work together to solve this fiscal crisis which we are in. I do understand Governor Granholm's need and decision to try to reduce the expenses that we are having in the corrections system.

Senator Cassis' statement is as follows:

As we all know, these are very tough times for Michigan's businesses. Yesterday, a constituent from my hometown Novi spoke to me. Bob Wick owns a small business, K.G. Maintenance and Construction. Unequivocally, he stated he was opposed to the increase in any taxes because, in his own words, "If you want to create jobs, you can't tax them." And get out in the real world and look at the cost of doing business. He summed it all up with these words, "Small business needs help."

On a larger scale, a vice president of a major mortgage firm in Southeast Michigan asserted yesterday to me in no uncertain terms, "The concept in raising taxes at this time is ill-conceived. Whether small, modest, or large, our business community cannot afford the Governor's tax increase proposals."

Senate Republicans have put forth a responsible, entrepreneurial, economic development, pro-growth, pro-job creation tax plan to replace the outgoing single business tax. The BEST plan, business and economic stimulus tax, is specifically designed to be fair, equitable, and balanced. Importantly, the rates are now formalized and businesses can start to model them and provide feedback on how this plan will help them. We welcome their feedback and input.

Senator Basham's statement is as follows:

I guess I am a little bit troubled by my colleague's comments from across the aisle attacking our great Governor of the great state of Michigan, again, dealing with the tax issues. I would urge my colleagues from both sides of the aisle to sit down and work with each other.

The Governor has unveiled a plan that she thinks is fair to the state of Michigan. The other side of the aisle and this side of the aisle needs to—if we have differences with the Governor's plan—we need to submit those differences. We need to sit down and negotiate. There are businesses; there are schools; there are issues with Medicaid; there are issues with State Police; there are issues with Corrections; and there are issues in every department of the state.

So, essentially, these issues are too great to get into this partisan wrangling over pointing the fingers at the Governor over her budget plan when, in fact, we are part of the solution also—the Legislature is.

I would encourage my colleagues, instead of finger-pointing at the Governor, to sit down, work with her, work with the House, both sides of the Senate work together, and let's get this state back on track again.

## **Committee Reports**

### **COMMITTEE ATTENDANCE REPORT**

The Committee on Judiciary submitted the following:

Meeting held on Tuesday, February 20, 2007, at 12:30 p.m., Room 210, Farnum Building  
Present: Senators Kuipers (C), Cropsey, Sanborn, Patterson, Whitmer, Clarke and Prusi

### **COMMITTEE ATTENDANCE REPORT**

The Committee on Transportation submitted the following:

Meeting held on Tuesday, February 20, 2007, at 1:00 p.m., Room 110, Farnum Building  
Present: Senators Gilbert (C), Kahn, Van Woerkom, Basham and Gleason

## COMMITTEE ATTENDANCE REPORT

The Committee on Commerce and Tourism submitted the following:  
Meeting held on Tuesday, February 20, 2007, at 2:30 p.m., Room 100, Farnum Building  
Present: Senators Allen (C), Gilbert, Stamas, Clarke and Hunter

## COMMITTEE ATTENDANCE REPORT

The Committee on Government Operations and Reform submitted the following:  
Meeting held on Tuesday, February 20, 2007, at 2:30 p.m., Rooms 402 and 403, Capitol Building  
Present: Senators Bishop (C), Patterson, Cassis, Kuipers, Clarke and Olshove  
Excused: Senator Schauer

## COMMITTEE ATTENDANCE REPORT

The Committee on Local, Urban and State Affairs submitted the following:  
Meeting held on Tuesday, February 20, 2007, at 2:30 p.m., Room 110, Farnum Building  
Present: Senators Van Woerkom (C), Birkholz, Gleason and Basham  
Excused: Senator Allen

## COMMITTEE ATTENDANCE REPORT

The Subcommittee on History, Arts, and Libraries submitted the following:  
Meeting held on Tuesday, February 20, 2007, at 3:00 p.m., Senate Hearing Room, Ground Floor, Boji Tower  
Present: Senators George (C), Brown and Clark-Coleman

**Scheduled Meetings****Appropriations -****Subcommittees -**

**Agriculture** - Thursdays, February 22 (CANCELED), March 1, March 8 and March 15, 2:00 p.m., Rooms 402 and 403, Capitol Building (373-2768)

**Community Health Department** - Tuesday, February 27, 1:00 p.m., Senate Hearing Room, Ground Floor, Boji Tower (373-2768)

**Economic Development** - Wednesdays, February 28, March 7 and March 14, 8:30 a.m., Room 110, Farnum Building (373-2768)

**General Government** - Thursdays, February 22, March 1, March 8 and March 15, 3:00 p.m., Room 100, Farnum Building (373-2768)

**Higher Education** - Thursday, March 8, 8:30 a.m. and 1:00 p.m., Senate Appropriations Room, 3rd Floor, Capitol Building (373-2768)

**History, Arts, and Libraries** - Tuesdays, February 27 and March 6, 3:00 p.m., Senate Hearing Room, Ground Floor, Boji Tower; and Tuesday, March 13, 3:00 p.m., Room 405, Capitol Building (373-2768)

**Human Services Department** - Wednesdays, February 28, March 7 and March 14, 12:30 p.m., Room 100, Farnum Building (373-2768)

**Judiciary and Corrections** - Wednesdays, February 28 and March 14, 3:00 p.m., Room 402, Capitol Building; and Thursday, March 8, 1:30 p.m., Room 100, Farnum Building (373-2768)

**Natural Resources Department** - Tuesday, February 27, 12:00 noon or later immediately following session, Senate Appropriations Room, 3rd Floor, Capitol Building (373-2768)

**State Police and Military Affairs** - Thursdays, February 22, March 1 and March 8, 1:00 p.m., Room 405, Capitol Building (373-2768)

**Transportation Department** - Thursday, March 1, and Wednesdays, March 7, March 14 and March 21, 8:30 a.m., Room 405, Capitol Building (373-2768)

**Education** - Thursday, February 22, 2:30 p.m., Room 210, Farnum Building (373-6920)

**Energy Policy** - Thursday, February 22, 1:00 p.m., Senate Hearing Room, Ground Floor, Boji Tower (373-7350)

**Finance** - Thursday, February 22, 11:00 a.m. or later immediately following session, Room 110, Farnum Building (373-1758)

**Homeland Security and Emerging Technologies** - Tuesday, February 27, 1:00 p.m., Room 100, Farnum Building (373-5932)

Senator Cropsy moved that the Senate adjourn.  
The motion prevailed, the time being 10:46 a.m.

The President, Lieutenant Governor Cherry, declared the Senate adjourned until Thursday, February 22, 2007, at 10:00 a.m.

CAROL MOREY VIVENTI  
Secretary of the Senate