

**No. 7**  
**STATE OF MICHIGAN**  
**Journal of the Senate**  
**94th Legislature**  
**REGULAR SESSION OF 2007**

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Senate Chamber, Lansing, Tuesday, February 6, 2007.

10:00 a.m.

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

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

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

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

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

Reverend Cary Richert of Lutheran Church of the Redeemer of Birmingham offered the following invocation:

We humble ourselves this day before the one triune God—Father, Son, and Holy Spirit. Almighty and everlasting God, from Your divine hand comes all power and authority to rule and to govern. In this way, You Yourself provide for and protect the citizens of this state and maintain order in Your creation.

We commend to You this day all who have been elected to rule and govern this state. Enlighten them that unselfishly they may do what is right in Your eyes; for that, too, shall serve the common welfare of the citizens of Michigan. Lord God, if it be Your divine will, bless their governing with success and prosperity as they face especially difficult and challenging economic, moral, and public service issues. As Your servants by vocation, grant them wisdom, discernment, understanding, and compassion as they devote themselves to the needs and best interests of all citizens, while upholding Your divine principles of truth, purity, justice, and love.

Grant that the true purposes of government may prevail in this chamber today: safeguarding the peace, facilitating prosperity, and assisting those in need so that all may live upright lives and honor You, O Lord, as the true source of all blessing.

Restore economic conditions that enable all who seek work to find gainful employment. Bring peace and an end to all hatred among the people of the earth. Protect the men and women of our armed forces as they courageously serve our nation. Teach us all, O Lord, that the enjoyment of our freedom carries personal responsibility. Make all citizens of our state willing to respect the laws, to exercise their privilege to vote, to pray for all who are elected, and to help their neighbor, especially in time of need.

Guide and direct our Governor Jennifer Granholm as she speaks the State of the State message this evening. Grant her wisdom, compassion, and diplomacy.

For these and all unspoken petitions, we humble ourselves before You. Hear us for the sake of Your only-begotten Son, Jesus Christ, alone our Savior, whose holy, precious blood set us all free from bondage to sin and death, and in whose powerful, saving name we pray. Amen.

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

### Motions and Communications

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

The following communications were received and read:  
Office of the Senate Majority Leader

January 31, 2007

Pursuant to MCL 4.1401, I am appointing Senator Ray Basham to replace Senator Hansen Clarke on the Michigan Law Revision Commission, for a term from January 1, 2007 to December 31, 2010.

If you have any questions please call Bill Sullivan in my office at 373-0797.

January 31, 2007

Pursuant to MCL 333.20915, I am appointing Senator Roger Kahn to the State Emergency Medical Services Coordination Committee, for a term from January 1, 2007 to December 31, 2010.

If you have any questions please call Bill Sullivan in my office at 373-0797.

January 31, 2007

Pursuant to MCL 399.83, I am making the following reappointment to the Michigan Freedom Trail Commission: Mr. Robert A. Anderson of 4999 Greenview Drive, Commerce, Michigan 48382, county of Oakland, for a term from January 1, 2007 to December 31, 2010.

If you have any questions please call Bill Sullivan in my office at 373-0797.

Sincerely,  
Michael D. Bishop  
Senate Majority Leader

The communications were referred to the Secretary for record.

The following communications were received:  
Department of State

Administrative Rules  
Notices of Filing

January 29, 2007

In accordance with the provisions of Section 46(1) of Act 306, Public Acts of 1969, as amended, and Executive Order 1995-6, this is to advise you that the Michigan Department of Labor & Economic Growth, State Office of Administrative Hearings and Rules filed at 3:10 p.m. this date, administrative rule (07-01-01) for the Department of Environmental Quality, Air Quality Division, entitled "*Part 6. Emission Limitations and Prohibitions - Existing Sources for Volatile Organic Compounds Emissions.*" These rules become effective immediately upon filing with the Secretary of State unless adopted under sections 33, 44, or 45a(6) of 1969 PA 306. Rules adopted under these sections become effective 7 days after filing with the Secretary of State.

January 29, 2007

In accordance with the provisions of Section 46(1) of Act 306, Public Acts of 1969, as amended, and Executive Order 1995-6, this is to advise you that the Michigan Department of Labor & Economic Growth, State Office of Administrative Hearings and Rules filed at 3:12 p.m. this date, administrative rule (07-01-02) for the Department of Labor and Economic Growth, Division of Child Welfare Licensing, entitled "*Licensing Rules for Foster Family Homes and Foster Family Group Homes Permits.*" These rules take effect 30 days after filing with the Secretary of State.

January 29, 2007

In accordance with the provisions of Section 46(1) of Act 306, Public Acts of 1969, as amended, and Executive Order 1995-6, this is to advise you that the Michigan Department of Labor & Economic Growth, State Office of Administrative Hearings and Rules filed at 3:14 p.m. this date, administrative rule (07-01-03) for the Department of Labor and Economic Growth, Office of Children and Adult Licensing, entitled "*Licensing Rules for Child Placing Agencies.*" These rules take effect 30 days after filing with the Secretary of State.

January 29, 2007

In accordance with the provisions of Section 46(1) of Act 306, Public Acts of 1969, as amended, and Executive Order 1995-6, this is to advise you that the Michigan Department of Labor & Economic Growth, State Office of Administrative Hearings and Rules filed at 3:16 p.m. this date, administrative rule (07-01-04) for the Department of Labor and Economic Growth, Director's Office, entitled "*Real Estate Licensing/Distance Education Standards.*" These rules become effective immediately upon filing with the Secretary of State unless adopted under sections 33, 44, or 45a(6) of 1969 PA 306. Rules adopted under these sections become effective 7 days after filing with the Secretary of State.

Sincerely,  
Terri Lynn Land  
Secretary of State  
Robin Houston, Office Supervisor  
Office of the Great Seal

The communications were referred to the Secretary for record.

The following communication was received:  
Department of Transportation

January 31, 2007

Pursuant to section 11f(3) and 11f(4) of 2006 PA 140, a report is due to the Legislature when either of the following two conditions occur:

- An annual report of the expenditures for this program is due on February 1, 2007 (11f(3)).
- The funds expended under the Jobs Today Program exceed \$40 million (11f(4)).

In 2006, MDOT expended \$9,686,657 of Local Jobs Today funds and leveraged \$60,363,661 of local federal funds. The figures reported for FY 2007 (October 1, 2006 through September 30, 2007) are "as programmed" but have not been expended. This report includes Local Jobs Today funds that have been programmed but not expended by local road agencies.

Programmed funds indicate that a local federal aid project has made it through the process and has been approved for funding. However, funds cannot be expended until all federal requirements are met and the project has been let for bid. If a project cannot meet the federal requirements and is unable to be let for bid, those Local Jobs Today funds may be programmed to another project or will revert back to the State Transportation Fund when the Local Jobs Today Program ends. To date, \$48,469,041 of Local Jobs Today funds have been programmed leveraging \$306,304,079 of local federal funds.

As of this report, Local Jobs Today funds, expended and programmed, total \$58,155,699 and will leverage up to \$366,667,740 of local federal aid funds.

Required information includes a summary of the overall project statistics including the total dollars projected for the program, the number of projects approved through the County Road Association of Michigan (CRAM), the number of projects approved through the Michigan Municipal League (MML), statewide/regional distribution by number of projects along with dollars (using MDOT regional boundaries), and the number of eligible High Priority Projects approved to date. All the statistical information is included in Appendix A, which is enclosed.

This has been a true partnering initiative between the Governor, Michigan Legislature, CRAM, MML, FHWA, and the individual local agencies. Thank you for providing funding for this valuable program.

Sincerely,  
Kirk T. Steudle  
Director

The communication was referred to the Secretary for record.

The following communication was received:  
Public Service Commission

February 1, 2007

The enclosed annual report for 2006, *Status of Electric Competition in Michigan*, is submitted on behalf of the Michigan Public Service Commission (Commission) in accordance with Section 10u of 2000 PA 141, MCL 460.10u. The report is available on the Commission's Web site.

During 2006, competition in Michigan's electric market declined for the second year in a row. The decline in electric customer choice enrollments and electric load was attributed primarily to two factors: 1) higher wholesale electricity prices in comparison to the current lower power supply costs of the regulated electric utility companies, and 2) an increase in choice customer's delivery rates. These factors impacted the competitive price of electric supply and made choice a less attractive option for Michigan's commercial and industrial customers in 2006.

To date, Michigan is one of about 20 States that has a competitive electric market. In comparison to other electric choice states, Michigan's average retail electricity price ranked seventh to ninth lowest in 2006, based on customer class. If compared to the ten largest U.S. states, Michigan is benchmarked as having the fourth lowest average retail electricity price. The report shows that since 2000, the relative ranking of Michigan's utility rates for residential, commercial, and industrial customer classes compared to other states has decreased, in some cases, significantly.

In 2006, the Commission issued 40 orders to further establish the framework for Michigan's electric customer choice programs and implement the provisions of PA 141.

Highlights of the report include:

- Approximately 7,300 commercial and industrial customers in Detroit Edison Company and Consumers Energy Company service territories participated in Michigan's electric customer choice programs, down 51% from the previous year.
- About 6% of electricity sales in Detroit Edison and Consumers Energy service areas were supplied by Alternative Electric Suppliers (AESs), down from 12% in 2005.
- As a result of declining electric choice sales and other factors, the Commission reduced Detroit Edison's electric rates by over \$78 million and ordered an experimental Choice Incentive Mechanism and load aggregation program for larger customers.
- There were 27 licensed AESs in Michigan throughout 2006.
- The Commission allowed Detroit Edison and Consumers Energy to roll-in prior year under and over-recoveries into future power supply cost recovery plans to permit prompt and accurate price signals for customers operating in competitive electric markets.
- The Commission concluded the stranded cost cases by netting 2004 costs to zero.
- The Low-Income and Energy Efficiency Fund grants awarded \$45 million for low-income financial assistance and \$13 million for low-income energy efficiency.
- The Commission authorized Consumers Energy's sale of its interest in the 1,500 megawatt Midland Cogeneration Venture to GSO Capital Partners and Rockland Capital Energy Investments.

- The Midwest Independent Transmission System Operator (MISO) maintained reliable electric service during unexpected outages of major generating plants and extremely high summer temperatures and peakloads.
- Almost 7,000 customers participate in Consumer Energy's Green Generation pricing program; and Constellation NewEnergy, a licensed AES, began offering a new "Green-e Renewable Energy" product.
- The Commission recommends legislation to reaffirm the requirements of PA 141 for the Commission to establish and sustain the Michigan Renewable Energy Program, and to provide the Commission with effective oversight authority to protect the public interest over utility mergers and acquisitions.

Market development through 2007 should provide the Commission and the Legislature with a greater understanding of the mechanisms that can enhance competition in support of the purposes of Act 141, including promoting healthy Michigan utilities. The Commission will apprise the Governor and the Legislature of any new developments that may require further action.

Very truly yours,  
 J. Peter Lark, Chairman  
 Laura Chappelle, Commissioner  
 Monica Martinez, Commissioner

The communication was referred to the Secretary for record.

The Secretary announced that the following official bills were printed on Thursday, February 1, and are available at the legislative website:

**House Bill Nos. 4183 4184 4185 4186**

The Secretary announced that the following official bills were printed on Friday, February 2, and are available at the legislative website:

**Senate Bill Nos. 151 152 153 154 155 156 157**

**House Bill Nos. 4187 4188 4189 4190 4191 4192 4193 4194 4195 4196 4197 4198 4199 4200 4201**

### Messages from the Governor

The following message from the Governor was received and read:

February 2, 2007

Due to an error on the November 18, 2005 letter filed with your office pursuant to Section 2 of 1968 PA 191, MCL 123.1002, please be advised of the following correction appearing in **bold** print:

**State Boundary Commission**

Ms. Ruth Ann Jamnick of 7776 Lake Crest Drive, Ypsilanti, Michigan 48197, county of Washtenaw, succeeding Jeffrey Ishbia, whose term has expired, appointed as a state member, for a term commencing November 18, 2005 and expiring November **15, 2007**.

Sincerely,  
 Jennifer M. Granholm  
 Governor

The message was referred to the Committee on Government Operations and Reform.

The following messages from the Governor were received and read:

February 5, 2007

I respectfully submit to the Senate, pursuant to Section 6 of Article 5 of the Michigan Constitution of 1963, the following appointment and reappointment to state office under Sections 302 and 1102 of the Occupational Code, 1980 PA 299, MCL 339.302 and 339.1102:

**Board of Barber Examiners**

Mr. Dennis G. Sullivan of 5023 Shoreline Boulevard, Waterford, Michigan 48329, county of Oakland, succeeding James R. Vreeland, whose term expired, representing professionals, for a term commencing February 5, 2007 and expiring September 30, 2009.

Mr. Walter J. Lupu of 2770 Twin Elms Drive, Charlotte, Michigan 48813, county of Eaton, reappointed to represent professionals, for a term expiring September 30, 2010.

February 5, 2007

I respectfully submit to the Senate, pursuant to Section 6 of Article 5 of the Michigan Constitution of 1963, the following appointments to state office under Section 1 of 1963 (2nd Ex. Sess.) PA 48, MCL 390.551:

**Northern Michigan University Board of Control**

Mr. Stephen F. Adamini of 27 Oak Hill Drive, Marquette, Michigan 49855, county of Marquette, succeeding Karl A. Weber, whose term has expired, representing the general public, for a term commencing February 5, 2007 and expiring December 31, 2014.

Mr. Gilbert L. Ziegler of 307 Belvadare, Charlevoix, Michigan 49855, county of Charlevoix, succeeding Larry C. Inman, whose term has expired, representing the general public, for a term commencing February 5, 2007 and expiring December 31, 2014.

Sincerely,  
Jennifer M. Granholm  
Governor

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

**Introduction and Referral of Bills**

Senators Jelinek, Pappageorge and Anderson introduced

**Senate Bill No. 158, entitled**

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending section 136b (MCL 750.136b), as amended by 1999 PA 273.

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

Senators Clark-Coleman, Cherry, Jacobs, Clarke, Gleason, Scott, Schauer, Hunter, Olshove, Brater and Switalski introduced

**Senate Bill No. 159, entitled**

A bill to amend 1976 PA 451, entitled "The revised school code," (MCL 380.1 to 380.1852) by adding section 1290.

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

Senators Clark-Coleman, Jacobs, Clarke, Gleason, Scott, Schauer, Hunter, Barcia, Cherry, Olshove, Brater and Switalski introduced

**Senate Bill No. 160, entitled**

A bill to amend 1954 PA 116, entitled "Michigan election law," by amending section 759 (MCL 168.759), as amended by 1995 PA 261.

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

Senators Clark-Coleman, Cherry, Jacobs, Clarke, Gleason, Scott, Schauer, Hunter, Barcia, Anderson, Olshove, Brater, Switalski and Basham introduced

**Senate Bill No. 161, entitled**

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," (MCL 500.100 to 500.8302) by adding section 2107a.

The bill was read a first and second time by title and referred to the Committee on Economic Development and Regulatory Reform.

Senators Clark-Coleman, Cherry, Clarke, Jacobs, Gleason, Scott, Hunter, Barcia, Anderson, Olshove, Brater and Switalski introduced

**Senate Bill No. 162, entitled**

A bill to amend 1976 PA 451, entitled "The revised school code," by amending sections 1147 and 1561 (MCL 380.1147 and 380.1561), section 1561 as amended by 1996 PA 339.

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

Senators Clark-Coleman, Cherry, Jacobs, Gleason, Clarke, Scott, Hunter, Barcia, Olshove, Brater, Switalski and Basham introduced

**Senate Bill No. 163, entitled**

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," by amending section 506 (MCL 206.506), as amended by 1996 PA 484.

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

Senators Clark-Coleman, Schauer, Hunter, Barcia, Anderson, Jacobs, Olshove, Brater, Switalski and Basham introduced

**Senate Bill No. 164, entitled**

A bill to amend 1939 PA 3, entitled "An act to provide for the regulation and control of public utilities and other services affected with a public interest within this state; to provide for alternative energy suppliers; to provide for licensing; to include municipally owned utilities and other providers of energy under certain provisions of this act; to create a public service commission and to prescribe and define its powers and duties; to abolish the Michigan public utilities commission and to confer the powers and duties vested by law on the public service commission; to provide for the continuance, transfer, and completion of certain matters and proceedings; to abolish automatic adjustment clauses; to prohibit certain rate increases without notice and hearing; to qualify residential energy conservation programs permitted under state law for certain federal exemption; to create a fund; to provide for a restructuring of the manner in which energy is provided in this state; to encourage the utilization of resource recovery facilities; to prohibit certain acts and practices of providers of energy; to allow for the securitization of stranded costs; to reduce rates; to provide for appeals; to provide appropriations; to declare the effect and purpose of this act; to prescribe remedies and penalties; and to repeal acts and parts of acts," by amending section 10t (MCL 460.10t), as added by 2000 PA 141.

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

Senators Switalski, Jacobs and Schauer introduced

**Senate Bill No. 165, entitled**

A bill to amend 1969 PA 312, entitled "An act to provide for compulsory arbitration of labor disputes in municipal police and fire departments; to define such public departments; to provide for the selection of members of arbitration panels; to prescribe the procedures and authority thereof; and to provide for the enforcement and review of awards thereof," by amending the title and sections 1 and 3 (MCL 423.231 and 423.233) and by adding section 1a.

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

Senator Jelinek introduced

**Senate Bill No. 166, entitled**

A bill to make, supplement, and adjust appropriations for various state departments and agencies for the fiscal years ending September 30, 2006 and September 30, 2007; and to provide for the expenditure of the appropriations.

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

Senators Jelinek, Van Woerkom, Kahn and Gilbert introduced

**Senate Bill No. 167, entitled**

A bill to amend 1855 PA 105, entitled "An act to regulate the disposition of the surplus funds in the state treasury; to provide for the deposit of surplus funds in certain financial institutions; to lend surplus funds pursuant to loan agreements secured by certain commercial, agricultural, or industrial real and personal property; to authorize the loan of surplus funds to certain municipalities; to authorize the participation in certain loan programs; to authorize an appropriation; and to prescribe the duties of certain state agencies," by amending section 2a (MCL 21.142a), as amended by 2002 PA 16.

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

Senators Van Woerkom, Pappageorge, Gilbert, Jansen, Birkholz, Olshove, Richardville, Garcia, Brown and Allen introduced

**Senate Bill No. 168, entitled**

A bill to authorize a service bonus for certain veterans; and to make appropriations.

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

Senators Clark-Coleman, Schauer, Gleason, Basham, Brater, Scott, Anderson and Clarke introduced

**Senate Bill No. 169, entitled**

A bill to regulate check cashing businesses; to provide for licensing and fees; to prescribe the powers and duties of certain state agencies and officials; and to provide for penalties.

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

Senators Clark-Coleman, Jacobs, Schauer, Gleason, Basham, Brater, Scott, Anderson, Barcia and Clarke introduced

**Senate Bill No. 170, entitled**

A bill to provide for assistance payments to certain guardians of minors; to establish the rights and responsibilities of certain guardians; and to provide for duties and responsibilities of certain state departments and agencies.

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

Senators Clark-Coleman, Jacobs, Schauer, Gleason, Brater, Scott, Anderson, Barcia and Clarke introduced

**Senate Bill No. 171, entitled**

A bill to amend 1939 PA 280, entitled "The social welfare act," by amending sections 18c, 55, and 115b (MCL 400.18c, 400.55, and 400.115b), section 55 as amended by 1998 PA 516 and section 115b as amended by 2004 PA 193, and by adding section 18b.

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

Senators Clark-Coleman, Jacobs, Schauer, Gleason, Brater, Scott, Anderson, Barcia and Clarke introduced

**Senate Bill No. 172, entitled**

A bill to amend 1939 PA 288, entitled "Probate code of 1939," (MCL 710.21 to 712A.32) by adding section 11a to chapter XIII.

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

Senators Basham, Garcia, Schauer, Gleason, Brater and Birkholz introduced

**Senate Bill No. 173, entitled**

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 19102 (MCL 324.19102) and by adding part 175.

The bill was read a first and second time by title and referred to the Committee on Natural Resources and Environmental Affairs.

Senators Kahn, Cherry, Richardville, Brater and Birkholz introduced

**Senate Bill No. 174, entitled**

A bill to amend 1978 PA 368, entitled "Public health code," (MCL 333.1101 to 333.25211) by adding part 54B.

The bill was read a first and second time by title and referred to the Committee on Natural Resources and Environmental Affairs.

Senator Cherry introduced

**Senate Bill No. 175, entitled**

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 20161 (MCL 333.20161), as amended by 2005 PA 187.

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

Senator Cherry introduced

**Senate Bill No. 176, entitled**

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 20161 (MCL 333.20161), as amended by 2005 PA 187.

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



Senator Brater introduced

**Senate Bill No. 177, entitled**

A bill to amend 1953 PA 232, entitled "Corrections code of 1953," by amending section 34a (MCL 791.234a), as amended by 1998 PA 315.

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

### Statements

Senator Clarke entered the Senate Chamber.

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

The motion prevailed.

Senator Schauer's statement is as follows:

I do rise to make a statement and talk about a native son from my district in Jackson, but also a native son of Michigan. His name, you may know, is Tony Dungy, who just became famous Sunday by becoming the first African American coach to win the Super Bowl as the coach of the Indianapolis Colts. Now, hopefully, you have heard about this. I don't rise to just talk about a coach, a sports figure, but really someone I hope we as a chamber, we as a state, and we as a legislature can lift up as a role model for all of the people of our state.

Tony Dungy is a graduate of Jackson Parkside High School in Jackson, Michigan. That high school doesn't exist anymore; it's now a middle school. His parents Wilbur and Cleomae were both teachers. This might tell you a little bit about this man who was holding up the Super Bowl trophy Sunday night in Miami. His father Wilbur has been celebrated in the Jackson community, and an endowed scholarship has been named after him. He was a college science professor at Jackson Community College. His mother Cleomae taught math at Jackson High School.

I rise because Tony Dungy proved that nice can finish first. Much has been said in the press about his character and style, and I hope you have been able to see some interviews. But, unlike many of his NFL coaching peers who are screamers—yell at their players to get their attention—Coach Dungy is known for commanding respect, respect from his players, which is a pretty rare commodity these days in professional sports; not by raising his voice, but by treating them as professionals and speaking to them calmly. You may remember the ultimate demonstration of class by this individual about 14 months ago when the nation watched he and his family handle the tragic suicide of his oldest son, a teenager.

As the Senator representing Dungy's hometown, I have had the chance to meet this great individual and several of his family members, many whom are still living in the area. As a testament to the Dungy family, his parents, and to this individual, each of his siblings are well-educated and very successful serving their communities in many ways.

I want to share with you a couple of brief thoughts. I heard a radio interview this morning about the rally at the Indianapolis stadium. Tony Dungy recalled the phone call he received from the owner of the Colts five years ago. Tony Dungy was fired by his then-employer—the Tampa Bay Buccaneers—after very successful seasons. The coach called him and told him he wanted him to come to Indianapolis and win a championship. Tony Dungy said, "We're going to win one and we are going to do it right. We're going to win it with great guys and we're going to win it with class and dignity."

Colleagues, a great Michigander made history the other day and I hope we reflect on that. I hope we are able to share his example with people around this state, and I hope those around the nation realize that Michigan has produced a great historic athlete, a great coach, and a great person.

Senator Scott's statement is as follows:

I'd like to thank the Minority Leader for that wonderful presentation to start off our Black History Month. That was just fantastic. Just given the opportunity, anyone can succeed. That is just really great.

As you know, I'm always going to talk about my insurance. I was in Florida this past weekend and had the opportunity to talk to some folks. We were down there to commemorate Congresswoman Shirley Chisholm. There were three of us on the panel and we were there to talk about what she meant to us. I was telling one of my colleagues here that I was going down—the Senator from the 25th District—and she also told me what she had meant to her. I just want her to know that—I don't think she's listening right now—I included her in my remarks. We dedicated a room there to Mrs. Chisholm where they had built on—this was her church, AME church in Palm Coast, Florida. It was really wonderful and moving. As you know, she passed away a couple years ago.

Also I had the opportunity to talk to her pastor because, as you know, in my remarks as I talked I certainly included insurance. He talked to me about insurance. The majority of the people thought it was just unbelievable that we are

paying these kinds of rates in this state. About four or five of my Michiganders who have moved to Palm Coast understood exactly what I was talking about. They indicated to me how much lower their insurance rates are now that they are in Palm Coast, Florida.

I just want to continue to remind my colleagues of how important it is that we deal with this issue. It is truly important for all of us in the state of Michigan, and especially the task force that I would like to pull together. I have a bill on that now. So I would hope that all of the 37 others here would realize how important it is that we get this task force going.

### **Recess**

Senator Cropsey moved that the Senate recess until 6:00 p.m.  
The motion prevailed, the time being 10:24 a.m.

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

Senator Cropsey moved that Senators Richardville and Brown be excused from the balance of today's session.  
The motion prevailed.

Senator Cropsey moved that rule 3.902 be suspended to allow guests admittance to the Senate floor, including the House escort committee to use the center aisle.

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

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

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

### **Recess**

Senator Cropsey moved that the Senate recess subject to the call of the Chair.  
The motion prevailed, the time being 6:01 p.m.

6:16 p.m.

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

During the recess, Senator Barcia entered the Senate Chamber.

### **Joint Convention**

The Sergeant at Arms announced a committee from the House of Representatives, Representatives Valentine, Dean, LaJoy and Meekhof, who reported that the House was ready to meet with the Senate in Joint Convention.

The President, Lieutenant Governor Cherry, announced that the hour had arrived for the meeting of the two Houses in Joint Convention.

Senator Cropsey moved that the Senate recess for the purpose of proceeding to the Hall of the House of Representatives for Joint Convention.

The motion prevailed, the time being 6:19 p.m.

(For proceedings in Joint Convention, see House Journal No. 9, p. 97.)

The Senate reconvened at the expiration of the recess at 8:11 p.m. and was called to order by the Assistant President pro tempore, Senator Sanborn.

The Assistant President pro tempore, Senator Sanborn, announced that the Senate had attended the Joint Convention in the Hall of the House of Representatives and had received the State of the State message by Governor Granholm.

**Committee Reports**

## COMMITTEE ATTENDANCE REPORT

The Committee on Energy Policy submitted the following:

Meeting held on Thursday, February 1, 2007, at 12:30 p.m., Room 210, Farnum Building

Present: Senators Patterson (C), Brown, Birkholz, Kuipers, Richardville, Olshove, Prusi and Thomas

**Scheduled Meetings**

**Agriculture** - Thursday, February 8, 9:00 a.m., Room 110, Farnum Building (373-1635)

**Appropriations** - Wednesday, February 7, 2:00 p.m., Senate Appropriations Room, 3rd Floor, Capitol Building (373-6960)

**Subcommittees -**

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

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

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

**State Police and Military Affairs** - Thursdays, February 15, February 22, March 1 and March 8, 1:00 p.m., Room 405, Capitol Building (373-2768)

**Appropriations, Joint Senate/House** - Thursday, February 8, 11:00 a.m., House Appropriations Room, 3rd Floor, Capitol Building (373-6960)

**Economic Development and Regulatory Reform** - Wednesday, February 7, 1:00 p.m., Rooms 402 and 403, Capitol Building (373-7670)

**Energy Policy** - Thursday, February 8, 1:00 p.m., Room 210, Farnum Building (373-7350)

**Health Policy** - Wednesday, February 7, 3:00 p.m., Senate Hearing Room, Ground Floor, Boji Tower (373-0793)

**Transportation** - Tuesday, February 13, 12:30 p.m., Room 110, Farnum Building (373-7708)

Senator Cropsey moved that the Senate adjourn.

The motion prevailed, the time being 8:12 p.m.

The Assistant President pro tempore, Senator Sanborn, declared the Senate adjourned until Wednesday, February 7, 2007, at 10:00 a.m.

CAROL MOREY VIVENTI  
Secretary of the Senate

