

No. 39
STATE OF MICHIGAN
Journal of the Senate
94th Legislature
REGULAR SESSION OF 2007

Senate Chamber, Lansing, Tuesday, May 1, 2007.

10:00 a.m.

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

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

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

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

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

Pastor John Ellinger of Central United Methodist Church of Traverse City offered the following invocation:

O God, help us in this moment to be thankful for the responsibilities and challenges that You give us. For these women and men who carry the hopes and dreams of the people of Michigan, we pray for insight more than hindsight and for a sense of integrity that does not bow to self-interest.

May each of the faith communities represented in this body contribute to a common foundation for just and careful decision making—decision making that recognizes and respects political and ideological differences. From such a foundation, may a vision be born—a vision that affirms creative ways to build a sense of community known for compassion, compromise, and a heart for the needs of the most vulnerable among us.

Help us, dear God, to abolish the things that separate us and that undermine our best interests. Give us the courage as citizens to hold accountable those we elect, and may those we elect have the courage to persevere in fulfilling the important tasks before them, so that the people may prosper.

Let neither those elected nor those who elect become complacent. Let neither lose sight of a vision made of the best we can be, individually and collectively. Help us, O God, to strive for a world at peace and communities that are safe for all. Amen.

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

Motions and Communications

Senator Cropsey moved that rule 3.902 be suspended to allow the guests of Senator Richardville admittance to the Senate floor, including the center aisle.

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

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

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

Recess

Senator Cropsey moved that the Senate recess subject to the call of the Chair

The motion prevailed, the time being 10:05 a.m.

10:21 a.m.

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

During the recess, Senators Birkholz, Allen and McManus introduced Keith Charters of the Michigan Natural Resources Commission and presented him with the Michigan Conservationist of the Year Award, in commemoration of Conservation Week.

Mr. Charters responded briefly.

During the recess, Senator Richardville introduced Donna Stein, executive director of the Michigan United Conservation Clubs, and Don Meixner, president of the Executive Committee, and presented them with Senate Resolution No. 46, commemorating the 70th Anniversary of the Michigan United Conservation Clubs.

Ms. Stein responded briefly.

During the recess, Senator Van Woerkom introduced Rebecca Humphries, director of the Department of Natural Resources and presented her with Senate Resolution No. 47, commemorating the DNR for its efforts with hunting and fishing and conservation.

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

April 27, 2007

Enclosed is a copy of the following audit report:
Financial audit, including the provisions of the Single Audit Act, of the Michigan Strategic Fund, a component unit of the State of Michigan, for the period October 1, 2004 through September 30, 2006.

Sincerely,
Thomas H. McTavish, C.P.A.
Auditor General

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

Senator Cropsey moved that the Committee on Government Operations and Reform be discharged from further consideration of the following appointments:

Ferris State University Board of Control

Mr. Patrick W. LaPine of 23509 Stonehouse Court, Farmington, Michigan 48335, county of Oakland, succeeding Gregory L. Patera, whose term has expired, representing the general public, for a term commencing March 8, 2007 and expiring December 31, 2014.

Ms. Sueann L. Walz of 20241 Ash Drive, Big Rapids, Michigan 49307, county of Mecosta, succeeding Olgalina G. Dazzo, whose term has expired, representing the general public, for a term commencing March 8, 2007 and expiring December 31, 2014.

The motion prevailed, a majority of the members serving voting therefor, and the appointments were placed on the order of Messages from the Governor.

The Secretary announced that the following House bill was received in the Senate and filed on Thursday, April 26:
House Bill No. 4481

The Secretary announced the enrollment printing and presentation to the Governor on Friday, April 27, for her approval the following bill:

Enrolled Senate Bill No. 221 at 11:12 a.m.

The Secretary announced that the following official bills were printed on Thursday, April 26, and are available at the legislative website:

Senate Bill Nos.	433	434	435	436	437	438	439	440	441	442	443	444	445	446
	447	448												
House Bill Nos.	4660	4661	4662	4663	4664	4665	4666	4667	4668	4669	4670	4671	4672	

The Secretary announced that the following official bills were printed on Friday, April 27, and are available at the legislative website:

Senate Bill Nos.	449	450	451	452	453	454	455	456	457	458	459	460	461	462
	463	464	465	466										
House Bill Nos.	4673	4674	4675	4676	4677	4678	4679	4680	4681					

Messages from the Governor

Ferris State University Board of Control

Mr. Patrick W. LaPine of 23509 Stonehouse Court, Farmington, Michigan 48335, county of Oakland, succeeding Gregory L. Patera, whose term has expired, representing the general public, for a term commencing March 8, 2007 and expiring December 31, 2014.

Senator Cropsey moved that the Senate advise and consent to the appointment.

The question being on advising and consenting to the said appointment to office,

The Senate advised and consented to the appointment, a majority of the members serving voting therefor, as follows:

Roll Call No. 75

Yeas—37

Allen
Anderson

Clark-Coleman
Clarke

Jacobs
Jansen

Prusi
Richardville

Barcia
 Basham
 Birkholz
 Bishop
 Brater
 Brown
 Cassis
 Cherry

Cropsey
 Garcia
 George
 Gilbert
 Gleason
 Hardiman
 Hunter

Jelinek
 Kahn
 Kuipers
 McManus
 Olshove
 Pappageorge
 Patterson

Sanborn
 Schauer
 Stamas
 Switalski
 Thomas
 Van Woerkom
 Whitmer

Nays—0

Excused—0

Not Voting—1

Scott

In The Chair: President

Senator Thomas moved that Senator Scott be temporarily excused from the balance of today's session.
 The motion prevailed.

Senator Scott entered the Senate Chamber.

Ferris State University Board of Control

Ms. Sueann L. Walz of 20241 Ash Drive, Big Rapids, Michigan 49307, county of Mecosta, succeeding Olgalina G. Dazzo, whose term has expired, representing the general public, for a term commencing March 8, 2007 and expiring December 31, 2014.

Senator Cropsey moved that the Senate advise and consent to the appointment.

The question being on advising and consenting to the said appointment to office,

The Senate advised and consented to the appointment, a majority of the members serving voting therefor, as follows:

Roll Call No. 76

Yeas—38

Allen
 Anderson
 Barcia
 Basham
 Birkholz
 Bishop
 Brater
 Brown
 Cassis
 Cherry

Clark-Coleman
 Clarke
 Cropsey
 Garcia
 George
 Gilbert
 Gleason
 Hardiman
 Hunter
 Jacobs

Jansen
 Jelinek
 Kahn
 Kuipers
 McManus
 Olshove
 Pappageorge
 Patterson
 Prusi

Richardville
 Sanborn
 Schauer
 Scott
 Stamas
 Switalski
 Thomas
 Van Woerkom
 Whitmer

Nays—0

Excused—0

Not Voting—0

In The Chair: President

The following message from the Governor was received:

Date: April 30, 2007
Time: 12:00 noon

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 221 (Public Act No. 6), being

An act to amend 1979 PA 94, entitled “An act to make appropriations to aid in the support of the public schools and the intermediate school districts of the state; to make appropriations for certain other purposes relating to education; to provide for the disbursement of the appropriations; to supplement the school aid fund by the levy and collection of certain taxes; to authorize the issuance of certain bonds and provide for the security of those bonds; to prescribe the powers and duties of certain state departments, the state board of education, and certain other boards and officials; to create certain funds and provide for their expenditure; to prescribe penalties; and to repeal acts and parts of acts,” by amending sections 3, 11, 11g, 11j, 17b, 22a, 22b, 26b, 31a, 51a, 51c, 65, 81, and 147 (MCL 388.1603, 388.1611, 388.1611g, 388.1611j, 388.1617b, 388.1622a, 388.1622b, 388.1626b, 388.1631a, 388.1651a, 388.1651c, 388.1665, 388.1681, and 388.1747), sections 3, 11, 11g, 11j, 17b, 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.

(Filed with the Secretary of State on April 30, 2007, at 2:16 p.m.)

Respectfully,
Jennifer M. Granholm
Governor

The following message from the Governor was received and read:

April 27, 2007

I respectfully submit to the Senate, pursuant to Section 6 of Article 5 of the Michigan Constitution of 1963, the following appointments to office under Section 2 of 1975 PA 164, MCL 18.302:

Commission on Spanish-Speaking Affairs

Ms. Olga N. Hernandez-Patino, Ph.D., of 11774 Stone Bluff Drive, Grand Ledge, Michigan 48837, county of Eaton, succeeding Esmeralda Rodriguez, whose term has expired, representing the general public, for a term commencing April 27, 2007 and expiring December 10, 2009.

Ms. Maria Elena Rodriguez of 6829 Shenandoah, Allen Park, Michigan 48101, county of Wayne, succeeding Frances Diaz Plets, whose term has expired, representing the general public, for a term commencing April 27, 2007 and expiring December 10, 2009.

Mr. Leonard A. Savala III of 3525 Callihan Court, Lansing, Michigan, 48910, county of Ingham, succeeding Luisa-Inez B. Schumacher, who has resigned, representing the general public, for a term commencing April 27, 2007 and expiring December 10, 2009.

Sincerely,
Jennifer M. Granholm
Governor

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

Messages from the House**House Bill No. 4143, entitled**

A bill to amend 1994 PA 451, entitled “An act to protect the environment and natural resources of the state; to codify, revise, consolidate, and classify laws relating to the environment and natural resources of the state; to regulate the discharge of certain substances into the environment; to regulate the use of certain lands, waters, and other natural resources of the state; to prescribe the powers and duties of certain state and local agencies and officials; to provide for certain charges, fees, assessments, and donations; to provide certain appropriations; to prescribe penalties and provide remedies; and to repeal acts and parts of acts,” by amending sections 80114, 80122, 80124, 80144, 80145, 80146, 80149, 80151, 80169, 80180, 80198b, and 80205 (MCL 324.80114, 324.80122, 324.80124, 324.80144, 324.80145,

324.80146, 324.80149, 324.80151, 324.80169, 324.80180, 324.80198b, and 324.80205), sections 80114, 80122, 80124, 80144, 80145, 80146, 80149, 80151, 80169, and 80198b as added by 1995 PA 58, section 80180 as amended by 1996 PA 174, and section 80205 as amended by 2004 PA 27; and to repeal acts and parts of acts.

The House of Representatives has amended the Senate substitute (S-1) as follows:

1. Amend page 12, line 21, after “(3)” by striking out “**EXCEPT AS PROVIDED IN SUBSECTION (4),**”.
2. Amend page 12, line 24, by striking out all of subsection (4).

The House of Representatives has concurred in the Senate substitute (S-1) as amended and agreed to the title. Pursuant to rule 3.202, the bill was laid over one day.

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 Jansen 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 bill:

Senate Bill No. 432, entitled

A bill to amend 1927 PA 175, entitled “The code of criminal procedure,” by amending sections 14h and 14p of chapter XVII (MCL 777.14h and 777.14p), section 14h as amended by 2006 PA 594 and section 14p as amended by 2006 PA 251.

The bill was placed on the order of Third Reading of Bills.

The Committee of the Whole reported back to the Senate, favorably and with a substitute therefor, the following bill:

Senate Bill No. 342, entitled

A bill to amend 1980 PA 299, entitled “Occupational code,” by amending section 2635 (MCL 339.2635), as amended by 2006 PA 414.

Substitute (S-1).

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

The Committee of the Whole reported back to the Senate, favorably and with a substitute therefor, the following bill:

Senate Bill No. 343, entitled

A bill to amend 1981 PA 125, entitled “The secondary mortgage loan act,” by amending section 27 (MCL 493.77), as amended by 1997 PA 91.

Substitute (S-2).

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

The Committee of the Whole reported back to the Senate, favorably and with a substitute therefor, the following bill:

Senate Bill No. 356, entitled

A bill to amend 1987 PA 173, entitled “Mortgage brokers, lenders, and servicers licensing act,” by amending section 29 (MCL 445.1679), as amended by 1996 PA 210.

Substitute (S-2).

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

The Committee of the Whole reported back to the Senate, favorably and with a substitute therefor, the following bill:

Senate Bill No. 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.

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.

Resolutions

Senator Cropsey moved that consideration of the following resolutions be postponed for today:

Senate Resolution No. 25

Senate Concurrent Resolution No. 5

The motion prevailed.

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

Senate Resolution No. 51

The resolution consent calendar was adopted.

Senators Basham, Gleason, Barcia, McManus, Kuipers, Cherry, Hunter, Clark-Coleman, Thomas, Van Woerkom and Richardville offered the following resolution:

Senate Resolution No. 51.

A resolution designating May 19-25, 2007, as Safe Boating Week in Michigan.

Whereas, An average of 700 people die each year in boating-related accidents in the United States according to the U.S. Coast Guard; and

Whereas, The U.S. Coast Guard has estimated that nearly 70 percent of these fatalities are caused by drowning; and

Whereas, The vast majority of these accidents are caused by human error or poor judgment and not by the boat, equipment, or environmental factors; and

Whereas, A significant number of boaters who lose their lives by drowning each year would be alive today had they worn their life jackets; and

Whereas, Modern life jackets are more comfortable, more attractive, and more wearable than styles of years past and deserve a fresh look by today's boating public; and

Whereas, The National Safe Boating Council will be starting its National Safe Boating Campaign on May 19, 2007; now, therefore, be it

Resolved by the Senate, That we hereby designate May 19-25, 2007, as Safe Boating Week in Michigan and the start of the year-round effort to promote safe boating; and be it further

Resolved, That copies of this resolution be transmitted to the United States Coast Guard, the United States Coast Guard Auxiliary, the United States Power Squadron, the Michigan Department of Natural Resources Law Enforcement Division, and the Michigan Sheriffs' Association.

Senators Brater, Clarke, Hardiman, Jacobs, Olshove, Pappageorge, Prusi, Schauer and Switalski were named co-sponsors of the resolution.

House Concurrent Resolution No. 6.

A concurrent resolution to memorialize the United States Congress to reauthorize the State Children's Health Insurance Program (SCHIP) for the State of Michigan.

Whereas, The Michigan Legislature regards the health of our children to be of paramount importance to families in our state. Poor child health is a threat to educational achievement as well as the social and psychological well-being of the children of our state; and

Whereas, The members of the Michigan Legislature consider protecting the health of our children to be essential to improving the lives of our youngest citizens and the quality of life in this state. The Michigan SCHIP program, which has enrolled uninsured children since its inception, is an integral part of the arrangements for health benefits for the children of the state of Michigan. We recognize the value of the Michigan SCHIP in preserving child wellness, preventing and treating childhood disease, and improving health outcomes, including overall health costs; and

Whereas, The federal funding available to the State of Michigan through SCHIP is an invaluable source of funding to provide health benefits for children of modest means. Furthermore, we encourage all components of state government to work with educators, health care providers, social workers, and parents to ensure that all available public and private assistance to provide health benefits for uninsured children be garnered and used to the maximum extent; now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That we memorialize the United States Congress to ensure timely reauthorization of the State Children's Health Insurance Program (SCHIP) to assure federal funding for Michigan SCHIP; and be it further

Resolved, That copies of this resolution be transmitted to the President of the United States Senate, the Speaker of the United States House of Representatives, and the members of the Michigan congressional delegation.

The House of Representatives has adopted the concurrent resolution.

Pending the order that, under rule 3.204, the concurrent 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 concurrent resolution,

Senator Cropsey moved that the concurrent resolution be referred to the Committee on Appropriations.

The motion prevailed.

Senators Brater, Cherry, Clarke, Gleason, Jacobs, Olshove, Pappageorge, Prusi, Richardville, Schauer and Switalski were named co-sponsors of the concurrent resolution.

Introduction and Referral of Bills

Senator Allen introduced

Senate Bill No. 467, entitled

A bill to amend 2004 PA 530, entitled "Historical neighborhood tax increment finance authority act," by amending sections 2, 3, 15, 19, 20, 21, and 22 (MCL 125.2842, 125.2843, 125.2855, 125.2859, 125.2860, 125.2861, and 125.2862); 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 Commerce and Tourism.

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

The motion prevailed.

Senator Barcia's statement is as follows:

Mr. President, if I could get the attention one more time of my colleagues, I would like to present a very difficult statement. It is a solemn tribute to a constituent of mine in Huron County who was lost in combat in Iraq last week. I would appreciate very much entering into the Senate record the sentiments, and I know I speak for most of my constituents in Huron County who knew Private First Class Garrett Knoll. But I would like to have entered into the record a statement on behalf of the Senate here and myself in terms of the sense of loss that we feel as we learned of the death of this valiant young member of the military fighting for us over in the Middle East.

Mr. President, it is with deep sadness that I rise today to inform this body of another son of Michigan lost while fighting for freedom in the war in Iraq. United States Army Private First Class Garrett Knoll, a 2001 graduate of Bad Axe High School, was killed along with eight of his comrades on April 23, 2007, when a bomb exploded outside a building they were occupying.

Private First Class Knoll was a health care specialist with the 5th Squadron, 73rd Cavalry Regiment, 3rd Brigade Combat Team in the 82nd Airborne Division based in Fort Bragg, North Carolina. It was his second month in Iraq.

Mr. President, as I read the articles written about Private First Class Knoll, the common theme which surfaced were the many adjectives used to describe this fine young man: friendly, humorous, happy, eager, polite, bright, hard worker, and the list goes on. As we approach Memorial Day and our charge is to recall all the lives that were lost in the pursuit of freedom, we must realize that the sacrifice by this proud and brave citizen will not go unrewarded. He has surely taken his place in Heaven, joining the many who previously fought and died in their attempt to make this world a better place.

My words cannot demonstrate how very sad I feel about his loss and all the lives given for such a noble cause. The quiet and steadfast dedication to their mission and their country should remind us all that extraordinary courage, grace, and patriotism are found in some of our youngest of citizens and our noblest of soldiers.

Today our thoughts and prayers go out to the family of Private First Class Garrett Knoll in what is a trying and difficult time for them. While no words can cure the pain of such a heartbreaking loss, we do hope that our eternal gratitude and admiration for his service and sacrifice will provide them some comfort as they lay to rest a fallen hero.

A moment of silence was observed in memory of Army Private First Class Garrett Knoll.

Senators Cassis, Bishop, Cherry and Kahn introduced

Senate Bill No. 468, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 628 (MCL 257.628), as amended by 2006 PA 85.

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

House Bill No. 4481, entitled

A bill to establish the foster care independence program; to provide certain services for certain youth in foster care due to child abuse or child neglect; and to prescribe the duties of certain state departments.

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 Families and Human Services.

Statements

Senators Scott, Cherry and McManus 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:

Anita Baker said, "I believe in the spoken word." Well, I do too, Ms. Baker, if the spoken word can lead to action and create change. That's what I am counting on my words to do, as I once again urge my colleagues across the aisle to consider the unfairness and inequities of the current insurance system and take up my legislation that will correct that inequality.

Thousands of drivers are currently driving without insurance because they cannot afford the protection, and thousands of homeowners put all their worldly possessions at risk because they cannot afford the coverage. Please, let my spoken words remind you of the potential economic disasters that await these individuals unless reform is enacted.

We cannot wait. They cannot wait. It is time to consider their rights and needs and enact legislation that is accessible to all.

Senator Cherry's statement is as follows:

I rise today to speak once again about my frustration and the frustration I have heard from many of my constituents over the past few weeks. Last week, we learned that state workers should be prepared for a 20-day layoff. This week the Governor has issued a notice of a pro-rata cut and let people know that cuts to Medicaid would be happening. Now Moody's is downgrading our credit rating, a move that raises the cost of government by millions of dollars. All of these actions would not be necessary if we had taken the action we need to take.

While all of this is going on, my constituents are asking, "What are you doing?" And I ask myself the same question. We are busy, God knows we're busy, but we're not accomplishing anything. We're working on budget bills that have no basis in reality because no issues for this or next year's budgets have been resolved. Today is May 1st and we still don't know or have any answers for our school districts, whose budgets end at the end of this month. We still don't know how the business tax will be replaced, and we still don't know how we will resolve the revenue shortfall in the General Fund for this year and next. Mr. President, just what have we done in the past four months?

Mr. President, my constituents don't want to hear us blame anyone else and they are right. It is time to own up to our own responsibility and say that it is our fault. It is the fault of the Michigan Legislature—every single one of us—that we haven't solved this problem. I feel like Rome is burning and we are playing the fiddle.

The citizens of this state want us to solve this problem, and I know that all of us do too. We ran for office to solve problems, not make them. So, Mr. President, I am asking the Senate Majority Leader and the Speaker of the House to ramp up their efforts even more to work with the Governor to solve these problems. Let's not wait until June 1st to solve it, but solve it now. Let's try to dig ourselves out of the stakes we have set and move toward each other, looking for pragmatic answers to the problems we face.

And, lastly, Mr. President, I have had many constituents say that we all need to be locked up in a room and not let out until we solve these problems. And so, while I can't believe I'm asking this to be done, Mr. President, I am asking the leader of this Senate and the Speaker of the House to keep us in session until we get these issues resolved. Mr. President, through you to our leader, let's please work nonstop to solve these issues. I know we are fully capable of doing so, so let's not prove those who think the Legislature can't do anything, let's not prove them right.

Senator McManus' statement is as follows:

Recently, I, too, have been hearing a lot about Michigan's budget mess and how that budget mess is a result of the Legislature dragging our feet. I guess I need some clarification. The last time I checked, the Senate passed a balanced budget more than a month ago. Our budget called for a modest \$34 per pupil cut to the School Aid Fund. Now, I wasn't a math major in college, but I can guess that \$34 per student would be a lot easier to manage than the \$122 that this Governor is proposing.

Our budget also called for responsible cuts throughout government to help our state get back into living within its means. Our budget did not call for tax hikes that already struggling families have experienced. Our Governor talks about how the Legislature needs to work with her to resolve this crisis, yet her only solution is to beat the drum of higher taxes and call for even more disturbing and irresponsible cuts until she gets her way.

Even *The Detroit News* on Sunday, colleagues, after considering several unflattering adjectives like dishonest, sleazy, and appalling, called her actions cowardly. Colleagues, we have been in the trenches trying to resolve this budget mess that can only be described as ugly. Sitting on Appropriations, I've even seen this firsthand what we are up against.

It is way past time for the Governor to get off the sidelines, stop finger-pointing, and start the heavy lifting. That's what she was elected to do. I urge her to join in on the negotiations already in progress between the Senate and the House and get down to business. Again, *The Detroit News* said it best, "Lead or get out of the way."

Committee Reports

The Committee on Education reported

Senate Bill No. 70, entitled

A bill to amend 1976 PA 451, entitled "The revised school code," by amending section 1531 (MCL 380.1531), as amended by 2006 PA 118.

With the recommendation that the substitute (S-1) be adopted and that the bill then pass.

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

Wayne Kuipers
Chairperson

To Report Out:

Yeas: Senators Kuipers, Van Woerkom, Cassis, Whitmer and Gleason

Nays: None

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

The Committee on Education reported

Senate Bill No. 403, entitled

A bill to amend 1976 PA 451, entitled "The revised school code," by amending section 1278b (MCL 380.1278b), as amended by 2006 PA 623.

With the recommendation that the substitute (S-1) be adopted and that the bill then pass.

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

Wayne Kuipers
Chairperson

To Report Out:

Yeas: Senators Kuipers, Van Woerkom, Cassis, Whitmer and Gleason

Nays: None

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

COMMITTEE ATTENDANCE REPORT

The Committee on Education submitted the following:

Meeting held on Thursday, April 26, 2007, at 2:30 p.m., Room 210, Farnum Building

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

The Committee on Appropriations reported

Senate Bill No. 231, entitled

A bill to make appropriations for the department of history, arts, and libraries and certain other state purposes for the fiscal year ending September 30, 2008; to provide for the expenditure of the appropriations; and to provide for the disposition of fees and other income received by the state agencies.

With the recommendation that the substitute (S-1) be adopted and that the bill then pass.

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

Ron Jelinek
Chairperson

To Report Out:

Yeas: Senators Jelinek, Pappageorge, Hardiman, Kahn, Cropsey, Garcia, George, Jansen, Brown, McManus and Stamas

Nays: Senators Switalski, Anderson, Barcia, Brater, Cherry, Clark-Coleman and Scott

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

The Committee on Appropriations reported
Senate Bill No. 233, entitled

A bill to make appropriations for the judicial branch for the fiscal year ending September 30, 2008; to provide for the expenditure of these appropriations; to place certain restrictions on the expenditure of these appropriations; to prescribe the powers and duties of certain officials and employees; to require certain reports; and to provide for the disposition of fees and other income received by the judicial branch.

With the recommendation that the substitute (S-1) be adopted and that the bill then pass.

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

Ron Jelinek
Chairperson

To Report Out:

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

Nays: Senator Cherry

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

The Committee on Appropriations reported
Senate Bill No. 235, entitled

A bill to make appropriations for the department of military affairs and certain other state purposes for the fiscal year ending September 30, 2008; to provide for the expenditure of the appropriations; and to provide for the disposition of fees and other income received by the various state agencies.

With the recommendation that the substitute (S-1) be adopted and that the bill then pass.

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

Ron Jelinek
Chairperson

To Report Out:

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

Nays: None

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

The Committee on Appropriations reported
Senate Bill No. 238, entitled

A bill to make appropriations for the department of state police and certain other state purposes for the fiscal year ending September 30, 2008; to provide for the expenditure of the appropriations; and to provide for the disposition of fees and other income received by the various state agencies.

With the recommendation that the substitute (S-1) be adopted and that the bill then pass.

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

Ron Jelinek
Chairperson

To Report Out:

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

Nays: None

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

COMMITTEE ATTENDANCE REPORT

The Committee on Appropriations submitted the following:

Meeting held on Wednesday, April 25, 2007, at 1:00 p.m., Senate Appropriations Room, 3rd Floor, Capitol Building

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

The Committee on Appropriations reported

Senate Bill No. 229, entitled

A bill to make appropriations for the legislature, the judiciary, the executive, the department of attorney general, the department of state, the department of treasury, the department of management and budget, the department of civil service, the department of civil rights, and certain state purposes related thereto for the fiscal year ending September 30, 2008; to provide for the expenditure of the appropriations; to provide for the disposition of fees and other income received by the state agencies; and to declare the effect of this act.

With the recommendation that the substitute (S-1) be adopted and that the bill then pass.

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

Ron Jelinek
Chairperson

To Report Out:

Yeas: Senators Pappageorge, Hardiman, Kahn, Cropsey, Garcia, George, Jansen, Brown, McManus, Stamas, Switalski, Anderson and Barcia

Nays: Senators Cherry, Clark-Coleman and Scott

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

The Committee on Appropriations reported

Senate Bill No. 234, entitled

A bill to make appropriations for the department of labor and economic growth and certain other state purposes for the fiscal year ending September 30, 2008; to provide for the expenditure of the appropriations; and to provide for the disposition of fees and other income received by the state agencies.

With the recommendation that the substitute (S-1) be adopted and that the bill then pass.

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

Ron Jelinek
Chairperson

To Report Out:

Yeas: Senators Jelinek, Pappageorge, Hardiman, Kahn, Cropsey, Garcia, George, Jansen, Brown, McManus, Stamas, Switalski and Scott

Nays: Senator Cherry

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

The Committee on Appropriations reported

Senate Bill No. 239, entitled

A bill to make appropriations for the Michigan strategic fund and certain other state purposes for the fiscal year ending September 30, 2008; to provide for the expenditure of the appropriations; to provide certain conditions on appropriations; and to provide for the disposition of fees and other income received by certain state agencies.

With the recommendation that the substitute (S-1) be adopted and that the bill then pass.

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

Ron Jelinek
Chairperson

To Report Out:

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

Nays: Senator Cherry

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

The Committee on Appropriations reported

Senate Bill No. 240, entitled

A bill to make appropriations for the state transportation department and certain state purposes from the funds designated in this act for the fiscal year ending September 30, 2008; and to provide for the expenditure of the appropriations.

With the recommendation that the substitute (S-1) be adopted and that the bill then pass.

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

Ron Jelinek
Chairperson

To Report Out:

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

Nays: None

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

COMMITTEE ATTENDANCE REPORT

The Committee on Appropriations submitted the following:

Meeting held on Thursday, April 26, 2007, at 9:00 a.m., Senate Appropriations Room, 3rd Floor, Capitol Building

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

COMMITTEE ATTENDANCE REPORT

The Subcommittee on Higher Education submitted the following:

Meeting held on Thursday, April 26, 2007, at 12:00 noon, Senate Appropriations Room, 3rd Floor, Capitol Building

Present: Senators Stamas (C), George, Hardiman, Barcia, Anderson and Brater

Excused: Senator McManus

COMMITTEE ATTENDANCE REPORT

The Committee on Energy Policy and Public Utilities submitted the following:

Meeting held on Thursday, April 26, 2007, at 1:00 p.m., Room 210, Farnum Building

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

COMMITTEE ATTENDANCE REPORT

The Subcommittee on Department of Community Health submitted the following:

Meeting held on Thursday, April 26, 2007, at 2:00 p.m., Senate Hearing Room, Ground Floor, Boji Tower

Present: Senators Kahn (C), Pappageorge, George, Cherry, Barcia and Switalski

Excused: Senator Stamas

COMMITTEE ATTENDANCE REPORT

The Subcommittee on Higher Education submitted the following:

Meeting held on Friday, April 27, 2007, at 10:00 a.m., Calvin College, Bunker Interpretive Center, 1750 East Beltline Avenue, Grand Rapids

Present: Senators Stamas (C), Hardiman, Barcia and Anderson

Excused: Senators George, McManus and Brater

Scheduled Meetings

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

Subcommittees -

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

Community Colleges - Friday, May 11, 9:00 a.m., Bay de Noc Community College, Joseph Heirman University Center, 2001 N. Lincoln Road, Escanaba; and Wednesday, May 16, 9:30 a.m., Senate Appropriations Room, 3rd Floor, Capitol Building (373-2768)

Community Health Department - Thursdays, May 3 and May 17, 2:00 p.m., Senate Hearing Room, Ground Floor, Boji Tower (373-2768)

Environmental Quality Department - Thursdays, May 3 and May 10, 1:00 p.m., and Tuesday, May 15, 4:00 p.m., Room 405, Capitol Building (373-2768)

Higher Education - Friday, May 11, 2:00 p.m., Michigan Technological University, Advanced Technology Development Center, 1402 East Sharon Avenue, Houghton (373-2768)

Judiciary and Corrections - Wednesdays, May 2, May 9 and May 16, 3:00 p.m., Rooms 402 and 403, Capitol Building (373-2768)

K-12, School Aid, Education - Tuesdays, May 8 and May 15, 2:00 p.m., Senate Appropriations Room, 3rd Floor, Capitol Building (373-2768)

Natural Resources Department - Tuesdays, May 8 and May 15, 12:00 noon, Room 405, Capitol Building (373-2768)

Economic Development and Regulatory Reform - Wednesday, May 2, 1:00 p.m., Rooms 402 and 403, Capitol Building (373-7670)

Energy Policy and Public Utilities - Thursday, May 3, 1:00 p.m., Room 210, Farnum Building (373-7350)

Finance - Thursday, May 3, 11:00 a.m. or later immediately following session, Room 110, Farnum Building (373-1758)

Health Policy - Wednesday, May 2, 3:00 p.m., Room 405, Capitol Building (373-0793)

Homeland Security and Emerging Technologies - Tuesday, May 8, 1:00 p.m., Room 100, Farnum Building (373-5932)

Natural Resources and Environmental Affairs - Wednesday, May 2, 1:00 p.m., Room 110, Farnum Building (373-3447)

Senator Cropsey moved that the Senate adjourn.
The motion prevailed, the time being 11:16 a.m.

The President, Lieutenant Governor Cherry, declared the Senate adjourned until Wednesday, May 2, 2007, at 10:00 a.m.

CAROL MOREY VIVENTI
Secretary of the Senate