

No. 55
STATE OF MICHIGAN
Journal of the Senate
94th Legislature
REGULAR SESSION OF 2007

Senate Chamber, Lansing, Tuesday, June 5, 2007.

10:00 a.m.

The Senate was called to order by the President pro tempore, Senator Randy Richardville.

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

Rabbi Yisroel Weingarten of Chabad House Lubavitch of Eastern Michigan of Flint offered the following invocation: It is my honor to begin with the biblical priestly blessing:

“May the Lord bless you and safeguard you; may the Lord illuminate his countenance upon you, and be gracious to you; may the Lord lift His countenance to you and establish peace for you.”

Almighty God, Father in heaven, may it be Your will that Your blessings be granted to this group of esteemed Senators who are gathered here as the foundation of social law, justice, and stability in the great state of Michigan. May they be endowed with divine blessing and inspiration as they continue to serve in their awesome positions, and may it be with a spirit of wisdom, a spirit of understanding, and a spirit of counsel: Wisdom to turn adversity into opportunity and transform the challenges of today into the seeds from which will sprout the successes of tomorrow; understanding to properly direct the resources of government according to the needs of all citizens; and counsel to unite us all in working for a better Michigan.

You, Almighty God, have chosen this dedicated group through the voice of the majority of their constituencies to legislate just laws for our great state of Michigan. That every society be governed by just laws is one of seven laws which You, Almighty God, gave to Noah and his family after the Great Flood.

At the dawn of civilization, as related in the holy biblical book of Genesis and its sacred commentaries, You issued the following seven laws which came to be known as the Seven Noahide Laws:

To worship You alone and not to serve idols;

Never to blaspheme Your holy name;

Not to murder;

Not to commit adultery, incest, sodomy, or any other aberration;

Not to steal, lie, or cheat;

Not to be cruel to any living creature; and

That every society govern by just laws which are based in the recognition and acknowledgement of You, O God, as the Sovereign Ruler of all men and all nations.

We, the citizens of this blessed country of the United States of America, proudly proclaim this recognition and our commitment to justice in our Pledge of Allegiance, one nation under God, with liberty and justice for all.

The Lubavitcher Rebbe, Rabbi Menachem M. Schneersohn, of righteous memory, would continuously remind us that our country, the United States of America, is a nation of deep faith and great kindness. At the many Chabad-Lubavitch Centers in the state of Michigan, we always live the motto of our dear and beloved Rebbe, “One little light dispels much darkness.” Every good deed brings healing and unity to a world so fractured, making it a more godly and kinder place.

Let our beautiful state serve as a beacon of sunshine, a beacon of light, a force for good, and may Michigan join its sister states of this blessed union in tipping the scale of good and evil for the entire world at large for the good.

Almighty God, bless our troops that they ensure a stable and safe world, and especially for so many who call Michigan home, that they prevail and return home safely.

May it be Your will, Almighty God, that our distinguished Senators and all the leadership of our beautiful state find fulfillment, strength, and joy in their calling, as they lead and serve the people of Michigan. May they continue to go from strength to strength in their leadership of this great state.

Oseh Shalom Bimromav Hu Yaaseh Shalom Aleinu V'al Kal Yisreal V'Imru Amen. He who makes peace in His heavens, may He make peace for us and for all mankind. And let us all say, Amen.

The President pro tempore, Senator Richardville, led the members of the Senate in recital of the *Pledge of Allegiance*.

Motions and Communications

Senators Hardiman, Bishop, Pappageorge, Birkholz and Clark-Coleman entered the Senate Chamber.

The Secretary announced that the Majority Leader has made the appointment of the following standing committee: **Finance** - Senator McManus replacing Senator Brown.

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

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

May 31, 2007

Enclosed is a copy of the following audit report:

Financial audit, including the provisions of the Single Audit Act, of the Department of Civil Rights, 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.

The following communications were received:
Department of State

Administrative Rules
Notices of Filing

May 24, 2007

In accordance with the provisions of Section 46(1) of Act 306, Public Acts of 1969, as amended, and Executive Order 1995-6, this is to advise you that the Michigan Department of Labor & Economic Growth, State Office of Administrative Hearings and Rules filed at 3:35 p.m. this date, administrative rule (07-05-04) for the Department of Labor and Economic Growth, Director's Office, entitled "*Part 526. Dipping and Coating Operations.*" These rules become effective immediately upon filing with the Secretary of State unless adopted under sections 33, 44, or 45a(6) of 1969 PA 306. Rules adopted under these sections become effective 7 days after filing with the Secretary of State.

May 24, 2007

In accordance with the provisions of Section 46(1) of Act 306, Public Acts of 1969, as amended, and Executive Order 1995-6, this is to advise you that the Michigan Department of Labor & Economic Growth, State Office of Administrative Hearings and Rules filed at 3:37 p.m. this date, administrative rule (07-05-05) for the Department of Labor and Economic Growth, Director's Office, entitled "*Part 76. Spray Finishing Using Flammable and Combustible Materials.*" These rules become effective immediately upon filing with the Secretary of State unless adopted under sections 33, 44, or 45a(6) of 1969 PA 306. Rules adopted under these sections become effective 7 days after filing with the Secretary of State.

May 24, 2007

In accordance with the provisions of Section 46(1) of Act 306, Public Acts of 1969, as amended, and Executive Order 1995-6, this is to advise you that the Michigan Department of Labor & Economic Growth, State Office of Administrative Hearings and Rules filed at 3:39 p.m. this date, administrative rule (07-05-06) for the Department of Military and Veterans Affairs, Board of Managers, entitled "*State Homes for Veterans.*" These rules become effective immediately upon filing with the Secretary of State unless adopted under sections 33, 44, or 45a(6) of 1969 PA 306. Rules adopted under these sections become effective 7 days after filing with the Secretary of State.

Sincerely,
Terri Lynn Land
Secretary of State
Robin Houston, Office Supervisor
Office of the Great Seal

The communications were referred to the Secretary for record.

The following communication was received:
Public Service Commission

May 31, 2007

The enclosed proposed dispute resolution process is being submitted on behalf of the Michigan Public Service Commission in accordance with Section 10(3) of the Uniform Video Services Local Franchise Agreement Act of 2006. The report will be made available on the Commission's website at www.michigan.gov/mpsc.

The purpose of this report is to provide a proposed process for the Michigan Public Service Commission when reviewing and resolving video franchising disputes that were not already resolved between the provider and the customer, as well as unresolved disputes between providers, and also providers and franchise entities.

With respect to customer complaints against video providers, the Commission notes that the substantive protections conferred by existing law are set forth in Section 10(1) of the Video Act, MCL 484.3310(1). The following are prohibited:

- (a) false, misleading, or deceptive representations or material omissions regarding the rates, terms, or conditions of service;
- (b) cramming;
- (c) imposing charges for canceled services;
- (d) confusing or misleading practices that cause misunderstandings of legal rights, obligations, or remedies;
- (e) representing or implying the performance of services promptly or within a specified time, with knowledge or reason to know that the deadline will not be met;
- (f) sales presentations that cause coercion or duress.

Because Section 10(1) is explicit, yet limited in scope, it is doubtful whether the Commission would be able to provide substantive redress for any complaint that does not specifically allege prohibited forms of conduct. For example, the ability to provide meaningful or satisfactory solutions for common billing matters, service quality or outages, or delay in repairs, would be in doubt, and customers may become frustrated if they perceive that there is no legal remedy for legitimate grievances.

Very truly yours,
 J. Peter Lark, Chairman
 Laura Chappelle, Commissioner
 Monica Martinez, Commissioner

The communication was referred to the Secretary for record.

The Secretary announced that the following official bills were printed on Friday, June 1, and are available at the legislative website:

Senate Bill Nos. 558 559 560 561 562 563 564

Messages from the Governor

The following message from the Governor was received:

Date: May 29, 2007
 Time: 4:05 p.m.

To the President of the Senate:

Sir—I have this day approved and signed
Enrolled Senate Bill No. 400 (Public Act No. 12), being

An act 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 2 (MCL 207.552), as amended by 2005 PA 267.

(Filed with the Secretary of State on May 29, 2007, at 4:40 p.m.)

Respectfully,
 Jennifer M. Granholm
 Governor

The following messages from the Governor were received and read:

May 31, 2007

I respectfully submit to the Senate, pursuant to Section 6 of Article 5 of the Michigan Constitution of 1963, the following appointment and reappointment to state office under Sections 302 and 721 of the Occupational Code, 1980 PA 299, MCL 339.302 and 339.721:

State Board of Accountancy

Mr. Neil F. De Boer of 4610 Forest Lane, Holland, Michigan 49423, county of Allegan, succeeding Robert S. Sher, whose term has expired, representing certified public accountants, for a term commencing July 1, 2007 and expiring June 30, 2011.

Ms. Sally Fedus of 39520 Ann Arbor Trail, Plymouth, Michigan 48170, county of Wayne, reappointed to represent the general public, for a term commencing July 1, 2007 and expiring June 30, 2011.

May 31, 2007

I respectfully submit to the Senate, pursuant to Section 6 of Article 5 of the Michigan Constitution of 1963, the following appointments and reappointment to office under Section 1 of 1913 PA 271, MCL 399.1:

Michigan Historical Commission

Mr. John M. Dempsey of 9400 Northampton, Plymouth, Michigan 48170, county of Wayne, succeeding Douglas B. Roberts, whose term has expired, representing the general public, for a term commencing May 31, 2007 and expiring May 21, 2010.

Mr. James A. McConnell of 17761 Bell Creek Lane, Livonia, Michigan 48152, county of Wayne, succeeding Steven K. Hamp, whose term has expired, representing the general public, for a term commencing May 31, 2007 and expiring May 21, 2011.

Ms. Judith L. Tappero of 1220 Rugby Circle, Bloomfield Hills, Michigan 48302, county of Oakland, succeeding Keith Molin, whose term has expired, representing the general public, for a term commencing May 31, 2007 and expiring May 21, 2009.

Mr. Samuel Logan of 100 Riverfront Drive, #710, Detroit, Michigan 48226, county of Wayne, reappointed to represent the general public, for a term expiring May 21, 2008.

May 31, 2007

I respectfully submit to the Senate, pursuant to Section 6 of Article 5 of the Michigan Constitution of 1963, the following reappointments to state office under Sections 16121 and 17021 of the Public Health Code, 1978 PA 368, MCL 333.16121 and 333.17021:

Michigan Board of Medicine

Mr. William H. Fenn of 2300 Ramblewood Drive, Kalamazoo, Michigan 49009, county of Kalamazoo, reappointed to represent the physician assistants, for a term expiring December 31, 2010.

Mr. Michael K. Helmer of 1327 Carillon Court South, Bloomfield Hills, Michigan 48302, county of Oakland, reappointed to represent the general public, for a term expiring December 31, 2009.

June 4, 2007

I respectfully submit to the Senate, pursuant to Section 6 of Article 5 of the Michigan Constitution of 1963, the following appointment and reappointments to state office under Sections 16121 and 18103 of the Public Health Code, 1978 PA 368, MCL 333.16121 and 333.18103:

Michigan Board of Counseling

Ms. Marion D. Turowski of 5314 Shrewsbury Drive, Troy, Michigan 48085, county of Oakland, succeeding the late Jack L. Cloud, representing individuals engaged primarily in the administration of counseling services, for a term commencing June 4, 2007 and expiring June 30, 2009.

Mr. Stuart G. Itzkowitz, Ph.D., of 665 Bedford Lane, Grosse Pointe Park, Michigan 48230, county of Wayne, reappointed to represent individuals engaged primarily in providing counseling techniques, behavior modification techniques, or preventative techniques to clients, for a term commencing July 1, 2007 and expiring June 30, 2011.

Ms. Delila L. Owens, Ph.D., of 4913 Woodland #211, Royal Oak, Michigan 48073, county of Oakland, reappointed to represent individuals engaged primarily in teaching, training, or research in counseling, for a term commencing July 1, 2007 and expiring June 30, 2011.

Sincerely,
Jennifer M. Granholm
Governor

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

The following message from the Governor was received and read:

June 4, 2007

I respectfully submit to the Senate, due to an error on the April 27, 2007 letter sent to your office pursuant to Section 2 of 1975 PA 164, MCL 18.302, please be advised of the following correction appearing in **bold** print:

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, 2007**.

Sincerely,
Jennifer M. Granholm
Governor

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

Messages from the House

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

Senate Bill No. 94

The motion prevailed.

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.

(For text of amendment, see Senate Journal No. 54, p. 805.)

The question being on concurring in the amendment made to the bill by the House,

The amendment was concurred in, a majority of the members serving voting therefor, as follows:

Roll Call No. 156

Yeas—38

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

Nays—0

Excused—0

Not Voting—0

In The Chair: Richardville

The question being on concurring in the committee recommendation to give the bill immediate effect,

The recommendation was concurred in, 2/3 of the members serving voting therefor.

The Senate agreed to the title as amended.

The bill was referred to the Secretary for enrollment printing and presentation to the Governor.

Third Reading of Bills

The following bill was read a third time:

House Bill No. 4207, entitled

A bill to amend 1978 PA 368, entitled "Public health code," (MCL 333.1101 to 333.25211) by adding section 17213.

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. 157**Yeas—38**

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

Nays—0**Excused—0****Not Voting—0**

In The Chair: Richardville

The question being on concurring in the committee recommendation to give the bill immediate effect,

The recommendation was concurred in, 2/3 of the members serving voting therefor.

Pursuant to Joint Rule 20, the full title of the act shall be inserted to read as follows:

“An act to protect and promote the public health; to codify, revise, consolidate, classify, and add to the laws relating to public health; to provide for the prevention and control of diseases and disabilities; to provide for the classification, administration, regulation, financing, and maintenance of personal, environmental, and other health services and activities; to create or continue, and prescribe the powers and duties of, departments, boards, commissions, councils, committees, task forces, and other agencies; to prescribe the powers and duties of governmental entities and officials; to regulate occupations, facilities, and agencies affecting the public health; to regulate health maintenance organizations and certain third party administrators and insurers; to provide for the imposition of a regulatory fee; to provide for the levy of taxes against certain health facilities or agencies; to promote the efficient and economical delivery of health care services, to provide for the appropriate utilization of health care facilities and services, and to provide for the closure of hospitals or consolidation of hospitals or services; to provide for the collection and use of data and information; to provide for the transfer of property; to provide certain immunity from liability; to regulate and prohibit the sale and offering for sale of drug paraphernalia under certain circumstances; to provide for the implementation of federal law; to provide for penalties and remedies; to provide for sanctions for violations of this act and local ordinances; to provide for an appropriation and supplements; to repeal certain acts and parts of acts; to repeal certain parts of this act; and to repeal certain parts of this act on specific dates.”.

The Senate agreed to the full title.

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 pro tempore, Senator Richardville, designated Senator Stamas as Chairperson.

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

Senate Bill No. 117, entitled

A bill to amend 1949 PA 300, entitled “Michigan vehicle code,” by amending section 627 (MCL 257.627), as amended by 2006 PA 85.

Substitute (S-4).

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

1. Amend page 4, line 27, after “UNLESS” by striking out the balance of the line through “AND” on line 2 of page 5.

The Senate agreed to the substitute, as amended, 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. 351, entitled

A bill to amend 1972 PA 106, entitled “Highway advertising act of 1972,” by amending section 4 (MCL 252.304), as amended by 2006 PA 448.

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. 492, entitled

A bill to amend 1949 PA 300, entitled “Michigan vehicle code,” by amending section 724 (MCL 257.724), as amended by 2005 PA 179.

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.

Resolutions

Senate Resolution No. 66.

A resolution to urge Michigan’s congressional delegation to secure supplemental funding to control the spread of viral hemorrhagic septicemia in fish populations.

The question being on the adoption of the resolution,

The resolution was adopted.

Senate Concurrent Resolution No. 10.

A concurrent resolution to memorialize the Congress of the United States to provide funding for the Saginaw Bay Coastal Initiative.

The question being on the adoption of the concurrent resolution,

The concurrent resolution was adopted.

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

The motion prevailed.

Senator Barcia’s statement is as follows:

I rise today to speak in favor of Senate Concurrent Resolution No. 10, and I want to thank the chair, Senator Birkholz, and the distinguished members of the natural resources committee for their expeditious consideration of this resolution and thank them for their work in committee.

Senate Concurrent Resolution No. 10 would memorialize Congress and the President to approve some \$520,000 in federal funding for the Saginaw Bay Coastal Initiative. The Saginaw Bay Coastal Initiative was launched in August of 2006 with the aim of developing and implementing a comprehensive approach to promoting environmentally-sound economic development and resource restoration in the Saginaw Bay coastal area.

Unfortunately, the Saginaw Bay has been identified as one of the worst environmental problem areas in the Great Lakes. The results of this environmental degradation have been a diminished quality of life for area residents and businesses and a threat to a vital freshwater resource for some 500,000 people. Federal funding would support the innovative work that is already being performed by local and state leaders, agencies, and concerned citizens.

The Saginaw Bay Coastal Initiative is a critical effort, and the work that is currently being done is impressive and important. Congressman Dale Kildee has requested the funding that we need in Congress, and I am hopeful that my colleagues in the Legislature will join in sending a message to Washington that a modest investment in the Saginaw Bay Coastal Initiative will help ensure that Saginaw Bay is a healthy and vibrant place to live, work, and play.

Senator Kahn's statement is as follows:

I wanted to echo and expand a bit on the comments by my good friend Senator Barcia and to congratulate him on initiating this resolution.

Saginaw Bay is one of the most polluted areas in the Great Lakes. Five hundred thousand people use its water and its shoreline. This concurrent resolution goes to the issues that those 500,000 people have close to their hearts in improving our water supply, our place to fish, and our place to vacation. I think that Senator Barcia is really to be congratulated for initiating this.

Additionally, it should be noted that the Saginaw Bay Coastal Initiative has, in its first year, already begun work on the Saginaw Bay Algae Science Committee. The Saginaw Bay Tourism Workgroup is protecting high-quality wetlands through the wetlands group and is working beyond Saginaw County itself in the Kawkawlin River watershed. Saginaw County is working on Saginaw River quarter enhancement, Cass River restoration, and further north of us in Arenac County, for brownfield redevelopment.

I strongly support this resolution.

Senate Concurrent Resolution No. 12.

A concurrent resolution to urge Michigan's congressional delegation to secure supplemental funding to control the spread of viral hemorrhagic septicemia in fish populations.

The question being on the adoption of the concurrent resolution,

The concurrent resolution was adopted.

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

The motion prevailed.

Senator Birkholz's statement is as follows:

Ladies and gentleman of the Senate, we have an emergency in this state. It's an emergency that threatens a \$4.5 billion industry in a time when Michigan has a lot of concerns and a lot of challenges facing us fiscally. This is critically important.

The introduction of VHS into our Great Lakes waters, both surrounding Michigan and elsewhere in the Basin, is extremely devastating as we move forward. This VHS disease could literally decimate our fishing industry, both commercial and recreational, which is a \$4.5 billion, that's "B" with a billion-dollar-a-year industry in this state.

Because of our financial situation in the state, we do not have an emergency response team, so we are asking the federal government for help. We are asking them for immediate help for not only financial help, but also help dealing with the issue going forward.

Ladies and gentleman, this introduction according to every scientist whom I have talked to or had testify in my committee or before the Great Lakes Commission, says it was brought in by ballast water. This only emphasizes the need for us to stand behind the law that you all helped me pass three years ago in this body to make sure that ballast water is treated chemically so that we don't have any more VHS's introduced into this basin.

So I urge your adoption of the Senate concurrent resolution, as you did with Senate Resolution No. 66 brought to us by the legislator from Traverse City. Your support of this issue going forward, as you go out and talk to people in the communities across this state and across this basin, we now have to ask all of our fishermen and women to treat their ballast, to wash down their boats, to make sure that they do not move bait nor fish from lake to lake, and to also treat and chemically prepare any fishing gear that they move around.

So I would ask that you support this resolution. Talk to our congressmen and women about it. Help get the public informed. That's critical because we can do something ourselves to stop it, but we also need the help of the federal government.

Senator Basham's statement is as follows:

I absolutely agree with the comments of the chair of conservation relative to dealing with, again, this virus caused by untreated ballast water. It's a sad day that we are being reactive again in the Great Lakes as a result of the Coast Guard not doing their job to make sure that ballast waters were treated before they enter the Great Lakes. I fully support the chairman of the committee's resolution. These are not partisan issues. These are actually issues dealing with the Great Lakes Basin. We need to make sure that our congressional folks are fully aware of what these invasive species are doing to the Great Lakes and encourage them to lean on the U.S. Coast Guard to get them to do their job to make sure that they accelerate the treatment of ballast water discharges into the Great Lakes.

By unanimous consent the Senate proceeded to the order of
Introduction and Referral of Bills

Senator Gilbert introduced
Senate Bill No. 565, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending sections 110 and 111 (MCL 750.110 and 750.111), section 110 as amended by 1994 PA 270.

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

Senators Allen, Jelinek, Basham, Anderson, Gleason, Kuipers, Barcia, Birkholz and Van Woerkom introduced
Senate Bill No. 566, entitled

A bill to amend 1895 PA 1, entitled "An act to provide for the incorporation of Masonic Associations; and to impose certain duties upon the department of commerce," (MCL 457.221 to 457.227) by adding section 4a.

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

Senators Basham, Gleason, Anderson, Jelinek, Kuipers, Barcia, Birkholz, Van Woerkom and Allen introduced
Senate Bill No. 567, entitled

A bill to amend 1895 PA 1, entitled "An act to provide for the incorporation of Masonic Associations; and to impose certain duties upon the department of commerce," (MCL 457.221 to 457.227) by adding section 4b.

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

Statements

Senators Scott and Patterson 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:

In 1989, boxing champ Sugar Ray Leonard was asked what his secret was for his consistently winning ways. He replied, "You have to know you can win. You have to think you can win. You have to feel you can win." Well, Sugar Ray and I have something in common because at the end of the day, no matter how discouraged I am or how dejected I feel or how disappointed I become at your lack of action on my insurance bills, I wake up the next morning with Sugar Ray's words ringing in my ears. I know I can win. I think I can win. I feel I can win. And even though it's taking longer than I ever imagined, I am confident that you are going to do the right thing and make insurance fair, available, and affordable for all Michigan citizens.

Senator Patterson's statement is as follows:

Mr. President, through you to my Senate colleagues, I don't want anybody to miss today's *Detroit Free Press*, Tuesday, June 5th: "Violent crime creeps up." It makes specific reference to Flint and Detroit and points out that property crime increased in Detroit with more larcenies and auto thefts, which cause auto insurance to rise.

And then there is another interesting editorial: "Take hands off state auto theft fund." By executive order, Governor Granholm has stopped the payment of \$4 million to the Automobile Theft Prevention Authority. This is the *Detroit Free Press* talking, saying that this is dishonest and it will cause rates to rise.

Committee Reports

The Committee on Health Policy reported

Senate Bill No. 486, entitled

A bill to amend 1971 PA 22, entitled "An act prescribing the age at which persons may donate their blood," by amending section 1 (MCL 722.41), as amended by 1981 PA 228.

With the recommendation that the bill pass.

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

Thomas M. George
 Chairperson

To Report Out:

Yeas: Senators George, Patterson, Sanborn, Allen, Clarke, Gleason and Jacobs

Nays: None

The bill was referred to the Committee of the Whole.

COMMITTEE ATTENDANCE REPORT

The Committee on Health Policy submitted the following:

Meeting held on Wednesday, May 30, 2007, at 3:04 p.m., Senate Hearing Room, Ground Floor, Boji Tower

Present: Senators George (C), Patterson, Sanborn, Allen, Clarke, Gleason and Jacobs

COMMITTEE ATTENDANCE REPORT

The Committee on Agriculture submitted the following:

Meeting held on Thursday, May 31, 2007, at 9:00 a.m., Room 110, Farnum Building

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

COMMITTEE ATTENDANCE REPORT

The Committee on Finance submitted the following:

Meeting held on Thursday, May 31, 2007, at 11:25 a.m., Room 110, Farnum Building

Present: Senators Cassis (C), Gilbert, Brown, Jansen and Jacobs

Excused: Senators Prusi and Whitmer

COMMITTEE ATTENDANCE REPORT

The Subcommittee on Department of Environmental Quality submitted the following:

Meeting held on Thursday, May 31, 2007, at 1:00 p.m., Room 405, Capitol Building

Present: Senators Garcia (C) and Brater

Excused: Senator Cropsey

Scheduled Meetings

Appropriations - Wednesday, June 6, 2:00 p.m., Senate Appropriations Room, 3rd Floor, Capitol Building (373-6960)

Subcommittees -

Capital Outlay - Thursday, June 7, 9:00 a.m., House Appropriations Room, 3rd Floor, Capitol Building (373-8080)

Judiciary and Corrections - Wednesday, June 6, 3:00 p.m., Rooms 402 and 403, Capitol Building (373-2768)
(CANCELED)

Banking and Financial Institutions - Wednesday, June 6, 9:00 a.m., Room 210, Farnum Building (373-3543)

Economic Development and Regulatory Reform - Wednesday, June 6, 1:00 p.m., Rooms 402 and 403, Capitol Building (373-7670)

Energy Policy and Public Utilities - Thursday, June 7, 1:00 p.m., Room 210, Farnum Building (373-7350)

Legislative Retirement Board of Trustees - Wednesday, June 6, 3:00 p.m., Room H-252, Capitol Building (373-0575)

Senator Cropsey moved that the Senate adjourn.

The motion prevailed, the time being 10:47 a.m.

The President pro tempore, Senator Richardville, declared the Senate adjourned until Wednesday, June 6, 2007, at 10:00 a.m.

CAROL MOREY VIVENTI
Secretary of the Senate