

No. 76
STATE OF MICHIGAN
Journal of the Senate
94th Legislature
REGULAR SESSION OF 2007

Senate Chamber, Lansing, Wednesday, August 1, 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—excused
Basham—present
Birkholz—present
Bishop—present
Brater—excused
Brown—present
Cassis—present
Cherry—present
Clark-Coleman—excused
Clarke—present
Cropsey—present

Garcia—excused
George—present
Gilbert—present
Gleason—excused
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—excused
Thomas—present
Van Woerkom—present
Whitmer—present

Reverend Dennis Skiles of Unity Church of Livonia offered the following invocation:

Living Lord God of all the nations, I am one in mind with You. Holy Spirit, come into the hearts of these great leaders of our wonderful state. Let these gifted persons receive Your special blessing on this day, and inspire each one to make a positive difference for all of us today.

Lord, we know that most of us may never become internationally famous or anything like that, but what we do say on this day, as we say Thy will be done, let us also affirm that these good men and women will be no less important to each of us in this state of Michigan as they work with one another to guide our great state to a new prosperity and pride that will be seen by the world as inspired.

Fill their hearts and minds, O Lord, with unlimited ideas of success and possibilities for new growth and wealth within our state. Sustain them with creativity, fresh inspiration, and peace of mind as they move forward on this August day to do the work that You have given them to do.

Lord God, King of heavenly hosts, I do affirm through Your will that these, my brothers and sisters, will move forward to make a positive difference in Michigan and throughout the world. Let us affirm in the name of Paul to the Philippians, let those of us who are mature be of the same mind, and if you think differently about anything, this, too, God will reveal to you; for dear one, our living Lord reveals to us life, inhibition, creativity, and cooperative effort. And we say thank You, God, this is so. Amen.

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

Motions and Communications

Senator Thomas moved that Senators Barcia, Brater, Clark-Coleman, Switalski and Gleason be excused from today's session.

The motion prevailed.

Senator Cropsey moved that Senator Garcia be excused from today's session.

The motion prevailed.

Recess

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

The motion prevailed, the time being 10:08 a.m.

10:27 a.m.

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

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

Senate Joint Resolution E, entitled

A joint resolution proposing an amendment to the state constitution of 1963, by amending section 31 of article IV and section 18 of article V, to limit the budget, to require certain deposits into certain state funds, and to require a 2/3 majority for certain appropriations.

The motion prevailed, a majority of the members serving voting therefor, and the joint resolution was placed on the order of General Orders.

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

The motion prevailed.

Senator Cropsey moved that the rules be suspended and that the following bill, now on Committee Reports, be placed on the General Orders calendar for consideration today:

Senate Bill No. 633

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

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

Central Michigan University Board of Control

Mr. Brian W. Fannon of 21555 Chase Drive, Novi, Michigan 48375, county of Oakland, succeeding Roger Kessler, whose term has expired, representing the general public, for a term commencing June 15, 2007 and expiring December 31, 2014.

Ms. Jacqueline N. Garrett of 18491 Lauder, Detroit, Michigan 48235, county of Wayne, succeeding Jerry D. Campbell, whose term has expired, representing the general public, for a term commencing June 15, 2007 and expiring December 31, 2014.

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

The following communication was received:
Department of Human Services

July 16, 2007

Pursuant to Section 1002 of P.A. 345 of FY 2006, we are enclosing a copy of the following report:

<u>Type of Report</u>	<u>Facility</u>	<u>Report #</u>	<u>License #</u>
Special Investigation Report	Woodland Center	2007C0207014	CS470245817

This report was performed in compliance with the requirements of P.A. 116 of 1973 as amended, and the Administrative Rules for Child Caring Institutions. The report may also be viewed on our website, within 48 hours, under "Online Lookups, Child Welfare Licensed Facilities" at the following address: <http://www.michigan.gov/dhslicensing>.

If you have any questions regarding this information, please feel free to contact Miriam E.J. Wilson at 517-373-8383.

Sincerely,
Marianne Udow

The communication was referred to the Secretary for record.

The Secretary announced that the following House bills were received in the Senate and filed on Thursday, July 26:

House Bill Nos. 4354 4358 4447 4448 4533 4553 4829 4869 4870 4956

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

Senate Bill Nos. 653 654 655 656 657 658 659 660 661 662 663 664 665
House Bill Nos. 5063 5064 5065 5066 5067 5068 5069 5070 5071 5072 5073

Messages from the Governor

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

Senate Bill No. 436

The motion prevailed.

Central Michigan University Board of Control

Mr. Brian W. Fannon of 21555 Chase Drive, Novi, Michigan 48375, county of Oakland, succeeding Roger Kessler, whose term has expired, representing the general public, for a term commencing June 15, 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. 236

Yeas—31

Allen
Anderson

Cropsey
George

Kahn
Kuipers

Sanborn
Schauer

Birkholz
Bishop
Brown
Cassis
Cherry
Clarke

Gilbert
Hardiman
Hunter
Jacobs
Jansen
Jelinek

McManus
Olshove
Pappageorge
Patterson
Prusi
Richardville

Scott
Stamas
Thomas
Van Woerkom
Whitmer

Nays—0

Excused—6

Barcia
Brater

Clark-Coleman
Garcia

Gleason

Switalski

Not Voting—1

Basham

In The Chair: Richardville

Central Michigan University Board of Control

Ms. Jacqueline N. Garrett of 18491 Lauder, Detroit, Michigan 48235, county of Wayne, succeeding Jerry D. Campbell, whose term has expired, representing the general public, for a term commencing June 15, 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. 237

Yeas—32

Allen
Anderson
Basham
Birkholz
Bishop
Brown
Cassis
Cherry

Clarke
Cropsey
George
Gilbert
Hardiman
Hunter
Jacobs
Jansen

Jelinek
Kahn
Kuipers
McManus
Olshove
Pappageorge
Patterson
Prusi

Richardville
Sanborn
Schauer
Scott
Stamas
Thomas
Van Woerkom
Whitmer

Nays—0

Excused—6

Barcia
Brater

Clark-Coleman
Garcia

Gleason

Switalski

Not Voting—0

In The Chair: Richardville

Messages from the House

House Bill No. 4884, entitled

A bill to amend 2000 PA 489, entitled “An act to create certain funds; to provide for the allocation of certain revenues among certain funds and for the operation, investment, and expenditure of certain funds; and to impose certain duties and requirements on certain state officials,” by amending section 7 (MCL 12.257), as added by 2005 PA 232.

(For text of amendments, see Senate Journal No. 66, p. 1052.)

The question being on concurring in the House amendments made to the Senate substitute,

The amendments were concurred in, a majority of the members serving voting therefor, as follows:

Roll Call No. 238

Yeas—31

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

Nays—1

Cassis

Excused—6

Barcia	Clark-Coleman	Gleason	Switalski
Brater	Garcia		

Not Voting—0

In The Chair: Richardville

Protest

Senator Cassis, under her constitutional right of protest (Art. 4, Sec. 18), protested against concurring in the House amendments to the Senate substitute to House Bill No. 4884.

Senator Cassis’ statement is as follows:

I rise to express my “no” vote on House Bill No. 4884. My “no” vote is consistent with my previous votes of nonsupport for the 21st century slush fund. I ask this question: How can today’s legislators make a promise that future legislators are not beholden to keep?

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 Kuipers 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. 111, entitled

A bill to amend 1959 PA 243, entitled "An act to define, license and regulate trailer coach parks; to prescribe the powers and duties of the state health commissioner and other state and local officers; to provide for the levy and collection of specific taxes on occupied trailers in trailer coach parks and the disposition of the revenues therefrom; to provide remedies and penalties for the violation of this act; and to repeal certain acts and parts of acts," by amending section 41 (MCL 125.1041).

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:

House Bill No. 4246, entitled

A bill to amend 1967 (Ex Sess) PA 8, entitled "An act to provide for intergovernmental transfers of functions and responsibilities," by amending section 4 (MCL 124.534).

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:

House Bill No. 4266, entitled

A bill to amend 1967 (Ex Sess) PA 7, entitled "Urban cooperation act of 1967," by amending section 5 (MCL 124.505), as amended by 1985 PA 10.

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. 633, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 43537 (MCL 324.43537), as amended by 1996 PA 585.

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.

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

Senators Whitmer, Switalski, Thomas and Jacobs introduced

Senate Bill No. 666, entitled

A bill to amend 1939 PA 288, entitled "Probate code of 1939," by amending sections 24 and 51 (MCL 710.24 and 710.51), section 24 as amended by 2004 PA 487 and section 51 as amended by 1996 PA 409.

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

Senators Brown, Jansen and McManus introduced

Senate Bill No. 667, entitled

A bill to amend 1846 RS 83, entitled "Of marriage and the solemnization thereof," by amending section 7 (MCL 551.7), as amended by 2006 PA 613.

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

Senators Hardiman, Jansen, Jacobs, Kahn and Birkholz introduced

Senate Bill No. 668, entitled

A bill to amend 1939 PA 288, entitled "Probate code of 1939," by amending section 19b of chapter XIIA (MCL 712A.19b), as amended by 2000 PA 232.

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

Senators Jansen, Hardiman, Jacobs, Kahn, Basham and Birkholz introduced

Senate Bill No. 669, entitled

A bill to amend 1939 PA 288, entitled "Probate code of 1939," by amending section 19a of chapter XIIA (MCL 712A.19a), as amended by 2004 PA 473.

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

Senators Jacobs, Hardiman, Kahn, Jansen and Birkholz introduced

Senate Bill No. 670, entitled

A bill to amend 1939 PA 288, entitled "Probate code of 1939," by amending section 13b of chapter XIIA (MCL 712A.13b), as amended by 2004 PA 475.

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

Senators Kahn, Hardiman, Jansen, Jacobs and Birkholz introduced

Senate Bill No. 671, entitled

A bill to amend 1939 PA 288, entitled "Probate code of 1939," by amending section 19 of chapter XIIA (MCL 712A.19), as amended by 2004 PA 477.

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

Senators Jansen, Hardiman, Jacobs, Kahn and Birkholz introduced

Senate Bill No. 672, entitled

A bill to amend 1939 PA 288, entitled "Probate code of 1939," by amending section 19c of chapter XIIA (MCL 712A.19c), as amended by 2004 PA 476.

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

Senators Hardiman, Thomas, Jansen and Birkholz introduced

Senate Bill No. 673, entitled

A bill to amend 1976 PA 451, entitled "The revised school code," by amending section 1146 (MCL 380.1146), as amended by 2006 PA 303.

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

Senator Gilbert introduced

Senate Bill No. 674, entitled

A bill to amend 1968 PA 251, entitled "Cemetery regulation act," by amending the title and sections 2, 2a, 8, 9, 10, 12, 12a, 13, 15, 16, and 18 (MCL 456.522, 456.522a, 456.528, 456.529, 456.530, 456.532, 456.532a, 456.533, 456.535, 456.536, and 456.538), the title and sections 2, 8, 9, 10, 12, 12a, 13, 15, 16, and 18 as amended by 2004 PA 22 and section 2a as added by 1982 PA 132, and by adding sections 9a and 9b; and to repeal acts and parts of acts.

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

Senators Kahn, McManus, Hardiman, Jansen and Jelinek introduced

Senate Bill No. 675, entitled

A bill to make, supplement, and adjust appropriations for certain capital outlay projects for the fiscal year ending September 30, 2007; to provide for the expenditure of the appropriations; and to prescribe certain conditions for 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. 676, entitled

A bill to amend 1976 PA 295, entitled "State transportation preservation act of 1976," by amending section 17a (MCL 474.67a), as added by 2001 PA 126.

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

House Bill No. 4354, entitled

A bill to make appropriations for the department of natural resources for the fiscal year ending September 30, 2008; to provide for the expenditure of those appropriations; to create funds and accounts; to require reports; to prescribe certain powers and duties of certain state agencies and officials; to authorize certain transfers by certain state agencies; and to provide for the disposition of fees and other income received by the various state agencies.

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 Appropriations.

House Bill No. 4358, entitled

A bill to make appropriations for the department of environmental quality for the fiscal year ending September 30, 2008; to provide for the expenditure of those appropriations; to create certain funds and accounts; to require certain reports; to prescribe the powers and duties of certain state agencies and officials; to authorize certain transfers by certain state agencies; and to provide for the disposition of fees and other income received by the various state agencies.

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 Appropriations.

House Bill No. 4447, entitled

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

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 Campaign and Election Oversight.

House Bill No. 4448, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending sections 307 and 315 (MCL 257.307 and 257.315), section 307 as amended by 2006 PA 298 and section 315 as amended by 1999 PA 118.

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 Campaign and Election Oversight.

House Bill No. 4533, entitled

A bill to amend 1947 PA 336, entitled "An act to prohibit strikes by certain public employees; to provide review from disciplinary action with respect thereto; to provide for the mediation of grievances and the holding of elections; to declare and protect the rights and privileges of public employees; and to prescribe means of enforcement and penalties for the violation of the provisions of this act," by amending section 15 (MCL 423.215), as amended by 1994 PA 112.

The House of Representatives has passed the bill and ordered that it be given immediate effect.

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

House Bill No. 4553, entitled

A bill to amend 1954 PA 116, entitled "Michigan election law," by amending section 759 (MCL 168.759), as amended by 1995 PA 261.

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 Campaign and Election Oversight.

House Bill No. 4829, entitled

A bill to make, supplement, and adjust appropriations for the department of natural resources for the fiscal year ending September 30, 2007; to provide for the expenditure of the appropriations; and to prescribe certain conditions for the appropriations.

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 Appropriations.

House Bill No. 4869, entitled

A bill to amend 2004 PA 403, entitled "Michigan boxing regulatory act," by amending sections 1, 10, 11, 20, 21, 22, 31, 32, 33, 34, 35, 47, 48, 51, 53, 54, 55, 56, 57, and 58 (MCL 338.3601, 338.3610, 338.3611, 338.3620, 338.3621, 338.3622, 338.3631, 338.3632, 338.3633, 338.3634, 338.3635, 338.3647, 338.3648, 338.3651, 338.3653, 338.3654, 338.3655, 338.3656, 338.3657, and 338.3658), sections 11, 31, 33, 34, 47, 48, and 54 as amended by 2005 PA 49.

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 Economic Development and Regulatory Reform.

House Bill No. 4870, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending section 447 (MCL 750.447), as amended by 2004 PA 404.

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 Economic Development and Regulatory Reform.

House Bill No. 4956, entitled

A bill to amend 2000 PA 92, entitled "Food law of 2000," by amending sections 1105, 1107, 1109, 2111, 2113, 2119, 2123, 2125, 2129, 3103, 3119, 3121, 3123, 3125, 3127, 3135, 3137, 3139, 4101, 4103, 4105, 4107, 4111, 4113, 4116, 4117, 4125, 5101, 5105, 5107, 6101, 6115, 6129, 6137, 6147, 6149, 7105, 7113, 7115, 7119, 7125, 7137, 8105, and 8107 (MCL 289.1105, 289.1107, 289.1109, 289.2111, 289.2113, 289.2119, 289.2123, 289.2125, 289.2129, 289.3103, 289.3119, 289.3121, 289.3123, 289.3125, 289.3127, 289.3135, 289.3137, 289.3139, 289.4101, 289.4103, 289.4105, 289.4107, 289.4111, 289.4113, 289.4116, 289.4117, 289.4125, 289.5101, 289.5105, 289.5107, 289.6101, 289.6115, 289.6129, 289.6137, 289.6147, 289.6149, 289.7105, 289.7113, 289.7115, 289.7119, 289.7125, 289.7137, 289.8105, and 289.8107), sections 1109, 3119, 4111, 4117, 6101, and 6149 as amended by 2002 PA 487 and section 4116 as added by 2004 PA 267, and by adding sections 6140, 6150, and 7106; and to repeal acts and parts of acts.

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 Agriculture.

By unanimous consent the Senate returned to the order of

Third Reading of Bills

Senator Cropsey moved that the rules be suspended and that the following bill, now on the order of Third Reading of Bills, be placed on its immediate passage:

Senate Bill No. 633

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

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

Senate Bill No. 525**Senate Bill No. 395****Senate Bill No. 396****Senate Bill No. 397****Senate Bill No. 398****Senate Bill No. 207****Senate Bill No. 633**

The motion prevailed.

The following bill was read a third time:

Senate Bill No. 525, entitled

A bill to amend 1978 PA 368, entitled "Public health code," (MCL 333.1101 to 333.25211) by adding section 9721.
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. 239

Yeas—26

Allen	Clarke	Kahn	Richardville
Anderson	Cropsey	Kuipers	Sanborn
Birkholz	George	McManus	Schauer
Bishop	Gilbert	Olshove	Stamas
Brown	Hardiman	Pappageorge	Van Woerkom
Cassis	Jansen	Patterson	Whitmer
Cherry	Jelinek		

Nays—6

Basham	Jacobs	Scott	Thomas
Hunter	Prusi		

Excused—6

Barcia	Clark-Coleman	Gleason	Switalski
Brater	Garcia		

Not Voting—0

In The Chair: Richardville

The Senate agreed to the title of the bill.

The following bill was read a third time:

Senate Bill No. 395, entitled

A bill to amend 1986 PA 268, entitled "Legislative council act," (MCL 4.1101 to 4.1901) by adding section 783.
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. 240

Yeas—21

Allen	Cropsey	Jelinek	Patterson
Anderson	George	Kahn	Richardville
Birkholz	Gilbert	Kuipers	Sanborn
Bishop	Hardiman	McManus	Stamas
Brown	Jansen	Pappageorge	Van Woerkom
Cassis			

Nays—11

Basham	Hunter	Prusi	Thomas
Cherry	Jacobs	Schauer	Whitmer
Clarke	Olshove	Scott	

Excused—6

Barcia	Clark-Coleman	Gleason	Switalski
Brater	Garcia		

Not Voting—0

In The Chair: Richardville

The Senate agreed to the title of the bill.

The following bill was read a third time:

Senate Bill No. 396, entitled

A bill to amend 1986 PA 268, entitled “Legislative council act,” (MCL 4.1101 to 4.1901) by adding chapter 7A; 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. 241**Yeas—21**

Allen	Cropsey	Jelinek	Patterson
Anderson	George	Kahn	Richardville
Birkholz	Gilbert	Kuipers	Sanborn
Bishop	Hardiman	McManus	Stamas
Brown	Jansen	Pappageorge	Van Woerkom
Cassis			

Nays—11

Basham	Hunter	Prusi	Thomas
Cherry	Jacobs	Schauer	Whitmer
Clarke	Olshove	Scott	

Excused—6

Barcia	Clark-Coleman	Gleason	Switalski
Brater	Garcia		

Not Voting—0

In The Chair: Richardville

The Senate agreed to the title of the bill.

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

The motion prevailed.

Senator Schauer's statement is as follows:

I stand by concerns that I previously raised about the necessity or effectiveness of creating new bodies—new commissions—to do our jobs for us. I would like to just add a few brief additional comments. I can't get over the irony of the Legislature's search for efficiency in government through these proposals, becoming in itself an example of government inefficiency and duplication, including the efforts already underway or achieved by the Granholm Administration to become more efficient, such as the nonpartisan, privately-funded government performance improvement initiative.

The majority claims that this legislation creating new commissions is proof that they are committed to government efficiency. I suppose the majority will go home for the month of August satisfied that they've done their part on the reforms effort, since they've passed these bills and created these commissions; commissions, by the way, that may or may not ultimately be created, and even if they are, that won't—according to the bills' own language—report the recommendations back to us until June 1, 2009, almost two years from now. How much more will universities be forced to increase tuition between now and then? How many more police officers or fire fighters will be let go because we haven't gotten our act together?

Even though a group of experts—bipartisan experts—on the Governor's emergency panel already gave us recommendations on how to solve this crisis back in February, but this Senate hasn't acted. Instead, I suppose the claim will be made that our caucus isn't serious about reforms even though we've emphasized from day one that this long-term budget fix would need cuts, reforms, and revenue. Democrats are serious about reforms that we've already introduced to this point; a number of them we feel that would improve the way government works, give Michigan an economic boost, and help consumers. There are bills to require mandatory kindergarten so that our children get a better start in the first place; mental health court legislation to save corrections dollars and make sure these cases are handled appropriately; election reform to make sure people have more access, not less, to their right to vote. I could go on, and it is important to add that these commissions are being created during a budget crisis without a price tag. But my point is that the majority hasn't cornered the market on the idea of reforms. They've only cornered the market on the idea that their way is the only way.

Colleagues, these bills don't solve the problem. They are redundant. The Legislature, in fact, should do our work, including the Committee on Government Operations and Reform. So the majority may be able to push these bills and go home satisfied that they've acted on reforms, but I won't be convinced and the people of Michigan shouldn't be satisfied with this either.

The following bill was read a third time:

Senate Bill No. 397, entitled

A bill to amend 1986 PA 268, entitled "Legislative council act," (MCL 4.1101 to 4.1901) by adding section 753.

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. 242**Yeas—21**

Allen
Anderson
Birkholz
Bishop
Brown
Cassis

Cropsey
George
Gilbert
Hardiman
Jansen

Jelinek
Kahn
Kuipers
McManus
Pappageorge

Patterson
Richardville
Sanborn
Stamas
Van Woerkom

Nays—11

Basham	Hunter	Prusi	Thomas
Cherry	Jacobs	Schauer	Whitmer
Clarke	Olshove	Scott	

Excused—6

Barcia	Clark-Coleman	Gleason	Switalski
Brater	Garcia		

Not Voting—0

In The Chair: Richardville

The Senate agreed to the title of the bill.

The following bill was read a third time:

Senate Bill No. 398, entitled

A bill to amend 1986 PA 268, entitled “Legislative council act,” (MCL 4.1101 to 4.1901) by adding chapter 7B; 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. 243**Yeas—21**

Allen	Cropsey	Jelinek	Patterson
Anderson	George	Kahn	Richardville
Birkholz	Gilbert	Kuipers	Sanborn
Bishop	Hardiman	McManus	Stamas
Brown	Jansen	Pappageorge	Van Woerkom
Cassis			

Nays—11

Basham	Hunter	Prusi	Thomas
Cherry	Jacobs	Schauer	Whitmer
Clarke	Olshove	Scott	

Excused—6

Barcia	Clark-Coleman	Gleason	Switalski
Brater	Garcia		

Not Voting—0

In The Chair: Richardville

The Senate agreed to the title of the bill.

The following bill was read a third time:

Senate Bill No. 207, entitled

A bill to amend 1995 PA 24, entitled “Michigan economic growth authority act,” by amending sections 3 and 8 (MCL 207.803 and 207.808), section 3 as amended by 2006 PA 281 and section 8 as amended by 2006 PA 484.

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. 244**Yeas—32**

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

Nays—0**Excused—6**

Barcia	Clark-Coleman	Gleason	Switalski
Brater	Garcia		

Not Voting—0

In The Chair: Richardville

The Senate agreed to the title of the bill.

The following bill was read a third time:

Senate Bill No. 633, entitled

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” by amending section 43537 (MCL 324.43537), as amended by 1996 PA 585.

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. 245**Yeas—32**

Allen	Clarke	Jelinek	Richardville
Anderson	Cropsey	Kahn	Sanborn

Basham	George	Kuipers	Schauer
Birkholz	Gilbert	McManus	Scott
Bishop	Hardiman	Olshove	Stamas
Brown	Hunter	Pappageorge	Thomas
Cassis	Jacobs	Patterson	Van Woerkom
Cherry	Jansen	Prusi	Whitmer

Nays—0

Excused—6

Barcia	Clark-Coleman	Gleason	Switalski
Brater	Garcia		

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

Resolutions

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

Senate Resolution No. 88

The resolution consent calendar was adopted.

Senator Brown offered the following resolution:

Senate Resolution No. 88.

A resolution to commemorate August 2007 as Michigan International Speedway Month in the state of Michigan.

Whereas, Michigan International Speedway, a two-mile oval racetrack, is one of the premier motorsports facilities in the country; and

Whereas, Michigan International Speedway is a 132,000-seat racetrack built in 1968 and nestled on 1,400 acres located in the heart of Michigan’s “Irish Hills”; and

Whereas, Michigan International Speedway hosts two NASCAR NEXTEL Cup Series races each year, the two largest, single-day sporting events in the state of Michigan; and

Whereas, The major contributor to the local sports economy, Michigan International Speedway brings in nearly \$300 million annually, an amount that is the economic equivalent of the Super Bowl and greater than the contributions of most Michigan sports combined; and

Whereas, During the two NASCAR NEXTEL Cup Series weekends, Michigan International Speedway attracts fans from all 50 states and 13 countries, along with more than 10 million television viewers worldwide; and

Whereas, Michigan International Speedway draws more Fortune 500 companies at the venue on any given race weekend than other sports combined, nationally and locally; and

Whereas, Fifty-five percent of the fans who attend events at Michigan International Speedway come from outside the state of Michigan, contributing to the growth of the state’s tourism economy; and

Whereas, Events at Michigan International Speedway attract numerous media outlets from around the world, providing the state of Michigan with positive exposure; and

Whereas, Michigan International Speedway hosts the Spirit of America 800, the state’s largest, single-day blood drive and largest September 11 blood drive in the nation; and

Whereas, Michigan International Speedway is a valued corporate citizen whose contributions are not just financial. The speedway hosts several fund-raising events throughout the year and makes significant charitable contributions; and

Whereas, Charitable groups that work Michigan International Speedway events, collectively, earn about \$500,000 annually for their efforts; and

Whereas, Michigan International Speedway's NASCAR NEXTEL Cup Series, NASCAR Busch Series, NASCAR Craftsman Truck Series, ARCA RE/MAX Series, and IRL IndyCar Series races during the summer showcase the talents of America's best and most-recognized driver/athletes; and

Whereas, It is fitting and proper that the contributions of Michigan International Speedway to our economy and to our state be recognized by this legislative body; now, therefore, be it

Resolved by the Senate, That we hereby proclaim August 2007 as Michigan International Speedway Month in Michigan; and be it further

Resolved, That a copy of this resolution be transmitted to Michigan International Speedway as a token of our highest esteem.

Senators Anderson, Birkholz, Cassis, Cherry, Hardiman, Jacobs, Kahn, Olshove, Pappageorge, Richardville and Schauer were named co-sponsors of the resolution.

Senators Kuipers, Allen, Basham, Prusi, Jacobs, Pappageorge, Clarke, Bishop, Hardiman, Cherry, Kahn, Brown, Whitmer, Anderson, McManus, Olshove and Patterson offered the following resolution:

Senate Resolution No. 89.

A resolution to memorialize the United States Congress to enact H.R. 2927, which responsibly balances achievable fuel economy increases with important economic and social concerns, including consumer demand.

Whereas, H.R. 2927 sets tough fuel economy standards without off ramps or loopholes, by requiring separate car and truck standards to meet a total fleet fuel economy between 32 and 35 mpg by 2022—an increase of as much as 40 percent over current fuel economy standards—and requires vehicle fuel economy to be increased to the maximum feasible level in the years leading up to 2022; and

Whereas, H.R. 2927, while challenging, will provide automakers more reasonable lead time to implement technology changes in both the near and long term. Model year 2008 vehicles are already available today, and product and manufacturing planning is done through model year 2012. H.R. 2927 recognizes the critical need for engineering lead times necessary for manufacturers to make significant changes to their fleets; and

Whereas, H.R. 2927 respects consumer choice by protecting the important functional differences between passenger cars and light trucks/SUVs. Last year, 2006, was the sixth year in a row that Americans bought more trucks, minivans, and SUVs than passenger cars because they value attributes such as passenger and cargo load capacity, four-wheel drive, and towing capability that most cars are not designed to provide; and

Whereas, While some would like fuel economy increases to be much more aggressive and be implemented with much less lead time, Corporate Average Fuel Economy (CAFE) standards must be set at levels and in time frames that do not impose economic harm on the manufacturers, suppliers, dealers, and others in the auto industry; and

Whereas, Proponents of unrealistic and unattainable CAFE standards cite Europe's 35 mpg fuel economy, without ever mentioning Europe's \$6 per gallon gasoline prices, the high sales of diesel vehicles, the high proportion of Europeans driving manual transmission vehicles (80 percent in Europe vs. 8 percent in the U.S.), the significant differences in the size mix of vehicles, or that trucks and SUVs are virtually nonexistent among Europe households; and

Whereas, Proponents of unreasonable CAFE standards claim they will save consumers billions, but they neglect to talk about the upfront costs of such changes to the manufacturers of meeting unduly strict CAFE standards—more than \$100 billion, according to the National Highway Traffic Safety Administration—which will lead to vehicle price increases of several thousand dollars; and

Whereas, Proponents of unrealistic CAFE standards ignore the potential safety impacts of downsized vehicles on America's highways and overlook the historical role and critical importance of manufacturing plants to our national and economic security. They seem unconcerned about threats to the 7.5 million jobs that are directly and indirectly dependent on a vibrant auto industry in the United States; and

Whereas, H.R. 2927 is a reasonable bill that balances a number of important public policy concerns. The bill represents a tough but fair compromise that deserves serious consideration and support; now, therefore, be it

Resolved by the Senate, That we memorialize the United States Congress to enact H.R. 2927, which responsibly balances achievable fuel economy increases with important economic and social concerns, including consumer demand; and be it further

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

Pending the order that, under rule 3.204, the resolution be referred to the Committee on Government Operations and Reform,

Senator Cropsey moved that the rule be suspended.

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

The question being on the adoption of the resolution,

Senator Cropsey requested the yeas and nays.

The yeas and nays were ordered, 1/5 of the members present voting therefor.

The resolution was adopted, a majority of the members voting therefor, as follows:

Roll Call No. 246**Yeas—32**

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

Nays—0**Excused—6**

Barcia	Clark-Coleman	Gleason	Switalski
Brater	Garcia		

Not Voting—0

In The Chair: Richardville

Senators Cassis, Cropsey and Jelinek were named co-sponsors of the resolution.

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

The motion prevailed.

Senator Kuipers' statement is as follows:

I would like to give a brief explanation for why Senate Resolution No. 89 is before us today. I think we all understand what happens with Senate and House resolutions when they're sent to our federal delegation in Washington. My hope is that their reaction to this one will be a little bit different. It's believed that maybe as early as tomorrow the House will be voting on an energy bill which will contain language forcing the auto manufacturers to adopt stricter CAFE standards.

I think we all have been working to improve the condition of our environment. Those environmentalists will say that CAFE standards are really the only way for us to decrease our dependency on foreign oil but also improve the cleanness of our environment. I would urge this body today to adopt this resolution which really asks for Congress to adopt a more moderate resolution to the CAFE standards currently being debated.

Increasing fuel economy standards has real costs, fewer options, and automotive options in sales. We believe it will lead to increased bankruptcies in our auto industry and, of course, tens of thousands of additional jobs will be lost. We as a state can't afford to have additional jobs lost, considering what we've gone through in the last three or four years.

It's believed that increasing the CAFE standards to the extent that the leaders in Congress want to do currently today will add thousands of dollars to the cost of a new vehicle. While customers value fuel economy, they also want many other attributes in today's vehicles, such as safety, passenger room, and cargo space. They want to be able to climb a mountain with their vehicle, tow a boat, or haul additional products in their cars.

Raising CAFE standards limits customer choice and potentially makes them less safe on our highways. We believe that increasing CAFE standards ultimately could lead to more deaths on the roads. Overregulation shifts research dollars away from technologies such as hybrids and hydrogen vehicles. We've placed a lot of emphasis in this state in recent months on exploring the alternative fuel industry and the impact that will have on our automobiles. This additional regulation in terms of CAFE standards will force auto companies to redirect hundreds of millions of dollars from research and alternative fuels to meeting the requirements of this mandate. Implementation of CAFE standards outside the parameters of H.R. 2927 will cost our auto manufacturers more than \$100 billion according to the Highway Traffic Safety Administration.

Now it was my intent when I initially began working on introducing a resolution on CAFE standards and what our statement as a Michigan Senate should be. I wanted to go in a different direction, a much more harsh direction. But the industry supports what is contained in H.R. 2927, and after discussions with the members of that delegation from Ford, GM, Toyota, and Chrysler, it was suggested that they feel much more comfortable with what's contained in H.R. 2927, and they ask that our resolution here in the Michigan Senate reflect that.

I'm urging members of this body to support this resolution to send a message to Congress that increasing the standards in a drastic way will harm our auto industry at a time when we can't afford to have that happen.

Senator Basham's statement is as follows:

I rise in support of the Kuipers resolution. But also I just wanted to note that I think what the Kuipers resolution does is reinforce the good work that the dean of the Congress, my congressman, John Dingell, has done working on behalf of those folks who care about the environment but also care about jobs in the auto industry and what they mean to Michigan.

And, certainly, the dean of the Congress has taken a more reasoned approach than some of my colleagues on the same side of the aisle. We need to address a comprehensive package when it comes to global warming, but also we need to do it in a way that certainly protects and encourages the auto manufacturers to move in a direction of higher CAFE, which they're doing, and alternative fuels, which they are doing.

So I, certainly, believe that the autos are heading in the right direction. As a matter of fact, General Motors just posted a profit for this quarter. Ford is doing better. The turnaround is happening with the Big 3. They have issues with legacy; certainly, we need to allow those industries to grow and prosper.

I was fortunate enough to have worked in the auto industry for my career and have a retirement with health care as a result of that. I would hope that my son who works in the same industry and the same manufacturer would have those same benefits that I've had. So, certainly, the Kuipers resolution moves in that direction, and I would encourage members to support it.

Senator Allen's statement is as follows:

I rise wholeheartedly in support of this resolution, and I want to talk about the fiscal impact and how this is going to help our state. As you know, the CAFE standards have been a standard that has moved us to energy independence and is an area that has been worthwhile for us to keep on the conservation movement. But an aggressive CAFE standard also has the hindrance to our union jobs. One out of every five jobs in the state of Michigan is directly related to the auto industry.

In 2000, a third of the cars assembled in the United States of America were made in Michigan. That number is down to 22 percent. That has had a significant impact on our ability to support services because of the loss in tax revenues. These are very well-paying union jobs, and these jobs are the ones that have been the backbone to the middle class.

I think what is being put forth through the leadership of the dean of the United States Congress is a very fair one. It's balanced and appropriate, and I think we need to move forward with this resolution as printed.

By unanimous consent the Senate proceeded to the order of
Statements

Senators Brown, Scott, Whitmer, Cherry, Clarke, Sanborn, Patterson and McManus asked and were granted unanimous consent to make statements and moved that the statements be printed in the Journal.

The motion prevailed.

Senator Brown's statement is as follows:

Today the Senate approved Senate Resolution No. 88, declaring August as Michigan International Speedway Month. The resolution recognizes MIS as one of the premier speedways in the country and applauds the significant role it plays in the local and state economy.

August is one of the busiest months at MIS, as it hosts some of the world's most popular races. With the Firestone Indy 400, the Carfax 250, and the 3M Performance 400 all this month, August is truly Michigan International Speedway Month in Michigan. We are proud, Mr. President, that this first-class organization calls our state home.

The resolution details the \$400 million annual economic impact of the track, which has seating for 132,000 fans on its 1,400-acre site in the Irish Hills. The two annual NASCAR NEXTEL Cup races hosted by MIS are the biggest single-day sporting events in our state, attracting fans from 13 countries and all 50 states.

The document that we approved, the resolution, also recognizes MIS' extensive charitable work, which totals approximately \$500,000 annually and includes the Spirit of America 800, the state's largest single-day blood drive. MIS is a driving force for entertainment and also for Michigan's economy. We applaud, Mr. President, their significant contributions to our state.

Mr. President, all are welcome to co-sponsor the resolution on the resolution calendar at your desks.

Senator Scott's statement is as follows:

Mari Evans, the noted African American author of *I Am a Black Woman*, offers some simple advice: "Speak the truth to the people. Talk sense to the people. Free them with reason. Free them with honesty." This is a message that should be taken to heart by every person in this room.

The current insurance situation in Michigan is bigoted, intolerant, and unfair. We must speak the truth to the people. We must talk sense. We must free them with reason and free them with honesty. The way we can do that is by passing legislation that is based on reason and honesty and common sense. That's what fair and affordable insurance protection should be based on. That's what my legislation is based on.

Let's finally join together and make this a bipartisan effort on behalf of the citizens of Michigan. Let's talk sense to the people. Let's treat them with respect.

Senator George stated that had he been present on July 25 when the vote was taken on the passage of the following bill, he would have voted "yea":

Senate Bill No. 435

Senator George stated that had he been present on July 26 when the votes were taken on the passage of the following bills, he would have voted "yea":

Senate Bill No. 515

Senate Bill No. 540

Senator Whitmer's statement is as follows:

I rise today to address a statement I saw from the Senator, my friend, from the 30th District's comments in the *Grand Rapids Press* that trouble me greatly. Assuming the Senator was quoted correctly, I would ask that he repudiate this statement attributed to him.

He was quoted saying that he thought it would be "unconscionable for a federal judge to weigh in on state issues." So he believes that people should have no recourse against state laws in federal court? Every one of us has rights as Americans under the United States Constitution. When state law abridges those rights, jurisdiction properly resides with the federal courts. It's kind of the crux of our rights as Americans and our judicial system. So, yes, it is perfectly appropriate for citizens to seek redress for unjust state laws in the federal courts.

Now I'm not talking about this prison case that's in front of the courts, and I'll let the facts lead us where they will lead us. I'm talking about the very troubling notion that the chair was stating there shouldn't be a right to seek redress in the federal court system. Perhaps I should share with the chamber the involvement of the federal courts from a different perspective.

In our nation's history, the federal courts have often been the only place for our citizens to seek redress. I don't think it is going too far to state that the Civil Rights Movement would have been set back decades if, as the chair stated, federal courts were precluded from examining state laws and actions and ruling upon them.

Now does the Senator from Holland not support the federal government's involvement in the case of *Loving vs. Virginia* which overturned a state law banning interracial marriage? If the federal court had no jurisdiction there, that law would not have been overturned by the Supreme Court. People went to prison under that law and here is what the state court said:

"God created the races white, black, yellow, Malay and red, and he placed them on separate continents. And but for the interference with his arrangement there would be no cause for such marriages. That fact that he separated the races shows that he did not intend for the races to mix." That is what the state court said. Shocking? Yes. Unbelievable? Yes. A real state court ruling? Yes. They fought that state court ruling in federal court and the state of Virginia defended its laws.

But here is what the Supreme Court said:

"Marriage is one of the 'basic civil rights of man,' fundamental to our very existence and survival. To deny this fundamental freedom on so unsupportable a basis as the racial classifications embodied in these statutes, classifications so directly subversive of the principle of equality at the heart of the Fourteenth Amendment to the United States Constitution, is surely to deprive all the State's citizens of liberty without due process of law. The Fourteenth Amendment requires that the freedom of choice to marry not be restricted by invidious racial discrimination."

Now if you think that's old news, guess what? The last of these laws banning interracial marriage was just taken off the books in the year of 2000.

I could go on and on with the importance of the federal courts. You all know about *Brown vs. Board of Education*, I'm sure, but I believe I've made my point.

I remain deeply troubled by both his statement and the hearing being held today in the Judiciary Committee. The power to hold a hearing, to chair a committee, carries with it a responsibility. To question not just the fitness of one person, but the very structure of our federal system is, in my opinion, an abuse of the responsibility that comes with the appointment to chair this committee.

Senator Cherry's statement is as follows:

Today we approved two new trustees for the Central Michigan University Board of Control. These two public servants will be strong additions to the university, and their commitment to students and education will go a long way toward making this great institution even better. But, unfortunately, last week they were faced with one of their first acts as new regents to increase tuition for incoming students by over 20 percent. If you are like me, you received phone calls in your office about that action. That brings tuition up to over \$9,100 per school year, and that doesn't even take into consideration room and board.

The reason they were forced to increase tuition by such exorbitant amounts is because of the inaction of this Legislature—inaction that has delayed payments and made budget planning absolutely impossible for schools. We need over \$130 million more in new revenue to even meet the needs of the delayed payment, let alone the increases they would need for next year.

Let's be clear. The tuition increases that were made by universities are only a tax shift onto the students and families trying to make a better life for themselves and trying to make our state better. Our state's economy will not turn around unless we invest in our future workforce in higher education. We've made cuts; we're addressing reforms. Please look at the reality that we are facing and come to the table to discuss the much-needed revenues we need, as tuition will continue to skyrocket and we will price ourselves out of a better future for our children and our state.

Senator Kuipers stated that had he been present on July 26 when the votes were taken on the passage of the following bills, he would have voted "yea":

Senate Bill No. 515

Senate Bill No. 540

Senator Clarke's statement is as follows:

The United Nations Security Council has unanimously approved a 26,000-strong peacekeeping force for Darfur to help end four years of rape, slaughter, and genocide in the vast Sudanese region that so far the world has failed to stop. If fully deployed, this will be the largest peacekeeping operation in the world.

The U.N. Secretary General quoted by saying that this deployment is a "historic and unprecedented resolution" and will send "a clear and powerful signal" of the U.N.'s commitment to improve the lives of people of the region and to "close this tragic chapter in Sudan's history."

I also believe as a Michigan State Senator that the U.N. action sends a strong message to the state of Michigan to take appropriate action to divest from Sudan and to prohibit any future investment until the genocide has stopped and peace is restored.

Senator Sanborn's statement is as follows:

Mr. President, a couple of weeks ago when we were in session, the Senator from the 2nd District made the allegation that half of her constituents were driving without insurance, to which the Senator from the 7th District, my good friend, responded by calling upon the Governor to conduct an investigation as to why so many of the Senator from the 2nd District's constituents were breaking the law and, consequently, driving the cost of insurance up for the rest of our constituents.

The Senator from the 2nd District has also alleged that there is redlining going on. Redlining, of course, is an illegal act. If she has documentation of redlining, then she needs to turn this evidence over to the commissioner of OFIS to conduct an investigation.

Mr. President, I call upon the Governor, as did the Senator from the 7th District, to order an investigation by the OFIS commissioner into these claims by the Senator from the 2nd District of acts of illegal activity. If these illegal acts are going on, it is incumbent upon that Senator to present the evidence to the OFIS commissioner so she can conduct an investigation.

Senator Patterson's statement is as follows:

Earlier today under the order of Statements, one of our colleagues rose to make a statement that this body had to act to increase funding for higher education, as the failure of the Legislature to act was causing tuition to rise. Well, I have some facts. Since the fiscal year 2001-2002 period, over the next ensuing five years, the following universities have had rather a dramatic increase in compensation: Central Michigan University's faculty compensation for a full-time equivalent faculty member has risen \$15,000. During this same time, Eastern Michigan University's faculty compensation has risen per full-time equivalent \$11,000; Grand Valley, \$10,000; Michigan State, \$10,000; Oakland University, \$12,000; the University of Michigan-Ann Arbor, \$28,000 over five fiscal years. Whereas, their administrative and professional compensation for full-time equivalent has only risen a mere \$13,000. Wayne State, my alma mater, its faculty compensation has risen \$13,000, but their administrative and professional compensation has risen \$26,000 over five years.

I venture to say that the problem isn't in the amount of appropriations; it's in the failure of the governing boards of these universities to contain costs. That's why students are suffering tuition hikes of inordinate amounts—a failure to contain costs.

Senator McManus' statement is as follows:

Colleagues, we have the opportunity to raise Michigan's profile right here in this state and in the national arena to encourage participation in the election process and to make sure the next President of the United States is keenly aware of the issues which face our state. But to do this, we need to work very quickly so we will not be left behind.

A couple of bills, Senate Bill Nos. 624 and 625, would establish a state-run joint presidential primary in Michigan, bringing the decision for the major parties' presidential candidates out of the caucus rooms and into the hands of Michigan voters where it belongs. The bills would also call for a much earlier primary in Michigan. Right now, our primary is set for February 26—a full three weeks after Super Tuesday 2008. By then, it is likely the nominees will be all but decided, and no one will even notice or care who our citizens select.

Let's make sure that doesn't happen here in Michigan. Let's allow the people to choose the presidential primary nominee and demand that the candidates present their visions, their issues, and their platforms here in Michigan where it counts.

Let's get it done and pass these bills, the presidential primary bills, as soon as we can.

By unanimous consent the Senate returned to the order of

Motions and Communications

Senator Cropsey moved that when the Senate adjourns today, it stand adjourned until Wednesday, August 8; when it adjourns on Wednesday, August 8, it stand adjourned until Wednesday, August 15; and when it adjourns on Wednesday, August 15, it stand adjourned until Wednesday, August 22.

The motion prevailed.

Committee Reports

The Committee on Natural Resources and Environmental Affairs reported

Senate Bill No. 633, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 43537 (MCL 324.43537), as amended by 1996 PA 585.

With the recommendation that the bill pass.

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

Patricia L. Birkholz
Chairperson

To Report Out:

Yeas: Senators Birkholz, Van Woerkom, Basham and Prusi

Nays: None

The bill was referred to the Committee of the Whole.

COMMITTEE ATTENDANCE REPORT

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

Meeting held on Wednesday, July 25, 2007, at 1:00 p.m., Room 110, Farnum Building

Present: Senators Birkholz (C), Van Woerkom, Basham and Prusi

Excused: Senator Patterson

COMMITTEE ATTENDANCE REPORT

The Committee on Agriculture submitted the following:

Joint meeting held on Wednesday, July 25, 2007, at 11:00 a.m., Senate Hearing Room, Ground Floor, Boji Tower

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

COMMITTEE ATTENDANCE REPORT

The Subcommittee on Agriculture submitted the following:

Joint meeting held on Wednesday, July 25, 2007, at 11:15 a.m., Senate Hearing Room, Ground Floor, Boji Tower

Present: Senators Brown (C), Jelinek and Scott

COMMITTEE ATTENDANCE REPORT

The Subcommittee on Higher Education submitted the following:

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

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

Excused: Senators George, Barcia and Brater

COMMITTEE ATTENDANCE REPORT

The Committee on Finance submitted the following:

Meeting held on Thursday, July 26, 2007, at 11:14 a.m., Room 110, Farnum Building

Present: Senators Cassis (C), Jansen, Prusi, Jacobs and Whitmer

Excused: Senators Gilbert and McManus

Scheduled Meetings

Michigan Law Revision Commission - Thursday, August 23, 2:00 p.m., Legislative Council Conference Room, 3rd Floor, Boji Tower (373-0212)

Senator Cropsey moved that the Senate adjourn.

The motion prevailed, the time being 11:51 a.m.

In pursuance of the order previously made, the President pro tempore, Senator Richardville, declared the Senate adjourned until Wednesday, August 8, 2007, at 10:00 a.m.

CAROL MOREY VIVENTI
Secretary of the Senate