

No. 15
STATE OF MICHIGAN
Journal of the Senate
94th Legislature
REGULAR SESSION OF 2007

Senate Chamber, Lansing, Thursday, February 22, 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—excused
Basham—present
Birkholz—present
Bishop—present
Brater—present
Brown—present
Cassis—present
Cherry—present
Clark-Coleman—present
Clarke—present
Cropsey—present

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

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

Pastor Aaron Burch of Kalamazoo Valley Church of Kalamazoo offered the following invocation:

Dear Heavenly Father, we thank You for the opportunity to be here today. We recognize that You hold the nations in Your hands; You hold the state of Michigan in Your hands; and, Father, You hold each one of us as individuals in Your hands. We're reminded of what's most important to You and that is people—men, women, and children of every race, for You are no respecter of persons and You see each one of us as equals.

We pray that as we gather together to debate the issues of the day, You would guide and direct our paths and grant us abundant wisdom according to Your truth. We pray that You would cause us to come together in the spirit of unity, keeping diligent to carry out Your will and the will of the people of the state of Michigan. We pray that we would be good stewards of the valuable resources of this great state and seek to honor and respect each other regardless of our own individual beliefs and ideologies.

And, finally, we lift up our soldiers and specifically our own soldiers from this great state that You would protect and surround them with a shield and bring them home to us safe and soon.

In the mighty name of Jesus. Amen.

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

Motions and Communications

Senator Thomas moved that Senator Gleason be temporarily excused from today's session.
The motion prevailed.

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

The Secretary announced that the following official bills and joint resolution were printed on Wednesday, February 21, and are available at the legislative website:

Senate Bill Nos.	207	208	209	210	211	212	213	214	215	216	217	218	219	
House Bill Nos.	4281	4282	4283	4284	4285	4286	4287	4288	4289	4290	4291	4292	4293	4294
	4295	4296	4297	4298	4299	4300	4301	4302	4303	4304				
House Joint Resolution												E		

Senators Gleason and Garcia entered the Senate Chamber.

Third Reading of Bills

The following bill was read a third time:

Senate Bill No. 1, entitled

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

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. 12

Yeas—37

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

Cherry
Clark-Coleman

Jacobs

Prusi

Whitmer

Nays—0

Excused—1

Barcia

Not Voting—0

In The Chair: President

The Senate agreed to the title of the bill.

Resolutions

The question was placed on the adoption of the following resolution consent calendar:

Senate Resolution No. 13

The resolution consent calendar was adopted.

Senators Pappageorge, Allen, Birkholz and Switalski offered the following resolution:

Senate Resolution No. 13.

A resolution commemorating March 2007 as Ethnic and Cultural Heritage Month in the state of Michigan.

Whereas, The culture of the people of the state of Michigan has continually been renewed and enriched by the many different individuals who have chosen to come to Michigan, become citizens, and call this state their home; and

Whereas, Each individual brings with them a part of his or her own heritage which over time integrates into one common heritage, leading us to become united people; and

Whereas, As unified people with one common heritage, we represent the past, present, and future traditions of our great state; and

Whereas, The state of Michigan's character is based upon its citizens' unwavering dedication to our cultured attitudes, beliefs, and customs; and

Whereas, As united citizens, we celebrate Michigan's heritage with pride and great esteem; now, therefore, be it

Resolved by the Senate, That we hereby proclaim March 2007 as Ethnic and Cultural Heritage Month in the state of Michigan; and be it further

Resolved, That copies of this resolution be transmitted to Oakland County Executive L. Brooks Patterson, Bloomfield Township, the cities of Berkley, Birmingham, Bloomfield Hills, Clawson, Madison Heights, Royal Oak, and Troy, and Royal Oak resident Joan Larson as a token of our highest esteem.

Senators Cherry, Clark-Coleman, Clarke, Gleason and Hunter were named co-sponsors of the resolution.

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

Senate Concurrent Resolution No. 6.

A concurrent resolution to express the sense of the Michigan Legislature that all future State of the State addresses be interpreted for the deaf and hard of hearing by qualified interpreters.

Whereas, More than 31 million Americans have hearing loss. As baby boomers reach retirement age, starting in 2010, this number is expected to nearly double by the year 2030; and

Whereas, It is estimated that 1.4 million people in the state of Michigan have some degree of hearing loss; and

Whereas, Hearing loss can greatly hinder everyday, ordinary communication, and people with hearing loss often feel a sense of isolation when deprived of access to effective communication; and

Whereas, The state of Michigan serves as a model of inclusion for all deaf and hard of hearing individuals; and

Whereas, The state of Michigan should provide accommodations, such as sign language interpreters, assistive listening technology, and televised captioning for all deaf and hard of hearing individuals at State of the State addresses; and

Whereas, For the first time in history, the 2007 Governor's State of the State address was interpreted by qualified interpreters provided by the Division on Deaf and Hard of Hearing within the Department of Labor and Economic Growth. This presentation clearly illustrated the appropriateness of making this a permanent part of such events; and

Whereas, The state of Michigan recognizes the needs of the deaf and hard of hearing and appreciates the accommodations made by Governor Granholm and House Speaker Dillon to provide state of Michigan "qualified interpreters" at the State of the State address; now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That it is the sense of the members of the Michigan Legislature that all future State of the State addresses be interpreted for the deaf and hard of hearing by qualified interpreters provided by the Division on Deaf and Hard of Hearing within the Department of Labor and Economic Growth; and be it further

Resolved, That copies of this resolution be transmitted to the Office of the Governor and the Division on Deaf and Hard of Hearing within the Department of Labor and Economic Growth.

Pursuant to rule 3.204, the concurrent resolution was referred to the Committee on Government Operations and Reform.

Introduction and Referral of Bills

Senators Patterson, Gilbert and George introduced

Senate Joint Resolution B, entitled

A joint resolution proposing an amendment to the state constitution of 1963, by amending section 13 of article IV, to limit the legislative session.

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

Senator Kuipers introduced

Senate Bill No. 265, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending sections 2 and 698 (MCL 257.2 and 257.698), section 2 as amended by 2004 PA 19 and section 698 as amended by 1998 PA 247.

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

Senators Garcia, Kuipers, Hardiman, Jelinek, Gilbert and Pappageorge introduced

Senate Bill No. 266, entitled

A bill to amend 1933 PA 254, entitled "The motor carrier act," by amending section 1 of article I, sections 5, 6, 7, and 10 of article II, section 6 of article III, and section 2 of article V (MCL 475.1, 476.5, 476.6, 476.7, 476.10, 477.6, and 479.2), section 1 of article I, sections 5 and 7 of article II, and section 6 of article III as amended by 1993 PA 352, sections 6 and 10 of article II as amended by 1982 PA 399, and section 2 of article V as amended by 1996 PA 76, and by adding section 7 to article V.

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

Senators Garcia, Jelinek, Pappageorge and Basham introduced

Senate Bill No. 267, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending sections 14 and 248 (MCL 257.14 and 257.248), as amended by 2004 PA 495.

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

Senators Hunter, Barcia, Allen, Thomas, Hardiman, Clark-Coleman, Clarke, Switalski, Gleason and Cherry introduced **Senate Bill No. 268, entitled**

A bill to provide for the creation, operation, and dissolution of neighborhood improvement districts; to permit the creation of certain boards; and to authorize the collection and disbursement of revenue.

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

Senators Gleason and Gilbert introduced

Senate Bill No. 269, entitled

A bill to amend 1909 PA 283, entitled "An act to revise, consolidate, and add to the laws relating to the establishment, opening, discontinuing, vacating, closing, altering, improvement, maintenance, and use of the public highways and private roads; the condemnation of property and gravel therefor; the building, repairing and preservation of bridges; maintaining public access to waterways under certain conditions; setting and protecting shade trees, drainage, and cutting weeds and brush within this state; providing for the election or appointment and defining the powers, duties, and compensation of state, county, township, and district highway officials; and to prescribe penalties and provide remedies," by amending section 6 of chapter IV (MCL 224.6), as amended by 2006 PA 598.

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

Senator Gilbert introduced

Senate Bill No. 270, entitled

A bill to amend 1851 PA 156, entitled "An act to define the powers and duties of the county boards of commissioners of the several counties, and to confer upon them certain local, administrative and legislative powers; and to prescribe penalties for the violation of the provisions of this act," by amending section 11 (MCL 46.11), as amended by 2003 PA 94.

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

Senator Van Woerkom introduced

Senate Bill No. 271, entitled

A bill to amend 1973 PA 116, entitled "An act to provide for the protection of children through the licensing and regulation of child care organizations; to provide for the establishment of standards of care for child care organizations; to prescribe powers and duties of certain departments of this state and adoption facilitators; to provide penalties; and to repeal acts and parts of acts," by amending sections 5 and 5e (MCL 722.115 and 722.115e), section 5 as amended by 2006 PA 580 and section 5e as added by 2005 PA 133, and by adding sections 5h and 5i.

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

Senators Allen, Kuipers, Birkholz, Cropsey and Pappageorge introduced

Senate Bill No. 272, entitled

A bill to amend 1936 (Ex Sess) PA 1, entitled "Michigan employment security act," by amending section 20 (MCL 421.20), as amended by 2003 PA 174.

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

Senator Hardiman introduced

Senate Bill No. 273, entitled

A bill to amend 1975 PA 238, entitled "Child protection law," by amending section 8 (MCL 722.628), as amended by 2006 PA 630.

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

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:

My colleagues, you have a handout on your desk regarding our 0-3 program that we have through the Children's Trust Fund. My colleague from District 24 and I are working on the Children's Trust Fund. I would like all of my

colleagues to think about something from their district that they can use in our auction that we are going to have. I believe the date is May 1. I don't have that one just before me right now, but please think about, all of you, finding something that you can donate to us so that we can make lots of money for these children. As you know, there are so many children who are abused and neglected and we can certainly do something about it. I am asking you to read that, and there is additional information that you can get from the director or myself or the Senator from the 24th District. Please all purchase a ticket to attend.

And now, for my second, I want all of my colleagues to be mindful that we must do something for the parents and those who are driving so that we have affordable insurance for everyone. Now I know you hear me say this every day and I am going to continue to say it until we do something about it. I would hope that we would do it sooner rather than later. These people are hurting, so please let's start taking up these bills, especially the task force so that we can study our insurance all over this state. That is what we are here to do. We are here to make life affordable for everyone in this state, not just a few.

Remember, we are all God's children and we all ought to be treated the same.

Committee Reports

COMMITTEE ATTENDANCE REPORT

The Subcommittee on Department of Transportation submitted the following:
Meeting held on Wednesday, February 21, 2007, at 8:30 a.m., Room 405, Capitol Building
Present: Senators Hardiman (C), Cropsey and Anderson

COMMITTEE ATTENDANCE REPORT

The Subcommittee on Economic Development submitted the following:
Meeting held on Wednesday, February 21, 2007, at 8:30 a.m., Room 110, Farnum Building
Present: Senators Jansen (C), George, Stamas, Scott and Anderson

COMMITTEE ATTENDANCE REPORT

The Committee on Senior Citizens and Veterans Affairs submitted the following:
Meeting held on Wednesday, February 21, 2007, at 9:00 a.m., Room 100, Farnum Building
Present: Senators Allen (C), Pappageorge, Garcia, Olshove and Basham

COMMITTEE ATTENDANCE REPORT

The Subcommittee on Department of Human Services submitted the following:
Meeting held on Wednesday, February 21, 2007, at 12:30 p.m., Room 100, Farnum Building
Present: Senators Hardiman (C), Kahn, Jansen, Scott and Barcia

COMMITTEE ATTENDANCE REPORT

The Committee on Health Policy submitted the following:
Meeting held on Wednesday, February 21, 2007, at 3:00 p.m., Room 210, Farnum Building
Present: Senators George (C), Patterson, Sanborn, Allen, Clarke, Gleason and Jacobs

COMMITTEE ATTENDANCE REPORT

The Subcommittee on Judiciary and Corrections submitted the following:
Meeting held on Wednesday, February 21, 2007, at 3:15 p.m., Rooms 402 and 403, Capitol Building
Present: Senators Cropsey (C), Kahn and Brater

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

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

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

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

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

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

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

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

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

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

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

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

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

Families and Human Services - Tuesday, February 27, 2:30 p.m., Room 210, Farnum Building (373-0797)

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

Senator Cropsey moved that the Senate adjourn.
The motion prevailed, the time being 10:18 a.m.

The President, Lieutenant Governor Cherry, declared the Senate adjourned until Tuesday, February 27, 2007, at 10:00 a.m.

CAROL MOREY VIVENTI
Secretary of the Senate

