

No. 27
STATE OF MICHIGAN
Journal of the Senate
94th Legislature
REGULAR SESSION OF 2007

Senate Chamber, Lansing, Thursday, March 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 not present.

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

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

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

Senator Michael A. Prusi of the 38th District offered the following invocation:

Lord, we thank You for this day. Across Michigan and around the world, Your people pray to You through many faiths and many creeds in many languages, but our hopes and our prayers are common. Lord, we seek God's peace in these trying times when war and senseless violence curse our planet. We pray that You hold our troops and their families in Your gentle grace in the dangerous days ahead.

Lord, we look for Your compassion for the downtrodden and poverty-stricken who have been cast aside in the world's lust for wealth and power. Help us to lift them up to share in the bounty of our society.

Lord, we ask that Your love fill the hearts of mankind to replace the hatred born of fear and ignorance.

Lord, keep us ever mindful that our society is and ought to be measured by the things we do to protect and strengthen those in the dawn of life, our children whose futures are in our hands; those in the twilight of life, our elders who have toiled all of their lives to earn a dignified and secure retirement; and those in the shadows of life, our brothers and sisters who struggle daily with mental, emotional, and physical disabilities.

Lord, guide us with Your wisdom today as we do our work in this chamber, for we know that through You all things are possible. Amen.

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

Senator Cropsy entered the Senate Chamber.

Recess

Senator Cropsy moved that the Senate recess subject to the call of the Chair.
The motion prevailed, the time being 10:04 a.m.

10:20 a.m.

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

During the recess, Senators Kuipers, Brater, Clarke, Gilbert, Brown, Patterson, Van Woerkom, Stamas, Hardiman, Cassis, George, Birkholz, Allen, Pappageorge and Jansen entered the Senate Chamber.

A quorum of the Senate was present.

Motions and Communications

Senator Cropsy moved that Senator Garcia be temporarily excused from today's session.
The motion prevailed.

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

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:

I'm joined by Representative Schuitmaker and in the east Gallery we have the family of Lance Corporal Luis J. Castillo and I would ask that they rise.

"LET IT BE KNOWN, That it is with deepest gratitude for the life and dedicated service of Lance Corporal Luis J. Castillo of Lawton, Michigan, that we join with his family, friends, fellow Marines and citizens across the country in honoring this fallen American hero.

Lance Corporal Luis Castillo gave his life for his country on Saturday, January 20, 2007, when his unit came under small arms fire while on patrol in al-Anbar province, Iraq. Castillo belonged to a Lansing-based unit of the Marine Forces Reserve's 1st Battalion, 24th Marine Regiment, 4th Marine Division.

Luis enlisted as a Marine reservist soon after his graduation from Mattawan High School in Mattawan, Michigan, and served two years before being deployed to Iraq on September 26, 2006. He will be remembered as a hardworking, daring, fun-loving person who followed through on his promises. He was passionate about his faith and his love for his family, and always took time to be with those who meant the most to him.

We extend our deepest sympathy to Lance Corporal Castillo's family, especially his mother, Raquel Garcia, his brother Juan and sister-in-law Rosemary, his sisters Pilar and Jazmin, and his many nieces and nephews. Luis was preceded in death by his father, Uvaldo Castillo. Everyone who knew Luis feels his loss intensely and cherishes his memory with extraordinary pride and love.

EN UN TRIBUTO ESPECIAL, por lo tanto, este documento monumental es firmado y dedicado a Luis J. Castillo en honor a un Marino especial de los Estados Unidos quien será recordado por su servicio desinteresado y admirado por su compromiso a su país. Aunque las palabras no puedan consolar el dolor de este tremendo sacrificio, queremos que la familia de Lance Corporal Luis Castillo sepa de nuestro gran respeto y apreciación por su dedicación y sus esfuerzos heroicos de defender nuestra libertad."

A moment of silence was observed in honor of Marine Lance Corporal Luis J. Castillo.

Senators Bishop, Jelinek and Kahn entered the Senate Chamber.

The following communication was received:

Department of Transportation

March 19, 2007

I am pleased to provide the Michigan Department of Transportation's report on transportation accessibility for seniors and persons with disabilities for Fiscal Year 2006.

The report is being forwarded to the Legislature for their information pursuant to Section 10e(21) of Act 51 of the Public Acts of 1951, as amended.

Sincerely,
Kirk T. Steudle
Director

The communication was referred to the Secretary for record.

The Secretary announced that the following House bills were received in the Senate and filed on Wednesday, March 21:
House Bill Nos. 4304 4407

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

Senate Bill Nos.	357	358	359	360	361	362													
House Bill Nos.	4477	4478	4479	4480	4481	4482	4483	4484	4485	4486	4487	4488	4489	4490					
	4491	4492	4493	4494	4495	4496	4497	4498											
House Joint Resolutions		G	H																

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

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

The motion prevailed, and the President, Lieutenant Governor Cherry, designated Senator Brown 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 without amendment, the following bills:

Senate Bill No. 344, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending sections 16 and 16z of chapter XVII (MCL 777.16 and 777.16z), section 16 as added by 1998 PA 317 and section 16z as amended by 2006 PA 655, by amending the headings of chapter XVII and part 2 of chapter XVII, and by adding sections 16aa and 16bb to chapter XVII.

Senate Bill No. 345, entitled

A bill to amend 1974 PA 198, entitled “An act to provide for the establishment of plant rehabilitation districts and industrial development districts in local governmental units; to provide for the exemption from certain taxes; to levy and collect a specific tax upon the owners of certain facilities; to impose and provide for the disposition of an administrative fee; to provide for the disposition of the tax; to provide for the obtaining and transferring of an exemption certificate and to prescribe the contents of those certificates; to prescribe the powers and duties of the state tax commission and certain officers of local governmental units; and to provide penalties,” by amending section 9 (MCL 207.559), as amended by 2006 PA 436.

The bills were placed on the order of Third Reading of Bills.

Resolutions

Senator Allen offered the following resolution:

Senate Resolution No. 30.

A resolution to urge the United States Army Corps of Engineers to make the necessary repairs to the Crooked River Lock in Emmet County.

Whereas, The Inland Waterway is Michigan’s longest chain of rivers and lakes. It stretches almost 40 miles through the waters of Crooked Lake, Crooked River, Pickerel Lake, Burt Lake, Indian River, Mullet Lake, and the Cheboygan River, and includes lock systems on the Crooked River and on the Cheboygan River; and

Whereas, The Inland Waterway has long been used as a mode of transportation and commerce, dating back to the time when Native Americans and fur traders would use the waterway en route to Little Traverse Bay in lieu of taking the longer open water route through the Straits of Mackinac. The completion of a lock on the Cheboygan River in 1869 opened this inland waterway to companies whose vessels carried passengers and freight to the inland villages of this part of northern Michigan. Since the Crooked River lock was constructed by the Army Corps of Engineers from 1967 to 1968, daylong excursions over these waters have become even more popular with tourists and residents alike; and

Whereas, Every year, 10,000 to 15,000 people visit the locks on the Crooked River and the Cheboygan River. These tourist destinations exert a significant economic impact upon the towns and businesses along the Inland Waterway, especially the community of Alanson, the home to the Crooked River Lock; and

Whereas, In this time of economic uncertainty, it is crucial that our state and federal governments work together to encourage economic activity through support of our infrastructure. It is important to this region that the Inland Waterway—a vital economic asset to northern Michigan—remains operational and our waters navigable; now, therefore, be it

Resolved by the Senate, That we urge the United States Army Corps of Engineers to make the necessary repairs to the Crooked River Lock in Emmet County in time for the commencement of the 2007 summer tourism season; and be it further

Resolved, That copies of this resolution be transmitted to the United States Army Corps of Engineers; the Michigan congressional delegation; the Michigan Department of Natural Resources; the Michigan Natural Resources Commission; the Michigan Waterways Commission; the Emmet and Cheboygan County Boards of Commissioners; the Petoskey, Harbor Springs, and Indian River Chambers of Commerce; and the village of Alanson.

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 question being on the adoption of the resolution,

Senator Cropsey moved that the resolution be referred to the Committee on Natural Resources and Environmental Affairs.

The motion prevailed.

Senators Barcia, Hardiman and Pappageorge were named co-sponsors of the resolution.

By unanimous consent the Senate proceeded to the order of

Statements

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

The motion prevailed.

Senator Scott's statement is as follows:

The Reverend Dr. Martin Luther King wrote in his letter from a Birmingham jail, "Injustice anywhere is a threat to justice everywhere." Well, if ever there was a case of injustice, it is the disparities in insurance rates that people pay across our state. My friends, we are threatening justice everywhere by our inaction on the insurance issue. You are aware of the issues. You have the bills. Now it's time to act.

I'm imploring you to eliminate this unjust and unfair situation and take action on this important issue now. It's just the right thing to do.

Senator Cherry's statement is as follows:

I would like to take a moment to commemorate Support Our Troops Day which will be on March 26, 2007. Alexandra McGregor, a constituent of mine, is a junior at Waterford Kettering High School who took action to help pay tribute to our soldiers around the world. I wanted to take a moment to thank her for her dedication to showing the men and women of this country who serve to know that we respect them and thank them for their tireless, and sometimes thankless, service to all; and to thank Alexandra for her efforts to pay tribute to our soldiers and the work that she has done in the Waterford community.

By unanimous consent the Senate returned to the order of

Motions and Communications

The Secretary announced that the Majority Leader has made the appointment of the following standing committee: **Appropriations** - Senator Garcia replacing Senator Gilbert.

The standing committee appointment was approved, a majority of the members serving voting therefor.

Recess

Senator Cropsey moved that the Senate recess until 1:30 p.m.
The motion prevailed, the time being 10:37 a.m.

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

Recess

Senator Cropsey moved that the Senate recess until 4:00 p.m.
The motion prevailed, the time being 1:32 p.m.

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

Senators Thomas and Garcia entered the Senate Chamber.

Recess

Senator Cropsey moved that the Senate recess subject to the call of the Chair.
The motion prevailed, the time being 4:01 p.m.

4:22 p.m.

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

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

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

Senate Bill No. 307

The motion prevailed.

The following bill was read a third time:

Senate Bill No. 307, entitled

A bill to provide for the levy, assessment, and collection of an excise tax on certain services; to provide exemptions; to appropriate the proceeds; to prescribe certain powers and duties of certain state departments; and to prescribe penalties.

The question being on the passage of the bill,

Senator Brater offered the following amendment:

1. Amend page 5, following line 7, by inserting:

“(2) Revenue collected under this act shall be used to provide essential services including public safety, education, health care, protection of our natural resources, and to invest in the future of Michigan.” and renumbering the remaining subsections.

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

The question being on the passage of the bill,

The bill was defeated, a majority of the members serving not voting therefor, as follows:

Roll Call No. 35

Yeas—16

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

Nays—22

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

Excused—0

Not Voting—0

In The Chair: President

Protests

Senators Sanborn, Cropsey, Cassis and Garcia, under their constitutional right of protest (Art. 4, Sec. 18), protested against the passage of Senate Bill No. 307.

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

The motion prevailed.

Senator Sanborn's statement, in which Senator Cropsey concurred, is as follows:

This economic plan, this tax plan, is of great concern to me. You see, it's my belief that for Michigan's economic recovery we need less—we need less taxes, we need less spending, we need less burdensome regulation on our business community, we need less lawsuits, and we need less adversarial labor negotiations. Get all of these things turned around and work on these things, and you'll get Michigan's economy on the right track. Pass this bill, more or less, you are putting the last nail in Michigan's economic coffin.

I'd ask you to vote this bill down. Let's get Michigan going again.

Senator Cassis' statement is as follows:

This is a defining moment in Michigan's history, and it's time for all of us to settle down and to get real. Let's listen to all of the people whom we represent, those who have lost their jobs, those fearful right now that they may lose their job tomorrow or next week, and all the families on the brink of making some very hard decisions about whether to stay in Michigan or move somewhere else where they can find work. These are the most difficult times I can remember in the more than 30 years which I have lived here in Michigan.

We've had testimony from many, many people who spoke at three hearings around the state. So many of them clearly stated that it's not two pennies; it's not 2 cents; it's \$1.5 billion. This represents a new tax, a sales tax on services that is simply unaffordable to working individuals and businesses alike.

We will replace the single business tax with a fair, equitable, pro-growth, and pro-job-creation package of bills. We need to come together. The time is now. We can do this.

Senator Garcia's statement is as follows:

I voted "no" against this bill because overwhelmingly my constituents contacted me via phone calls, e-mails, or letters and said to vote "no" on this 2-cent increase. It was something in the neighborhood of over 225-5. That's what came into the office. Of the people I spoke to, it was something more like 30-4 whom I spoke to, and those are just representative.

For me, the message was clear. We cannot stand another tax increase, and we should proceed with cutting the budget to make our ends meet.

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

The motion prevailed.

Senator Brater's statement is as follows:

I stand before you today with a bit of consternation that this bill is before us. It really still should be in the Senate Finance Committee since the chair has been scheduling hearings around the state to talk about it. Everybody knows that this bill was introduced as just 1 of 22 bills which are part of the Governor's comprehensive plan to restructure taxes in the state of Michigan to make our tax system match the needs of the 21st century economy and to move our state forward to make sure that we can invest in the resources and the people of the state of Michigan; to make sure that our businesses will thrive and that we will have a skilled workforce which matches the needs of people who want to have their businesses located here in the state of Michigan.

So it's very imperative at this juncture that we not engage in political maneuvers and one-upsmanship, but that we work together to solve this very real crisis that our state is facing at this juncture. I hope we will work together to help the public understand the nature of the state budget crisis and the consequences of the revenue shortfalls that we face. I know that we work in a political environment and that this is the political process, but we do need to set aside these shenanigans, roll up our sleeves, and look for long-term solutions to our state budget crisis.

The cost of not identifying revenues, including replacing the single business tax, are real. We have had warnings from Standard & Poor's, the bond rating agency in New York, that we are in danger of having our state credit rating fall into the negative category, to have the dubious distinction of the only state which would be in that category. We cannot be fooling around with this issue. We should be working together to forge a consensus.

I am completely convinced that we can't cut our way out of the state's budget crisis. Cuts can be, and have been, part of the solution as the Governor has said and will say again. The solution to this problem is a combination of cuts, reform, and revenue. Together, we have made cuts. The Governor and the Legislature over the past four years have made \$3 billion worth of cuts to try and resolve our state budget deficits. State spending is now at a third of the level it was 30 years ago. We have 10,000 fewer state employees than we had in the year 2000. The Governor has proposed a plan of which the two percent tax on services is a crucial part to balance the state budget.

The consequences, if we don't provide additional revenue, are real, one of which could be up to \$225 per pupil cut in the School Aid Fund. At this time, it is not anymore midyear. It was midyear when we found out about this problem, but, folks, it is now two months before the school year ends and we can't be hitting our schools, our public school children, and our teachers with these kinds of cuts at this time in the school year.

Higher education will also suffer. We know we need to invest in higher education to repair the 21st century workforce to attract and retain business in the state of Michigan. We have cut \$2,300 per pupil, per student, since the year 2000.

Other crucial needs include health care, including services for seniors and children, children's protective services and foster care, parks and recreation, environmental protection, protecting our Great Lakes, our streams, our groundwater, agriculture programs to help our farmers be economically viable, and investing in tourism to help build the economy of this state. Every one of the legislators on this floor and across the rotunda have a wish list and we have been adding to the expenditures since we've been up here, since January, and the last four years that most of us served. Yet, we are not willing to support putting more revenues to support these expenditures which we've been voting for.

We have a \$942 million deficit in this fiscal year. Without a single business tax replacement, there's another \$2 billion problem. If we do one-time fixes and gimmicks to balance the '07 budget, we are bound to have another \$1 billion problem in '08. These numbers are not debatable. They are real. Whether or not you want to add them up, they do add up. We need revenue and we need it urgently.

I appreciate the willingness of colleagues on both sides of the aisle to consider the revenue side of the equation. The two percent plan is one solution. It generates \$1.4 billion a year and it reflects the reality of the 21st century economy.

I hope and I know that you didn't put this bill up to have a vote on it because you want to move it forward. I know you put it up here just to play some political games. But I hope once we get this over with that you would be willing to sit down in a serious manner and talk about how we are going to resolve this budget deficit.

Senator Switalski's statement is as follows:

I believe this bill represents the concept of revenue and that's why I stand in support of this bill. That concept is part of a broad approach to our fiscal crisis. It's an approach that says to make a balanced fix, we need to have cuts, we need to have revenue, and we need to have restructuring. Relying on any one approach by itself will not solve our problem.

There has been a lot of criticisms of this plan. I've listened to a lot of them. Some of those criticisms have merit, and we've always said this plan is open to change. We will welcome any constructive amendments to it, changes to things that improve it, and we stand willing to make those changes.

I feel that this may go down today, but no one should draw the conclusion that revenue, the concept of revenue, and the necessity of revenue is a dead issue. This plan could be modified, it could be combined with other approaches, or it could be reconstituted, but the issue of revenue will not go away.

I'm confident that we will return to that issue of revenue before this fiscal crisis is over.

By unanimous consent the Senate returned to the order of

Motions and Communications

Senator Cropsey moved that the Committee on Appropriations be discharged from further consideration of the following bills:

Senate Bill No. 220, entitled

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

Senate Bill No. 221, entitled

A bill to amend 1979 PA 94, entitled "The state school aid act of 1979," by amending sections 11 and 17b (MCL 388.1611 and 388.1617b), as amended by 2006 PA 342.

The motion prevailed, a majority of the members serving voting therefor, and the bills were placed on the order of General Orders.

Senator Cropsey moved that the rules be suspended and that the following bills, now on the order of General Orders, be placed on the General Orders calendar for consideration today:

Senate Bill No. 220

Senate Bill No. 221

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

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 Brown 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 a substitute therefor, the following bill:

Senate Bill No. 221, entitled

A bill to amend 1979 PA 94, entitled "The state school aid act of 1979," by amending sections 11 and 17b (MCL 388.1611 and 388.1617b), as amended by 2006 PA 342.

Substitute (S-3).

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

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

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

Senate Bill No. 221

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

The following bill was read a third time:

Senate Bill No. 221, entitled

A bill to amend 1979 PA 94, entitled "The state school aid act of 1979," by amending sections 3, 11, 11g, 11j, 22a, 22b, 26b, 31a, 51a, 51c, 65, 81, and 147 (MCL 388.1603, 388.1611, 388.1611g, 388.1611j, 388.1622a, 388.1622b, 388.1626b, 388.1631a, 388.1651a, 388.1651c, 388.1665, 388.1681, and 388.1747), sections 3, 11, 11g, 11j, 22a, 22b, 26b, 31a, 51a, 51c, 81, and 147 as amended and section 65 as added by 2006 PA 342; and to repeal acts and parts of acts.

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. 36

Yeas—20

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

Nays—18

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

Excused—0

Not Voting—0

In The Chair: President

The Senate agreed to the title of the bill.

Protests

Senators Switalski and Clark-Coleman, under their constitutional right of protest (Art. 4, Sec. 18), protested against the passage of Senate Bill No. 221 and moved that the statements they made during the discussion of the bill be printed as their reasons for voting “no.”

The motion prevailed.

Senator Switalski’s statement is as follows:

We made a promise to the schoolchildren of this state. We set a high value on their education and we made a promise of a certain level of funding. We’re going back midway through the year and cutting that \$34 per student. We’re doing that because we are making a choice that it’s more important to be pure in our determination to not raise a single dime of revenue to make up for this shortfall—not raise any fee, not raise any tax, and not do anything to keep the promise we made to the children of this state. If that is more important than our children’s education, I think we’ve got grossly misplaced priorities. We should vote this bill down.

Senator Clark-Coleman’s statement is as follows:

Everywhere I go, all of the schools that I visit, the school leaders and the parents beg me. They say, “Please don’t cut education. Please don’t cut K-12.” We are closing schools in Detroit. We are now closing almost 40 schools. And we are closing them because of reduced enrollment and a lot of other things, but the schools are hemorrhaging. They are suffering. At this juncture, this is now the end of March, almost April, schools close in two months. To cut them at this time is unconscionable.

This is just another example of piecemeal politics on the part of my colleagues on the other side of the aisle. These disgusting cuts paint a grim picture for Michigan. You’ve cut \$34 per student, and in Detroit, with 116,000 students times 34, that’s more than I can count.

Most schools have already spent most of that money. How are they going to pay the rest of this year’s bills? This is not a plan which I can support. I support a plan that invests in Michigan, that makes middle school math programs possible, and that provides funds to give children and teachers the tools to succeed. I support a comprehensive plan which contains a mix of cuts, reforms, and revenues. This plan, if you can call it a plan, puts at risk our ability to fund schools, as well as pushing problems into the future. With tricky accounting gimmicks and a scheme that projects possibly unlikely revenues, we have just voted in \$344 million in cuts.

Where are the reforms and the revenues? Is it reasonable to reform an outdated tax structure so we can just say that we kept that philosophy of making no cuts? At whose expense? At the expense of our children, our most precious resources? How dare we sit here at this time and cut our children to the bone like this and not worry about how they are going to finish out this school year. Shame, shame on all of you.

Introduction and Referral of Bills

Senator Stamas introduced

Senate Bill No. 368, entitled

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

The bill was read a first and second time by title and referred to the Committee on Local, Urban and State Affairs.

Senators Barcia, Cropsey and Kahn introduced

Senate Bill No. 369, entitled

A bill to amend 1974 PA 258, entitled “Mental health code,” by amending sections 744, 1026, 1028, 1030, 1032, 1034, 1044, and 1050 (MCL 330.1744, 330.2026, 330.2028, 330.2030, 330.2032, 330.2034, 330.2044, and 330.2050), section 744 as amended by 1995 PA 290, and by adding sections 1049, 1052, 1053, 1054, 1055, 1056, 1057, 1058, 1059, 1060, 1061, 1062, 1063, 1064, 1065, 1066, 1067, 1068, 1069, 1070, 1071, 1072, 1073, 1074, 1075, 1076, 1077, 1078, 1079, 1080, 1081, and 1082; and to repeal acts and parts of acts.

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

Senators Richardville, Cropsey, Sanborn, Patterson, Kuipers, Kahn, Jelinek, Jansen and Gilbert introduced

Senate Bill No. 370, entitled

A bill to amend 1927 PA 372, entitled “An act to regulate and license the selling, purchasing, possessing, and carrying of certain firearms and gas ejecting devices; to prohibit the buying, selling, or carrying of certain firearms and gas ejecting devices without a license or other authorization; to provide for the forfeiture of firearms under certain

circumstances; to provide for penalties and remedies; to provide immunity from civil liability under certain circumstances; to prescribe the powers and duties of certain state and local agencies; to prohibit certain conduct against individuals who apply for or receive a license to carry a concealed pistol; to make appropriations; to prescribe certain conditions for the appropriations; and to repeal all acts and parts of acts inconsistent with this act," by amending sections 12 and 12b (MCL 28.432 and 28.432b), section 12 as amended by 2006 PA 75 and section 12b as added by 1982 PA 182, and by adding section 9d; and to repeal acts and parts of acts.

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

Senators Cropsey, Richardville, Sanborn, Patterson, Kuipers, Kahn, Jelinek, Jansen and Gilbert introduced **Senate Bill No. 371, entitled**

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending sections 224b and 231a (MCL 750.224b and 750.231a), section 231a as amended by 2002 PA 82; and to repeal acts and parts of acts.

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

House Bill No. 4103, entitled

A bill to require certain consumer reporting agencies to place security freezes on certain consumer credit information; to authorize and limit fees; and to provide remedies.

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

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

House Bill No. 4228, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," (MCL 760.1 to 777.69) by adding section 11b to chapter VI.

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

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

House Bill No. 4304, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 636 (MCL 257.636).

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

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

House Bill No. 4323, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 81115, 81129, 81131, 81133, and 81147 (MCL 324.81115, 324.81129, 324.81131, 324.81133, and 324.81147), sections 81115 and 81129 as amended by 2003 PA 111, section 81131 as added by 1995 PA 58, section 81133 as amended by 1998 PA 86, and section 81147 as amended by 2004 PA 587.

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

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

House Bill No. 4407, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," (MCL 324.101 to 324.90106) by adding section 40111b.

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

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

House Bill No. 4421, entitled

A bill to amend 1988 PA 265, entitled "District library financing act," by amending section 8 (MCL 397.288), as amended by 1989 PA 25.

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

The bill was read a first and second time by title and referred to the Committee on Local, Urban and State Affairs.

Recess

Senator Cropsey moved that the Senate recess subject to the call of the Chair.
The motion prevailed, the time being 5:05 p.m.

6:13 p.m.

The Senate was called to order by the Assistant President pro tempore, Senator Sanborn.

Senator Cropsey moved that Senator Garcia be excused from the balance of today's session.
The motion prevailed.

Recess

Senator Cropsey moved that the Senate recess subject to the call of the Chair.
The motion prevailed, the time being 6:14 p.m.

7:17 p.m.

The Senate was called to order by the Assistant President pro tempore, Senator Sanborn.

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 Assistant President pro tempore, Senator Sanborn, designated Senator Brown as Chairperson.

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

Senate Bill No. 220, entitled

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

Substitute (S-4).

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

By unanimous consent the Senate returned to the order of

Third Reading of Bills

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

Senate Bill No. 220

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

The following bill was read a third time:

Senate Bill No. 220, entitled

A bill to make, supplement, and adjust appropriations for various state departments and agencies, the legislative branch, and the judicial branch for the fiscal year ending September 30, 2007; to provide for the expenditure of the appropriations; and to repeal acts and parts of acts.

The question being on the passage of the bill,

Senator Prusi offered the following amendment:

1. Amend page 37, line 14, by striking out all of subdivision (b).

The question being on the adoption of the amendment,

Senator Cropsey moved that all pending amendments be considered en bloc.

The motion prevailed.

Senator Thomas requested the yeas and nays.
The yeas and nays were ordered, 1/5 of the members present voting therefor.
The motion prevailed, a majority of the members voting therefor, as follows:

Roll Call No. 37

Yeas—20

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

Nays—17

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

Excused—1

Garcia

Not Voting—0

In The Chair: Sanborn

Senator Scott offered the following amendment:
1. Amend page 37, line 11, by striking out all of subdivision (a).

Senator Anderson offered the following amendments:

1. Amend page 32, line 21, by striking out:
“Convention facility development distribution (18,400,000)”.
2. Amend page 32, line 27, by striking out:
“Convention facility development fund (18,400,000)”.
3. Amend page 33, line 4, by striking out:
“Statutory state general revenue sharing grants (41,485,000)”.
4. Amend page 33, line 7, by striking out “(61,560,000)” and inserting “(20,075,000)” and adjusting the subtotals, totals, and section 201 accordingly.

Senator Scott offered the following amendments:

1. Amend page 18, line 14, by striking out:
“Day care services..... (11,800,000)”.
2. Amend page 18, line 21, by striking out “48,479,500” and inserting “60,279,500” and adjusting the subtotals, totals, and section 201 accordingly.

Senator Brater offered the following amendment:

1. Amend page 11, line 14, by striking out all of subsection (5) and adjusting the subtotals, totals, and section 201 accordingly.

Senator Cherry offered the following amendments:

1. Amend page 9, line 16, striking out “(8,905,800)” and inserting “(1,501,600)”.
2. Amend page 9, line 24, by striking out “(59,912,600)” and inserting “(52,508,400)”.
3. Amend page 10, line 1, by striking out “(117,031,400)” and inserting “(102,223,000)”.
4. Amend page 10, line 2, by striking out “(117,031,400)” and inserting “(102,223,000)”.
5. Amend page 10, line 5, by striking out “(83,178,900)” and inserting “(74,829,900)”.
6. Amend page 10, line 9, by striking out “46,302,900” and inserting “52,762,300” and adjusting the subtotals, totals, and section 201 accordingly.

Senator Thomas offered the following amendments:

1. Amend page 6, line 3, by striking out:
“Community mental health non-Medicaid services (21,000,000)”.
2. Amend page 6, line 5, by striking out “\$(24,554,500)” and inserting “\$(3,554,500)”.
3. Amend page 6, line 11, by striking out “\$(18,139,200)” and inserting “\$2,860,800” and adjusting the subtotals, totals, and section 201 accordingly.

The question being on the adoption of the amendments,
 Senator Cropsey moved that the previous question be ordered.
 The motion prevailed.

The question being on the adoption of the amendments,
 The amendments were not adopted, a majority of the members serving not voting therefor.

The question being on the passage of the bill,

Senator Whitmer offered the following amendments:

1. Amend page 9, line 16, by striking out “\$(8,905,800)” and inserting “\$(4,929,200)”.
2. Amend page 9, line 17, by striking out “(10,944,400)” and inserting “(9,792,200)”.
3. Amend page 9, line 18, by striking out:
“Home health services..... (23,300)”.
4. Amend page 9, line 19, by striking out:
“Hospice services..... (267,400)”.
5. Amend page 9, line 20, by striking out:
“Transportation (40,700)”.
6. Amend page 9, line 21, by striking out:
“Auxiliary medical services..... (23,400)”.
7. Amend page 9, line 22, by striking out:
“Dental services (424,000)”.
8. Amend page 9, line 24, by striking out “(59,912,600)” and inserting “(53,269,200)”.
9. Amend page 9, line 26, by striking out “(25,141,700)” and inserting “(21,651,100)”.
10. Amend page 10, line 1, by striking out “(117,031,400)” and inserting “(100,989,800)”.
11. Amend page 10, line 2, by striking out “\$(117,031,400)” and inserting “\$(100,989,800)”.
12. Amend page 10, line 5, by striking out “(83,178,900)” and inserting “(74,137,300)”.
13. Amend page 10, line 9, by striking out “\$46,302,900” and inserting “\$53,302,900” and adjusting the subtotals, totals, and section 201 accordingly.

The question being on the adoption of the amendments,
 Senator Cropsey moved that the previous question be ordered on the amendments and passage of the bill.
 The motion prevailed.

The question being on the adoption of the amendments,
 The amendments were not adopted, a majority of the members serving not voting therefor.
 Senator Thomas requested the yeas and nays.

The yeas and nays were ordered, 1/5 of the members present voting therefor.
 The amendments were not adopted, a majority of the members serving not voting therefor, as follows:

Roll Call No. 38

Yeas—17

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

Nays—20

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

Excused—1

Garcia

Not Voting—0

In The Chair: Sanborn

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. 39**Yeas—20**

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

Nays—17

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

Excused—1

Garcia

Not Voting—0

In The Chair: Sanborn

The Senate agreed to the title of the bill.

Protests

Senators Cherry, Jacobs, Clarke, Brater, Scott, Whitmer, Basham, Schauer, Anderson, Gleason and Clark-Coleman, under their constitutional right of protest (Art. 4, Sec. 18), protested against the passage of Senate Bill No. 220.

Senators Cherry and Jacobs moved that the statements they made during the discussion of the bill be printed as their reasons for voting "no."

The motion prevailed.

Senator Cherry's statement is as follows:

I urge members to vote against passage of Senate Bill No. 220. When we talked about amendments, you've already heard about some of the major cuts that are in this bill which have an impact on Michigan families. This leads Michigan backwards. It does not invest in our citizens. It does not establish a strong Michigan which creates jobs and creates a strong economy for the state. It takes us back to another time and place.

I want to just focus for a few moments on the health budget. First of all, the health budget is very shortsighted as it cuts medical services or Medicaid dollars. For every dollar that's being cut through Medicaid, we are losing \$1.20 from the federal government; \$1.20 which can be used to help provide health care to our older citizens, to folks who are in nursing homes, to children, and to parents. That, to me, is very shortsighted. Seventy cents out of every dollar that is spent on Medicaid goes to serve the elderly. When we cut funds from this program, you can pretty much say that 70 percent of the dollars which we are cutting have an impact on older adults in the state, placing them in vulnerable positions.

We've talked about already that we cut \$20 million from mental health services when we could actually be providing short-term care. Instead, we are making sure that people wind up going into emergency rooms which is a very bad economic development decision. Businesses will pay more for health care because we're making sure that people who don't have health insurance wind up going into emergency hospitals. We are increasing the cost of uncompensated care in this state, which is a very shortsighted economic development decision. We're also placing many hospitals in vulnerable positions because we're not adequately providing payment for the services which they are providing.

In addition, if you look at the Healthy Michigan fund reductions, let me just point out some of the things we are cutting out. We are cutting out providing cancer prevention and control programs. We are cutting out smoking prevention programs. We are cutting out a whole series of almost \$2 million in cardiovascular health programs. We're cutting out programs for osteoporosis, arthritis, Parkinson's, Huntington's, and a very significant amount of money which goes into diabetes prevention, which when we actually provide these services, we're cutting down the cost of health care.

We're cutting dental health. We're cutting family planning. We're cutting child health services and services to mothers or pregnant women who need health care. We have in Michigan one of the highest infant mortality rates in the country. Without these kinds of programs, we're just increasing the number of children who die.

We're also cutting out lead poisoning prevention, we're cutting out programs for infant mortality, and we're cutting out early hearing detection and screening which many schools are operating on, which we, as you know, have heard many cases from our constituents of how this program has provided very vital services to our children.

It seems to me that if we want to make Michigan a strong Michigan, we would make sure that we were providing adequate revenue sharing. In Michigan, at this current time, we have lost 1,600 police officers in this state because we have cut revenue sharing to this state. With this 10 percent cut, we only increase the number of police officers who will not be providing safety to our cities, townships, and our communities.

It seems to me that if we want businesses to come here, we need to make sure that we are providing good services like police services. We need to have people living in safe communities. We need to make sure that health care is provided for this state. We need to make sure that we have a healthy educational system. Today we are making decisions that really turn around all of that effort which we have made in this state and moves us backward.

I hope, again, that my colleagues vote against this bill.

Senator Jacobs' statement is as follows:

We can no longer play politics with the future of our state, and we cannot play ostrich either. Sticking our heads in the sand will only make the problem worse. Tonight you will push the problems further into the future, which will just make them worse. Our children are moving out of the state. So who is going to be left to pay for the problems years from now that we are not solving with this budget? You are betting our future on risky propositions and questionable accounting gimmicks. We must support a comprehensive solution that gives us the resources to invest in a bright future for Michigan. That means a plan that brings cuts, reforms, and revenue investment to the table. Yet, tonight you are about to cut jails, schools, economic development, and funding for local communities that support police and fire.

When are we going to start taking cues from other states about how to turn around our economy? The states with the most college graduates have the strongest economies. We have an amazing public university system in this state, and we got there by investing in these schools. We have a manufacturing infrastructure system that is second to none. But neither of these can be maintained with your plan. Shortly, you will be complicit in pushing our state backward once again. Then we wonder why businesses don't want to locate here.

Senator Clarke's statement is as follows:

The Pistons, the Tigers, and the Auto Show. While the Pistons and the Tigers and the Auto Show represent different teams and different activities, all of them have one thing in common and that's their affiliation with the city of Detroit. People all around the state and all around the country know these teams because they're affiliated with the city of Detroit. As a matter of fact, the city that people know best, probably the only city that people know that is located in the state of Michigan regardless of where they live around the world, is the city of Detroit.

You know, right now we're trying to attract jobs back to this state. We're trying to keep the jobs that are here. We're trying to revitalize this economy. The one way to do that is to improve the image of the city of Detroit. Now these big sports games—having the Super Bowl or the All Star Game—that helps for a minute. We get some visitors into the city for one day or for one weekend and they leave. TIFFAs and economic development programs, in my opinion, they're just Band-Aids. The way to turn around the city's image is to help make those city streets safe again. The mayor of the city of Detroit, who is a person that I've challenged a few years back, I now completely agree with his strategy to revitalize the city of Detroit, which is making the streets safe again by putting 200 more police officers on the street.

This bill ends up eliminating over \$12 million in revenue sharing from the city of Detroit. This bill along with other actions that this Republican-led Legislature has taken over the last 10 years, by cutting money to Detroit schools, to Detroit libraries, to Detroit institutions—all of these measures have been successful. They've been successful in crippling the city of Detroit, and by doing so, you're bringing down the economy of the state of Michigan. You see, Detroit and Michigan are linked together. When you're anti-Detroit, you're anti-Michigan.

What I'm asking you is to change your attitude about the city. You can see that if we want to make this state prosperous again, we need Detroit to be strong again. By eliminating the chance for the mayor of Detroit to hire more police officers so that these streets can be safe so the image can be restored, we're also crippling the image of the state of Michigan, and we're going to make it tougher for any business to want to stay in this state or attracting investment back to this state.

Senator Brater's statement is as follows:

Mr. President, I voted against Senate Bill No. 220 because it is a bill against our people and against our communities. It hurts children. It hurts parents. It hurts senior citizens. It cuts vital health care programs, public safety, and transportation. And this is on top of our action earlier today of drastic cuts to school funding. So these cuts are going to compound the problems in our communities on top of those other drastic cuts.

Earlier today, we had the opportunity to do the right thing. We had the opportunity to vote for revenues that would have allowed us to balance the budget without drastic cuts to health care, public safety, care for vulnerable adults, Healthy Michigan, transportation to work, local bus systems, and 9.9 percent in revenue sharing cuts. These cuts will hurt cities in my districts. It will hurt cities in your district. Revenue sharing cuts have already forced our cities to cut parks and recreation programs, and what is there left to cut at the local level—police and fire, public safety programs.

It is irresponsible. It is wrong. We cannot solve this budget deficit by cuts alone and still keep Michigan as a state in which we are proud to live and work.

Senator Scott's statement is as follows:

I'm sure my colleagues don't really know what they've done today to this state. It's a sad day; a sad night that we have spent here taking from the least of these. And He said, "If you take it from the least of these, you've done it unto thee." Be careful what you do, colleagues. You know, it's me today, but it certainly can be you tomorrow, and tomorrow comes very quickly.

We have dealt with single parents not allowing them to have the daycare and the services they need. You say you want them to work, but yet, they don't have the transportation or the support that they need to work. Kinship care. People need the love of their families and we can do it at a lesser fee than giving to those who have the most—privatizing these services. We ought to be ashamed of ourselves.

We continue to take from the poor and give to the rich. If we're trying to be a Third World country, well, we're there—a Third World state. The federal government is making us a Third World country and we're following in their footsteps today. This is truly a sad day.

I said the saddest day was when we treat some different than others. This is really sad any time that we keep taking away programs that help the least of these; to help them to thrive. What do we want to do, fill our prisons? So we can have jobs for people in certain districts? You ought to be ashamed of yourselves.

A business can't thrive here because we take the dollars away. How do we grow this state if we keep taking their straps away from them? It's a sad day and now it's a sad night. We've spent all of this time playing games just to not allow us to debate these issues as they should be.

Well, me today; you tomorrow, and it will come quickly to all of us.

Senator Whitmer's statement is as follows:

Tonight I missed putting my five-year-old birthday girl to bed because I wanted to be here tonight because I knew how important this debate was. I knew how important it was that we participate; that we fight for the things that we believe in; that we do the right thing not just for my five-year-old, but for every five-year-old in the state of Michigan.

I love this state. I love this democracy. Earlier tonight, we were reminded by the Lieutenant Governor that this is not the House of Representatives. We have decorum and rules and respect, yet debate was cut off systematically tonight on amendments and on final passage. It felt like it was the House of Representatives, unfortunately.

Rather than ask everyone in our state to pitch in and help our state, the state of Michigan, pull ourselves up by our bootstraps, we decided—not we, but the majority decided—every child in every school in every county, they're the ones who are going to make a sacrifice.

Incredibly, the Senator from the 7th District cited the Constitution and said it's just 32 cents a day. Let me get this right. Instead of asking everyone to chip in a \$1.33 a month, we're going to ask all the kids in this state to chip in 32 cents a day. That's better? That's shameful. This is the same group of people who I saw having a standing ovation for the Governor when she said, "I will not cut our schools." Now you look at that board. That's my caucus that's up there. It's my caucus that's still sitting here because this is an important debate and we were cut off and were not permitted to participate.

Half the people of this state were disenfranchised today, and we all have a stake in the outcome of this debate. We had a clear choice today. Were we willing to invest in our future, or stay on the path of cuts, cuts, cuts? Well, the time for games is over. It's time to step up to the plate and earn our pay. It's time to stop pretending that our budget has grown in the last five years—it has not.

We have cut and cut and cut our General Fund \$3 billion. And let's not mislead the public; the General Fund is the money that we use for schools, for universities, for prisons, for cops, and for firefighters. The rest is federal money that we would be foolish, foolish to cut.

So when we don't step up and face the problems that we know exist, we are biting our nose to spite our face. We cut funding from the city of Grand Rapids, and they had to fire 80 public safety officers, 52 cops, and 28 firefighters last year. And if you were at our hearing of Finance in Grand Rapids, you would have heard people come out of the woodwork to talk about how we need investment—people from the western side of the state. Is that enough of a cut to satisfy the fiscal conservatives here? Apparently not!

I wish the mayor of Holland, Mayor McGeehan, was here. He spoke to our Finance Committee in Grand Rapids and he stated it better than I could have. He said when cities can no longer plow the streets, repair the streets, offer recreational programming; when we cannot provide for public safety, they will no longer be attractive places in which to live. And, surely, they will not be attractive places in which to invest. He continued with a question that I would challenge all of you to answer. Tell me, please, what business wants to hitch its star to the current reality?

It's time to invest in Michigan and I know a lot of you don't like the word "invest," but I bet that you do it. I bet that you invest for yourselves. I bet you set aside some of the state's General Fund dollars that the citizens pay you in salary for your own future. But when it comes time to setting something aside for someone else's kids or cops or schools, your answer is, "No, just keep cutting." Money solves every problem except when it comes to teachers, it seems. How many of you think that we can find volunteer prison guards? Any volunteers here? Or volunteer teachers for our inner city schools? I don't see any volunteers.

I'll be honest. I don't want to live somewhere where our kids can't go to good schools; where we are forced to release dangerous prisoners.

As I said, there was a clear choice today—moving forward or moving back. I, for one, stand for moving forward.

Senator's Basham's statement is as follows:

It is appalling to me that we are cutting \$4 million from auto theft when day in and day out the good Senator from Detroit, Highland Park, talks about insurance rates in the city of Detroit. We are going to cut \$4 million from auto theft recovery and those police officers working on the streets trying to lower auto insurance rates and trying to catch the bad guys and get them out of circulation.

We just cut my district alone just under \$2 million from the foundation allowance that was cut from K-12 in my district. This does not include the categorical. We cut funding to get the drunk drivers off the road that should make us really proud since we passed this strong legislation in years past. Since I have been up here, even under term limits, in 1997, we passed some very, very serious public acts dealing with drunk drivers, yet we are going to cut the funding for those folks who actually try to deal with drunk drivers. We are also talking about an inordinate amount of cuts for the city of Detroit.

The city of Detroit is a city that certainly affects my district. That is a city that, by the way, just hosted the Super Bowl not too long ago and everybody was so proud of the city of Detroit. Obviously, when you are proud one day, you are not proud the next day.

We are talking about cutting \$3 million to pregnancy prevention programs. I mean, whether you are pro-choice or pro-life, certainly, when it talks about pregnancy prevention, you would think we could agree. We are cutting \$3 million from them. We are cutting \$10 million from the food stamp program when 1 in 12 people in the state of Michigan are on some sort of food assistance.

You know, I am so pleased and proud that I am a Democrat tonight, probably more than I have been for many, many months. It just sort of reaffirms why I came up here— to fight for the little guy. Tonight we are going to be able to go back home and some of us will be able to look in the mirror and some of us won't. I will sleep very sound tonight knowing that I did my best today to vote on something and make the good fight on something that I feel very, very proud about. I am just really sad that my colleagues across the aisle, who I traditionally have great respect for, can't see the reasoning. They think it is more important to take money away from kids than it is to invest in the state's future.

I am really going to be thinking about this around the cuts when I look at my four grandkids tomorrow.

Call of the Senate

Senator Thomas moved that there be a Call of the Senate.

The motion prevailed, a majority of the members present voting therefor, the time being 8:31 p.m.

Senator Cropsey requested the yeas and nays.

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

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

Roll Call No. 40

Yeas—17

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

Nays—13

Allen	Cropsey	Kahn	Richardville
Bishop	Jansen	Kuipers	Sanborn
Brown	Jelinek	Pappageorge	Stamas
Cassis			

Excused—1

Garcia

Not Voting—7

Birkholz	Gilbert	McManus	Van Woerkom
George	Hardiman	Patterson	

In The Chair: Sanborn

Proceedings under the Call

The roll was called by the Secretary of the Senate and the following Senators were reported absent: Senators Birkholz, Garcia, George, Gilbert, Hardiman, McManus, Patterson and Van Woerkom.

Senator Thomas moved that the Sergeant at Arms be dispatched after the absentees.
The motion prevailed.

Senator Cropsey moved that the Senate proceed with business under the Call.
The motion prevailed.

Senators Patterson, Hardiman and McManus entered the Senate Chamber.

Senator Cropsey moved that Senator Garcia be excused from the Call.
The motion prevailed.

Senator Schauer's statement is as follows:

I am glad we have a few more members than we did a few minutes ago. So this is how the Republican-controlled Senate makes public policy? I think it's interesting. A bill, a shell bill, is introduced a month ago. A secret plan that, for good reason, the Republican Party, or the Republican majority, doesn't want to reveal, is kept secret, and a bill was discharged to the floor, a negative supplemental budget bill that makes devastating cuts to people, communities, our state, and jeopardizes our future is put forward.

So just like your Republican cuts to our schools, this set of Republican cuts from the infamous secret plan are, thank goodness, dead on arrival. No wonder this plan was secret for so long. And no wonder the Republican majority limited debate. And no wonder the Republican majority, most of them, left the floor to spin the press about what they've done here today. No wonder.

Thank goodness the Democratic-controlled House of Representatives and our Democratic Governor will kill these cuts—cuts that hurt our people, sacrifice our communities, and jeopardize our future. Let's be clear, colleagues and public, we have enacted cuts here today—\$340 million worth of cuts. Certainly, we have a long way to go. Republicans today have chosen a strategy of a race to the bottom, rather than of investing in our people, healthy vibrant communities, and a strong, diversified economy.

If the public had any doubt before today about the difference between the Republicans and Democrats, it's crystal clear here. That is why I was very proud to vote "no" on this list of \$255 million worth of cuts. Now I see that a restoration of \$2.5 million for state troopers. That's a good thing. That's a good thing. But I cannot abide by \$65.3 million in cuts for Community Health. Now, colleagues, if you think we are actually saving money, let's look at the results of cutting Healthy Michigan-funded programs, reimbursement for hospitals and nursing homes. If you think we are saving money, you are wrong. It is an irresponsible cut. You are cutting—the Republicans here today cut \$14.7 million in comprehensive transportation funds. And I haven't gotten to revenue sharing yet. Contact your community that has buses that they have ordered; elderly and handicapper transportation programs they're operating that were counting on these funds. You have weakened community corrections programs. That is certainly shortsighted, as we threaten safety in our communities. You have hurt people through cuts in Human Services.

You have cut revenue sharing in a couple of ways. We've already eliminated revenue sharing for counties, and then you've cut \$18.4 million in county funding for convention facilities to \$1.8 million to Oakland County; \$1.5 million to Wayne County outside of Detroit. My counties will be hit hard. You've cut statutory revenue sharing by 10 percent. It is interesting that you've done that the day after the Michigan Municipal League was here in town. That's a profile in courage, where, rather than face up—and that's another reason why you were in such a hurry to enact these cuts in the dark of night—when you couldn't account to anyone for them. Well, you will account for them.

You have cut \$34 million in the 21st Century Jobs Fund to stimulate our economy. That's clear disinvestment in moving our state forward. How many entrepreneurs who are ready to grow Michigan's economy now will not have that opportunity because of this Republican cut here today?

The good news is that this is an empty gesture, at best, by the Republican-controlled Senate, that today you have demonstrated that you are opposed to tax increases and you are for cuts. The difference between Republicans and Democrats is that Democrats support a comprehensive solution of cuts, real reforms—which you have offered none of here today—and revenues that allow us to invest in our people, invest in our communities, and invest in Michigan's future. You have done a disservice to the people of each of your districts. You have done a disservice to your state. I am proud of the Democratic Caucus here today in voting "no." I hope that you will be serious about real solutions that move Michigan forward. This is a disinvestment in our state. You have chosen to go backwards rather than forward. I am proud that Democrats today rejected your \$255 million of cuts that will weaken Michigan.

The other reason I am proud to vote "no" is that you think we work in this little bubble here in the Capitol. Wall Street is watching. The rating agencies are watching. These are reckless, dangerous cuts and you have passed them. The Democrats have not. Thank goodness, they are dead on arrival.

Senator Kahn moved that the Senate adjourn.
 The motion did not prevail.
 Senator Cropsey requested the yeas and nays.
 The yeas and nays were ordered, 1/5 of the members present voting therefor.
 The motion did not prevail, a majority of the members not voting therefor, as follows:

Roll Call No. 41

Yeas—15

Allen	Cropsey	Kahn	Richardville
Bishop	Hardiman	Kuipers	Sanborn
Brown	Jansen	Pappageorge	Stamas
Cassis	Jelinek	Patterson	

Nays—17

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

Excused—1

Garcia

Not Voting—5

Birkholz	Gilbert	McManus	Van Woerkom
George			

In The Chair: Sanborn

Senator Anderson’s statement is as follows:

For many of the previous reasons which have been stated by other members, I would like this recorded as my “no” vote explanation for those reasons and for the fact that revenue sharing cuts in this bill are devastating to our local communities and that cannot be denied. We’re talking about over \$40 million in cuts to all cities, townships, and villages, but it doesn’t stop there. Counties are losing too. Police and fire services are already struggling to survive. They are the people who we rely on to keep us safe, to protect our families, and we’re turning our backs on them with this plan.

You forced the loss of 52 police officers and 28 firefighters in Grand Rapids, and this will cut even more. We have 1,600 less first responders since 2001. Where does it end?

My Republican colleagues have made quite a show of frightening people when it comes to proposed corrections cuts or changes in parole policies, but apparently, they are not as concerned about forcing local communities to reduce law enforcement even further.

I’ve heard folks characterize the results of cuts like this as blood in the streets. Well, if we rob our communities of the police officers that this plan will cost us, that description might be more appropriate than you think. When you call the fire department, I hope someone answers.

Senator Thomas moved that the Call of the Senate be lifted.
 The motion prevailed.

Senator Gleason's statement is as follows:

My fellow Senators, I stand before you as a grandson of immigrants of this country seventy years ago. My grandparents came to this country to take part in what we considered a very religious and very sacred process called the democratic process. Tonight we did not get to add our voices to the concerns of many of the poor and those who are hurting every single day, both mentally and physically.

Now my family was taught at a young age that we must increase our abilities of the verbal arts by reading. Now our reading was somewhat directed towards the words that were written in the old country. We had a very famous Irish orator who said nothing can be politically correct that is morally wrong. This evening when we look at those who will be compromised, the adult home care folks, the ambulance services, community mental health, the healthy Michigan program—this one is really tough, the last one—caretaker relatives, we will limit and reduce resources to those most vulnerable, and especially parents who try to take care of parents and grandchildren and children trying to take care of grandparents.

Charles Dickens wrote in past centuries that, "It is a far better thing that I do today than I have ever done before." That was in the book of *A Tale of Two Cities*. When I reflect on what activities that took place today and those who we have affected, once again, the most vulnerable. Many of us came down here to Lansing understanding those who suffered mental afflictions. I think it is only not important that we are here, but as a good Senator from Detroit said, that we hear as well. In the book of *A Tale of Two Cities*, there was much rancor and contention about the ruling class and those who were trying to find a voice in the concluding chapters of that well-written documentary of the French Revolution. The rich and the ruling class were the ones who met with the guillotine. They had spent centuries trying to reduce and eliminate the voices of those who had been suffering. But in the final chapter, we know what history determined that those little voices, the ones that we have tried to defend today, heard and listened and did something for their fellow countrymen and their fellow statesmen.

Charles Dickens lived in a country that my family wasn't very fond of. Those countries fought for centuries and still have some rancor that meet each other's shore. But tonight was a reflection of when man tries to hurt man, it can be accomplished, even under the greatest treasure of democracy that we can hurt our fellowmen—those who are most vulnerable and those who have reached out for our help. When we get up tomorrow morning, I hope that we spend a little time thinking about grandsons trying to take care of grandparents; when we have cut finances of those who would be willing to go into homes and institutions that none of us would dare walk into, and yet, they work hour after hour trying to take care of our family members. And tonight we say that we will make everybody receive the same salary. Those who found justice in giving their workers and human care a better stipend for working in those conditions that we would say "no," that we will reduce everybody to the lowest pay that we can afford them. I am really disappointed in my state tonight.

You know, I heard a few statements about this reflecting or mirroring the House of Representatives—the lower chamber. I can tell you one thing, I don't think the lower chamber is going to reach the depths that we have today. I would ask that you think better about what we have done to the most vulnerable. I think we can do better than this. I didn't come down here to Lansing to make a decision about how I could limit or restrict the quality of care that someone's grandparent has to have.

Senator Clark-Coleman's statement is as follows:

The hours are growing short and I would have loved to have been home this evening because I have company coming in from out of town, but I will have to explain to them that I stayed here, unlike many of my colleagues on the other side of the aisle. I stayed here to give respect to those who had something to say on a budget which is so important to this state.

I wish that the cameras could have been here to shine their light on the Democratic side and on the Republican side. It would have been interesting. It would have shown the total disrespect that was shown to the citizens; not just to Democrats, but to the citizens because these issues affect each and every one of the persons in this state because of the cuts that you made. It affects every single person in this state.

You know, I sit on the HAL subcommittee. I sat there as the lone Democrat and I heard the Senator from the 16th District and the Senator from the 20th District talk about how important the culture and the arts are to the city and to the state, and also very, very important to education. Now we all talk about how important education is to us. We talk about how important it is to education—the culture, the arts—and we sit there and quote books and we talk about how wonderful it is to be culturally astute. Yet, we cut 100 percent of their funding. That's a little disingenuous.

Now to get to the real stuff, our cities. I just took a look at what these cuts to revenue sharing would do to our cities. I represent the city of Dearborn. They are struggling with a deficit of more than \$1 million already. This additional cut would mean \$421,822 for the city of Dearborn. Now for someone who is already struggling, trying to find a way to pay their bills, with one swoop here, you come through here and you slap them in the face with a \$421,000 shortage. They were going to use that money to hire police and fire, folks. So that means that they now have to lay off police and firemen.

Now I took a look at the city of Detroit. Revenue sharing cuts mean \$12 million. Detroit is struggling with a huge deficit. I think it's close to \$100 million. Well, we can just tack on another \$12 million right now. So we're now looking at poor little River Rouge, small district, small city; \$65,894 is huge to River Rouge—huge. Yet, we sit here and we talk about how we can balance the budget with cuts, but you don't think about how those cuts affect each and every one of these cities and their safety programs. You don't think about it.

All of you pro-lifers who insist that you tell us what to do with our bodies; that you force people to have children when they don't want to have them. Yet, when you have a chance to stand up and be the person that you ought to be and support these children which you forced these folks to have, providing some health care services for them. Excuse me, where's the life? If children are going to die because they have no health care, where's the life if children are going to die because you deny them health care and all kinds of food services? People said they didn't want to have children, but you said have them anyhow.

Well, if you make the decision for them, then you ought to stick to the decision and help them out when they have them. They didn't ask you to mandate what they do with their bodies, but you made that choice, so you ought to stand up and be the person to help them support these children which they didn't want to have in the first place.

There are just so many cuts here and so numerous until it would take me forever. I really am ashamed to go home to my district and speak to the people in my district about the horrible, horrible cuts and how they will affect each one of these cities, each one of these seniors, each one of these Medicaid recipients, and each one of the folks in the nursing homes.

So you go home tonight and you have a good night's sleep. I'm sure that if you have no conscience, you can sleep well.

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

The motion prevailed.

Senator Scott's statement is as follows:

What my amendment would do is keep \$34.1 million in the Strategic Fund to enable Michigan to keep competing with other states and countries for their employers. In order for this state to move forward, we need this amendment badly. We can't talk about moving Michigan forward if we are going to make all of these cuts, Mr. President.

Thus far, this debate has pitted business interests versus those of Michigan families. Now you are pitting us against other states because we already don't fund our economic development programs at the level of surrounding states. Now you are cutting MEDC even more. The services which are being threatened are important to businesses as well as to individuals.

Businesses depend on adequate and responsive fire services. Businesses depend on police protection and other public safety initiatives. Businesses depend on a well-maintained and adequate infrastructure. While individuals rely on programs that will educate and protect children and their families, businesses depend on those services to foster a pool of healthy, well-educated, and productive workers as well. These services must be preserved in order for Michigan businesses and families to survive and thrive in a 21st century Michigan. We're going backwards. We're not investing in our communities and making Michigan a great place for companies to invest.

You know, we've been doing this since I got here in 1995. We've been taking from the poor and giving to the rich. I said then we are going towards a Third World country. Now you are making it even more exact because we're not even giving people an opportunity.

You say pick up by the boot straps. Well, you've taken the straps away from them. This is so unfair. We came to Lansing, people sent us here, our constituents sent us here to do the people's business and for us to work for all of Michigan, not just a few.

Now this is just ridiculous. We ought to be ashamed of ourselves for putting something before the public like this.

Senator Brater's statement is as follows:

My amendment has to do with the cuts in the community corrections system which I oppose. I just went to DOC's website and they have a very interesting section there. You can google it. If you go to community corrections Michigan, you will find it right away and it gives a very interesting background about the Office of Community Corrections and why we have that.

It seems to me that we are going in the exact opposite direction of where we should be with these cuts because we are trying to save money in the prison system now. To incarcerate a prisoner in the state of Michigan, as everyone on this floor knows very well, it costs \$31,000 a year. But there are many people who can be sent into the community corrections system for a third of that cost; at least in my county that's what we spend. It can be rehabilitative. It can deal with people with substance abuse problems. It is certainly more humane and more effective and efficient to send people ineligible into the community corrections system rather than incarcerate them.

So this amendment, if it were an amendment anymore, but now it's one of seven amendments, one-seventh of this amendment that is before us is to oppose the cuts and to restore the cuts which have been made in this bill in the community corrections system.

Committee Reports

The Committee on Local, Urban and State Affairs reported

Senate Bill No. 209, entitled

A bill to amend 1893 PA 206, entitled "The general property tax act," by amending section 53b (MCL 211.53b), as amended by 2006 PA 378.

With the recommendation that the bill pass.

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

Gerald Van Woerkom
Chairperson

To Report Out:

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

Nays: None

The bill was referred to the Committee of the Whole.

COMMITTEE ATTENDANCE REPORT

The Committee on Local, Urban and State Affairs submitted the following:

Meeting held on Tuesday, March 20, 2007, at 3:00 p.m., Room 110, Farnum Building

Present: Senators Van Woerkom (C), Birkholz, Allen, Gleason and Basham

COMMITTEE ATTENDANCE REPORT

The Committee on Senior Citizens and Veterans Affairs submitted the following:

Meeting held on Wednesday, March 21, 2007, at 9:00 a.m., Room 100, Farnum Building

Present: Senators Allen (C), Olshove and Basham

Excused: Senators Pappageorge and Garcia

COMMITTEE ATTENDANCE REPORT

The Committee on Natural Resources and Environmental Affairs submitted the following:

Meeting held on Wednesday, March 21, 2007, at 1:00 p.m., Room 110, Farnum Building

Present: Senators Birkholz (C), Van Woerkom, Basham and Prusi

Excused: Senator Patterson

COMMITTEE ATTENDANCE REPORT

The Legislative Retirement Board of Trustees submitted the following:

Meeting held on Wednesday, March 21, 2007, at 3:00 p.m., Room H-252, Capitol Building

Present: Senators McManus and Clarke

Scheduled Meetings

Appropriations -

Subcommittees -

Community Health Department - Wednesday, March 28, 1:00 p.m., Senate Hearing Room, Ground Floor, Boji Tower (373-2768)

Higher Education - Tuesday, March 27, 2:00 p.m., Senate Appropriations Room, 3rd Floor, Capitol Building (373-2768)

Banking and Financial Institutions - Wednesday, March 28, 9:00 a.m., Room 210, Farnum Building (373-3543)

Finance - Friday, March 23, 10:00 a.m., Baker College Student Center, 9600 E. 13th Street, Cadillac (373-1758)

Judiciary -

Subcommittee -

Prison Reform and Public Safety - Tuesday, March 27, 12:30 p.m., Room 210, Farnum Building (373-6920)

State Drug Treatment Court Advisory Committee - Tuesday, March 27, 9:30 a.m., Legislative Council Conference Room, 3rd Floor, Boji Tower (373-0212)

Senator Cropsy moved that the Senate adjourn.
The motion prevailed, the time being 9:08 p.m.

The Assistant President pro tempore, Senator Sanborn, declared the Senate adjourned until Tuesday, March 27, 2007, at 10:00 a.m.

CAROL MOREY VIVENTI
Secretary of the Senate

