

**No. 19**  
**STATE OF MICHIGAN**  
**Journal of the Senate**  
**94th Legislature**  
**REGULAR SESSION OF 2007**

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Senate Chamber, Lansing, Tuesday, March 6, 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—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  
Schauer—present  
Scott—present  
Stamas—present  
Switalski—present  
Thomas—present  
Van Woerkom—present  
Whitmer—present

Father Ellis Clifton, Jr., of St. Clements Episcopal Church of Inkster offered the following invocation:

Lord God Almighty, You have made all the people of the earth for Your glory, to serve You in freedom and in peace. Give to the people of our country and our state a zeal for justice and the strength of forbearance, that we may use our liberty in accordance with Your gracious will. To You, O God, we pray.

To the Governor of our great state, to the Senators and Representatives, and to those who make laws in our local cities and towns, give them all courage, wisdom, foresight, and compassion to provide for the needs of all our people and to fulfill their obligations to all persons they have been elected to serve. To You, O God, we pray.

To the judges and officers of our courts, give understanding and integrity that human rights may be safeguarded and justice served. To You, O God, we pray.

Almighty God, we commend to Your most gracious care and keeping all the men and women of our armed forces at home and abroad. Defend them day by day with Your heavenly grace; strengthen them in their trials and temptations; give them courage to face the perils which beset them; and grant them a sense of Your abiding presence wherever they may be. To You, O God, we pray.

Most gracious God, we ask that You behold and visit the cities of this state. Renew the ties of mutual regard which are supposed to form our civic life. Inspire residents of these cities to elect honest and able leaders. Enable us to eliminate poverty, prejudice, and oppression that peace may prevail with righteousness and justice with order; and that men and women from different cultures with differing talents may find with one another the fulfillment of their humanity. To You, O God, we pray.

We also pray Your most gracious favor upon all who live and work in the suburbs and rural areas of our state. Grant that all the people of this state may give thanks to You for food and drink and all other bodily necessities of life, respect those who labor to produce them, and honor the land and the water from which these good things come. To You, O God, we pray.

Remember all prisoners and bring the guilty to repentance and amendment of life according to Your will, and give them hope for their future. When any are held unjustly, bring them release. Forgive us and teach us to improve our justice system. Remember those who work in these institutions. Keep them humane and compassionate and save them from becoming brutal or callous. And since what we do for those in prison, O Lord, we do for You, let love guide our actions. To You, O God, we pray.

Almighty God, You have so linked our lives one with another that all we do affects, for good or ill, all other lives. So guide those of us who work in finance, commerce, and industry; in farming and agriculture; in ministries related to social service, health, science, and safety; in communications and entertainment; in spiritual and mental health fields; and all other occupations, that we may perform these services not for self alone, but for the common good. As we seek a proper return for our own labor, make us mindful of the rightful aspirations of other workers, and arouse our concern for those who suffer want and anxiety because they are out of work. Guide the people of this state so to use our public and private wealth that all may find suitable and fulfilling employment, right working conditions, and just payment for our labor. To You, O God, we pray.

O eternal God, bless all schools, colleges, and universities, that they may be lively centers for sound learning, new discovery, and the pursuit of wisdom. Grant that those who teach and those who learn may find You to be the source of all truth. To You, O God, we pray.

God our Father, You see Your children growing up in an unsteady and confusing world. Show them that Your ways give more life than the ways of the world and that following You is better than chasing after selfish goals. Help them to take failure not as a measure of their worth, but as a chance for a new start. Give them strength to hold their faith in You and to keep alive their joy in Your creation. To You, O God, we pray.

Almighty and most merciful God, we remember before You all poor and neglected persons whom it would be easy for us to forget—the homeless and the destitute, the old and the sick, those who live with injustice, terror, disease, and death as their constant companions, and all who have none to care for them. Help us to remember that we have been called and elected to help heal those who are broken in body or spirit and to turn their sorrow into joy. Help us to eliminate our cruelty to these our neighbors and strengthen those of us who have been elected to establish equal protection of the law and equal opportunities for all. To You, O God, we pray.

And finally, dear Lord, now that we have remembered and called before You all the people and situations of this great state, help us, dear Lord, to finish the good work begun here. Strengthen our efforts to blot out ignorance and prejudice and to abolish poverty and crime. And hasten the day when all our people, with many voices in one united chorus, will glorify Your holy name. To You, O God, we pray.

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

### **Motions and Communications**

Senator Cropsey moved that rule 3.902 be suspended to allow the guests of Senator Bishop admittance to the Senate floor, including the center aisle.

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

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

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

**Senate Resolution No. 10**

**Senate Concurrent Resolution No. 4**

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

Senators McManus and Kuipers entered the Senate Chamber.

The following communication was received:

Department of Human Services

February 23, 2007

Pursuant to Section 1002 of P.A. 345 of FY 2006, we are enclosing a copy of the following report:

| <u>Type of Report</u>        | <u>Facility</u> | <u>Report #</u> | <u>License #</u> |
|------------------------------|-----------------|-----------------|------------------|
| Special Investigation Report | Woodland Center | 2006C0207035    | CS470245817      |

This report was performed in compliance with the requirements of P.A. 116 of 1973 as amended, and the Administrative Rules for Child Caring Institutions. The report may also be viewed on our website, within 48 hours, under "News, Publications & Information" at the following address: <http://www.michigan.gov/dhs/>.

If you have any questions regarding this information, please feel free to contact Miriam E.J. Bullock at 517-373-8383.

Sincerely,  
Marianne Udow

The communication was referred to the Secretary for record.

The following communication was received:

Michigan Statewide Independent Living Council

February 28, 2007

Enclosed you will find your copy of Michigan's FY 2005-2006 Legislative Report. This report is a collaborative effort involving all of Michigan's Centers for Independent Living, Disability Network/Michigan, and the Michigan Statewide Independent Living Council. Statutorily required information and analysis can be found in the white pages of the document. Information about each individual Center for Independent Living within the state can be found in the crème pages of the document.

For further information please contact Valarie Barnum-Yarger at 517-371-4872 or Karen Kraft at 517-339-0539.

Sincerely,  
Valarie Barnum-Yarger, CAE

The communication was referred to the Secretary for record.

The following communication was received:

Public Service Commission

March 2, 2007

The Michigan Public Service Commission (Commission) is pleased to provide you with its 2006 Annual Report in compliance with Public Act 33 of 1989. The following are highlights of Commission accomplishments for 2006.

The Commission maintained its commitment to address the needs of Michigan's low-income and senior citizens, awarding \$70,000,000 for low-income energy assistance and \$13,000,000 for low-income energy efficiency from the Low-Income and Energy Efficiency Fund. The awards provide immediate assistance for heating needs as well as longer term assistance in reducing future heating costs for low-income and senior citizens. Additionally, the Commission enhanced its Be WinterWise website, and promoted "Lifeline telephone assistance" awareness and a Beat the Heat and Save campaign for summer conservation.

The Commission continued its consumer outreach efforts by hosting statewide consumer forums, making its Commission meetings available via podcast, handling 41,000 calls on its toll-free line, and assisting consumers and businesses with more than 11,000 electric and natural gas and 7,500 telecommunications complaints and inquiries.



The Secretary announced that the following official bills were printed on Friday, March 2, and are available at the legislative website:

|                         |             |             |             |             |             |             |             |             |             |             |             |             |             |             |
|-------------------------|-------------|-------------|-------------|-------------|-------------|-------------|-------------|-------------|-------------|-------------|-------------|-------------|-------------|-------------|
| <b>Senate Bill Nos.</b> | <b>296</b>  | <b>297</b>  | <b>298</b>  | <b>299</b>  | <b>300</b>  | <b>301</b>  | <b>302</b>  | <b>303</b>  | <b>304</b>  | <b>305</b>  | <b>306</b>  | <b>307</b>  | <b>308</b>  | <b>309</b>  |
|                         | <b>310</b>  | <b>311</b>  | <b>312</b>  | <b>313</b>  | <b>314</b>  | <b>315</b>  | <b>316</b>  | <b>317</b>  | <b>318</b>  | <b>319</b>  | <b>320</b>  | <b>321</b>  | <b>322</b>  | <b>323</b>  |
|                         | <b>324</b>  | <b>325</b>  | <b>326</b>  | <b>327</b>  | <b>328</b>  | <b>329</b>  | <b>330</b>  | <b>331</b>  | <b>332</b>  | <b>333</b>  | <b>334</b>  | <b>335</b>  |             |             |
| <b>House Bill Nos.</b>  | <b>4363</b> | <b>4364</b> | <b>4365</b> | <b>4366</b> | <b>4367</b> | <b>4368</b> | <b>4369</b> | <b>4370</b> | <b>4371</b> | <b>4372</b> | <b>4373</b> | <b>4374</b> | <b>4375</b> | <b>4376</b> |
|                         | <b>4377</b> | <b>4378</b> | <b>4379</b> | <b>4380</b> | <b>4381</b> | <b>4382</b> | <b>4383</b> | <b>4384</b> | <b>4385</b> | <b>4386</b> | <b>4387</b> | <b>4388</b> | <b>4389</b> | <b>4390</b> |
|                         | <b>4391</b> | <b>4392</b> | <b>4393</b> | <b>4394</b> | <b>4395</b> | <b>4396</b> |             |             |             |             |             |             |             |             |

**Messages from the Governor**

The following message from the Governor was received:

Date: March 1, 2007  
Time: 3:40 p.m.

To the President of the Senate:

Sir—I have this day approved and signed  
**Enrolled Senate Bill No. 191 (Public Act No. 1), being**

An act to amend 1980 PA 299, entitled “An act to revise, consolidate, and classify the laws of this state regarding the regulation of certain occupations; to create a board for each of those occupations; to establish the powers and duties of certain departments and agencies and the boards of each occupation; to provide for the promulgation of rules; to provide for certain fees; to provide for penalties and civil fines; to establish rights, relationships, and remedies of certain persons under certain circumstances; to repeal certain parts of this act on a specific date; and to repeal certain acts and parts of acts,” by amending sections 725 and 729 (MCL 339.725 and 339.729), as amended by 2005 PA 278. (Filed with the Secretary of State on March 1, 2007, at 3:52 p.m.)

Respectfully,  
Jennifer M. Granholm  
Governor

The following messages from the Governor were received and read:

March 1, 2007

I respectfully submit to the Senate, pursuant to Section 6 of Article 5 of the Michigan Constitution of 1963, the following appointment and reappointments to state office pursuant to Section 3 of 1965 PA 114, MCL 290.553:

**Michigan Bean Commission**

Mr. Clinton A. Stoutenburg of 70 North Stoutenburg Road, Sandusky, Michigan 48471, county of Sanilac, succeeding Thomas J. Wadsworth, representing district 4, for a term commencing March 5, 2007 and expiring December 31, 2009.

Mr. Dennis P. Engelhard of 5789 Clark Road, Unionville, Michigan 48767, county of Tuscola, reappointed to represent district 3 growers, for a term expiring December 31, 2009.

Mr. Clifford J. Roggenbuck of 5234 Swayze Road, Port Hope, Michigan 48468, county of Huron, reappointed to represent district 5 growers, for a term expiring December 31, 2009.

Mr. Lawrence H. Sprague II of 8215 East Bennington Road, Durand, Michigan 48429, county of Shiawassee, reappointed to represent processors, shippers, and handlers, for a term expiring December 31, 2009.

March 2, 2007

I respectfully submit to the Senate, pursuant to Section 6 of Article 5 of the Michigan Constitution of 1963, the following appointment to state office under Section 5 of Article XI of the Michigan Constitution of 1963:

**Civil Service Commission**

Mr. James R. Lancaster, Jr., a Democrat, of 210 Brookstone Circle, DeWitt, Michigan 48820, county of Clinton, succeeding James P. Pitz, whose term has expired, appointed for a term commencing March 2, 2007 and expiring December 31, 2014.

March 2, 2007

I respectfully submit to the Senate, pursuant to Section 6 of Article 5 of the Michigan Constitution of 1963, the following reappointments to state office under Section 3a of the Stille-DeRossett Single State Construction Code Act, 1972 PA 230, MCL 125.1503a:

**State Construction Code Commission**

Mr. Robert A. DeBerardino of 421 North Denwood, Dearborn, Michigan 48128, county of Wayne, reappointed to represent municipal building inspectors, for a term expiring January 31, 2011.

Ms. Dawn M. Holtrop of 2126 Swensberg N.E., Grand Rapids, Michigan 49505, county of Kent, reappointed to represent the field of architecture, for a term expiring January 31, 2011.

Ms. Kelly L. Hunt of 806 Morgan Drive, Belding, Michigan 48809, county of Ionia, reappointed to represent the field of premanufactured building, for a term expiring January 31, 2011.

Mr. Kenneth G. Lawless of 531 Grape Street, Portland, Michigan 48875, county of Ionia, reappointed to represent industrial management, for a term expiring January 31, 2011.

Mr. Amru Meah of 16862 Huntington, Detroit, Michigan 48219, county of Wayne, reappointed to represent municipal building inspectors, for a term expiring January 31, 2011.

Mr. Donald L. Pratt of 10054 Borgman, Huntington Woods, Michigan 48070, county of Oakland, reappointed to represent licensed residential builders, for a term expiring January 31, 2011.

Mr. Edwin E. Tatem of 6336 East Norma Lee, West Bloomfield, Michigan 48322, county of Oakland, reappointed to represent the field of professional engineering, for a term expiring January 31, 2010.

Ms. Beth A. Yorke of 13343 Kingston, Huntington Woods, Michigan 48070, county of Oakland, reappointed to represent the field of building contracting, for a term expiring January 31, 2011.

March 5, 2007

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

**Michigan Soybean Promotion Committee**

Mr. Mark L. Bierlein of 1758 Meridian Street, Reese, Michigan 48757, county of Tuscola, reappointed to represent district 5 growers, for a term expiring September 23, 2009.

Mr. James B. Domagalski of 9700 Dolan Road, Columbus, Michigan 48063, county of St. Clair, reappointed to represent district 4 growers, for a term expiring September 23, 2009.

Mr. Richard A. Welden of 1900 East Hastings Lake Road, Jonesville, Michigan 49250, county of Hillsdale, reappointed to represent district 2 growers, for a term expiring September 23, 2009.

Sincerely,  
Jennifer M. Granholm  
Governor

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

**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 Brater 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. 47, entitled**

A bill to provide for the establishment of a water improvement tax increment finance authority; to prescribe the powers and duties of the authority; to correct and prevent deterioration in water resources; to authorize the acquisition and disposal of interests in real and personal property; to authorize the creation and implementation of development plans and development areas; to promote water resource improvement; to create a board; to prescribe the powers and duties of the board; to authorize the issuance of bonds and other evidences of indebtedness; to authorize the use of tax increment financing; to prescribe powers and duties of certain state officials; to provide for rule promulgation; and to provide for enforcement of the act.

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. 83, entitled**

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," (MCL 324.101 to 324.90106) by adding section 43540e.

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.

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

The motion prevailed.

Senator Bishop's statement is as follows:

I have had the opportunity to be a member here for a number of years now, and we have had special guests on the floor before. This one is timely and special and I wanted to take this opportunity on behalf of the Senate to rise and welcome and also introduce to you Ken Johnson, who is the senior vice president of PhRMA, along with Montel Williams, Emmy Award-winning talk show host and also the national spokesman for the Partnership for Prescription Assistance.

The PPA, a private sector program, provides prescription assistance for those in need. This is a special time for this body, given the fact that we are all working on solutions to address our 1.1 million citizens without insurance. We want to welcome Montel Williams and Ken here today as we continue our dialog.

After session today, we will have the opportunity to go outside in the tent—and by the way, it is fully heated—to talk a little bit more about this program. I just want to take this opportunity—we have had a chance to really talk to these two gentlemen today. They are living saints for what they are doing and we look forward to working with them in the future. We wish them the best as they travel America to address the ongoing crisis in our country with regard to those who just don't have or cannot afford prescription coverage.

So I would hope that my colleagues would help me today to welcome these fine gentlemen to our chambers.

## Resolutions

### **Senate Resolution No. 10.**

A resolution to memorialize the United States Congress to increase, rather than cut, funding for the Low Income Home Energy Assistance Program.

The question being on the adoption of the following committee substitute:

Substitute (S-4).

The substitute was adopted.

The resolution, as substituted, was adopted.

### **Senate Concurrent Resolution No. 4.**

A concurrent resolution to memorialize the United States Congress to increase, rather than cut, funding for the Low Income Home Energy Assistance Program.

The question being on the adoption of the following committee substitute:

Substitute (S-3).

The substitute was adopted.

The concurrent resolution, as substituted, was adopted.

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

### **Senate Resolution No. 17**

The resolution consent calendar was adopted.

Senators Kuipers, Switalski, Cassis, George and Garcia offered the following resolution:

### **Senate Resolution No. 17.**

A resolution recognizing March 2007 as For Inspiration and Recognition of Science and Technology (FIRST) Programs Month in the state of Michigan.

Whereas, There are approximately 6,064 Michigan students and 466 teams participating in FIRST programs throughout our great state; and

Whereas, FIRST provides training and hands-on experience with work in math, science, and technology fields; and

Whereas, FIRST designs accessible, innovative programs that build not only science and technology skills and interests, but also self-confidence, leadership, and life skills; and

Whereas, FIRST is supported by a network of individuals, volunteers, corporations, and educational and professional institutions; and

Whereas, Students will compete in Michigan regional competitions in three locations during the month of March; now, therefore, be it

Resolved by the Senate, That the members of this legislative body recognize March 2007 as For Inspiration and Recognition of Science and Technology (FIRST) Programs Month in the state of Michigan.

Senators Birkholz, Pappageorge and Schauer were named co-sponsors of the resolution.

### **Introduction and Referral of Bills**

Senator Birkholz introduced

#### **Senate Bill No. 336, entitled**

A bill to amend 2004 PA 547, entitled "An act to amend 1994 PA 451, entitled "An act to protect the environment and natural resources of the state; to codify, revise, consolidate, and classify laws relating to the environment and natural resources of the state; to regulate the discharge of certain substances into the environment; to regulate the use of certain lands, waters, and other natural resources of the state; to prescribe the powers and duties of certain state and local agencies and officials; to provide for certain charges, fees, and assessments; to provide certain appropriations; to prescribe penalties and provide remedies; to repeal certain parts of this act on a specific date; and to repeal certain acts and parts of acts," by amending section 80101 (MCL 324.80101), as added by 1995 PA 58, and by adding section 80108a; and to repeal acts and parts of acts," by repealing enacting section 1.

The bill was read a first and second time by title and referred to the Committee on Natural Resources and Environmental Affairs.

Senators Birkholz and Jansen introduced

#### **Senate Bill No. 337, entitled**

A bill to amend 1965 PA 290, entitled "Boiler act of 1965," by amending the title and sections 2, 4, 4a, 12, 14, and 24 (MCL 408.752, 408.754, 408.754a, 408.762, 408.764, and 408.774), section 2 as amended by 2004 PA 103, section 4 as amended by 1980 PA 274, and section 4a as amended by 2004 PA 265, and by adding sections 13a, 13b, 13c, and 13d.

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

Senators McManus, Garcia, Birkholz, Richardville and George introduced

#### **Senate Bill No. 338, entitled**

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," (MCL 324.101 to 324.90106) by adding section 513.

The bill was read a first and second time by title and referred to the Committee on Natural Resources and Environmental Affairs.

Senators Switalski, Schauer and Thomas introduced

#### **Senate Bill No. 339, entitled**

A bill to amend 1998 PA 58, entitled "Michigan liquor control code of 1998," by amending section 233 (MCL 436.1233).

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

Senators Brown, Pappageorge, Garcia, Gilbert, Anderson, Richardville, McManus, Birkholz and Jansen introduced

#### **Senate Bill No. 340, entitled**

A bill to require certain consumer reporting agencies to place security freezes on certain consumer credit information; to authorize and limit fees; and to provide remedies.

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



**House Bill No. 4065, entitled**

A bill to amend 1931 PA 328, entitled "The Michigan penal code," (MCL 750.1 to 750.568) by adding section 66. The House of Representatives has passed the bill.

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

**House Bill No. 4313, entitled**

A bill to amend 1978 PA 472, entitled "An act to regulate political activity; to regulate lobbyists, lobbyist agents, and lobbying activities; to require registration of lobbyists and lobbyist agents; to require the filing of reports; to prescribe the powers and duties of the department of state; to prescribe penalties; and to repeal certain acts and parts of acts," by amending section 6a (MCL 4.416a), as added by 1994 PA 383.

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 Campaign and Election Oversight.

### Statements

Senators Scott and Barcia 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:

Joseph Louis Barrow, otherwise known as Joe Louis, the greatest heavyweight boxing champion ever, once wisely observed that everything costs a lot of money when you haven't any. Well, let me tell you, folks, we have gone beyond that because today insurance costs a lot of money even when you have money, and it is just wrong. Every single driver in Michigan who has a good driving record should be able to purchase available and affordable insurance regardless of where they live.

This economic discrimination must be stopped, and I am urging every single one of you in this chamber to commit to ending the predatory and exploitive rating practice in Michigan. Let us come together once and for all to make insurance affordable and available for everyone.

Senator Barcia's statement is as follows:

Over the past years, as we have listened to the many tributes to Michigan soldiers, we have learned that heroism has a million faces. I rise today to pay tribute to one of them. Private First Class Bufford "Kenny" VanSlyke, 22, of Bay City, was a proud and determined Marine. Coming from a deep-seated tradition of naval family service that included his mother, father, and stepfather, he chose the Marines, according to his mother, because he wanted to choose the best.

Kenny VanSlyke was killed in action on February 27, 2007, while on combat patrol in Iraq's Anbar province with the 1st Battalion of the 24th Marine Regiment, 4th Marine Division, based in Saginaw, Michigan. He is the 20th Marine of the 1st Battalion, 24th Regiment, to die in action in Iraq.

But Kenny VanSlyke was more than a proud Marine. He was a loving husband of Kortni and the adoring father of 4-month-old Kaiden. He was the treasured son of Cindy Fisher and Keith VanSlyke and the beloved stepson of Bill Fisher and Trisha VanSlyke. He was a journeyman electrician and a diligent and resourceful construction worker. He was an enthusiastic referee for youth football in the Bay City area.

But, most of all, Kenny VanSlyke was a dedicated and patriotic young man. He joined the Marines to earn a living for his family and to serve his country for all of us. He shared his fears, but he came to terms with them in a belief and understanding of the greater good. "He was my hero," said his mother. In many ways, he is a hero to us all.

John F. Kennedy once said that, "Efforts and courage are not enough without purpose and direction." Private First Class Kenny VanSlyke possessed all of them, and for that, he will be remembered not just by his family and friends, but by every Michigan resident.

Kenny VanSlyke's parents, his extended family, and all who knew him are in our hearts today. We are united today in pride and grief. Private First Class Bufford "Kenny" VanSlyke is one more of Michigan's sons and daughters to die in Iraq.

A moment of silence was observed in memory of Marine Private First Class Bufford "Kenny" VanSlyke.

### Committee Reports

The Committee on Energy Policy and Public Utilities reported

**Senate Resolution No. 10.**

A resolution to memorialize the United States Congress to increase, rather than cut, funding for the Low Income Home Energy Assistance Program.

(For text of resolution, see Senate Journal No. 12, p. 153.)

With the recommendation that the following substitute (S-4) be adopted and that the resolution then be adopted:

A resolution to memorialize the President and the Congress of the United States to increase funding for the Low Income Home Energy Assistance Program and to facilitate the establishment of programs that provide information about responsible energy use.

Whereas, Each winter, public and private programs offering help to low-income families trying to heat their homes usually find their budgets stretched thin; and

Whereas, Fortunately, there is a federally funded program that provides energy assistance to low-income households. The Low Income Home Energy Assistance Program (LIHEAP) is a federal block grant program that provides billions of dollars annually to help low-income households pay energy bills. LIHEAP funds have averted numerous tragedies by enabling needy families to keep their homes at healthy and safe temperatures during the bitter cold months of winter; and

Whereas, Utility companies, government agencies, and nonprofit organizations often make information available to low-income families to help reduce their heating bills. Such information often recognizes the need for reducing home energy costs through the use of conservation technologies and flexible bill payment practices designed to help empower low-income consumers to pay their utility bills on a discounted basis; and

Whereas, Coordinated and efficient consumer education programs of federal, state, and local agencies could help consumers take responsibility for their winter heating bills. Educational programming on things such as how to set proper temperatures in the home, the use of programmable thermostats, tips on household budgeting, how to weatherize a home, and energy efficiency training could better prepare low-income households with the skills needed to control their winter heating costs; and

Whereas, The President's proposed budget for next year would reduce the percentage of eligible needy families that receive LIHEAP assistance. The President is requesting only \$1.782 billion for LIHEAP in FY 2008. This is far less than the \$5.1 billion that is authorized for the program under the U.S. Energy Policy Act of 2005 and a dramatic 44 percent reduction from FY 2006 funding levels. According to the National Energy Assistance Directors' Association (NEADA), the President's proposed cut to LIHEAP would force states to eliminate energy assistance to more than a million households; and

Whereas, The President's proposal would hit Michigan particularly hard. No other northern climate state is suffering through such tough economic times. Michigan finished last year with one of the nation's worst unemployment rates, second only to Mississippi. Since 2003, the unemployment rate in Michigan has exceeded the national rate by an ever-widening margin. As the number of unemployed persons in the state grows, so too does the number of households seeking energy assistance. In spite of this, under the President's proposal, it is estimated that the state would receive nearly \$50 million less than it did last year. Clearly, we should educate customers on how to use energy wisely and we should adequately fund the LIHEAP program to ensure that low-income families in Michigan and across the nation receive the help they need during the bitter cold months of winter; now, therefore, be it

Resolved by the Senate, That we memorialize the President and the Congress of the United States, particularly the Michigan congressional delegation and the Chairman of the Committee on Energy and Commerce, to do all they can to provide additional funding for the Low Income Home Energy Assistance Program and facilitate the establishment of programs that provide information on responsible energy use; and be it further

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

Bruce Patterson  
Chairperson

To Report Out:

Yeas: Senators Patterson, Brown, Birkholz, Kuipers, Richardville, Olshove, Prusi and Thomas

Nays: None

The resolution and the substitute recommended by the committee were placed on the order of Resolutions.

The Committee on Energy Policy and Public Utilities reported

**Senate Concurrent Resolution No. 4.**

A concurrent resolution to memorialize the United States Congress to increase, rather than cut, funding for the Low Income Home Energy Assistance Program.

(For text of concurrent resolution, see Senate Journal No. 12, p. 154.)

With the recommendation that the following substitute (S-3) be adopted and that the concurrent resolution then be adopted:

A concurrent resolution to memorialize the President and the Congress of the United States to increase funding for the Low Income Home Energy Assistance Program and to facilitate the establishment of programs that provide information about responsible energy use.

Whereas, Each winter, public and private programs offering help to low-income families trying to heat their homes usually find their budgets stretched thin; and

Whereas, Fortunately, there is a federally funded program that provides energy assistance to low-income households. The Low Income Home Energy Assistance Program (LIHEAP) is a federal block grant program that provides billions of dollars annually to help low-income households pay energy bills. LIHEAP funds have averted numerous tragedies by enabling needy families to keep their homes at healthy and safe temperatures during the bitter cold months of winter; and

Whereas, Utility companies, government agencies, and nonprofit organizations often make information available to low-income families to help reduce their heating bills. Such information often recognizes the need for reducing home energy costs through the use of conservation technologies and flexible bill payment practices designed to help empower low-income consumers to pay their utility bills on a discounted basis; and

Whereas, Coordinated and efficient consumer education programs of federal, state, and local agencies could help consumers take responsibility for their winter heating bills. Educational programming on things such as how to set proper temperatures in the home, the use of programmable thermostats, tips on household budgeting, how to weatherize a home, and energy efficiency training could better prepare low-income households with the skills needed to control their winter heating costs; and

Whereas, The President's proposed budget for next year would reduce the percentage of eligible needy families that receive LIHEAP assistance. The President is requesting only \$1.782 billion for LIHEAP in FY 2008. This is far less than the \$5.1 billion that is authorized for the program under the U.S. Energy Policy Act of 2005 and a dramatic 44 percent reduction from FY 2006 funding levels. According to the National Energy Assistance Directors' Association (NEADA), the President's proposed cut to LIHEAP would force states to eliminate energy assistance to more than a million households; and

Whereas, The President's proposal would hit Michigan particularly hard. No other northern climate state is suffering through such tough economic times. Michigan finished last year with one of the nation's worst unemployment rates, second only to Mississippi. Since 2003, the unemployment rate in Michigan has exceeded the national rate by an ever-widening margin. As the number of unemployed persons in the state grows, so too does the number of households seeking energy assistance. In spite of this, under the President's proposal, it is estimated that the state would receive nearly \$50 million less than it did last year. Clearly, we should educate customers on how to use energy wisely and we should adequately fund the LIHEAP program to ensure that low-income families in Michigan and across the nation receive the help they need during the bitter cold months of winter; now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That we memorialize the President and the Congress of the United States, particularly the Michigan congressional delegation and the Chairman of the Committee on Energy and Commerce, to do all they can to provide additional funding for the Low Income Home Energy Assistance Program and facilitate the establishment of programs that provide information on responsible energy use; and be it further

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

Bruce Patterson  
Chairperson

To Report Out:

Yeas: Senators Patterson, Brown, Birkholz, Kuipers, Richardville, Olshove, Prusi and Thomas

Nays: None

The concurrent resolution and the substitute recommended by the committee were placed on the order of Resolutions.

#### COMMITTEE ATTENDANCE REPORT

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

Meeting held on Thursday, March 1, 2007, at 1:00 p.m., Room 210, Farnum Building

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

#### COMMITTEE ATTENDANCE REPORT

The Subcommittee on Department of Transportation submitted the following:

Meeting held on Thursday, March 1, 2007, at 8:30 a.m., Room 405, Capitol Building

Present: Senators Hardiman (C), Cropsey and Anderson

## COMMITTEE ATTENDANCE REPORT

The Committee on Agriculture submitted the following:

Meeting held on Thursday, March 1, 2007, at 9:00 a.m., Room 110, Farnum Building

Present: Senators Van Woerkom (C), Gilbert, Birkholz and Whitmer

Excused: Senator Gleason

## COMMITTEE ATTENDANCE REPORT

The Joint Subcommittee on Capital Outlay submitted the following:

Meeting held on Thursday, March 1, 2007, at 9:00 a.m., House Appropriations Room, 3rd Floor, Capitol Building

Present: Senators McManus (C), Jelinek, Brown, Pappageorge, Switalski, Cherry, Clark-Coleman and Scott

Excused: Senators Cropsey and Hardiman

## COMMITTEE ATTENDANCE REPORT

The Committee on Finance submitted the following:

Meeting held on Thursday, March 1, 2007, at 11:04 a.m., Room 110, Farnum Building

Present: Senators Cassis (C), Gilbert, Jansen, Prusi, Jacobs and Whitmer

Excused: Senator McManus

## COMMITTEE ATTENDANCE REPORT

The Subcommittee on State Police and Military Affairs submitted the following:

Meeting held on Thursday, March 1, 2007, at 1:00 p.m., Room 405, Capitol Building

Present: Senators Garcia (C), Cropsey and Barcia

## COMMITTEE ATTENDANCE REPORT

The Subcommittee on Agriculture submitted the following:

Meeting held on Thursday, March 1, 2007, at 2:00 p.m., Rooms 402 and 403, Capitol Building

Present: Senators Brown (C), Jelinek and Scott

## COMMITTEE ATTENDANCE REPORT

The Subcommittee on General Government submitted the following:

Meeting held on Thursday, March 1, 2007, at 3:00 p.m., Room 100, Farnum Building

Present: Senators Pappageorge (C), Garcia and Anderson

**Scheduled Meetings**

**Agriculture** - Thursday, March 8, 9:00 a.m., Room 110, Farnum Building (373-1635)

**Appropriations -****Subcommittees -**

**Agriculture** - Thursdays, March 8 and March 15, 2:00 p.m., Rooms 402 and 403, Capitol Building (373-2768)

**Capital Outlay** - Thursday, March 8, 9:00 a.m., House Appropriations Room, 3rd Floor, Capitol Building (373-8080)

**Economic Development** - Wednesdays, March 7 and March 14, 8:00 a.m., Room 110, Farnum Building (373-2768)

**General Government** - Thursdays, March 8 and March 15, 3:00 p.m., Room 100, Farnum Building (373-2768)

**Higher Education** - Thursday, March 8, 8:30 a.m. and 1:00 p.m., and Tuesday, March 27, 2:00 p.m., Senate Appropriations Room, 3rd Floor, Capitol Building (373-2768)

**History, Arts, and Libraries** - Tuesday, March 13, 3:00 p.m., Room 405, Capitol Building (373-2768)

**Human Services Department** - Wednesdays, March 7, 12:30 p.m., Senate Appropriations Room, 3rd Floor, Capitol Building and March 14, 12:30 p.m., Room 100, Farnum Building (373-2768)

**Judiciary and Corrections** - Thursday, March 8, 2:00 p.m., Senate Appropriations Room, 3rd Floor, Capitol Building; and Wednesday, March 14, 3:00 p.m., Room 402, Capitol Building (373-2768)

**State Police and Military Affairs** - Thursday, March 8, 1:00 p.m., Room 405, Capitol Building; and Tuesday, March 13, 3:30 p.m., Room 404, Capitol Building (373-2768)

**Transportation Department** - Wednesdays, March 7, March 14 and March 21, 8:30 a.m., Room 405, Capitol Building (373-2768)

**Banking and Financial Institutions** - Wednesday, March 7, 8:30 a.m., Room 210, Farnum Building (373-3543)

**Economic Development and Regulatory Reform** - Wednesday, March 7, 1:00 p.m., Rooms 402 and 403, Capitol Building (373-7670)

**Finance** - Thursday, March 8, 11:00 a.m. or later immediately following session, Room 110, Farnum Building (373-1758)

**Health Policy** - Wednesday, March 7, 3:00 p.m., Senate Hearing Room, Ground Floor, Boji Tower (373-0793)

**Natural Resources and Environmental Affairs** - Wednesday, March 7, 1:00 p.m., Room 110, Farnum Building (373-3447)

**Senior Citizens and Veterans Affairs** - Wednesday, March 7, 9:00 a.m., Room 100, Farnum Building (373-2413)

**State Drug Treatment Court Advisory Committee** - Tuesday, March 27, 9:30 a.m., Legislative Council Conference Room, 3rd Floor, Boji Tower (373-0212)

Senator Cropsey moved that the Senate adjourn.  
The motion prevailed, the time being 10:42 a.m.

The President, Lieutenant Governor Cherry, declared the Senate adjourned until Wednesday, March 7, 2007, at 10:00 a.m.

CAROL MOREY VIVENTI  
Secretary of the Senate

