

No. 15
STATE OF MICHIGAN
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REGULAR SESSION OF 2010

Senate Chamber, Lansing, Wednesday, February 24, 2010.

10:00 a.m.

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

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

Allen—present
Anderson—present
Barcia—present
Basham—present
Birkholz—present
Bishop—present
Brater—present
Brown—present
Cassis—present
Cherry—present
Clark-Coleman—present
Clarke—present
Cropsey—present

Garcia—present
George—present
Gilbert—present
Gleason—present
Hardiman—present
Hunter—present
Jacobs—present
Jansen—present
Jelinek—present
Kahn—present
Kuipers—present
McManus—present
Nofs—present

Olshove—present
Pappageorge—present
Patterson—present
Prusi—present
Richardville—present
Sanborn—present
Scott—present
Stamas—present
Switalski—present
Thomas—present
Van Woerkom—present
Whitmer—present

Senator Tony Stamas of the 36th District offered the following invocation:

Lord, we thank You for this beautiful winter day. We pray for safety for our colleagues and those on the roads. In this beautiful time of the season, we also thank You for the hope of spring ahead and just the wonderful beauty that You have given us in this great state.

Lord, we pray for compassion to make the tough decisions for our state's future. We pray for humility to follow Your lead. We pray for wisdom not to follow a path of expediency, but to serve the needs of our residents. We pray for this Senate, the House of Representatives, our Governor, and Lieutenant Governor. We just pray that we might work together, Lord, to serve You and to serve the needs of the citizens of our great state.

We pray this in Jesus' name. Amen.

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

Motions and Communications

Senators Barcia, Sanborn, Birkholz and Bishop entered the Senate Chamber.

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

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

Senate Bill No. 132

House Bill No. 4194

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

Senator Cropsey moved that rule 3.902 be suspended to allow the guests of Senator Stamas admittance to the Senate floor.

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

Senator Cropsey moved that rule 3.901 be suspended to allow photographs to be taken from the Senate floor.
The motion prevailed, a majority of the members serving voting therefor.

Recess

Senator Cropsey moved that the Senate recess subject to the call of the Chair.
The motion prevailed, the time being 10:05 a.m.

10:15 a.m.

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

During the recess, Senators McManus, Hunter, Patterson, Gleason, Clarke, Cassis and Garcia entered the Senate Chamber.

By unanimous consent the Senate proceeded to the order of

Resolutions

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

Senate Resolution No. 41

Senate Resolution No. 75

Senate Resolution No. 88

House Concurrent Resolution No. 28

The motion prevailed.

Senator Scott offered the following resolution:

Senate Resolution No. 118.

A resolution in memory of Kelvin W. Scott, a champion for civil rights and a lawyer dedicated to justice.

Whereas, Kelvin W. Scott was born and raised in Saginaw, Michigan; and

Whereas, Mr. Scott attended Michigan State University before earning his law degree at Georgetown University Law School in 1987; and

Whereas, He had his first job at the Detroit law firm Dickinson Wright, P.L.L.C., before becoming an assistant U.S. attorney. Mr. Scott also was a litigator with Kienbaum Opperwall Hardy & Pelton, P.L.C., and counsel for Masco Corporation and Plastech Engineered Products, Inc.; and

Whereas, Governor Jennifer M. Granholm appointed Mr. Scott to the Civil Rights Commission in 2004 and then as department director in 2009; and

Whereas, Kelvin Scott launched a statewide discussion about race and was investigating migrant worker conditions in Michigan; and

Whereas, Mr. Scott was recently elected chairman of the board of Legal Aid and Defender of Detroit, also serving as past president of the Wolverine Bar Association, state representative of the National Black Prosecutors Association, and former board member for the 15th Democratic congressional district; and

Whereas, He enjoyed golf, basketball, and running and was an avid traveler; and

Whereas, Kelvin Scott died on February 20, 2010, at the age of 47 after a battle with cancer; now, therefore, be it

Resolved by the Senate, That we offer words of praise as a memorial for Kelvin W. Scott; and be it further

Resolved, That a copy of this resolution be transmitted to Mr. Scott's wife, Mrs. Ursula Henry, and his parents, Helen and Herman Scott. May they find comfort in their faith and their memories of this fine man and his distinguished life.

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

Senator Cropsy moved that the rule be suspended.

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

The resolution was adopted by a unanimous standing vote of the Senate.

Senator Cropsy moved that rule 3.204 be suspended to name the entire membership of the Senate and the Lieutenant Governor as co-sponsors of the resolution.

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

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

The motion prevailed.

Senator Clarke's statement is as follows:

I rise also to support this resolution. I met Kelvin Scott back in the summer of 1984 when we were first entering law school together, and I have seen him grow and develop to be an outstanding lawyer. He was a good man. When I heard about his passing, I felt angry because he was a lot younger than me and to have his life cut short like this, I thought, was not fair. He has touched so many people as a public servant, as a lawyer, as a friend, and as a husband to a great lady I have known for over 20 years, Ursula Henry.

It just truly shows that you can make a difference in this world, regardless of how much time you spend in it.

By unanimous consent the Senate returned to the order of

Motions and Communications

Senator Thomas moved that Senator Brater be temporarily excused from today's session.

The motion prevailed.

The following communications were received and read:

Office of the Senate Majority Leader

February 23, 2010

Pursuant to Senate Rule 2.104(c), I am requesting that the Senate Committee on Natural Resources and Environmental Affairs hold a hearing on the appointment of Rebecca Humphries to the Director of the Department of Natural Resources and Environment, and make written recommendations to the Government Operations Committee on these appointments.

February 23, 2010

Pursuant to Senate Rule 2.104(c), I am requesting that the Senate Committee on Agriculture and Bioeconomy hold a hearing on the appointment of Donald Koivisto to the Director of the Michigan Department of Agriculture, and make written recommendations to the Government Operations Committee on these appointments.

Sincerely,
Michael D. Bishop, Chairman
Government Operations Committee

The communications were referred to the Secretary for record.

The following communication was received:
Wayne County Airport Authority

February 17, 2010

Please find enclosed a copy of our 2009 Audited Financial Statements per the requirements of Public Act 90 of 2002. If you have any questions, please contact me at (734) 247-6775.

Sincerely,
Marge Basrai, CPA
Controller

The communication was referred to the Secretary for record.

The Secretary announced that the following House bill was received in the Senate and filed on Tuesday, February 23:
House Bill No. 5650

Messages from the Governor

The following messages from the Governor were received and read:

February 23, 2010

I respectfully submit to the Senate, pursuant to Section 6 of Article 5 of the Michigan Constitution of 1963, the following appointment to state office under Section 3 of the Community Corrections Act, 1988 PA 511, MCL 791.403:

State Community Corrections Board

Ms. Debra A. Walling of 1625 Highview, Dearborn, Michigan 48128, county of Wayne, succeeding Inez Brown, whose term has expired, is appointed to represent members of city government, for a term commencing February 23, 2010 and expiring March 31, 2013.

February 23, 2010

I respectfully submit to the Senate, pursuant to Section 6 of Article 5 of the Michigan Constitution of 1963, the following appointment to state office under Section 4 of the Michigan Gaming Control and Revenue Act, Initiated Law of 1996, MCL 432.204:

Michigan Gaming Control Board

Mr. Jim A. Plakas, a Democrat, of 6631 Golfview Street, Garden City, Michigan 48135, county of Wayne, succeeding Donald Robinson, whose term has expired, is appointed for a term commencing February 23, 2010 and expiring December 31, 2012.

Sincerely,
Jennifer M. Granholm
Governor

The appointments were referred to the Committee on Government Operations.

Messages from the House

Senate Bill No. 887, entitled

A bill to amend 1893 PA 206, entitled "The general property tax act," by amending section 7d (MCL 211.7d), as amended by 2008 PA 585.

The House of Representatives has passed the bill, ordered that it be given immediate effect and pursuant to Joint Rule 20, inserted the full title.

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

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

The Senate agreed to the full title.

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

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 Jansen 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 without amendment, the following bills:

Senate Bill No. 860, entitled

A bill to amend 1978 PA 90, entitled "Youth employment standards act," by amending section 4 (MCL 409.104), as amended by 1996 PA 438.

Senate Bill No. 1094, entitled

A bill to amend 1954 PA 116, entitled "Michigan election law," by amending section 714 (MCL 168.714), as amended by 1990 PA 7.

Senate Bill No. 1095, entitled

A bill to amend 1954 PA 116, entitled "Michigan election law," by amending section 644e (MCL 168.644e), as amended by 2003 PA 302.

Senate Bill No. 1096, entitled

A bill to amend 1954 PA 116, entitled "Michigan election law," by amending section 713 (MCL 168.713), as amended by 1990 PA 7.

The bills were 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. 721, entitled

A bill to amend 1954 PA 116, entitled "Michigan election law," by amending section 759a (MCL 168.759a), as amended by 2006 PA 605.

Substitute (S-2).

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. 619, entitled

A bill to amend 1937 PA 94, entitled "Use tax act," by amending section 21 (MCL 205.111), as amended by 1994 PA 34.

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 returned to the order of

Third Reading of Bills

Senator Brater entered the Senate Chamber.

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

House Bill No. 4200

House Bill No. 5140

The motion prevailed.

The following bill was read a third time:

House Bill No. 4200, entitled

A bill to amend 1893 PA 206, entitled “The general property tax act,” by amending sections 7cc and 7dd (MCL 211.7cc and 211.7dd), section 7cc as amended by 2008 PA 198 and section 7dd as amended by 2008 PA 243.

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. 57

Yeas—38

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

Nays—0

Excused—0

Not Voting—0

In The Chair: Richardville

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

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

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

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

The Senate agreed to the full title.

The following bill was read a third time:

House Bill No. 5140, entitled

A bill to amend 1949 PA 300, entitled “Michigan vehicle code,” (MCL 257.1 to 257.923) by amending the title, as amended by 2002 PA 554, and by adding section 618a.

The question being on the passage of the bill,

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

Whereas, According to the National Institutes of Health, nearly 30 million Americans suffer from almost 7,000 rare diseases. Rare diseases are classified as those that affect fewer than 200,000 individuals; and

Whereas, The National Organization for Rare Disorders (NORD), a unique federation of voluntary health organizations dedicated to helping people with rare “orphan” diseases and assisting the organizations that serve them, offers through its website www.rarediseases.org programs of education, advocacy, research, and other services; and

Whereas, Thousands of Michigan residents are affected by rare diseases as patients, friends and family, caregivers, physicians and other medical professionals, providers of social services, and researchers seeking to develop safe and effective treatments; and

Whereas, Since many rare diseases are genetic, about half of the people affected by rare diseases in the United States are children; and

Whereas, People with a rare disease experience challenges due to the nature of their disease, including difficulty in obtaining a timely and accurate diagnosis; difficulty in finding physicians or treatment centers with the needed expertise; treatments that are generally more expensive than those for common diseases; and reimbursement issues related to private insurance, Medicare, and Medicaid; and

Whereas, Research on rare diseases is important because it often adds significantly to the general understanding of more common diseases; now, therefore, be it

Resolved by the Senate, That we hereby recognize February 28, 2010, as Rare Disease Day in the state of Michigan; and be it further

Resolved, That the members of this legislative body urge all Michiganders to use this day as an opportunity to educate themselves about the challenges of rare diseases; and be it further

Resolved, That a copy of this resolution be transmitted to the National Organization for Rare Disorders.

Senators Anderson, Cherry, Clarke, Jansen and Van Woerkom were named co-sponsors of the resolution.

Senator Pappageorge offered the following resolution:

Senate Resolution No. 119.

A resolution commemorating March 2010 as Ethnic and Cultural Heritage Month in the state of Michigan.

Whereas, The culture of the people of the state of Michigan has continually been renewed and enriched by the many different individuals who have chosen to come to Michigan, become citizens, and call this state their home; and

Whereas, Each individual brings with them a part of his or her own heritage which over time integrates into one common heritage, leading us to become a united people; and

Whereas, As unified people with one common heritage, we represent the past, present, and future traditions of our great state; and

Whereas, As united citizens, we celebrate Michigan’s heritage with pride and great esteem; now, therefore, be it

Resolved by the Senate, That we hereby proclaim March 2010 as Ethnic and Cultural Heritage Month in the state of Michigan; and be it further

Resolved, That a copy of this resolution be transmitted to Royal Oak resident Joan Larson, who originated this idea years ago, as a token of our highest esteem.

Senator George offered the following concurrent resolution:

Senate Concurrent Resolution No. 34.

A concurrent resolution to memorialize the Congress of the United States, the President, the Secretary of the U.S. Department of Health and Human Services, and the director of the Centers for Medicare and Medicaid Services to change Medicaid laws, rules, and policies to reward states for maintaining healthy Medicaid populations and administering efficient, cost-effective programs.

Whereas, An unfortunate contradiction exists with the Medicaid program which causes states that efficiently administer Medicaid and reduce state spending to be penalized by reducing federal matching funds. The current system rewards states that spend significant amounts of general fund dollars on their Medicaid programs with increased federal matching funds regardless of the effectiveness of the program in keeping the population healthy. This incentive leads to programs fraught with overspending and inefficiencies that are leading state governments to the brink of insolvency; and

Whereas, The Medicaid system is built on a false premise that spending more money on health care services will improve the health of a population when, in fact, a population’s behavior is the single greatest determinant of its health. Under the current program, states which spend more on inefficient and costly services and administration are rewarded with greater federal matching dollars. This causes states to divert precious resources from other priorities to chase federal dollars. In return, it is a factor in driving the federal government into deeper and deeper debt. It is of vital necessity for the federal government to change the course of the Medicaid program and provide incentives for states to achieve better results from Medicaid programs while spending less; and

Whereas, In recent years, the burden of Medicaid has begun to weigh down the state's ability to function. In fiscal year 1999-2000, Medicaid only accounted for approximately 15 percent of total adjusted gross spending for the state. In fiscal year 2009-2010, Medicaid will account for approximately 23 percent of total adjusted gross spending for the state. If this escalation in Medicaid spending continues, the state will be unable to meet its other obligations. It is time that federal Medicaid laws, rules, and policies reverse the practices of the past by discontinuing a system that rewards inefficiencies and excessive spending; and

Whereas, It is time for the federal government to reconsider these ineffective and flawed federal dollar match practices that encourage inefficient Medicaid programs and, instead, provide federal block grants to states, which would ensure that states receive the money they are due to operate their Medicaid programs so that states have an incentive to operate cost-effective programs; now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That we memorialize the Congress, the President of the United States, the Secretary of the U.S. Department of Health and Human Services, and the director of the Centers for Medicare and Medicaid Services to change Medicaid laws, rules, and policies to reward states for results, staying healthy, and spending less; and be it further

Resolved, That copies of this resolution be transmitted to the President of the United States, the Majority Leader of the United States Senate, the Speaker of the United States House of Representatives, the Secretary of the U.S. Department of Health and Human Services, the director of the Centers for Medicare and Medicaid Services, and the members of the Michigan congressional delegation.

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

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 concurrent resolution,

Senator Cropsey requested the yeas and nays.

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

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

Roll Call No. 59

Yeas—26

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

Nays—12

Basham	Clark-Coleman	Jacobs	Switalski
Brater	Clarke	Prusi	Thomas
Cherry	Hunter	Scott	Whitmer

Excused—0

Not Voting—0

In The Chair: Richardville

Senators Jansen and Van Woerkom were named co-sponsors of the concurrent resolution.

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

The motion prevailed.

Senator George's statement is as follows:

This, in fact, speaks to the need of our state to advocate for our fair share of federal dollars which our citizens have already paid in taxes to the federal government, and for us to receive our fair share, we have to ask citizens in our struggling state to pony up more. We are constantly looking for another scheme, another system to leverage federal dollars that should be due us already. In fact, this resolution calls for our state to get our fair share of federal dollars, and the reason we are not now is because the system is broken.

The Medicaid system was designed in the mid-1960s to be a mechanism to provide care for the poor and the disabled. But what has it become? It has become a scheme, a funding scheme which has dragged both the federal and state governments down in a tangled mess. It is a scheme that says in order for us to get our fair share, we need to cut funding to libraries, to museums, to schools, and to universities. We need to cut revenue sharing. We need to raise taxes on our citizens, or we need to postpone business tax cuts in order to put more money in so that we can get our fair share back.

The system is flawed. It is based on the FMAP, the Federal Medical Assistance Percentage, designed in the '60s, which says that the federal government will match what states put in. Here we are the state with the highest unemployment in the country—a struggling state—and our match rate is 24th. The system is flawed.

This resolution calls on our Governor and our federal delegation to seek to change it, so that our citizens will receive their fair share; so that we won't have to go to them and raise their taxes in order to get our federal tax money back.

Alabama, Arizona, Arkansas, Georgia, Idaho, Indiana, Iowa, Kentucky, Louisiana, Maine, Mississippi, Missouri, Montana, New Mexico, North Carolina, Ohio, Oklahoma, Oregon, South Carolina, Tennessee, Utah, and West Virginia all have higher federal Medicaid match rates than our state. They all have lower unemployment rates. The system is broken. It is wrong that our Governor would have to ask our citizens to raise their taxes to get our fair share of federal dollars back. The system is fatally flawed. Where does the federal government get it from? Aren't they in debt as well? The system needs to be changed so that the measure of Medicaid is not in how much you spend. Each state is rewarded for spending more.

Instead, it ought to be a block grant system. We ought to get our fair share, and with that we ought to have targets. We ought to use those resources to operate the system efficiently. We ought not to be punished for doing it efficiently, for doing it with less money, and for having an efficient Medicaid program that uses HMOs properly. We are punished if we find savings. We are punished and our fair share of federal monies is then withheld.

So this isn't about not getting our fair share; this is about maximizing the amount that is due to us. Colleagues, it is critically important because this is the tangle that is leading states towards insolvency. We must ask our Governor and our federal delegation to work to correct this flawed system. Please join me in supporting both this resolution and the subsequent resolution, Senate Resolution No. 117.

Senator George offered the following resolution:

Senate Resolution No. 117.

A resolution to memorialize the Congress of the United States, the President, the Secretary of the U.S. Department of Health and Human Services, and the director of the Centers for Medicare and Medicaid Services to change Medicaid laws, rules, and policies to reward states for maintaining healthy Medicaid populations and administering efficient, cost-effective programs.

Whereas, An unfortunate contradiction exists with the Medicaid program which causes states that efficiently administer Medicaid and reduce state spending to be penalized by reducing federal matching funds. The current system rewards states that spend significant amounts of general fund dollars on their Medicaid programs with increased federal matching funds, regardless of the effectiveness of the program in keeping the population healthy. This incentive leads to programs fraught with overspending and inefficiencies that are leading state governments to the brink of insolvency; and

Whereas, The Medicaid system is built on a false premise that spending more money on health care services will improve the health of a population when, in fact, a population's behavior is the single greatest determinant of its health. Under the current program, states which spend more on inefficient and costly services and administration are rewarded with greater federal matching dollars. This causes states to divert precious resources from other priorities to chase federal dollars. In return, it is a factor in driving the federal government into deeper and deeper debt. It is of vital necessity for the federal government to change the course of the Medicaid program and provide incentives for states to achieve better results from Medicaid programs while spending less; and

Whereas, In recent years, the burden of Medicaid has begun to weigh down the state's ability to function. In fiscal year 1999-2000, Medicaid only accounted for approximately 15 percent of total adjusted gross spending for the state. In fiscal year 2009-2010, Medicaid will account for approximately 23 percent of total adjusted gross spending for the state. If this escalation in Medicaid spending continues, the state will be unable to meet its other obligations. It is time that federal Medicaid laws, rules, and policies reverse the practices of the past by discontinuing a system that rewards inefficiencies and excessive spending; and

Whereas, It is time for the federal government to reconsider these ineffective and flawed federal dollar match practices that encourage inefficient Medicaid programs and, instead, provide federal block grants to states, which would ensure that states receive the money they are due to operate their Medicaid programs so that states have an incentive to operate cost-effective programs; now, therefore, be it

Resolved by the Senate, That we memorialize the Congress, the President of the United States, the Secretary of the U.S. Department of Health and Human Services, and the director of the Centers for Medicare and Medicaid Services to change Medicaid laws, rules, and policies to reward states for results, staying healthy, and spending less; and be it further

Resolved, That copies of this resolution be transmitted to the President of the United States, the Majority Leader of the United States Senate, the Speaker of the United States House of Representatives, the Secretary of the U.S. Department of Health and Human Services, the director of the Centers for Medicare and Medicaid Services, 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, 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. 60

Yeas—26

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

Nays—12

Basham	Clark-Coleman	Jacobs	Switalski
Brater	Clarke	Prusi	Thomas
Cherry	Hunter	Scott	Whitmer

Excused—0

Not Voting—0

In The Chair: Richardville

Senators Jansen and Van Woerkom were named co-sponsors of the resolution.

Protests

Senators Cherry, Whitmer, Jacobs, Brater, Scott and Clark-Coleman, under their constitutional right of protest (Art. 4, Sec. 18), protested against the adoption of Senate Concurrent Resolution No. 34 and Senate Resolution No. 117.

Senator Cherry moved that the statements she made during the discussion of Senate Concurrent Resolution No. 34 be printed as her reasons for voting “no.”

The motion prevailed.

Senator Cherry's first statement, in which Senators Whitmer, Jacobs, Brater, Scott and Clark-Coleman concurred, is as follows:

While I support the goals of this resolution, after reading it, I have some concerns with the language. First of all, it talks about inefficient Medicaid programs. I am not clear if the sponsor is talking about Michigan because Michigan—through its managed care program—if you look at the cost that we have seen, is one of the most cost-effective Medicaid programs.

Now it is true that there are issues of trying to change Medicaid to promote healthy behavior, and I support those kinds of efforts. But I don't support changing the match program at a time when we need all the money we can get in Medicaid to help provide the services when we need to provide a basic level of care for people when they are suffering the most.

So, while again I support the goal of what the good Senator is proposing, I do not want to support changing Medicaid to the point where Michigan would lose dollars. I also believe, as I said earlier, that given the kind of health care status in this state right now, we have one of the most cost-effective programs. That is not to say that we should not be doing more to promote healthy behaviors, but I don't believe that it makes sense right now to pass overwhelming statements about how the program should change at a time when we are in need of all the Medicaid dollars we can get.

So, Mr. President, I am going to oppose this resolution. I hope members do too.

Senator Cherry's second statement, in which Senators Whitmer, Jacobs, Brater, Scott and Clark-Coleman concurred, is as follows:

I want to thank the sponsor of this resolution for describing what his resolution does. I wish that the language actually said that. If the sponsor was talking about changing the FMAP—the matching requirements—so that Michigan got more money, I am all for that. I am all for making sure that we get the money that we need to take care of the population we have. But that is not what the resolution says; at least I know I read it. I am probably one of the few people here who read it. It doesn't describe that.

So I guess I am still voting “no” on this resolution. I ask members to do so.

Introduction and Referral of Bills

Senator Brown introduced

Senate Bill No. 1149, entitled

A bill to make appropriations for the department of agriculture for the fiscal year ending September 30, 2011; 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 McManus introduced

Senate Bill No. 1150, entitled

A bill to provide for a capital outlay program; to set forth the provisions for its implementation within the budgetary process; to make appropriations for planning and construction at state institutions and the acquisition of land; to provide for the elimination of fire hazards at the institutions; to provide for certain special maintenance, remodeling, alteration, renovation, or demolition of and additions to projects at state institutions; to provide for elimination of occupational safety and health hazards at state agencies and institutions; to provide for the award of contracts; and to provide for the expenditure thereof under the supervision of the director of the department of management and budget and the state administrative board.

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

Senator Hardiman introduced

Senate Bill No. 1151, entitled

A bill to make appropriations for community and junior colleges for the fiscal year ending September 30, 2011; 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 Kahn introduced

Senate Bill No. 1152, entitled

A bill to make appropriations for the department of community health for the fiscal year ending September 30, 2011; 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 Cropsey introduced

Senate Bill No. 1153, entitled

A bill to make appropriations for the department of corrections for the fiscal year ending September 30, 2011; 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. 1154, entitled

A bill to make appropriations for the department of education for the fiscal year ending September 30, 2011; 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 Jansen introduced

Senate Bill No. 1155, entitled

A bill to make appropriations for the department of energy, labor, and economic growth for the fiscal year ending September 30, 2011; 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 Pappageorge introduced

Senate Bill No. 1156, entitled

A bill to make appropriations for the legislature, the judiciary, the executive, the department of attorney general, the department of state, the department of treasury, the department of management and budget, the department of civil service, the department of civil rights, and certain state purposes related thereto for the fiscal year ending September 30, 2011; to provide for the expenditure of the appropriations; to provide for the disposition of fees and other income received by the state agencies; and to declare the effect of this act.

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

Senator Stamas introduced

Senate Bill No. 1157, entitled

A bill to make appropriations for higher education for the fiscal year ending September 30, 2011; 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 Hardiman introduced

Senate Bill No. 1158, entitled

A bill to make appropriations for the department of human services for the fiscal year ending September 30, 2011; 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 Cropsey introduced

Senate Bill No. 1159, entitled

A bill to make appropriations for the judiciary for the fiscal year ending September 30, 2011; 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 Garcia introduced

Senate Bill No. 1160, entitled

A bill to make appropriations for the department of military and veterans affairs for the fiscal year ending September 30, 2011; 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 McManus introduced
Senate Bill No. 1161, entitled

A bill to make appropriations for the department of natural resources and environment for the fiscal year ending September 30, 2011; 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 Garcia introduced
Senate Bill No. 1162, entitled

A bill to make appropriations for the department of state police for the fiscal year ending September 30, 2011; 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. 1163, 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), section 11 as amended by 2009 PA 203 and section 17b as amended by 2007 PA 137.

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

Senator Hardiman introduced
Senate Bill No. 1164, entitled

A bill to make appropriations for the department of transportation for the fiscal year ending September 30, 2011; 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. 1165, entitled

A bill to amend 1979 PA 94, entitled "The state school aid act of 1979," by amending section 11 (MCL 388.1611), as amended by 2009 PA 203.

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

Senator Jelinek introduced
Senate Bill No. 1166, entitled

A bill to make, supplement, and adjust appropriations for various state departments and agencies for the fiscal year ending September 30, 2011; 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 Brown introduced
Senate Bill No. 1167, entitled

A bill to amend 1978 PA 368, entitled "Public health code," (MCL 333.1101 to 333.25211) by adding section 20955.

The bill was read a first and second time by title and referred to the Committee on Homeland Security and Emerging Technologies.

Senator McManus introduced
Senate Bill No. 1168, entitled

A bill to amend 1954 PA 116, entitled "Michigan election law," by amending sections 3, 52, 53, 92, 93, 132, 133, 162, 163, 192, 193, 223, 224, 253, 254, 322, 345, 349, 370, 409a, 412, 426a, 426c, 426d, 432, 433, 467a, 534, 535, 551, 559, 570a, 591, 592, 598, 611, 623a, 641, 642, 686a, 713, 714, 737a, and 821 (MCL 168.3, 168.52, 168.53, 168.92, 168.93, 168.132, 168.133, 168.162, 168.163, 168.192, 168.193, 168.223, 168.224, 168.253, 168.254, 168.322, 168.345, 168.349, 168.370, 168.409a, 168.412, 168.426a, 168.426c, 168.426d, 168.432, 168.433, 168.467a, 168.534, 168.535, 168.551, 168.559, 168.570a, 168.591, 168.592, 168.598, 168.611, 168.623a, 168.641, 168.642, 168.686a, 168.713, 168.714, 168.737a, and 168.821), sections 3, 322, and 821 as amended by 2003 PA 302, sections 53, 163, 193, 224, 254, 349, 426d, and 433 as amended by 1999 PA 218, sections 93 and 133 as amended by 2000 PA 491, sections 370 and 641 as

amended by 2005 PA 71, section 467a as amended by 1981 PA 4, sections 534, 592, 598, and 623a as amended by 1988 PA 116, sections 551, 713, and 714 as amended by 1990 PA 7, section 591 as amended by 1990 PA 109, section 611 as amended by 1996 PA 583, section 642 as amended by 2004 PA 292, section 686a as amended by 1999 PA 216, and section 737a as amended by 2006 PA 87.

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

Senator McManus introduced

Senate Bill No. 1169, entitled

A bill to amend 1851 PA 156, entitled "An act to define the powers and duties of the county boards of commissioners of the several counties, and to confer upon them certain local, administrative and legislative powers; and to prescribe penalties for the violation of the provisions of this act," by amending section 16c (MCL 46.16c), as added by 1988 PA 37.

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

Senator McManus introduced

Senate Bill No. 1170, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending sections 550, 550a, 805, 8175, and 8176 (MCL 600.550, 600.550a, 600.805, 600.8175, and 600.8176), sections 550 and 8175 as amended by 1990 PA 54, sections 550a and 8176 as amended by 2002 PA 92, and section 805 as amended by 1988 PA 134.

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

Senators Whitmer, Basham, Cherry, Anderson, Brater, Sanborn, Jacobs, Gleason, Barcia and Hunter introduced

Senate Bill No. 1171, entitled

A bill to amend 1893 PA 206, entitled "The general property tax act," by amending sections 87c and 87d (MCL 211.87c and 211.87d), section 87c as amended by 2002 PA 165 and section 87d as amended by 1982 PA 503.

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

Senators Basham, Patterson, Anderson, Cherry, Hunter, Clark-Coleman, Olshove, Thomas, Prusi, Switalski, Sanborn, Gilbert, Brown, Jacobs, Barcia, Gleason, Clarke, Allen, George, Nofs, Van Woerkom, Kahn, Pappageorge, Birkholz, Hardiman, Garcia, Jansen, Brater, Kuipers, Whitmer, Bishop, Scott, Stamas and Richardville introduced

Senate Bill No. 1172, entitled

A bill to amend 1978 PA 368, entitled "Public health code," (MCL 333.1101 to 333.25211) by adding section 17231.

The bill was read a first and second time by title.

Senator Cropsey moved that rule 3.203 be suspended and that the bill be referred to the Committee of the Whole and placed on the order of General Orders.

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

Senators Cassis, Hardiman, Pappageorge, Stamas, Cropsey, Birkholz, Gilbert, Jansen, Garcia and Sanborn introduced

Senate Bill No. 1173, 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 sections 1 and 14 (MCL 423.201 and 423.214), section 1 as amended by 1999 PA 204.

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

House Bill No. 5029, entitled

A bill to amend 1982 PA 204, entitled "Deaf persons' interpreters act," (MCL 393.501 to 393.509) by adding section 8f.

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. 5650, entitled

A bill to amend an act of the Territorial Laws, p. 1131, vol. III, approved April 22, 1833, entitled “An act to establish Kalamazoo college and to prescribe its powers and duties,” by amending section 3 (MCL 390.753), as amended by 1985 PA 203.

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. 5672, entitled

A bill to amend 1937 PA 72, entitled “Division of deafness act,” by amending section 8 (MCL 408.208), as added by 1988 PA 434.

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.

Statements

Senators Hardiman, Scott, Cassis, Kahn, Anderson, Switalski, Brater and Van Woerkom 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 today to offer comments on the Michigan Home Based Child Care Council. The Michigan Home Based Child Care Council received \$790,200 in general funds last fiscal year in the Department of Human Services budget. This year, the conference report for the Department of Human Services eliminated that funding. I am incensed that the department is continuing to fund the Michigan child care council.

The child care council was created by an obscure agreement between a community college and the state of Michigan. This agreement attempts to create an employer on paper so that employees would be allowed to form a union to bargain with it. There is a big problem with that, and all of us should be concerned.

This is not a statement against unions in general. I want to make that very clear. The so-called employees in this setup are not employees at all, but independent business people. They are day-care providers who have employees of their own. Instead of getting all of the pay for the service they provide, the independent business owners have watched the state skim off funds to pay for their dues.

There are a lot of issues with this, but one of the big problems is the terrible message it sends to job providers and employers. These child care providers are often small businesses started by individuals without big corporate backing. They have taken the risks all business people take and are trying to both provide a service and to employ a few of their neighbors. I think we should encourage more of that.

However, the state of Michigan—their government—has come along and said the rules of the game have been changed. Not only is your business not really yours, but your payment will be cut to fund some organization that perhaps you’ve never heard of and don’t see any benefits from. There was, apparently, a vote among some providers to form a union of so-called employees. I understand there is some dispute about how that was done, and there are lawsuits in state and federal court to sort this all out.

Regardless of how those suits go, my point is this: We have a long way to go to restore Michigan to the prosperity that we all want. For most of our residents, that prosperity is going to be through gainful employment by a private provider. When the administration uses gimmicks to reclassify employers as employees and then create unions to take part of their public funds, it needs to recognize what a terrible message is sent.

It is hard enough to go out on a limb and try to be a job provider. This is especially true for small businesses and first-time business owners. They have a rough road, and sometimes pride of ownership is about all that keeps them going. They are building something they own. I supported cutting off funds to the child care council last year. I object to the state setting up a structure that takes away this ownership under the guise of a paper organization.

This kind of game should have no part in state government. By one count, there have been over 40 negative stories in the state and national press about this council. We cannot afford to have this kind of publicity when we seek to send a new message and a new beginning for Michigan. The council deserves no further funding.

Senator Scott’s statement is as follows:

Once again, like many of her citizens, Michigan is facing another year of difficult budgeting. Many of our constituents in Detroit and across the state also face tough budget choices. Their insurance costs stretch their budgets to the breaking point, and they have no recourse because we require them to carry auto insurance.

Theodore Roosevelt once said, “Do what you can, with what you have, where you are.” We can do something about auto insurance costs because we have the legislation introduced and ready. There are House bills and there are Senate bills. We just need to act on them, and we will bring auto insurance relief to citizens in Detroit and across the state.

In a year of tough choices and inevitable cuts, imagine the goodwill we could enjoy if we just took care of this one issue—auto insurance reform—that has such a great impact on all of the people whom we serve.

Senator Cassis’ statement is as follows:

If legislators ever needed to feel the temperature of taxpayers in regard to covering budgetary spending with new or expanded taxes, we have a very intense and strong message given the election results last night in two Oakland County communities. Troy taxpayers by a huge margin of 2-to-1 or 63 percent to 37 percent overwhelmingly rejected a 1.9 millage increase in taxes.

In the Berkley School District, taxpayers soundly rejected a bonding proposal, a large levy of 4.27 mills to 7.75 mills for an incredible 27-year period. This represents taxpayers’ rejection of more than 2-to-1, 69 percent to 31 percent.

Our constituents are registering their strong disapproval and displeasure with efforts to raise the tax burden on them with a resounding “no”; so should we.

Senator Kahn’s statement is as follows:

Over the last few months—even years in this chamber and most recently by the offices of management, the notion of the activities of the work of the poor product of the FDA has been attacked. I wanted to bring some facts into this debate about the work of the FDA. It costs about \$800 million to bring in a new drug to market in the United States because of the extensive investigation required by the Food and Drug Administration, i.e., FDA. That work, that investigation demonstrates the efficacy, safety, and also the risk-benefit of new drugs.

Well, what is involved in a marketing application? Is it thorough? Does it have integrity? After all, these issues have been attacked and repeatedly when they talk about repealing the FDA defense.

An application starts with the chemistry and the manufacturing information regarding the drug, and that must be submitted to the FDA. The unique identity of the drug must be demonstrated. The quality and the purity of the manufacturing process must be shown. Nonclinical information must be submitted prior to any human trials. This information includes animal studies as they relate to the drug’s proposed therapeutic indication. This also includes microbiology information that demonstrates the drug’s effect on bacteria or viruses.

There must be clinical information submitted that shows how the drug acts in humans. This information must include the metabolism of the drug, the dose effect of the drug, the effectiveness of the drug, the safety studies, and statistical analysis. The information submitted must include controlled clinical studies, and they have to also include uncontrolled trials, studies of other uses, company commercial marketing experience, independent publishers’ reports, and also unpublished scientific papers.

All of this is integrated into a summary of the drug’s effectiveness with the proposal for its use, and that must include a demographic effect analysis and an analysis of special populations, like pregnant women for example. All available safety data is included, including animal data, drug-to-drug interaction data, epidemial logic data, data regarding related drugs, and potential adverse effects, and that is not all.

Then a multidisciplinary review team is appointed, and it analyzes the data, and that team includes a physician, a chemist, a manufacturing expert, a nonclinical pharmacologist, a toxicologist, a clinical pharmacologist, a statistician, a microbiologist, and of course, the project manager, and this isn’t enough. There is an extended review after that is done, and this includes a safety evaluator, a compliance investigator, and internal and external consultants. There are clinical site audits and manufacturing site audits too.

All this is done before you can file an application. The review team then decides on the completeness of the application, if there are any consultations that are needed, and then there are additional requests for information that may be needed.

These reviews are multiple, which includes the primary review, the team leader review, and the signatory authority review. That is three reviews. The advisory committee may decide that even that is insufficient information, and the drug sponsors are then informed of deficiencies. There has to be clear evidence that the benefit of the drug outweighs its risk, must be clear on how the drug has been intended to be used, and the labeling has to be approved too.

Well, what is a risk-benefit ratio? There are no 100 percent safe drugs, including vitamins; for example, vitamin C and the sunshine vitamin can cause cramps and diarrhea, increase the risk of kidney stones, and deplete the body of copper, which is needed to maintain the cardiovascular system. Risk-benefit analysis, look at the severity of the disease and the ethnicity of existing therapies. The risk-benefit ratio can change as more is learned about the drug. The FDA evaluates the risk population, and the health care providers evaluate the risk for an individual patient. The patient, of course, is also involved as he evaluates the risk as he or she judges the personal benefit.

I think that is enough for today on this particular subject. I will talk more about it tomorrow. Bear in mind, the FDA system does work.

Senator Anderson's statement is as follows:

Michigan's workers are struggling more than any other state. Our unemployment rate is the highest it's been in 27 years and continues to be the worst of any state in America. While government reforms like those likely to be considered today are important, there are many significant bills before the Senate that we could also pass to help jump-start our economy and put our people back to work.

We could pass Hire Michigan First legislation and stop the practice of hiring out-of-state workers for jobs funded by Michigan taxpayer dollars. We could take up the unemployment modernization bills that would secure federal funding and expand benefits for out-of-work Michigan residents.

Instituting government reforms can help right size our state budget, but we also need to address the economic crisis at hand and work to generate jobs in this state. I urge my colleagues to take action on bills that will make a real difference in the lives of Michigan workers and get them back to work.

Senator Switalski's statement is as follows:

I want to talk about election consolidation. We worked on a modest package of bills today that I support and that do good things, but they are rather timid. We need to be a lot bolder and do something far-reaching. I must tell you that I was out in front of the Capitol yesterday, and there was a huge crowd of demonstrators waving placards out on the lawn of the Capitol. I think they are still there, and I think they stayed the whole night. Not a single one of them had a word of criticism of my proposals for election consolidation.

My proposal is that we hold elections in November, only with August reserved for primaries. Also we would put local and education elections in the odd years and state and federal elections in the even years. We will get three good things out of that: higher participation, lower cost, and simplicity.

I do want to tell members that we did have an election yesterday in this state, and there were 64 entities that had an election. There was 4 percent turnout in Benton Harbor and Hillsdale. Interestingly, I got the results from Benton Harbor, and it was actually a recall election with 4 percent turnout. A switch of 11 votes would have successfully recalled one of the school board members. I think this is yet another abuse that would be corrected by election consolidation.

When you can have 4 percent of the voters overturn a prior election in these February elections, these are odd elections. If you required those to be in November, you would not have 4 percent of the voters determining whether elected officials stay in office or not. That would be one other benefit to standardizing the date to November. That is something that potentially affects every elected official. It is very important.

The other benefit to doing this would be that in these local elections, they would be nonpartisan, and the clerks who run elections would and should be properly nonpartisan. I hope that members will consider and watch for opportunities to make significant election reforms.

Senator Brater's statement is as follows:

If I could, I would like to respectfully reply to my good friend from the 34th District regarding the cost of prisoners in this state. First, I would like to say that I do have some definite concerns about this practice of sending prisoners across state lines for incarceration. I always opposed it when it was proposed to send Michigan citizens to other states for purposes of incarceration, and I share the same concerns when another state sends people here. These are human beings, and they need to be near their families. It concerns me very much, and I think we need to keep a careful eye on this practice.

In terms of the cost per prisoner that my good friend, the Senator from the 34th District, cited, the problem with those numbers is that these are minimum-security or low-risk prisoners who are coming here from Pennsylvania. The reason that our cost per prisoner looks higher at \$34,000 per prisoner is that is an average of the maximum-security prisoners average with medium- and low-risk prisoners. The cost of the maximum-security prisoners is much higher, so if you look at those averages, it will go up. If you look at it per prison, at a prison site such as Muskegon where it is just going to be low-risk prisoners, that will be a lower per-prisoner number.

In general, we could save even more money per prisoner if we didn't incarcerate people to begin with; if we prevented criminalization. It is much cheaper to spend the \$17,000 per child in the preschool years, for example, than the Perry school program costs. That program has been proven to prevent kids from getting into trouble when getting into their teenaged years. We need to invest in early childhood education, K-12 education, higher education, adequate mental health care, substance abuse treatment, and employment opportunities. All of these things are proven to prevent people from going to prison and having these high per-prisoner costs. I hope we can work on investing those dollars earlier in life and help make people productive citizens, which would reap benefits for all of the citizens of Michigan.

Senator Van Woerkom's statement is as follows:

I am pleased that we are able to house prisoners in the Muskegon facility that had been closed down a year ago, but I see here that officials from the Corrections Department reported that the price tag for a Pennsylvania prisoner is \$22,630, while the average price tag in the state of Michigan is \$33,000—\$10,000 less. They attribute this to some services that are not being provided at the Muskegon facility to the Pennsylvania prisoners.

I think if you look back at the record over the past couple of years, that was the price tag for Michigan prisoners at the Muskegon facility—\$22,630. We were housing them in Muskegon for less than what they are being housed in many of the other facilities in the state of Michigan.

Pennsylvania is getting the benefit for that lower cost when Michigan could have been getting the benefit had we kept that Muskegon facility open and closed another. I am pleased that it is open, but I think we could have done better budgetwise had we kept it open to Michigan prisoners.

Recess

Senator Cropsey moved that the Senate recess subject to the call of the Chair.
The motion prevailed, the time being 11:52 a.m.

12:36 p.m.

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

By unanimous consent the Senate returned 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 Jansen 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 amendments, the following bill:

House Bill No. 4194, entitled

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

The following are the amendments recommended by the Committee of the Whole:

1. Amend page 1, line 11, by striking out all of subdivision (a) and inserting:

“(A) **THE QUALIFIED PARTICIPANT MEETS ALL OF THE FOLLOWING REQUIREMENTS:**

(i) **WAS FIRST ELECTED TO THE LEGISLATURE BEFORE NOVEMBER 1, 2010.**

(ii) **HAS EARNED 6 YEARS OF SERVICE AS A QUALIFIED PARTICIPANT.**

(iii) **WAS NOT A MEMBER, DEFERRED VESTED MEMBER, OR FORMER NONVESTED MEMBER OF TIER 1.”**

2. Amend page 2, line 18, after “**WAS**” by inserting “**FIRST**”.

3. Amend page 2, following line 18, by inserting:

“Enacting section 1. This amendatory act does not take effect unless Senate Bill No. 132 of the 95th Legislature is enacted into law.”

The Senate agreed to the amendments recommended by the Committee of the Whole, and the bill as amended 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. 132, entitled

A bill to amend 1992 PA 234, entitled “The judges retirement act of 1992,” by amending sections 715 and 719 (MCL 38.2665 and 38.2669), section 715 as amended by 1999 PA 215 and section 719 as added by 1996 PA 523.

Substitute (S-2).

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 returned to the order of
Third Reading of Bills

Senator Cropsey moved that the rules be suspended and that the following bills, now on the order of Third Reading of Bills, be placed on their immediate passage at the head of the Third Reading of Bills calendar:

House Bill No. 4194

Senate Bill No. 132

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

The following bill was read a third time:

House Bill No. 4194, entitled

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

The question being on the passage of the bill,

Senator Switalski offered the following amendment:

1. Amend page 2, following line 18, by inserting:

"Enacting section 2. This amendatory act does not take effect unless Senate Bill No. 133 of the 95th Legislature is enacted into law."

The amendment was not adopted, a majority of the members serving not voting therefor.

Senator Switalski requested the yeas and nays.

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

The amendment was not adopted, a majority of the members serving not voting therefor, as follows:

Roll Call No. 61

Yeas—16

Barcia	Clark-Coleman	Jacobs	Scott
Basham	Garcia	McManus	Switalski
Brater	Gleason	Olshove	Thomas
Cherry	Hunter	Prusi	Whitmer

Nays—22

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

Excused—0

Not Voting—0

In The Chair: Richardville

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. 62

Yeas—28

Allen	Cherry	Jelinek	Prusi
Anderson	Cropsey	Kahn	Richardville
Barcia	George	Kuipers	Sanborn
Birkholz	Gilbert	McManus	Stamas
Bishop	Hardiman	Nofs	Thomas
Brown	Hunter	Olshove	Van Woerkom
Cassis	Jansen	Pappageorge	Whitmer

Nays—10

Basham
Brater
Clark-Coleman

Clarke
Garcia
Gleason

Jacobs
Patterson

Scott
Switalski

Excused—0**Not Voting—0**

In The Chair: Richardville

The question being on concurring in the committee recommendation to give the bill immediate effect,
The recommendation was concurred in, 2/3 of the members serving voting therefor.

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

“An act for the creation, maintenance, and administration of a legislative members’ and presiding officers’ retirement system within the legislature; to provide retirement allowances to the participants of the retirement system, and survivors’ allowances and other benefits to their beneficiaries upon death; to exempt those allowances and benefits from certain taxes and legal processes; to establish certain funds in connection with the retirement system; to authorize and make appropriations for the retirement system; to prescribe the powers and duties of certain state departments, agencies, officials, and employees; and to prescribe penalties and provide remedies;”.

The Senate agreed to the full title.

Protests

Senators Patterson, Switalski, Jacobs, Gleason, Brater, Scott, Basham and Garcia, under their constitutional right of protest (Art. 4, Sec. 18), protested against the passage of House Bill No. 4194.

Senator Patterson moved that the statement he made during the discussion of the bill be printed as his reasons for voting “no.”

The motion prevailed.

Senator Patterson’s statement, in which Senators Switalski, Jacobs, Gleason, Brater, Scott and Basham concurred, is as follows:

I beg your indulgences, as I am not nearly as witty as the previous speaker. In fact, for purposes of this discussion, I’ll assert without fear of contradiction that I am not the sharpest knife in the drawer and not the brightest bulb in the lamp. I can discern a train wreck. I can express disgust.

We, the members of this body, are out to destroy it. The legislative branch of government is important. It is one of the three legs on which our form of self-government stands. With term limits firmly in place, our future depends on attracting a pool of talented people willing to make the sacrifice and do the job as legislators. Obviously, that pool hasn’t been well-stocked, but I guarantee that we now are not on a course to fill it up with fine specimens worthy of being trophy mounts. We need a talented pool of candidates to serve to offer up solutions to the challenges facing our great state today and tomorrow.

We need to find the ability to attract real leaders to come forth and serve. How do we do that? How do we attract the best and the brightest to serve as House members or Senators? By offering them outstanding compensation or societal adulation? We can read every day, day in and day out, how hard we work and how much we accomplish. You can bet on that being in the paper.

We can expect praise and appreciation for working all of 100 days—an hour here and an hour there—solving the problems and kicking the can down the road. You bet, that is why there are so many people lining up to fill these positions going forward.

We, as a society, reward certain occupations. Be an entertainer. Be a star athlete. Justin Verlander is praised as being a great Detroitier because he settled for a mere \$80 million for a five-year contract to throw a baseball. What is wrong with this picture, ladies and gentlemen? We have athletic directors, football coaches, baseball coaches, basketball coaches, and hockey players who are becoming multimillionaires. Why? Because they are solving today’s problems? No, not a chance.

Go out there and ask the business leaders who have all the solutions. Why don't you choose to serve? Well, not me. Not me. I don't want to read my name in the paper. Hello, what are we doing? Cutting compensation for the future; that's real leadership. That's courage. That's going to solve today's problems. Shame on us. We are setting this state up for failure. We need to be attracting the best and the brightest, not some motley crew.

This is serious business, ladies and gentlemen. The Constitution says that there will be a State Officers Compensation Commission. Why? Because they wanted salaries and expense allowances to be set in a way that we couldn't continue to stab ourselves in the eye. Shall we go about fringe-benefit cutting, as though this wasn't some portion of earned compensation? It is. If you read the history of this country, you will know that fringe benefits came about as a way around—a loophole—during World War II to get the best and the brightest to serve in certain industrial positions because there were wage caps.

Yeah, we can pander. We can satisfy the headline hounds, but we are destroying this institution, and we should be ashamed.

Senator Garcia's statement is as follows:

When I came out of the caucus room, I fully intended to vote for this measure. But as I sat there and thought about it some more and listened to the comments that were being made, I realized that the train had left the station, and the bill was going to pass regardless of whether it had my vote or not.

Sometimes we do a lot of things in here that are imperfect. It is difficult to get them perfect. So while I don't question the need to make adjustments, you may have noticed that I voted for my good colleague from the 10th District's amendment to have a graduated form of coverage because I do believe that future legislators do deserve some type of health care; certainly not to the extent of what we have now, especially if you only serve for six years or for eight years. There ought to be something for those years of public service.

As some of my colleagues have pointed out, you will never read in the news media about what a great job that we do or the hours that we work or anything like that. So I guess I rise primarily to say, you know, there needs to be a better way because in ten months and five days, I will be done here—not that I am counting. But I will be given at some point some type of health care coverage; not lifetime as some have alluded to, but the point is that if you serve in public service, there ought to be some type of compensation for the hours that you put in; for the difficulty of the task because despite what the public thinks, I think we all in here would agree that the sacrifice is great, the hours are great, and the challenges are also difficult.

You are going to need some very bright people in here to solve some very difficult problems that lie ahead. So with that being said, as I said at the very beginning, I had planned to vote for this and changed my mind because it is an imperfect system. Some adjustment needed to be made, and I know that I will be answering to the press for this a little bit later, but that is why I voted "no."

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

The motion prevailed.

Senator Switalski's first statement is as follows:

This bill goes too far. My amendment tie-bars House Bill No. 4194 to Senate Bill No. 133, Senator Kuipers' bill that establishes a graded premium for legislators. I think free lifetime health care is wrong and must end. To fix it, I favor a tie-bar to Senate Bill No. 133, which would, with slight modification, introduce a graded premium for legislators, similar to the reform we enacted for new teachers in 2007.

I ask you, is it fair that future legislators who serve 6 years in the House and 8 years in the Senate, for a total of 14 years, get no coverage? Should we treat legislators worse than any other state employee or teacher? That is what House Bill No. 4194 does.

This amendment would end free lifetime health care. It would require a 20 percent co-pay, 15 percent if a member was in a wellness plan, and restrict coverage to the 10-year period from age 55-65 when Medicare begins. The co-pay requirement would continue.

So I ask you to reform legislative health care, rather than destroy it. Please support my amendment.

Senator Jacobs' statement is as follows:

I rise to support the Switalski amendment because without it, I will have a very difficult time voting for this bill. I am going to try to be somewhat coherent in this.

I want to take a look at what the problem is that we are really trying to fix here. I have to be honest. I think that a lot of the rhetoric and action we are seeing right now is because we know how angry—and rightfully so—people are in Michigan. They are hurting. We know what the pollsters are saying. We know that this is very popular today. However, like those snowmen that were outside yesterday, if you look out there today, there is just a bunch of snow, and in a couple of weeks, they will have melted altogether.

We also have to be looking at the future, not just what is going to stick one day when it is cold and under 32 degrees at this Capitol. The voters are angry because they see that they are out of a job, and their benefits have been cut. But if we take a look at what the real problem is, we have to work harder to eliminate poverty in this state. We have to make sure that the kids who go to our schools are getting educated. We have to look at funding preschool education because we know what the economic boost is for this state. We have to fix our antiquated tax structures. We have to fix our antiquated heating and cooling systems in our schools. We have to make sure that this institution in the Legislature remains intact.

I am so concerned that we, as a Legislature and actually sometimes as voters in Michigan, react too strongly to what we think is public sentiment. We do things we are sorry for later. I think term limits is one of those things where we are still suffering from the unintended consequences of what seemed like such a good idea. I think that is what is going to happen unless we don't just single out legislators' health care benefits because that is not what the problem is. But it is a great thing that we can go back tomorrow and write wonderful press releases that will play great in our districts.

This is all about what we should be doing to make Michigan a stronger place and keeping this institution as something we can be proud of; not trying to break this institution for future legislators. I think we have that responsibility.

I guess the irony of this whole thing for me, particularly as we debate health care at the federal level, is we haven't even fixed what we need to do in terms of the individual market reform here in this state. So for those legislators who aren't going to get health insurance later on, they won't even be able to have the ability to go and negotiate for better prices when they are out trying to find health care for themselves and their families later on. We have so much that we need to fix.

But this, to me, is not the way we ought to be going about fixing things. So all I can tell you is there was a wise philosopher, my friend Rena's father, Will Goldman, who once said, "Don't spit in the water because someday you may have to drink it." And I want my colleagues to remember Will Goldman from Texas, a very wise man who has long since died.

Senator Pappageorge's statement is as follows:

I have a procedural problem here. We had the Senator from the 10th District get up and say why don't we tie-bar two different things? Why don't we figure out how to make a train go to two different train stations at the same time? Now, if he had proposed a substitute, I would have understood it.

Then we had the Senator from the 10th District kind of change the subject. The subject is benefits for legislators. You either vote red or green. But the idea of tie-barring two things that are different and inconsistent with each other doesn't make a lot of sense. So I say let's figure out whether you want to vote red or green with this thing, and get on with it.

Senator Switalski's second statement is as follows:

I started out by talking about how this bill goes too far. I note that this bill will affect no one in this chamber but everyone who first enters the Capitol in the future. This is hardly courageous, nor is it fair.

I am disappointed in the defeat of the tie-bar to Senator Kuipers' eminently reasonable Senate Bill No. 133. Perhaps that was unacceptable because such sensible reform just doesn't go far enough. If that is your position, perhaps you will wish to co-sponsor the Senate concurrent resolution I have today requested, which will end the state constitutional ban on capital punishment, but limit its application to legislators only. Although I consider it a modest proposal, you may be reluctant to do something as permanent and drastic as amending the Constitution.

Allow me to reassure you. I brought it up last week in my town hall, and though some listeners were circumspect, several attendees offered to sign it immediately. Furthermore, capital punishment for legislators is the ultimate term limit, and it has the additional benefit of permanently eliminating health care costs for all retired legislators. I am a reasonable man, so understand that I am open to grandfathering in current members if that is what it takes to get a two-thirds vote.

Senator Whitmer's statement is as follows:

I listened with great interest to my predecessor who just spoke, and I have a great deal of respect for him. I agree with some of the points which he made. I would differ in that I think term limits have had a worse impact on this institution than any action we are taking today. I would also say that had I originally proposed this legislation, I think it should apply to every single one of us because that is the right thing to do.

I've been accused that maybe I was pandering for an attorney general spot. Well, I think I proved you wrong on that one. I've also heard a lot of people say, "Well, the Legislature, they are a bunch of fat cats who have health care through other jobs." I don't. I don't have a spouse who has health care either. This is a real sacrifice, but I think it is the right thing to do.

Now I have news for you if you think you are sidestepping any possibility this may happen to you in the future. I think you are wrong. I don't know if you've listened to the Republicans and the Democrats who are seeking gubernatorial office, and I'm sure on the campaign trail, we are going to hear a lot about this. So I don't think this is the end of the issue. I'm not making any predictions or threats. I'm just saying I think you are sticking your head in the sand if you think that this is your get-out-of-town card.

There is no courage in cutting someone else. Real leadership is about leading by example, sharing in sacrifice. To my colleague from the 7th District, I don't believe that you get the best legislators if the Legislature treats themselves better than everyone else. I believe you get a group who is out of touch; a group who thinks it is OK to shut down government, close schools, hurt kids, and get cops off of our streets.

I will never forget sitting here on the second shutdown in three years and seeing no urgency on the faces of my colleagues—out of touch. So I don't see any candidates for profiles in courage. I see a Legislature that is going to take action to impact a totally different group of people, and that saddens me. So I think that perhaps my colleague from the 7th District and I see similarly but for very different reasons.

This action today is not good enough, in my opinion.

Senator Gleason's statement is as follows:

It appears that I am the only Senator who can come back who voted against this. I am glad I did. I was kind of raised that if you want people who come after you to think as much of you as you have treated them, my statement is pretty simply actually. If not mine, then nobody.

The following bill was read a third time:

Senate Bill No. 132, entitled

A bill to amend 1992 PA 234, entitled "The judges retirement act of 1992," by amending sections 714 and 715 (MCL 38.2664 and 38.2665), section 714 as amended by 2002 PA 95 and section 715 as amended by 1999 PA 215.

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. 63

Yeas—27

Allen	Cropsey	Kahn	Richardville
Anderson	George	Kuipers	Sanborn
Barcia	Gilbert	McManus	Stamas
Birkholz	Hardiman	Nofs	Thomas
Bishop	Hunter	Olshove	Van Woerkom
Brown	Jansen	Pappageorge	Whitmer
Cassis	Jelinek	Prusi	

Nays—11

Basham	Clark-Coleman	Gleason	Scott
Brater	Clarke	Jacobs	Switalski
Cherry	Garcia	Patterson	

Excused—0

Not Voting—0

In The Chair: Richardville

The Senate agreed to the title of the bill.

Protests

Senators Cherry, Jacobs, Switalski, Scott, Brater and Clark-Coleman, under their constitutional right of protest (Art. 4, Sec. 18), protested against the passage of Senate Bill No. 132.

Senator Cherry's statement, in which Senators Jacobs, Switalski, Scott, Brater and Clark-Coleman concurred, is as follows:

This bill that we just passed included eliminating health care benefits for Appeals Court and Supreme Court judges. I believe since those folks are not term-limited and can work an unlimited number of years, they certainly deserve to have health care. So I voted "no" specifically for that reason.

While I believe that we should be understanding that we could be providing, as we have talked about today, some kind of a rating service in terms of the amount of money that people pay for their health care benefits, I really believe that when people are there and term limits are not in effect for those offices, we should not be eliminating their benefits.

Committee Reports

The Committee on Transportation reported

Senate Bill No. 115, entitled

A bill to amend 1993 PA 354, entitled "Railroad code of 1993," (MCL 462.101 to 462.451) by adding section 318.

With the recommendation that the bill pass.

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

Judson S. Gilbert II
Chairperson

To Report Out:

Yeas: Senators Gilbert, Kahn, Van Woerkom and Basham

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Transportation reported

House Bill No. 4370, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 320a (MCL 257.320a), as amended by 2008 PA 463.

With the recommendation that the substitute (S-1) be adopted and that the bill then pass.

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

Judson S. Gilbert II
Chairperson

To Report Out:

Yeas: Senators Gilbert, Kahn, Van Woerkom and Basham

Nays: None

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

The Committee on Transportation reported

House Bill No. 4394, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," (MCL 257.1 to 257.923) by adding section 602b.

With the recommendation that the substitute (S-4) be adopted and that the bill then pass.

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

Judson S. Gilbert II
Chairperson

To Report Out:

Yeas: Senators Gilbert, Kahn, Van Woerkom and Basham

Nays: None

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

The Committee on Transportation reported

House Bill No. 5219, entitled

A bill to amend 2001 PA 142, entitled "Michigan memorial highway act," (MCL 250.1001 to 250.2080) by adding section 1079.

With the recommendation that the bill pass.

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

Judson S. Gilbert II
Chairperson

To Report Out:

Yeas: Senators Gilbert, Kahn, Van Woerkom and Basham

Nays: None

The bill was referred to the Committee of the Whole.

COMMITTEE ATTENDANCE REPORT

The Committee on Transportation submitted the following:

Meeting held on Tuesday, February 23, 2010, at 1:04 p.m., Room 110, Farnum Building

Present: Senators Gilbert (C), Kahn, Van Woerkom, Basham and Gleason

The Committee on Reforms and Restructuring reported

Senate Bill No. 132, entitled

A bill to amend 1992 PA 234, entitled "The judges retirement act of 1992," by amending sections 715 and 719 (MCL 38.2665 and 38.2669), section 715 as amended by 1999 PA 215 and section 719 as added by 1996 PA 523.

With the recommendation that the substitute (S-2) be adopted and that the bill then pass.

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

Michael D. Bishop
Chairperson

To Report Out:

Yeas: Senators Bishop, Gilbert, Prusi and Hunter

Nays: Senator Cherry

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

The Committee on Reforms and Restructuring reported

House Bill No. 4194, entitled

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

With the recommendation that the following amendments be adopted and that the bill then pass:

1. Amend page 1, line 11, by striking out all of subdivision (a) and inserting:

"(A) THE QUALIFIED PARTICIPANT MEETS ALL OF THE FOLLOWING REQUIREMENTS:

(i) WAS FIRST ELECTED TO THE LEGISLATURE BEFORE NOVEMBER 1, 2010.

(ii) HAS EARNED 6 YEARS OF SERVICE AS A QUALIFIED PARTICIPANT.

(iii) WAS NOT A MEMBER, DEFERRED VESTED MEMBER, OR FORMER NONVESTED MEMBER OF TIER 1."

2. Amend page 2, line 18, after "WAS" by inserting "FIRST".

3. Amend page 2, following line 18, by inserting:

"Enacting section 1. This amendatory act does not take effect unless Senate Bill No. 132 of the 95th Legislature is enacted into law."

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

Michael D. Bishop
Chairperson

To Report Out:

Yeas: Senators Bishop, Gilbert, Prusi, Hunter and Cherry

Nays: None

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

COMMITTEE ATTENDANCE REPORT

The Committee on Reforms and Restructuring submitted the following:

Meeting held on Wednesday, February 24, 2010, at 8:30 a.m., Senate Hearing Room, Ground Floor, Boji Tower

Present: Senators Bishop (C), Gilbert, Prusi, Hunter and Cherry

Absent: Senators George and Kuipers

COMMITTEE ATTENDANCE REPORT

The Committee on Judiciary submitted the following:

Meeting held on Tuesday, February 23, 2010, at 1:00 p.m., Room 210, Farnum Building

Present: Senators Kuipers (C), Stamas, Whitmer and Basham

Excused: Senators Cropsey, Sanborn, Patterson and Clarke

COMMITTEE ATTENDANCE REPORT

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

Meeting held on Tuesday, February 23, 2010, at 2:00 p.m., Senate Appropriations Room, 3rd Floor, Capitol Building

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

COMMITTEE ATTENDANCE REPORT

The Subcommittee on Judiciary and Corrections submitted the following:

Meeting held on Tuesday, February 23, 2010, at 2:30 p.m., Senate Hearing Room, Ground Floor, Boji Tower

Present: Senators Cropsey (C), Kahn and Brater

COMMITTEE ATTENDANCE REPORT

The Subcommittee on Economic Development submitted the following:

Joint meeting held on Wednesday, February 24, 2010, at 8:30 a.m., Room 426, Capitol Building

Present: Senators Jansen (C), Scott and Anderson

Excused: Senators George and Stamas

COMMITTEE ATTENDANCE REPORT

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

Meeting held on Wednesday, February 24, 2010, at 9:00 a.m., Room 100, Farnum Building

Present: Senators Allen (C), Olshove and Basham

Excused: Senators Pappageorge and Garcia

Scheduled Meetings

Agriculture and Bioeconomy - Thursday, February 25, 9:00 a.m., Room 110, Farnum Building (373-1635)

Appropriations -**Subcommittees -**

Capital Outlay - Thursday, March 4, 9:00 a.m., Senate Hearing Room, Ground Floor, Boji Tower (373-2768)

Community Colleges - Friday, February 26, 10:30 a.m., Muskegon Community College, Stevenson Center, Room 1100, 221 South Quarterline Road, Muskegon (CANCELED); Monday, March 1, 1:30 p.m., Schoolcraft Community College, VisTaTech Center, Sutherland Room, 18600 Haggerty Road, Livonia (373-2768)

Community Health Department - Thursdays, February 25, March 4 and March 11, 3:00 p.m., Senate Hearing Room, Ground Floor, Boji Tower (373-2768)

Higher Education - Monday, March 1, 10:00 a.m., Madonna University, Franciscan Center, 36600 Schoolcraft Road, Livonia; and Monday, March 8, 10:30 a.m., Ferris State University, Interdisciplinary Resource Center, 1301 South State Street, Big Rapids (373-2768)

Human Services Department and House Human Services Department Appropriations Subcommittee - Thursday, February 25, 9:00 a.m., House Appropriations Room, 3rd Floor, Capitol Building (373-2768)

Judiciary and Corrections - Tuesdays, March 2 and March 9, 2:00 p.m., Senate Hearing Room, Ground Floor, Boji Tower (373-2768)

K-12, School Aid, Education - Tuesdays, March 2 and March 9, 2:00 p.m., Senate Appropriations Room, 3rd Floor, Capitol Building (373-2768)

Education - Thursday, February 25, 2:30 p.m., Room 210, Farnum Building (373-6920)

Energy Policy and Public Utilities - Thursday, February 25, 1:00 p.m., Senate Hearing Room, Ground Floor, Boji Tower (373-7350)

Hunting, Fishing and Outdoor Recreation - Thursday, February 25, 1:00 p.m., Room 100, Farnum Building (373-1777) (CANCELED)

Senator Cropsey moved that the Senate adjourn.
The motion prevailed, the time being 1:21 p.m.

The President pro tempore, Senator Richardville, declared the Senate adjourned until Thursday, February 25, 2010, at 10:00 a.m.

CAROL MOREY VIVENTI
Secretary of the Senate