

No. 27
STATE OF MICHIGAN
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REGULAR SESSION OF 2012

Senate Chamber, Lansing, Thursday, March 15, 2012.

10:00 a.m.

The Senate was called to order by the President pro tempore, Senator Tonya Schuitmaker.

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

Anderson—present
Bieda—present
Booher—present
Brandenburg—present
Casperson—present
Caswell—present
Colbeck—present
Emmons—present
Gleason—present
Green—present
Gregory—present
Hansen—present
Hildenbrand—present

Hood—present
Hopgood—present
Hune—present
Hunter—present
Jansen—present
Johnson—present
Jones—present
Kahn—present
Kowall—present
Marleau—present
Meekhof—present
Moolenaar—present
Nofs—present

Pappageorge—present
Pavlov—present
Proos—present
Richardville—present
Robertson—present
Rocca—present
Schuitmaker—present
Smith—present
Walker—present
Warren—present
Whitmer—present
Young—present

Father Mark Bauer of Holy Family Catholic Church of Caledonia offered the following invocation:

Almighty and everliving God, You are the God under whom we are one nation. You have bestowed Your many blessings on us, beginning with the gift of life, which is a sharing in Your life. Often we desire for what we want, and we fail to make the time to thank You for all the gifts that You have entrusted to us. So as we begin this morning, with our heads bowed in reverence, we give You thanks for the many blessings You have bestowed upon us. In a special way, we thank You for that gift of life. It is this gift which enables us to receive all Your blessings. Help us to always and everywhere treasure this gift which comes from Your hand.

Let the light of Your divine wisdom direct the deliberations of this Senate assembled here today. May the members of this Senate be of pure hearts so that Your wisdom may shine forth in all their proceedings. May they seek to preserve peace, happiness, and prosperity throughout our country, and may they continue to treasure and promote Your blessings of liberty and equality.

We commend to Your care the members of our Armed Forces. Watch over them and keep them safe. We likewise commend to Your unbounded mercy all citizens of this state that they may be blessed in the knowledge and sanctified in the observance of Your holy law. May we be preserved in union with each other and in that peace which the world cannot give. And, after enjoying the blessings of this life, may we be admitted to those blessings which are eternal.

We pray to You who is Lord and God forever and ever. Amen.

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

Motions and Communications

Senators Jansen, Kahn and Richardville entered the Senate Chamber.

Senator Bieda moved that Senators Gleason, Hood, Hunter and Young be temporarily excused from today's session. The motion prevailed.

Senator Meekhof moved that Senators Booher, Emmons, Hansen and Nofs be temporarily excused from today's session. The motion prevailed.

Senators Booher, Hansen, Hune, Young, Gleason, Nofs and Emmons entered the Senate Chamber.

The Secretary announced that the following House bills were received in the Senate and filed on Wednesday, March 14:
House Bill Nos. 5058 5059 5158

The Secretary announced that the following official bills were printed on Wednesday, March 14, and are available at the legislative website:

Senate Bill Nos. 1018 1019

House Bill Nos. 5466 5467 5468 5469 5470 5471 5472

Messages from the Governor

The following messages from the Governor were received and read:

March 14, 2012

I respectfully submit to the Senate the following appointments to office:

Construction Code Commission

Clifton J. Lewis of 5600 Clear Lake Road, North Branch, Michigan 48461, county of Lapeer, representing the general public, succeeding himself, is reappointed for a term expiring January 31, 2016.

Sean P. O'Neil of 26181 Great Plains Drive, South Lyon, Michigan 48178, county of Oakland, representing the general public, succeeding himself, is reappointed for a term expiring January 31, 2016.

Nelson C. McMath of 1685 Miller Avenue, Ann Arbor, Michigan 48103, county of Washtenaw, representing organized labor, succeeding himself, is reappointed for a term expiring January 31, 2016.

Michael T. Boss of 3139 Char-Ann Drive, Howell, Michigan 48843, county of Livingston, representing professional engineers, succeeding Edwin Tatem, is appointed for a term expiring January 31, 2016.

March 14, 2012

I respectfully submit to the Senate the following appointment to office:

Health Information Technology Commission

Orest J. Sowirka of 11120 Lorman Drive, Sterling Heights, Michigan 48312, county of Macomb, representing doctors of osteopathic medicine, succeeding Robert T. Scott, is appointed for a term expiring August 3, 2015.

Sincerely,
Rick Snyder
Governor

The appointments were referred to the Committee on Government Operations.

By unanimous consent the Senate proceeded to the order of

General Orders

Senator Meekhof 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 Schuitmaker, designated Senator Jansen as Chairperson.

After some time spent therein, the Committee arose; and the President pro tempore, Senator Schuitmaker, having resumed the Chair, the Committee reported back to the Senate, favorably and without amendment, the following bill:

Senate Bill No. 890, entitled

A bill to amend 1994 PA 295, entitled "Sex offenders registration act," by amending section 8 (MCL 28.728), as amended by 2011 PA 18.

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. 934, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending sections 520b, 520c, 520d, and 520e (MCL 750.520b, 750.520c, 750.520d, and 750.520e), as amended by 2007 PA 163.

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.

During the Committee of the Whole, Senator Hunter entered the Senate Chamber.

By unanimous consent the Senate returned to the order of

Third Reading of Bills

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

House Bill No. 4691

House Bill No. 4618

Senate Bill No. 887

Senate Bill No. 888

Senate Bill No. 756

Senate Bill No. 1005

The motion prevailed.

The following bill was read a third time:

House Bill No. 4691, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending section 1307a (MCL 600.1307a), as amended by 2004 PA 12.

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. 136

Yeas—36

Anderson
Bieda

Green
Gregory

Jones
Kahn

Proos
Richardville

Booher
 Brandenburg
 Casperson
 Caswell
 Colbeck
 Emmons
 Gleason

Hansen
 Hildenbrand
 Hopgood
 Hune
 Hunter
 Jansen
 Johnson

Kowall
 Marleau
 Meekhof
 Moolenaar
 Nofs
 Pappageorge
 Pavlov

Robertson
 Rocca
 Schuitmaker
 Smith
 Walker
 Warren
 Whitmer

Nays—0

Excused—1

Hood

Not Voting—1

Young

In The Chair: Schuitmaker

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 revise and consolidate the statutes relating to the organization and jurisdiction of the courts of this state; the powers and duties of the courts, and of the judges and other officers of the courts; the forms and attributes of civil claims and actions; the time within which civil actions and proceedings may be brought in the courts; pleading, evidence, practice, and procedure in civil and criminal actions and proceedings in the courts; to provide for the powers and duties of certain state governmental officers and entities; to provide remedies and penalties for the violation of certain provisions of this act; to repeal all acts and parts of acts inconsistent with or contravening any of the provisions of this act; and to repeal acts and parts of acts.”.

The Senate agreed to the full title.

Senator Hood entered the Senate Chamber.

The following bill was read a third time:

House Bill No. 4618, entitled

A bill to amend 1893 PA 206, entitled “The general property tax act,” by amending section 7d (MCL 211.7d), as amended by 2010 PA 8.

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. 137

Yeas—37

Anderson
 Bieda
 Booher
 Brandenburg
 Casperson
 Caswell
 Emmons
 Gleason
 Green
 Gregory

Hansen
 Hildenbrand
 Hood
 Hopgood
 Hune
 Hunter
 Jansen
 Johnson
 Jones

Kahn
 Kowall
 Marleau
 Meekhof
 Moolenaar
 Nofs
 Pappageorge
 Pavlov
 Proos

Richardville
 Robertson
 Rocca
 Schuitmaker
 Smith
 Walker
 Warren
 Whitmer
 Young

Nays—1

Colbeck

Excused—0**Not Voting—0**

In The Chair: Schuitmaker

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 provide for the assessment of rights and interests, including leasehold interests, in property and the levy and collection of taxes on property, and for the collection of taxes levied; making those taxes a lien on the property taxed, establishing and continuing the lien, providing for the sale or forfeiture and conveyance of property delinquent for taxes, and for the inspection and disposition of lands bid off to the state and not redeemed or purchased; to provide for the establishment of a delinquent tax revolving fund and the borrowing of money by counties and the issuance of notes; to define and limit the jurisdiction of the courts in proceedings in connection with property delinquent for taxes; to limit the time within which actions may be brought; to prescribe certain limitations with respect to rates of taxation; to prescribe certain powers and duties of certain officers, departments, agencies, and political subdivisions of this state; to provide for certain reimbursements of certain expenses incurred by units of local government; to provide penalties for the violation of this act; and to repeal acts and parts of acts.”.

The Senate agreed to the full title.

The following bill was read a third time:

Senate Bill No. 887, entitled

A bill to amend 1939 PA 141, entitled “Grain dealers act,” by amending section 8 (MCL 285.68), as amended by 2010 PA 264; 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. 138**Yeas—24**

Booher	Green	Kahn	Pappageorge
Casperson	Hansen	Kowall	Pavlov
Caswell	Hildenbrand	Marleau	Proos
Colbeck	Hopgood	Meekhof	Richardville
Emmons	Jansen	Moolenaar	Schuitmaker
Gleason	Jones	Nofs	Walker

Nays—14

Anderson	Hood	Robertson	Warren
Bieda	Hune	Rocca	Whitmer
Brandenburg	Hunter	Smith	Young
Gregory	Johnson		

Excused—0

Not Voting—0

In The Chair: Schuitmaker

The Senate agreed to the title of the bill.

The following bill was read a third time:

Senate Bill No. 888, entitled

A bill to amend 2003 PA 198, entitled “Farm produce insurance act,” by amending the title and sections 3, 7, 8, 9, 11, 13, 15, and 21 (MCL 285.313, 285.317, 285.318, 285.319, 285.321, 285.323, 285.325, and 285.331), the title and sections 3, 7, 9, 15, and 21 as amended by 2010 PA 300 and section 13 as amended by 2008 PA 140, and by adding section 10.

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. 139

Yeas—24

Booher	Green	Kahn	Pappageorge
Casperson	Hansen	Kowall	Pavlov
Caswell	Hildenbrand	Marleau	Proos
Colbeck	Hopgood	Meekhof	Richardville
Emmons	Jansen	Moolenaar	Schuitmaker
Gleason	Jones	Nofs	Walker

Nays—14

Anderson	Hood	Robertson	Warren
Bieda	Hune	Rocca	Whitmer
Brandenburg	Hunter	Smith	Young
Gregory	Johnson		

Excused—0

Not Voting—0

In The Chair: Schuitmaker

The Senate agreed to the title of the bill.

The following bill was read a third time:

Senate Bill No. 756, entitled

A bill to amend 1949 PA 300, entitled “Michigan vehicle code,” by amending sections 320a and 732 (MCL 257.320a and 257.732), as amended by 2011 PA 159, and by adding section 602c.

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. 140**Yeas—28**

Anderson	Green	Kahn	Proos
Bieda	Gregory	Kowall	Richardville
Booher	Hansen	Marleau	Robertson
Casperson	Hildenbrand	Moolenaar	Rocca
Colbeck	Hopgood	Nofs	Schuitmaker
Emmons	Jansen	Pappageorge	Walker
Gleason	Jones	Pavlov	Warren

Nays—10

Brandenburg	Hune	Meekhof	Whitmer
Caswell	Hunter	Smith	Young
Hood	Johnson		

Excused—0**Not Voting—0**

In The Chair: Schuitmaker

The Senate agreed to the title of the bill.

Protests

Senators Whitmer, Hood, Hunter, Johnson, Young and Smith, under their constitutional right of protest (Art. 4, Sec. 18), protested against the passage of Senate Bill No. 756.

Senator Whitmer's statement, in which Senators Hood, Hunter, Johnson, Young and Smith concurred, is as follows:

I look at legislation like this and it appears to make sense. It appears to be good public policy. When you delve into it a bit further, you can't help but ask the question: Why does this apply to one subset of people? Why is this a primary offense when text messaging is not? That has proven to be as great a threat to public safety as talking on a cell phone, if not a greater threat, regardless the age of the driver.

I would have felt more comfortable if we had applied this to all drivers for all actions with regard to a mobile device. That is the rationale for my "no" vote explanation. We have a duty to ensure people on the road are safe. People are in car accidents every single day. We should do whatever we can to protect the public from all drivers who are distracted by any means. That is the rationale for my "no" vote explanation.

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

The motion prevailed.

Senator Walker's statement is as follows:

I truly wish that this bill was unnecessary, Madam President, but because of a tragedy in my district, which I will tell you about soon, I believe similar tragedies across our state and country, it has become completely necessary.

Kelsey Raffaele, a vibrant teenager, was traveling on icy roads after school one winter day in 2010. Kelsey, who was 17, was a new driver, just having received her Level 2 graduated license. Kelsey went to pass a car and lost control of her vehicle. Kelsey lost her life as a result of the accident. Upon investigation, it was determined that Kelsey was talking on a cell phone when the accident occurred.

Since that day, Kelsey's mother Bonnie has made it her mission to educate kids about the dangers of talking on a cell phone while driving. Bonnie approached me during my campaign and asked me to introduce this bill, which I was happy to do. Bonnie, her husband, and Kelsey's cousin are here with us in the Gallery to watch us pass the bill, which, when it becomes law, will be known as "Kelsey's Law." Bonnie, if you could stand up so we can recognize you and applaud your efforts and also extend our heartfelt sympathies for your loss.

While we will never know if Kelsey would still be here today if she wasn't talking on her phone that day, I think it is safe to say that probationary drivers should be completely focused on the road and not on cell phone conversations. That is what my bill will help to accomplish.

Senate Bill No. 756 will prohibit individuals on Levels 1 and 2 graduated licenses from talking on a cell phone while driving. An individual violating this provision would not be issued any points but could be guilty of a civil infraction. In addition to the civil infraction, an individual would have their probationary period extended by at least another six months, meaning they would stay on a restricted license for a longer period of time.

While my bill won't end all tragedies like Kelsey's, the penalties prescribed should give young drivers pause before picking up the cell phone. It should also help to give parents a level of comfort knowing their child is focused on the road instead of their conversation with a friend.

I appreciate your time and ask for your "yes" vote.

Senator Robertson's statement is as follows:

I would like to take the opportunity to take a moment and thank one of my employees who is leaving the Senate and taking other employment. Anthony Markwort has worked for me since I joined the Senate in January of last year. He has been my scheduler, my constituent relations caseworker, and a great employee in all respects. He has basically done everything that I could throw at him. He is a proud Chippewa. Prior to working for me, Anthony worked for the Michigan Republican Party, both in 2008 and 2010.

He will be leaving my office at the end of this week to go work for the Senator from the 26th District in Virginia, Mark Obenshain, who is running for Attorney General in Virginia. Anthony will be running his campaign statewide.

I wish him good success. I am sure he will have it and be tearing up the turf in Virginia. I am very happy to have had him as my employee. He has done a fantastic job for me, and I would like my colleagues to join me in wishing him well in his new efforts.

The following bill was read a third time:

Senate Bill No. 1005, entitled

A bill to amend 1939 PA 288, entitled "Probate code of 1939," by amending sections 17d and 19b of chapter XHA (MCL 712A.17d and 712A.19b), section 17d as amended by 2004 PA 475 and section 19b as amended by 2010 PA 7.

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. 141

Yeas—38

Anderson	Gregory	Kahn	Richardville
Bieda	Hansen	Kowall	Robertson
Booher	Hildenbrand	Marleau	Rocca
Brandenburg	Hood	Meekhof	Schuitmaker
Casperson	Hopgood	Moolenaar	Smith
Caswell	Hune	Nofs	Walker
Colbeck	Hunter	Pappageorge	Warren
Emmons	Jansen	Pavlov	Whitmer
Gleason	Johnson	Proos	Young
Green	Jones		

Nays—0

Excused—0

Not Voting—0

In The Chair: Schuitmaker

The Senate agreed to the title of the bill.

By unanimous consent the Senate proceeded to the order of
Resolutions

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

Senate Resolution No. 34

Senate Resolution No. 67

Senate Resolution No. 85

Senate Resolution No. 105

House Concurrent Resolution No. 29

Senate Resolution No. 112

Senate Resolution No. 115

Senate Concurrent Resolution No. 26

House Concurrent Resolution No. 6

Senate Concurrent Resolution No. 28

The motion prevailed.

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

Senate Resolution No. 129

Senate Resolution No. 130

The resolution consent calendar was adopted.

Senator Hune offered the following resolution:

Senate Resolution No. 129.

A resolution declaring March 26-30, 2012, as Graduate Education Week in the state of Michigan.

Whereas, Graduate education attracts students from across the nation and the world to Michigan universities for advanced training; and

Whereas In graduate certificate, master's, specialist, and doctoral programs across the state, graduate educators are providing access to cutting-edge knowledge and analytic skills essential to ensuring that Michigan workers are among the most productive, creative, and innovative in the world; and

Whereas, While serving as teaching and research assistants, graduate students make vital contributions to the teaching and research that underpins our new knowledge-based economy and supports community engagement; and

Whereas, Michigan graduate students continue to change the way we fuel Michigan's economy by stimulating entrepreneurship; improving quality of life; and researching areas of renewable energy sources, water quality, new technologies, agricultural productivity, transportation enhancements, sustainability, management of natural resources, disease prevention, medical innovations, health care delivery mechanisms, and unique health care issues for children and the elderly; and

Whereas, Michigan teachers/faculty with advanced degrees are creating learning environments that assist Michigan's children, young adults, and lifetime learners to become more productive and informed citizens who are able to meet Michigan's workforce needs; now, therefore, be it

Resolved by the Senate, That the members of this legislative body proclaim March 26-30, 2012, as Graduate Education Week in the state of Michigan.

Senators Anderson, Bieda, Booher, Brandenburg, Colbeck, Gleason, Hansen, Hopgood, Marleau, Pappageorge and Richardville were named co-sponsors of the resolution.

Senator Bieda offered the following resolution:

Senate Resolution No. 130.

A resolution commemorating Dystonia Awareness and to commend Warren resident Mike Delise and the Dystonia Medical Research Foundation (DMRF).

Whereas, Dystonia, a neurological movement disorder, affects an estimated 300,000 people in the United States. Because of a lack of widespread awareness, dystonia symptoms are often misunderstood by the public; and

Whereas, Dystonia has not had great exposure to the general public in the past. Warren resident Mike Delise has made it his mission to bring a greater visibility to this disorder. His passion for promoting dystonia awareness stems from his friendship with Jason Dunn, who also resides in Warren and has lived with dystonia since early childhood. The leading dystonia group, the Dystonia Medical Research Foundation (DMRF), has thousands of members in the state of Michigan that also extend their support across the state and nation; and

Whereas, Symptoms of dystonia are frequently confusing to the public and often misdiagnosed by medical doctors as cerebral palsy, muscular dystrophy, or psychiatric disorders. This ultimately delays the proper treatment and can result in an acceleration of symptoms. Dystonia causes muscles in the body to spasm or contract involuntarily, resulting in patterned movements as well as abnormal postures. Presently, there is no cure or single therapy that benefits even a majority of patients. Scientists around the world are actively pursuing research toward new therapies and a cure; now, therefore, be it

Resolved by the Senate, That we hereby commemorate Dystonia Awareness and commend Warren resident Mike Delise and the Dystonia Medical Research Foundation (DMRF) for their support and efforts to promote this debilitating disorder; and be it further

Resolved, That copies of this resolution be transmitted to Mike Delise, Jason Dunn, and the Dystonia Medical Research Foundation.

Senators Anderson, Brandenburg, Gleason, Hansen, Hopgood and Pappageorge were named co-sponsors of the resolution.

Introduction and Referral of Bills

Senators Casperson and Booher introduced

Senate Bill No. 1020, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 81115, 81129, and 81131 (MCL 324.81115, 324.81129, and 324.81131), sections 81115 and 81129 as amended by 2008 PA 240 and section 81131 as amended by 2011 PA 107.

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

Senator Casperson introduced

Senate Bill No. 1021, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 2150 and 2153 (MCL 324.2150 and 324.2153), section 2150 as amended by 1996 PA 585 and section 2153 as amended by 2004 PA 513.

The bill was read a first and second time by title and referred to the Committee on Natural Resources, Environment and Great Lakes.

Senator Booher introduced

Senate Bill No. 1022, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 2154 and 51106 (MCL 324.2154 and 324.51106), section 2154 as amended by 2011 PA 118 and section 51106 as amended by 2006 PA 382.

The bill was read a first and second time by title and referred to the Committee on Natural Resources, Environment and Great Lakes.

House Bill No. 5058, entitled

A bill to amend 1976 PA 388, entitled "Michigan campaign finance act," by amending sections 9 and 21a (MCL 169.209 and 169.221a), section 9 as amended by 1996 PA 590 and section 21a as added by 1994 PA 411.

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 Government and Elections.

House Bill No. 5059, entitled

A bill to amend 1976 PA 388, entitled "Michigan campaign finance act," by amending sections 3, 4, 6, 11, 33, and 34 (MCL 169.203, 169.204, 169.206, 169.211, 169.233, and 169.234), section 3 as amended by 1989 PA 95, sections 4, 6, and 11 as amended by 2012 PA 31, and sections 33 and 34 as amended by 1999 PA 238.

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 Government and Elections.

House Bill No. 5158, entitled

A bill to amend 1984 PA 431, entitled “The management and budget act,” (MCL 18.1101 to 18.1594) by adding section 470.

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 Reforms, Restructuring and Reinventing.

Statements

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

The motion prevailed.

Senator Whitmer’s statement is as follows:

Like any parent, I try to instill a lesson with my daughters that it’s okay to make mistakes, but when we do, we have to be strong enough to accept them, smart enough to learn from them, and wise enough not to repeat them. As legislators, we obviously aren’t immune from making mistakes ourselves, but it seems that there are those in this chamber and indeed throughout Lansing who are either unwilling or unable to follow the same lessons we learned from our parents long ago.

Take, for example, the news yesterday that Michigan is one of only two states being singled out for failing to invest even the bare minimum of funding in higher education considered acceptable by the federal government. We are one of two states, just Michigan and Alabama. That dubious distinction is symbolic of the mistakes that have allowed our state to fall so far behind the rest of the nation. It will result in over \$4 million in federal aid being cut; aid meant to provide low-income students in our state with financial aid and academic counseling; aid that they will no longer be getting because of the decisions made right here in this chamber.

This isn’t something that happened overnight, but it’s one we are told must be corrected and should have been corrected long ago. Instead, our Republican leadership chose to continue to make the same mistakes that led us down this misguided path in the past. Instead of focusing on improving our higher education system, you are passing unnecessary and unhelpful legislation that micromanages our universities and graduate research assistants. Ironically, there was Senate Resolution No. 129 honoring those same grad students whose rights you took away last week.

Instead of applauding and investing in world-class research being undertaken by our universities, you are threatening to further cut funding for not following politically-motivated reporting requirements. Instead of finding ways to make college more affordable and accessible for our students, you are making Michigan a national embarrassment when it comes to the commitment our state makes to our public universities. I think I speak for parents and students across Michigan when I say enough is enough. It is time for the politics to end and for us to put real plans on the table.

My caucus and I have put a plan before you that would correct many of those mistakes and immediately show the world Michigan’s commitment to higher education is second to none. The Michigan 2020 Plan would provide all Michigan high school graduates with the opportunity to have the cost of their college education paid for in its entirety. It is a plan that says Michigan believes in its future and values our young people by creating the most-educated and highly-skilled workforce in the nation. Best of all, it wouldn’t raise taxes one cent on Michigan’s families. Instead, we can pay for it entirely by eliminating the ineffective tax loopholes that Michigan gives out each and every year. If we cut just 5 percent of the \$35 billion in business tax credits we blindly handout every year, we could fully fund this program.

To the so-called conservative majority, although you talk a lot about fiscal responsibility, you act very much like tax-and-spend Republicans. Just ask our seniors or the working poor. How can you look at \$35 billion in loopholes and say you can’t find 5 percent savings, especially when it’s for economic development? Education is economic development. This plan actually provides you with an opportunity to reclaim your conservative principles by helping you find a mere 5 percent savings out of \$35 billion. Is it too tough a task to ask of you? Let’s find out.

By passing this plan, we can send a message together that we’re no longer going to let the mistakes of our past paralyze our progress and that Michigan is ready to be a leader once again. We have to stop saying we can’t do something; we have to say we can. We must do it.

Senator Kahn’s statement is as follows:

I rise to speak for a moment, through you, to the chamber and to the Senator from the 23rd District. Initially, I was going to speak a bit about the notion that the texting bills were a secondary offense because I thought she might want to correct her “no” vote explanation, as I believe they are a primary offense. I will look that up and make sure my memory is correct, and if am wrong, I will tell the chamber about it the beginning of next week.

In thinking about what I was going to say here and listening to the gentle lady speak about \$35 billion in tax loopholes being out there that could fund education, frankly, another thought came to mind. I believe that we repealed most of those loopholes, and they aren’t there. So the notion of how we would fund expanded opportunity for higher education, which is a worthy goal, runs up against the realities of the available dollars that we have to do such a program or the source of a new tax to do so.

That comment, of course, runs up against the statements I have been making here for a couple of months that we don't have the money. We don't have the money for some of the things that we already have in the budget, for some of the things we have already passed, and we certainly don't have the money for this program through the sources that I believe the gentle lady has outlined. I invite her to help me see how this could be accomplished.

Senator Gleason's statement is as follows:

In regard to previous statements, there may be one way we can address both of the concerns that were raised earlier. I was more than alarmed last week when I found out that we have a tremendous amount of money that is leaving our state with the Pure Michigan campaign, which really isn't pure and really isn't all Michigan. Those of us who were in the committee meeting last week were told that we have a nice product that is sent out of state for people to produce and mail to our citizens and to distribute to our businesses. Pure Michigan, at the minimum, should use Michigan companies to promote it. How in the world can you take the Pure Michigan name and use an out-of-state company to promote it? We need to do better with that. There is not a Senator in this room who doesn't believe we need more jobs, but when we are taking our tax dollars and funding a Pure Michigan campaign and one of the greatest benefactors lives in Iowa, not in Michigan, we need to do better.

What I would like all 38 Senators to look at doing is go to your communities and check with your Chambers of Commerce and business organizations that might be able to produce this magazine. Since the committee meeting last week, I have heard from a few who would like to do this business. But we need to be more altruistic. If we are going to do this campaign—I am 100 percent for it—and my community has seen a direct impact from the involvement in this program, I think we should be as pure Michigan as we can be with our Pure Michigan programs.

I hope you would look into this effort. I would like to see your company rather than somebody in Des Moines, Iowa, produce that product. That is a comprehensive economic tool. I think that we need to look at it closer. I think we need to have really an in-depth discussion about Pure Michigan, and make sure that the products that we are using are as pure to our efforts as the name itself.

So, Madam President, I hope that we can address this issue. I really do because I think we missed this chance with Pure Michigan with Des Moines, Iowa, doing our work rather than Grand Rapids, Detroit, Pontiac, or Flint. There may be other oversights as well. When we prostitute the Pure Michigan campaign, it would be reasonable to think that we have not done our best in other areas as well.

So I would like to ask those who have this responsibility in their committees or to form a task force itself to make sure that we put the pure in the Pure Michigan campaign, and more importantly, to put the Michigan in the campaign.

Committee Reports

The Committee on Insurance reported

Senate Bill No. 429, entitled

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," (MCL 500.100 to 500.8302) by adding section 2212c.

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.

Joseph R. Hune
Chairperson

To Report Out:

Yeas: Senators Hune, Marleau, Brandenburg, Hansen, Robertson, Smith and Bieda

Nays: None

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

The Committee on Insurance reported

Senate Bill No. 430, entitled

A bill to amend 1980 PA 350, entitled "The nonprofit health care corporation reform act," (MCL 550.1101 to 550.1704) by adding section 402d.

With the recommendation that the bill pass.

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

Joseph R. Hune
Chairperson

To Report Out:

Yeas: Senators Hune, Marleau, Brandenburg, Hansen, Robertson, Smith and Bieda

Nays: None

The bill was referred to the Committee of the Whole.

COMMITTEE ATTENDANCE REPORT

The Committee on Insurance submitted the following:

Meeting held on Tuesday, March 13, 2012, at 2:32 p.m., Room 100, Farnum Building

Present: Senators Hune (C), Marleau, Brandenburg, Hansen, Robertson, Smith and Bieda

The Committee on Transportation reported

Senate Bill No. 909, entitled

A bill to create a regional transit authority; to provide regional public transportation; to prescribe certain powers and duties of the authority and of certain state agencies and officials; to authorize the levy of a special assessment and to provide for the issuance of bonds and notes; to collect certain taxes; to make appropriations; to provide for the pledge of special assessment revenues and other funds for bond and note payments; and to repeal acts and parts of acts.

With the recommendation that the substitute (S-3) be adopted and that the bill then pass.

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

Thomas A. Casperson
Chairperson

To Report Out:

Yeas: Senators Casperson, Kowall, Pavlov and Hansen

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 Transportation submitted the following:

Meeting held on Tuesday, March 13, 2012, at 12:30 p.m., Room 100, Farnum Building

Present: Senators Casperson (C), Kowall, Brandenburg, Pavlov, Hansen, Gleason and Hood

The Committee on Reforms, Restructuring and Reinventing reported

House Bill No. 4601, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," (MCL 600.101 to 600.9947) by adding chapter 30.

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.

Mark C. Jansen
Chairperson

To Report Out:

Yeas: Senators Jansen, Colbeck, Casperson, Kowall and Robertson

Nays: Senators Young and Warren

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

COMMITTEE ATTENDANCE REPORT

The Committee on Reforms, Restructuring and Reinventing submitted the following:

Meeting held on Wednesday, March 14, 2012, at 8:30 a.m., Rooms 402 and 403, Capitol Building

Present: Senators Jansen (C), Colbeck, Casperson, Kowall, Robertson, Young and Warren

The Committee on Finance reported

House Bill No. 4658, entitled

A bill to amend 1933 PA 167, entitled "General sales tax act," by amending section 4a (MCL 205.54a), as amended by 2008 PA 415.

With the recommendation that the bill pass.

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

Jack M. Brandenburg
Chairperson

To Report Out:

Yeas: Senators Brandenburg, Jansen, Pappageorge, Proos, Robertson and Bieda

Nays: Senator Warren

The bill was referred to the Committee of the Whole.

COMMITTEE ATTENDANCE REPORT

The Committee on Finance submitted the following:

Meeting held on Wednesday, March 14, 2012, at 12:30 p.m., Room 210, Farnum Building

Present: Senators Brandenburg (C), Jansen, Pappageorge, Proos, Robertson, Bieda and Warren

The Committee on Appropriations reported

House Bill No. 4689, entitled

A bill to authorize the state administrative board to convey certain parcels of state-owned property in Wayne county; to prescribe conditions for the conveyance; to provide for certain powers and duties of certain state departments and local units of government in regard to the property; and to provide for disposition of revenue derived from the conveyance.

With the recommendation that the bill pass.

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

Roger Kahn, M.D.
Chairperson

To Report Out:

Yeas: Senators Kahn, Moolenaar, Jansen, Pappageorge, Booher, Caswell, Colbeck, Green, Proos, Schuitmaker, Walker and Gregory

Nays: Senator Johnson

The bill was referred to the Committee of the Whole.

The Committee on Appropriations reported

House Bill No. 5186, entitled

A bill to authorize the state administrative board to accept and convey certain parcels of property in Branch county; to prescribe certain conditions for the acceptance and conveyance of those parcels; and to provide for disposition of certain revenue.

With the recommendation that the bill pass.

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

Roger Kahn, M.D.
Chairperson

To Report Out:

Yeas: Senators Kahn, Moolenaar, Jansen, Pappageorge, Booher, Caswell, Colbeck, Green, Proos, Schuitmaker, Walker, Anderson, Gregory, Hopgood and Johnson

Nays: None

The bill was referred to the Committee of the Whole.

COMMITTEE ATTENDANCE REPORT

The Committee on Appropriations submitted the following:

Meeting held on Wednesday, March 14, 2012, at 2:00 p.m., Senate Appropriations Room, 3rd Floor, Capitol Building

Present: Senators Kahn (C), Moolenaar, Jansen, Pappageorge, Booher, Caswell, Colbeck, Green, Proos, Schuitmaker, Walker, Anderson, Gregory, Hopgood and Johnson

Excused: Senator Hood

The Committee on Education reported

Senate Bill No. 315, entitled

A bill to amend 1976 PA 451, entitled "The revised school code," by amending section 1147 (MCL 380.1147).

With the recommendation that the substitute (S-3) be adopted and that the bill then pass.

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

Phillip J. Pavlov
Chairperson

To Report Out:

Yeas: Senators Pavlov, Emmons and Colbeck

Nays: Senator Young

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. 316, entitled

A bill to amend 1979 PA 94, entitled "The state school aid act of 1979," by amending section 6 (MCL 388.1606), as amended by 2010 PA 110.

With the recommendation that the substitute (S-3) be adopted and that the bill then pass.

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

Phillip J. Pavlov

Chairperson

To Report Out:

Yeas: Senators Pavlov, Emmons and Colbeck

Nays: Senator Young

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 Wednesday, March 14, 2012, at 12:00 noon, Senate Hearing Room, Ground Floor, Boji Tower

Present: Senators Pavlov (C), Emmons, Colbeck, Hopgood and Young

COMMITTEE ATTENDANCE REPORT

The Subcommittee on K-12, School Aid, Education submitted the following:

Meeting held on Wednesday, March 14, 2012, at 8:30 a.m., Senate Appropriations Room, 3rd Floor, Capitol Building

Present: Senators Walker (C), Caswell, Pappageorge and Hopgood

COMMITTEE ATTENDANCE REPORT

The Committee on Economic Development submitted the following:

Meeting held on Wednesday, March 14, 2012, at 1:30 p.m., Room 110, Farnum Building

Present: Senators Kowall (C), Hildenbrand, Nofs, Emmons and Hunter

Excused: Senators Hansen and Smith

COMMITTEE ATTENDANCE REPORT

The Subcommittee on Transportation submitted the following:

Meeting held on Wednesday, March 14, 2012, at 3:00 p.m., Senate Appropriations Room, 3rd Floor, Capitol Building

Present: Senators Pappageorge (C), Colbeck and Anderson

COMMITTEE ATTENDANCE REPORT

The Committee on Families, Seniors and Human Services submitted the following:

Meeting held on Wednesday, March 14, 2012, at 3:06 p.m., Room 210, Farnum Building

Present: Senators Emmons (C), Rocca, Nofs and Gregory

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

Community Colleges - Wednesday, March 28, 12:00 noon, Senate Appropriations Room, 3rd Floor, Capitol Building (373-2768)

Community Colleges and House Community Colleges Appropriations Subcommittee - Friday, March 16, 3:30 p.m., Kalamazoo Valley Community College, 7107 Elm Valley Drive, Room A1020, Kalamazoo (373-2768)

Community Health Department - Thursday, March 22, 1:00 p.m., Senate Appropriations Room, 3rd Floor, Capitol Building (373-2768)

General Government - Tuesdays, March 20 and March 27, 2:30 p.m., Senate Appropriations Room, 3rd Floor, Capitol Building (373-2768)

Higher Education - Thursday, March 29, 8:30 a.m., Senate Appropriations Room, 3rd Floor, Capitol Building (373-2768)

Human Services Department - Tuesday, March 27, 2:00 p.m., Room 210, Farnum Building (373-2768)

K-12, School Aid, Education - Wednesday, March 21, 9:00 a.m., Senate Appropriations Room, 3rd Floor, Capitol Building (373-2768)

State Police and Military Affairs - Thursdays, March 22 and March 29, Rooms 402 and 403, Capitol Building (373-2768)

Senate Fiscal Agency Board of Governors - Thursday, March 22, 9:00 a.m., Room S-324, Capitol Building (373-2768)

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

Senator Meekhof moved that the Senate adjourn.
The motion prevailed, the time being 10:53 a.m.

The President pro tempore, Senator Schuitmaker, declared the Senate adjourned until Tuesday, March 20, 2012, at 10:00 a.m.

CAROL MOREY VIVENTI
Secretary of the Senate