

No. 37
STATE OF MICHIGAN
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REGULAR SESSION OF 2007

Senate Chamber, Lansing, Wednesday, April 25, 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

Senator Gerald Van Woerkom of the 34th District offered the following invocation:

Lord, it's a joy to come to You this morning, and we pray that You will continue to look upon us in Your favor. We recognize that You are our Father, our Heavenly Father. We are Your children and we are in Your care. We pray that You will bless us, care for us, and forgive us when we go astray.

Lord, we pray that You'll give us wisdom. This is a difficult time for our state. We pray that You will help us to see the solution, and help us to find our way through the economic difficulties that we face. Help us come together to solve the problems, and we pray, Lord, for the future of our state. We pray that You will bless our state, and we pray that You will bless all of the families within our state.

Lord, we know, too, that there are members of our state who are overseas who are fighting and who are in harm's way. We pray that You will bless them and their families, and keep them safe.

Lord, continue to help us. In Your most holy name. Amen.

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

Motions and Communications

Senator Hardiman entered the Senate Chamber.

Senator Cropsey moved that Senator Jansen be temporarily excused from today's session.
The motion prevailed.

Senator Anderson moved that Senators Brater, Clarke and Thomas be temporarily excused from today's session.
The motion prevailed.

Senators Clarke, Jansen and Thomas entered the Senate Chamber.

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

Grand Valley State University Board of Control

Ms. Shelly E. Padnos of P.O. Box 555, Douglas, Michigan 49406, county of Allegan, succeeding José A. Infante, Jr., whose term has expired, representing the general public, for a term commencing March 8, 2007 and expiring December 31, 2014.

Mr. Michael D. Thomas of 445 West Dawn Drive, Freeland, Michigan 48623, county of Saginaw, succeeding Jessie F. Dalman, whose term has expired, representing the general public, for a term commencing March 8, 2007 and expiring December 31, 2014.

Lake Superior State University Board of Trustees

Mr. E. Gary Toffolo of 6785 South Taylor Road, Sault Ste. Marie, Michigan 49783, county of Chippewa, succeeding Linda M. Brown, whose term has expired, representing the general public, for a term commencing February 20, 2007 and expiring January 27, 2014.

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

The Secretary announced that the following House bill was received in the Senate and filed on Tuesday, April 24:
House Bill No. 4591

The Secretary announced that the following official bill was printed on Tuesday, April 24, and is available at the legislative website:

Senate Bill No. 432

Messages from the Governor

Grand Valley State University Board of Control

Ms. Shelly E. Padnos of P.O. Box 555, Douglas, Michigan 49406, county of Allegan, succeeding José A. Infante, Jr., whose term has expired, representing the general public, for a term commencing March 8, 2007 and expiring December 31, 2014.

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

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

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

Roll Call No. 70

Yeas—37

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

Nays—0

Excused—1

Brater

Not Voting—0

In The Chair: President

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

The motion prevailed.

Senator Hardiman's statement is as follows:

I rise to support the nomination of Shelly Padnos to the Grand Valley State Board. I've known Ms. Padnos for some time and known of her family's involvement in the community, as well as hers. She has been active in the community as well as in her family business, a member of several organizations, and providing leadership and many of those too numerous to mention.

I was impressed with her thoughtful comments yesterday as we had conversation with Ms. Padnos and the other appointees. I would strongly support her appointment.

Senator Birkholz's statement is as follows:

I strongly endorse the appointment of Shelly Padnos to the Grand Valley Board of Control. Ms. Padnos has been a constituent of mine for many years. I've worked with her on several community activities. She's a very strong supporter of the whole west Michigan community, working on issues dealing with families and community strength. She's a businesswoman and has been a businesswoman in her own right, as well as being an attorney, a member of one of our area bank boards, and one of the strongest members serving longtime in our communities of west Michigan.

I know she would make a very positive and quality addition to the Grand Valley Board of Control. I strongly endorse her appointment.

Senator Brater entered the Senate Chamber.

Grand Valley State University Board of Control

Mr. Michael D. Thomas of 445 West Dawn Drive, Freeland, Michigan 48623, county of Saginaw, succeeding Jessie F. Dalman, whose term has expired, representing the general public, for a term commencing March 8, 2007 and expiring December 31, 2014.

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

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

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

Roll Call No. 71**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: President

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

The motion prevailed.

Senator Hardiman's statement is as follows:

I rise as well to add my support for the confirmation of Michael D. Thomas to the Grand Valley State University Board of Control. Mr. Thomas' experience as a prosecutor will be very welcomed on the board as he looks at security issues which we know are very important during these times.

I just want to mention some things beyond that. He has been involved in several aspects of the community which I think will also be very instrumental on the board, including victims' rights, crime prevention, neighborhood building, youth initiatives, city rescue mission, and Big Brothers Big Sisters. So he's been reaching out to help many in his community.

He will be very welcomed on the Grand Valley State University Board. I strongly add my support for the confirmation.

The President pro tempore, Senator Richardville, assumed the Chair.

Lake Superior State University Board of Trustees

Mr. E. Gary Toffolo of 6785 South Taylor Road, Sault Ste. Marie, Michigan 49783, county of Chippewa, succeeding Linda M. Brown, whose term has expired, representing the general public, for a term commencing February 20, 2007 and expiring January 27, 2014.

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

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

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

Roll Call No. 72**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

Third Reading of Bills

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

Senate Bill No. 360

The motion prevailed.

The following bill was read a third time:

Senate Bill No. 360, entitled

A bill to amend 1951 PA 51, entitled "An act to provide for the classification of all public roads, streets, and highways in this state, and for the revision of that classification and for additions to and deletions from each classification; to set up and establish the Michigan transportation fund; to provide for the deposits in the Michigan transportation fund of specific taxes on motor vehicles and motor vehicle fuels; to provide for the allocation of funds from the Michigan transportation fund and the use and administration of the fund for transportation purposes; to set up and establish the truck safety fund; to provide for the allocation of funds from the truck safety fund and administration of the fund for truck safety purposes; to set up and establish the Michigan truck safety commission; to establish certain standards for road contracts for certain businesses; to provide for the continuing review of transportation needs within the state; to authorize the state transportation commission, counties, cities, and villages to borrow money, issue bonds, and make pledges of funds for transportation purposes; to authorize counties to advance funds for the payment of deficiencies necessary for the payment of bonds issued under this act; to provide for the limitations, payment, retirement, and security of the bonds and pledges; to provide for appropriations and tax levies by counties and townships for county roads; to authorize contributions by townships for county roads; to provide for the establishment and administration of the state trunk line fund, local bridge fund, comprehensive transportation fund, and certain other funds; to provide for the deposits in the state trunk line fund, critical bridge fund, comprehensive transportation fund, and certain other funds of money raised by specific taxes and fees; to provide for definitions of public transportation functions and criteria; to define the purposes for which Michigan transportation funds may be allocated; to provide for Michigan transportation fund grants; to provide for review and approval of transportation programs; to provide for submission of annual legislative requests and reports; to provide for the establishment and functions of certain advisory entities; to provide for conditions for grants; to provide for the issuance of bonds and notes for transportation purposes; to provide for the powers and duties of certain state and local agencies and officials; to provide for the making of loans for transportation purposes by the state transportation department and for the receipt and repayment by local units and

agencies of those loans from certain specified sources; and to repeal acts and parts of acts,” by amending sections 11e and 11f (MCL 247.661e and 247.661f), section 11e as amended by 2006 PA 141 and section 11f as added by 2006 PA 140.

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. 73

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 Senate agreed to the title of the bill.

By unanimous consent the Senate proceeded to the order of

General Orders

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

The motion prevailed, and the President pro tempore, Senator Richardville, designated Senator Jacobs 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. 194, entitled

A bill to amend 1976 PA 451, entitled “The revised school code,” by amending section 1311g (MCL 380.1311g), as amended by 2005 PA 28.

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

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

Senate Resolution No. 25

Senate Concurrent Resolution No. 5

Senate Concurrent Resolution No. 8

Senate Resolution No. 36

The motion prevailed.

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

Senate Resolution No. 48

Senate Resolution No. 49

The resolution consent calendar was adopted.

Senators Cropsey and Kuipers offered the following resolution:

Senate Resolution No. 48.

A resolution recognizing April 30 - May 6, 2007, as National Charter Schools Week in Michigan.

Whereas, Charter schools are locally established and founded in communities across the state, offering new educational opportunities to tens of thousands of students and families; and

Whereas, Michigan's 229 charter schools and the dedicated staff and students who work therein are bringing fresh ideas and perspectives to K-12 education; and

Whereas, Charter schools are giving all parents more choices in their children's education; and

Whereas, Charter public schools encourage competition and are accountable to the public through public universities, community colleges, and local and intermediate school districts that help establish and oversee these schools; and

Whereas, Michigan's charter experience has resulted in a nationally-recognized system of leadership, performance, and accountability that delivers effective results for the students and families it serves; and

Whereas, Charter schools are making great progress toward closing the achievement gap for urban, minority, and poor children across our state; now, therefore, be it

Resolved by the Senate, That we hereby recognize April 30 - May 6, 2007 as National Charter Schools Week in Michigan in honor of these schools and their past, present, and future achievements.

Senators Birkholz, Bishop, Cassis, Gilbert, Hardiman, Kahn, Pappageorge and Thomas were named co-sponsors of the resolution.

Senator George offered the following resolution:

Senate Resolution No. 49.

A resolution to urge the United States Environmental Protection Agency and the Michigan Department of Environmental Quality to hold public hearings to explain options and to answer questions concerning the long-term management and disposal plans for the polychlorinated biphenyl-contaminated sediments from the Kalamazoo River Superfund site.

Whereas, The Kalamazoo River Superfund site was officially added to the national priority list for cleanups in 1990 based on evidence of extensive polychlorinated biphenyl (PCB) contamination in the sediments, soils, water, fish, and wildlife. This Superfund site comprises five disposal areas, five paper mill properties, 80 miles of the Kalamazoo River, and three miles of Portage Creek. Recently, the United States Environmental Protection Agency (EPA), the Michigan Department of Environmental Quality (DEQ), and the responsible parties entered into an administrative settlement agreement and order on consent for cleanup of the Plainwell impoundment area of the Superfund site; and

Whereas, The investigation and negotiations required at this Superfund site have spanned nearly 20 years. The recently signed cleanup agreement was negotiated in private and addresses the disposal of the Plainwell impoundment's contaminated sediments. While this agreement may focus on the short-term disposal plan for these PCB-contaminated sediments, the public and local and state elected officials have not had an opportunity to learn about, understand, and comment on this agreement; and

Whereas, The options for disposing of PCB-contaminated sediments in Michigan are limited. Disposal of hundreds of thousands of cubic yards of contaminated sediments from this Superfund site may exceed the capacity of available, - sediments. However, they have not addressed the issue of permanent, long-term disposal of these and the remaining contaminated sediments in the Kalamazoo River Superfund site. It is imperative that EPA and DEQ engage in a public discussion of the options to address permanent disposal in light of the state's PCB disposal capacity shortage; and

Whereas, Significant questions and concerns have been raised that need to be addressed in a timely manner. What studies have been completed on the long-term use of the on-site landfills and how will future uses affect the containment of the PCB wastes? Will the contaminated sediment be moved to a permanent facility and, if so, when? Providing residents, local and state elected officials, and others with an opportunity to learn about the long-term permanent disposal options for these PCB-contaminated sediments is crucial; now, therefore, be it

Resolved by the Senate, That we urge the United States Environmental Protection Agency and the Michigan Department of Environmental Quality to hold public hearings to explain options and to answer questions concerning the long-term management and disposal options for polychlorinated biphenyl-contaminated sediments from the Kalamazoo River Superfund site; and be it further

Resolved, That copies of this resolution be transmitted to the director of the Michigan Department of Environmental Quality, the Governor of Michigan, and the United States Environmental Protection Agency, Region 5.

Senators Barcia, Basham, Birkholz, Bishop, Brown, Cassis, Gilbert, Hardiman, Jacobs, Kahn, Kuipers, Pappageorge, Schauer and Thomas were named co-sponsors of the resolution.

Introduction and Referral of Bills

Senators Allen and Gilbert introduced

Senate Bill No. 433, entitled

A bill to amend 1976 PA 295, entitled "State transportation preservation act of 1976," by amending section 10 (MCL 474.60), as amended by 1998 PA 235.

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

Senator Allen introduced

Senate Bill No. 434, entitled

A bill to amend 1893 PA 206, entitled "The general property tax act," by amending section 7dd (MCL 211.7dd), as amended by 2006 PA 114.

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

Senator Stamas introduced

Senate Bill No. 435, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending section 8152 (MCL 600.8152), as amended by 2002 PA 92.

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

Senator Jelinek introduced

Senate Bill No. 436, entitled

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

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

Senator Jelinek introduced

Senate Bill No. 437, entitled

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

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

Senators McManus, Richardville, Birkholz, Kuipers, Van Woerkom, Patterson, Kahn, Jansen, Stamas and Prusi introduced

Senate Bill No. 438, entitled

A bill to amend 1954 PA 116, entitled "Michigan election law," by amending section 509u (MCL 168.509u), as added by 1994 PA 441, and by adding section 499a.

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

Senators McManus, Richardville, Birkholz, Kuipers, Van Woerkom, Patterson, Kahn, Jansen, Stamas and Prusi introduced

Senate Bill No. 439, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," (MCL 324.101 to 324.90106) by adding section 43501a.

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

Senators Birkholz, Richardville, Van Woerkom, Gilbert, Pappageorge, Jelinek, Patterson, Kuipers, McManus, Garcia, Stamas, Jansen, Kahn, Basham and Prusi introduced

Senate Bill No. 440, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending the title and section 501 (MCL 324.501), the title as amended by 2005 PA 116.

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

Senators Richardville, Van Woerkom, Birkholz, Gilbert, Pappageorge, Jelinek, Patterson, Kuipers, McManus, Garcia, Stamas, Jansen, Kahn, Basham and Prusi introduced

Senate Bill No. 441, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 503 (MCL 324.503), as amended by 2004 PA 587.

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

Senators Van Woerkom, Richardville, Birkholz, Gilbert, Jelinek, Patterson, Kuipers, McManus, Garcia, Stamas, Jansen, Kahn, Basham and Prusi introduced

Senate Bill No. 442, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 40105 (MCL 324.40105), as added by 1995 PA 57.

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

Senators Patterson, Richardville, Van Woerkom, Gilbert, Pappageorge, Jelinek, Kuipers, McManus, Garcia, Stamas, Jansen, Kahn, Basham and Prusi introduced

Senate Bill No. 443, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 48702 (MCL 324.48702), as amended by 1996 PA 200.

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

Senators Basham, Clark-Coleman, Brater, Anderson, Scott, Olshove, Thomas, Schauer, Jacobs, Clarke and Switalski introduced

Senate Bill No. 444, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 3101, 3103, and 3112 (MCL 324.3101, 324.3103, and 324.3112), section 3101 as amended by 2006 PA 97 and sections 3103 and 3112 as amended by 2005 PA 33, and by adding section 3112d.

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

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

Senate Bill No. 445, entitled

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," by amending section 3135 (MCL 500.3135), as amended by 2002 PA 697.

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

Senators Thomas, Clark-Coleman, Jacobs, Hunter, Basham, Whitmer, Clarke, Olshove, Scott, Cherry, Anderson, Schauer and Gleason introduced

Senate Bill No. 446, entitled

A bill to amend 1939 PA 21, entitled "Regulatory loan act," by amending section 1 (MCL 493.1), as amended by 2002 PA 393, and by adding section 16.

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

Senators Brown, Birkholz, Garcia, Jansen, Barcia and Kahn introduced

Senate Bill No. 447, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 3112 (MCL 324.3112), as amended by 2005 PA 33.

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

Senators Brown, Birkholz, Garcia, Jansen, Barcia and Kahn introduced

Senate Bill No. 448, entitled

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” by amending sections 3101 and 3115 (MCL 324.3101 and 324.3115), section 3101 as amended by 2006 PA 97 and section 3115 as amended by 2004 PA 143.

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

House Bill No. 4591, entitled

A bill to amend 1976 PA 451, entitled “The revised school code,” by amending sections 1538 and 1539 (MCL 380.1538 and 380.1539), section 1538 as added by 1988 PA 339 and section 1539 as amended by 2004 PA 76, and by adding sections 1531h and 1538a.

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.

Statements

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

The motion prevailed.

Senator Cropsey’s statement is as follows:

Tonight is the annual Crime Victims’ Rights Candlelight Vigil held in the rotunda of the Capitol. I would encourage all legislators to be there. Also on your desk has been passed out little medal ribbons that I’m wearing today to commemorate this week. I would encourage you to show up and support the victims by wearing this little ribbon.

I’ve practiced in many courts and I’ve defended people who have been charged with all sorts of crimes. I know the personal stories and hardships which have led to those people committing crimes. But I’ve also talked to victims of crime and their surviving relatives—usually the parents or the spouses—and I always find that their stories are deeply moving and you keenly feel their loss and so should we all.

The statistics are frightening. Since we adopted our current Constitution, there have been roughly 36,000 murders in Michigan and over 200,000 rapes which have been reported. Since we have instituted the crime victims’ rights amendment to the state Constitution, over 24 million crimes have been reported in Michigan, and it is estimated that millions more have been unreported, especially sex crimes.

In the eight years which we all expect to serve in the Senate, over 8 million crimes will be committed in Michigan. There will be over 5 million victims of crime. On average, that’s 72 crimes a day in each Senate district 365 days a year. While crime does not occur everywhere with the same frequency, while you serve here, the constituents of your district will suffer an average of over 210,000 crimes. Over 130,000 of your constituents will be victims of crimes, including an average of over 11,000 victims of a very violent crime.

The next time you address any group in your district, the odds are that a crime victim will be in the audience. While we may not remember their status, they do. No one chooses to be a victim. They were in a situation which they did not choose. They are in a fight or were in a fight, either real or figuratively, and they lost. Sometimes they feel ashamed. Sometimes what remains is anger, regret, or second-guessing of their actions, but they never forget.

Family members of victims have it especially hard. Anniversaries, holiday celebrations, and family events all take on new and painful associations. Worst of all is the fact that having once been a victim of a crime does not relieve them from ever being a victim of another crime.

If you go back over the past 30 years, the crime rate in Michigan has been decreasing until recently. In the last three years, violent crime is starting to rise again, growing by double-digit percentage increases. Michigan is becoming a more dangerous place to live, not a safer place.

As we work on the budget and state issues, we ought not to forget that there are very real-life consequences to the decisions which we make. Personally, my goal is to help make a reality what I believe is the ultimate victim’s right to not be a victim in the first place.

Years ago, I was an attorney in a rape case. Though raped and humiliated, the victim was strong. The defendant was convicted and went to prison. But a few months after the case closed, the prosecutor’s office gave me a call. The victim had committed suicide. The pain and the memories were just too much. So for those who are victimized, my goal is to help them not be just a statistic, but a survivor.

This is National Crime Victims’ Rights Week and so all year long, but especially this week, I think it is appropriate we keep all victims of crime in our thoughts, our deliberations, and in our prayers.

Mr. President, I would just urge everybody who can to attend the vigil on the rotunda floor tonight.

Senator Scott's statement is as follows:

The former mayor of California, Mayor Tom Bradley, said, "Words without deeds have no meaning." For over three years, I have beseeched you from the Senate floor to act on this reprehensible insurance situation plaguing Detroit and other residents of this state. This has been going on for a number of years, but as Mr. Bradley said, my words will have no meaning until you perform the deeds that will give my words meaning.

So I am urging you, colleagues, to take action now on my insurance legislation. Your deeds can impact the lives of thousands of Michigan residents. So please act now.

Senator George's statement is as follows;

I'd like to make some comments regarding Senate Resolution No. 49 which we adopted today on the consent calendar. I wanted to begin by thanking the Legislative Service Bureau for their timely work in the turnaround of this resolution which I brought to them on short notice because of an important issue which has come up in southwest Michigan.

This resolution relates to the Kalamazoo River Superfund site. You will recall that this is the largest federal Superfund site in Michigan. It's 80 miles of the Kalamazoo River and an additional three miles of the Portage Creek. The reason it is a Superfund site is because it is laden with PCB sediments from years of paper industry production. Of course, the hazards of PCBs were not known at the time. They are not being produced anymore or deposited in the river, but they remain there from years of prior production.

Recently, there was a signed mediation agreement for cleanup of one section of the river, the Plainwell impoundment section behind the Plainwell Dam, which the state actually owns. It calls for removal of the sediment behind the dam and then disposal in a landfill. It has generated some local controversy because the landfill which is proposed as the receptacle for this is located in a residential area within the city of Kalamazoo.

It also raises a larger question that is regarding the long-term storage plans not just for this sediment, but also for future sediment that is to be cleaned from the river. This segment of the river only accounts for about two percent of the PCBs. So it raises the question about where are the remaining 98 percent of the PCBs going to go? This landfill site apparently was chosen because there is a shortage of qualified sites which are allowed to accept PCBs, so it raises the question that if there is a shortage of sites, then where will we put the rest of the PCBs that are going to be removed from the river?

Certainly, the department must be thinking about this. It must be considering its options, and they might include qualifying other sites to receive PCBs. They might include incineration or transport of this material out of state. In any event, because we have this question before us, this resolution calls on the DEQ and the EPA to hold a public hearing to explain and explore the options for future PCB disposal.

I appreciate the support of the Senate on this issue.

Committee Reports

COMMITTEE ATTENDANCE REPORT

The Subcommittee on Higher Education submitted the following:

Meeting held on Monday, April 23, 2007, at 10:00 a.m., Eastern Michigan University, Student Center, Room 310, 900 Oakland Street, Ypsilanti

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

Excused: Senators George and McManus

COMMITTEE ATTENDANCE REPORT

The Subcommittee on Community Colleges submitted the following:

Meeting held on Monday, April 23, 2007, at 1:30 p.m., Washtenaw Community College, Morris Lawrence Building, 4800 E. Huron River Drive, Ann Arbor

Present: Senators Hardiman (C) and Clark-Coleman

Excused: Senator McManus

COMMITTEE ATTENDANCE REPORT

The Subcommittee on Department of Natural Resources submitted the following:

Meeting held on Tuesday, April 24, 2007, at 12:00 noon, Room 405, Capitol Building

Present: Senators McManus (C), Jelinek and Brater

COMMITTEE ATTENDANCE REPORT

The Subcommittee on Higher Education submitted the following:

Meeting held on Tuesday, April 24, 2007, at 12:00 noon, Senate Appropriations Room, 3rd Floor, Capitol Building

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

Excused: Senator McManus

COMMITTEE ATTENDANCE REPORT

The Committee on Homeland Security and Emerging Technologies submitted the following:

Meeting held on Wednesday, April 24, 2007, at 1:00 p.m., Room 100, Farnum Building

Present: Senators Brown (C), Garcia, Richardville, Pappageorge, Hunter, Olshove and Thomas

COMMITTEE ATTENDANCE REPORT

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

Meeting held on Tuesday, April 24, 2007, at 2:00 p.m., Senate Appropriations Room, 3rd Floor, Capitol Building

Present: Senators Jelinek (C), Switalski and Clark-Coleman

Excused: Senators Brown and Garcia

COMMITTEE ATTENDANCE REPORT

The Committee on Commerce and Tourism submitted the following:

Meeting held on Tuesday, April 24, 2007, at 2:30 p.m., Room 100, Farnum Building

Present: Senators Allen (C), Gilbert, Stamas, Clarke and Hunter

COMMITTEE ATTENDANCE REPORT

The Committee on Families and Human Services submitted the following:

Joint meeting held on Tuesday, April 24, 2007, at 2:30 p.m., Room 210, Farnum Building

Present: Senators Jansen (C), Hardiman and Jacobs

COMMITTEE ATTENDANCE REPORT

The Committee on Judiciary submitted the following:

Joint meeting held on Tuesday, April 24, 2007, at 2:30 p.m., Room 210, Farnum Building

Present: Senators Kuipers (C), Cropsey, Whitmer, Clarke and Prusi

Excused: Senators Sanborn and Patterson

COMMITTEE ATTENDANCE REPORT

The Subcommittee on Judiciary and Corrections submitted the following:

Meeting held on Tuesday, April 24, 2007, at 3:00 p.m., Rooms 402 and 403, Capitol Building

Present: Senators Cropsey (C) and Brater

Excused: Senator Kahn

COMMITTEE ATTENDANCE REPORT

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

Meeting held on Wednesday, April 25, 2007, at 9:00 a.m., Room 100, Farnum Building

Present: Senators Allen (C), Pappageorge, Garcia, Olshove and Basham

Scheduled Meetings

Agriculture - Thursday, April 26, 9:00 a.m., Room 110, Farnum Building (373-1635)

Appropriations - Thursday, April 26, 9:00 a.m., Senate Appropriations Room, 3rd Floor, Capitol Building (373-6960)

Subcommittees -

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

Community Health Department - Thursdays, April 26, May 3 and May 17, 2:00 p.m., Senate Hearing Room, Ground Floor, Boji Tower (373-2768)

Environmental Quality Department - Thursdays, April 26, 9:00 a.m. (CANCELED), May 3 and May 10, 1:00 p.m., and Tuesday, May 15, 4:00 p.m., Room 405, Capitol Building (373-2768)

Higher Education - Thursday, April 26, 12:00 noon, Senate Appropriations Room, 3rd Floor, Capitol Building; Friday, April 27, 10:00 a.m., Calvin College, Bunker Interpretive Center, 1750 East Beltline, Grand Rapids; and Friday, May 11, 2:00 p.m., Michigan Technological University, Advanced Technology Development Center, 1402 East Sharon Avenue, Houghton (373-2768)

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

K-12, School Aid, Education - Tuesdays, May 1, May 8 and May 15, 2:00 p.m., Senate Appropriations Room, 3rd Floor, Capitol Building (373-2768)

Natural Resources Department - Tuesdays, May 1, May 8 and May 15, 12:00 noon, Room 405, Capitol Building (373-2768)

Education - Thursday, April 26, 2:30 p.m., Room 210, Farnum Building (373-6920)

Energy Policy and Public Utilities - Thursday, April 26, 1:00 p.m., Room 210, Farnum Building (373-7350)

Finance - Thursday, April 26, 11:00 a.m. or later immediately following session, Room 110, Farnum Building (373-1758) (CANCELED)

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

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

The President pro tempore, Senator Richardville, declared the Senate adjourned until Thursday, April 26, 2007, at 10:00 a.m.

CAROL MOREY VIVENTI
Secretary of the Senate

