

No. 60
STATE OF MICHIGAN
Journal of the Senate
94th Legislature
REGULAR SESSION OF 2007

Senate Chamber, Lansing, Thursday, June 14, 2007.

10:00 a.m.

The Senate was called to order by the Assistant President pro tempore, Senator Alan Sanborn.

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

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

Reverend A. Richard Doss of Mask Memorial Christian Methodist Episcopal Church of Lansing offered the following invocation:

Eternal God, we give You thanks as we celebrate the blessings of life which You so generously give to us. We pause, Lord, in remembrance of those men and women who are giving their lives in uniform today, that we might continue to share in this wonderful experiment known as freedom. We thank You, Lord, for its benefits. We thank You as we celebrate Juneteenth and the benefits that it brings to each and every person.

Now, Lord, we ask Your blessing on our government today. We thank You that things have continued to move forward and people have continued to remember we the people and, above all, the least of these who stand in need of our help and our assistance. Lord, we continue to ask Your blessing and Your bounty on this great state of Michigan.

In the name of Jesus we pray. Amen.

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

Motions and Communications

Senators Jelinek, McManus and Whitmer entered the Senate Chamber.

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

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

Recess

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

11:02 a.m.

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

During the recess, Senators Birkholz, Brater, Stamas, Gleason, Van Woerkom and Gilbert entered the Senate Chamber.

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

The motion prevailed.

Senator Schauer's statement is as follows:

I rise today to pay tribute to one of Michigan's fallen heroes, Sergeant Matthew Soper.

Matthew Soper of Jackson was killed last week in Iraq, where he was serving with the Michigan Army National Guard's 1461st Transportation Company, which is based in Jackson. This was his second deployment. He had been scheduled to return home in August. Matthew was 26 years old.

Before Matthew left for his first deployment, his father had placed a yellow ribbon on a tree, which Matthew chopped down upon his first return home back in 2005, saying, "I made it." Between his deployments, Matthew took classes at Kalamazoo Valley Community College until he was called to duty again in June 2006.

Matthew Soper was a man who loved spending time with his family and loved ones. He was known as a person who would light up a room and make everyone smile. His family believed the military had made him a better person. Sergeant Soper once told his family that he considered making a career out of fighting for our country because his love for helping others ran deep.

The philosopher and psychologist William James said, "Act as if what you do makes a difference. It does." Sergeant Matthew Soper lived his life to make a difference. He was a source of pride for his family and friends, his state, his community, and his country. His death brings the total to 163 Michigan soldiers who have died while fighting the war in Iraq.

A moment of silence was observed in memory of Army National Guard Sergeant Matthew Soper.

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

Senate Bill No. 394

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 Wednesday, June 13:

House Bill Nos. 4789 4794

The Secretary announced the enrollment printing and presentation to the Governor on Tuesday, June 12, for her approval the following bill:

Enrolled Senate Bill No. 194 at 3:12 p.m.

The Secretary announced that the following official bills and joint resolution were printed on Wednesday, June 13, and are available at the legislative website:

Senate Bill Nos.	578	579	580	581	582	583	584	585	586	587	588				
House Bill Nos.	4894	4895	4896	4897	4898	4899	4900	4901	4902	4903	4904	4905	4906	4907	
	4908	4909	4910	4911											
House Joint Resolution															P

Messages from the Governor

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

Senate Bill No. 436

The motion prevailed.

The following message from the Governor was received and read:

June 13, 2007

I respectfully submit to the Senate, pursuant to Section 6 of Article 5 of the Michigan Constitution of 1963, the following reappointments to office under Section 7 of the Agricultural Commodities Marketing Act, 1965 PA 232, MCL 290.657:

Michigan Cherry Marketing Program Committee

Mr. Todd M. Fox of 1456 South 36th Avenue, Shelby, Michigan 49455, county of Oceana, reappointed to represent District 2 tart cherry growers, for a term expiring February 1, 2010.

Mr. Daryl K. Peterson of 6115 West Olmstead Road, Ludington, Michigan 49431, county of Mason, reappointed to represent District 2 sweet cherry growers, for a term expiring February 1, 2010.

Sincerely,
Jennifer M. Granholm
Governor

The appointments were referred to the Committee on Government Operations and Reform.

By unanimous consent the Senate proceeded to the order of

Third Reading of Bills

The following bill was read a third time:

House Bill No. 4766, entitled

A bill to amend 1965 PA 314, entitled "Public employee retirement system investment act," by amending section 20m (MCL 38.1140m), as added by 2002 PA 728.

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. 174

Yeas—37

Allen
Anderson

Clark-Coleman
Clarke

Jansen
Jelinek

Richardville
Sanborn

Barcia	Cropsey	Kahn	Schauer
Basham	George	Kuipers	Scott
Birkholz	Gilbert	McManus	Stamas
Bishop	Gleason	Olshove	Switalski
Brater	Hardiman	Pappageorge	Thomas
Brown	Hunter	Patterson	Van Woerkom
Cassis	Jacobs	Prusi	Whitmer
Cherry			

Nays—0

Excused—1

Garcia

Not Voting—0

In The Chair: Sanborn

Senator Cropsey moved that the bill be given immediate effect.

The motion prevailed, 2/3 of the members serving voting therefor.

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

“An act to authorize the investment of assets of public employee retirement systems or plans created and established by the state or any political subdivision; to provide for the payment of certain costs and investment expenses; to authorize investment in variable rate interest loans; to define and limit the investments which may be made by an investment fiduciary with the assets of a public employee retirement system; and to prescribe the powers and duties of investment fiduciaries and certain state departments and officers.”.

The Senate agreed to the full title.

The following bill was read a third time:

Senate Bill No. 571, entitled

A bill to amend 1976 PA 451, entitled “The revised school code,” by amending sections 1311 and 1311a (MCL 380.1311 and 380.1311a), section 1311 as amended by 1999 PA 23 and section 1311a as amended by 2000 PA 230.

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. 175

Yeas—37

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

Nays—0

Excused—1

Garcia

Not Voting—0

In The Chair: Sanborn

The Senate agreed to the title of the bill.

The following bill was read a third time:

House Bill No. 4661, entitled

A bill to amend 1976 PA 451, entitled “The revised school code,” by amending sections 411a and 416 (MCL 380.411a and 380.416), as amended by 2004 PA 303.

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. 176**Yeas—37**

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

Nays—0**Excused—1**

Garcia

Not Voting—0

In The Chair: Sanborn

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

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

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

“An act to provide a system of public instruction and elementary and secondary schools; to revise, consolidate, and clarify the laws relating to elementary and secondary education; to provide for the organization, regulation, and maintenance of schools, school districts, public school academies, intermediate school districts, and other public school

entities; to prescribe rights, powers, duties, and privileges of schools, school districts, public school academies, intermediate school districts, and other public school entities; to provide for the regulation of school teachers and certain other school employees; to provide for school elections and to prescribe powers and duties with respect thereto; to provide for the levy and collection of taxes; to provide for the borrowing of money and issuance of bonds and other evidences of indebtedness; to establish a fund and provide for expenditures from that fund; to provide for and prescribe the powers and duties of certain state departments, the state board of education, and certain other boards and officials; to provide for licensure of boarding schools; to prescribe penalties; and to repeal acts and parts of acts.”

The Senate agreed to the full title.

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 Assistant President pro tempore, Senator Sanborn, designated Senator Allen as Chairperson.

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

Senate Bill No. 84, entitled

A bill to amend 2001 PA 142, entitled “Michigan memorial highway act,” (MCL 250.1001 to 250.2080) by adding section 1068.

Substitute (S-1).

The Senate agreed to the substitute recommended by the Committee of the Whole, and the bill as substituted was placed on the order of Third Reading of Bills.

The Committee of the Whole reported back to the Senate, favorably and with a substitute therefor, the following bill:

House Bill No. 4556, entitled

A bill to amend 1951 PA 51, entitled “An act to provide for the classification of all public roads, streets, and highways in this state, and for the revision of that classification and for additions to and deletions from each classification; to set up and establish the Michigan transportation fund; to provide for the deposits in the Michigan transportation fund of specific taxes on motor vehicles and motor vehicle fuels; to provide for the allocation of funds from the Michigan transportation fund and the use and administration of the fund for transportation purposes; to set up and establish the truck safety fund; to provide for the allocation of funds from the truck safety fund and administration of the fund for truck safety purposes; to set up and establish the Michigan truck safety commission; to establish certain standards for road contracts for certain businesses; to provide for the continuing review of transportation needs within the state; to authorize the state transportation commission, counties, cities, and villages to borrow money, issue bonds, and make pledges of funds for transportation purposes; to authorize counties to advance funds for the payment of deficiencies necessary for the payment of bonds issued under this act; to provide for the limitations, payment, retirement, and security of the bonds and pledges; to provide for appropriations and tax levies by counties and townships for county roads; to authorize contributions by townships for county roads; to provide for the establishment and administration of the state trunk line fund, local bridge fund, comprehensive transportation fund, and certain other funds; to provide for the deposits in the state trunk line fund, critical bridge fund, comprehensive transportation fund, and certain other funds of money raised by specific taxes and fees; to provide for definitions of public transportation functions and criteria; to define the purposes for which Michigan transportation funds may be allocated; to provide for Michigan transportation fund grants; to provide for review and approval of transportation programs; to provide for submission of annual legislative requests and reports; to provide for the establishment and functions of certain advisory entities; to provide for conditions for grants; to provide for the issuance of bonds and notes for transportation purposes; to provide for the powers and duties of certain state and local agencies and officials; to provide for the making of loans for transportation purposes by the state transportation department and for the receipt and repayment by local units and agencies of those loans from certain specified sources; and to repeal acts and parts of acts,” by amending section 11f (MCL 247.661f), as added by 2006 PA 140.

Substitute (S-1).

The Senate agreed to the substitute recommended by the Committee of the Whole, and the bill as substituted was placed on the order of Third Reading of Bills.

The Committee of the Whole reported back to the Senate, favorably and with a substitute therefor, the following bill:
Senate Bill No. 394, entitled

A bill to amend 2004 PA 46, entitled "Public safety officers benefit act," by amending the title and section 2 (MCL 28.632) and by adding section 4a.

Substitute (S-3).

The Senate agreed to the substitute recommended by the Committee of the Whole, and the bill as substituted was placed on the order of Third Reading of Bills.

Resolutions

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

Senate Resolution No. 74

The resolution consent calendar was adopted.

Senator Schauer offered the following resolution:

Senate Resolution No. 74.

A resolution honoring Tony Dungy, head coach of the Indianapolis Colts, and the 2007 Super Bowl Champions.

Whereas, Tony Dungy was born in 1955 in Jackson, Michigan, the son of the late Wilbur and Cleomae Dungy, a Jackson Community College professor and high school teacher, respectively. He was the star quarterback at Parkside High School in Jackson and earned a scholarship to the University of Minnesota; and

Whereas, He went on to play in the National Football League for the Pittsburgh Steelers and the San Francisco 49ers, and then began coaching in 1981, when at age 25, he became the youngest assistant in NFL history and then was promoted to become the NFL's youngest defensive coordinator in 1984; and

Whereas, Tony Dungy's first Super Bowl win was as a defensive back for the 1978 Pittsburgh Steelers, who defeated the Dallas Cowboys on January 21, 1979, at the Orange Bowl in Miami. When the Indianapolis Colts defeated the Chicago Bears to win Super Bowl XLI on February 4, 2007, Tony Dungy became the first African American head coach to win the Super Bowl and just the third player in NFL history to have won the Super Bowl as both a player and as a head coach; and

Whereas, Tony Dungy currently holds the highest regular season winning percentage among active coaches in the NFL, and he is the first coach in history to have recorded back-to-back 9-0 season starts; and

Whereas, Even beyond his outstanding achievements in athletics, Tony Dungy has earned widespread respect for his commitment to community service. While in Tampa Bay, Dungy served as a public speaker for the Fellowship of Christian Athletes and Athletes in Action and began a mentoring program for young people called Mentors for Life. He has been active with Big Brothers/Big Sisters, the Boys and Girls Club, the Prison Crusade Ministry, and foster parenting organizations. In Indianapolis, he helped launch the Basket of Hope program which aids children at Riley Hospital for Children; and

Whereas, Tony and his wife Lauren are the parents of six children, daughters Tiara and Jade, and sons Eric, Jordan, and Justin, and the late James Dungy; and

Whereas, Although he has achieved national recognition, Tony Dungy continues to return home to Jackson, Michigan, where, as the *Jackson Citizen-Patriot* wrote of him, "the mere mention of the Indianapolis Colts coach makes people smile." He continues in Jackson to show his love for the community, its youth, and education in particular; and

Whereas, Tony Dungy will return to Michigan once again on June 15, 2007, as a special guest at Jackson Community College to benefit the Dr. Wilbur L. Dungy Endowed Chair in Science Fund; now, therefore, be it

Resolved by the Senate, That we offer this expression of our highest tribute to honor Tony Dungy for his achievements both on and off the playing field; and be it further

Resolved, That a copy of this resolution be transmitted to Tony Dungy as evidence of our high esteem.

Senators Cherry, Clarke, Gleason, Hardiman, Hunter, Jacobs, Kuipers, Pappageorge and Richardville were named co-sponsors of the resolution.

Introduction and Referral of Bills

Senators Anderson, Barcia, Switalski, Brater, Clark-Coleman, Gleason, Hunter, Whitmer, Scott and Schauer introduced **Senate Joint Resolution D, entitled**

A joint resolution proposing an amendment to the state constitution of 1963, by amending sections 2, 3, and 6 of article IV, to modify congressional and legislative apportionment and districting.

The joint resolution was read a first and second time by title and referred to the Committee on Government Operations and Reform.

Senator Kahn introduced

Senate Bill No. 589, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending section 6306 (MCL 600.6306), as amended by 1995 PA 161.

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

Senator Whitmer introduced

Senate Bill No. 590, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending sections 520b, 520d, and 520e (MCL 750.520b, 750.520d, and 750.520e), section 520b as amended by 2006 PA 169 and sections 520d and 520e as amended by 2002 PA 714.

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

House Bill No. 4789, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 81101, 81134, 81136, 81137, 81140, 81141, and 81144 (MCL 324.81101, 324.81134, 324.81136, 324.81137, 324.81140, 324.81141, and 324.81144), section 81101 as amended by 2004 PA 587, section 81134 as amended by 2001 PA 12, sections 81136 and 81141 as amended by 1996 PA 175, and sections 81137, 81140, and 81144 as added by 1995 PA 58, and by adding section 81140b; and to repeal acts and parts of acts.

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

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

House Bill No. 4794, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 80101, 80171, 80176, 80177, 80178, 80180, 80183, 80184, 80186, 80187, and 80190 (MCL 324.80101, 324.80171, 324.80176, 324.80177, 324.80178, 324.80180, 324.80183, 324.80184, 324.80186, 324.80187, and 324.80190), section 80101 as amended by 2004 PA 547, sections 80171, 80186, and 80190 as added by 1995 PA 58, sections 80176, 80177, and 80178 as amended by 2001 PA 12, section 80180 as amended by 2007 PA 8, and sections 80183, 80184, and 80187 as amended by 1996 PA 174.

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 Judiciary.

By unanimous consent the Senate returned to the order of

Third Reading of Bills

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

Senate Bill No. 394

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

The following bill was read a third time:

Senate Bill No. 394, entitled

A bill to amend 2004 PA 46, entitled "Public safety officers benefit act," (MCL 28.631 to 28.638) by amending the title and by adding section 4a.

The question being on the passage of the bill,

Senators Switalski and McManus offered the following amendment:

1. Amend page 2, line 12, after "DUTY" by striking out the balance of the subsection and inserting "**BETWEEN OCTOBER 1, 2003 AND AUGUST 1, 2007, AND WHOSE SURVIVING SPOUSE AND DEPENDENT HEALTH INSURANCE COVERAGE WAS NOT CONTINUED BY THE PUBLIC AGENCY HE OR SHE SERVED.**".

The amendment was adopted, a majority of the members serving voting therefor.

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. 177**Yeas—36**

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

Nays—1

Scott

Excused—1

Garcia

Not Voting—0

In The Chair: Sanborn

The Senate agreed to the title of the bill.

Protest

Senator Scott, under her constitutional right of protest (Art. 4, Sec. 18), protested against the passage of Senate Bill No. 394.

Senator Scott's statement is as follows:

First, let me say that I give my condolences to the family.

We talk about a very poor city. Well, we have a lot of poor cities, and I represent one that I actually live in called the city of Highland Park. We say that we should do the right thing. Well, I wish we would do the right thing by all cities, by all people.

It wasn't too long ago that I remember this very city. They wanted to keep a prison open there because it was jobs for their community. Well, we are all God's children and we all ought to be treated alike. I came to this Legislature to represent all people, not just one individual. We have many individuals who need help in this city. So many are going without health care; so many have lost their jobs. So I would hope that we would remember that it is about the least of these, all of the least of these, not just a few.

By unanimous consent the Senate proceeded to the order of

Statements

Senators Scott, Clark-Coleman and Kahn 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:

Margaret Avery, African American actress, was asked what contributed to her winning an Academy Award for her performance in *The Color Purple*. Her answer: "I know winning. I'm a winner. Winning is inside me." Well, Miss Avery, me too. Winning is inside me. In fact, it's at the heart of my successful 32-year political career, and my feelings about winning are just as strong as ever when it comes to my fight for action on these oppressive and unfair insurance rates for Detroit and Michigan residents. In fact, every day that you don't take action to correct this reprehensible situation just makes me more intent on winning this battle, and the winners will be every single driver and homeowner in Michigan.

Yes, folks, winning is inside me. I'm going to keep on keeping on until you move on my insurance bills and bring justice and fairness back to this state.

Senator Clark-Coleman's statement is as follows:

The Senator from the 32nd District today distributed some real folksy wisdom, if you will, regarding income taxes. The main point of the lesson describes how those who benefit most from our society pay the most taxes. I see this little story is written by a professor from Georgia, a place where I was born. So he clearly must be speaking about the progressive federal tax system and not about Michigan.

I'm sure the good Senator from the 32nd District will be comforted by the fact that we continue to be one of the most regressive tax structures in the country. Not only does this line of thought imply that those who are struggling to put food on the table should pay more, it also implies that the wealthy should pay less.

We talk every day in Michigan about folks struggling to pay bills and to buy gas. I now doubt that this is a time to ask those with the least to contribute more than those who have the most. There are several other items in the document that I take issue with. Perhaps the good Senator from the 32nd District who shared the document would like to discuss it over a cool glass of lemonade.

Senator Kahn's statement is as follows:

I rise in defense of my five-page article on beer. I do understand that the Senator may not be a beer drinker, however, for those of us who are—and a substantial number of them are from Saginaw and Gratiot County—the remarks will stand as drafted and distributed.

Pursuant to Rule 3.506, Senator Scott submitted in writing the statement of Thomas Wilkins, resident conductor of the Detroit Symphony Orchestra, for inclusion in today's Journal.

Mr. Wilkins' statement is as follows:

Thank you very much.

This is quite an honor. I must tell you this is the place that you do your everyday work. And it's a world certainly that I do not know. Just as probably the concert stage is a world that you probably don't know as well as we do.

I gotta tell you, when this gavel struck, my heart jumped about three feet. It is an awesome sound. And it matches all of the awesomeness that is in this building. I sort of look around at all of the opulence and I think, why is this so? And the reality is, that something of this magnitude, that which you have been entrusted with, has to be surrounded by something that is this beautiful. Because something that is this beautiful speaks to the importance of the job that you do.

Here is the irony. The job that you do in this place, that is unbelievably opulent, is for the everyday person. It's for the person that is out on the street right now, going to their nine to five job, trying to pay their bills, sending their kids off to school, making a bologna sandwich—doing just seemingly the most mundane thing. Not even perhaps aware that you are in this incredible place, doing their business. It is an awesome responsibility. And, when this gavel strikes, it announces the arrival of some incredible event. It scared the heck out of me when it happened, but for very good reasons.

The night before last, a woman comes up to me after a concert. We had just done a great concert at orchestra hall. We had done a fantastic performance of Copeland's Third Symphony. And, in this conversation, I said to this audience, "I almost couldn't make it through the end of this piece." Thinking about making music with my colleagues. Thinking about playing this great work of music and thinking about what an incredible ride, what an incredible journey the last 38 minutes have been. And the music sounds triumphant, and the music sounds celebratory. And there I was conducting this world class orchestra, which is ours by the way, and I was about to tear up. And something in me said, "No you can't." Because there's still very important work to be done. And I said this to the audience. And this woman comes up to me afterwards, and she says, "I am really glad you said that, because I had never been to an orchestra concert before." She was a young African American woman in her 20's. She was a college student, required to be at this concert for some cultural credit that she needed to have. And, she had just heard the Detroit Symphony Orchestra for the first time, and she said she sat in that seat and she started to weep. And she didn't know why she was weeping. This was that same moment that I was—that I wanted to—and realized that I had work to do. And she said, "I turned to the person next to me and said, I've never heard an orchestra before and I'm crying, is this unusual?" And the person beside her said, "No, it's not."

This is the journey. This is the path that music often takes us on. You see, when composers write music for the orchestra to play, they know that it's a grand thing, but it's for the everyday, ordinary person. That's the tact that we take at the Detroit Symphony Orchestra.

What happened to this woman? She discovered her very soul. She thought she was coming to fulfill some sort of cultural credit for college and there she was in the midst of sound that allowed her to discover her very self.

It is an awesome responsibility—one which we do not take lightly. And I can assure you that when we stand before you and say that we couldn't do it without you, we are totally dead serious.

Because, just as the person making a bologna sandwich for their kid to go off to school realizes that this is an important thing in their life, a person hearing a great piece of music for the first time, too, has discovered that they are in the midst of something great. When Beethoven writes a symphony or when Copeland writes a symphony and there's an energetic first movement, and a contemplative second movement, what they are saying to us is that we understand what your real life is all about. And this is the language that we have chosen to give you a glimpse of something that we call hope and perseverance. This is the message of the great composers. They say to us, hope must always win. It is that great gift given to us in exchange for an inability to predict the future. None of us can predict the future, but we can always have hope. As someone once said, challenges are before us all the time. Challenges don't go away. It is a part of the human experience. And, yet, if our memories are more exciting than our dreams, then we are already dead. Put yourself in a position for a miracle to happen and then it stands a greater chance of happening. I dare say that this young woman, hearing this thing called classical music in the hands of this great instrument, called the Detroit Symphony Orchestra, thanks to you, had finally put herself in a position for a miracle to happen.

This means, ladies and gentlemen, that we are actually in the same business. This is not a different world from the world in which we operate. All of us want to dispense hope. Because it is the greatest gift that we can ever leave humankind.

We are delighted to be your partners in that endeavor. Really.

Thank you very much.

Committee Reports

The Committee on Appropriations reported

Senate Bill No. 394, entitled

A bill to amend 2004 PA 46, entitled "Public safety officers benefit act," by amending the title and section 2 (MCL 28.632) and by adding section 4a.

With the recommendation that the substitute (S-3) 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, George, Jansen, Brown, McManus, Stamas, Switalski, Anderson, Barcia and Cherry

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 Wednesday, June 13, 2007, at 2:00 p.m., Senate Appropriations Room, 3rd Floor, Capitol Building

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

Excused: Senator Garcia

The Committee on Natural Resources and Environmental Affairs reported

House Bill No. 4597, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 504 (MCL 324.504), as amended by 2004 PA 130.

With the recommendation that the bill pass.

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

Patricia L. Birkholz

Chairperson

To Report Out:

Yeas: Senators Birkholz, Van Woerkom, Patterson, Basham and Prusi

Nays: None

The bill was referred to the Committee of the Whole.

COMMITTEE ATTENDANCE REPORT

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

Meeting held on Wednesday, June 13, 2007, at 1:00 p.m., Room 110, Farnum Building

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

COMMITTEE ATTENDANCE REPORT

The Committee on Campaign and Election Oversight submitted the following:

Meeting held on Monday, June 11, 2007, at 1:00 p.m., Otsego County Courthouse, Room 100, 225 W. Main Street, Gaylord

Present: Senators McManus (C), Brown and Jacobs

Excused: Senators Jansen and Schauer

COMMITTEE ATTENDANCE REPORT

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

Meeting held on Wednesday, June 13, 2007, at 9:00 a.m., Room 100, Farnum Building

Present: Senators Allen (C), Olshove and Basham

Excused: Senators Pappageorge and Garcia

Scheduled Meetings

Campaign and Election Oversight - Monday, June 18, 10:30 a.m., Plainfield Township Hall, 6161 Belmont Avenue, NE, Belmont (373-1725)

Health Policy - Wednesday, June 20, 3:00 p.m., Senate Hearing Room, Ground Floor, Boji Tower (373-0793)

Senator Cropsey moved that the Senate adjourn.

The motion prevailed, the time being 11:44 a.m.

The Assistant President pro tempore, Senator Sanborn, declared the Senate adjourned until Tuesday, June 19, 2007, at 10:00 a.m.

CAROL MOREY VIVENTI
Secretary of the Senate