

No. 46
STATE OF MICHIGAN
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Senate Chamber, Lansing, Wednesday, May 19, 2010.

10:00 a.m.

The Senate was called to order by the President, Lieutenant Governor John D. Cherry, Jr.

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

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

Garcia—present
George—present
Gilbert—present
Gleason—present
Hardiman—present
Hunter—present
Jacobs—present
Jansen—present
Jelinek—present
Kahn—present
Kuipers—present
McManus—present
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 Randy Richardville of the 17th District offered the following invocation:

Heavenly Father, we come before You today to thank You not only for the day, but for bringing us together to do Your work. If You who is perfect and all-powerful can look down on us with love and forgiveness, help us to look at one another in the same way and to accomplish the work that You sent us to do. In Jesus' name. Amen.

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

Motions and Communications

Senators Sanborn, Brown, Birkholz, Gilbert, Jansen, Kahn, Brater, Bishop and Hunter entered the Senate Chamber.

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:

House Bill No. 5888

Senate Bill No. 1158

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

The Secretary announced that the following House bills were received in the Senate and filed on Tuesday, May 18:

House Bill Nos. 5724 5855

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.

11:43 a.m.

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

During the recess, Senators Hardiman, Garcia and Scott entered the Senate Chamber.

Messages from the House

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

House Bill No. 4514

The motion prevailed.

Senate Bill No. 723, entitled

A bill to amend 1973 PA 116, entitled "An act to provide for the protection of children through the licensing and regulation of child care organizations; to provide for the establishment of standards of care for child care organizations; to prescribe powers and duties of certain departments of this state and adoption facilitators; to provide penalties; and to repeal acts and parts of acts," by amending section 11 (MCL 722.121), as amended by 1980 PA 232, and by adding section 3g.

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

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

Senate Bill No. 724, entitled

A bill to amend 1973 PA 116, entitled "An act to provide for the protection of children through the licensing and regulation of child care organizations; to provide for the establishment of standards of care for child care organizations;

to prescribe powers and duties of certain departments of this state and adoption facilitators; to provide penalties; and to repeal acts and parts of acts," by amending section 11b (MCL 722.121b), as amended by 2007 PA 217.

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

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

Senate Bill No. 1228, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 40114 (MCL 324.40114), as amended by 2009 PA 109.

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 Jacobs as Chairperson.

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

House Bill No. 5406, entitled

A bill to make, supplement, and adjust appropriations for various state departments and agencies for the fiscal year ending September 30, 2010; and to provide for the expenditure of the appropriations.

House Bill No. 5749, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 17967 (MCL 333.17967), as added by 2008 PA 471.

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:

House Bill No. 5888, entitled

A bill to make appropriations for the department of state police and certain other state purposes for the fiscal year ending September 30, 2011; to provide for the expenditure of those appropriations; to provide for certain reports and the consideration of those reports; to provide for the disposition of other income received by the various state agencies; to provide for certain emergency powers; to provide for the powers and duties of certain committees, certain state agencies, and certain employees; and to provide for the acquisition and disposition of certain real and personal property.

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 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. 5406

House Bill No. 5888

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

The following bill was read a third time:

House Bill No. 5406, entitled

A bill to make, supplement, and adjust appropriations for various state departments and agencies for the fiscal year ending September 30, 2010; and to provide for the expenditure of the appropriations.

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. 256

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.
The Senate agreed to the title of the bill.

The following bill was read a third time:

House Bill No. 5888, entitled

A bill to make appropriations for the department of state police and certain other state purposes for the fiscal year ending September 30, 2011; to provide for the expenditure of those appropriations; to provide for certain reports and the consideration of those reports; to provide for the disposition of other income received by the various state agencies; to provide for certain emergency powers; to provide for the powers and duties of certain committees, certain state agencies, and certain employees; and to provide for the acquisition and disposition of certain real and personal property.

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. 257

Yeas—37

Allen	Clark-Coleman	Jacobs	Prusi
Anderson	Clarke	Jansen	Richardville
Barcia	Cropsey	Jelinek	Sanborn
Basham	Garcia	Kahn	Scott
Birkholz	George	Kuipers	Stamas

Bishop
Brater
Brown
Cassis
Cherry

Gilbert
Gleason
Hardiman
Hunter

McManus
Nofs
Olshove
Pappageorge

Switalski
Thomas
Van Woerkom
Whitmer

Nays—1

Patterson

Excused—0

Not Voting—0

In The Chair: Richardville

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

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 Jacobs as Chairperson.

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

Senate Bill No. 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.

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

Senate Bill No. 1158

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

The following bill was read a third time:

Senate Bill No. 1158, entitled

A bill to make appropriations for the department of human services and certain state purposes related to public welfare services for the fiscal year ending September 30, 2011; to provide for the expenditure of the appropriations; to create funds; to provide for the imposition of fees; to provide for reports; to provide for the disposition of fees and other income received by the state agency; and to provide for the powers and duties of certain individuals, local governments, and state departments, agencies, and officers.

The question being on the passage of the bill,

Senator Scott offered the following amendments:

1. Amend page 2, line 10, by striking out "\$6,953,850,300" and inserting "\$6,950,066,400".
2. Amend page 2, line 14, by striking out "\$6,952,850,300" and inserting "\$6,948,936,100".
3. Amend page 2, line 18, by striking out "5,114,685,600" and inserting "5,113,744,800".
4. Amend page 2, line 21, by striking out "35,164,600" and inserting "34,751,800".
5. Amend page 2, line 23, by striking out "\$916,456,100" and inserting "\$913,895,500".
6. Amend page 8, line 4, by striking out "179,729,600" and inserting "177,081,800".
7. Amend page 8, line 8, by striking out "228,214,000" and inserting "226,947,600".
8. Amend page 8, line 13, by striking out "\$862,000,800" and inserting "\$858,086,600".
9. Amend page 8, line 17, by striking out "485,208,000" and inserting "484,267,200".
10. Amend page 8, line 20, by striking out "19,747,300" and inserting "19,334,500".
11. Amend page 8, line 21, by striking out "\$342,142,700" and inserting "\$339,582,100".
12. Amend page 13, line 16, after "is" by striking out "\$974,505,700.00" and inserting "\$970,591,500.00" and adjusting the subtotals, totals, and section 201 accordingly.
13. Amend page 87, line 18, by striking out all of subsection (2).

The question being on the adoption of the amendments,

Senator Thomas requested the yeas and nays.

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

The amendments were not adopted, a majority of the members serving not voting therefor, as follows:

Roll Call No. 258

Yeas—16

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

Nays—22

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

Excused—0

Not Voting—0

In The Chair: Richardville

Senator Cherry offered the following amendments:

1. Amend page 2, line 10, by striking out "\$6,953,980,600" and inserting "\$6,973,980,500".
2. Amend page 2, line 14, by striking out "\$6,952,850,300" and inserting "\$6,972,850,200".
3. Amend page 2, line 23, by striking out "\$916,456,100" and inserting "\$936,456,000".
4. Amend page 5, line 3, by striking out "100" and inserting "20,000,000".
5. Amend page 5, line 11, by striking out "\$57,014,000" and inserting "\$77,013,900".
6. Amend page 5, line 19, by striking out "\$5,043,200" and inserting "\$25,043,100".
7. Amend page 13, line 16, after "is" by striking out "\$974,505,700.00" and inserting "\$994,505,600.00" and adjusting the subtotals, totals, and section 201 accordingly.

The question being on the adoption of the amendments,
Senator Thomas requested the yeas and nays.

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

The amendments were not adopted, a majority of the members serving not voting therefor, as follows:

Roll Call No. 259**Yeas—16**

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

Nays—22

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

Excused—0**Not Voting—0**

In The Chair: Richardville

Senator Scott offered the following amendments:

1. Amend page 51, line 24, by striking out all of subsection (4).
2. Amend page 52, line 3, by striking out all of section 547 and adjusting the subtotals, totals, and section 201 accordingly.

The question being on the adoption of the amendments,

Senator Thomas requested the yeas and nays.

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

The amendments were not adopted, a majority of the members serving not voting therefor, as follows:

Roll Call No. 260**Yeas—19**

Anderson	Cassis	Hunter	Scott
Barcia	Cherry	Jacobs	Switalski
Basham	Clark-Coleman	Jelinek	Thomas
Brater	Clarke	Olshove	Whitmer
Brown	Gleason	Prusi	

Nays—19

Allen	George	Kuipers	Richardville
Birkholz	Gilbert	McManus	Sanborn

Bishop
Cropsey
Garcia

Hardiman
Jansen
Kahn

Nofs
Pappageorge
Patterson

Stamas
Van Woerkom

Excused—0

Not Voting—0

In The Chair: Richardville

Protest

Senator Hardiman, under his constitutional right of protest (Art. 4, Sec. 18), protested against the adoption of the amendments offered by Senator Scott to Senate Bill No. 1158 and moved that the statement he made during the discussion of the amendments be printed as his reasons for voting “no.”

The motion prevailed.

Senator Hardiman’s statement is as follows:

I rise to ask that this amendment be defeated. This is a very important reform. I think it is right. We are talking about the administrative costs for supervision of foster care. This money does not go directly to the families. This proposal is revenue-neutral for the state and revenue-neutral for the counties as a whole.

Right now, there is a disincentive for counties to choose supervision that is provided by community-based providers because they have to pay for that supervision regardless of the cost. Even if the cost is higher for the state, they pay nothing. Even if one is looking for the best interest of the child, which is what we all want to do, it is hard to ignore that financial reality. This proposal would level the playing field so that it would not be a real issue.

It is revenue-neutral for the state and revenue-neutral for the counties as a whole. I believe it would help to contain the growth in state government over years to come. I ask that this amendment be defeated.

Senator Scott offered the following amendments:

1. Amend page 2, line 7, by striking out “10,970.5” and inserting “11,367.5”.
2. Amend page 2, line 9, by striking out “10,976.5” and inserting “11,373.5”.
3. Amend page 2, line 10, by striking out “\$6,953,980,600” and inserting “\$6,980,860,000”.
4. Amend page 2, line 14, by striking out “\$6,953,980,600” and inserting “\$6,979,729,700”.
5. Amend page 2, line 18, by striking out “5,114,685,600” and inserting “5,125,134,000”.
6. Amend page 2, line 23, by striking out “\$916,456,100” and inserting “\$932,887,100”.
7. Amend page 9, line 18, by striking out “6,014.5” and inserting “6,411.5”.
8. Amend page 9, line 19, by striking out “5,823.5” and inserting “6,220.5”.
9. Amend page 9, line 19, by striking out “\$298,310,100” and inserting “\$313,957,700”.
10. Amend page 9, line 20, by striking out “12,712,800” and inserting “12,873,800”.
11. Amend page 10, line 2, by striking out “\$336,643,400” and inserting “\$352,452,000”.
12. Amend page 10, line 7, by striking out “215,795,600” and inserting “221,186,200”.
13. Amend page 10, line 14, by striking out “\$113,596,000” and inserting “\$124,014,000”.
14. Amend page 11, line 5, by striking out “44,450,900” and inserting “45,140,500”.
15. Amend page 11, line 7, by striking out “6,150,300” and inserting “6,371,300”.
16. Amend page 11, line 11, by striking out “315,417,900” and inserting “324,806,500”.
17. Amend page 11, line 12, by striking out “\$378,050,700” and inserting “\$388,349,900”.
18. Amend page 11, line 18, by striking out “241,440,100” and inserting “246,179,000”.
19. Amend page 11, line 21, by striking out “131,326,800” and inserting “136,887,100”.
20. Amend page 13, line 3, by striking out “\$95,965,700” and inserting “\$96,737,300”.
21. Amend page 13, line 5, by striking out “\$141,596,700” and inserting “\$142,368,300”.
22. Amend page 13, line 8, by striking out “102,921,700” and inserting “103,240,600”.
23. Amend page 13, line 10, by striking out “\$38,675,000” and inserting “\$39,127,700”.
24. Amend page 13, line 16, after “is” by striking out “\$974,505,700.00” and inserting “\$990,936,700.00” and adjusting the subtotals, totals, and section 201 accordingly.

The question being on the adoption of the amendments,
 Senator Thomas requested the yeas and nays.
 The yeas and nays were ordered, 1/5 of the members present voting therefor.
 The amendments were not adopted, a majority of the members serving not voting therefor, as follows:

Roll Call No. 261**Yeas—16**

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

Nays—22

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

Excused—0**Not Voting—0**

In The Chair: Richardville

Senator Scott offered the following amendments:

1. Amend page 2, line 10, by striking out "\$6,953,980,600" and inserting "\$6,954,180,500".
2. Amend page 2, line 14, by striking out "\$6,952,850,300" and inserting "\$6,953,050,200".
3. Amend page 2, line 23, by striking out "\$916,456,100" and inserting "\$916,656,000".
4. Amend page 3, line 4, by striking out "9,442,400" and inserting "9,642,300".
5. Amend page 3, line 13, by striking out "\$96,697,900" and inserting "\$96,897,800".
6. Amend page 3, line 21, by striking out "\$30,074,800" and inserting "\$30,274,700".
7. Amend page 13, line 16, after "is" by striking out "\$974,505,700.00" and inserting "\$974,705,600.00".
8. Amend page 34, line 20, after "projects," by striking out "\$100.00" and inserting "\$200,000.00" and adjusting the subtotals, totals, and section 201 accordingly.

The question being on the adoption of the amendments,
 Senator Thomas requested the yeas and nays.
 The yeas and nays were ordered, 1/5 of the members present voting therefor.
 The amendments were not adopted, a majority of the members serving not voting therefor, as follows:

Roll Call No. 262**Yeas—16**

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

Nays—22

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

Excused—0**Not Voting—0**

In The Chair: Richardville

Senator Switalski offered the following amendments:

1. Amend page 5, by striking out all of lines 7 and 8.
2. Amend page 5, line 11, by striking out "\$57,014,000" and inserting "\$53,144,000".
3. Amend page 5, line 14, by striking out "47,122,700" and inserting "43,252,700".
4. Amend page 8, line 11, by striking out "31,804,000" and inserting "25,068,100".
5. Amend page 8, line 13, by striking out "\$862,000,800" and inserting "\$855,264,900".
6. Amend page 8, line 17, by striking out "485,208,000" and inserting "483,237,600".
7. Amend page 8, line 21, by striking out "\$342,142,700" and inserting "\$342,082,600".
8. Amend page 9, line 19, after "wages—" by striking out "5,823.5" and inserting "6,200.5".
9. Amend page 9, line 19, by striking out "\$298,310,100" and inserting "\$303,692,900".
10. Amend page 9, line 20, by striking out "12,712,800" and inserting "12,769,200".
11. Amend page 10, line 2, by striking out "\$336,643,400" and inserting "\$342,082,600".
12. Amend page 10, line 7, by striking out "215,795,600" and inserting "217,020,100".
13. Amend page 10, line 14, by striking out "\$113,596,000" and inserting "\$117,810,700".
14. Amend page 11, line 5, by striking out "\$44,450,900" and inserting "\$44,780,000".
15. Amend page 11, line 7, by striking out "6,150,300" and inserting "6,266,100".
16. Amend page 11, line 11, by striking out "315,417,900" and inserting "319,092,500".
17. Amend page 11, line 12, by striking out "\$378,050,700" and inserting "\$341,304,700".
18. Amend page 11, line 18, by striking out "241,440,100" and inserting "240,591,300".
19. Amend page 11, line 21, by striking out "\$131,326,800" and inserting "\$128,501,000".
20. Amend page 12, line 23, by striking out "3,488,663,100" and inserting "3,492,533,100".
21. Amend page 13, line 1, by striking out "\$212,435,500" and inserting "\$208,565,900".
22. Amend page 13, line 3, by striking out "\$95,965,700" and inserting "\$96,251,500".
23. Amend page 13, line 5, by striking out "\$141,596,700" and inserting "\$141,882,500".
24. Amend page 13, line 8, by striking out "102,921,700" and inserting "103,025,100".
25. Amend page 13, line 10, by striking out "\$38,675,000" and inserting "\$38,857,400" and adjusting the subtotals, totals, and section 201 accordingly.

The question being on the adoption of the amendments,

Senator Thomas requested the yeas and nays.

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

The amendments were not adopted, a majority of the members serving not voting therefor, as follows:

Roll Call No. 263**Yeas—16**

Anderson	Cherry	Hunter	Scott
Barcia	Clark-Coleman	Jacobs	Switalski

Basham
Brater

Clarke
Gleason

Olshove
Prusi

Thomas
Whitmer

Nays—22

Allen
Birkholz
Bishop
Brown
Cassis
Cropsey

Garcia
George
Gilbert
Hardiman
Jansen
Jelinek

Kahn
Kuipers
McManus
Nofs
Pappageorge

Patterson
Richardville
Sanborn
Stamas
Van Woerkom

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. 264

Yeas—20

Allen
Birkholz
Bishop
Brown
Cropsey

Garcia
George
Gilbert
Hardiman
Jansen

Jelinek
Kahn
Kuipers
McManus
Nofs

Pappageorge
Richardville
Sanborn
Stamas
Van Woerkom

Nays—18

Anderson
Barcia
Basham
Brater
Cassis

Cherry
Clark-Coleman
Clarke
Gleason
Hunter

Jacobs
Olshove
Patterson
Prusi

Scott
Switalski
Thomas
Whitmer

Excused—0

Not Voting—0

In The Chair: Richardville

The Senate agreed to the title of the bill.

Protests

Senators Whitmer, Cherry, Brater, Scott, Jacobs and Basham, under their constitutional right of protest (Art. 4, Sec. 18), protested against the passage of Senate Bill No. 1158.

Senators Whitmer, Scott, Jacobs, Cherry and Basham moved that the statements they made during the discussion of the bill be printed as their reasons for voting “no.”

The motion prevailed.

Senator Whitmer’s statement, in which Senators Cherry and Brater concurred, is as follows:

I rise to encourage a “no” vote on this budget bill. I am appalled by this budget. This budget more than any other that we work on has the biggest impact on vulnerable children in our state. What you have done to it is unconscionable. Currently, our DHS workers are doing their best to balance 700- to 800-person caseloads per DHS worker, recognizing the jeopardy in which this massive imbalance places not only on the kids of our state, but also our workers who are trying to protect them. The Governor recommended increasing the workforce by 527. You have slashed that by 376, fracturing a system that is already stressed.

The result? Well, first, the enormous caseloads that put kids in jeopardy. God forbid another child falls through the cracks and dies in the state of Michigan. You have no one to blame but yourselves. Second, this almost guarantees that we violate the consent decree, which likely renders our state in contempt of court, possibly subjecting us to fines and penalties. This could actually cost us money.

Additionally, not only that, but you’ve further hurt the meager number of frontline caseworkers who remain with an additional 3 percent cut. If that’s not appalling enough, you have the audacity to put in over \$20 million of spending increases in this budget, the bulk of which goes to private groups. With your cuts that are going to directly impact kids, how the heck do you justify that?

I guess it’s good news if you’re a constituent or the subcommittee chairman or if you reside in the Ehlers congressional district. It is downright scary for the kids in the rest of the state.

Senator Scott’s statement, in which Senators Cherry and Brater concurred, is as follows:

There are several reasons why I voted “no” on this budget. First and foremost is the danger to our children in our foster care, adoption, and child protection services system by not funding an appropriate number of staff in those areas through this budget. Not only does the lack of sufficient staff mean children may fall through the cracks, but it also means that the state may face sanctions for not being in compliance with the federal consent decree as part of the children’s rights lawsuit, and we certainly have a lot of those.

We offered an amendment that would staff Children’s Protective Services at the level required by the consent decree by reducing some of the over \$20 million in new general funds proposed by this budget. But the majority prefers these pet projects and 36 percent private providers’ rate increase over the safety of our children. These new projects are all in one area.

We also know that full-time staff in this department are woefully overworked. This budget rejects the restoration of 197 full-time staff who were cut from the current-year allocation and rejects the transition of 200 limited-term staff to full-time positions. In addition, the majority in this budget continues their policy of removing 3 percent of funds related to personnel in retribution for not being able to win a fair vote regarding employees’ pay. In some budgets, this means the department has to eat the 3 percent overall cut; not so for DHS, as the cuts come from lines that only contain employee salaries and benefits. The result could be as many as another 300 full-time employees are not funded.

Other reasons to vote “no” include the lack of funding for the JET Plus, which could threaten future federal emergency TANF contingency funding; the imposition of new costs on counties under the child welfare system; the undermining of training and support services to child day-care providers; and the imposition of a new privatized call center, which will add virtually no assistance to clients or relief to caseworkers.

For these reasons, I will vote “no,” and I hope in conference, we can do a better job of living up to our obligation, both legally and morally to the children of this state.

Senator Jacobs’ statement is as follows:

I wish to add my voice to the “no” vote explanations which we have heard from my colleagues who have spoken so beautifully on the floor today.

As part of this budget, there is a funding prohibition against the Michigan Home Based Child Care Council, as well as a prohibition for collection of dues on behalf of Michigan Home Based Child Care Council. I stand here today to be somewhat of a truth squad because I think it is important that what has been described as questionable and forced unionization of home-based child care workers is not that at all.

The fact of the matter is that the union was ratified through an election process that was entirely proper and legal. Ninety-eight percent of the workers who voted in the election voted in favor of unionization. At no point was the validity of that election challenged through the normal procedures provided by our labor laws.

In fact, there is no reason why these workers should not organize. While they may not look like traditional employees, the reality of our 21st century economy requires that nontraditional workers such as these home-based childcare workers be given the same rights as traditional employees. Those rights should include the rights to organize for better payments for their services, for training programs which will help them perform their jobs in a professional way, and for a voice to express their concerns about the system and operations.

In any event, no one is forcing workers who do not want to be part of the union to join. Both Michigan and federal law prohibit compulsory union membership. Any employee who wishes can refrain from joining the union by paying a small representation fee.

Now this was just an example of what our democracy is all about. We all know that we often have local elections, sometimes school board elections, where 2 percent or 3 percent or 4 percent of the population come out to vote. But that's the system we have which exists, and for us to go in and attack a democratic process, to me, is unconscionable.

I would encourage my colleagues to vote "no" on this budget. There are so many reasons I can't even list them all just standing here.

Senator Cherry's statement is as follows:

I am voting "no" on this budget because I believe that it puts our children in a dangerous situation. This budget not only impacts children, but it impacts women and does not provide the support that many single-parent families need to be able to be able to have successful families and raise their children in a positive, productive way.

We are, as has been said, putting our children in jeopardy with this budget. We are not adequately funding places that need to be, and we are determining that the private sector provides services better than the public sector when it comes to juvenile justice and foster care. I reject that argument. I believe that there is good in both systems, and I believe that those who are placing those children know that best. Yet we are subsidizing the private sector higher than the public sector. I believe that is innately bad policy.

So, Mr. Chairman, I am voting "no."

Senator Basham's statement is as follows:

I was just wanting to respond to the Senator from the 29th District relative to his comments dealing with unions. Employees determine whether they are unionized or not. Employees determine which union they want to belong to, if any. Again, if employees belong to a union and they don't want to be in the union, they can have a vote to get out of the union.

I know a little bit about unions. I know about closed shops, open shops, and right to work. I know about all those sorts of things. I probably see unions in a different light than some of my colleagues across the aisle. Unions are middle-income folks, and a lot of them aspire to be. Unions are consumers. When we lose union members, whether you like them or not, the consumers in this country continue to decline.

When you attack unions, you are attacking what I have been all about. I spent 40 years in a union, and it didn't seem to bother me any. As a matter of fact, it helped me. I don't have bad memories of unions. I have good memories of unions. I know what collective bargaining is about. I know what health care is about. I know what a living wage is about. I know what ergonomic rules are about. I know what has been good for me and my family, and it is unions.

So unions have actually been very, very good for Michigan. When we had more union people, we were actually above the national average when it came to income, consumers, and people with a good quality of life. I would take umbrage with the Senator from the 29th District when he starts to bash unions. I will not be supporting this bill not just because of the union comments, but because I think we can do better.

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

The motion prevailed.

Senator Cherry's statement is as follows:

The language in the bill is revenue sharing in reverse. Yesterday, we cut revenue sharing to local governments, and today we are making local governments pay us for our employees and for the services that we provide. Not only do we cut them, but we also make them pay more. It is astounding to me that we have little regard for the resources that are available in our communities, and we are actually going to take money away from local governments and provide it to the state for administrative services—to pay for services that the state should be providing.

It is beyond me and I cannot understand why we think it is good public policy in this chamber. It may be revenue-neutral for counties as a whole, but it is not revenue-neutral to all counties. We can't even get figures as to which county has to pay more for it than other counties. We don't even know the impact of this for the local governments that we serve.

I ask you to support this amendment because it is policy without adequate information, and it really is to provide funding for private agencies and not public agencies. We don't know that private agencies automatically provide better services than public agencies. I believe it should be up to the judge to decide what is best for the people who need to get that kind of care—that the judge makes those decisions, not us in the Legislature.

I ask members to support the Scott amendment. It is time that we develop our policy based on what we think is good policy and not based on how to fund a program that probably just needs more money as a whole. I ask colleagues to support this amendment.

Senator Switalski's statement is as follows:

This amendment speaks to the level of workers in the DHS budget. The bill in front of us cut 376 workers from the Governor's request. We have signed a consent agreement to resolve a lawsuit against the state in which we promised to maintain certain caseload ratios. We are not going to meet those without these workers. We aren't meeting them right now.

The Governor requested \$10 million to fill 527 positions, and in this bill, we fund about 150 positions at \$3 million. My amendment will generate the \$7 million to pay for the remaining 350 or so employees and keep our commitments that we made when we signed the consent agreement. The money will come from reprogramming money within the budget from other areas of lower priority where we did not make a commitment to the court, and that would be the marriage initiative, the fatherhood initiative, and the 36 percent adoption rate increase. I hope all members will support my amendment.

Senator Hardiman's statement is as follows:

I rise to speak in favor of Senate Bill No. 1158 and the budget for Human Services. Michigan and her residents are under great stress from economic conditions and personal situations. It is natural to want to help. However, as state lawmakers, we also have a responsibility to carefully safeguard taxpayer dollars and to make the best use of those funds.

Senate Bill No. 1158 reflects numerous difficult decisions and choices in the best use of the funds we have been entrusted with. It has been said that we are under a consent decree, and we need more staff. I have been to the local offices, and I understand that we need more staff. Indeed, there are more staff in this budget than we had last year. Full-time employees are increased by 65. We have added CPS workers to protect vulnerable children.

But it goes beyond that. There are other ways to provide the services provided by the consent decree than just continuing to add staff. We have community partners that we can also use instead of trying to pull back from that effort. This goes beyond that. We have numerous reforms here that are very important and that I am very pleased with and proud of.

Senate Bill No. 1158 will allow us to change the way foster care payments are shared between the state and counties so that care decisions will reflect the best interests of the child to a greater degree. Senate Bill No. 1158 continues to work in new delivery of service and applications, online applications, and a new call center will ease congestion in local offices without building up permanent staff. Senate Bill No. 1158 reflects priorities in child protective services and additional federal funds in food assistance and weatherization. Senate Bill No. 1158 also demonstrates a new resolve on accountability, spending, and oversight in the use of Bridge cards and other forms of assistance.

Finally, Senate Bill No. 1158 ends the funding for the Michigan Home Based Child Care Council and the childcare union dues. Now it has been said that the process was legitimate. People had a chance to challenge that, but here is something that I think we need to think about. The people who were unionized were not state employees. They are not covered by minimum wage, they are not getting sick pay, and they are not getting health care benefits. That is what state employees get.

This attempt to call private employers union members has drawn wide criticism not only in this state, but nationally. It reflects poorly on state government and on Michigan as a great place to start a small business. It is wrong. I have heard from some of them, "I didn't even know I was in the union and I get this notice." It is absolutely wrong, and it has to end.

There are clear differences between the Governor's proposal and the version of this budget on the Senate floor. I look forward to the continuing process of resolving differences. I believe that we put forth a good proposal, and I stand by it.

I want to add something else. It has been implied that somehow there is some political motivation behind this. I have worked here for many years, and I count my integrity as one of the highest things that I possess. I have also worked for many years to put forth reforms that I thought would improve the system. This is simply a continuation of those efforts. In fact, some of these efforts were in the budget last year.

I ask for your support of this bill, and I thank all of those who are willing to take a fresh look at state government and reform because we cannot afford to do things the way that we have always done them.

By unanimous consent the Senate proceeded to the order of

Introduction and Referral of Bills

Senators Clarke, Thomas, Prusi, Clark-Coleman, Brater, Switalski, Olshove, Cherry, Hunter and Scott introduced **Senate Bill No. 1340, entitled**

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," (MCL 500.100 to 500.8302) by adding chapter 19A; and to repeal acts and parts of acts.

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

House Bill No. 5724, entitled

A bill to amend 1893 PA 206, entitled “The general property tax act,” by amending section 78m (MCL 211.78m), as amended by 2006 PA 498.

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 Commerce and Tourism.

House Bill No. 5855, entitled

A bill to amend 1956 PA 218, entitled “The insurance code of 1956,” by amending section 3525 (MCL 500.3525), as added by 2000 PA 252.

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.

By unanimous consent the Senate returned 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. 57

The motion prevailed.

Senator Cropsey moved that the following resolutions be placed at the head of the Resolutions calendar:

Senate Concurrent Resolution No. 41

Senate Resolution No. 160

Senate Resolution No. 159

The motion prevailed.

Senate Concurrent Resolution No. 41.

A concurrent resolution to memorialize the President, the Congress, and the Federal Communications Commission of the United States to refrain from regulating Internet broadband services as common carrier services under Title II of the Communications Act of 1934.

(This resolution was offered on May 18 and the motion to suspend the rule for immediate consideration postponed. See Senate Journal No. 45 p. 820.)

The question being on the motion to suspend rule 3.204,

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

The concurrent resolution was adopted.

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

The motion prevailed.

Senator Kuipers’ statement is as follows:

Two weeks ago, FCC Chairman Julius Genachowski announced plans to regulate broadband lines under decades-old rules designed for the traditional phone networks, thereby stoking a battle over the future of the Internet. The announcement came on the heels of a recent unanimous federal court ruling that cast doubt over the authority of the FCC to regulate the flow of traffic on the Internet. The FCC announcement has triggered a battle that pits large phone and cable companies against Silicon Valley giants.

At stake is how far the government should go to dictate the way Internet providers manage traffic on their multibillion-dollar networks—an industry that has flourished in the absence of government regulation. This issue is not for the Michigan Legislature. More and more members of Congress are coming to this conclusion.

Last fall, 72 Democratic Representatives sent a letter to the FCC generally opposing net neutrality. That letter urged the FCC to carefully consider the full range of potential consequences that government action may have on network investment. Coincidentally or not, that letter was written just one month after the Communication Workers of America wrote the FCC and called the net neutrality proposal a jobs killer.

I urge all members to join together and put a stop to this jobs killer by voting “yes” on this concurrent resolution.

Senate Resolution No. 160.

A resolution to memorialize the President, the Congress, and the Federal Communications Commission of the United States to refrain from regulating Internet broadband services as common carrier services under Title II of the Communications Act of 1934.

(This resolution was offered on May 18 and motion to suspend the rule for immediate consideration postponed. See Senate Journal No. 45, p. 820.)

The question being on the motion to suspend rule 3.204,

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

The resolution was adopted.

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

The motion prevailed.

Senator Patterson's statement is as follows:

Building upon the previous speaker's comments relative to this concurrent resolution, Senate Resolution No. 160 intends to send a clear message. That message has to do with not only jobs and the economy and investments, but a concern I have about the threat to free speech.

The First Amendment of the United States Constitution is intended to encourage free exchange of thought and speech. It offers broad protections to the press from government interference, and one might note that there are more and more publications being put on the Internet. If we were to encourage the FCC to reach in the direction the chairman is suggesting, we might very well open the door for more and more regulation over our speech.

So for constitutional reasons, I would encourage adoption of Senate Resolution No. 160.

Senate Resolution No. 159.

A resolution offered as a memorial for Ernie Harwell, former radio and television broadcaster for the Detroit Tigers.

(This resolution was offered on May 18 and motion to suspend the rule for immediate consideration postponed. See Senate Journal No. 45, p. 819.)

The question being on the motion to suspend rule 3.204,

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

The question being on the adoption of the resolution,

Senator Cassis offered the following substitute:

A resolution offered as a memorial for Ernie Harwell, former radio and television broadcaster for the Detroit Tigers.

Whereas, It is with deep sadness that we memorialize the passing of Ernie Harwell. With genuine respect for his legacy and accomplishments, we join with the community in extending our condolences to his family and many friends; and

Whereas, Born and raised in Georgia, Ernie Harwell had a lifelong love of baseball. In 1943, he began his baseball career broadcasting for the Atlanta Crackers and later in 1948, broadcasting for the Brooklyn Dodgers. In 1960, Ernie came to Michigan and began his 42-year run as the voice of the Detroit Tigers. Sharing his joy and love of the game, Ernie enjoyed 55 successful years in broadcasting Major League Baseball; and

Whereas, Ernie received several awards and honors over the course of his career, including induction into nine halls of fame, as well as winning the Ford C. Frick Award in 1981 and enshrinement in the broadcasters' wing of the Baseball Hall of Fame in Cooperstown, New York. Further exemplifying his passion and dedication to the game of baseball, Ernie embodied the working-class values of his adoptive home, missing only two broadcasts in his legendary career; and

Whereas, Ernie Harwell, the iconic baseball broadcaster, was an outstanding leader and man. We are eternally appreciative of his achievements, which will forever be memorialized in Michigan. In fact, as a token of our highest esteem, the Michigan Senate recognized April 9, 2010, as Ernie Harwell Day in the state of Michigan; and

Whereas, Generations of Michigan residents and Tigers fans have grown up listening to Ernie Harwell and often reminisce about his unique broadcasting style that includes a sweet Southern drawl, the annual visit from the Voice of the Turtle, and familiar phrases such as "He stood there like a house on the side of the road," and "That one is loooooong gone"; now, therefore, be it

Resolved by the Senate, That we hereby offer our words of respect and gratitude as a memorial for Ernie Harwell. May his family and friends find comfort in their faith and their memories of this fine man and his distinguished career; and be it further

Resolved, That a copy of this resolution be transmitted to the Harwell family in remembrance of this great citizen of Michigan and as a token of our esteem.

The substitute was adopted.

The resolution, as substituted, was adopted.

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

The motion prevailed.

Senator Cassis' statement is as follows:

I do ask that we adopt this substitute language in honor of the life of a great American, Ernie Harwell. We know him as a former radio and television broadcaster for the Detroit Tigers. This resolution reads:

“Whereas, It is with deep sadness that we memorialize the passing of Ernie Harwell. With genuine respect for his legacy and accomplishments, we join with the community in extending our condolences to his family and many friends; and

Whereas, Born and raised in Georgia, Ernie Harwell had a lifelong love of baseball. In 1943, he began his baseball career broadcasting for the Atlanta Crackers and later in 1948, broadcasting for the Brooklyn Dodgers. In 1960, Ernie came to Michigan and began his 42-year run as the voice of the Detroit Tigers. Sharing his joy and love of the game, Ernie enjoyed 55 successful years in broadcasting Major League Baseball; and

Whereas, Ernie received several awards and honors over the course of his career, including induction into nine halls of fame, as well as winning the Ford C. Frick Award in 1981 and enshrinement in the broadcasters' wing of the Baseball Hall of Fame in Cooperstown, New York. Further exemplifying his passion and dedication to the game of baseball, Ernie embodied the working-class values of his adoptive home, missing only two broadcasts in his legendary career; and

Whereas, Ernie Harwell, the iconic baseball broadcaster, was an outstanding leader and man. We are eternally appreciative of his achievements, which will forever be memorialized in Michigan. In fact, as a token of our highest esteem, the Michigan Senate recognized April 9, 2010, as Ernie Harwell Day in the state of Michigan; and

Whereas, Generations of Michigan residents and Tigers fans have grown up listening to Ernie Harwell and often reminisce about his unique broadcasting style that includes a sweet Southern drawl, the annual visit from the Voice of the Turtle, and familiar phrases such as ‘He stood there like a house on the side of the road,’ and ‘That one is loooooong gone’; now, therefore, be it

Resolved by the Senate, That we hereby offer our words of respect and gratitude as a memorial for Ernie Harwell. May his family and friends find comfort in their faith and their memories of this fine man and his distinguished career; and be it further

Resolved, That a copy of this resolution be transmitted to the Harwell family in remembrance of this great citizen of Michigan and as a token of our esteem.”

Senators Thomas, Jacobs, Prusi, Hunter, Switalski, Anderson, Olshove, Cherry, Brater, Whitmer and Clark-Coleman offered the following resolution:

Senate Resolution No. 161.

A resolution commemorating June 5, 2010, as Childhood Cancer Survivors Day in the state of Michigan.

Whereas, Today, over 250,000 Americans are survivors of childhood cancer. Most children survive thanks to advances in early cancer detection, treatment, and research; and

Whereas, Children's Hospital of Michigan, the oldest and largest hospital caring for the children of Michigan, has an active, productive cancer survivor population. This demonstrates that a cancer diagnosis is no longer an automatic death sentence; and

Whereas, In addition to Childhood Cancer Survivors Day, communities all across America will be celebrating life Sunday, June 6, 2010, as part of the world's largest cancer survivor event, the 23rd annual National Cancer Survivors Day; now, therefore, be it

Resolved by the Senate, That the members of this legislative body commemorate Saturday, June 5, 2010, as Childhood Cancer Survivors Day in the state of Michigan. We urge all citizens to join in this joyous celebration of life; and be it further

Resolved, That a copy of this resolution be transmitted to Children's Hospital of Michigan as evidence of our support for their endeavors.

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 resolution was adopted.

Senator Cropsey 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 Allen offered the following resolution:

Senate Resolution No. 162.

A resolution to express dismay and deep regret at the lack of immediate federal actions to prevent the Asian carp from entering the Great Lakes and to urge the Michigan Attorney General to pursue further legal actions.

Whereas, Asian carp are on the verge of invading the Great Lakes through the man-made connections between the Great Lakes and the Mississippi River basin. Asian carp pose a billion-dollar threat to the Great Lakes ecosystem, fisheries, and economy. Once established in the Great Lakes, Asian carp will be impossible to eradicate and become a permanent part of life in the Great Lakes region; and

Whereas, The most effective way to prevent the Asian carp from invading the Great Lakes is the immediate closure of the canals and waterways connecting the Great Lakes to the Mississippi River basin and the permanent separation of the Great Lakes from the Mississippi River basin; and

Whereas, The U.S. and Canadian advisors to the Great Lakes Fishery Commission support immediate and permanent separation of the Great Lakes from the Mississippi River basin; and

Whereas, The U.S. Supreme Court has ignored the imminent risk to the Great Lakes and rejected requests by Michigan—with the support of five other Great Lakes states and the province of Ontario—to immediately shut down canals and waterways connecting the Great Lakes to the Mississippi River basin and move forward with permanent separation; and

Whereas, The Obama Administration has failed to take the bold actions necessary to protect the Great Lakes. The administration's plan of studying the problem and reliance on experimental barriers and controls continue the failed federal policies that delay any real action or difficult decisions and have led us to the brink of an Asian carp invasion; and

Whereas, The U.S. Congress has failed to take actions to address the imminent threat from Asian carp. Federal bills that would require separation of the Great Lakes from the Mississippi River basin and prevent commercial movement of Asian carp continue to languish in Congress; and

Whereas, The current state of affairs favors the economic interests of two Great Lakes states over the economic and environmental interests of the Great Lakes states and provinces with jurisdiction over 95 percent of the lakes. The interests seeking to keep the canals open have everything to gain by delay because the longer we wait before we close the Great Lakes to Asian carp, the more likely it is that Asian carp will successfully invade the Great Lakes, making closure of the canals irrelevant; now, therefore, be it

Resolved by the Senate, That we express dismay and deep regret that the U.S. Supreme Court rejected the request to take up the Asian carp issue; and be it further

Resolved, That we urge the Michigan Attorney General to take action, on behalf of the people of Michigan, pursuant to MCL 324.3115 and the Michigan Natural Resources and Environmental Protection Act, to seek an injunction to close the locks connecting the Great Lakes to the Mississippi River basin in a lower federal court of appropriate jurisdiction; and be it further

Resolved, That we express dismay and deep regret that the Obama Administration and the U.S. Congress have failed to take other measures to end the threat of Asian carp; and be it further

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

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 moved that further consideration of the resolution be postponed for today.

The motion prevailed.

By unanimous consent the Senate proceeded to the order of

Statements

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

The motion prevailed.

Senator Brown's statement is as follows:

In recent weeks, a new Arizona law aimed at stemming the tide of illegal immigrants flooding into the state has sparked a nationwide debate. This is a highly-charged and emotional issue for many people. After all, most Americans are the product of emigration. But perhaps overshadowed by this emotional debate is the very real security risk posed by lax enforcement of our immigration laws.

As the chairman of the Homeland Security and Emerging Technologies Committee, I read with great concern a recent investigative report by WSB-TV in Atlanta. It indicates that while most of the people crossing our borders illegally are of Mexican or Central American descent, this report details the hundreds of documented crossings by people from nations that sponsor terrorism.

According to the WSB-TV report, records indicate that border patrol agents have captured illegal aliens from Afghanistan, Pakistan, Iraq, Iran, and Yemen, to name a few. Additionally, a recent congressional report on border security confirmed

that members of Hezbollah have crossed our southwestern border. The report includes photos of Arab military jackets found along the border, including one that bore an insignia depicting a plane crashing into the Twin Towers in New York City. According to the story, law enforcement officials believe one of the world's most wanted terrorists may have traveled to the U.S. in 2004 by coming across our southern border. This Saudi Arabian pilot, bomb expert and suspected Al-Qaida agent with a \$5 million bounty on his head, seems to have disappeared.

A former border patrol agent interviewed for the story said, "The American people have been kept in the dark about this issue. For every one apprehended, at least ten escape." The security risks posed by our nation's lax border control are not solely the concern of states like Arizona, Texas, or California. Remember, Michigan shares an international border 721 miles long. Terrorists have previously attempted to utilize the Canadian border as an entry point; most notably in 1999 when an Algerian was arrested trying to bring explosives into the country through Washington State that he intended to use to blow up the Los Angeles airport.

Mr. President, when it comes to the ongoing debate about illegal immigrants entering our country, I personally adhere to the rule of thumb shared by a Michigan sheriff who said, "I stop when I hear the word 'illegal.'" But whatever side of this emotional issue you may fall on, I ask that everyone keep in mind the very real security risks posed by our continued ineffective border control. It is past time the federal government meet its obligation to protect our nation's borders. As we have seen in Arizona, if the federal government will not live up to this obligation, the concerned residents and legislators of states will take matters into their own hands.

Senator Scott's statement is as follows:

I'm willing to bet that we have all said at some point in our lives: "Why is there so much month left at the end of the money?" It sounds funny, but for far too many Michigan families, running out of money before month is their reality. This sad situation has a lot to do with our current economic climate and families struggling to make ends meet with smaller paychecks or an unemployed spouse.

We can't always do much to help people stretch their money to the end of the month. But in one instance—auto insurance—we can do just that. Certain communities in this state pay higher auto insurance rates than others. For many people in those communities, their rates have nothing to do with their driving record. Their rates are simply based on where they live. They pay exorbitant rates because they live in an urban area. And those rates contribute to their money running out before the month runs out.

If you are a poor driver and you get in a lot of accidents, then you should pay higher rates. But your neighbor who has a good driving record shouldn't pay more just because they live in the same community. If we passed auto insurance reform legislation that based rates on a person's driving record, then I know that a great many families would get a significant break on the rates they pay. And a lot of families would suddenly have enough money to get through the month. That makes auto insurance reform not only the right thing to do for our citizens, but it is also the right thing to do for our economy.

Senator Basham's statement is as follows:

On April 28 this year, there was an interview with *MIRS* relative to the Detroit International Bridge Company and their president, Dan Stamper. He claimed they were only days away from obtaining Canadian approval of the DIBC environmental permits for the second span of the Ambassador Bridge. I quote: "Stamper said the Ambassador Bridge Company is close to final Canadian approval of plans to build a second span to replace the 81-year-old original span. They expect a determination by the Canada Border Services Agency in the coming days. The existing plaza will serve the needs of the bridge for the next 25 years, and once that happens, the Canadian government will release its environmental permit."

Here are the facts: Canadian Transport Minister John Baird made the following statements at a luncheon at the Detroit Economic Club on May 17 of this year, and I'm quoting him: "The Morouns have not submitted any applications to build their bridge. They have not begun to meet environmental approvals. The Morouns have not even started to prepare to begin to do anything at all about building their new bridge. On the scale of 1 to 100, they are at a zero. They have no approvals in place. They are talking about the twin-span bridge. They were talking about that 20 years ago. It takes years to get all the environmental approvals you need in Canada. The Detroit River International Crossing, the DRIC, has obtained all permits and approvals on both sides of the border except the presidential permit, which cannot be applied for until the Michigan Legislature approves the DRIC."

Senator Jacobs' statement is as follows:

Just about a year ago, we were all very nervous as two of our three auto companies headed into bankruptcy. We seriously wondered if they would survive, if Michigan could survive, and what shape we would all be in if they did. Well, now, not quite one year later, GM announced this week that they are operating in the black. GM announced that the first three months of 2010 were its first profitable quarter since 2007 and a major victory since coming out of bankruptcy reorganization last summer.

Now, while Michigan will never rely on the automakers' support to run our economy again, this is still very, very good news. It means that Michigan is home to a business that has people excited again; a business that is putting people back to work again. Industry analysts say that Wall Street banks are anxiously awaiting GM's initial public offering when GM once again sells stock to the public.

This good news about GM was followed this week by an announcement from the White House that pending approval from the bankruptcy court, Michigan would receive \$161 million to clean up our old GM sites. This means that these sites can be prepared for new businesses and new jobs that will help us grow our new economy. This is huge for our state, since we don't have the money for this remediation, and this is also good news for anyone wanting to start a new business in our state.

Crain's recently ran a story about how the state venture capital sector has grown slightly and bucked the national trend that has shown venture capital firms and the funds they manage to climb over the past two years. Even with this slight improvement, we have added a venture capital firm. We have added managers, and the amount of money under management has grown from \$1 billion to \$1.1 billion.

This is great news, when just a year ago, we were faced with two major companies heading into bankruptcy. We have seen improvements this year, and we certainly need to see a lot more successes before we can truly breathe easier. But we need to take to heart all of this good news, and make sure that Michigan will be the comeback state.

Committee Reports

The Committee on Judiciary reported

House Bill No. 5273, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," (MCL 600.101 to 600.9947) by adding section 1084.

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.

Wayne Kuipers
Chairperson

To Report Out:

Yeas: Senators Kuipers, Sanborn, Patterson, Whitmer and Basham

Nays: None

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

COMMITTEE ATTENDANCE REPORT

The Committee on Judiciary submitted the following:

Meeting held on Tuesday, May 18, 2010, at 1:00 p.m., Room 210, Farnum Building

Present: Senators Kuipers (C), Sanborn, Patterson, Whitmer, Clarke and Basham

Excused: Senators Cropsey and Stamas

The Committee on Commerce and Tourism reported

Senate Bill No. 1037, entitled

A bill to license and regulate professional employer organizations; to define certain relationships and allocate certain rights and duties between those relationships; to provide for certain powers and duties for state agencies; to impose certain fees and provide for certain security devices; and to provide for penalties and remedies.

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.

Jason E. Allen
Chairperson

To Report Out:

Yeas: Senators Allen, Nofs, Clarke and Hunter

Nays: None

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

The Committee on Commerce and Tourism reported

Senate Bill No. 1038, entitled

A bill to amend 1936 (Ex Sess) PA 1, entitled "Michigan employment security act," (MCL 421.1 to 421.75) by adding section 13m.

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.

Jason E. Allen
Chairperson

To Report Out:

Yeas: Senators Allen, Nofs, Clarke and Hunter

Nays: None

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

COMMITTEE ATTENDANCE REPORT

The Committee on Commerce and Tourism submitted the following:

Meeting held on Tuesday, May 18, 2010, at 2:30 p.m., Room 100, Farnum Building

Present: Senators Allen (C), Nofs, Clarke and Hunter

Excused: Senator Stamas

The Committee on Appropriations reported

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.

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.

Ron Jelinek
Chairperson

To Report Out:

Yeas: Senators Jelinek, Pappageorge, Hardiman, Kahn, Cropsey, Garcia, George, Jansen, Brown, McManus and Stamas

Nays: Senators Switalski, Anderson, Barcia, Brater, Cherry and Clark-Coleman

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

The Committee on Appropriations reported

House Bill No. 5888, entitled

A bill to make appropriations for the department of state police and certain other state purposes for the fiscal year ending September 30, 2011; to provide for the expenditure of those appropriations; to provide for certain reports and the consideration of those reports; to provide for the disposition of other income received by the various state agencies; to provide for certain emergency powers; to provide for the powers and duties of certain committees, certain state agencies, and certain employees; and to provide for the acquisition and disposition of certain real and personal property.

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.

Ron Jelinek
Chairperson

To Report Out:

Yeas: Senators Jelinek, Pappageorge, Hardiman, Kahn, Cropsey, Garcia, George, Jansen, Brown, McManus, Stamas, Switalski, Anderson, Barcia, Brater, Cherry and Clark-Coleman

Nays: None

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

COMMITTEE ATTENDANCE REPORT

The Committee on Appropriations submitted the following:

Meeting held on Tuesday, May 18, 2010, at 1:30 p.m., Senate Appropriations Room, 3rd Floor, Capitol Building

Present: Senators Jelinek (C), Pappageorge, Hardiman, Kahn, Cropsey, Garcia, George, Jansen, Brown, McManus, Stamas, Switalski, Anderson, Barcia, Brater, Cherry and Clark-Coleman

Excused: Senator Scott

Scheduled Meetings**Appropriations -****Subcommittee -**

Community Health Department - Thursday, May 27, 1:00 p.m., Room 110, Capitol Building (373-2768)

Education - Thursday, May 20, 2:30 p.m., Room 210, Farnum Building (373-6920)

Energy Policy and Public Utilities - Thursday, May 20, 1:00 p.m., Senate Hearing Room, Ground Floor, Boji Tower (373-7350)

Finance - Thursday, May 20, 11:00 a.m., Room 110, Farnum Building (373-1758)

Senator Cropsey moved that the Senate adjourn.
The motion prevailed, the time being 1:41 p.m.

The President pro tempore, Senator Richardville, declared the Senate adjourned until Thursday, May 20, 2010, at 10:00 a.m.

CAROL MOREY VIVENTI
Secretary of the Senate