

No. 50
STATE OF MICHIGAN
Journal of the Senate
94th Legislature
REGULAR SESSION OF 2007

Senate Chamber, Lansing, Thursday, May 24, 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 Tim Knaus of First Baptist Church of St. Johns offered the following invocation:

Heavenly Father, we thank You for Your grace and for Your mercy toward this great country of ours and toward this great state of ours. On this special occasion, we thank You for our freedom. O Father, even as we think of what is going to take place today and what takes place every day in this building—the freedom to deliberate, the freedom to share ideas, the freedom to disagree—all of that is able to take place because of those who gave their lives for this country.

O Father, we thank You as we approach this Memorial Day weekend for those men and women who have paid the ultimate sacrifice. We thank You for their service, their dedication, and their commitment to this great country. Father, I pray that You will guide this service today. May it be special for those who are visiting, especially for those who have servicemen and servicewomen serving around the country.

So, Lord, we pray that You will guide everything that is said and done. May it be pleasing in Your sight. In Jesus' name. Amen.

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

Motions and Communications

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

The following communications were received and read:
Office of the Auditor General

May 22, 2007

Enclosed is a copy of the following audit report:
Performance audit of the Adrian Training School, Department of Human Services.

May 22, 2007

Enclosed is a copy of the following audit report:
Performance audit of Washtenaw Community College.

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

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

The Secretary announced that the following House bills were received in the Senate and filed on Thursday, May 24:
House Bill Nos. 4580 4796 4800

The Secretary announced that the following official bills were printed on Wednesday, May 23, and are available at the legislative website:

Senate Bill Nos. 516 517 518 519 520 521 522 523 524 525 526 527 528 529
House Bill Nos. 4811 4812 4813

Senator Cropsey moved that rule 3.902 be suspended to allow the guests of Senator Garcia 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.

Senator Barcia 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 10:05 a.m.

10:50 a.m.

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

During the recess, Senator Garcia presented the 13th Annual Memorial Day Ceremony in honor of the military personnel who served during wartime. The ceremony was accompanied by the Brighton VFW Post 4357 Honor Guard, Kalamazoo Pipe Band, and VFW Post Commanders.

Senator Garcia introduced Brittin Radcliffe, Western Michigan University graduate student in music, who sang the "National Anthem."

Senator Richardville introduced Command Master Chief Joseph Diaz, United States Navy, who addressed the Senate.

Senators Allen, Anderson, Barcia, Basham, Birkholz, Bishop, Brater, Brown, Cassis, Cropsey, Cherry, George, Gleason, Hardiman, Jacobs, Kahn, McManus, Pappageorge, Prusi, Richardville, Sanborn, Scott, Schauer, Stamas, Van Woerkom and Whitmer acknowledged Michigan fallen soldiers during a roll call of the number of casualties since the 2006 Memorial Day Ceremony.

A moment of silence was observed in memory of those who lost their lives serving their country.

Dale Sprosty and the Kalamazoo Pipe Band played "Taps" and "Amazing Grace."

Senator Garcia acknowledged Senators who serve and have served in the military: Senators Pappageorge, Basham, Hardiman, Allen and himself.

Senators Sanborn, Garcia, Birkholz, Kahn, Hardiman and Scott asked and were granted unanimous consent to make statements and moved that the statements be printed in the Journal.

The motion prevailed.

Senator Sanborn's statement is as follows:

I do have multiple introductions. I have three who were former legislators who also served their country during World War II; one, who is not a former legislator, but I will save for last to introduce.

Former captain of World War II, Air Force, State Representative and Macomb County Circuit Judge Kenneth Sanborn sitting to my left. He is also my father, and many will recall his involvement in the Milo Radulovich case of which the book *To Strike at a King*, and subsequently, the movie *Good Night and Good Luck* were based on. Judge George Steeh, former Michigan State Senator, U.S. Navy in World War II, is up in the balcony above me. State Representative Bruce Monks, U.S. Army in World War II is in the balcony above me.

It is my distinct honor to introduce to you, once again, this gentleman who is truly a hero of Michigan and Macomb County, Donald E. O'Dell, affectionately known around Macomb County as Digger. Lieutenant Colonel O'Dell was shot down over Vietnam in October 1967 and served from October 1967 to March 1973 for over five and a half years in the Hanoi Hilton as a prisoner of war. Lieutenant Colonel Digger O'Dell received the Silver Star, the Legend of Merit, the Bronze Star Medal for Valor with oak leaf cluster, the Distinguished Flying Cross with oak leaf cluster, the Air Force Medal with oak leaf cluster, the Purple Heart with oak leaf cluster, the Air Force Commendation Medal, the Vietnam Service Medal with two bronze battle stars, and the POW Medal. I would ask that my colleagues greet Lieutenant Colonel Digger O'Dell who is sitting in the balcony above me.

Senator Garcia's statement is as follows:

Unfortunately, my guests had to leave immediately following the ceremony, but I did have in the Gallery in the east wing during the ceremony Mr. Jim and Linda Wallace. They were the Livingston County Veterans of the Year, serving for a number of years in various capacities. I just wanted for the record to recognize the fact that they were here.

Senator Birkholz's statement is as follows:

I have joining me today, and actually just getting ready to leave, but I asked her to stay so I could introduce her. She was on the floor with me this morning during the services, Major Levita L. Bennett, who has a whole resume of service duty. I won't go into it all, but currently she has a dual assignment here as a Detachment Commander for the Joint Forces Headquarters and the State Family Programs director for the Joint Forces Headquarters. I would like you to help me welcome her please.

In the Gallery, although I think some of them may have left, I have joining me constituents: Richard Redfern from the Wayland VFW Post; Rob Wise, many of you know him from Charlotte, and he is the State Adjutant Quarter Master

for the state VFW and is in the Capitol frequently visiting with us; and Steve Kozera, who is the legislative liaison for the Department of Military and Veterans Affairs.

If they are somewhere up there in the Gallery, I would like them to be recognized.

Senator Kahn's statement is as follows:

Sitting with me today I have the honor of having a member of the Post 212—212 is in Chesaning, Michigan—member Alex Krzyaniak. As well with us today are the folks who were participating in the ceremony. We have the Commander of Post 212, Gary Evoy; the 1st Vice Commander Jack Brown, and as well the incoming Commander Bill Lichtman, who was involved in Operation Iraqi Freedom and is a veteran of that.

I feel honored and I think our chamber is honored by having these gentlemen here today. I thank you for your time.

Senator Hardiman's statement is as follows:

I'm joined by my colleague, Senator Jansen, and we welcome to the Senate today from Kent County the Pachyderms, the Kent County women's Republican club, and they are in the east Gallery. I would love to have my colleagues help me welcome them here today.

My second introduction, I don't know if my guests are still here, but as we all know, we owe a great debt of gratitude to those who have served in the Armed Forces, and certainly, to those who have fallen, but we also owe a debt of gratitude to their families as well. The family of Specialist 4th Class Brandon L. Stout I know was here in the Gallery today. I don't know if they are still here, but I would certainly ask that they stand if they are, and we thank them for their sacrifice as well.

Senator Scott's statement is as follows:

I would like for my colleagues to welcome and honor the Reverend Lieutenant Colonel Alfred Nicholson, who is in the Reserves and a chaplain in the Army. He's in the west Gallery.

Recess

Senator Cropsey moved that the Senate recess until 12:30 p.m.

The motion prevailed, the time being 11:11 a.m.

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

Recess

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

The motion prevailed, the time being 12:32 p.m.

1:24 p.m.

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

Messages from the Governor

The following message from the Governor was received and read:

May 18, 2007

In accordance with Michigan Compiled Laws 21.161, Grants and Gifts to State, I have accepted the Michigan State Troopers Association's gift of \$400,000, which the Troopers Association designated for use towards the compensation packages of 29 Michigan State Troopers who were scheduled for layoff in April 2007. On May 4, 2007, I signed Enrolled Senate Bill 404 - now PA 7 of 2007 - of which Section 107 specifically, appropriates \$400,000 in private donations to the Michigan State Police for At-Post Trooper support.

On behalf of the Department of State Police, and the People of the State of Michigan, I extend my gratitude to the Michigan State Police Troopers Association for your generosity during these difficult fiscal times.

Sincerely,
Jennifer M. Granholm
Governor

The message was referred to the Secretary for record.

Messages from the House

Senate Bill No. 94, entitled

A bill to provide for the imposition, levy, computation, collection, assessment, reporting, payment, and enforcement of taxes on certain commercial, business, and financial activities; to prescribe the powers and duties of public officers and state departments; to provide for the inspection of certain taxpayer records; to provide for interest and penalties; to provide exemptions, credits, and refunds; to provide for the disposition of funds; to provide for the interrelation of this act with other acts; and to repeal acts and parts of acts.

The House of Representatives has substituted (H-3) the bill.

The House of Representatives has passed the bill as substituted (H-3), ordered that it be given immediate effect and amended the title to read as follows:

A bill to provide for the imposition, levy, computation, collection, assessment, reporting, payment, and enforcement of taxes on certain commercial, business, and financial activities; to prescribe the powers and duties of public officers and state departments; to provide for the inspection of certain taxpayer records; to provide for interest and penalties; to provide exemptions, credits, and refunds; to provide for the disposition of funds; to provide for the interrelation of this act with other acts; to make appropriations; and to repeal acts and parts of acts.

Pursuant to rule 3.202, the bill was laid over one day.

By unanimous consent the Senate proceeded to the order of

Resolutions

House Concurrent Resolution No. 26.

A concurrent resolution to request the State Officers Compensation Commission to recommend a 5 percent reduction in the salaries of the members of the Legislature the next time the commission meets in 2008.

Whereas, Article IV, Section 12 of the state constitution of 1963 established the State Officers Compensation Commission. The commission was established to determine the salaries and expense allowances of the members of the Legislature, the Governor, the Lieutenant Governor, the Attorney General, the Secretary of the State, and the Justices of the Supreme Court; and

Whereas, Section 3 of 1968 PA 357 provides that the Commission shall meet for not more than 15 session days beginning after July 1 of every even numbered year and may reconsider and make a further determination of the mileage allowance of the members of the legislature who request of the commission a redetermination; and

Whereas, In light of the sacrifices being made by residents across the state, we believe that as elected leaders in state government we have an obligation to share in these sacrifices; now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That we request the State Officers Compensation Commission to recommend a 5 percent reduction in the salaries of the members of the Legislature the next time the commission meets in 2008; and be it further

Resolved, That copies of this resolution be transmitted to members of the State Officers Compensation Commission and the Director of the Michigan Department of Civil Service.

The House of Representatives has adopted the concurrent resolution.

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

Senators Barcia, Cassis, Clarke, Hunter, Jacobs, Pappageorge, Switalski and Van Woerkom were named co-sponsors of the concurrent resolution.

By unanimous consent the Senate returned to the order of

Third Reading of Bills

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

Senate Bill No. 410

Senate Bill No. 411

The motion prevailed.

The following bill was read a third time:

Senate Bill No. 410, entitled

A bill to amend 1986 PA 32, entitled "Emergency telephone service enabling act," by amending the title and sections 101, 102, 201, 202, 203, 205, 301, 302, 303, 307, 308, 312, 319, 320, and 401 (MCL 484.1101, 484.1102, 484.1201, 484.1202,

484.1203, 484.1205, 484.1301, 484.1302, 484.1303, 484.1307, 484.1308, 484.1312, 484.1319, 484.1320, and 484.1401), the title as amended by 1994 PA 36, sections 102 and 303 as amended by 1999 PA 80, section 201 as amended by 1999 PA 78, section 205 as amended by 1998 PA 23, sections 301 and 401 as amended by 2006 PA 249, section 308 as amended by 1994 PA 29, section 319 as added by 1989 PA 36, and section 320 as amended by 1998 PA 122, and by adding sections 401a, 401b, 401c, 401d, and 401e.

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. 148

Yeas—34

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

Nays—3

Cassis	Kuipers	Sanborn
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Excused—0

Not Voting—1

Basham

In The Chair: President

The Senate agreed to the title of the bill.

By unanimous consent the Senate proceeded to the order of

Introduction and Referral of Bills

Senators Allen, Clarke, Birkholz and Pappageorge introduced

Senate Bill No. 530, entitled

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” by amending section 82126 (MCL 324.82126), as amended by 2003 PA 2.

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

Senators McManus, Basham, Garcia and Allen introduced

Senate Bill No. 531, entitled

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

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

Senators Gleason, Anderson, Prusi, Scott, Basham, Clarke, Switalski, Clark-Coleman and Hunter introduced
Senate Bill No. 532, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending section 2947 (MCL 600.2947), as amended by 1995 PA 249.

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

Senators Allen, Richardville, Patterson, Sanborn, Gilbert, Jansen, Pappageorge, Birkholz, Brown, Garcia, Thomas, Jacobs and Hunter introduced

Senate Bill No. 533, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 20104a (MCL 324.20104a), as added by 1996 PA 383.

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

Senators Richardville, Patterson, Sanborn, Gilbert, Pappageorge, Jansen, Allen, Birkholz, Brown, Garcia, Thomas, Jacobs and Hunter introduced

Senate Bill No. 534, entitled

A bill to amend 1996 PA 381, entitled "Brownfield redevelopment financing act," by amending section 2 (MCL 125.2652), as amended by 2006 PA 32.

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

Senators Jacobs, Patterson, Sanborn, Gilbert, Jansen, Pappageorge, Allen, Birkholz, Brown, Garcia, Thomas, Richardville and Hunter introduced

Senate Bill No. 535, entitled

A bill to amend 1996 PA 381, entitled "Brownfield redevelopment financing act," by amending section 3 (MCL 125.2653), as amended by 2000 PA 145.

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

Senators Thomas, Richardville, Patterson, Sanborn, Gilbert, Pappageorge, Jansen, Birkholz, Allen, Brown, Garcia, Jacobs and Hunter introduced

Senate Bill No. 536, entitled

A bill to amend 1996 PA 381, entitled "Brownfield redevelopment financing act," by amending section 4 (MCL 125.2654), as amended by 2005 PA 101.

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

Senators Hunter, Richardville, Patterson, Sanborn, Gilbert, Pappageorge, Jansen, Birkholz, Allen, Brown, Garcia, Thomas and Jacobs introduced

Senate Bill No. 537, entitled

A bill to amend 1996 PA 381, entitled "Brownfield redevelopment financing act," by amending section 13 (MCL 125.2663), as amended by 2006 PA 467.

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

Senators Gilbert, Richardville, Patterson, Sanborn, Pappageorge, Jansen, Birkholz, Allen, Brown, Garcia, Thomas, Jacobs and Hunter introduced

Senate Bill No. 538, entitled

A bill to amend 1996 PA 381, entitled "Brownfield redevelopment financing act," by amending section 15 (MCL 125.2665), as amended by 2006 PA 32.

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

Senators Sanborn, Richardville, Patterson, Gilbert, Jansen, Pappageorge, Birkholz, Allen, Brown, Garcia, Thomas, Jacobs and Hunter introduced

Senate Bill No. 539, entitled

A bill to amend 1996 PA 381, entitled "Brownfield redevelopment financing act," by amending section 16 (MCL 125.2666), as amended by 2000 PA 145.

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

House Bill No. 4506, entitled

A bill to amend 1976 PA 451, entitled "The revised school code," by amending sections 4, 5, and 614 (MCL 380.4, 380.5, and 380.614), sections 4 and 5 as amended by 2005 PA 61 and section 614 as amended by 2004 PA 419.

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 Education.

House Bill No. 4507, entitled

A bill to amend 1954 PA 116, entitled "Michigan election law," by amending sections 302 and 644g (MCL 168.302 and 168.644g), section 302 as amended by 2005 PA 71 and section 644g as amended by 2004 PA 293, and by adding section 642c.

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 Education.

House Bill No. 4580, entitled

A bill to amend 1957 PA 261, entitled "Michigan legislative retirement system act," by amending section 75 (MCL 38.1075), as amended by 1998 PA 501.

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 Government Operations and Reform.

House Bill No. 4592, entitled

A bill to amend 1976 PA 451, entitled "The revised school code," (MCL 380.1 to 380.1852) by adding part 7B.

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 Education.

House Bill No. 4796, entitled

A bill to amend 1976 PA 451, entitled "The revised school code," (MCL 380.1 to 380.1852) by adding section 1245.

The House of Representatives has passed the bill.

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

House Bill No. 4800, entitled

A bill to amend 1943 PA 240, entitled "State employees' retirement act," (MCL 38.1 to 38.69) by adding section 68c.

The House of Representatives has passed the bill.

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

By unanimous consent the Senate returned to the order of

Third Reading of Bills

Senator Cropsey moved to reconsider the vote by which the following bill was passed:

Senate Bill No. 410, entitled

A bill to amend 1986 PA 32, entitled "Emergency telephone service enabling act," by amending the title and sections 101, 102, 201, 202, 203, 205, 301, 302, 303, 307, 308, 312, 319, 320, and 401 (MCL 484.1101, 484.1102, 484.1201, 484.1202, 484.1203, 484.1205, 484.1301, 484.1302, 484.1303, 484.1307, 484.1308, 484.1312, 484.1319, 484.1320, and 484.1401), the title as amended by 1994 PA 36, sections 102 and 303 as amended by 1999 PA 80, section 201 as

amended by 1999 PA 78, section 205 as amended by 1998 PA 23, sections 301 and 401 as amended by 2006 PA 249, section 308 as amended by 1994 PA 29, section 319 as added by 1989 PA 36, and section 320 as amended by 1998 PA 122, and by adding sections 401a, 401b, 401c, 401d, and 401e.

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

The question being on the passage of the bill,

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

Roll Call No. 149

Yeas—35

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

Nays—3

Cassis	Kuipers	Sanborn
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Excused—0

Not Voting—0

In The Chair: President

The Senate agreed to the title of the bill.

The following bill was read a third time:

Senate Bill No. 411, entitled

A bill to amend 1986 PA 32, entitled "Emergency telephone service enabling act," by amending sections 402, 403, 404, 405, 406, 407, 408, 412, 413, 502, 504, 601, 602, 605, 712, 714, 716, and 717 (MCL 484.1402, 484.1403, 484.1404, 484.1405, 484.1406, 484.1407, 484.1408, 484.1412, 484.1413, 484.1502, 484.1504, 484.1601, 484.1602, 484.1605, 484.1712, 484.1714, 484.1716, and 484.1717), sections 403, 404, 405, and 406 as amended by 1999 PA 81, sections 407 and 412 as added by 1999 PA 78, section 408 as amended by 2006 PA 74, section 413 as added and section 717 as amended by 2006 PA 249, section 601 as amended and section 605 as added by 1999 PA 80, section 602 as amended by 2004 PA 515, and sections 712, 714, and 716 as added by 1999 PA 79; 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. 150

Yeas—35

Allen	Clark-Coleman	Jacobs	Richardville
Anderson	Clarke	Jansen	Schauer
Barcia	Cropsey	Jelinek	Scott

Basham
Birkholz
Bishop
Brater
Brown
Cherry

Garcia
George
Gilbert
Gleason
Hardiman
Hunter

Kahn
McManus
Olshove
Pappageorge
Patterson
Prusi

Stamas
Switalski
Thomas
Van Woerkom
Whitmer

Nays—3

Cassis

Kuipers

Sanborn

Excused—0

Not Voting—0

In The Chair: President

The Senate agreed to the title of the bill.

Protest

Senator Cassis, under her constitutional right of protest (Art. 4, Sec. 18), protested against the passage of Senate Bill Nos. 410 and 411.

Senator Cassis' statement is as follows:

I wanted to explain my "no" vote on the previous bill as well as the upcoming one. Just very simply, there is a section—section 401b—that allows for a supplemental increase to 9-1-1 charges by either a vote of a county commission or by putting it to a vote of the people. However, the county board of commissioners can do it without a vote of the people and that's what I had concerns about. My major concern is whether this could become a hidden tax increase; possibly, it could be, and that's why I'm voting "no."

By unanimous consent the Senate proceeded to the order of

Statements

Senators Scott, Gleason, Barcia and Schauer 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:

Once again, I call on former Detroit Mayor Coleman A. Young for inspiration. Mr. Young in that firm and recognizable voice declared, "We will struggle and there will be progress." Well, let me tell you, I've been struggling a long time and there has been some progress, but I'm expecting some more progress here.

But after all these years of struggle, I continue to wonder why fair and affordable insurance rates should pose such a moral dilemma for my colleagues. Surely, we all believe in equality. Surely, we all support impartiality. And, surely, we all want all residents to benefit from a system that was allegedly created to protect all Michigan citizens, like a bill we just voted on, the 9-1-1 system. If we can work on that, we can surely work on insurance too.

So let's act on our convictions and pass this legislation that will inform our integrity. It's just the right thing to do.

Senator Gleason's statement is as follows:

I would like to thank all of those who took part in making sure that we remembered our veterans today. It was a great honor to present a flag on behalf of Brandon Webb from my district. Reflecting on that and the remarks from the officer from the Navy, it reminds me of our nephew who was killed in Iraq on April 8. I want to thank all of those who don't forget our veterans and what Memorial Day is really all about.

Few have an opportunity to lose a veteran who is a member of their family, but all of us have an opportunity to remember them. As you know, Mr. Lieutenant Governor, our nephew Scott was from your hometown. We asked for compassion and a display of respect for Sergeant Scott Sather four years ago. This chamber and the House joined voices and joined condolences for our family. That's a memory we will hold dear for many, many years to come.

When the veterans marched in with the flags today, it reminds us that their service time is somewhat shortened compared to their lifetime that they will endure after that. I would like to thank the Senator who offered us a chance to reflect as a body on not only those who have been lost in Iraq, but those who have suffered serious wounds and endure lifelong consequences because of their decision and their great valor to serve on behalf of our country.

Now there is not a week that doesn't go by that we meet as a family and talk about our nephew; talk to the parents about what it means. It's a great honor for me to serve in this Senate and bring some of the values that Scott Sather and those who have served with us offer us every single day. I remember your words. I think it was the first year you were the Lieutenant Governor and once again you returned and spoke at your hometown's Memorial Day event. You mentioned that all of those valiant men and women who lost their lives offer us a voice. Those who display and harm our American flag and those who fight on behalf of it are offered equal voices because of the men and women who fight every single day and make themselves available every single day regardless of the branch of service they choose to serve.

But I just ask you, Lieutenant Governor, and all of those who took a moment of reflection today and dropped a flag in the baskets on behalf of those we've lost in the past year to remember those who have offered up the ultimate sacrifice. We deal with our family issue and I know he probably wouldn't say a word on that, but our Budget Director Bob Emerson mentioned that 40 years ago he lost his own brother in the Vietnam War. So we don't have to look very far to meet someone who has shared a significant loss in their life.

On behalf of our family, I would like to thank you all for what you did four years ago and what the Senators and those who offered us an opportunity to reflect on the respect so deserving of our veterans offered us today.

Lieutenant Governor, I thank you for your commitment to veterans, and I thank you for the opportunity to speak on behalf of an uncle who lost a nephew. I thank those again for offering us an opportunity to pay respect to the veterans of this great country.

Senator Barcia's statement is as follows:

It is once again that I rise with a heavy heart to honor another valiant, courageous soldier who has paid the ultimate price for Iraqi freedom.

Sergeant Justin D. Wisniewski of Standish in Arenac County in my district died on Saturday, May 19, 2007, in Lutfiyah, Iraq, from wounds he received when an improvised explosive device detonated near his unit. Sergeant Wisniewski was stationed with the 2nd Battalion, 15th Field Artillery Regiment, 2nd Brigade Combat Team, 10th Mountain Division out of Fort Drum, New York.

Sergeant Wisniewski was a 2003 graduate of Standish-Sterling High School, where he was noted for a personality that rivaled his 6-foot, 2-inch stature and a contagious smile that warmed all those around him.

Our hearts and prayers go out to Sergeant Justin Wisniewski's mother and father, Dan and Cheryl Wisniewski, his brother Jason, and sisters Jessica and Jodi. They have our eternal gratitude for his service and sacrifice and pray that the good Lord has left them with many cherished memories to comfort them in what must surely be a very trying time.

In closing, Mr. President, I would like to quote from a letter Sergeant Wisniewski wrote to his family who recently posted it in an online tribute: "If I don't make it out of this place, remember that I will always be your soldier. All you have to do is look to the sky and say my name and I will be there. I will protect and watch over you."

Sergeant Wisniewski remains ever vigilant, Mr. President.

A moment of silence was observed in memory of Sergeant Justin D. Wisniewski.

Senator Schauer's statement is as follows:

Just a brief statement to thank Senator Garcia on his leadership in putting together today's program. It was an important opportunity to reflect and, again, make personal the losses we've experienced in our districts. Senator, I appreciate that. I hope we will all have an opportunity to participate in those events this weekend in our districts as well. But, Senator, through the President to you, thank you for your leadership today.

Recess

Senator Cropsey moved that the Senate recess until 3:00 p.m.

The motion prevailed, the time being 1:53 p.m.

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

Recess

Senator Cropsey moved that the Senate recess until 3:30 p.m.
The motion prevailed, the time being 3:01 p.m.

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

Senator Cropsey moved that when the Senate adjourns today, it stand adjourned until Friday, May 25; and when it adjourns on Friday, May 25, it stand adjourned until Saturday, May 26.
The motion prevailed.

Committee Reports

The Committee on Local, Urban and State Affairs reported

Senate Bill No. 418, entitled

A bill to provide for a catastrophic stop loss fund and catastrophic stop loss benefit plans; to create a board of directors of the catastrophic stop loss fund; to prescribe the conditions upon which public employers may provide certain benefits; to require the compilation and release of certain information and data; to provide certain powers and duties to certain state officials, departments, agencies, and authorities; and to provide for 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.

Gerald Van Woerkom
Chairperson

To Report Out:

Yeas: Senators Van Woerkom, Birkholz and Allen

Nays: Senators Gleason and Basham

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

The Committee on Local, Urban and State Affairs reported

Senate Bill No. 419, entitled

A bill to amend 1976 PA 451, entitled "The revised school code," by amending section 632 (MCL 380.632) and by adding sections 506a, 527a, 633, 1255, and 1311m.

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 and Allen

Nays: Senators Gleason and Basham

The bill was referred to the Committee of the Whole.

The Committee on Local, Urban and State Affairs reported

Senate Bill No. 420, entitled

A bill to amend 1951 PA 35, entitled "An act to authorize intergovernmental contracts between municipal corporations; to authorize any municipal corporation to contract with any person or any municipal corporation to furnish any lawful municipal service to property outside the corporate limits of the first municipal corporation for a consideration; to prescribe certain penalties; to authorize contracts between municipal corporations and with certain nonprofit public transportation corporations to form group self-insurance pools; and to prescribe conditions for the performance of those contracts," by amending section 5 (MCL 124.5), as amended by 1999 PA 83.

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 and Allen
Nays: Senators Gleason and Basham
The bill was referred to the Committee of the Whole.

The Committee on Local, Urban and State Affairs reported

Senate Bill No. 421, entitled

A bill to amend 1966 PA 331, entitled "Community college act of 1966," by amending sections 123 and 124 (MCL 389.123 and 389.124), section 123 as amended by 1980 PA 5 and section 124 as amended by 1997 PA 135.

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 and Allen
Nays: Senators Gleason and Basham
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, May 22, 2007, at 1:00 p.m., Senate Hearing Room, Ground Floor, Boji Tower
Present: Senators Van Woerkom (C), Birkholz, Allen, Gleason and Basham

COMMITTEE ATTENDANCE REPORT

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

Meeting held on Wednesday, May 23, 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 Subcommittee on Judiciary and Corrections submitted the following:

Meeting held on Wednesday, May 23, 2007, at 3:00 p.m., Rooms 402 and 403, Capitol Building
Present: Senators Cropsy (C), Kahn and Brater

COMMITTEE ATTENDANCE REPORT

The Committee on Health Policy submitted the following:

Joint meeting held on Wednesday, May 23, 2007, at 3:48 p.m., House Appropriations Room, 3rd Floor, Capitol Building
Present: Senators George (C), Sanborn, Allen, Clarke, Gleason and Jacobs
Excused: Senator Patterson

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

Environmental Quality Department - Thursday, May 31, 1:00 p.m., Room 405, Capitol Building (373-2768)

Higher Education - Thursday, May 31, 9:00 a.m., Senate Appropriations Room, 3rd Floor, Capitol Building (373-2768)

Judiciary and Corrections - Wednesday, May 30, 3:00 p.m., Rooms 402 and 403, Capitol Building (373-2768)

Natural Resources Department - Tuesdays, May 29, 12:00 noon or later immediately following session, Room 405, Capitol Building (CANCELED); and June 5, 12:00 noon or later immediately following session, Senate Appropriations Room, 3rd Floor, Capitol Building (373-2768)

Families and Human Services - Tuesday, May 29, 2:30 p.m., Room 210, Farnum Building (373-0797)

Homeland Security and Emerging Technologies - Tuesdays, May 29 and June 5, 1:00 p.m., Room 100, Farnum Building (373-5932)

Transportation - Tuesday, May 29, 1:00 p.m., Room 110, Farnum Building (373-7708)

Senator Cropsy moved that the Senate adjourn.
The motion prevailed, the time being 3:33 p.m.

In pursuance of the order previously made, the President, Lieutenant Governor Cherry, declared the Senate adjourned until Friday, May 25, 2007, at 10:00 a.m.

CAROL MOREY VIVENTI
Secretary of the Senate