

No. 108
STATE OF MICHIGAN
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REGULAR SESSION OF 2007

Senate Chamber, Lansing, Thursday, October 18, 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

Senator Tony Stamas of the 36th District offered the following invocation:

Lord, we just want to thank You for this beautiful state that You have blessed us to be a part of, Lord. This time of year as we travel upstate to the explosion of colors, we just wonder at the splendor that You put all around us. We just thank You so much for this blessing, this honor to serve this great state. We pray, Lord, that You give us a servant's heart as we make decisions that we can do that in terms of what's best for the residents and citizens of this great state of ours. We pray that You would guide the Senate, that You guide the Michigan House of Representatives and our Governor and the entire state. Just help us, Lord, to hear Your voice and to do what is right.

I pray this all in Your holy name. Amen.

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

Motions and Communications

Senators McManus, Kuipers and Birkholz entered the Senate Chamber.

Senator Cropsey moved that Senators Kahn, Brown, Jansen and Hardiman be temporarily excused from today's session. The motion prevailed.

Senator Thomas moved that Senators Barcia, Gleason and Clarke be temporarily excused from today's session. The motion prevailed.

Senators Kahn, Clarke, Gleason, Basham, Brown, Jansen and Hardiman entered the Senate Chamber.

Senator Thomas moved that the Committee on Appropriations be discharged from further consideration of the following resolution:

Senate Resolution No. 117.

A resolution to memorialize Congress to override President Bush's veto of the bipartisan bill to reauthorize and expand the State Children's Health Insurance Program (SCHIP).

The question being on the motion to discharge,

Senator Schauer requested the yeas and nays.

The yeas and nays were ordered, 1/5 of the members present voting therefor.

The question being on the motion to discharge,

Senator Cropsey moved that further consideration of the motion be postponed for today.

The motion prevailed.

Senator Thomas requested the yeas and nays.

The yeas and nays were ordered, 1/5 of the members present voting therefor.

The motion prevailed, a majority of the members voting therefor, as follows:

Roll Call No. 423

Yeas—21

Allen	Garcia	Jelinek	Patterson
Birkholz	George	Kahn	Richardville
Bishop	Gilbert	Kuipers	Sanborn
Brown	Hardiman	McManus	Stamas
Cassis	Jansen	Pappageorge	Van Woerkom
Cropsey			

Nays—16

Anderson	Clark-Coleman	Jacobs	Scott
Basham	Clarke	Olshove	Switalski
Brater	Gleason	Prusi	Thomas
Cherry	Hunter	Schauer	Whitmer

Excused—1

Barcia

Not Voting—0

In The Chair: President

Senator Barcia entered the Senate Chamber.

Protests

Senators Clark-Coleman and Clarke, under their constitutional right of protest (Art. 4, Sec. 18), protested against the motion to postpone consideration of the motion to discharge the Appropriations Committee from further consideration of Senate Resolution No. 117.

Senator Clark-Coleman's statement is as follows:

Mr. President and my colleagues, I would like to speak on my reason why I voted "no" on postponing Senate Resolution No. 117 for the day. Because of the urgency of this matter, the U.S. House is prepared to vote as early as today on whether to override President Bush's veto of the bipartisan bill to reauthorize and expand the state's SCHIP program, which is the State Children's Health Insurance Program.

Mr. President, I went to an event down in Detroit at DMC in which folks from all over this country were there. There was a young lady there who spoke eloquently on why it was important for us to reauthorize this SCHIP program because her daughter had been a product of cancer, and had it not been for the SCHIP program, that young lady would not be here today. The young lady was there and she spoke about all the medications and all the services and all the help she received at Detroit's Children's Hospital as a result of this wonderful program. She urged us to reauthorize this.

Now this is not a partisan issue at all. SCHIP currently covers 6.6 million low-income children across the country whose families are not eligible for Medicaid but who cannot afford private health insurance. Tens of thousands of Michigan children currently rely on MICHild, Michigan's SCHIP program. We need to send a message, a clear message to Congress today and we need our representatives to override this SCHIP because we need its health care coverage for the children in Michigan.

We often speak that we want what's best for the children. If you really want what's best for the children, then you will urge your congressional folks to override this veto. The Catholic Health Association, the American Medical Association, the AARP, the March of Dimes, the American Academy of Pediatrics, and other medical, religious, and community service organizations all are saying we cannot wait. They all support the bipartisan compromise to reauthorize SCHIP that was passed by the U.S. House and Senate and then vetoed by President Bush.

I urge my colleagues to support this motion. The reason that we are not able to take it up is because it was postponed. So I am very sorry that they postponed it, but I certainly cannot, I cannot, I cannot state clearly how important it is that we protect the children of this country. We all talk about values, family values; well, then let's put our money where our mouth is and let's get behind an initiative that is going to protect these children and going to give health care to these children. We cannot sit on our laurels and allow this bill to go by without overriding this horrendous veto. We love these children. We have to support these children.

Senator Clarke's statement is as follows:

I rise to give my "no" vote explanation on why I oppose the motion to postpone the vote on the resolution regarding the President's veto of the SCHIP program, and I request that the U.S. Congress override that veto. As the Senator for Detroit and Dearborn so eloquently stated, the State Children's Health Insurance Program is designed to protect and cover our young people who live in families that make too much money to be eligible for Medicaid but don't make enough money to pay for private health insurance. This Congress and this Legislature has decided as a matter of policy that we need to protect our young people from childhood diseases because those illnesses, if left untreated, could permanently disable or cripple a child and cause them to suffer from chronic illnesses that could prevent them from getting a good education and leading a productive life.

The current SCHIP program in Michigan is the MICHild program. The MICHild program does not cover wealthy people, nor would the proposed expansion of the SCHIP program. As a matter of fact, under the federal proposal,

90 percent of the families that would be covered under this expanded SCHIP program make no more than \$41,000 a year and have a family of four. That's less than what we make here in the Legislature for a family of four. That's not rich. These are people who are in need. They make some money, they are working, they cannot afford Medicaid, but they're struggling right now.

Now here in this state, in Michigan, this is very important because we have so many wage earners who have so little equity in their homes that they are facing foreclosure, and not only that, they are facing homelessness because they have no other recourse but to abandon their property. We have high wage earners in this state who have lost their paychecks due to globalization. It's not fair to expect the government to insure every family for every risk, but the fact is, right now in Michigan, even the most soundly middle-class family can be on the verge of financial ruin. Let's at least protect our children from serious illness.

Let's ask Congress to override the President's veto of the State Children's Health Insurance Program and give all children a chance for a great future.

Senator Schauer asked and was granted unanimous consent to make a statement and moved that the statement be printed in the Journal.

The motion prevailed.

Senator Schauer's statement is as follows:

I rise in support of this motion to discharge the Senate Appropriations Committee from further consideration of Senate Resolution No. 117, and I will be speaking directly to the importance of the discharge. Colleagues, this is not a partisan or political issue. Its timing is critical for the Michigan Senate to act to join the Michigan House of Representatives. The Michigan House of Representatives adopted House Resolution No. 201 and House Concurrent Resolution No. 51 with overwhelming bipartisan support, 72 votes and 71 votes, respectively. This is about Michigan's children; this is about coverage for them. I absolutely plan to speak directly to the immediacy and the necessity of this discharge.

Within hours, literally, within hours the U.S. House of Representatives will be voting to override a veto by President Bush of a bipartisan bill to provide health insurance to millions of children in this country. This bill, if adopted, would provide coverage to an additional 80,000 children in our state—children of working poor families. It is important for us to act today because much is at risk in our state and what is at risk is insurance coverage for low-income children in our state.

This is not a partisan issue, colleagues. Three Republican members of our congressional delegation, Fred Upton, Vern Ehlers, and Candice Miller, all supported this measure. I would urge this body to join them and vote in a bipartisan way as was done in the Michigan House to immediately send a message that both the Michigan House and the Michigan Senate in a bipartisan way support the override of the President's veto, so that thousands, tens of thousands of children in our state can receive important health care coverage.

Senator Hunter moved that the Committee on Appropriations be discharged from further consideration of the following concurrent resolution:

House Concurrent Resolution No. 51.

A concurrent resolution to memorialize the United States Congress to override the President's veto of the State Children's Health Insurance Program (SCHIP).

The question being on the motion to discharge,

Senator Hunter moved that the previous question be ordered.

Point of Order

Senator Cropsey raised the Point of Order that two motions at the same time are not permitted.

The President, Lieutenant Governor Cherry, ruled that it is the practice of this body to allow double motions. Further, the Senate does not have a rule to specifically disallow the previous question in double motions.

The question being on ordering the previous question,

The motion did not prevail.

Senator Thomas requested the yeas and nays.

The yeas and nays were ordered, 1/5 of the members present voting therefor.

The motion did not prevail, a majority of the members not voting therefor, as follows:

Roll Call No. 424**Yeas—17**

Anderson	Clark-Coleman	Jacobs	Scott
Barcia	Clarke	Olshove	Switalski
Basham	Gleason	Prusi	Thomas
Brater	Hunter	Schauer	Whitmer
Cherry			

Nays—21

Allen	Garcia	Jelinek	Patterson
Birkholz	George	Kahn	Richardville
Bishop	Gilbert	Kuipers	Sanborn
Brown	Hardiman	McManus	Stamas
Cassis	Jansen	Pappageorge	Van Woerkom
Cropsey			

Excused—0**Not Voting—0**

In The Chair: President

The question being on the motion to discharge the Committee on Appropriations from further consideration of the concurrent resolution,

Senator Cropsey moved that further consideration of the motion be postponed for today.

The motion prevailed.

Protests

Senators Whitmer, Hunter, Jacobs, Gleason, Scott, Schauer, Cherry and Brater, under their constitutional right of protest (Art. 4, Sec. 18), protested against the motion to postpone consideration of the motion to discharge the Appropriations Committee from further consideration of House Concurrent Resolution No. 51.

Senator Whitmer's statement, in which Senators Cherry and Brater concurred, is as follows:

Mr. President, the discharge was not only timely, it was absolutely critical for us to take action just a moment ago—an action that we put off indefinitely. I'm disheartened that our State Senate would sit on its hands at a time that is so critical in Washington, D.C. There is a vote today that is going to impact the MICHild program here in the state of Michigan. We are talking about children who are the very poorest among us who need health care.

Now you know what's going on in Washington. You know the priorities that they've set. Right now the federal government is spending \$12 billion a month in Iraq—\$12 billion a month—fighting a war in Iraq. What we are asking for is the SCHIP program to be funded to the tune of \$9 billion a year for the poorest kids in our country, not just the state of Michigan, all 50 states—\$9 billion for a year to fund this program when they are spending \$12 billion a month in Iraq. It's unconscionable that we're not taking action today, and it's unconscionable that the threat that Congress may not override the veto may happen yet later today.

I want to take this moment to applaud some of the members of our congressional delegation who are standing firm and have said the SCHIP program is something we should be funding: Congresspeople like Candice Miller, Vern Ehlers, and Fred Upton. I want to applaud them because it takes courage to stand up against a regime like the Bush regime who want to make these cuts, who doesn't want to fund health care for the poorest among us—children.

It's unconscionable and we should have discharged that resolution today and I'm sick that we didn't. I use this as my "no" vote explanation for postponing it indefinitely.

Senator Hunter's statement is as follows:

Mr. President and colleagues, I voted "no" to postpone the discharge of House Concurrent Resolution No. 51. Colleagues, for once, let us put our love and devotion for the health care needs and the welfare of the children of this great country over the blind partisan loyalty to this cold, cold, heartless President. And to President Bush, President Cherry, I humbly say this: There's no limit to the money you are willing to spend for your lust for war and nation building. Why can't you invest in this war we have right here at home and that's to bring health care to this nation's children. For once, let's do the right thing.

Senator Jacobs' statement, in which Senator Brater concurred, is as follows:

Just very briefly, just sometimes I just don't get it. I'm just going to say that some days I just don't get it. I just don't get it. We have been waiting for months and months and months to get a waiver from the feds for the Governor's program to insure more of the uninsured folks we have in Michigan, including tens of thousands of children. Here's our chance while we're waiting for the feds to give us permission for a program that we all so desperately need. Here we have an opportunity to make sure some of those kids we need to cover would continue to be covered and we're taking inaction today. We're not doing anything. I just don't get it.

Senator Gleason's statement is as follows:

None of us in this room or in the adjoining chamber ever understand what our family or personal situations might lead to. We are having difficult times here in the state of Michigan. We see plant closings and job losses across this state. People are trying to do the responsible thing and go back to work. This MICHild—and I'd suggest we probably have the best name for it of all the federal policies—is a great name for this program because they are mine and your children we are talking about.

We are seeing working men and women trying to do the best they can. We say they must go back to work. We've reformed welfare, and we've put more personal responsibility on these families. We've recently seen a General Motors and Delphi agreement saying that the workers who show up to work every single day and do what they are asked to do will see their future generation of workers. We've recently seen a new generation of contracts that we're going to be slashing the wages from \$28.00-\$32.00 an hour down to \$14.00 an hour. Now, if you are any good at math, you'll know that if you're a full-time worker at \$14.00 an hour and working in an industry that traditionally paid health care, you would qualify now as a full-time Delphi worker. With the monetary payments you will get in regard to your work, you would qualify for MICHild. Being a full-time worker, working full-time, working 2,000 hours a year at \$14.00 an hour, which our Michigan workers are going to be earning now in many of the factories, that \$14.00 an hour would qualify you for MICHild. Yet, we're seeing these folks who are going to work every single day trying to take care of their families cannot afford health care now due to the reduction in wages; that we're not going to stand up and help them.

Now you and I know that the best form of medicine is preventative medicine, and that's kind of what MICHild is about, making sure those children get the checkups and the care that they need in a timely fashion so that we can stop the surge and the killings of those who have contracted sugar diabetes or hypertension; to make sure we can stop these illnesses and diseases before they become a crisis and, ultimately, in many cases, death for these young children.

Mr. President and Senators, I always thought Michigan took better care of its kids than this. I think it is unfortunate that we will sit on the sidelines now and not say that we're going to step up and help Michigan families take care of Michigan kids. I thought it was pretty easy today to vote that we were going to support these families. To put a lot of pressure on these folks the last few weeks raising sales tax and service taxes that are going to be coming out of these folks' pockets too, that will be impacting their ability to pay for health care. And yet, we will say that we won't even offer a token of support by supporting this resolution.

Senator Scott's statement is as follows:

We have the opportunity to be proactive here. In Congress, the Republicans and Democrats have come together. I would hope that we would think the very same of our children here; that we would encourage President Bush to help our children be proactive. You know, we always find the dollars after the fact, and we find it after the fact when it's not helpful to us or to the individuals or to their families. Children are our most precious resources. We have to leave this world better than we found it. That's our mission for all of us, and certainly, we ought to take care of our children. All of these children belong to us and this is something very small that we can do because when they come down with the number of diseases and things, we spend more money. So why can't we just, for once, have some vision? Without vision, the people perish. We're talking about our most vulnerable citizens we have, and we say we care about them?

Senator Schauer's statement is as follows:

Unfortunately, this issue here has failed along partisan lines, and I want to point out that that is really not reflective of Washington, D.C.; that is not reflective of the country, and it is certainly not reflective of the Michigan House of Representatives.

I hope the press is listening because a lot of myths have been disseminated through the media and I want to dispel some of those. Maybe some of you, colleagues on the other side of the aisle, as you're speaking to the press, you may

be using some of these myths, so I wanted to straighten them out because I know that several of our members of Congress—the Republican members have been mentioned—have supported this legislation and rejected those myths.

So, first of all, it is perpetuated by those who oppose this that this bill the President vetoed would somehow open the doors to illegal immigrants to use these precious federal and state resources to provide health insurance to children. That's not true. In fact, the bill specifically says "no federal funding for illegal aliens." That's a quote, period.

Secondly, one of the myths out there is that wealthy families would somehow be benefiting from this program. There is an income figure that's given: Families that earn \$83,000.00 per year would be eligible. Well, New York once applied for a waiver for families at that level. It was rejected by this very administration. The fact is, colleagues, the bill that was vetoed by the President that will be voted on for an override possibly within an hour—that's why this is so urgent; why postponement was such a major disappointment and a mistake—this bill maintains current eligibility requirements which means that Michigan children from families earning less than \$41,000.00 per year—that's a family of four; that is 200 percent of the federal poverty level; those are the children who qualify. These are children who aren't so poor they qualify for Medicaid; their parents work but don't earn enough to afford health care coverage. Health premiums for those families cost about \$12,000.00. Colleagues, you tell me how a family of four earning \$41,000.00 is able to pay their rent or mortgage, pay for food, pay for transportation, and pay \$12,000.00 per year for health insurance. Don't take my word for it. You can go to the nonpartisan factcheck.org to verify this.

A third myth is that this bill would somehow result in socialized medicine in this county. That also doesn't hold water. In Michigan, our MICHild program is run by a network of private health care providers. By extending—not changing—the benefits, but by adding additional money to this program, we would cover up to another 80,000 children in this country who don't have health insurance.

Fourth, it's talked about by opponents that this is somehow a Democratic or partisan proposal. But this is a very bipartisan measure. You may remember that the original Children's Health Insurance Program that was enacted in 1997 passed with broad bipartisan support. This bill did as well. In fact, in the U.S. Senate, 19 Republicans joined Democrats and Independents for a total of 69 votes. That's, by the way, enough to override the President's veto. In the U.S. House of Representatives, there were 45 Republicans who voted for this measure, and as it was stated earlier, one-third of Michigan's Republican members of the U.S. House of Representatives voted for this measure. Governors across the country support this measure. In fact, 43 Governors, including 16 Republican Governors, support the bill that was, unfortunately, vetoed by our President. Other nonpartisan groups such as AARP, National Rural Health Association, Children's Defense Fund, and even a new group called Catholics United support this measure.

Colleagues, I wish that we could have spoken with one bipartisan vote to urge our members of the U.S. House of Representatives to put children first. Unfortunately, too many are seeming to support a President who is just wrong on this measure. Don't take my word for it. Our own Vern Ehlers from west Michigan, in supporting the measure said, "I grew up with acute asthma and I know personally how important it is for kids to have access to affordable health insurance. This bill will continue to provide health care coverage to millions of children who otherwise would be uninsured." Or how about Republican U.S. Senator Pat Roberts, known as a fiscal conservative, who said, "I am not for excessive spending and strongly oppose the federalization of health care, and if the administration's concerns with this bill were accurate, I would support a veto. But, bluntly put, they are not."

Colleagues, if there was ever a time to put facts in front of partisanship, it would be now on behalf of our children; the tens of thousands of children with no health insurance in our state who must turn to the emergency room for primary care. And also it is very critical to know that some would argue for just extending the current law, or, as President Bush actually proposed, a small increase of funding. Either of those measures would result in children in our state who are currently covered from losing that coverage. That is not acceptable.

My priorities are our children and that is why I voted "no" on the motion to postpone House Concurrent Resolution No. 51.

By unanimous consent the Senate proceeded to the order of

Third Reading of Bills

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

Senate Bill No. 716

The motion prevailed.

The following bill was read a third time:

Senate Bill No. 716, entitled

A bill to amend 2004 PA 47, entitled "Medical records access act," by amending section 3 (MCL 333.26263).

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. 425**Yeas—38**

Allen	Clark-Coleman	Jansen	Richardville
Anderson	Clarke	Jelinek	Sanborn
Barcia	Cropsey	Kahn	Schauer
Basham	Garcia	Kuipers	Scott
Birkholz	George	McManus	Stamas
Bishop	Gilbert	Olshove	Switalski
Brater	Gleason	Pappageorge	Thomas
Brown	Hardiman	Patterson	Van Woerkom
Cassis	Hunter	Prusi	Whitmer
Cherry	Jacobs		

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 returned to the order of

Motions and Communications

Senator Cropsey moved that the rules be suspended and that the following bill, now on Committee Reports, be placed on the General Orders calendar for consideration today:

House Bill No. 4749

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

The Secretary announced that the following official bills were printed on Wednesday, October 17, and are available at the legislative website:

Senate Bill Nos.	825	826	827	828	829	830	831	832	833		
House Bill Nos.	5311	5312	5313	5314	5315	5316	5317	5318	5319	5320	5321

By unanimous consent the Senate proceeded to the order of

General Orders

Senator Cropsey 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 Clarke as Chairperson.

After some time spent therein, the Committee arose; and, the President pro tempore, Senator Richardville, having assumed the Chair, the Committee reported back to the Senate, favorably and with a substitute therefor, the following bill:

House Bill No. 4749, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending sections 312a, 658, and 907 (MCL 257.312a, 257.658, and 257.907), section 658 as amended by 2002 PA 494 and section 907 as amended by 2006 PA 298, and by adding sections 658c and 658d; and to repeal acts and parts of acts.

Substitute (S-1).

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

By unanimous consent the Senate returned to the order of
Third Reading of Bills

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

House Bill No. 4749

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

The following bill was read a third time:

House Bill No. 4749, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending sections 312a, 658, and 907 (MCL 257.312a, 257.658, and 257.907), section 658 as amended by 2002 PA 494 and section 907 as amended by 2006 PA 298, and by adding sections 658c and 658d; and to repeal acts and parts of acts.

The question being on the passage of the bill,

Senator George offered the following amendment:

1. Amend page 12, following line 21, by inserting:

"Enacting section 2. This amendatory act does not take effect unless House Bill No. 5243 of the 94th Legislature is enacted into law."

The amendment was not adopted, a majority of the members serving not voting therefor.

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. 426

Yeas—23

Allen	Clarke	Jansen	Richardville
Anderson	Cropsey	Kuipers	Sanborn
Barcia	Garcia	McManus	Schauer
Basham	Gilbert	Olshove	Stamas
Bishop	Gleason	Patterson	Thomas
Cherry	Hunter	Prusi	

Nays—15

Birkholz	Clark-Coleman	Jelinek	Switalski
Brater	George	Kahn	Van Woerkom
Brown	Hardiman	Pappageorge	Whitmer
Cassis	Jacobs	Scott	

Excused—0

Not Voting—0

In The Chair: Richardville

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

The recommendation was not concurred in, 2/3 of the members serving not voting therefor.

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

"An act to provide for the registration, titling, sale, transfer, and regulation of certain vehicles operated upon the public highways of this state or any other place open to the general public or generally accessible to motor vehicles

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

The Senate agreed to the full title.

Protests

Senators George, Cassis, Hardiman, Birkholz, Pappageorge and Kahn, under their constitutional right of protest (Art. 4, Sec. 18), protested against the passage of House Bill No. 4749.

Senators George and Cassis moved that the statements they made during the discussion of the bill be printed as their reasons for voting “no.”

The motion prevailed.

Senator George’s statement, in which Senators Hardiman, Birkholz, Pappageorge and Kahn concurred, is as follows:

I want to point out that just as the previous attempts to repeal our motorcycle helmet law have been flawed, this bill is equally flawed and contains two new flaws which deserve discussion. Like its predecessors, the proponents of this bill falsely argue that laws requiring helmet use are part of a plot by evil hospitals and doctors who conspire to make riders wear them in order to bring more victims into the clutches of the intensive care unit. The proponents claim that helmeted riders are more likely to be in accidents due to the helmet’s interference with hearing and vision, and then they argue that the outcomes of the accidents are worse. They say that the helmets block the body’s natural defense which is supposedly for the cranium to break open to relieve the pressure around the brain.

Of course, none of this is true. Study after study shows that wearing helmets does not increase the risk of being in an accident, and we know for a fact that helmets reduce the risk of death and injury. That’s why baseball players, construction workers, hockey and football players know to wear them. The body’s natural defense is not for the skull to crack open. It is the opposite. God protects our brain with a hard casing because the brain is soft and easily damaged. A hard helmet supplements the natural protection the Creator has endowed us with.

You are better off if you are in an accident if you happen to be wearing a helmet. In states which have repealed helmet laws, both the number of deaths and injuries have increased. Without helmets, minor injuries become major injuries and major injuries turn into fatalities. States which have repealed their helmet laws see an increase in fatalities from 30-50 percent. In Michigan, in 2005-2006, we had 116 motorcycle fatalities. We would expect an increase of 30-50 new fatalities per year. That would be about one per Senate district. In each of our districts, there will be about one new person a year who will likely die if this bill becomes law. Most of these victims will be young men. Some of them will have families. There will be children in our districts who will grow up without fathers because of our actions today. In addition to the suffering and social costs, we’ve already discussed the cost to the motorists and to the taxpayers.

Another new flaw in this bill, as I mentioned earlier, is its treatment of out-of-state and Canadian riders. They are exempt from the requirement to purchase a certificate. Maybe we should put up signs at our borders. Maybe we should put up one at the Blue Water Bridge or the Ambassador Bridge that says “Welcome to Michigan. You don’t have to follow any of our laws. They are only for our residents. We hope you enjoy your stay.”

This bill is actually more flawed than the previous attempts to repeal the helmet law because it exempts the out-of-state residents and because of the change in the MCCA threshold which is now at \$420,000.00. When we last considered this, the threshold was at \$320,000.00. It goes up every year, and when it goes up, that means that the motorists are covering more until the MCCA kicks in.

This bill will result in unnecessary suffering and death. It places the public’s health at undue risks. I ask you to join me in casting a “no” vote.

Senator Cassis’ statement is as follows:

As I said earlier, as a former school psychologist, I personally know the toll of brain-injured people—the parents of kids, parents who survived a helmetless motorcycle accident but lost their quality of life forever. How can we ignore the human costs—emotional, social, and financial. Senator George offered a common-sense solution, an amendment accountable and responsible to all insurance-paying citizens.

I, again, say for the record I would have supported House Bill No. 4749 if the amendment was adopted. Alas, it wasn’t, and I, therefore, will vote “no.” I cannot support motorcycling without a helmet.

Senators Jacobs 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 Jacobs' statement is as follows:

I really wasn't planning on getting up to speak, but I guess I really have to because I was in committee yesterday when we had our hearing. And, honestly, I'm sorry I wish I had known that we were going to be taking this up because I would have brought some other notes. While I appreciate the work that Representative Farrah put into this in trying to make this a better bill, and I really do appreciate the hard work that she put into this, I'm looking at some of the sweeteners that were put in to help us vote for this; one of them being this \$100.00 fee. I think we're trying to sort of help balance the state's budget not on the backs of motorcycle drivers, but on their heads.

Dr. Petterson was one of the people who testified in committee yesterday, and he was sort of addressing the whole issue of the choice of adults and the sort of \$100.00 permit fee, and he made some interesting points that I just kind of want to share. He said, "Should we be able to pay \$100.00 for us to decide that we don't want to wear seat belts in the car? Should we pay a \$100.00 fee to allow us to put baby carriers in the front seat next to moms instead of in the back seat? Should we pay \$100.00 to allow toddlers to get out of their car seats and kind of scrunch their noses up on the windows of the back seats? Should we pay \$100.00 to allow hunters to wear sweatshirts instead of hunter-orange apparel?"

The fact is that our job really is to protect our constituents, and I think that if we were to pass this bill, we would not be doing our job. So I would ask you to join me in not supporting this bill so that we can do our job and protect the very people who sent us here to do our job.

Senator Basham's statement is as follows:

I'm going to support the bill. I agree with the previous speaker. I don't think we should have to pay \$100.00 to exhibit our rights in the state of Michigan, but I don't think our rights should be taken away from us. Regardless of what happens with this legislation, I'll be wearing my helmet when I ride my motorcycle. The riders have always wanted to have the choice to determine whether they have to put it on, especially if it's 80, 90, or 100 degrees and their heads are sweating, they might want to pull it off for five minutes. They might want to ride up the block again. So those are things that I think that the riders should be able to decide themselves.

If we had the same passion on both sides of the aisle on the issue that I've been working on—smoke-free workplaces—as we do on this bill that just sailed through the Senate just like a, I guess, a bullet or a speeding hare, but it's amazing when we have so much passion on a bill that's been before this legislative body a number of times and I can't even get a hearing on a bill that affects more lives and more costs and affects workplaces. You're talking about dying or having injuries and dying a slow death; try 17 respiratory diseases, emphysema, and heart attacks. I'd love to hear the good doctor from the other side of the aisle with his passion talk about giving me a hearing and giving me a—trying to do that, Mr. President.

I think things are related. As a matter of fact, when we talk about riding without a helmet, we are talking about health care. That was the main argument on this piece of legislation health care. I'm trying to draw a correlation between them. There are other things that we can do besides this bill, and maybe I missed my opportunity to put an amendment on that said that if you ride a motorcycle, you should not work in a workplace that has smoking or any of those sorts of things. So maybe I missed an opportunity to put on some amendments that would give us a meaningful discussion in this chamber about health care and the billions we are losing as a result of not moving my legislation.

By unanimous consent the Senate returned to the order of

General Orders

Senator Cropsey 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 pro tempore, Senator Richardville, designated Senator Clarke as Chairperson.

After some time spent therein, the Committee arose; and, the President pro tempore, Senator Richardville, having resumed the Chair, the Committee reported back to the Senate, favorably and without amendment, the following bill:

House Bill No. 4234, entitled

A bill to amend 1982 PA 325, entitled "An act to authorize county sheriffs to declare a county jail overcrowding state of emergency; to prescribe the powers and duties of certain judges, county sheriffs, and other county officials; and to provide remedies for a county jail overcrowding state of emergency," (MCL 801.51 to 801.64) by adding sections 9a and 9b.

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

The Committee of the Whole reported back to the Senate, favorably and with a substitute therefor, the following bill:
Senate Bill No. 482, entitled

A bill to amend 2006 PA 479, entitled "Michigan promise grant act," by amending sections 2 and 4 (MCL 390.1622 and 390.1624), as amended by 2007 PA 42.

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. 730, entitled

A bill to amend 1976 PA 451, entitled "The revised school code," by amending sections 4, 5, 6, 504, 524, 605, 701, 1296, 1311, 1311g, 1321, 1701, 1701a, 1711, 1723, 1724, 1751, 1752, 1756, 1757, and 1761 (MCL 380.4, 380.5, 380.6, 380.504, 380.524, 380.605, 380.701, 380.1296, 380.1311, 380.1311g, 380.1321, 380.1701, 380.1701a, 380.1711, 380.1723, 380.1724, 380.1751, 380.1752, 380.1756, 380.1757, and 380.1761), sections 4 and 5 as amended by 2005 PA 61, sections 6, 701, and 1724 as amended by 2003 PA 299, sections 504 and 1701a as amended by 1994 PA 416, section 524 as added by 2003 PA 179, section 605 as amended by 1985 PA 86, section 1311 as amended by 1999 PA 23, section 1311g as amended by 2007 PA 21, section 1321 as amended by 1990 PA 163, section 1723 as amended by 2004 PA 415, and section 1752 as added by 2006 PA 186.

Substitute (S-1).

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

The Committee of the Whole reported back to the Senate, favorably and with a substitute therefor, the following bill:
House Bill No. 4725, entitled

A bill to amend 1982 PA 325, entitled "An act to authorize county sheriffs to declare a county jail overcrowding state of emergency; to prescribe the powers and duties of certain judges, county sheriffs, and other county officials; and to provide remedies for a county jail overcrowding state of emergency," by amending sections 1, 2, 3, 4, 5, 8, 9, and 10 (MCL 801.51, 801.52, 801.53, 801.54, 801.55, 801.58, 801.59, and 801.60), sections 8 and 9 as amended by 1988 PA 399, and by adding section 1a.

Substitute (S-2).

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

Introduction and Referral of Bills

Senators Van Woerkom, Kuipers, Jansen and Cropsey introduced

Senate Bill No. 836, entitled

A bill to amend 1979 PA 94, entitled "The state school aid act of 1979," by amending section 166b (MCL 388.1766b), as amended by 1999 PA 119.

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

Senators Basham, Schauer, Gleason, Clarke, Olshove, Garcia and Allen introduced

Senate Bill No. 837, entitled

A bill to amend 1984 PA 431, entitled "The management and budget act," by amending section 261 (MCL 18.1261), as amended by 2006 PA 622.

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

Senators Cassis, Kahn, Sanborn, Kuipers, Gilbert, Pappageorge, Richardville, Brown, Allen, Barcia and Van Woerkom introduced

Senate Bill No. 838, entitled

A bill to amend 1937 PA 94, entitled "Use tax act," by repealing section 3d (MCL 205.93d).

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

Senators Richardville and Basham introduced

Senate Bill No. 839, entitled

A bill to regulate persons engaged in commercial carpentry; to create a board of carpentry; to provide for powers and duties of certain state agencies and departments; to establish standards; to provide for the licensing of carpenter contractors and journey carpenters; to register apprentices; to prescribe fees; to provide for the promulgation of rules; and to prescribe remedies and penalties.

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

Senators Basham and Richardville introduced

Senate Bill No. 840, entitled

A bill to regulate certain individuals engaged in residential carpentry; to provide for certain powers and duties of certain state departments and agencies; to impose fees and provide for remedies and penalties; and to promulgate rules.

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

Statements

Senators Sanborn, Cassis, Scott, Gleason, Jansen, Kahn, Thomas, Cropsey and Pappageorge asked and were granted unanimous consent to make statements and moved that the statements be printed in the Journal.

The motion prevailed.

Senator Sanborn's statement is as follows:

I rise to make a statement as to the outrageous display by the Democrats with regard to House Concurrent Resolution No. 51 earlier today. This state has enough economic problems since Hurricane Jenny blew through, and yet, the Democrats in this chamber would rather create a smokescreen to hide the fact that our Governor has failed to lead Michigan out of its economic woes and fix the problems that she has caused—problems like her tax increases, Michigan's nation-leading unemployment, and the administration that is currently in turmoil. The casualties in this week alone include her insurance commissioner and her chief of staff who have defected.

The Democrats are creating a smokescreen to divert the public's attention away from the fact that they control two-thirds of the state government as well as both seats in the U.S. Senate. They tried to divert the attention away from their own failings by attacking the President rather than fixing the damage that they have caused. They would rather blame President George Bush. They would rather blame Governor John Engler for the struggles Michigan currently faces rather than be honest with the people of the state of Michigan about their role in the problems which Michigan currently faces.

Whatever happened to the days of Democrat leadership like Harry Truman? President Harry Truman said, "The buck stops here." The focus of this chamber should be on Michigan's economic woes and the challenges which we face, not a resolution that is largely symbolic and purely political.

I find it ironic to think that this was disparaging compared to what I've heard about President Bush and former Governor John Engler, who's been blamed for many of Michigan's economic woes, which I find hard to believe that they are still doing it five years later. I appreciate that our colleague from the 19th District wants to leave behind the problems of the state of Michigan, problems created largely by his own party and Hurricane Jenny, for Washington, D.C., but this is not the place to run for Congress. Let's fix Michigan's blown-away economy first.

Certainly, I will and certainly I have not named an individual member, but I think that it's inappropriate for any member of this chamber to use this chamber as a springboard to run for higher office, including, in this case, Congress. Let's fix Michigan's blown-away economy, and then Senators can turn their attention to running for Congress or any other campaign.

Senator Cassis' statement is as follows:

What a sad, sad, sorry day. The other side of the aisle chose to use children, our children, in a political ploy, a political stunt, seemingly orchestrated by their minority leader running for Congress himself. I'm afraid the other side of the aisle, who so advocated for freedom earlier today, now is trying to censor our remarks. That is a terrible, terrible thing.

Let me say again that this filibuster for all practical purposes is used to divert attention away from their failed economic policies and those of the current sitting Governor and the fallout of their disastrous tax increases directly undermining job providers throughout our state.

You know, our citizens, I believe, are a lot smarter than the other side gives them credit for. They can see through this. They see it for what it is. This is not about keeping dollars from low-income kids. It's about extending the program to those who can afford health care. This is a federal issue and we've wasted almost an hour, again, to distract attention away from legitimate Senate business—business that we do have control over.

Let me point out, many eligible Michigan children, it's been documented, many eligible Michigan children eligible for health care aid never get signed up by their parent or parents or guardians. And, thus, it wrongly, inflates the number of uninsured children in this state.

It is a sad day indeed when we allow a purely political forum, political grandstanding, to undermine the sanctity of this body. Shame.

Senator Scott's statement is as follows:

This is another sad day in this Legislature. You know, how our priorities are—now we want to filibuster about our children. Well, I've had a bill here that deals with families—insurance—that's been sitting on the other side for some time and nothing has been done about it. So I offer to you yet another recent quote: "Legislators should not permit a system to continue that practically forces hundreds of thousands of people to drive with no protection at all." Again, these are not my words but an excerpt from last Sunday's *Detroit Free Press* editorial. Here again, "Legislators should not permit a system to continue that practically forces hundreds of thousands of people to drive with no protection at all."

There are various ways to solve this problem. I've offered several, with still more solutions on the way, but until we are ready to discuss these alternatives, the crisis will continue. Hundreds of thousands of people will continue to drive without insurance. That endangers you and your families. It endangers me, and it continues to financially bleed those who can least afford it. We have the means to solve this problem. Let's not wait.

Senator Gleason's statement is as follows:

There's been a lot of talk the last few minutes in regard to what might or might not happen to Michigan's children. Let me tell you a story about that. We've had this program for about a decade. I'd ask any Senator since the inception of that program who would qualify for that program to stand up. That's just about what I figured. I figured I'd be the only one standing. I qualified for that program and so did my kids.

I was deathly sick, and many of you know and I've said it many times that I had an organ transplant. I did not go on public assistance, but I made not enough money to qualify for that program and my kids did too. Now there are a lot of families out there just like mine in the last decade who can use that support. I know a little bit about it because I could have been in it and chose not to be. I had a new baby and two years later had another new baby and a wife. Now today we get to talking about somebody running for Congress and about what's important and what's not important, but I'm going to tell you that I lived it every single second til I got my transplant.

So before we really start talking about how these programs affect individuals and families, we ought to be like the old Indian said and maybe walk a mile in their moccasins. I walked that mile. When I hear this talk about what's important and what's not important, I'm reminded about what my wife and my two kids went through. I chose not to go on assistance. I could have. There are a lot of people who are a lot worse off than I was, and my family and the strength of my wife helped us get through that. They need that insurance.

Now there's a misconception out there that these kids who are on it today are going to stay on it, but the facts are that they're coming up about a million and a half short over those who they covered last year—kids just like my kids.

Now this is not a filibuster coming from me. This is a fact of life, so before we start getting sidetracked about what's important and what's not important, you remember when we are talking about the resolution, I said it was appropriately named: "MI Kids"—more than any other state—"MI Kids." Well, maybe a thing that's just slightly different that my kids would be a portion of the 1.6 million we covered last year who we're not going to cover this year, but that's done with now.

I just hope in the future that when we start running off that maybe we try to put ourselves in other people's positions. We all have a pretty comfortable living now, and I can say as one who didn't a few years ago that a lot of times people say things that they don't have any idea what they're talking about. But I always think we should put a premium on our kids. The best thing we can do for our kids is make sure they're insured.

Let's not get sidetracked, folks. Let's not start tearing each other up about what's important and what's not important, about whether you're a Democrat or a Republican, or whether you're running for Congress or not. I hope we do better in the future when we're talking about and dealing with Michigan's children.

Senator Jansen's statement is as follows:

I would like to respond to a few words that were spoken earlier by some of our colleagues here today. Everybody has been offended by something and I was also. As I was listening, I believe in free speech. I believe all of us here have the right to say a lot of things, but we have to agree to disagree. But in one of the comments, our President was talked about as having a regime. Well, excuse me, but I don't live in a Communist country. We have the right to stand up for whatever we believe in, and we have to respect those who are leading. I happen to do that. Now maybe everybody doesn't, but I think those who want to call our President the leader of a regime ought to rethink that.

I look at our budget—I've been gone four years—and when I left, we had about 25 percent of our budget as federal money. And today, with that President that we're calling a regime, we're up to 31 percent federal money. Now it seems to me that we're being taken care of by the federal government in ways that you have forgotten.

I would ask my colleagues who are going to call names to people who are leaders, maybe you ought to rethink that because we have been saved by the federal government in our budget over the last four years. Yes, we've patched; yes, we've taken out different funds from different places, but the federal government has been very helpful to Michigan and to all of us here.

As you want to pontificate about our leaders and leadership, please rethink that and call a President a President and respect that person in leadership.

Senator Kahn's statement is as follows:

In April, I introduced Senate Concurrent Resolution No. 5, requesting the State Children's Health Insurance Program (SCHIP) to be reauthorized. It was supported by virtually every one of us. The President supports and supported reauthorization of that program, and not only supports and supported reauthorization of that program, but the expansion of its funding by 20 percent. This program was—as pointed out by the Senator from the 27th District—oriented towards the poor and those in need.

The bill that is being debated in Congress now from the point of view of a budget override has expanded way beyond the initial intent of SCHIP, in Michigan MICHild, and expanded way beyond what the President was willing, in fact, also to expand it to. Months ago, the President made clear that he would veto a SCHIP bill that takes the program beyond the original intent, beyond the intent of covering poor children. He made it clear that he would veto a bill that moves children who now have private health care insurance into a government-run program and a program that is an incremental step towards a government-run health care system, like those that we see in Europe that ration care by the month and sometimes for some procedures or treatments by the year.

The bill that we've been debating today or speaking about today that is before the federal government today includes additional spending funded with a tax increase, an issue that we here, in speaking about Michigan, the Michigan tax increases certainly found bruising enough. Once this bill and the override at the federal level is through, the President looks forward to working with Congress to pass a SCHIP reauthorization that he can sign, and that bill that he has stated that he can sign will include an increase in funding.

And so, Mr. President, I look forward to getting beyond today's discussion both here and in Washington to a bill that Congress can pass that is clean and extends the SCHIP at least on a temporary basis until the disagreements are worked out and a bill that prevents families who rely on SCHIP from suffering in the interval.

Senator Thomas' statement is as follows:

It has been quite a session today and quite a run. If Senator Schauer and Dan Voss would join me today. The Senate Democrats are very proud and sad to be losing a key member of our central staff team. Dan Voss has been with the Senate Democrats for about the past 15 months. He has been our Judiciary policy analyst, among other things. He has done some other great little activities as well that never seem to work out for me. He and his wife Nancy have three children: Maggie, Kelly, and Whitney. He is a member of the Lansing School Board. He previously came to our Democratic Staff from the State Court Administrator's Office, and now the Department of Community Health has snapped him up and is taking one of our key members.

We are very, very excited for this new opportunity for Dan. We want to wish him all of the best as he goes forward in his new endeavors. So on behalf of myself and Senator Schauer and Jennifer Granholm, we wanted to present him with this Special Tribute and hope that our colleagues would say thank you to Dan for a lifetime of public service and wish him all the best in his future endeavors.

Senator Cropsey's statement is as follows:

Some of the things that were said on the floor today by the party on the other side of the aisle were particularly offensive. I can't think that our President would go in to the war because he has a lust for war or words to that effect. If I recall correctly, when we entered into the war in Iraq, it was done by a congressional resolution which had tremendous bipartisan support because of the Hitler who was there in the Middle East who was threatening world security. And I think a President who stands up for our national interest and goes into war with bipartisan congressional support is looking out for our best interest. And as a father of two soldiers, I find that particularly offensive for people to say that our commander-in-chief has a lust for that type of thing.

I'd like to now speak to the issue that brought this about and, by the way, if you don't have a strong national defense, all your other social programs aren't worth anything at all. And consider that. We take a look at the SCHIP program, what was being spouted here earlier was that everybody is aware that this was a massive expansion of the program and that 5.8 million children who had gained public coverage because of the bill, and this is a congressional budget estimate, 35 percent of them already had private health insurance. I'd like to ask the other side of the aisle, why are you encouraging people to give up private health insurance to go onto a federal government-sponsored program?

Furthermore, the Senate version of the SCHIP bill grandfathered in New York, which has a higher match rate than the rest of the country, allowing the SCHIP children of some households in the state of New York to have up to \$83,000 and they qualify. In New Jersey, which would also have been grandfathered in, we're talking about families with incomes

up to \$72,000.00. I'm not particularly interested in having the federal government raising taxes on us to finance families of \$72,000.00 in New Jersey or \$83,000.00 in New York when families in my district already have enough problems trying to get insurance.

Another thing, I found it very interesting that Congressman McCotter, former State Senator in this body, has written a letter to this Governor. This Governor has made public comments on this program and he has asked her several questions. I'd just like to read some of those questions and say if the Governor won't respond, perhaps the verbosity of people on the other side of the aisle will come up with a response.

First question he asked was, "According to the state of Michigan's own budget projections as submitted to the Center for Medicare and Medicaid Services in 2008, the state of Michigan will be spending 71.6 percent of Michigan kids' SCHIP funding on childless adults." Now this is interesting; we hide behind the kids to give adults coverage?

The second question, "According to the congressional research service in 2006, approximately 46 percent of all Michigan SCHIP enrollees were not kids." And Congressman McCotter asked, "Is this true? If so, will this percentage of adults increase under the proposed SCHIP expansion?"

Another question, the third question he asked, "According to the Congressional Budget Office, the proposed SCHIP that builds a new sin tax on tobacco requires at least 22 million new smokers to fund its promised expansion. How many new smokers do you believe Michigan is going to contribute to this number and how are you going to encourage nonsmoking Michiganders to pick up the habit?"

You know, I think when I take a look at this, I'm wondering why the other side of the aisle is hiding behind kids in order to increase smoking in this state and get people off of private insurance onto the public dole.

Senator Pappageorge's statement is as follows:

You all know my background, so you're not going to be surprised that I want to say something about Iraq. Let me begin by saying when somebody declares war on you, you cannot opt out. We are presently in World War IV. World War III was the Cold War and we won it without a nuclear exchange. And whether you're talking about World War I, II, III, or IV, the basic question is exactly the same. Do we work for the government, or does the government work for us? Will there be freedom or tyranny?

In the first three world wars, Western civilization won. We no longer have the divine right of kings. We no longer have Nazism. We no longer have colonialism, and we no longer have communism. And now we are facing jihadism and the question is exactly the same. When someone declares war on you, you cannot opt out. What you can do is pick the battlefield. And, in my view, we picked the right battlefield—Iraq. Also, in my view, we promptly screwed it up, and right now we are starting to right that situation.

But I want to disabuse everyone in this chamber of the notion that once Iraq is behind us, the war is over. Whether Iraq is win, lose, or draw, the war will continue. Just like the Berlin airlift did not end World War II, Korea did not end World War III, and Vietnam did not end World War III. World War III ended when the Soviet Union collapsed. The folks who declared war on us will not stop til they collapse.

So please don't think that once Iraq is over, the war is over; it is not. If you truly believe that the Western civilization that comes all the way from my Greek ancestors is going to be over when Iraq is over—win, lose, or draw—you are so wrong, it is unbelievable.

Committee Reports

The Committee on Local, Urban and State Affairs reported

Senate Bill No. 368, entitled

A bill to amend 1846 RS 14, entitled "Of county officers," (MCL 48.35 to 48.48) by adding section 40a.

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.

Gerald Van Woerkom
Chairperson

To Report Out:

Yeas: Senators Van Woerkom, Birkholz, Allen, Gleason and Basham

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

Senate Bill No. 658, entitled

A bill to amend 1943 PA 20, entitled "An act relative to the investment of funds of public corporations of the state; and to validate certain investments," (MCL 129.91 to 129.96) by adding section 7.

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

Gerald Van Woerkom
Chairperson

To Report Out:

Yeas: Senators Van Woerkom, Birkholz, Allen, Gleason and Basham
Nays: None
The bill was referred to the Committee of the Whole.

The Committee on Local, Urban and State Affairs reported

Senate Bill No. 678, entitled

A bill to amend 1943 PA 20, entitled "An act relative to the investment of funds of public corporations of the state; and to validate certain investments," by amending section 6 (MCL 129.96), as added by 1997 PA 196.

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

Gerald Van Woerkom
Chairperson

To Report Out:

Yeas: Senators Van Woerkom, Birkholz, Allen, Gleason and Basham
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 Tuesday, October 16, 2007, at 3:00 p.m., Room 110, Farnum Building
Present: Senators Van Woerkom (C), Birkholz, Allen, Gleason and Basham

The Committee on Senior Citizens and Veterans Affairs reported

Senate Resolution No. 102.

A resolution to memorialize the Congress of the United States to provide for the construction and maintenance of a national cemetery in Michigan's Upper Peninsula.

(For text of resolution, see Senate Journal No. 83, p. 1319.)

With the recommendation that the resolution be adopted.

Jason E. Allen
Chairperson

To Report Out:

Yeas: Senators Allen, Pappageorge, Garcia, Olshove and Basham
Nays: None
The resolution was placed on the order of Resolutions.

The Committee on Senior Citizens and Veterans Affairs reported

Senate Bill No. 754, entitled

A bill to assure that returning veterans are informed of state-funded veterans service organizations; and to prescribe certain duties of certain state agencies.

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

Jason E. Allen
Chairperson

To Report Out:

Yeas: Senators Allen, Pappageorge, Garcia, Olshove and Basham
Nays: None
The bill was 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 17, 2007, at 9:00 a.m., Room 100, Farnum Building
 Present: Senators Allen (C), Pappageorge, Garcia, Olshove and Basham

The Committee on Banking and Financial Institutions reported
Senate Resolution No. 113.

A resolution to urge the Federal Emergency Management Agency to reject proposed revisions to existing flood insurance rate maps in the state of Michigan.

(For text of resolution, see Senate Journal No. 102, p. 1614.)

With the recommendation that the resolution be adopted.

Randy Richardville
 Chairperson

To Report Out:

Yeas: Senators Richardville, Sanborn, Cassis, Stamas, Hunter, Clarke and Olshove

Nays: None

The resolution was placed on the order of Resolutions.

COMMITTEE ATTENDANCE REPORT

The Committee on Banking and Financial Institutions submitted the following:
 Meeting held on Wednesday, October 17, 2007, at 9:00 a.m., Room 210, Farnum Building
 Present: Senators Richardville (C), Sanborn, Cassis, Stamas, Hunter, Clarke and Olshove

The Committee on Economic Development and Regulatory Reform reported
Senate Bill No. 455, entitled

A bill to amend 1986 PA 281, entitled "The local development financing act," by amending section 2 (MCL 125.2152), as amended by 2004 PA 17.

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, Richardville, Allen, Gilbert, Thomas, Hunter and Jacobs

Nays: None

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

The Committee on Economic Development and Regulatory Reform reported
Senate Bill No. 606, entitled

A bill to amend 1980 PA 299, entitled "Occupational code," by amending section 411 (MCL 339.411), as amended by 2004 PA 373.

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, Richardville, Allen, Gilbert, Thomas, Hunter and Jacobs

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Economic Development and Regulatory Reform reported
Senate Bill No. 577, entitled

A bill to regulate certain persons building certain residential structures; to provide for certain disclosures and prescribe certain limitations regarding the transfer of that residential structure; and to provide for remedies and penalties.

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, Richardville, Allen, Gilbert, Thomas, Hunter and Jacobs

Nays: None

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

The Committee on Economic Development and Regulatory Reform reported

House Bill No. 4749, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending sections 312a, 658, and 907 (MCL 257.312a, 257.658, and 257.907), section 658 as amended by 2002 PA 494 and section 907 as amended by 2006 PA 298, and by adding sections 658c and 658d; 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.

Alan Sanborn
Chairperson

To Report Out:

Yeas: Senators Sanborn, Richardville, Allen, Gilbert, Thomas and Hunter

Nays: Senator Jacobs

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

COMMITTEE ATTENDANCE REPORT

The Committee on Economic Development and Regulatory Reform submitted the following:

Meeting held on Wednesday, October 17, 2007, at 1:00 p.m., Rooms 402 and 403, Capitol Building

Present: Senators Sanborn (C), Richardville, Allen, Gilbert, Thomas, Hunter and Jacobs

COMMITTEE ATTENDANCE REPORT

The Committee on Families and Human Services submitted the following:

Joint meeting held on Tuesday, October 16, 2007, at 2:30 p.m., Room 210, Farnum Building

Present: Senators Jansen (C), Hardiman and Jacobs

COMMITTEE ATTENDANCE REPORT

The Subcommittee on Department of Human Services submitted the following:

Joint meeting held on Wednesday, October 16, 2007, at 2:30 p.m., Room 210, Farnum Building

Present: Senator Hardiman (C), Kahn, Jansen and Scott

Excused: Senator Barcia

Scheduled Meetings

Natural Resources and Environmental Affairs and House Great Lakes and Environment, Joint - Wednesday, October 24, 8:00 a.m., Room 519, South Tower, House Office Building (373-3447)

Senate Fiscal Agency Board of Governors - Wednesday, October 24, 9:15 a.m., Room S-101, Capitol Building (373-5300)

Transportation - Tuesday, October 23, 1:00 p.m., Room 110, Farnum Building (373-7708)

Senator Cropsey moved that the Senate adjourn.
The motion prevailed, the time being 12:40 p.m.

The President pro tempore, Senator Richardville, declared the Senate adjourned until Tuesday, October 23, 2007, at 10:00 a.m.

CAROL MOREY VIVENTI
Secretary of the Senate