

**No. 10**  
**STATE OF MICHIGAN**  
**Journal of the Senate**  
**94th Legislature**  
**REGULAR SESSION OF 2007**

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Senate Chamber, Lansing, Tuesday, February 13, 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 Matthew-Peter Butrie of St. Nicholas Orthodox Church of Burton offered the following invocation:

O God, our God, You have adorned us with Your image and given us a free will. When You entered into the temple in the middle of the Feast of Pentecost, O most compassionate Master, You taught the people who were amazed at Your doctrine. For David says, "Come to me children and I will teach you the fear of the Lord." You also taught wisdom to Solomon.

Look down even now, O Maker and Creator, upon the members of this Senate and grant them wisdom and understanding that they may learn Your holy will. Warm their hearts in love for You and for their neighbors. Guide them in the way of truth and righteousness, keeping their hearts from all evil. Unite them in one mind and in one heart and let mutual brotherly love abide in their midst. Bless them for the doing of good and useful things.

We pray You, O most merciful Lord our God—the God of every compassion and consolation—do not turn Your face away from them nor deny them their longing, for they have set their hope on You. Grant them peace and serenity, a unity of spirit, concord and fruitful action, and all those things needful for their temporal and eternal life.

You know our needs and grant and fulfill our requests even before we make them, for You are the God powerful in mercy and gracious in strength, and to You are due all glory, honor, and worship now and forever and unto ages and ages. Amen.

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

### Motions and Communications

Senators McManus, Allen and Gleason entered the Senate Chamber.

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

February 7, 2007

Pursuant to Senate Rule 2.104(c), I am requesting that the Senate Appropriations Committee hold a hearing on the appointments of Mr. Ismael Ahmed, Mr. Gary D. Hawks, Ms. Francine Parker, and Mr. James F. Stapleton to the Eastern Michigan University Board of Control and Ms. Jeanne H. Carlson and Mr. William D. Johnston to the Western Michigan University Board of Control and make written recommendations to the Government Operations and Reform Committee on these appointments.

February 7, 2007

Pursuant to Senate Rule 2.104(c), I am requesting that the Senate Appropriations Committee hold a hearing on the appointment of the Reverend Hurley J. Coleman to the Commission of Natural Resources and make a written recommendation to the Government Operations and Reform Committee on this appointment.

Sincerely,

Michael D. Bishop, Chairman

Government Operations and Reform Committee

The communications were referred to the Secretary for record.

The following communication was received and read:  
Office of the Auditor General

February 9, 2007

Enclosed is a copy of the following audit report:

Financial audit of the Michigan Exposition and Fairgrounds Authority, a component unit of the State of Michigan, for the period October 1, 2005 through September 30, 2006.

Sincerely,

Thomas H. McTavish, C.P.A.

Auditor General

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

Senator Cropsey moved that rule 3.902 be suspended to allow Jerry Lawler and his family admittance to the Senate floor.

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 and Gallery.

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

The Secretary announced that the following official bills and joint resolution were printed on Thursday, February 8, and are available at the legislative website:

<b>Senate Bill Nos.</b>	<b>178</b>	<b>179</b>	<b>180</b>	<b>181</b>	<b>182</b>	<b>183</b>									
<b>Senate Joint Resolution</b>	<b>A</b>														
<b>House Bill Nos.</b>	<b>4202</b>	<b>4203</b>	<b>4204</b>	<b>4205</b>	<b>4206</b>	<b>4207</b>	<b>4208</b>	<b>4209</b>	<b>4210</b>	<b>4211</b>	<b>4212</b>	<b>4213</b>	<b>4214</b>	<b>4215</b>	
	<b>4216</b>	<b>4217</b>	<b>4218</b>	<b>4219</b>	<b>4220</b>	<b>4221</b>	<b>4222</b>	<b>4223</b>	<b>4224</b>	<b>4225</b>	<b>4226</b>	<b>4227</b>	<b>4228</b>	<b>4229</b>	
	<b>4230</b>	<b>4231</b>	<b>4232</b>	<b>4233</b>	<b>4234</b>	<b>4235</b>	<b>4236</b>	<b>4237</b>	<b>4238</b>	<b>4239</b>	<b>4240</b>				

The Secretary announced that the following official bills were printed on Friday, February 9, and are available at the legislative website:

<b>Senate Bill Nos.</b>	<b>185</b>	<b>186</b>	<b>187</b>	<b>188</b>	<b>189</b>	<b>190</b>	<b>191</b>	
<b>House Bill Nos.</b>	<b>4241</b>	<b>4242</b>	<b>4243</b>	<b>4244</b>	<b>4245</b>	<b>4246</b>	<b>4247</b>	<b>4248</b>

**Messages from the Governor**

The following message from the Governor was received on February 8, 2007, and read:

**EXECUTIVE ORDER**  
No. 2007-1

**Implementation of Expenditure Reductions Under  
Section 20 of Article V of the Michigan Constitution of 1963**

WHEREAS, under Section 20 of Article V of the Michigan Constitution of 1963, the Governor, with the approval of the appropriating committees of the House of Representatives and the Senate, shall reduce expenditures authorized by appropriations whenever it appears that actual revenues for a fiscal period will fall below the revenue estimates on which appropriations for that period were based, and the reductions shall be made in accordance with procedures prescribed by law;

WHEREAS, it appears that actual revenues for the fiscal period beginning on October 1, 2006 and ending on September 30, 2007, will fall below the revenue estimates on which appropriations for that period were based, the estimates having been determined by the Legislature as required under Section 31 of Article IV of the Michigan Constitution of 1963;

WHEREAS, pursuant to Section 391 of The Management and Budget Act, 1984 PA 431, MCL 18.1391, on the basis of written information from the State Budget Director and the State Treasurer, it appears that actual revenue will fall below such revenue estimates;

WHEREAS, there is an unanticipated loss of funding that the departments and agencies of state government do not expect to obtain or make up during the current fiscal year;

WHEREAS, expenditure reductions totaling \$166,929,400.00 general fund-general purpose and \$31,205,600.00 special purpose funds are necessary;

NOW, THEREFORE, I, Jennifer M. Granholm, Governor of the State of Michigan, by virtue of the power and authority vested in the Governor under the Michigan Constitution of 1963 and Michigan law, and with the approval of a majority of members of each appropriations committee, order the following reductions in expenditures:

A. Portions of general fund-general purpose expenditures authorized by appropriations amounting to \$166,929,400.00 contained in the following public acts are hereby reduced. Where the expenditure reductions of general fund-general purpose appropriations in this Order reduce the restricted portions of gross appropriations and sources of financing that will be earned, the amounts to be reduced shall be provided separately to the State Budget Director for approval and entry into the accounts.

<u>Public Act</u>	<u>Department</u>	<u>Reduction Amount</u>
2006 PA 345	Agriculture	\$2,001,300
2006 PA 345	Attorney General	1,809,000

2006 PA 345	Civil Rights	289,000
2006 PA 345	Civil Service	384,200
2006 PA 341	Community Colleges	10,900,000
2006 PA 330	Community Health	28,159,500
2006 PA 331	Corrections	52,309,800
2006 PA 332	Education	280,200
2006 PA 343	Environmental Quality	2,410,200
2006 PA 345	Executive Office	43,000
2006 PA 340	Higher Education	2,655,700
2006 PA 345	History, Arts, and Libraries	742,000
2006 PA 345	Human Services	34,318,400
2006 PA 345	Labor and Economic Growth	1,329,200
2006 PA 345	Management and Budget	16,525,600
2006 PA 345	Michigan Strategic Fund	2,150,100
2006 PA 345	Military and Veterans Affairs	1,173,700
2006 PA 344	Natural Resources	344,700
2006 PA 345	State	452,300
2006 PA 345	State Police	6,771,100
2006 PA 345	Treasury	1,880,400
	<b>TOTAL</b>	<u>166,929,400</u>

The Department of Information Technology shall reduce user charges to state agencies consistent with reductions for information technology services and projects contained in Section B.

B. The reduction totals for the departments and agencies in Section A include the following appropriation items or are predicated upon the following actions:

**1. Department of Agriculture**

Appropriation

Number	Item	Reduction Amount
01120	Statistical reporting service	130,700
01220	Agricultural development	15,000
02320	Animal health and welfare	125,000
03120	Environmental stewardship	234,700
03908	Local conservation districts	758,400
30000	Information technology services and projects	1,200
		<u>1,265,000</u>

The amount in Section 604 of Part 2 of Article 1 of 2006 PA 345 for local conservation districts is reduced to \$758,400.00 and distributions are reduced to the following amounts: for each district, \$9,600.00; for equal distribution among multiple districts within a county, \$9,600.00.

The amount in Section 703 of Part 2 of Article 1 of 2006 PA 345 is reduced to \$15,000.00.

**2. Department of Attorney General**

Appropriation

Number	Item	Reduction Amount
00005	Information technology services and projects	1,600
01040	Attorney general operations	1,000,000
		<u>1,001,600</u>

**3. Department of Civil Rights**

Appropriation

Number	Item	Reduction Amount
01000	Civil rights operations	25,000
02100	Information technology services and projects	700
		<u>25,700</u>

**4. Department of Civil Service**

Appropriation

Number	Item	Reduction Amount
09150	Information technology services and projects	1,000
19300	Executive direction	174,300
		<u>175,300</u>

**5. Community Colleges**

The State Budget Director shall reduce the payment amount to community colleges provided under Section 102 of Part 1 of 2006 PA 341 by \$10,900,000.00. The amount of each college's reduction is to equal the credit issued by the Michigan Public School Employees' Retirement System to each college reducing the amount of pension contributions otherwise due from that college for the fiscal year ending September 30, 2007. The State Budget Director is authorized to take any and all actions necessary to properly record expenditure reductions as part of the financial transactions for the fiscal year ending September 30, 2007.

**6. Department of Community Health**

## Appropriation

Number	Item	Reduction Amount
33500	Hospital services and therapy	2,181,000
33550	Health plan services	12,500,000
34500	Health information technology initiatives	7,250,000
80000	Information technology services and projects	2,700
		<u>21,933,700</u>

**7. Department of Corrections**

## Appropriation

Number	Item	Reduction Amount
02072	Training	2,500,000
05083	Information technology services and projects	5,800
		<u>2,505,800</u>

**8. Department of Education**

## Appropriation

Number	Item	Reduction Amount
01404	Best practices study	175,000
03801	Information technology services and projects	3,300
		<u>178,300</u>

**9. Department of Environmental Quality**

## Appropriation

Number	Item	Reduction Amount
01150	Information technology services and projects	700
06051	Water pollution control and drinking water revolving fund	1,600,000
		<u>1,600,700</u>

**10. Higher Education**

## Appropriation

Number	Item	Reduction Amount
03401	Cooperative extension service	2,655,700
		<u>2,655,700</u>

**11. Department of History, Arts, and Libraries**

## Appropriation

Number	Item	Reduction Amount
01100	Management services	18,900
02001	Administration (Michigan Council for Arts and Cultural Affairs)	62,500
03050	Library of Michigan operations	126,500
05000	Information technology services and projects	7,400
07516	Historical facilities system	14,000
		<u>229,300</u>

**12. Department of Human Services**

## Appropriation

Number	Item	Reduction Amount
11350	Demonstration projects	275,000
14200	Medical consultation program	241,800
15100	AFC, children's welfare and daycare licensure	123,400
16100	Information technology services and projects	2,800

32500	Family independence program	6,576,000
32520	State disability assistance	213,500
32550	Daycare services	12,939,300
32630	Indigent burial	738,700
62040	Contractual services, supplies, and materials	269,300
72360	Black child and family institute	50,000
72400	Teenage parent counseling	25,500
72420	Youth in transition	122,000
72550	Foster care payments	1,226,200
81100	Domestic violence prevention and treatment	75,000
81200	Crisis prevention and elder law of Michigan food for the elderly project	160,000
83200	Legal support contracts	<u>2,000,000</u>
		25,038,500

The amount in Section 307(1) of Part 2 of Article 10 of 2006 PA 345 is reduced to \$0.00.

The amount in Section 423(1) of Part 2 of Article 10 of 2006 PA 345 is reduced to \$0.00.

The amount in Section 423(2) of Part 2 of Article 10 of 2006 PA 345 is reduced to \$35,000.00.

The amount in Section 423(3) of Part 2 of Article 10 of 2006 PA 345 is reduced to \$0.00.

The amount in Section 423(4) of Part 2 of Article 10 of 2006 PA 345 is reduced to \$0.00.

The amount in Section 560 of Part 2 of Article 10 of 2006 PA 345 is reduced to \$0.00.

The amount in Section 613 of Part 2 of Article 10 of 2006 PA 345 for the maximum allowable reimbursement limit for indigent burials is reduced to \$680.00 and distributions are reduced to the following amounts: for funeral directors, \$435.00; for cemeteries or crematoriums, \$145.00; and for the provider of the vault, \$100.00.

The amount in Section 668(2) of Part 2 of Article 10 of 2006 PA 345 is reduced to \$0.00.

The amount in Section 905 of Part 2 of Article 10 of 2006 PA 345 is reduced to \$0.00.

The amount in Section 906 of Part 2 of Article 10 of 2006 PA 345 is reduced to \$0.00.

### 13. Department of Labor and Economic Growth

#### Appropriation

Number	Item	Reduction Amount
18001	Fire protection grants	<u>1,000,000</u>
		1,000,000

### 14. Department of Management and Budget

#### Appropriation

Number	Item	Reduction Amount
00005	Information technology services and projects	75,800
01737	State building authority rent – universities	6,875,100
01739	State building authority rent – department of corrections	8,794,900
11000	Executive operations	17,500
12000	Administrative services	25,000
13000	Budget and financial management	61,700
16000	Business support services	<u>72,500</u>
		15,922,500

### 15. Michigan Strategic Fund

#### Appropriation

Number	Item	Reduction Amount
01000	Administration	12,500
01100	Job creation services	112,500
03010	Economic development job training grants	<u>1,600,500</u>
		1,725,500

### 16. Department of Military and Veterans Affairs

#### Appropriation

Number	Item	Reduction Amount
01011	Headquarters and armories	150,000
03500	Grand Rapids veterans' home	185,000
03700	D.J. Jacobetti veterans' home	134,500
03800	Information technology services and projects	<u>600</u>
		470,100

**17. Department of Natural Resources**

Appropriation Number	Item	Reduction Amount
08914	Information technology services and projects	1,400
		<u>1,400</u>

**18. Department of State**

Appropriation Number	Item	Reduction Amount
45500	Information technology services and projects	2,400
		<u>2,400</u>

**19. Department of State Police**

Appropriation Number	Item	Reduction Amount
61000	Information technology services and projects	9,200
		<u>9,200</u>

**20. Department of Treasury**

Appropriation Number	Item	Reduction Amount
01201	Information technology services and projects	5,400
01870	Collections	50,000
01960	Mail operations	50,000
02450	Revenue enhancement program	350,000
09455	Special census revenue sharing payments	892,400
		<u>1,347,800</u>

**21. Retirement Rate Reduction – Defined Benefits**

General fund/general purpose expenditures authorized by appropriations are reduced by the amounts listed for the following departments and agencies. The State Budget Director is authorized to take any and all actions necessary to properly record expenditure reductions for each department and agency, including federal and state restricted revenue reductions, as part of the financial transactions for the fiscal year ending September 30, 2007.

<u>Public Act</u>	<u>Department</u>	<u>Reduction Amount</u>
2006 PA 345	Agriculture	736,300
2006 PA 345	Attorney General	807,400
2006 PA 345	Civil Rights	263,300
2006 PA 345	Civil Service	208,900
2006 PA 330	Community Health	6,225,800
2006 PA 331	Corrections	49,804,000
2006 PA 332	Education	101,900
2006 PA 343	Environmental Quality	809,500
2006 PA 345	Executive Office	43,000
2006 PA 345	History, Arts, and Libraries	512,700
2006 PA 345	Services	9,279,900
2006 PA 345	Labor and Economic Growth	329,200
2006 PA 345	Management and Budget	603,100
2006 PA 345	Michigan Strategic Fund	424,600
2006 PA 345	Military and Veterans Affairs	703,600
2006 PA 344	Natural Resources	343,300
2006 PA 345	State	449,900
2006 PA 345	State Police	6,761,900
2006 PA 345	Treasury	532,600
		<u>78,940,900</u>

C. Portions of appropriations financed with special purpose revenue amounting to \$31,754,800.00 contained in the following public acts are reduced as follows:

<u>Public Act</u>	<u>Department</u>	<u>Reduction Amount</u>
2006 PA 340	Higher Education	\$6,000,000
2006 PA 345	Human Services	8,495,600

2006 PA 345	Labor and Economic Growth	10,660,000
2006 PA 345	Transportation	6,000,000
2006 PA 345	Treasury	50,000
	<b>TOTAL</b>	<u>31,205,600</u>

D. The reduction totals for the departments and agencies in Section C include the following appropriation items or are predicated upon the following actions:

**1. Higher Education – Michigan Merit Award Trust Fund**

Appropriation

Number	Item	Reduction Amount
80000	Michigan merit award program	<u>6,000,000</u>
		6,000,000

**2. Human Services – Temporary Assistance for Needy Families – Federal Funds**

Appropriation

Number	Item	Reduction Amount
11350	Demonstration projects	149,200
32550	Daycare services	2,626,500
72400	Teenage parent counseling	1,732,400
72280	Child safety and permanency planning	1,200,000
72300	Child protection/community partners	220,000
81200	Crisis prevention and elder law of Michigan food for the elderly project	50,000
82380	Community services block grants	<u>1,675,000</u>
		7,653,100

The amount in Section 303(1) of Part 2 of Article 10 of 2006 PA 345 is reduced to \$1,175,000.00.

The amount in Section 303(2) of Part 2 of Article 10 of 2006 PA 345 is reduced to \$0.00.

The amount in Section 304 of Part 2 of Article 10 of 2006 PA 345 is reduced to \$54,300.00.

The amount in Section 306 of Part 2 of Article 10 of 2006 PA 345 is reduced to \$75,000.00.

The amount in Section 565(1) of Part 2 of Article 10 of 2006 PA 345 is reduced to \$0.00.

The amount in Section 657(3) of Part 2 of Article 10 of 2006 PA 345 is reduced to \$2,500,000.00.

The amount in Section 658 of 2006 PA 345 Part 2 of Article 10 of is reduced to \$0.00.

**3. Human Services – Child Care Development Fund – Federal Funds**

Appropriation

Number	Item	Reduction Amount
32550	Daycare services	<u>262,500</u>
		262,500

The amount in Section 676(2) of Part 2 of Article 10 of 2006 PA 345 is reduced to \$12,500.00.

**4. Human Services – Part B of Title IV of the Social Security Act – Federal Funds**

Appropriation

Number	Item	Reduction Amount
72290	Strong families/safe children	<u>580,000</u>
		580,000

**5. Labor and Economic Growth – Temporary Assistance for Needy Families – Federal Funds**

Appropriation

Number	Item	Reduction Amount
08230	Welfare-to-work programs	<u>10,000,000</u>
		10,000,000

**6. Labor and Economic Growth – Corporation Fees – State Restricted Funds**

Appropriation

Number	Item	Reduction Amount
07008	Commercial services	<u>660,000</u>
		660,000

**7. Transportation – Transportation Economic Development Fund**

Appropriation

Number	Item	Reduction Amount
87210	Target industries/economic redevelopment	<u>6,000,000</u>
		6,000,000



**8. Treasury – Michigan Merit Award Trust Fund**

Appropriation

Number  
03700

Item

Michigan merit award administration

Reduction Amount

50,000  
50,000

The State Budget Director is authorized to take any and all actions necessary to implement the provisions of this Order to reduce expenditures authorized by appropriations as specified above for the fiscal year beginning on October 1, 2006 and ending on September 30, 2007.

This Order is effective upon approval by the appropriations committees of the House of Representatives and the Senate, as provided under Section 20 of Article V of the Michigan Constitution of 1963 and Section 391 of The Management and Budget Act, 1984 PA 431, MCL 18.1391.

[SEAL]

Given under my hand and the Great Seal of the State of Michigan this 8th day of February, in the year of our Lord, two thousand and seven.

Jennifer M. Granholm  
Governor

By the Governor:  
Terri L. Land  
Secretary of State

The Executive Order was referred to the Committee on Appropriations.

The following messages from the Governor were received and read:

February 8, 2007

I respectfully submit to the Senate, pursuant to Section 6 of Article 5 of the Michigan Constitution of 1963, the following appointment to state office under Sections 301, 302 and 1802 of the Occupational Code, 1980 PA 299, MCL 339.301, 339.302 and 339.1802:

**Board of Examiners in Mortuary Science**

Mr. Thomas L. Starks of 2650 Niles Road, Saint Joseph, Michigan 49085, county of Berrien, succeeding Daniel P. Dwyer, who has resigned, representing professionals, for a term commencing February 8, 2007 and expiring June 30, 2010.

February 8, 2007

I respectfully submit to the Senate, pursuant to Section 6 of Article 5 of the Michigan Constitution of 1963, the following appointments and reappointment to state office under Sections 16121 and 18505 of the Public Health Code, 1978 PA 368, MCL 333.16121 and 333.18505:

**Michigan Board of Social Work**

Ms. Dara T. Munson of 25095 Briarbank, Southfield, Michigan 48034, county of Oakland, succeeding Doreen Takalo, whose term has expired, representing the general public, for a term commencing February 8, 2007 and expiring December 31, 2010.

Mr. Matthew P. Wojack of 225 Moores River Drive, Lansing, Michigan 48910, county of Ingham, succeeding David L. Neal, whose term has expired, representing individuals engaged primarily in the practice of social work, for a term commencing February 8, 2007 and expiring December 31, 2009.

Ms. Emily J. McFadden of 4455 North Lakeshore, Holland, Michigan 49424, county of Ottawa, reappointed to represent individuals engaged primarily in the practice of social work, for a term commencing February 8, 2007 and expiring December 31, 2010.

February 8, 2007

I respectfully submit to the Senate pursuant to Article V, Section 6 of the Michigan Constitution of 1963, the following appointment to office under Section 2 of 1968 PA 191, MCL 123.1002:

**State Boundary Commission**

Mr. Cameron G. Priebe of 8325 Harding, Taylor, Michigan 48180, county of Wayne, succeeding Vicki Barnett, who has resigned, representing the general public, for a term commencing February 8, 2007 and expiring November 15, 2009.

February 9, 2007

I respectfully submit to the Senate, pursuant to Section 6 of Article 5 of the Michigan Constitution of 1963, the following reappointment to office under Section 22211 of the Public Health Code, 1978 PA 368, MCL 333.22211:

**Certificate of Need Commission**

Ms. Dorothy E. Deremo, a Democrat, of 37844 Meadowhill Drive, Northville, Michigan 48167, county of Oakland, reappointed to represent individuals representing nurses, for a term expiring January 1, 2010.

Sincerely,  
Jennifer M. Granholm  
Governor

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

**Third Reading of Bills**

The following bill was read a third time:

**Senate Bill No. 97, entitled**

A bill to amend 1973 PA 116, entitled "An act to provide for the protection of children through the licensing and regulation of child care organizations; to provide for the establishment of standards of care for child care organizations; to prescribe powers and duties of certain departments of this state and adoption facilitators; to provide penalties; and to repeal acts and parts of acts," (MCL 722.111 to 722.128) by adding sections 3f and 5h.

The question being on the passage of the bill,

Senator Cropsey offered the following amendment:

1. Amend page 3, line 25, after "**THAN**" by striking out "**\$2,000.00**" and inserting "**\$5,000.00**".

The amendment was adopted, a majority of the members serving voting therefor.

The question being on the passage of the bill,

The bill was passed, a majority of the members serving voting therefor, as follows:

**Roll Call No. 5**

**Yeas—38**

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

**Nays—0**

**Excused—0**

**Not Voting—0**

In The Chair: President

The Senate agreed to the title of the bill.

The following bill was read a third time:

**Senate Bill No. 155, entitled**

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

The 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. 6**

**Yeas—38**

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

**Nays—0**

**Excused—0**

**Not Voting—0**

In The Chair: President

The Senate agreed to the title of the bill.

By unanimous consent the Senate proceeded to the order of

**Resolutions**

**Senate Concurrent Resolution No. 3.**

A concurrent resolution to urge the United States Department of Homeland Security to continue to work with the states to coordinate driver’s licenses with the new passport requirements to reenter the country from Canada.

The question being on the adoption of the following committee substitute:

Substitute (S-1).

The substitute was adopted.

The concurrent resolution, as substituted, was adopted.

Senators George, Brater, Scott, Clark-Coleman, Whitmer, Thomas, Hunter, Cropsey, Jelinek, Van Woerkom, Stamas, Clarke, Hardiman, Jansen, Gilbert, Bishop, Sanborn, Patterson, Kahn, Richardville, Birkholz, McManus, Cherry, Allen, Schauer, Olshove, Anderson, Prusi, Jacobs, Gleason, Garcia, Pappageorge, Brown and Switalski offered the following resolution:

**Senate Resolution No. 9.**

A resolution of tribute offered to honor Jerry Lawler, Executive Director of the Capitol Committee and Director of the Legislative Council Facilities Agency.

Whereas, With the retirement of Jerry Lawler from the Michigan Legislature after 38 years of service, the people of Michigan will greatly miss the talents and dedication of this amazing gentleman who served the Legislature and state so well during a unique period of our history. He laid the foundation for procedures and policies which will guide those managing the Capitol for decades to come. As we celebrate his accomplishments and leadership, we also pay tribute to the extraordinary integrity and enthusiasm that has epitomized Jerry Lawler's service in the Michigan Legislature; and

Whereas, Born in Clare, Iowa, Jerry is the son of Cork and Ruth Lawler. Expressing an interest in government early in his life, Jerry participated in a White House program called Democracy's Challenge to Youth in 1965. He graduated from Drake University and worked for the Iowa Legislative Service Bureau prior to his service in Michigan; and

Whereas, In 1989, Jerry assumed the position of Executive Director of the Capitol Committee and oversaw the entire restoration of the Michigan State Capitol, which won highest honors from the National Trust for Historic Preservation in 1992. In addition, the Capitol was declared a National Historic Landmark because of the great success of the restoration. Jerry truly played a key role in this major Michigan accomplishment, coordinating operations and guiding everyone involved with his unique style, sense of excellence, teamwork, and historical expertise; and

Whereas, Jerry is an avid history buff, specializing in early Michigan and Lansing history and is considered the leading scholar in the country on John Lansing, the man for whom the city of Lansing is named. Jerry is also a longtime collector of Capitol memorabilia and donated the bulk of his collection in 2004, which is now on display in the Capitol. His commitment to caring for the Capitol Building and ensuring that it stands as a true public forum, open to all, has earned Jerry the affectionate nickname "Mr. Capitol"; and

Whereas, In today's world where the word "hero" is used lightly and often, Jerry Lawler stands tall as a true hero, driven by a strong sense of service to others. In addition to the several positions he has held in the Michigan Legislature, Jerry also served his country in the U.S. Army and has been involved in numerous community projects, including flood cleanup in 1975 and co-chairing a steering committee that worked on the remodeling and reconstruction of East Lansing High School in 2000. In every instance, Jerry has always brought a commonsense approach to problems and an unshakable commitment to duty; and

Whereas, Jerry is married to Connie and enjoys spending time with her and his children and grandchildren. MSU Spartan games and family vacations at Cedar Point are among his favorite family events; and

Whereas, Everyone who has worked with Jerry in the Capitol through the years, whether Governor, legislator, staff, protestor, or visitor, has been extremely impressed by his intelligence, genius for organization, fairness, sense of humor, and professionalism. The people of Michigan owe Jerry a great debt of gratitude for his hard work and commitment to preserving a portion of our past. He has given well of his time and talent and many have benefited from his unwavering dedication; now, therefore, be it

Resolved by the Senate, That we offer this expression of our highest tribute to honor Jerry Lawler; and be it further Resolved, That a copy of this resolution be transmitted to Jerry Lawler as evidence of our high esteem.

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

Senator Cropsey moved that the rule be suspended.

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

The resolution was adopted.

Senator Cropsey moved that rule 3.204 be suspended to name the entire membership of the Senate and the Lieutenant Governor as co-sponsors of the resolution.

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

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

The motion prevailed.

Senator George's statement is as follows:

Senate Resolution No. 9 is a measure honoring Jerry Lawler who is the executive director of our Capitol Committee since its inception in 1989. You should know first, before coming to serve the state of Michigan, Jerry served in the U.S. Army. He then served in the Iowa Legislative Service Bureau and has been with the state of Michigan for the last 38 years; first coming to work in our Legislative Service Bureau and then in Facilities Management and then in 1989 serving as the first and the only executive director of the Capitol Committee. Of course, you know that it was during this period that our Capitol was restored. This was a task that Jerry was set in charge of. He's also been in charge of its ongoing preservation.

As executive director of the Capitol Committee, Jerry could be seen occasionally pulling weeds from the flower gardens and picking up trash in the stairwells. His job has involved dealing with protestors and members of the public who wish to use the Capitol and its grounds; of course, balancing their right—the public's right—to access and yet allowing us to do our work here and at the same time recognizing the importance of preserving the structure. You may

remember, those of us who were here the last session, the outgoing Senate Majority Leader Sikkema said we, as legislators, don't have our own legacies. We are part of this institutional legacy. But Jerry really does leave us with a legacy and it's the physical building that we're in which is this great symbol of Michigan and its government and its people.

So I'd like you to join me in welcoming his family. He is joined by his wife and we have other family members here: his wife Connie; his stepson Dr. Sandborn and wife Alyse; his stepdaughter Kim and husband John; stepdaughter Beth Sandborn of Haslett; his brother Lowell and wife Beth from Iowa; and his sisters Carolyn from Park Ridge, Illinois, and Kathleen, who came all the way from Orlando.

Please join me in thanking Jerry for the great work that he has done on our behalf.

By unanimous consent the Senate returned to the order of

### **General Orders**

Senator Cropsey moved that the Senate resolve itself into the Committee of the Whole for consideration of the General Orders calendar.

The motion prevailed, and the President, Lieutenant Governor Cherry, designated Senator Anderson as Chairperson.

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

#### **Senate Bill No. 184, entitled**

A bill to amend 1984 PA 431, entitled "The management and budget act," by amending sections 371 and 395 (MCL 18.1371 and 18.1395), section 371 as amended by 1999 PA 8 and section 395 as amended by 1988 PA 504.

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

1. Amend page 4, line 1, after "**SHALL**" by striking out "**THEN**" and inserting "**WITHIN 15 DAYS**".

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

### **Introduction and Referral of Bills**

Senators Barcia, Gleason, Kahn, Prusi, Basham, Anderson, Cherry, Schauer and Olshove introduced

#### **Senate Bill No. 192, entitled**

A bill to amend 1955 PA 133, entitled "An act to provide for the granting of military leaves and providing re-employment protection for officers and enlisted men of the military or naval forces of the state or of the United States," by amending section 3 (MCL 32.273), as amended by 2002 PA 121.

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

Senators Jacobs and Olshove introduced

#### **Senate Bill No. 193, entitled**

A bill to amend 1893 PA 206, entitled "The general property tax act," by amending section 27a (MCL 211.27a), as amended by 2006 PA 446.

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

Senator Switalski introduced

#### **Senate Bill No. 194, entitled**

A bill to amend 1976 PA 451, entitled "The revised school code," by amending section 1311g (MCL 380.1311g), as amended by 2005 PA 28.

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

Senator Brater introduced

#### **Senate Bill No. 195, entitled**

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 3b of chapter XI (MCL 771.3b), as amended by 1998 PA 49.

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

### Statements

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

The motion prevailed.

Senator Scott's statement is as follows:

I just want to continue to remind my colleagues of how important it is that we deal with affordable insurance. Just this weekend alone, I heard a number of people on the radio talking about how their insurance had doubled. They hadn't had any accidents, no claims, or anything.

I don't know if my colleagues really understand how important this is. It is very important that we treat everyone alike. All I'm asking is that you take up this bill where we can sit down and discuss how we can change how we do insurance in this state—homeowners and car insurance. That is what these people were concerned about.

For this particular woman, it was her homeowners insurance that had doubled. That is not fair. We're asking people to leave out of the city of Detroit, and when we are negotiating here, we don't want to give Detroit their fair share. So at least leave the residents there so that they will be able to pay the taxes that are needed to run that city.

So I ask you again to at least sit down and discuss this bill. It's a task force that we need to set up so that the Governor and both our Majority and Minority Leaders can appoint some folks to sit on that board—some legislators and some community people—so that we can change the way that we do insurance in this state.

Thank you and thank you, colleagues, for your attention on this.

### Committee Reports

The Committee on Appropriations reported

**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.

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.

Ron Jelinek  
Chairperson

To Report Out:

Yeas: Senators Jelinek, Pappageorge, Hardiman, Kahn, Cropsey, Garcia, George, Jansen, Brown, McManus, Stamas, Switalski, Anderson, Barcia, Brater, Cherry, Clark-Coleman and Scott

Nays: None

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

### COMMITTEE ATTENDANCE REPORT

The Committee on Agriculture submitted the following:

Meeting held on Thursday, February 8, 2007, at 9:00 a.m., Room 110, Farnum Building

Present: Senators Van Woerkom (C), Gilbert, Gleason and Whitmer

Excused: Senator Birkholz

### COMMITTEE ATTENDANCE REPORT

The Committee on Appropriations submitted the following:

Joint meeting held on Thursday, February 8, 2007, at 11:00 a.m., House Appropriations Room, 3rd Floor, Capitol Building

Present: Senators Jelinek (C), Pappageorge, Hardiman, Kahn, Garcia, George, Jansen, Brown, McManus, Stamas, Switalski, Anderson, Barcia, Brater, Cherry, Clark-Coleman and Scott

Excused: Senator Cropsey

**COMMITTEE ATTENDANCE REPORT**

The Committee on Energy Policy submitted the following:

Meeting held on Thursday, February 8, 2007, at 1:00 p.m., Room 210, Farnum Building

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

Absent: Senators Birkholz and Thomas

**COMMITTEE ATTENDANCE REPORT**

The Committee on Finance submitted the following:

Meeting held on Thursday, February 8, 2007, at 1:13 p.m., Room 110, Farnum Building

Present: Senators Cassis (C), McManus, Jansen, Prusi and Jacobs

Excused: Senators Gilbert and Whitmer

**Scheduled Meetings**

**Agriculture** - Thursday, February 15, 9:00 a.m., Room 110, Farnum Building (373-1635)

**Appropriations** - Wednesday, February 14, 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** - Wednesday, 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)

**Human Services Department** - Wednesday, February 14, 12:30 p.m., Room 100, Farnum Building (373-2768)

**Judiciary and Corrections** - Wednesdays, February 21, February 28 and March 14, 3:00 p.m., Room 402, Capitol Building; and Thursday, March 8, 1:30 p.m., Room 100, Farnum Building (373-2768)

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

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

**Banking and Financial Institutions** - Wednesday, February 14, 8:30 a.m., Room 210, Farnum Building (373-3543)

**Campaign and Election Oversight** - Wednesday, February 14, 12:30 p.m., Room 405, Capitol Building (373-1725)

**Education** - Thursday, February 15, 2:30 p.m., Room 210, Farnum Building (373-6920)

**Energy Policy** - Thursday, February 22, 1:00 p.m., Room 210, Farnum Building (373-7350)

**Finance** - Thursday, February 15, 11:00 a.m. or later immediately following session, Room 110, Farnum Building (373-1758)

**Health Policy** - Wednesday, February 14, 3:00 p.m., Senate Hearing Room, Ground Floor, Boji Tower (373-0793)

**Natural Resources and Environmental Affairs** - Wednesday, February 14, 1:00 p.m., Room 110, Farnum Building (373-3447)

**Senior Citizens and Veterans Affairs** - Wednesday, February 14, 8:30 a.m., Room 100, Farnum Building (373-2413)

Senator Cropsey moved that the Senate adjourn.  
The motion prevailed, the time being 10:34 a.m.

The President, Lieutenant Governor Cherry, declared the Senate adjourned until Wednesday, February 14, 2007, at 10:00 a.m.

CAROL MOREY VIVENTI  
Secretary of the Senate