

No. 23
STATE OF MICHIGAN
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95th Legislature
REGULAR SESSION OF 2009

Senate Chamber, Lansing, Tuesday, March 24, 2009.

10:00 a.m.

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

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

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

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

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

Senator Michael Switalski of the 10th District offered the following invocation:

Good morning, Lord. Please remember the men and women who have gone before us, like Senator Harmon Cropsey, whose life and passing we will honor this morning. Inspire those of us who are here today to work together to help Michigan emerge from this financial crisis. I won't take it personal, Lord, if You prove me wrong, and help the Senate reach agreement this week on our transportation stimulus package. I actually like it when You dash my worst fears and lead us to concord. Prove me wrong, Lord, and make my day.

Finally, remind us of our responsibilities toward those who are here tomorrow. Show us how to keep hope alive, and create a better future for those who come after us.

One last thing, Lord. My son Liam gets his driver's license this week. Impress on him that springtime brings longer days, warmer weather, car radios blaring through rolled-down windows, and friendly motorcycles in your blind spot. Make him check his rearview mirrors and turn his head every time to check his blind spots. It's not a bad reminder for the rest of us. Amen.

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

Motions and Communications

Senator Scott entered the Senate Chamber.

The following communication was received:
State Officers Compensation Commission

March 18, 2009

On February 12, 2009 and March 9, 2009, the State Officers Compensation Commission (SOCC) met to determine salaries and expense allowances for the governor, lieutenant governor, attorney general, secretary of state, justices of the supreme court, and members of the legislature. The SOCC has concluded its proceedings for 2009. This letter provides notice of the SOCC's determinations, as required by Section 6 of Public Act 357 of 1968 (MCL 15.216).

The SOCC has determined that ten percent reductions to the current salaries, supplemental salaries, and expense allowances for legislative and executive branch positions are appropriate. Issues regarding the constitutionality of a reduction in judicial salaries were raised before the SOCC. The SOCC recommended no reduction in the current salary for the Justices of the Supreme Court.

The 2009 SOCC salary and expense allowance recommendations are:

Office	Proposed Salary	Proposed Expense Allowance
Governor	\$159,300	\$54,000
Lieutenant Governor	\$111,510	\$18,000
Attorney General	\$112,410	n/a
Secretary of State	\$112,410	n/a
Justice	\$164,610	n/a
Legislator	\$71,685	\$10,000

The 2009 SOCC legislative supplemental salary recommendations are:

Office	Supplement
Speaker of the House	\$27,000
Senate Majority Leader	\$26,000
Minority Leader - House and Senate	\$22,000
Majority Floor Leader - House and Senate	\$12,000
Minority Floor Leader - House and Senate	\$10,000
Appropriations Committee Chair - House and Senate	\$7,000
Speaker Pro Tempore - House and Senate	\$5,513

Pursuant to Article 4, Section 12, of the Michigan Constitution, if approved by the Legislature, these recommendations would take effect for the legislative session immediately following the 2010 general election (January 2011).

Sincerely,
Patrick R. Olson
Chair

The communication was referred to the Secretary for record.

The Secretary announced the enrollment printing and presentation to the Governor on Monday, March 23, for her approval the following bill:

Enrolled Senate Bill No. 190 at 1:32 p.m.

The Secretary announced that the following official bills were printed on Thursday, March 19, and are available at the legislative website:

Senate Bill Nos.	391	392	393											
House Bill Nos.	4608	4609	4610	4611	4612	4613	4614	4615	4616	4617	4618	4619	4620	4621
	4622	4623	4624	4625	4626	4627	4628							

The Secretary announced that the following official bills were printed on Friday, March 20, and are available at the legislative website:

Senate Bill Nos.	394	395	396	397	398	399	400	401						
House Bill Nos.	4629	4630	4631	4632	4633	4634	4635	4636	4637	4638	4639	4640	4641	4642
	4643	4644	4645	4646	4647	4648	4649	4650	4651	4652	4653	4654	4655	4656
	4657	4658	4659	4660	4661	4662	4663	4664	4665	4666	4667	4668	4669	4670
	4671	4672	4673	4674										

By unanimous consent the Senate proceeded to the order of
Resolutions

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

Senate Resolution No. 25

The resolution consent calendar was adopted.

Senators Prusi, Thomas, Cherry, Kuipers, Richardville, Sanborn, Kahn, Jelinek, Olshove, Scott, Brater, Gleason, Anderson, Jacobs, Whitmer, Clark-Coleman, Hunter, Barcia, Basham, Clarke, Switalski, Patterson and George offered the following resolution:

Senate Resolution No. 25.

A resolution honoring the 25th Anniversary of Michigan Education Association (MEA)-Retired.

Whereas, MEA-Retired is celebrating its 25th Anniversary as an organization of retired public school employees who remain exceptionally passionate about the cause of public education in our state; and

Whereas, After many years of advocacy for quality school employee retirement benefits through a variety of organizations and arrangements, the Michigan Education Association and the National Education Association formally created their respective retired organizations in the 1980s; and

Whereas, MEA-Retired’s membership has grown to more than 40,000 members, including both retired and active school employees; and

Whereas, The legislative and political action of MEA-Retired is a critical component of MEA’s overall success in advocating both for a quality education for all Michigan students and for quality work environments and retirement benefits for all public school employees; and

Whereas, The leadership of MEA-Retired in the MEA Scholarship Program has helped extend the hope and promise of a college education to hundreds of worthy students over the past decade; and

Whereas, The guidance and experience of MEA-Retired’s elected leadership continues to provide sage counsel to those who have picked up the mantle of MEA administration; now, therefore, be it

Resolved by the Senate, That we hereby salute MEA-Retired on the occasion of its 25th Anniversary; and be it further

Resolved, That the Michigan Education Association members value the continuing commitment of retired public school employees to ensuring an outstanding public education for Michigan’s students; and be it further

Resolved, That a copy of this resolution be transmitted to Michigan Education Association (MEA)-Retired with our highest esteem.

Senators Prusi, Thomas, Cherry, Richardville, Kahn, Jelinek, Olshove, Scott, Brater, Gleason, Anderson, Jacobs, Whitmer, Clark-Coleman, Barcia, Basham, Clarke and Switalski offered the following resolution:

Senate Resolution No. 24.

A resolution honoring the 25th Anniversary of the merger between the Michigan Educational Support Personnel Association and the Michigan Education Association.

Whereas, 2009 marks the 25th Anniversary of the merger between the Michigan Educational Support Personnel Association and the Michigan Education Association; and

Whereas, Following from the initial organizing of ESP members in the mid-1970s, the 1984 merger of the two associations made MEA one of the first state associations to provide full membership rights to all nonsupervisory members of the education workforce as a unified organization; and

Whereas, During the past quarter century, thousands of school employees from the paraprofessional, clerical, food service, transportation, custodial, maintenance, skilled trades, security, technical, health, and student services ranks have joined the MEA, now making up approximately one-third of overall active membership; and

Whereas, The combination of those ESP members with other active and retired MEA members create an exceptionally strong education union that advocates for the working conditions of all school employees and the learning conditions of all Michigan students; and

Whereas, The leadership of MEA ESP members has been instrumental in the fight against a litany of anti-public school employee initiatives, including the defeat of vouchers in 2000 and ongoing battles against privatization of school employee jobs, which will continue to be critical in facing the challenges still ahead; now, therefore, be it

Resolved by the Senate, That we hereby join the Michigan Education Association in honoring the many contributions of ESP members on the occasion of the 25th Anniversary of the Michigan Educational Support Personnel Association/ Michigan Education Association merger; and be it further

Resolved, That thanks to the involvement of ESP members, MEA is a stronger union and a better advocate for public schools, their employees, and especially their students; and be it further

Resolved, That a copy of this resolution be transmitted to the Michigan Education Association with our highest esteem.

Pursuant to rule 3.204, the resolution was referred to the Committee on Government Operations and Reform.

Senator Cropsey moved that rule 3.204 be suspended to permit immediate consideration of the following concurrent resolution:

Senate Concurrent Resolution No. 7

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

Senator Bishop offered the following concurrent resolution:

Senate Concurrent Resolution No. 7.

A concurrent resolution to honor the memory of Harmon G. Cropsey, former member of the Michigan House of Representatives and Senate.

You shall know the truth, and the truth shall make you free.

—Jesus Christ

If we work upon marble, it will perish;

If on brass, time will efface it;

If we rear temples, they will crumble into dust;

But if we work upon immortal minds,

And imbue them with principles,

With the just fear of God and love of our fellow-men,

We engrave on those tablets something that will brighten to all eternity.

—Daniel Webster

Whereas, The members and staff of the Michigan Legislature were saddened to learn of the passing of Harmon G. Cropsey on March 13, 2009, which gentleman of principle and integrity touched many people over the course of his long and productive life, and whose example of commitment to service will endure through the record of the values with which he lived his life; and

Whereas, Harmon Cropsey's life was rooted in farm, family, and faith, and as a student at Michigan State University and graduate of Iowa State University, he farmed in both Iowa and Michigan; and

Whereas, Like so many of his generation, he put his personal dreams and aspirations on hold during World War II, became a navigator and pilot with the Navy for four years, flew more than 40 missions out of England, and earned the Air Medal and the Distinguished Flying Cross before returning to civilian life; and

Whereas, In the Cass County area, Harmon Cropsey was active in a host of organizations, including the Farm Bureau, veterans posts, political associations, and pro-life groups; and

Whereas, Harmon Cropsey was deeply involved in education, having served as the legislative agent for the Friends of Michigan Schools, as a member of the Senate Education Committee, and as a member on the boards of Geneva Public School, Lewis Cass Intermediate School District, Capitol City Christian School, South Riley Bible School, and Noah Webster Academy (the first public school academy in Michigan); and

Whereas, Harmon Cropsey was actively involved in the spiritual life of the communities where he lived by helping to start two churches and serving on the board of deacons of Volinia Baptist Church, Diamond Lake Baptist Church, East DeWitt Bible Church, and South Riley Bible Church; and

Whereas, First elected as a legislator in a special election for the Michigan House of Representatives in August 1981, Harmon Cropsey came to the Michigan Senate in 1983; and

Whereas, During his 10 years as a lawmaker, Harmon Cropsey contributed to the shaping of public policy not only by sharing his deep understanding of religious, educational, and agricultural issues, but also through his work as the chairman of the Senate Local Government and Veterans Committee, and his unpretentious and unselfish manner earned him the respect of members on both sides of the aisle; and,

Whereas, Harmon Cropsey was a model of marital faithfulness, having been married to his wife, Marian, for 65 years, the offspring of that union being seven children, 19 grandchildren and 27 great-grandchildren; and

Whereas, Having lived for over 91 years, it can be said of Harmon Cropsey, as was said of the patriarch Job, that he “died, being old and full of days”; now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That we offer this expression of our highest tribute to honor the memory of Harmon G. Cropsey, a member of the Michigan House of Representatives from 1981 to 1982 and of the Michigan Senate from 1983 to 1990; and be it further

Resolved, That copies of this resolution be transmitted to the Cropsey family as evidence of the esteem that will long be held for his life and service to others.

The question being on the adoption of the concurrent resolution,

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

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

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

A moment of silence was observed in memory of Harmon G. Cropsey, former member of the Michigan House of Representatives and Senate.

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

The motion prevailed.

Senator Sanborn’s statement is as follows:

You know, as we look over our lives and the things that we have done in our lives, I think Senator Harmon Cropsey is just a great example of what one should strive to be. We look back at our lives and look at the selfless behavior he exhibited in his life. He put community and family first. His legacy will live on through his children and through his grandchildren—indeed, something to be very proud of.

The tribute summed up his life so elegantly. I won’t even attempt to do that, but if you look at the churches he has started, the war that he fought in, the children, and the grandchildren, you know that just minutes after he left this life, the Lord smiled on him and said, “Well done, thy good and faithful servant.”

Senator Barcia’s statement is as follows:

I, too, would like to share a few of my memories with one of, I think, the greatest public servants I had the privilege of serving with during my lengthy career in public service. Senator Sanborn just spoke to the issue, and we just adopted a resolution that I think captured the essence of what Harmon Cropsey was and represented during his time on earth. I would just add a few memories that I have, and I know that a bit later Senator Cropsey will be introducing his mother, but we are blessed also in this chamber today to have Mrs. Marian Cropsey who, as already has been mentioned, raised six wonderful children and had a lengthy marriage to Harmon. Marian, we are glad to see you on the floor today as the Senate adopted the resolution for Harmon and the great work he accomplished throughout his career.

I want to say that my memories go back to meeting Harmon when I was a State Representative. He was very active on behalf of the Friends of Michigan Schools, or as we used to think, the one-room school houses where so much great education occurred in the early history of our state. Harmon was always great about reminding us about the values of education and the importance of family and parents in terms of tutoring and mentoring their children to succeed. Obviously, the six children whom he raised, as well as those others in the extended family whom he touched throughout his life, have gone on to distinguish themselves. We all have a lot to learn and remember about those values that Harmon was so eloquently instructing us in.

The resolution spoke to his service to his country. He was a military hero, a devoted husband and father, and a very good friend to those who worked with him. I know that today it seems, as we look at what is happening at the federal level and sometimes here in Lansing, that sometimes we lose the civil tone during our discussions of important issues that confront our state and nation. One thing that I can say about Harmon, Senator Cropsey, is that he was always such a civil, decent, and good-hearted individual.

He did have a number of issues that he was passionate about. Clearly, education was first and foremost, as has been mentioned. I want to share kind of a funny story; hopefully, it is appropriate for the chamber today. I think Marian was on the trip, and we were on the agriculture committee touring the western Upper Peninsula. We had a delegation of House and Senate agriculture leaders. One of the members of the House, who will remain nameless, was single at the time, but

he was also someone who was probably approaching my age. He was single, but he brought a guest along with him to tour the Upper Peninsula, the timber industry, and the agricultural resources that the Upper Peninsula has to offer—looking at various policy issues. We were hosted by one of the companies up there—the paper mills, I believe—so we had a number of legislators there. Harmon was leading the delegation, and he got to this one individual—a few legislators had their spouses such as Harmon did; some of us were alone—this gentleman from the House did have a guest; she was about 20 or 22 years old. So I think Senator Cropsey was a little perplexed in terms of making the introduction. When he got to this one Representative, he said, “Representative so-and-so and his daughter.”

I just want to say he truly was an outstanding individual. There are a lot of memories we have that I can't recount on the floor today, but he was admired and respected not only here in the state of Michigan, but literally throughout the Midwest and nationally. I know for those of you who are strong supporters of private education, one of the issues that came up and I know that Harmon was a leader on—I think he actually let me introduce the resolution—the Michigan Supreme Court refused at one point to render a decision on some litigation that had been initiated before the Supreme Court relative to the Department of Education's authority to regulate private education in the state. That was regulating the qualifications and credentials of anyone who could teach, as well as the curriculum that would be suitable, including, I might add, a ban on religious instruction. This struck right at the heart and the core of private education, religious education in our state. Senator Cropsey allowed me to introduce a resolution which he had drafted which was subsequently adopted by the Senate and the House, requesting that the Michigan Supreme Court reconsider their decision on the case of *Bridgeport Baptist Academy v. the Michigan Department of Education*.

They did, in fact, reconsider their decision, took the case under advisement, and rendered a decision in favor of the private schools and Bridgeport Baptist Academy. All of those students in private schools across the state today, as they're sitting in class, as well as for generations to come, have a great deal to be grateful for the service of Senator Harmon Cropsey and all that he has accomplished on behalf of our great state.

I want to express to Senator Cropsey, Mrs. Cropsey, and all members of the Cropsey family our heartfelt condolences on your loss. But it is a celebration that we recognize today here in the Senate by adoption of this resolution, that we were graced with the presence and contributions of Senator Harmon Cropsey for 91 years. We are so grateful, Mrs. Cropsey, to you and Alan. I know how proud your dad was of your continuing the legacy of the Cropsey family, as well as your five siblings. Thank you, Mr. President, for allowing me to share those memories about Senator Cropsey today.

Senator Garcia's statement is as follows:

I rise to express my appreciation to the late Senator Harmon Cropsey because it was Senator Harmon Cropsey who actually gave me my first job in the Senate back in June of 1990. I had just left the Army, traveled from Fort Hood, Texas, back to Michigan, my home state, and had been fortunate enough to have interviewed over the phone with Harmon Cropsey and members of his staff. He gave me a chance without actually having sat face to face.

Having said that, I am not really sure when we first met because Senator Alan Cropsey was a substitute teacher in my high school when I went to school here in Michigan, and I also played against George, one of his other sons, in basketball and soccer in high school. I guess I am reaching a bit back.

Coming here to work in the Senate, I had served for nine years on active duty, and the civilian world was completely new to me. I had to learn all about how things were done in the Senate. I learned things like there is a holiday called Sweetest Day, which I had never heard about. I learned that you have to actually write speeches and not just give them. In the military, you don't pull out a speech and read it to your troops and expect them to go on into battle, but in politics, we do things a little bit different.

It reminds me, being the junior guy on the totem pole in the office, Senator Cropsey was supposed to go give a speech to veterans up in Mt. Pleasant. They said, “Well, Valde is a veteran, and he is a new guy, so let him write the speech.” I said, “Okay, how do we do this? What do you need me to say?” They said, “You'll be fine; you're a veteran; you'll think of something; you can handle it.” Not knowing exactly what to do, but I found some facts. I give speeches by just using notes; I don't write anything down. Having said that, I wrote some notes down for the Senator. I gave them to him and he put them in his pocket and went off to give his speech. I'm watching in the Gallery as he gives his speech and I noticed that he is having trouble delivering the speech. I start to get worried thinking that he might be having a heart attack, or he might faint. It took me a couple of minutes to realize that he was reading my notes verbatim. That is not how you prepare a speech for a Senator. Well, needless to say, I didn't write any more speeches after that. It was still a good thing to learn.

One other thing, for those of you who had the opportunity to go to his funeral service, what was discussed was the fact that Harmon never threw anything away. One of the first rules I learned, when you go into his office, which, by the way, was in the landing there in between the first and second floors. We had one of those halfway offices and the windows, you had to look down to look outside. You never touched anything in his office because he literally would have a heart attack.

The time came when we had to put all of his stuff in boxes because he was retiring in December of 1990. So as we started pulling things out, we found things that you wouldn't believe. I mean, they were all old; we will just put it that way. It reminded us of Winston Churchill's famous quote in talking to the people of England about the pilots of the battle

of Great Britain, if I could just paraphrase something that went something like, “Never have so few hid so much for so long in such a little space.” That would describe Harmon to a tee because he did not throw anything at all away.

I just want to say if it were not for the fact that Harmon Cropsey took a chance on me—hired me, gave me the opportunity to learn how the Senate operates—I probably would not be here today. He gave me the experience I needed. Having worked for him, I then was hired by the late Senator Doug Carl, and the rest, I guess, is history.

I just want to say to Marian and the family, thank you for the opportunity. Thank you for the service because as others have said, Harmon was very well-respected on both sides of the aisle, and that is the kind of Senator I want to be remembered as when I leave the chamber.

Senator Cropsey’s statement is as follows:

I wanted to introduce my mom and have her stand. I have my wife in the Gallery with my son Joel who just returned from Iraq two weeks ago; my youngest sister Lindsay Jo, my brother George, who Valde Garcia played against in soccer and basketball, and his wife Mandy. Please welcome them here today.

I rise to thank the people who came to Dad’s funeral. It was on short notice due to the fact that one of my brothers had to go overseas. My father died on Friday night and we had the funeral the following Wednesday. Many of you commented that you wanted to be there, and I was amazed at how many actually were there. I want you to know how special that is. Some of you sent flowers or cards, and many of you gave words of condolence. Some of you who were around here when my father served have shared some very special memories of my dad. I want to say thank you. I appreciate the thoughts that Senator Sanborn shared; Senator Garcia, who was on my father’s staff; and especially Senator Barcia who served when my father and I served together. Thank you so much, gentlemen.

Ninety-one and a half years is a nice, long run. Dad had a full and eventful life. The lives of his children and grandchildren reflect the ideals that Dad lived. I just want to briefly share how some of those ideals impacted us and this great state of Michigan.

Dad had a sacrificial love for this country. He was part of the greatest generation that fought and won World War II. He was also an ardent anti-communist. He was very grateful to see the collapse of Soviet communism in the late 1980s and 1990s. As you are aware, two of my sons serve in the Marines. Joel, as you know, is here today having safely arrived back from Iraq just a couple of weeks ago, and another of Dad’s grandsons serves as a major in the U.S. Air Force.

Dad had a tender love for his family. He and Mom motivated all of us children. My sister Lindsay is following in my mother’s and grandmother’s footsteps as a registered nurse. My brother George and his wife Mandy are farming my father’s and grandfather’s farms in Cass County. Dad started farming with a team of horses and a plow. A good farmer back then could plow an acre in a day. Today, George can plow an acre in a few minutes, and the ground will produce three to four times as much as when Dad started farming. My sister Carolyn, who had to work today, has some of my father’s humor and his knack for working with numbers.

Finally, and most importantly, Dad had tremendous faith in God. He grew up attending the rural church where his funeral was recently held. Mom, too, had grown up in a very religious home, but in the early 1950s when he and Mom were just starting their family, they had more than just a spiritual understanding; they had a spiritual awakening. They realized that Jesus’ words applied personally to them when He said, “God so loved the world that he gave his one and only Son, that whoever believes in him shall not perish but shall have eternal life.” They understood that God’s salvation was not earned by them; it had been paid by Jesus Christ on Calvary and was freely given by God to anyone who believed. That started a relationship with God that motivated Dad for the rest of his life.

Dad often talked to the people around him about his spiritual awakening and how they could share God’s free gift of eternal life. This inspired all of us children. My oldest brother Bob has been a medical doctor in Africa for 25 years, where he helped to set up a hospital in the southern part of the little country of Togo, West Africa. Togo is one of three little countries nestled between the Ivory Coast and Nigeria. My father’s memorial fund will be given for the building of a new hospital in the northern part of Togo. My other older brother Dave helped to start two Christian schools in South Africa. The reason we had to have the funeral earlier rather than later in the week is because he was flying to France and then Africa to look at the feasibility of starting a seminary or a school there.

Dad’s stands on public policy were influenced by his spiritual awakening. He believed that not only is life a gift from God, but so is our liberty, just as is stated in our Declaration of Independence. As a result, he was staunchly pro-life and actively involved in the pro-life movement from its inception in Michigan. He defended the right of parents to control the education of their children. After all, God gave the children to parents, not to a department of education. When the Michigan Department of Education attempted to assert control over the Christian schools, Dad sponsored legislation in the 1980s to guarantee their religious freedom. In fact, they had a rally out front on the Capitol steps in favor of Dad’s legislation, which was the largest demonstration that Lansing had seen since the civil rights marches and war protests of the 1960s.

I have been especially blessed to have served with my father in both the Michigan House and the Senate. It is rare that a father and son have the opportunity to serve together in the Legislature. Former Representative Ted Stopczynski told me that Dad and I were the fifth father and son team to serve together in the Michigan House of Representatives. Representative Stopczynski should know. He and his father were the fourth team to serve together. Dad and I took it one

step further and became the first, and so far the only, father and son team to serve together in the Michigan Senate. So as I look around this chamber today, many special memories come back of serving the people of Michigan with my dad. I want to thank the people of Cass, St. Joseph, and Kalamazoo Counties for giving my father the opportunity to serve them in the Michigan Senate.

On behalf of my mom and the rest of the family, thank you for passing this memorial resolution.

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, Lieutenant Governor Cherry, designated Senator Brown as Chairperson.

After some time spent therein, the Committee arose; and, the President, Lieutenant Governor Cherry, having resumed the Chair, the Committee reported back to the Senate, favorably and with a substitute therefor, the following bill:

Senate Bill No. 227, entitled

A bill to amend 2008 PA 260, entitled "Subsidized guardianship assistance act," by amending the title and sections 1, 2, 3, 4, 5, 6, and 9 (MCL 722.871, 722.872, 722.873, 722.874, 722.875, 722.876, and 722.879) and by adding sections 5a and 5b; and to repeal acts and parts of acts.

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. 280, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 41301 (MCL 324.41301), as amended by 2005 PA 77.

Substitute (S-1).

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

1. Amend page 2, line 16, after "**FRAGMENT**" by striking out "**OR SEED**" and inserting a comma and "**INCLUDING A SEED OR OTHER PROPAGULE,**".
2. Amend page 2, following line 21, by inserting:
 "(C) **CYLINDRO (CYLINDROSPERMOPSIS RACIBORSKII).**" and relettering the remaining subdivisions.
3. Amend page 2, following line 23, by inserting:
 "(D) **FANWORT (CABOMBA CAROLINIANA).**" and relettering the remaining subdivisions.
4. Amend page 3, following line 7, by inserting:
 "(I) **STARRY STONEWORT (NITELLOPSIS OBTUSA).**" and relettering the remaining subdivisions.
5. Amend page 6, line 3, after "**FRAGMENT**" by striking out "**OR SEED**" and inserting a comma and "**INCLUDING A SEED OR OTHER PROPAGULE,**".

The Senate agreed to the substitute, as amended, 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. 227

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

The following bill was read a third time:

Senate Bill No. 227, entitled

A bill to amend 2008 PA 260, entitled "Subsidized guardianship assistance act," by amending the title and sections 1, 2, 3, 4, 5, 6, and 9 (MCL 722.871, 722.872, 722.873, 722.874, 722.875, 722.876, and 722.879) and by adding sections 5a and 5b; and to repeal acts and parts of acts.

The question being on the passage of the bill,

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

Roll Call No. 76**Yeas—37**

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

Nays—0**Excused—0****Not Voting—0**

In The Chair: President

The Senate agreed to the title of the bill.

The following bill was read a third time:

Senate Bill No. 47, entitled

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

The question being on the passage of the bill,

Senator Cropsey moved that further consideration of the bill be postponed for today.

The motion prevailed.

By unanimous consent the Senate proceeded to the order of

Introduction and Referral of Bills

Senator Thomas introduced

Senate Bill No. 402, 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, and by adding section 602b.

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

Statements

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

The motion prevailed.

Senator Scott’s statement is as follows:

In a sermon to the Dexter Avenue Baptist Church in 1960, Dr. King said, “History has thrust upon me a responsibility from which I cannot turn away.” As an elected official, I cannot turn away from my responsibility to do right by my constituents and right by all the people of Michigan. I was sent to Lansing to do the people’s work. I was sent to Lansing to do what is best for the citizens of my district and the citizens across Michigan.

That is why I stand up day after day to speak about the injustice of auto insurance rates in our state. No one wants to see one community subsidizing auto insurance rates for another. The only solution for that is to make sure that everyone has reasonable auto insurance rates.

That is why I want fair insurance rates for every Michigan citizen. And that is what I will continue to stand up and speak for until we move my bills.

Senator Garcia's statement is as follows:

The reason I rise is for two purposes. One is that last Thursday, I missed a number of votes, and I would like to express my voting intentions. First of all, on record Roll Call No. 72, I would have voted "nay." On record Roll Call Nos. 73, 74, and 75, I would have voted "yea."

The reason I missed the votes last Thursday—I made most of the votes—my son was graduating from basic combat training at Fort Jackson, South Carolina. This job over the last ten years has, actually, I allowed this job to let me miss other family events, but this is one that I was not about to miss. So I left early to go and traveled to see my son, and see him graduate the following day. He looked great in his uniform. I thought it might be a little small on him, but he still looked good in it.

I am very, very proud of him and what he is doing right now. He is in Fort Benning, Georgia. He is attending officer candidate school, and hopefully, by the end of June, he'll be an Army officer as well. I am not only proud of him for what he has accomplished, but I am also proud for what he is doing.

His mother and I raised him to serve his community, to serve his country, and to serve his state. Last spring, I got a phone call from out of the blue saying that he was going to join the Army, which surprised me because he had one more semester left of college. He finished college and went directly into the Army. He is now going onto OCS, and he hopes to someday become a psychologist and help some of the troops that are coming back and are struggling with some of the issues. That alone makes me very proud of him. I don't know if he will do that because once you get the bug to serve, it stays with you. I expect he will probably be in for at least 20 years.

I just wanted to share with the body the reason that I missed some votes last week and also to share with you my pride in my son for his service.

Senator Basham's statement is as follows:

I just got a clipping from one of the papers with a headline that said, "Smoking eliminated from casino gambling in South Dakota." It says, "It is becoming increasingly obvious that in the U.S. that lawmakers are deciding enough is enough with cigarette smoking that could harm other people." South Dakota Governor Mike Rounds became the latest lawmaker to sign a smoking ban in all public places. In South Dakota, casinos were not spared. They will have to abide by the same laws that restaurants, bars, and other public establishments have.

The Governor and other lawmakers were not concerned for lost revenue; they were focused on saving lives. "I think it is a big day for South Dakota," said Jennifer Stalley, an official with the American Cancer Society. In the long run, I think we will save a lot of lives and a lot of money.

The news was not met with as much enthusiasm from business owners, and the company line across the U.S. when it comes to smoking bans is that it will take away from business. That has not been the case in many of the states that have already banned smoking in public places. Again, in Michigan, over 3,000 people die each year as the result of secondhand smoke. The figures are similar to those in other states, and it appears that lawmakers are fed up with losing lives in the negligence of other people.

I would encourage people to look at the smoking bills we have in front of us and give us a hearing.

Senator Cassis' statement is as follows:

I rise today to share my sympathy and condolences in the loss of a friend, a former city council member in a neighboring community of mine, and one very fine State Representative who has passed, and that is Aldo Vagnozzi. I am sure that my good colleague, Senator Jacobs, also shares these thoughts with me today.

I recall the many days when I was on the Novi City Council and Aldo was on the Farmington Hills City Council as a council member and then later mayor and our joint visits to the National League of Cities conferences. Aldo, as you all know, was always very upbeat and so much younger in spirit than his age would allow. He came to the House of Representatives with vim and vigor and with one thought in mind, and that was to always remember where he came from and represent the common man and woman.

Another wonderful aspect of Aldo was his personality—positive and upbeat even after the loss and sorrow of the loss of his beloved wife. He continued on and on. He didn't miss those sessions over in the House that lasted all night, even when he put his own health at risk. I believe he has a daughter who continues to reside in my hometown of Novi. Let me just say that we will miss Aldo, both as a friend and as a colleague, and for what he stood for—as a public servant representing the best in our communities and only wanting the best for our communities and especially his beloved Farmington Hills.

God bless you, and may you rest in peace, Aldo.

Committee Reports

The Committee on Health Policy reported

Senate Bill No. 321, entitled

A bill to amend 1974 PA 258, entitled "Mental health code," (MCL 330.1001 to 330.2106) by adding section 204c. With the recommendation that the bill pass.

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

Thomas M. George
Chairperson

To Report Out:

Yeas: Senators George, Patterson, Sanborn, Clarke, Gleason and Jacobs

Nays: None

The bill was referred to the Committee of the Whole.

COMMITTEE ATTENDANCE REPORT

The Committee on Health Policy submitted the following:

Meeting held on Wednesday, March 18, 2009, at 3:06 p.m., Senate Hearing Room, Ground Floor, Boji Tower

Present: Senators George (C), Allen, Patterson, Sanborn, Clarke, Gleason and Jacobs

COMMITTEE ATTENDANCE REPORT

The Subcommittee on History, Arts, and Libraries submitted the following:

Meeting held on Thursday, March 19, 2009, at 8:30 a.m., Room 405, Capitol Building

Present: Senators George (C), Brown and Clark-Coleman

COMMITTEE ATTENDANCE REPORT

The Committee on Energy Policy and Public Utilities submitted the following:

Meeting held on Thursday, March 19, 2009, at 1:00 p.m., Room 210, Farnum Building

Present: Senators Patterson (C), Brown, Birkholz, Kuipers, Richardville, Olshove, Clarke and Thomas

COMMITTEE ATTENDANCE REPORT

The Subcommittee on General Government submitted the following:

Meeting held on Thursday, March 19, 2009, at 2:00 p.m., Room 110, Farnum Building

Present: Senators Pappageorge (C), Jansen, McManus, Anderson and Cherry

COMMITTEE ATTENDANCE REPORT

The Subcommittee on Department of Human Services submitted the following:

Meeting held on Thursday, March 19, 2009, at 3:00 p.m., Room 100, Farnum Building

Present: Senator Hardiman (C), Kahn, Jansen, Scott and Barcia

COMMITTEE ATTENDANCE REPORT

The Subcommittee on Judiciary and Corrections submitted the following:

Meeting held on Thursday, March 19, 2009, at 4:00 p.m., Room 405, Capitol Building

Present: Senators Cropsey (C), Kahn and Brater

Scheduled Meetings

Administrative Rules - Tuesday, March 31, 8:30 a.m., Rooms 402 and 403, Capitol Building (373-6476)

Appropriations - Wednesday, March 25, 2:00 p.m., and Thursday, March 26, 9:00 a.m., Senate Appropriations Room, 3rd Floor, Capitol Building (373-6960)

Subcommittees -

Capital Outlay - Thursday, April 2, 9:00 a.m., Senate Hearing Room, Ground Floor, Boji Tower (373-2768)

Environmental Quality Department - Tuesday, March 31, and Wednesdays, May 6, May 13 and May 20, 3:00 p.m., Room 405, Capitol Building (373-2768)

Higher Education - Wednesday, April 1, 9:00 a.m., Rooms 402 and 403, Capitol Building (373-2768)

Natural Resources Department - Tuesday, April 28, 12:00 noon or later immediately following session, Room 405, Capitol Building; Tuesday, May 5, 12:00 noon or later immediately following session, Rooms 402 and 403, Capitol Building; and Tuesday, May 19, 12:00 noon or later immediately following session, Room 405, Capitol Building (373-2768)

State Police and Military Affairs - Thursday, March 26, 9:00 a.m., Rooms 402 and 403, Capitol Building (373-2768)

Transportation Department - Wednesday, March 25, 8:30 a.m., Room 405, Capitol Building (373-2768)

Banking and Financial Institutions - Wednesday, March 25, 8:30 a.m., Room 210, Farnum Building (373-3543)

Campaign and Election Oversight - Wednesday, March 25, 12:30 p.m., Room 405, Capitol Building (373-1725)

Commerce and Tourism - Wednesday, March 25, 9:00 a.m., Room 100, Farnum Building (373-2413)

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

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

Finance - Thursday, March 26, 11:00 a.m., Room 110, Farnum Building (373-1758)

Hunting, Fishing and Outdoor Recreation - Thursday, March 26, 1:00 p.m., Room 100, Farnum Building (373-1777)

Legislative Commission on Government Efficiency - Thursday, April 2, 10:00 a.m., Room 426, Capitol Building (373-0212)

Legislative Retirement Board of Trustees - Thursday, March 26, 2:00 p.m., Room H-65, Capitol Building (373-0575)

Natural Resources and Environmental Affairs - Wednesday, March 25, 1:00 p.m., Room 110, Farnum Building (373-3447)

Senator Cropsey moved that the Senate adjourn.
The motion prevailed, the time being 11:11 a.m.

The President, Lieutenant Governor Cherry, declared the Senate adjourned until Wednesday, March 25, 2009, at 10:00 a.m.

CAROL MOREY VIVENTI
Secretary of the Senate