

No. 102
STATE OF MICHIGAN
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Senate Chamber, Lansing, Thursday, October 4, 2007.

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—excused
Brown—present
Cassis—present
Cherry—present
Clark-Coleman—present
Clarke—present
Cropsey—present

Garcia—present
George—present
Gilbert—present
Gleason—excused
Hardiman—present
Hunter—excused
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—excused
Van Woerkom—present
Whitmer—present

Reverend Thomas E. Ball of Cadillac United Methodist Church of Cadillac offered the following invocation:

Our almighty Creator, Father God, we pray for Your wisdom to continue to be lent to us that we may be wise in all the decisions that we make, choices that we make as leaders of our state. Father, we pray that we may be forgiven for the times that we might be anxious in the roles of leaders; that we might have been harsh with a friend, a brother, a sister, or a neighbor. Father, we pray that we may continue to be good stewards of the gifts that You have given to us and blessed us with; that we may be good caretakers of the resources and the beauty that You have surrounded us with.

Father, we pray that we may continue to have trust in Thee and be trusting of one another. We pray that our faith may not waver and that we are faithful.

Father, we pray that You may continue to give us reason for hope of the great and bright future of our state and our nation. And, Father, I pray as one of Your sons, personally, that You may continue to bless these brothers and sisters; that You may continue to love them and love their families; and that You may continue to be patient with us as we learn.

Father, we pray that in all that we do and all that we are that we may glorify Thee. In Your name we pray this day. Amen.

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

Motions and Communications

Senator Brown entered the Senate Chamber.

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

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

The Secretary announced that the following House bills were received in the Senate and filed on Wednesday, October 3: **House Bill Nos. 5046 5100 5105 5118 5184**

By unanimous consent the Senate proceeded to the order of
Resolutions

Senators Gilbert and Bishop offered the following resolution:
Senate Resolution No. 113.

A resolution to urge the Federal Emergency Management Agency to reject proposed revisions to existing flood insurance rate maps in the state of Michigan.

Whereas, Under the National Flood Insurance Program, most property owners must purchase flood insurance if their property is located within a mapped floodplain. The Federal Emergency Management Agency (FEMA) conducts studies and publishes maps used to determine if a property is within the floodplain; and

Whereas, FEMA is pursuing an initiative throughout Michigan to revise existing floodplain maps that would, in many cases, increase the amount of land within the floodplain. Consequently, a significant number of additional residences and businesses would fall within mandatory flood insurance areas; and

Whereas, Flood insurance for buildings within redrawn floodplains would be a significant added expense for the property owners affected. These property owners bought their homes and places of business with the assurance that they were not within the floodplain. If these revisions move forward, these owners will be incurring major costs for insurance that they will be no more likely to need. The revisions amount to a penalty that would be felt far into the future, especially as the market value of impacted properties suffers needlessly; and

Whereas, The revised maps would increase the wide disparity between the premiums paid by Michigan residents relative to claims received. Michigan residents have paid nearly five times as much in flood insurance premiums than they have received back in claims over the last 30 years. The remaining \$148 million from those premiums has gone to Washington, D.C., to subsidize flood insurance claims in higher risk areas of the country; now, therefore, be it

Resolved by the Senate, That we urge the Federal Emergency Management Agency to reject the proposed revisions to existing floodplain insurance rate maps in the state of Michigan; and be it further

Resolved, That a copy of this resolution be transmitted to the Federal Emergency Management Agency.

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

Senator Cropsey moved that the rule be suspended.
 The motion prevailed, a majority of the members serving voting therefor.
 The question being on the adoption of the resolution,
 Senator Cropsey moved that the resolution be referred to the Committee on Banking and Financial Institutions.
 The motion prevailed.

Introduction and Referral of Bills

Senators Garcia, Allen, Prusi, Kahn, Pappageorge, Anderson, Cropsey, Birkholz, Richardville and Jansen introduced **Senate Bill No. 819, entitled**

A bill to amend 1991 PA 179, entitled "Michigan telecommunications act," (MCL 484.2101 to 484.2604) by adding section 304b.

The bill was read a first and second time by title and referred to the Committee on Senior Citizens and Veterans Affairs.

Senator Cassis entered the Senate Chamber.

By unanimous consent the Senate returned to the order of

Third Reading of Bills

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

Senate Bill No. 278

Senate Bill No. 280

Senate Bill No. 283

The motion prevailed.

The following bill was read a third time:

Senate Bill No. 278, entitled

A bill to promote the availability and affordability of health coverage in this state and to facilitate the purchase of that coverage; to create the Michigan helping ensure affordable and reliable treatment exchange and board; to provide for a determination of eligible health coverage plans; to provide for a determination of eligibility for assistance of certain enrollees; to prescribe certain powers and duties of certain officials and departments of this state; to provide for certain funds; to provide for the collection and disbursement of certain payments and surcharges; and to provide for certain reports.

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. 406

Yeas—33

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

Nays—0

Excused—5Brater
Garcia

Gleason

Hunter

Thomas

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. 280, entitled

A bill to amend 1980 PA 350, entitled "The nonprofit health care corporation reform act," (MCL 550.1101 to 550.1704) by adding sections 409b and 419c.

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. 407**Yeas—33**Allen
Anderson
Barcia
Basham
Birkholz
Bishop
Brown
Cassis
CherryClark-Coleman
Clarke
Cropsey
George
Gilbert
Hardiman
Jacobs
JansenJelinek
Kahn
Kuipers
McManus
Olshove
Pappageorge
Patterson
PrusiRichardville
Sanborn
Schauer
Scott
Stamas
Switalski
Van Woerkom
Whitmer**Nays—0****Excused—5**Brater
Garcia

Gleason

Hunter

Thomas

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. 283, entitled

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," by amending section 3519 (MCL 500.3519), as amended by 2005 PA 306, and by adding sections 2264b and 3406s.

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. 408**Yeas—33**

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

Nays—0**Excused—5**

Brater	Gleason	Hunter	Thomas
Garcia			

Not Voting—0

In The Chair: President

The Senate agreed to the title of the bill.

By unanimous consent the Senate proceeded to the order of
Statements

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

The motion prevailed.

Senator Scott's statement is as follows:

"Sharp spur meek mawgray horse cut caper." That's a Jamaican proverb that means: "The pinch of circumstances forces people to do what they thought impossible." My Jamaican may be a little rough, but I sure understand the thought. I will confess to you that, during the past 30-some years, I've certainly felt occasionally that my mission to reform insurance was a mission impossible. But last Wednesday was all I needed to reinvigorate my resolve and energize me to continue to wage this battle.

So, no matter the obstacles, no matter the resistance, this is work that I must do and it must be done. And I stand before you yet again to urge consideration of my bills to bring fairness in insurance to all Michigan residents.

Senator Garcia entered the Senate Chamber.

Committee Reports

The Committee on Senior Citizens and Veterans Affairs reported

Senate Bill No. 732, entitled

A bill to designate enterprises owned or controlled by qualified veterans as Michigan patriot businesses; and to provide for the powers and duties of certain state governmental officers and entities.

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, Pappageorge, Olshove and Basham

Nays: None

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

The Committee on Senior Citizens and Veterans Affairs reported

Senate Bill No. 733, entitled

A bill to amend 1984 PA 270, entitled "Michigan strategic fund act," (MCL 125.2001 to 125.2094) by adding section 79.

With the recommendation that the bill pass.

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

Jason E. Allen
Chairperson

To Report Out:

Yeas: Senators Allen, Pappageorge, Olshove and Basham

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Senior Citizens and Veterans Affairs reported

Senate Bill No. 734, entitled

A bill to amend 1984 PA 431, entitled "The management and budget act," by amending section 141 (MCL 18.1141).

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, Pappageorge, Olshove 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 Senior Citizens and Veterans Affairs submitted the following:

Meeting held on Wednesday, October 3, 2007, at 12:30 p.m., Room 100, Farnum Building

Present: Senators Allen (C), Pappageorge, Olshove and Basham

Excused: Senator Garcia

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

Higher Education - Thursday, October 18, 9:00 a.m., Senate Appropriations Room, 3rd Floor, Capitol Building (373-2768)

Families and Human Services - Tuesday, October 9, 2:30 p.m., Senate Hearing Room, Ground Floor, Boji Tower (373-0797)

Health Policy - Wednesday, October 10, 3:00 p.m., Senate Hearing Room, Ground Floor, Boji Tower (373-0793)

Local, Urban and State Affairs - Tuesday, October 9, 3:00 p.m., Room 110, Farnum Building (373-1635) (CANCELED)

Natural Resources and Environmental Affairs - Wednesday, October 10, 1:00 p.m., Room 110, Farnum Building (373-3447)

**Natural Resources and Environmental Affairs and House Tourism, Outdoor Recreation and Natural Resources,
Joint** - Thursday, October 11, 8:00 a.m., Senate Hearing Room, Ground Floor, Boji Tower (373-3447)

Senator Cropsey moved that the Senate adjourn.
The motion prevailed, the time being 10:13 a.m.

The President, Lieutenant Governor Cherry, declared the Senate adjourned until Tuesday, October 9, 2007, at 10:00 a.m.

CAROL MOREY VIVENTI
Secretary of the Senate

