

No. 34
STATE OF MICHIGAN
Journal of the Senate
96th Legislature
REGULAR SESSION OF 2011

Senate Chamber, Lansing, Wednesday, April 27, 2011.

10:00 a.m.

The Senate was called to order by the President, Lieutenant Governor Brian N. Calley.

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

Anderson—present
Bieda—present
Booher—present
Brandenburg—present
Casperson—present
Caswell—present
Colbeck—present
Emmons—present
Gleason—present
Green—present
Gregory—present
Hansen—present
Hildenbrand—present

Hood—present
Hopgood—present
Hune—present
Hunter—present
Jansen—present
Johnson—present
Jones—present
Kahn—present
Kowall—present
Marleau—present
Meekhof—present
Moolenaar—present
Nofs—present

Pappageorge—present
Pavlov—present
Proos—present
Richardville—present
Robertson—present
Rocca—present
Schuitmaker—present
Smith—present
Walker—present
Warren—present
Whitmer—present
Young—present

Pastor Greg Van Heukelom of Calvary Reformed Church of Mattawan offered the following invocation:

We gather this morning knowing that Your name is holy. We praise You for Your wisdom of Easter and forgiveness of our sins. Now, Lord, I ask that You look with favor upon these elected women and men. The people chose them by You to lead our state in wisdom and grace.

Lord, we covet Your blessing upon our land, from the Iowa National Forest across the bridge to the shores of Lake Erie and all the land in between. May Your richness and mercy flow over all who call Michigan their home.

This morning we remember the men and women of our state who are in the service of our great nation. For those separated by deployments, we ask that You bring them home safely, and for those who we have all known who have given their lives, we ask that You comfort their families.

Now, Lord, may we strive in our lives to live lives of integrity first, to have service before self, and excellence in all that You call us to do. Amen.

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

Motions and Communications

Senators Jones, Proos, Nofs, Gleason, Pappageorge, Gregory and Bieda entered the Senate Chamber.

Senator Hunter moved that Senators Johnson and Smith be temporarily excused from today's session. The motion prevailed.

Senator Meekhof moved that Senators Brandenburg, Emmons and Marleau be temporarily excused from today's session.

The motion prevailed.

Senator Meekhof moved that rule 3.902 be suspended to allow the guests of Senator Hopgood admittance to the Senate floor.

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

Senator Meekhof moved that rule 3.901 be suspended to allow video to be taken from the Gallery.

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

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

Senate Bill No. 171

Senate Bill No. 174

Senate Bill No. 176

Senate Bill No. 178

Senate Bill No. 180

Senate Bill No. 181

Senate Bill No. 183

Senate Bill No. 185

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

The Secretary announced that the following House bills were received in the Senate and filed on Tuesday, April 26:

House Bill Nos. 4314 4350 4533

Messages from the House

Senators Emmons and Marleau entered the Senate Chamber.

Senate Bill No. 263, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 17902 (MCL 333.17902), as added by 2006 PA 54.

The House of Representatives has amended the bill as follows:

1. Amend page 2, line 15, after "IS" by striking out "TEMPORARILY".

2. Amend page 2, line 17, after "TRAINERS" by inserting a comma and "WHO IS PRESENT IN THIS STATE FOR NOT MORE THAN 30 CONSECUTIVE DAYS,".

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

Pending the order that, under rule 3.202, the bill be laid over one day,

Senator Meekhof moved that the rule be suspended.

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

The question being on concurring in the amendments made to the bill by the House,

The amendments were concurred in, a majority of the members serving voting therefor, as follows:

Roll Call No. 105**Yeas—35**

Anderson	Gregory	Kahn	Richardville
Bieda	Hansen	Kowall	Robertson
Booher	Hildenbrand	Marleau	Rocca
Casperson	Hood	Meekhof	Schuitmaker
Caswell	Hopgood	Moolenaar	Walker
Colbeck	Hune	Nofs	Warren
Emmons	Hunter	Pappageorge	Whitmer
Gleason	Jansen	Pavlov	Young
Green	Jones	Pros	

Nays—0**Excused—3**

Brandenburg	Johnson	Smith
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Not Voting—0

In The Chair: President

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

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

The Senate agreed to the full title.

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

Third Reading of Bills

Senator Smith entered the Senate Chamber.

The following bill was read a third time:

Senate Bill No. 207, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 43517, 43520, 43525a, and 43531 (MCL 324.43517, 324.43520, 324.43525a, and 324.43531), sections 43517 and 43520 as amended by 2006 PA 282, section 43525a as amended by 2006 PA 280, and section 43531 as amended by 2009 PA 70.

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. 106**Yeas—30**

Bieda	Hansen	Marleau	Richardville
Booher	Hildenbrand	Meekhof	Robertson
Casperson	Hopgood	Moolenaar	Rocca
Caswell	Hune	Nofs	Schuitmaker
Colbeck	Hunter	Pappageorge	Smith
Emmons	Jansen	Pavlov	Walker
Gleason	Jones	Proos	Young
Green	Kowall		

Nays—6

Anderson	Hood	Warren	Whitmer
Gregory	Kahn		

Excused—2

Brandenburg	Johnson
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Not Voting—0

In The Chair: President

The Senate agreed to the title of the bill.

Recess

Senator Meekhof moved that the Senate recess subject to the call of the Chair. The motion prevailed, the time being 10:14 a.m.

10:38 a.m.

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

During the recess, Senators Brandenburg and Johnson entered the Senate Chamber.

By unanimous consent the Senate proceeded to the order of

General Orders

Senator Meekhof 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 Calley, designated Senator Pavlov as Chairperson.

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

Senate Bill No. 180, entitled

A bill to make appropriations for the judiciary for the fiscal year ending September 30, 2012; and to provide for the expenditure of the appropriations.

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 Meekhof 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:

Senate Bill No. 180

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

The following bill was read a third time:

Senate Bill No. 180, entitled

A bill to make appropriations for the judicial branch for the fiscal year ending September 30, 2012; to provide for the expenditure of these appropriations; to provide anticipated appropriations for the fiscal year ending September 30, 2013; to place certain restrictions on the expenditure of these appropriations; to prescribe the powers and duties of certain state and local departments, officials, and employees; to require certain reports; and to provide for the disposition of fees and other income received by the judicial branch.

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. 107

Yeas—26

Booher	Hansen	Marleau	Proos
Brandenburg	Hildenbrand	Meekhof	Richardville
Casperson	Hune	Moolenaar	Robertson
Caswell	Jansen	Nofs	Rocca
Colbeck	Jones	Pappageorge	Schuitmaker
Emmons	Kahn	Pavlov	Walker
Green	Kowall		

Nays—12

Anderson	Gregory	Hunter	Warren
Bieda	Hood	Johnson	Whitmer
Gleason	Hopgood	Smith	Young

Excused—0

Not Voting—0

In The Chair: President

The Senate agreed to the title of the bill.

Protest

Senator Johnson, under his constitutional right of protest (Art. 4, Sec. 18), protested against the passage of Senate Bill No. 180 and moved that the statement he made during the discussion of the bill be printed as his reasons for voting “no.”

The motion prevailed.

Senator Johnson's statement is as follows:

I rise today to state my opposition to this budget. I would like to thank the chair for his efforts on this budget. I appreciate the work the subcommittee has done. However, I believe this budget still falls short and misses opportunities to achieve long-term savings. One area that is, in my estimation, shamefully underfunded is the Appellate Defender Program. We must remember that indigent defense is a fundamental right, not a privilege. In order to ensure that our justice system is truly just, public defenders must have the resources they need to defend the innocent.

A major budgetary concern for our state is the growing correctional costs. Our judicial system provides less costly alternatives in the form of mental health and drug courts. These programs have the ability to reduce incarceration and recidivism and are less expensive than traditional sanctions. Investing in these programs in the Judiciary budget could result in major savings in the Corrections budget. Surely, it is a reform we can and should all support.

This budget should also make investments in technology to build a statewide case management system. This will create efficiency in our court system and help the state to realize future savings. The people of Michigan are watching us here today, and I don't think that they necessarily like what they see. They see us just slashing education and compromising justice to pay for a \$2 billion tax cut for big business, and this isn't the shared sacrifice that they were promised.

For those reasons, I will be voting "no."

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

The motion prevailed.

Senator Proos' statement is as follows:

I rise in support of the Judiciary budget for fiscal year 2012. You know, you have to begin by looking at the cooperation and interest that the Chief Justice of the Michigan Supreme Court has given to today's economic times in an effort to try to make sure that the court in its entirety is responsive to those economic challenges. With that, the court itself has said that we will work with you, the Legislature, who holds the purse strings to ensure that we rightsize the court based upon today's judicial needs, not the least of which is the elimination of six judgeships that are coming open and two appellate court seats that the Governor has chosen not to fill in an effort to rightsize the court itself.

As a reminder, the Judiciary budget is only about 1.83 percent of the entire General Fund, a relatively small number but an important number because of its constitutional role in the state of Michigan and its separation of powers.

I would like to thank the minority vice chair, the Senator from the 2nd District, as well as the majority vice chair, the Senator from the 20th District, for their assistance with this. You know, there are two very specific areas that, I think, we have to look to as potential for future growth and cooperation. As you know, in the Corrections budget that passed, we looked toward a million-dollar interdepartmental grant for swift and sure sanctioning, whereby we tried to close the front door of our judicial system into our prisons, investing in our drug courts, and investing in areas that work. I praise the courts for the work that they have done. I would especially like to thank my members for their efforts, in essence, eliminating about \$3 million of expenditures in this particular budget, with the executive recommendation itself also.

You know, the bar association has been a part of this process also. They are looking towards local self-help centers in an effort to try to allow those self-help centers to give constituents and those interested in interfacing with the court system the easiest access possible with the least amount of frustration and trouble. It should alleviate some of our county clerks' responsibilities and should give us some additional support for those folks who interface with the court itself.

I would urge support of this particular budget. I look forward to continuing to work together to make sure that the judiciary is responsive to the needs of today's citizens, given the economic situation.

Recess

Senator Meekhof moved that the Senate recess subject to the call of the Chair.
The motion prevailed, the time being 10:49 a.m.

12:01 p.m.

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

Recess

Senator Meekhof moved that the Senate recess until 1:00 p.m.
The motion prevailed, the time being 12:02 p.m.

The Senate reconvened at the expiration of the recess and was called to order by the President, Lieutenant Governor Calley.

Recess

Senator Pavlov moved that the Senate recess subject to the call of the Chair.
The motion prevailed, the time being 1:01 p.m.

1:44 p.m.

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

By unanimous consent the Senate returned to the order of
General Orders

Senator Meekhof 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 Calley, designated Senator Pavlov as Chairperson.

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

Senate Bill No. 183, 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), section 11 as amended by 2010 PA 217 and section 17b as amended by 2007 PA 137.

Substitute (S-1).

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

1. Amend page 8, line 25, after "than" by striking out "750,000" and inserting "**500,000**".
2. Amend page 9, line 11, by striking out "department of energy, labor, and economic growth" and inserting "**WORKFORCE DEVELOPMENT AGENCY**".
3. Amend page 79, line 13, after "the" by striking out the balance of the line through "growth" on line 14 and inserting "**WORKFORCE DEVELOPMENT AGENCY**".
4. Amend page 138, line 7, by striking out "**\$1,625,000.00**" and inserting "**\$3,154,600.00**" and adjusting the totals in section 11 and enacting section 1 accordingly.
5. Amend page 139, line 4, by inserting:
 "(4) From the funds allocated in subsection (1), there is allocated an amount not to exceed ~~\$1,403,500.00 for 2009-2010 and an amount not to exceed \$433,800.00 for 2010-2011~~ **\$1,529,600.00 FOR 2011-2012** for reimbursement to districts and intermediate districts for costs associated with the inspection of school buses and pupil transportation vehicles by the department of state police as required under section 715a of the Michigan vehicle code, 1949 PA 300, MCL 257.715a, and section 39 of the pupil transportation act, 1990 PA 187, MCL 257.1839. The department of state police shall prepare a statement of costs attributable to each district for which bus inspections are provided and submit it to the department and to each affected district in a time and manner determined jointly by the department and the department of state police. The department shall reimburse each district and intermediate district for costs detailed on the statement within 30 days after receipt of the statement. Districts for which services are provided shall make payment in the amount specified on the statement to the department of state police within 45 days after receipt of the statement. The total reimbursement of costs under this subsection shall not exceed the amount allocated under this subsection. Notwithstanding section 17b, payments to eligible entities under this subsection shall be paid on a schedule prescribed by the department."
6. Amend page 180, line 12, by striking out "department of energy, labor, and economic growth" and inserting "**WORKFORCE DEVELOPMENT AGENCY**".
7. Amend page 183, line 14, by striking out all of section 166f and inserting:
"SEC. 166F. (1) BEGINNING IN 2011-2012, IF A DISTRICT OR INTERMEDIATE DISTRICT OFFERS A MEDICAL BENEFIT PLAN TO ITS EMPLOYEES, A DISTRICT OR INTERMEDIATE DISTRICT IS ENCOURAGED TO REVIEW THE COSTS OF ITS MEDICAL BENEFIT PLANS AND CONSIDER ADDITIONAL EMPLOYEE COST SHARING FOR THOSE PLANS."
8. Amend page 185, line 22, after "2." by striking out the balance of the line through "(a)" on line 24.
9. Amend page 186, line 2, after "388.1772" by inserting a comma and "are repealed".
10. Amend page 186, line 3, by striking out all of subdivision (b).

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.

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

The President pro tempore, Senator Schuitmaker, assumed the Chair.

Senator Meekhof 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:

Senate Bill No. 183

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

The President Lieutenant Governor Calley, resumed the Chair.

The following bill was read a third time:

Senate Bill No. 183, entitled

A bill to amend 1979 PA 94, entitled "The state school aid act of 1979," by amending sections 3, 6, 11, 11a, 11g, 11j, 11k, 11m, 15, 18, 20, 20d, 22a, 22b, 22d, 22e, 24, 24a, 24c, 26a, 31a, 31d, 31f, 32b, 32d, 32j, 39, 39a, 40, 51a, 51c, 51d, 53a, 54, 56, 61a, 62, 74, 81, 93, 94a, 98, 99, 101, 104, 107, 109, 147, and 152a (MCL 388.1603, 388.1606, 388.1611, 388.1611a, 388.1611g, 388.1611j, 388.1611k, 388.1611m, 388.1615, 388.1618, 388.1620, 388.1620d, 388.1622a, 388.1622b, 388.1622d, 388.1622e, 388.1624, 388.1624a, 388.1624c, 388.1626a, 388.1631a, 388.1631d, 388.1631f, 388.1632b, 388.1632d, 388.1632j, 388.1639, 388.1639a, 388.1640, 388.1651a, 388.1651c, 388.1651d, 388.1653a, 388.1654, 388.1656, 388.1661a, 388.1662, 388.1674, 388.1681, 388.1693, 388.1694a, 388.1698, 388.1699, 388.1701, 388.1704, 388.1707, 388.1709, 388.1747, and 388.1752a), sections 3, 6, 11a, 11g, 11k, 15, 18, 20, 20d, 22b, 22d, 24, 24a, 31a, 31d, 31f, 32b, 32d, 32j, 39, 51c, 51d, 53a, 54, 61a, 62, 74, 98, 99, 101, 107, and 147 as amended by 2010 PA 110, sections 11, 11m, 22a, 51a, and 56 as amended and section 152a as added by 2010 PA 217, sections 11j, 22e, 24c, 26a, 39a, 81, 94a, and 104 as amended and section 93 as added by 2010 PA 204, section 40 as amended by 2000 PA 297, and section 109 as amended by 1994 PA 283, and by adding sections 12, 22f, and 166f; and to repeal acts and parts of acts.

The question being on the passage of the bill,

The Senators being equally divided (yeas 19; nays 19), the Lieutenant Governor voted "yea."

The bill was passed, a majority members serving and the Lieutenant Governor voting therefor, as follows:

Roll Call No. 108

Yeas—19

Booher	Hune	Meekhof	Richardville
Casperson	Jansen	Moolenaar	Robertson
Caswell	Kahn	Pappageorge	Schuitmaker
Colbeck	Kowall	Pavlov	Walker
Emmons	Marleau	Proos	

Nays—19

Anderson	Gregory	Hunter	Smith
Bieda	Hansen	Johnson	Warren
Brandenburg	Hildenbrand	Jones	Whitmer
Gleason	Hood	Nofs	Young
Green	Hopgood	Rocca	

Excused—0

Not Voting—0

In The Chair: President

The Senate agreed to the title of the bill.

Protests

Senators Whitmer, Hunter, Bieda, Hoptgood, Young, Smith, Warren, Gregory, Anderson, Johnson, Hood and Gleason, under their constitutional right of protest (Art. 4, Sec. 18), protested against the passage of Senate Bill No. 183.

Senators Whitmer, Hoptgood, Young, Smith, Warren, Gregory, Anderson, Bieda, Hunter, Johnson, Hood and Gleason moved that the statements they made during the discussion of the bill be printed as their reasons for voting “no.”

The motion prevailed.

Senator Whitmer’s statement, in which Senators Hunter and Bieda concurred, is as follows:

As I sit here today, I can’t help but think back to a different era in this chamber. Believe it or not, there once was a time when having the letter “R” after your name meant you were fiscally conservative but at the same time supported critical investments that improved the lives of the people of Michigan—investments like education.

I ask you, where are the Milliken Republicans now? This chamber has a vast history of Senators like Gerald Ford, Vern Ehlers, and Bill Milliken, to name a few, who would support reasonable taxes but still support basic services for Michiganders who need it. I know this because my father was a Milliken Republican. I learned from him, as well as my mother, a Frank Kelley Democrat, that we as elected officials should put the people’s interest before our own and before any special interest.

The chair of the Education Committee said he believes that the state should fund schools as much as possible through the foundation allowance, as “Proposal A intended.” I find this ironic since his budget flies in the face of Proposal A.

Now let me be clear. By supporting this budget, you are taking our School Aid Fund dollars from our school kids. You are choosing businesses over kids. You are choosing corporate greed over kids in need. And, yes, you are choosing to plummet roughly 150 school districts into bankruptcy—150 school districts immediately into bankruptcy. I can guarantee you that those districts are in some of your hometowns. Maybe you don’t have kids in our public schools, but you should think about your constituents who do. Think about that third-grader who attends Roseville Community Schools who will now have 35 kids in his or her classroom. Think about that high school student from Comstock Public Schools who will no longer be able to take that art or music class or participate in band after school. Think about that Grand Rapids School District who will lose \$928 per pupil which will certainly result in fewer textbooks and computers. How on earth will they promote critical thinking and well-rounded education?

Another colleague of mine from the other side of the aisle stated everyone wants to share in the sacrifice, unless it’s them. To which I would ask why, when times are tough, do you automatically take it out on students, seniors, and the working poor? It would be one thing if we actually had a deficit in the School Aid Fund or if this was necessary to balance the budget, but there is a surplus in the School Aid Fund. This cut that you are forcing on Michigan schools is because you chose a business tax cut over our kids.

To the 1.5 million kids in this state, their parents, their grandparents, and homeowners, members who support this budget are saying they care more about business bottom lines than our kids, than their education, than the workforce of tomorrow. Talk about penny-wise and pound-foolish. I’ve got news for you. We, the Democratic Caucus, will not roll over when it comes to our kids, our schools, and our communities. We will fight until the end to stave off these unnecessary cuts in the School Aid Fund to save our schools and your schools from this crisis that the Governor and legislative Republicans have created.

To the members in this chamber who think our caucus is the party of no, I would like to state as clearly as possible that we are ready to talk about education reforms, but we refuse to have those conversations until we’ve insulated our kids from being punished in the process. It’s time for you to live up to the promise of Proposal A and keep the school aid dollars for our schools. But if you’re hellbent on this unprecedented, unproven tax cut for businesses, use the projected surplus from the May Revenue Estimating Conference to fund it, not our kids’ education. You can’t move Michigan forward if you sacrifice our workforce, the entrepreneurs, the business people of tomorrow—our kids—in the process.

Senator Hoptgood’s statement is as follows:

I rise today to express my strong opposition to the School Aid Fund budget that is before us today. I would like to start off by thanking the chair for his hard work and the subcommittee members for their hard work and their willingness to listen to the concerns that were raised throughout the process. I do believe that this budget has been improved somewhat over the initial proposal by the Governor.

However, I just can't support this budget as it exists today. I can't support the transfer of school aid funds to be used for community colleges and universities. We must make school funding a priority. Transferring school aid funds to fill holes in the General Fund budget created by giving tax breaks to businesses sends the wrong message.

The School Aid Fund is currently showing a surplus, and that money should be invested in our K-12 schools. This budget makes an unnecessary and harmful \$340 per-pupil cut to our schools. The budget also eliminates a number of funding categoricals, including small class sizes and declining enrollments, that will have a detrimental impact on our schools.

I appreciate the monies that have been set aside for best practices, but I believe that the funding criteria for receiving these funds should be clearly defined before we move forward on this budget process.

I hope that the majority caucus and the majority chair of the subcommittee will continue to work to improve this budget. We need to do better for our students, and we need to turn down this budget today.

Senator Young's statement is as follows:

I would first like to start with a quote. It is a quote from Thomas Jefferson: "The most effectual means of preventing tyranny is to illuminate as far as practicable the minds of the people." "Mass education is not only the best and surest means of the preservation of liberty, but is also essential for the economic and social welfare of the people." That wasn't Thomas Jefferson; that was Alexander and Alexander's *Law of Schools, Students and Teachers*.

I rise today in adamant opposition to the School Aid budget before us today and to explain why I will be voting "no" and why all of you should as well. This entire budget plan is heinous from top to bottom, but the absolute worst piece of legislation before us over the last two days is the School Aid budget. While Republicans strive to frame the Governor's budget as shared sacrifice to Michigan families, it is in actuality elitist and exploitative of our most vulnerable citizens—our kids, our working families, and our seniors.

Under the Governor's budget proposal, we are handing almost \$2 billion in taxpayer money to big corporations, and we are doing so at the expense of our state's children, cutting school funding and endangering our children's future. There doesn't appear to be a silver lining in the Republican's sea of red, and there is certainly an array of flaws that have people up in arms. As a great person once said, "The people are mad as hell, and they aren't going to take it anymore."

With every person I talk to about the budget, their No. 1 concern is K-12 education. School superintendents are worried. Teachers and workers are concerned. Parents and students are scared. The Republican's School Aid budget would drastically cut school funding \$340 per pupil, mortgaging our future to pay for corporate tax cuts. I like to call it continuing corporate welfare.

The Detroit School District is facing unprecedented challenges and a growing deficit. People in there are raping, pillaging, robbing, looting, and stealing from the district. People are partying like it is 1999, spending like drunken sailors, and yes, trying to throw money up in the school districts so they can make it rain. That is not what they are put there to do. What do we do? We give the emergency manager more powers, but that is a different topic, and I am not going to go on that.

The budget before us today would take another \$55.5 million when increased retiree costs and the loss of federal funds are added to the per-pupil cut contained in this budget. Add to this the 5 percent across-the-board cut to the county intermediate school district, a cut which makes the consolidation and cooperation efforts the Governor recommends even more difficult to achieve.

This budget is also stealing \$395.9 million from the School Aid Fund to divert it to other budget priorities. What happened to the children being priority No. 1? This is not only morally reprehensible, but it also flies directly in the face of the explicit intent of Michigan voters to make sure K-12 funding goes to K-12 schools. Who would have thought? If we maintained school aid funding for what it was intended—our schools, we would not have to make these devastating cuts.

If the Legislature wasn't so hellbent on ramming the Governor's misguided plan forward to meet their arbitrary deadline, we could do the sound thing and wait until the May Revenue Estimating Conference to see if there is more money available for our schools. We could be leaving hundreds of millions of dollars on the table that our schools and our students desperately need. This budget is also cutting funding for intermediate school districts, declining enrollment grants, school bus inspections which keep our children safe every day on their way to and from school, and health, science, and engineering programs.

This budget makes me sick to my stomach, and I am appalled and ashamed by the actions of my colleagues to move ahead with these draconian and disgusting cuts. The excitement and optimism I had coming into this legislative session had faded just as the promises of bipartisanship, cooperation, and common-sense government from my colleagues have.

Let's be clear. This is not my budget, and this is not our budget either. It is your budget, and if you are going to continue down this path of cutting our kids and picking the pockets of our seniors and working families, my Democratic colleagues and I are not going to vote for these bills. These bad decisions are all yours, and you are going to have to live with the consequences for them. I hope you are prepared to live with them and answer to your constituents back home about what you did today.

I cannot believe anyone in this room in good conscience is comfortable doing this to our kids. It is completely counter-intuitive to rebuilding our economy and preparing our children for the jobs of the future. It is a direct betrayal of our responsibilities and our values as elected officials of this great state.

At numerous protests here at the Capitol and budget town halls we have held around Michigan, my Democratic colleagues and I have been engaging voters throughout the state. For my Republican counterparts, we have news for you. Yes, Michigan is facing hard times. There's no getting around that. The people of Michigan are all willing to do their part to help turn things around if we all share in the pain fairly and equally. But we are not willing to raise taxes on seniors and working families and slash education funding for our kids to pay for a \$2 billion tax cut for business. That is fundamentally wrong, and it is not just. I thought we were in the Legislature so that whatever powerful is just, and whatever is just is powerful, so that they can be merged together as one as we serve the people of Michigan, not big business and not the corporations—the people.

I will be voting “no” on this bill and encourage each and every one of you to do the same as well. This bill is a three-headed, screaming hydra. It must be beheaded, and we must do it today. Let's vote this bill down.

Senator Smith's statement is as follows:

Today, I rise in opposition to this budget. Our illustrious Governor has made a statement saying that teachers' pay should be structured on merit, which brings the question: What is the definition of merit? It seems, to me, with these cuts that our goal or the goal with this budget is trying to break teacher unions, destroy the profession, and privatize education. I am going to say that one more time: privatize education. So I would like to ask my colleagues on the other side of the aisle one question: Is that really what you are trying to go back to your constituents and say to them?

Senator Warren's statement is as follows:

I rise today to express my strong opposition to the proposed School Aid budget. I recently had the opportunity to attend a technology forum that was hosted by one of my local school districts. This district, like many of ours throughout this state, already receives one of the lowest foundation allowances under the state's formula and has struggled to make ends meet every budget cycle, as their funding has been cut year after year. On that evening, however, hundreds of students and parents, teachers and administrators were proud to gather together to show off the work they are doing to prepare every child for the top-notch education that will prepare them for an increasingly-global society. One administrator put it, “Our kids deserve the very best.” And they do; all of our kids do.

I am sad to say, however, that this event happened in spite of the decisions that have been made here in Lansing for the past few years and not because of them. It happened because, even though we have continually cut education funding, our teachers and administrators remain committed to funding our schools, to donating their time and energy during the summer and after hours to make sure that they have the professional development that it takes to provide an ever-changing curriculum, and to address the ever-growing needs of our children with fewer and fewer resources.

Unfortunately, this commitment can only carry us so far. As a result of the draconian cuts that we are considering today, I don't need to tell you that such nights of celebration will not only be fewer and farther between, but our school districts throughout the state will be faced with unfathomable decisions. Do they cut busing? Lay off hundreds of employees? Close several school buildings? Increase class sizes to 35, 40, or possibly even 50 students? These are the decisions this body is forcing them to make. More importantly, they are the conditions under which our children will be expected to learn.

In his Special Message on Education Reform this morning, Governor Snyder talked a lot about holding our teachers and schools accountable. I am certain we will hear more about this in the months to come. The bottom line is that we can test and evaluate all day long, but we must be accountable to our end of this bargain as well: accountable to passing a budget that reflects our shared values; accountable to keeping our commitment to our children and our future; accountable to raiding a \$500 million surplus in the School Aid Fund to finance a nearly \$2 billion tax break for big business. To the good chair of the Senate Appropriations Committee, we don't need amendments to try to find the solution to the money problem that we have in the School Aid Fund. We don't have a money problem in the School Aid Fund. Are we truly not above stealing from our kids' piggy bank? I would hope not.

Let's put our money where our mouth is, and put our children's interest above special interests. Let's set the example for accountability in and out of the classroom.

Senator Gregory's statement is as follows:

I also stand here in opposition to the School Aid budget before us and to explain why I'll be voting “no” on this legislation. One of the most important issues that I've heard around this state within these last couple months has been the K-12 budget. The communities that I've visited, the coffee hours that I've held, in all of those places, there's been a lot of conversation about the reduction of the School Aid Fund monies to these districts. Most of these districts that I've talked to say they'll be devastated. Several of the school districts in my area, we know that they're teetering right now, and with these reductions if they go through, these school districts will then be devastated. If they're devastated, if these kids are now forced to fend and go to some other district, the question becomes, what happens to them during their educational years? How do they get this back? How in the world can these kids now get back what they've lost because we've cut the funding for them?

I will say this: In my district and to the parents and students in the 14th District, at least in three of the school districts just to give you an idea of what these cuts will look like. In the Ferndale public schools system, there will be a \$2,891,448 cut. In the Southfield School District, it will be a \$5,193,190 cut. In the Farmington Hills School District, there will be a \$7,478,166 cut. These are huge and tremendous cuts and certainly will devastate these school districts and now reduce them to the point where they will not effectively be able to teach our children.

I've heard the question and I'll go back and say that what Senator Young stated earlier. If we maintained our school aid funding for what it was intended, our schools, we would not have to make these devastating cuts. But I guess one of the major questions in my mind is what are our priorities in the state of Michigan? Is education a top priority or not? Our children's education—is that a priority? If not, it should be the priority, and I believe that reducing the education allowance for these school districts indicates that we have lost sight of what our top priority should be. I believe we need to get back to that. I will be voting “no” on this bill and asking all my colleagues to do the same.

I'd just like to say one final thing. We're moving forward with this, and we're also looking to reduce our business tax. Who in the world would want to move to a state with an educational system that is so poor that kids are either going to private schools, and the public schools that are supposed to be educating are not doing the job they're supposed to be doing? Who would want to move here, even if we reduce all of the business taxes? If you don't have a good educational system, nobody will want to move to your state, and nobody will want to educate their kids in those school systems.

Senator Anderson's statement, in which Senator Bieda concurred, is as follows:

I think some of us were a little disappointed by the previous speaker in the fact that we didn't hear any echoes of “hello” around the chamber. I would just say if we do as he recommends, if we approve this budget as it is now, that instead of saying “hello,” it may be more appropriate for the Senator from the 13th District to get up and tell our schoolchildren “goodbye.” That is what we are doing to those school districts.

I rise today in adamant opposition to the School Aid budget before us, and I would like to explain why I will be voting “no” and why all of us here today should send the committee back to the drawing board and start working on this budget again.

This entire budget is terrible from top to bottom, but the absolute worst piece of legislation before us over the last two days is the School Aid budget. I do appreciate the hard work the chair has done. I know that he has been given an incredibly difficult job. I understand having to work with what the Governor has asked you to work with is difficult, but I know he has made changes. I do believe he is a sincere person, and I appreciate that. I appreciate the fact that he has taken time to sit down with me and talk to me about the impact on some school districts that I represent.

I don't believe that anyone sitting here who campaigns for office and supports our kids' education can possibly keep a straight face saying that and voting for this. When we welcome schoolchildren to the chamber and we recognize them up in the Gallery, will those of you who voted for this budget tell them what you did to their school districts and what you did when you passed this budget? I sincerely doubt it.

Let's be clear. There is no funding crisis or deficit with regard to our schools if we just stop the Governor's raid on the School Aid Fund. But with almost every single person I talk to about the budget, their No. 1 concern is funding K-12 education. School superintendents are worried, teachers and workers are concerned, and parents and students are scared. They're scared of the impact of this budget and what this Legislature is trying to do to their budgets and how they could possibly make adjustments to deal with the cuts.

This School Aid budget would drastically cut school funding by \$340 per pupil, mortgaging our future for corporate tax breaks. It is an issue of that. We are not seeing anything about how we are attacking businesses, as the previous speaker likes to imply. We support businesses, but we also don't support cutting taxes and eliminating taxes entirely for certain groups of businesses. Folks are talking all the time about picking winners and losers. How can you say you are going to tax one group but not tax another group of businesses? Those folks rely on our school districts to educate their future workers, and they also have families and children who depend on good, strong school districts.

To the school districts I represent in the 6th District, this budget would mean a \$2,408,060 cut to the Redford Union Schools. That is a district that is already in serious trouble. It's a \$2,233,315 cut to South Redford schools; a \$4,296,294 cut to Garden City schools, which is already under oversight; a \$10,370,151 cut to Livonia schools, a school district that has done a phenomenal job in educating kids. On top of all of that, there is a whopping \$15,085,400 cut to the Wayne-Westland School District. These cuts would cripple our schools and their ability to give our kids the quality education they deserve.

This is not only morally reprehensible, but it also flies in the face of the explicit intent of Michigan voters to make sure K-12 funding goes to K-12 schools. I will be voting “no” on this budget, and I urge each and everyone sitting here to do so as well.

Senator Bieda's statement is as follows:

I intend to vote “no” on this budget. I do appreciate the considerable amount of work and the challenge before us to prepare this and all the other budgets. I think we can do better.

Over the course of the last several months, I have received many letters and phone calls from parents, teachers, school administrators, and students who are dismayed and disheartened by the budget proposed for the funding of our schools. One letter from a teacher, in particular, got me to thinking about exactly what this budget means and how it reflects upon us as a state. It is about the priorities of our constituents.

High school students across Michigan are sitting in civics classes as we debate here today. They are learning about our core democratic values of justice, equality, and the common good. I think we have to ask ourselves how this budget reflects those values. Is it just that we ask schools to make further cuts and compromises to education, even after many have already asked their teachers and staff to freeze their pay, increase their co-pays, and have consolidated services?

Is it equal that we ask schools to make deep cuts and sacrifice the quality of education so that businesses can have a \$2 billion tax break, even though the School Aid Fund is currently showing a surplus? The voters supported Proposal A in 1994 with the understanding that the funds would be used for K-12 schools. Using these funds for any other purpose violates the mandate of the voters. How do we help the common good when this budget is likely to make students less prepared for college and less prepared to compete in the global job market?

Public schools have the ability to be the cornerstone of communities. Athletics, band concerts, and school plays enrich not only the students, but also bring a community together. These activities that enrich our quality of life will be sacrificed to create tax breaks that have no guarantee of creating jobs.

As a student of history, you can point to any great civilization in time and see common elements that made them all great. Included among them are the arts, natural resources, military might, geography, and strong leadership. Two other elements that were key to the success of many, including America and specifically Michigan, were a thriving middle class and a strong education system. The budgets we have considered these past two days have been direct attacks on these two pillars of our great civilization. Cutting education will not lead to economic growth nor help us develop as a society. In fact, it will almost surely accomplish the exact opposite.

To the people of the 9th Senate District and Macomb County, this plan would mean more than \$30 million in cuts to the ten school districts I represent when increased retiree costs and loss of federal dollars are added to the per-pupil cut. We must remember that it is the people who make this state great—people who develop technology; people who start businesses; people who build civilizations. If we are not investing in people, in our students, then we are not investing in our state's future.

I urge my colleagues to use the School Aid Fund for only K-12, and eliminate this needless cut to education.

Senator Hunter's statement, in which Senator Hood concurred, is as follows:

I rise on behalf of the citizens of the 5th Senate District who sent me here to serve. I would like to let them know that this Republican plan before us would cut over \$2 million to the great city of Inkster School District, almost \$8 million to the school district in Dearborn Heights, as well as an additional almost \$56 million to the Detroit School District. These cuts would decimate our schools, stack against our children the odds of achieving success, preparing to go to college, as well as preparing for the jobs that you all claim, on the other side of the aisle, your tax cuts to big business will dubiously create.

I just wanted to make an observation based on some of the things that I have heard on the other side, and I am going to address two. They are both gentlemen; they are both fine legislators, and I mean this sincerely. But to the great chairman of the Appropriations Committee, the Senator from the 32nd District, his question to this side of the aisle was, "Where are your amendments?"—as if we didn't offer amendments. It's okay to show-off on the Senate floor, but you know good and well that the Democrats on the Appropriations Committee submitted 32 amendments to the full committee that were rejected summarily; 42 amendments at the subcommittee level which were rejected, again, summarily. So the answer to your question of where are our amendments? They are in the trash can that you threw them in, Mr. Chairman. The great industrialist Henry Ford once said that he would sell a Model T in any color that a potential buyer wanted to purchase, so long as it was black. I think your contention was just as disingenuous as that. You have no intention of working with Democrats in addressing our concerns and priorities, and you know that full well. I want that to be said and said plainly.

Lastly, my good friend from the 13th District—and I call him a good friend—I enjoy listening to him lecture this chamber about what we should know, what we should do, and sometimes what we should think. But he made the comment, "It's not all businesses' fault." It's not businesses' fault. Well, I don't think we are faulting business. I think we are faulting an ideology which holds that we should prioritize tax cuts that big businesses don't need, that have not proven to create any jobs, at the expense of our kids, our working families, and our senior citizens. I don't know anybody with common sense who will turn away a free gift that you are offering to the big business community. However, you will have to excuse us as you fight tooth and nail every day to protect your main core constituency, and that is big business. You will have to excuse us as we fight to protect ours—that's our children, our working families across this great state, and our senior citizens who need a Legislature that values them.

I would urge a "no" vote on this bill when we eventually vote on it.

Senator Johnson's statement is as follows:

You know, it is interesting listening to everyone's comments because one way, shape, fashion, or another, we all tend to kind of see it the way we want to see it. The truth is, to the previous speaker, we can get beyond this budget by simply voting it up or down, and that will happen in a few minutes. I don't think anyone in here denies that school reform is important and that it is something that needs to take place.

The conversation that we are trying to have here is that there is an inadequacy on the part of this budget being proposed related to some of the most egregious financial situations that these school districts find themselves in across this state and that further exasperating the problem are these cuts. As deep as these cuts go, with what is on the horizon, which is sure to be a surplus in the fund, as pushed forward by the Revenue Estimating Conference, and I think we all tend to agree with that at this point. To act like that is not going to happen and that's not real, I think, is the real distinguished statement here.

So I rise today to voice my opposition to this K-12 budget. For those with all-encompassing power, it can be all too easy to deny the poor what they need; instead, forcing them to foot the bill for corporate tax breaks. For those lacking vision, it can be no big deal to throw our seniors and retirees under the bus and to make them help with that bill too. But it takes a special kind of arrogance, a unique brand of audacity, and a baffling lack of ability to grasp the logic behind the virtues of investment for this Legislature to sell out the children of the state of Michigan.

The cuts made to Michigan's K-12 education system in this budget are untenable. I represent several districts, and they will all suffer under this budget. The Harper Woods School District will lose almost \$800,000; the Highland Park City Schools will lose roughly \$1 million; the Hamtramck Public Schools will lose \$2.1 million; the Grosse Pointe Public Schools will be cut by \$5.3 million; and the DPS will experience a cut of over \$55 million on top of the money that this state, by virtue of its own policies, has forced the DPS to eat in the last decade.

This isn't about unions because unions have made concessions. This isn't about teachers' salaries and benefits because they've given up much of that. It isn't about political posturing because this should be a nonpartisan issue. Governor Snyder said during his campaign that he wants to invest in education. He said he wanted to strengthen our entire educational system, pre-K through 12, and today I think through 20. So why does his first budget propose a disinvestment in our children and our collective future? This budget eliminates school bus inspections that keep our children safe to and from school each day, while also getting rid of health, science, and engineering programs that help our students advance and compete at the highest level against children across the globe.

Michiganders made their voices heard loud and clear when Proposal A was approved. Our voters want the School Aid Fund used to fund aid to schools. It's not a complicated idea, but perhaps what that statewide vote made even clearer was that Michiganders do not want shortsighted politicians raiding the money from the School Aid Fund to support unrelated and misguided policies.

Today, I stand with my fellow Democrats and each and every citizen across this state when I say that disinvesting in our children's education and, frankly, their future to fund big business corporate tax breaks to the tune of \$1.8 billion is both unrelated and misguided. I urge every parent in this chamber, as well as anyone else who cares about our children and their education, to vote "no" on this budget.

Senator Hood's statement is as follows:

I heard the comments of the good Senator from the 37th District. I just want to start by addressing that because he just happened to speak before me; not direct to him, but he was there.

We talked about solid footing. I don't understand. If we are talking about solid footing and putting the state of Michigan on solid footing, which we all want to do, but there are a lot of pieces to solid footing. Not only do we need businesses to locate here and to maintain the businesses which are here, but when we start creating and expanding the job opportunities which is ultimately, or what is ultimately being said and created by this budget, and in the same words, we cut K-12 funding, higher education funding, so when we get to that point, where do we have an educated workforce? Where do we have a top-notch workforce where we can go out and promote the state of Michigan to get companies and businesses in this high-technological era which we are going into, stepping away from, if you will, the auto industry? Even in the auto industry, to run an assembly line robot, you have to know how to deal with the computer. When they break down, you have to have people who have the know-how to repair those computers and those robots. So if we start cutting K-12 funding, how will we give those school teachers and those school districts the tools which they need to give us a top-notch educational workforce because we are competing with countries across the world who are beating the crap out of us in school education?

So when we start cutting it up, how are we going to get these companies to move here if we don't have that? How many companies and how many people will want to move?

Everybody wants a great school district, and when you go look for a home, what is the first thing you look at for your kids? You look at how that school district performs. We all do it and how it's being funded.

This doesn't do it. This does not do it. Back in the early '70s, we sold—I wasn't here and I don't think anybody else was here—but it was sold to the citizens of the state of Michigan that lottery monies, when the lottery was started, was going to be used for K-12 funding. We promoted and there has been promotions statewide to say that these funds would be used for K-12 funding. I hear it every day in community meetings, and I'm sure all of you do. So you can sit here and not listen and play like you are not listening, but you know what I'm talking about. Your citizens asked you whether or not lottery money was going for K-12 funding, and they say show me.

But in this budget, we send lottery money to the K-12 budget, but then we pull the old shell game and take it out on the other side, taking K-12 funding money and put it into general funds; spending it everywhere else like higher education. So it's a little shell game that is going on. The folks who are pushing for these bills and this budget are fooling the people. We talk about how having open conversations lets the people know what is going on. It lets them know that you are telling them that the money is going here, but it is actually going there.

To the Senator from the 25th District, I welcome and I thank your invitation to be a part of the process. I thought I was going to be a part of the process when I was elected. I'm sure everybody else did too. But wrong. Didn't happen—not happening. I welcome that, and I will be a part of anything he wants to, but we're passing the budgets now. We wanted to be a part of this process right now. I don't want to be a part of the process after the ship has already sailed so that you can then blame it on me. No, I wanted to be there originally. I wanted to be there at day one. That's what my citizens elected me to do, and I'm asking for that not just now, but it should have been happening all along. That is what I talked about yesterday—being a part of the democratic process—democracy.

Let's work together. We are where we are now, but I ask you for us not to take the easy way out and just make cuts. It's easy to sit in a room with everybody whom you agree with and make up decisions. That is the easy way to do it. That's why all of this process has failed for years because we have taken the easy way out. The hard way to do it and the right way to do it is for people to sit in a room with those who have different philosophies, different ideas, and hash it out in a civilized manner and come up with an idea that both parties can live with. I don't mean parties, but both entities can live with. That's the hard way. That's the right way to do it. But we take the easy way out in life. We just want to do it the easy way; we'll do it. But that's not what we are here to do. That's why 38 of us are here, not just one person because if we do that, we just go to a dictatorship and let one person do it. We are all here, and we have people whom we need to represent. We need not to lock that out. We must do that. We ask that.

I will not be supporting this legislation because of the \$200 million which was taken out to cut higher education and those things and the fooling that we are putting on the citizens of the state of Michigan.

Senator Gleason's statement is as follows:

I, for one, had thought we had addressed this education responsibility in the wrong fashion for a number of years. I have listened patiently to the previous speakers. Opinions aren't necessarily fact, and many times, mine aren't either. I don't know if we have truly fixed the obligation we have been presented with as we make this decision today.

It was mentioned about what the last election was about. I don't remember anybody for office from Kalamazoo saying they were going to take a couple million dollars out of their local schools or take the grant away from the class size foundation. I don't remember anybody who represents Alma saying that they were going to take money out of the reduction in class sizes grant. I don't remember anybody running for office last year in the state of Michigan saying they were going to take money away from reduced class sizes.

I mentioned earlier that I thought it was very appropriate that we were presented with a chance to support that funding. I know that we came a few votes short. I don't think it was a good vote. I commend the Senator who offered that.

I represent a community, the city of Flint, and almost every one of those citizens did exactly what they were supposed to do. The jobs got up and they left, many to different states and the rest of them to different countries. They did what they were supposed to do. Now we are saying that we are done with one-time fixes. I can pretty much guarantee that everything we are doing today is not going to fix next year's trouble.

Let's talk about Proposal A. I don't think we should use Proposal A as a good example for funding schools. I don't believe it is a good way to tax homeowners either. We have all noticed what has happened the last few years when our families' tax rates were going up while their property values were going down. We were using the same referendum to fund our schools. Now Flint, Kalamazoo, Grand Rapids, Detroit, Saginaw, and Alpena have all experienced reduced property values. I haven't seen one thing in this education budget that is going to address the funding requirement for our schools. This is where I think we have to elevate our discussion and figure out how we are going to fund these schools.

I am ardently against this reduction of the class size grants. I honestly don't know how we get teachers to go into some schools and teach. When I look at the difficulties that Saginaw, Detroit, Flint, Pontiac, and others have, those teachers are much better than I am. I don't know why they take that job. Now we are going to burden them with more students in the classrooms. Then we said that class size isn't an answer. Change your seat for that teacher's seat and see if that doesn't make a difference. Those teachers face high unemployment, rising crime, parents not being able to feed their kids the right food, parents not being able to take them to the doctor, and parents trying to figure out some way to transport their kids to and from school.

Now over \$19 million is going to be taken out of these hard-to-serve schools. Some people say some of those folks did things they shouldn't have done, but it is pretty hard to find kindergarten, first-, second-, or third-graders who have done something they shouldn't do. They haven't done anything to be punished for by having more of them in the classroom. I don't agree with a lot of this budget, but I think taking away that class size grant is one of the most erroneous measures we have undertaken.

It was said that our side picks on business. I can tell you, for one, that I don't. I wish Buick, Chevrolet, and General Motors were still in my town. I didn't make that decision. I would have encouraged them to stay there. When I look at Gray and Ductile Iron and several manufacturing plants up in Saginaw and mid-Michigan, those in Pontiac and Detroit, I know there isn't anyone in this room who would advocate for getting rid of those jobs.

I do think that education is our top priority. I just want to say this because I think it is important. This budget process is just wrong. I've really admired Senator Pappageorge's view of looking at things. He looks at things uniquely, and I don't think we have done the best we can with these budgets. We really haven't answered the question about funding. We kind of moved some numbers around, but we really haven't addressed the major source of our funding—property values. Proposal A, we haven't addressed that. We haven't stopped the downward spiral of property values in our state. I don't know if diminishing allocations to schools would do that.

When my wife and I were married, the first and most important discussion that we had was where we were going to live and where we were going to send our kids. We chose Flushing because it was a good school. Unfortunately, Flushing had the lowest foundation grant from the state, \$7,200 per pupil, compared to many schools that have thousands of dollars more per pupil. We haven't addressed the gap to the extent that we should as well.

The Genesee County students are competing against students in other counties to get thousands of dollars more per pupil. Our kids in Genesee County are fighting for the same seats in the universities and colleges. The entry to those higher education seats is the education in their grade schools. We haven't done enough to diminish the gap. My kids in my county and maybe yours as well have to fight for the seats at these universities and colleges. Further, they have to fight for the global jobs when they compete with international students in this global economy.

So we have missed a lot of chances, but to say that this is not a one-time fix is erroneous. We are, indeed, kicking the can down the road. We haven't addressed the major issues in regard to Michigan's education system. We have done the same thing we have done every year since I have been in Lansing. We do have to get serious about this. I don't think it is fair if you have a kid in a different city and you are competing against one from a different area that gets \$12,000 and \$13,000 per-pupil grants. When we get around to doing that stuff, then we will get around to addressing Michigan's education responsibility.

I want you to hear about my hometown. I picked this school along with my wife to send my kids to. With today's action, this is what my superintendent Tim Stein says: "In a matter of three years, under the Governor's proposal, our district goes from a highly-efficient, high-producing, and financially-stable district to a deficit district." Tim Stein is a smart man, well-respected, and highly-regarded. You are going to convert a well-respected, highly-regarded, good-producing school district into one that is going to run a deficit.

In our Flint schools, struggling as they are, the Flint city school district is now going to contend with a \$7.2 million budget cut. I began my remarks saying I don't know how in the world a teacher goes into some of these schools and teaches. We say, well, it is a tough choice. You can go to Flushing, the nice one, or you can go into the city of Flint where we deal with a high-crime concern.

Don't tell me that we didn't have a one-year fix. There is nothing in here that won't have us back in a few months trying to address this same concern, this same responsibility about funding public schools next year. Nothing we have done today is going to address the concern in future years, but I think it is time that we should do that.

Senators Kahn, Pappageorge and Pavlov asked and were granted unanimous consent to make statements and moved that the statements be printed in the Journal.

The motion prevailed.

Senator Kahn's statement is as follows:

In listening to the comments of my good friends on the other side of the aisle, I have to say, should they all be true, I wouldn't want to be voting for this bill either. They issued their comments with a lot of passion and heat. I think maybe they ought to have a little might as well.

In regard to the notion of stealing money from the School Aid Fund for other noneducation purposes, I think we ought to start with looking at the Michigan Constitution, Article 9, Section 11: "There shall be established a state school aid fund which shall be used exclusively for aid to school districts, higher education, and school employees' retirement systems, as provided by law." This has not only been above the law of the land, but it has been part of our Constitution since the '60s, and it was revisited in proposition A where it was restated.

The reality of education in the state of Michigan is that challenges are present in funding, and they are present with the system itself. Dropout rates are a concern to us; a need for remedial education—kids goes to junior colleges, community

colleges, and universities; problems with our retirement system; the cost; the same for health care costs. All these come together in the notion of what we are trying to do to construct a more effective health care system.

In the budgets that we are passing, there is an interrelationship between General Fund budgets and the School Aid Fund, not just the fact that community colleges and higher education and universities are funded in part—large part—for many years solely by the General Fund; but as well between what those General Fund dollars and the lack thereof means to our people in terms of the roads and the potholes in them; the reductions that we have had over the past few years in community mental health provisions; the reductions that we have seen in closures of Secretary of State offices.

So considering the School Aid Fund in isolation and demanding further funding to it doesn't shed light on the problem—the overall funding of government in the state of Michigan. What does then? Well, we have a \$1.8 billion deficit. I would invite my colleagues on the other side of the aisle that if they feel that there should be no reductions, come forth with the amendments or the bills that would allow for further funding, and show me how we can do that in the spirit of the last election. What was that election about? It was about jobs—jobs for all of us, for our children, and our grandchildren. In my case, hope for the future. The more that we impede our businesses from producing those jobs, the more dependent our people will be on government handouts or hand-ups. I would hope they could be, but nonetheless ones we can't produce or afford.

And insofar as the notion of shared sacrifice is pilloried, over \$30 billion worth of business tax credits are disappearing. Some of our companies, fragile ones like Chrysler and General Motors, are going to be paying increased taxes as a result of the changes that we are implementing. And so, today, as we are considering this bill and yesterday, as we considered others, and later on today, as we consider more budget bills, send us your amendments if you think they can be approved, improved. Send us your revenue sources if you feel they won't hurt the citizens of the state of Michigan or your children or grandchildren, and they will be considered.

Senator Pappageorge's statement is as follows:

You know, one of the downsides to the present term-limited system in Michigan is we're losing our institutional memory. When Proposal A was being considered, they had to look at three things, not one. The first was what'll we do in a rising economy The second was what'll we do in a falling economy? The third one was what'll we do about capital requirements? The decision then is all three are too tough, and we're just going to do one, which is a rising economy. Guess what? We don't have one of those. We haven't had it for some years. So the idea of jumping on Proposal A as the reason for more money for anything is no longer valid. The premise was the economy was improving every year. So the reality is we have to make adjustments.

Now, once again, this must be the fault of business. The only flaw I see is that we haven't ordered business to collect more taxes for us. Now if you want to order somebody to collect more taxes for us to cover the \$1.2 billion in amendments that were presented throughout the committees on these budgets, then go ahead and put a tax proposal out and quit talking about revenue enhancement. The answer is tax increase. Use plain English, and stop saying it's businesses' fault. The flaw here is we have 16 budgets. We have a total of \$21 billion combined GF and K-12. Thirteen billion of that \$21 billion is going to K-12 to include \$218 million in General Fund. Read the bill. That leaves \$8 billion for 15 budgets, and you know what's in those other 15 budgets—police protection, fire protection, the safety net. The idea that it's OK; we're just going to do these one at a time and hammer the fact that we don't have enough money. Come on, let's get real here. We all need to do our homework. We're talking about priorities here. Does anyone doubt that our first priority is K-12—\$13 billion out of \$21 billion and another \$2 billion for higher ed? Is education the lower priority? What we were sent here to do is express the priorities of our constituents—all of our constituents, not just police, fire, education, whatever—all of them.

Now with regard to education, I tell my educators that you have a great burden and obligation to make sure our students are educated, but as citizens, as parents, you and the rest of us also have an obligation not to load our kids down with debt. Those two things are in conflict, and we're going to have to sort them out. So please stop taking these things one at a time and bemoaning the fact that there isn't enough money. Understand there isn't enough money for anything, which is why our job is so tough. How are we going to be fair is the question and demagoguing and blaming business or picking something else isn't going to get us there. Let's just stop that. Let's look at the facts and understand we have some painful decisions to make here.

Senator Pavlov's statement is as follows:

It is great to have a debate today on this floor, but I think what has been missing out of this entire conversation, while we are singularly focused on dollars and budgets, there has to be recognition that our school systems need improvements statewide, not just in urban areas, not in rural areas, but across the state.

To the previous speakers who suggested that they have not been included in the process, let me officially invite you to the policy side of the conversation. We will be struggling for the next several years to develop a system in Michigan that essentially rewards the students through a positive education. I would just suggest that you don't have to be a member of the education community to bring forth your reforms, where you think we are falling down in education and where you think we are doing a great job. Let's elevate the conversation beyond budgets. I mean everybody in this chamber recognizes

the fiscal crisis that this state is in. This budget not only reflects that, but it also reflects the fact that we have got to start focusing this on student achievement, growth, proficiency, the things that are going to drive our economy into the next century.

I welcome all ideas and suggestions to the Education Committee, and if you have great reform ideas, please pass those forward as we use those reforms to minimize the impact of some of these foundation cuts that are going out across the state in everybody's district. Let's find a way of building a better education system. There are great minds, and there is a lot passion that surrounds education in this state. I ask you to leverage that passion.

Please get involved in the policy side of this debate, and let's get this budget behind us and work toward a stronger education in the state of Michigan.

Recess

Senator Meekhof moved that the Senate recess subject to the call of the Chair.
The motion prevailed, the time being 3:26 p.m.

4:14 p.m.

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

By unanimous consent the Senate returned to the order of

General Orders

Senator Meekhof 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 Calley, designated Senator Pavlov as Chairperson.

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

Senate Bill No. 185, entitled

A bill to make appropriations for the department of transportation for the fiscal year ending September 30, 2012; and to provide for the expenditure of the appropriations.

Substitute (S-1).

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

1. Amend page 21, line 4, by striking out all of section 270 and inserting:

“Sec. 270. In order to reduce costs and maintain quality, it is the intent of the legislature that, excluding the fleet of motor vehicles for the department of state police, the department will prioritize the utilization of remanufactured parts as the primary means of maintenance and repair for the state of Michigan's fleet of motor vehicles.”.

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.

By unanimous consent the Senate returned to the order of

Third Reading of Bills

Senator Meekhof 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:

Senate Bill No. 185

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

The President pro tempore, Senator Schuitmaker, resumed the Chair.

The following bill was read a third time:

Senate Bill No. 185, entitled

A bill to make appropriations for the state transportation department and certain transportation purposes for the fiscal year ending September 30, 2012; to provide anticipated appropriations for the fiscal year ending September 30, 2013; 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 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. 109**Yeas—25**

Booher	Hildenbrand	Marleau	Proos
Brandenburg	Hune	Meekhof	Richardville
Casperson	Jansen	Moolenaar	Robertson
Colbeck	Jones	Nofs	Rocca
Emmons	Kahn	Pappageorge	Schuitmaker
Green	Kowall	Pavlov	Walker
Hansen			

Nays—13

Anderson	Gregory	Hunter	Warren
Bieda	Hood	Johnson	Whitmer
Caswell	Hopgood	Smith	Young
Gleason			

Excused—0**Not Voting—0**

In The Chair: Schuitmaker

The Senate agreed to the title of the bill.

Protest

Senator Anderson, under his constitutional right of protest (Art. 4, Sec. 18), protested against the passage of Senate Bill No. 185 and moved that the statement he made during the discussion of the bill be printed as his reasons for voting “no.”

The motion prevailed.

Senator Anderson’s statement is as follows:

I rise today in opposition to the MDOT budget. MDOT maintains repairs and expands our state’s infrastructure. Michigan’s roads are, in fact, the arteries to our economy, connecting our businesses, expanding trade and commerce, including our large agricultural industry, and maintaining access to the beautiful recreation destinations across our state. But the department cannot continue to keep our roads open and operating smoothly if they don’t receive the proper funding to do so.

The Transportation budget does not have the same drastic cuts as some of the other budgets that we voted on, but I find that over the years, there is an ongoing theme with this budget. Michigan roads are crumbling. In fact, of the more than 120,000 miles of roads we have in Michigan, we’ve already converted over 40,000 miles of it to gravel, and with budgets like this, we are sure to see this trend continue. Is that the future-forward infrastructure we want to sell businesses and residents on staying and relocating here?

Over the last five years, we have watched funding revenues decrease and the cost of maintaining roads increase. Yet we refuse to find a permanent funding solution, and instead keep robbing Peter to pay Paul. Over and over we find one-time fixes, cuts to other programs, and loopholes that are just enough to draw down federal dollars, but we refuse to make a permanent investment in our state’s infrastructure.

When we discuss shared sacrifice and doing more with less, MDOT is a model department. Over the last decade, they have already had staff cuts equaling 25 percent. They have closed offices, shared services, and done exactly what we asked others to do—be more efficient. I must say, the director has done a tremendous job running that department.

Transportation for America recently released a study that ranked Michigan bridges as the thirteenth structurally worst in the country. However, that is because we are not investing in the state's infrastructure. We are not providing the funding necessary. One in eight bridges in this state is rated structurally deficit. The worst bridge is located in southeast Michigan. I think a lot of us, when we drive under some of the overpasses on the freeway, have gotten so used to seeing plywood hanging over the top of that underneath of that bridge, we think it is part of the new construction. It's not. It's because of the crumbling concrete. It's preventing it from hitting the cars going underneath. We need to change that. We need to invest in our roads. One in eight bridges, like I said, is already rated structurally deficit.

Once again, we have a Transportation budget before us that follows past trends of using these gimmicks to cover the bare minimum. We are using toll credits now and other cuts to the \$800 million in federal funds and cutting the CTF to put money in the General Fund.

There is a lot of talk about addressing issues head-on and not putting tough decisions off to the future. My colleagues on the other side of the aisle are the ones kicking the can down the road with this budget. If they keep it up, they are not going to have a road to kick the can down. We can't say that we are open for business if we have closed road signs everywhere and putting Band-Aids on our potholes. Our state deserves better, and I'll be voting "no" on this bill and urge other members to do so as well.

By unanimous consent the Senate returned to the order of

General Orders

Senator Meekhof 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 Schuitmaker, designated Senator Pavlov as Chairperson.

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

Senate Bill No. 171, entitled

A bill to make appropriations for community and junior colleges for the fiscal year ending September 30, 2012; and to provide for the expenditure of the appropriations.

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 Meekhof 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:

Senate Bill No. 171

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

The following bill was read a third time:

Senate Bill No. 171, entitled

A bill to make appropriations for community colleges and certain state purposes related to education for the fiscal year ending September 30, 2012; to provide for the expenditure of those appropriations; to provide anticipated appropriations for the fiscal year ending September 30, 2013; 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 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. 110

Yeas—21

Booher
Brandenburg

Hune
Jansen

Meekhof
Moolenaar

Proos
Richardville

Casperson
Caswell
Emmons
Hildenbrand

Kahn
Kowall
Marleau

Nofs
Pappageorge
Pavlov

Robertson
Schuitmaker
Walker

Nays—17

Anderson
Bieda
Colbeck
Gleason
Green

Gregory
Hansen
Hood
Hopgood

Hunter
Johnson
Jones
Rocca

Smith
Warren
Whitmer
Young

Excused—0

Not Voting—0

In The Chair: Schuitmaker

The Senate agreed to the title of the bill.

Protest

Senator Anderson, under his constitutional right of protest (Art. 4, Sec. 18), protested against the passage of Senate Bill No. 171 and moved that the statement he made during the discussion of the bill be printed as his reasons for voting “no.”

The motion prevailed.

Senator Anderson’s statement is as follows:

First of all, I’d like to thank the chair of the Community Colleges budget and the subcommittee of Appropriations for his willingness to hear my concerns and take them into consideration and, in a few cases, even include a couple of them in the budget. However, we must consider a budget in its totality. Therefore, I rise today to voice my opposition to the Community Colleges budget before us.

This is one area that I agree with the Governor that community colleges should be held harmless. Unfortunately, this budget does not live up to that proposal. Decreasing property taxes and increasing student populations have already created difficult financial situations for our community colleges. While I appreciate that our committee didn’t make as deep a cut as the House committee did, an additional \$10 million from the operational cut will make it very difficult to provide the quality education community colleges deserve.

As we all know, community colleges have seen their enrollments increase tremendously in the last few years. Community colleges provide educational opportunities and specialized training not just to recent high school graduates, but also for displaced workers who now need to retrain for the 21st century job market. Michigan’s economic future is tied closely to the courses offered at these schools. While I support the proposal to hold community colleges harmless, I believe this should be done with General Fund dollars and not by raiding the School Aid Fund. Even with the \$10 million cut, we can still do that.

The transfer of funds from the School Aid Fund may be currently allowed under the Constitution, according to some, but that doesn’t make it right. Sacrificing the educational opportunities of children to plug a General Fund deficit created by business tax breaks is not fair. If students are to succeed in our community colleges and universities, they must first have a strong educational foundation. How can we go back to our districts and tell teachers and parents that even though there is a school aid surplus, we have to cut the K-12 budget anyway because we need that money elsewhere? I don’t know what you’ve heard from your school districts and your parents and teachers, but I’ve heard they expect that money to be used for K-12.

My Democratic colleagues and I held town halls all across this state to hear from voters what they want our priorities to be as we make budgeting decisions. They sent us back to Lansing with a clear message. Yes, we all know times are tough, and yes, we are all prepared to chip in if it truly means shared sacrifice. But we’re not willing to raise pension taxes, slash school funding, and jeopardize educational opportunities to pay for a \$2 billion tax cut for big corporations.

I will be voting “no” on this budget, and I hope my colleagues will do the same.

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

The motion prevailed.

Senator Booher's statement is as follows:

There are two things which I look at. In my lifetime, I've hired hundreds of people. In the end in education, it is the job which we are all trying to educate our kids to do—a job. I've been to 22 of the 28 community colleges. This year, I will graduate my fourteenth child from Evert Public Schools. I have five grandchildren in the public school system. No one has more interest in education than I do. Ten of those children are from ten different countries. I've got an opportunity to see how they come over here and how important education is to them. Four of them are back in the United States living today.

I have been, as I said, on 22 of the campuses. Maybe I'm getting old, but every one of those some 450,000 kids in those community colleges are kids. Those are the same kids you are talking about in the K-12 system. They have come through there and they are out there. Guess what we found out in testimony? The Senator from the 6th District knows that 70 percent of the testimony in Jackson, when we were taking testimony in the joint hearing, had to have remedial training. So I accept the fact that maybe because some of them were 30 and 40 years old and they had to have remedial training.

But I asked my own local community college to send me the graduates from last year's local schools. Guess what the numbers were when I got those? Last year's graduates who entered my local community college, 76 percent had to have remedial training in reading. As high as 80 percent had to have remedial training in math.

Now for six years, I fought against taking any money and putting it into community colleges. That day has changed. We have to change, and this is why I support it. This is our kids in our community colleges and our universities as well. So I ask for your support for passage of this bill.

By unanimous consent the Senate returned to the order of

General Orders

Senator Meekhof 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 Schuitmaker, designated Senator Pavlov as Chairperson.

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

Senate Bill No. 178, entitled

A bill to make appropriations for higher education for the fiscal year ending September 30, 2012; and to provide for the expenditure of the appropriations.

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 Meekhof 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:

Senate Bill No. 178

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

The following bill was read a third time:

Senate Bill No. 178, 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, 2012; to provide for the expenditures of those appropriations; to provide anticipated appropriations for the fiscal year ending September 30, 2013; and to prescribe the powers and duties of certain state departments, institutions, agencies, employees, and officers.

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. 111**Yeas—20**

Booher	Hildenbrand	Marleau	Proos
Casperson	Hune	Meekhof	Richardville
Caswell	Jansen	Moolenaar	Robertson
Colbeck	Kahn	Pappageorge	Schuitmaker
Green	Kowall	Pavlov	Walker

Nays—18

Anderson	Gregory	Johnson	Smith
Bieda	Hansen	Jones	Warren
Brandenburg	Hood	Nofs	Whitmer
Emmons	Hopgood	Rocca	Young
Gleason	Hunter		

Excused—0**Not Voting—0**

In The Chair: Hansen

The Senate agreed to the title of the bill.

Protest

Senator Hood, under his constitutional right of protest (Art. 4, Sec. 18), protested against the passage of Senate Bill No. 178 and moved that the statement he made during the discussion of the bill be printed as his reasons for voting “no.”

The motion prevailed.

Senator Hood’s statement is as follows:

As I spoke on General Orders, I oppose this budget because of the \$200 million that is being taken from school aid and being put into this budget. I think that the school aid money needs to stay in the school aid budget. I think just because there are extra monies there, we shouldn’t be taking the money. We should be investing in students there.

Also regarding cuts to universities by about 15 percent, as was noted, my concern is that cut of 15 percent is passed on through tuition to the students, as testified in the Higher Education Subcommittee. The question asked of some of the universities was if this decrease in the funding potentially could be passed on to the students via tuition, and they indicated it is a good possibility that could happen. My concern is that could happen and prevent some of our students from reaching a higher education and reaching those points where they can be the educated workforce, so when these jobs come to the state of Michigan, we will have the educated workforce to be there.

That is my objection, and I will be voting “no” on this budget.

By unanimous consent the Senate proceeded to the order of

Introduction and Referral of Bills

Senators Whitmer, Gregory, Bieda, Hunter, Anderson, Hood, Smith, Warren, Johnson, Hopgood, Young and Gleason introduced

Senate Joint Resolution M, entitled

A joint resolution proposing an amendment to the state constitution of 1963, by amending section 11 of article IX, to revise the permissible uses of the state school aid fund.

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

Senator Kahn introduced

Senate Bill No. 347, entitled

A bill to amend 1937 PA 94, entitled "Use tax act," by amending section 3f (MCL 205.93f), as added by 2008 PA 440. The bill was read a first and second time by title and referred to the Committee on Appropriations.

Senator Kahn introduced

Senate Bill No. 348, entitled

A bill to impose a tax on certain health care claims; to impose certain duties and obligations on certain insurance or health coverage providers; to impose certain duties on certain state departments, agencies, and officials; to create certain funds; to authorize certain expenditures; and to impose certain remedies and penalties.

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

House Bill No. 4314, entitled

A bill to amend 1991 PA 179, entitled "Michigan telecommunications act," by amending sections 101, 102, 103, 201, 202, 205, 210, 213, 303, 304, 305, 305b, 309, 310a, 313, 315, 316, 353a, 401, 502, and 503 (MCL 484.2101, 484.2102, 484.2103, 484.2201, 484.2202, 484.2205, 484.2210, 484.2213, 484.2303, 484.2304, 484.2305, 484.2305b, 484.2309, 484.2310a, 484.2313, 484.2315, 484.2316, 484.2353a, 484.2401, 484.2502, and 484.2503), sections 101, 102, 103, 201, 202, 205, 210, 213, 303, 304, 305, 309, 315, 316, 401, and 502 as amended and sections 305b, 310a, and 353a as added by 2005 PA 235 and section 503 as amended by 2000 PA 295; and to repeal acts and parts of acts.

The House of Representatives has passed the bill and ordered that it be given immediate effect.

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

House Bill No. 4350, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 16277 (MCL 333.16277), as added by 2001 PA 172.

The House of Representatives has passed the bill and ordered that it be given immediate effect.

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

House Bill No. 4533, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 310e (MCL 257.310e), as amended by 2010 PA 268.

The House of Representatives has passed the bill and ordered that it be given immediate effect.

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

Recess

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

The motion prevailed, the time being 4:59 p.m.

5:24 p.m.

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

By unanimous consent the Senate returned to the order of

General Orders

Senator Meekhof 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 Calley, designated Senator Pavlov as Chairperson.

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

Senate Bill No. 174, 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, 2012; to provide for the expenditure of the appropriations; to provide anticipated

appropriations for the fiscal year ending September 30, 2013; and to provide for the disposition of fees and other income received by the state agency.

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. 176, entitled

A bill to make appropriations for the department of environmental quality for the fiscal year ending September 30, 2012; and to provide for the expenditure of the appropriations.

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. 181, entitled

A bill to make appropriations for the department of military and veterans affairs for the fiscal year ending September 30, 2012; and to provide for the expenditure of the appropriations.

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 Meekhof moved that the rules be suspended and that the following bills, now on the order of Third Reading of Bills, be placed on their immediate passage at the head of the Third Reading of Bills calendar:

Senate Bill No. 174

Senate Bill No. 181

Senate Bill No. 176

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

The following bill was read a third time:

Senate Bill No. 174, 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, 2012; to provide for the expenditure of the appropriations; to provide anticipated appropriations for the fiscal year ending September 30, 2013; and to provide for the disposition of fees and other income received by the state agency.

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. 112

Yeas—26

Booher
Brandenburg
Casperson
Caswell
Colbeck
Emmons
Green

Hansen
Hildenbrand
Hune
Jansen
Jones
Kahn
Kowall

Marleau
Meekhof
Moolenaar
Nofs
Pappageorge
Pavlov

Proos
Richardville
Robertson
Rocca
Schuitmaker
Walker

Nays—12

Anderson	Gregory	Hunter	Warren
Bieda	Hood	Johnson	Whitmer
Gleason	Hopgood	Smith	Young

Excused—0**Not Voting—0**

In The Chair: President

The Senate agreed to the title of the bill.

Protest

Senator Anderson, under his constitutional right of protest (Art. 4, Sec. 18), protested against the passage of Senate Bill No. 174 and moved that the statements he made during the discussion of the bill be printed as his reasons for voting “no.”

The motion prevailed.

Senator Anderson’s first statement is as follows:

I rise today to speak against the budget for the Department of Education. While I appreciate many of the efforts the chair made in putting together this budget, it still contains misplaced priorities. This budget has funding for the Redesign/Reform Office, an office that is potentially redundant now that the emergency financial managers also have academic control. Also a number of additional reports are included to be required from an already-strained department. These changes are neither simple, fair, nor efficient and is an unnecessary diversion of precious resources.

On a brighter note, I deeply appreciate the efforts of the chair to hold libraries harmless. Libraries serve as a critical informational resource to citizens, providing information and Internet connections to many who otherwise wouldn’t have access.

However, I cannot support the diversion of funds from the School Aid Fund for this purpose. K-12 education must be a priority and must be protected. Diverting funds from schools to fill General Fund deficits is unacceptable. There would be little need to raid these funds other than to afford a \$2 billion tax break for large corporations. We need to think long and hard about our priorities here in this chamber, and if we can’t truly say that giving our leaders of tomorrow the education they need today, then we cannot move forward as a state. Our members are not willing to raise taxes on retirees and working families and slash education to pay for a \$2 billion tax cut for business.

I will be voting “no” on this budget, and I ask that my colleagues do the same.

Senator Anderson’s second statement is as follows:

I appreciate this second opportunity. There are large breaks to corporations. I misspoke. It’s not just large corporations, but there many LLCs and smaller corporations that are receiving those large tax breaks—an elimination, in some cases, of all tax liability.

The following bill was read a third time:

Senate Bill No. 181, entitled

A bill to make appropriations for the department of military and veterans affairs for the fiscal year ending September 30, 2012; to provide for the expenditure of the appropriations; to provide anticipated appropriations for the fiscal year ending September 30, 2013; 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 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. 113**Yeas—25**

Booher	Hildenbrand	Marleau	Proos
Brandenburg	Hune	Meekhof	Richardville
Caswell	Jansen	Moolenaar	Robertson
Colbeck	Jones	Nofs	Rocca
Emmons	Kahn	Pappageorge	Schuitmaker
Green	Kowall	Pavlov	Walker
Hansen			

Nays—13

Anderson	Gregory	Hunter	Warren
Bieda	Hood	Johnson	Whitmer
Casperson	Hopgood	Smith	Young
Gleason			

Excused—0**Not Voting—0**

In The Chair: President

The Senate agreed to the title of the bill.

Protest

Senator Gregory, under his constitutional right of protest (Art. 4, Sec. 18), protested against the passage of Senate Bill No. 181 and moved that the statement he made during the discussion of the bill be printed as his reasons for voting “no.”

The motion prevailed.

Senator Gregory’s statement is as follows:

I appreciate the opportunity to speak once again, and I would like to start out by saying thank you to the chair and the majority vice chair of the military and veterans committee. It was a difficult job, and he did a good job on that. I think he did as well a job that he could possibly do. But I’m rising today still in opposition to the budget, to the Michigan Department of Military and Veterans Affairs budget.

As we continue to fight wars abroad to protect our families and defend our freedom back home, the Department of Military and Veterans Affairs plays an important and invaluable role in assisting today’s service members and their families, as well as those who have previously served. Despite the important service that the department provides for Michigan’s men and women in the military and veterans, the DMVA is still facing a significant cut at the hands of my colleagues across the aisle. If we are value budgeting, as Governor Snyder likes to claim, can’t we all agree that our veterans and service men and women should be one of our top priorities? If we are sharing in the sacrifices, should we really be asking our veterans, who have given so much for this state and their country, to give more?

Not only is this budget being cut, but the line items have been rolled up to disguise where these cuts are being made, counteracting and undermining the transparency Governor Snyder promised when he took office. However, one of the major significant moves in this budget is the move to privatize services at the Grand Rapids Veterans’ Home. I don’t share with my colleagues’ shortsighted and stubborn belief that privatization is the magic solution to all of our state’s budget woes. In fact, I think we risk making major sacrifices in the quality of personal and professional services our veterans in Grand Rapids receive, while realizing little to no long-term savings for the state budget. A major report that explored cost savings at the Grand Rapids Veterans’ Home made no mention that privatization was an effective option for cutting costs. This report was just done last year, and yet it made no mention of privatization saving any money.

I've been talking to concerned citizens in my district, as well as voters across the state, and they all say the same thing. We all know times are tough, and we are all prepared to work together and help each other out. But if it truly means shared sacrifice, we are not willing to raise pension taxes, slash education, and sacrifice our veterans' care to pay for a \$2 billion tax cut for business.

I urge all of my colleagues to stand up for Michigan's veterans and oppose this bill.

The following bill was read a third time:

Senate Bill No. 176, entitled

A bill to make appropriations for the department of environmental quality for the fiscal year ending September 30, 2012; to provide for the expenditure of those appropriations; to provide anticipated appropriations for the fiscal year ending September 30, 2013; 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 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. 114

Yeas—21

Booher	Hildenbrand	Marleau	Pavlov
Brandenburg	Jansen	Meekhof	Proos
Caswell	Jones	Moolenaar	Richardville
Colbeck	Kahn	Nofs	Schuitmaker
Green	Kowall	Pappageorge	Walker
Hansen			

Nays—17

Anderson	Gregory	Hunter	Smith
Bieda	Hood	Johnson	Warren
Casperson	Hopgood	Robertson	Whitmer
Emmons	Hune	Rocca	Young
Gleason			

Excused—0

Not Voting—0

In The Chair: President

The Senate agreed to the title of the bill.

Protest

Senator Warren, under her constitutional right of protest (Art. 4, Sec. 18), protested against the passage of Senate Bill No. 176.

Senator Warren's statement is as follows:

After a day of very, very slow consideration of one budget after another, we went very quickly by the DEQ budget, so I'm rising during Statements to explain my "no" vote on the DEQ budget today.

As we read stories about gasoline pipelines spilling into our lakes and streams and additional forms of pollution and contamination that not only harm our environment, but endanger our way of life, it is incredibly disappointing to have seen before us a budget for the DEQ that doesn't provide the level of support that we, as the Great Lakes State, truly need. We all understand that these are challenging economic times, and I fully understand that some members here in this chamber may consider funding for the environment a superfluous expense. However, I would like to remind all of us that this is an agency that is charged with protecting 90 percent of the whole nation's fresh surface water, keeping our drinking water safe, and keeping the air that we breathe clean. The DEQ is, quite simply, the agency that is responsible for keeping our state Pure Michigan.

For four years as the chair of the House Committee on Great Lakes and the Environment and as current minority vice chair of this body's Natural Resources, Environment and Great Lakes Committee, I am proud to support Michigan's environment. However, I oppose the budget bill for DEQ today not only on its own merits, but because it exists as part of a larger flawed budget plan being hurried through this body in an equally flawed process. I cannot in good conscious lend my support to it.

This budget plan being sold to Michigan's families as shared sacrifice is in truth nothing of the sort. It gives away nearly \$2 billion in taxpayer money to corporations without a guarantee of creating a single job or a dollar of investment in the state of Michigan. Even worse, to pay for it, we are gutting some of our state's most vital programs, increasing taxes on those who can least afford it, and cutting school funding to the point that we will directly send hundreds of our school districts right into bankruptcy.

In this particular budget—the DEQ—we are funding many of this department's critical programs with hypothetical money based on fee increases the department has received no guarantees of receiving. In addition, we are reducing money for pollution prevention programs and lowering the level of protection we are giving to Michigan's environment. That doesn't sound like Pure Michigan to me.

Colleagues, I implore you to listen to the people of Michigan. They are willing to sacrifice if it means progress, but they are not willing to open their pockets and have their environment and Michigan's precious natural resources suffer only to pay for a \$2 billion tax cut for Michigan business. That is why I voted "no" today.

By unanimous consent the Senate proceeded to the order of

Statements

Senators Moolenaar, Young, Anderson, Smith, Jansen, Johnson and Hood asked and were granted unanimous consent to make statements and moved that the statements be printed in the Journal.

The motion prevailed.

Senator Moolenaar's statement is as follows:

It is with sadness today that I rise to share the news that a Gaylord resident and soldier in the United States military gave his life in Afghanistan in service of our country. Sergeant David Day was a 2003 graduate of Gaylord High School, where he was a multisport athlete. After graduating from high school, Sergeant Day immediately enlisted in the United States Marine Corps.

Sergeant Day served our nation as a highly-decorated Marine for seven and a half years, which included two previous tours of duty in Iraq and one tour in Afghanistan. On April 24, a roadside bomb tragically took the life and military career of one of Gaylord's finest.

Sergeant David Day leaves behind his wife Nicole, his father Don, his mother Cathy, and many friends and loved ones. It is for his ultimate sacrifice that I request the Senate honor Sergeant David Day and his family with a moment of silence.

A moment of silence was observed in memory of Marine Sergeant David Day.

Senator Young's statement is as follows:

I would like to begin with a quote from Thomas Paine: "We hold the moral obligation of providing for old age, helpless infancy, and poverty is far superior to that of supplying the invented wants of courtly extravagance." Here we are at the end of a couple long days of session, having voted on and passed all of the budget bills before this chamber. I see some smiling faces and some handshaking going on from some of my colleagues on the other side of the aisle. To them, I say congratulations. Congratulations on convincing yourself that this budget is actually representative of the values of the people of Michigan. Congratulations on being able to completely tune out the voices that echoed through the halls of this Capitol telling you this agenda was wrong. And congratulations on your ability to ignore the content of this budget and the damage it would do to the state and our people. Call what you've done here today a success.

I—and I believe I speak for all of my fellow Democrats here today—am ashamed of this budget. I think it is grotesque, as well as the process that was used to develop and ultimately pass it. While the majority party may like to talk of inclusiveness, they know as well as I that the budget we voted on this week was developed entirely behind closed doors.

We can't get in? You can't let some Democrats in? We can't see what is going on in the budget ever? Is this how it's going to be? Is this how it is going to operate forever? We can't get one interview or one budget meeting? Not one?

They may claim that we had a seat at the table, but in truth, we weren't even where the table was. They rushed these bills through committee, providing us the details either just before we were required to vote on the bills or not at all. Then they acted surprised when we voted "no" on them here on the floor, as if we, too, would ignore the fact that these bills represent entirely the wrong priorities for Michigan. So in the end, we have flawed bills passed through this chamber in a flawed process, and some of you want to smile and call that a success? Forgive me if I don't agree with that. On behalf of the people my Democratic colleagues and I had meetings with at town halls in recent weeks, I say shame on you. You have made it perfectly clear that while the people have spoken, you are not listening.

Power is only important as an instrument to serve the powerless. Let's think on that as we move forward in this Legislature.

The President pro tempore, Senator Schuitmaker, resumed the Chair.

Senator Anderson's statement is as follows:

Well, we've completed passage of the Senate's budget bills, and now the bills, of course, go to the House. Ultimately, the conference committees will reconcile the differences between our bills and those from the House. Then we will have an opportunity to reconsider these budgets when they come back to us.

We've all had an opportunity to debate these bills, express our concerns and our priorities. Our members have tried very hard to positively impact these budgets in subcommittees and full Appropriations. Dozens of Senate Democratic amendments were offered but voted down.

While I disagree with the artificial time line that was thrust upon this Legislature to get this budget completed, it would be wrong for me not to acknowledge the effort that the Appropriations chair made to make sure the members of the committee had the opportunity to share their concerns. It's not to say that I or my members are pleased with the small number of amendments that were ultimately accepted though. I appreciate his willingness to forge a good working relationship in spite of our differences and keep me informed throughout the process.

As disappointed as I am in the way these budgets come out of the Senate, I realize this is early in the process, and we have the opportunity to make these budgets better than they are when they go to conference. I have heard several members from the other side of the aisle repeat that they are willing to continue discussions and that they are open to new ideas on how we can mitigate some of the negative impact that these budgets will have on Michigan. I trust they will follow through with this commitment, and I hope that the Michigan Senate will do its job and not allow others to rush us down the disastrous path these budgets represent in their current form.

Senator Smith's statement is as follows:

I'm not one who usually makes statements, but given this process that we just went through, I feel I have to say a few things that are close to my heart. We all know that Michigan's economy has taken a beating. Much of that is from forces outside of our control, including NAFTA, reduced federal funding, and a lower tax base. I'm not blaming one party or individual for these problems. There is plenty of blame to go around.

As legislators, there are three things that we need to do: foster a healthy climate for business; allow citizens to have the right to life, liberty, and the pursuit of happiness; and give our citizens a structurally-sound and balanced budget. I don't see how we are doing any of this today. Instead, we are cutting health care, education, law enforcement, fire protection, and environmental protections so we can give companies in Michigan a huge tax windfall. I have no problem with creating economic incentives to attract corporations to Michigan.

When I was chair of the Insurance Committee in the House of Representatives, I felt it was my duty to have an open and honest process. I felt that we represented 90,000 residents, and you can ask any member of that committee if that was a true statement. I think we need more of that in this chamber today. I think we need more of that from this administration. As a matter of fact, I was out in the hall meeting with an individual and our good Governor walked right by me with a blank stare. I don't even think he really knows who I am.

I think we also need an open and honest discussion on tax policy so that we can stop fighting over crumbs every year and be honest with the people of Michigan so that we can consistently give them a structurally-sound budget. We need to create a state where people can pursue life, liberty, and happiness. If we don't, in ten years, this state will face more population walks and residents will still be angry at government. I can't blame them. At the end of the day, we have failed them, and we have failed within our jobs.

Senator Jansen's statement is as follows:

I'd like to start with a quote, and this is from the late Coleman Young: "There is no brilliant stroke that is going to transform the water into wine or straw into gold." I think we all realize today that the budgets weren't what everybody wanted. We probably made some cuts, but it's not going to happen overnight. I think that's what the quote is all about.

But I want to just give a little analogy. When a family finds themselves in a financial crisis for whatever reason, they often go to a financial counselor. The financial counselor carefully examines their finances, and then they proceed to advise them on how to get everything back on track. He first tells the family that they must not charge any more to their credit cards. The goal is to do without and to pay the cards off and eliminate the interest that they're paying—pretty basic.

Another thing that they often say is, "Hey, don't go and buy a new car. Get yours fixed. Make sure you can run them for a few more years. Wait. Get them all paid off. Maybe you can get a new one in the future." They're told that they must cut all their all-inclusive data plans on their cell phones. Stick to a small amount of minutes. Change the plan and make it better. Cut the cost. Get rid of your premium channels on the cable show. Cut some more costs. He tells them they can't go out to restaurants every night. Maybe they have to not do that anymore. Maybe it's once a week. Cook healthy and inexpensive meals at home. The children maybe can't buy lunches every day at school. Maybe they have to cut some of that out. The clothing allowances are reduced. The extra for vacations, probably reduced.

The plan, he tells them, must be followed very carefully, and this will get the family back on track as long as they keep their job. That's always a challenge too. But we all know that if you have children, they always protest. They say, "Boy, you know, we liked it better before."

Well, before is over. Before is now today, and I think all of us in these budgets, as much as we're being ridiculed at times by some of the other speakers, I think we're trying to get this state back on track. I think today is the conclusion of the Senate trying to get us back on track. Maybe everybody doesn't like everything we did, but it's time. It's time to make some of these changes. It's time to make some of these cuts, and it's time to ask the question, really, what can we afford?

So I challenge all of my colleagues here in the Senate—I don't make statements very often—but it is time for all of us to kind of buck up and say it's time. We have to make our cuts. We have to ask what we can afford, and we're going to have to share in the sacrifice. I know they don't like that term, but it's coming. It's time we all do this together because we are on the same team. We're from the same state, and it's time for all of us to work together to make sure we can get Michigan into a new future.

Senator Johnson's statement is as follows:

I stand today to continue my discussion on the subjective process by which this state budget was created and is being passed through this chamber. Yesterday, the gentleman from the 38th District said all he heard was no. He said if we on this side of the aisle have any suggestions, he was all ears. As my colleague from the 3rd District pointed out yesterday, a big start in hearing some ideas is to actually invite those from the minority party into your meetings, but that time has obviously passed now.

Throughout the legislative process dealing with the emergency manager legislation and throughout the Appropriations Committee process, Democratic members of this chamber have offered dozens and dozens of common-sense, pragmatic amendments to Republican proposals. Like a totaled car, typically there is a point in which something becomes so bad, it's unfixable. But we Democrats tried to fix these ill-conceived proposals nonetheless.

Who was the party of no when we offered an amendment to cap the pay of EMs at that of the Governor of the state of Michigan? The other side of the aisle said we would not be able to attract qualified EMs with a salary cap on their wages. Evidently, our children don't deserve the same consideration because when it comes to teachers, all we hear is we need to cut, cut, cut, and cut. Who was the party of no when we offered to restore the film tax credits that were so recklessly left out of this budget? When it came to saving Michiganders' jobs and increasing investment in our communities, the majority party said no. I could go on and on and provide even more examples to the gentleman from the 38th District, but instead, I'll offer a few solutions just now.

First, we must begin a phase-out of the MBT and phase in the corporate income tax. The basis for all of our arguments against these budget plans so far is what the result means for our retirees, low-income families, and children. The result of creating a \$1.8 billion tax cut for large corporations is that our most vulnerable citizens are left holding the bill, all over the course of a few months. If we take two to three years to gradually make a transition to a more straightforward business tax, it will take the pressure off those hurting the most right now. All indications show that Michigan's economy is rebounding, slowly but surely.

I have to wonder why the majority party wishes to cut the legs out from under this delicate recovery with such irresponsible tax policies. If we do the phase-out, three years from now, when the final step would be in place, our economy and recovery should be well enough along that it can absorb such a change. Today, that is not the case.

Secondly, let's skim a mere 10 percent off the top of our \$38 billion yearly giveaway to—you guessed it—corporations through tax breaks and loopholes. Doing so would keep our state's education funding intact, as well as avoid tax increases on the poor, working families, and retirees; \$3.8 billion is a lot of money, Madam President. We can save taxpayer dollars right now by eliminating these loopholes.

Third, we should finally implement a minor sales tax on services. This revenue enhancement will not only go a long way in balancing this state budget, but it is fair and is not a budget buster for average families. If we instituted a 5.5 percent sales tax on services, a haircut that costs \$10.00 would then run \$10.55. Whether you are a Capitol insider or a constituent

in the Metro Detroit area, you have heard me voice these ideas. Yet, while they make sense to the average Michigander, they may seem perplexing to some of the entrenched interests in this chamber today, whose sole purpose is to protect the status quo and keep secret the tens of billions of dollars of taxpayer money spent each year on satisfying the corporate machine.

These few days of passing budgets here in Michigan are indeed historic. I only regret that the results are not something that we will not look back on together and nostalgically and say remember when. Instead, the people of this state will spend their time working to reverse these policies that have been railroaded through this legislative process by leaders consumed with the euphoria of large legislative majorities. We have seen this overzealousness manifest itself through the entire budget process and in the woefully misguided laws enacted so far this year.

House and Senate Democrats will continue our partnership with the people of the state of Michigan to reverse and erase these policies from Michigan's list of statutes in order to bring the poor, the less fortunate, the elderly, and the sick and disabled back on par with the richest residents of this state. Voters will soon see that the Republican Party is the party of no—the party of no jobs, the party of no investment, the party of no compassion, and finally, the party of no solutions.

Senator Hood's statement is as follows:

Wow, those are some powerful statements from the Senator from the 2nd District. See, there are ideas. All you have to do is ask. There are ideas. But I want to step away from that in what we have been doing today and go back and digress back to a point of what we honor today as we stood here and honored one of our fallen soldiers. Hopefully, I don't get this wrong, but Day was his last name, if I am not mistaken.

I have stood here before and said this, and I will stand here and say it again that tomorrow is not promised and cherish today. I think maybe tomorrow I will bring my grandmother's favorite poem in and read it to you. It is called "The Clock of Life." As a matter of fact, I will bring it in tomorrow and read it to you. But what we do here today, what we do here affects everyone, and it affects our lives and many lives to come, as our future is here.

No matter what we agree to or what we disagree to, we must always remember that life is precious. Life is precious, and we have to continue our lives on a daily basis, minute to minute, and keep remembering that life is precious. Our families and our friends are No. 1 because when it is all said and done and we are sitting at home or, hopefully, we get to our places where we are sitting in our rocking chairs, somewhere on some porch in some warm climate or whatever the case may be, our children are No. 1 and our families are No. 1. Life is very precious. I keep saying life is precious because it is.

Every one of us sees trials and tribulations that our families are going through. Even today, we have members who have families who are going through difficult times. We must reach out to them on a daily basis and give them our support, no matter what, if we agree or disagree. I stand up here and I disagree with some of the ideologies that are across the aisle, and I hate to keep saying across the aisle because that makes it a divide in this body that we have. We have enough division, and we don't need to create any more division, but once again, we have got to look at what this is really all about. It's about people, it's about our lives, it's about our families' lives, it's about the state of Michigan citizens' lives, and really to understand what we are actually doing on a minute-to-minute basis.

So with that, besides the legislation that we are doing, reach out to someone whom you don't know. Reach out to them and understand what is going on in their district and what is going on in your district, and then maybe you can understand a little more of why a person does this or why they support this or why they don't support that. It's not that we all don't have a different ideology on how to make this state better; we all want that. As a matter of fact, I know that everyone in here wants this state to be a great state. We just have different views on how to get there. So we have to sit down and understand and try to the best of our ability to understand what the other person's ideology is. Once you do that, then if you disagree, that is fine, but we need to sit down and have those conversations, Madam President.

I will say, once again, life is precious. Life is precious, so don't take it for granted. Do not take it for granted because in the twinkling of an eye, your life can change. Who knows what stands outside of these doors, outside of this chamber, what can happen to anyone. The soldier didn't know what was going to happen. It was a surprise.

So live every day to its fullest, and that is all I can ask of this body. This is all that I can ask of the people of the state of Michigan.

Committee Reports

The Committee on Appropriations reported

Senate Bill No. 171, entitled

A bill to make appropriations for community and junior colleges for the fiscal year ending September 30, 2012; and to provide for the expenditure of the appropriations.

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.

Roger Kahn, M.D.
Chairperson

To Report Out:

Yeas: Senators Kahn, Moolenaar, Jansen, Pappageorge, Booher, Caswell, Colbeck, Green, Proos, Schuitmaker and Walker

Nays: Senators Anderson, Gregory, Hood, Hopgood and Johnson

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

The Committee on Appropriations reported

Senate Bill No. 174, entitled

A bill to make appropriations for the department of education for the fiscal year ending September 30, 2012; and to provide for the expenditure of the appropriations.

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.

Roger Kahn, M.D.
Chairperson

To Report Out:

Yeas: Senators Kahn, Moolenaar, Jansen, Booher, Caswell, Colbeck, Green, Proos, Schuitmaker and Walker

Nays: Senators Anderson, Gregory, Hood and Johnson

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

The Committee on Appropriations reported

Senate Bill No. 176, entitled

A bill to make appropriations for the department of environmental quality for the fiscal year ending September 30, 2012; and to provide for the expenditure of the appropriations.

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.

Roger Kahn, M.D.
Chairperson

To Report Out:

Yeas: Senators Moolenaar, Jansen, Pappageorge, Booher, Caswell, Colbeck, Green, Proos, Schuitmaker and Walker

Nays: Senators Anderson, Gregory, Hood and Johnson

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

The Committee on Appropriations reported

Senate Bill No. 178, entitled

A bill to make appropriations for higher education for the fiscal year ending September 30, 2012; and to provide for the expenditure of the appropriations.

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.

Roger Kahn, M.D.
Chairperson

To Report Out:

Yeas: Senators Kahn, Moolenaar, Jansen, Pappageorge, Booher, Caswell, Colbeck, Green, Proos, Schuitmaker and Walker

Nays: Senators Anderson, Gregory, Hood, Hopgood and Johnson

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

The Committee on Appropriations reported

Senate Bill No. 180, entitled

A bill to make appropriations for the judiciary for the fiscal year ending September 30, 2012; and to provide for the expenditure of the appropriations.

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.

Roger Kahn, M.D.
Chairperson

To Report Out:

Yeas: Senators Kahn, Moolenaar, Jansen, Pappageorge, Booher, Caswell, Colbeck, Green, Proos, Schuitmaker, Walker, Anderson, Gregory and Hopgood

Nays: None

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

The Committee on Appropriations reported

Senate Bill No. 181, entitled

A bill to make appropriations for the department of military and veterans affairs for the fiscal year ending September 30, 2012; and to provide for the expenditure of the appropriations.

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.

Roger Kahn, M.D.
Chairperson

To Report Out:

Yeas: Senators Kahn, Moolenaar, Jansen, Pappageorge, Booher, Caswell, Colbeck, Green, Schuitmaker and Walker

Nays: Senators Anderson, Hood, Hopgood and Johnson

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

The Committee on Appropriations reported

Senate Bill No. 183, 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), section 11 as amended by 2010 PA 217 and section 17b as amended by 2007 PA 137.

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.

Roger Kahn, M.D.
Chairperson

To Report Out:

Yeas: Senators Kahn, Moolenaar, Jansen, Pappageorge, Booher, Caswell, Colbeck, Green, Proos, Schuitmaker and Walker

Nays: Senators Anderson, Gregory, Hood, Hopgood and Johnson

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

The Committee on Appropriations reported

Senate Bill No. 185, entitled

A bill to make appropriations for the department of transportation for the fiscal year ending September 30, 2012; and to provide for the expenditure of the appropriations.

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.

Roger Kahn, M.D.
Chairperson

To Report Out:

Yeas: Senators Kahn, Moolenaar, Jansen, Pappageorge, Booher, Caswell, Colbeck, Green, Proos, Schuitmaker and Walker

Nays: Senators Anderson, Gregory, Hood, Hopgood and Johnson

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

COMMITTEE ATTENDANCE REPORT

The Committee on Appropriations submitted the following:

Meeting held on Thursday, April 21, 2011, at 10:00 a.m., Senate Appropriations Room, 3rd Floor, Capitol Building

Present: Senators Kahn (C), Moolenaar, Jansen, Pappageorge, Booher, Caswell, Colbeck, Green, Proos, Schuitmaker, Walker, Anderson, Gregory, Hood, Hopgood and Johnson

The Committee on Transportation reported

Senate Bill No. 104, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 811e (MCL 257.811e), as amended by 2009 PA 99, and by adding section 811r.

With the recommendation that the bill pass.

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

Thomas A. Casperson
Chairperson

To Report Out:

Yeas: Senators Casperson, Kowall, Brandenburg, Pavlov, Gleason and Hood

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Transportation reported

House Bill No. 4129, entitled

A bill to amend 2001 PA 142, entitled "Michigan memorial highway act," (MCL 250.1001 to 250.2080) by adding section 1078.

With the recommendation that the bill pass.

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

Thomas A. Casperson
Chairperson

To Report Out:

Yeas: Senators Casperson, Kowall, Brandenburg, Pavlov, Gleason and Hood

Nays: None

The bill was referred to the Committee of the Whole.

COMMITTEE ATTENDANCE REPORT

The Committee on Transportation submitted the following:

Meeting held on Tuesday, April 26, 2011, at 12:30 p.m., Rooms 402 and 403, Capitol Building

Present: Senators Casperson (C), Kowall, Brandenburg, Pavlov, Gleason and Hood

COMMITTEE ATTENDANCE REPORT

The Subcommittee on Department of Energy, Labor, and Economic Growth submitted the following:

Meeting held on Tuesday, April 19, 2011, at 10:00 a.m., Rooms 402 and 403, Capitol Building

Present: Senators Jansen (C), Proos and Johnson

COMMITTEE ATTENDANCE REPORT

The Subcommittee on Department of Natural Resources submitted the following:

Meeting held on Tuesday, April 19, 2011, at 2:00 p.m., Room 110, Farnum Building

Present: Senators Green (C), Walker, Booher and Hopgood

Scheduled Meetings

Appropriations -

Subcommittee -

Capital Outlay - Thursday, May 5, 9:00 a.m., House Appropriations Room, 3rd Floor, Capitol Building (373-8080)

Judiciary - Thursday, April 28, 8:30 a.m., Room 110, Farnum Building (373-5323) (CANCELED)

Natural Resources, Environment and Great Lakes - Thursday, April 28, 8:00 a.m., Room 210, Farnum Building (373-5323)

Senator Meekhof moved that the Senate adjourn.
The motion prevailed, the time being 6:16 p.m.

The President pro tempore, Senator Schuitmaker, declared the Senate adjourned until Thursday, April 28, 2011, at 10:00 a.m.

CAROL MOREY VIVENTI
Secretary of the Senate