

No. 29
STATE OF MICHIGAN
Journal of the Senate
94th Legislature
REGULAR SESSION OF 2007

Senate Chamber, Lansing, Wednesday, March 28, 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—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 D.L. Bradley of Bethlehem Apostolic Faith Church of Clinton Township offered the following invocation: Blessed is the land whose God is the Lord. We, therefore, now come, O Lord, to thank You for this land America, which also encompasses this great state called Michigan. We thank You. This land was founded upon an inspiration, an ideal that extreme will be curtailed by law, for this land is not an autocracy where a select few of evil control the many. It is not a democracy where the many, majority of evil overwhelm the few. But and according to our founders, this land is a republic, a constitutionally-limited republic if, as Benjamin Franklin said, we can hold it. It's a land of the free, where men's extreme actions are limited because of laws discussed, debated, and voted on by men and women of conscience whose God is the Lord.

Yes, Lord, bless this land. Bless this state, bless these men, and these women—these great deliberators—voted on and elected by the people; they who discuss, debate, and vote on laws which after enactment will limit the excesses of both the few and the majority, that we will only do that which is right in the sight of the Lord.

O Lord our Lord, we ask Your blessings in the name of Jesus, we pray. Amen.

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

Motions and Communications

Senator Sanborn entered the Senate Chamber.

Senator Thomas moved that Senators Barcia 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.

Senator Cropsey moved that the Committee on Government Operations and Reform be discharged from further consideration of the following appointments:

Lake Superior State University Board of Trustees

Ms. Jenny L. Kronk of 1291 La Chaumiere, #103, Petoskey, Michigan 49770, county of Emmett, succeeding Devereaux Trepp, whose term has expired, representing the general public, for a term commencing February 20, 2007 and expiring January 27, 2014.

Northern Michigan University Board of Control

Mr. Stephen F. Adamini of 27 Oak Hill Drive, Marquette, Michigan 49855, county of Marquette, succeeding Karl A. Weber, whose term has expired, representing the general public, for a term commencing February 5, 2007 and expiring December 31, 2014.

Mr. Gilbert L. Ziegler of 307 Belvadare, Charlevoix, Michigan 49855, county of Charlevoix, succeeding Larry C. Inman, whose term has expired, representing the general public, for a term commencing February 5, 2007 and expiring December 31, 2014.

The motion prevailed, a majority of the members serving voting therefor, and the appointments were placed on the order of Messages from the Governor.

The following communication was received:
Michigan Association of Registers of Deeds

March 20, 2007

The Michigan Association of Registers of Deeds is submitting this report in compliance with the provisions of Act 698 of Public Acts 2002. The information in the report has been compiled from a series of surveys conducted by the Michigan Association of Registers of Deeds.

The survey conducted in 2000 gives a snapshot of the state of the records prior to implementation of the act and was the springboard for the Legislature to enact legislation to provide specific funding for upgrading and improving land records in counties throughout the State of Michigan. The results of the surveys compiled for 2003-2005 provide information on the uses the counties made of the Registers' Automation Fund.

If you have questions regarding this report, please do not hesitate to contact me.

Sincerely,
Lori D. Jarvis
President

The communication was referred to the Secretary for record.

The Secretary announced that the following House bill was received in the Senate and filed on Tuesday, March 27:
House Bill No. 4482

Messages from the Governor

Senators Barcia and Brater entered the Senate Chamber.

Lake Superior State University Board of Trustees

Ms. Jenny L. Kronk of 1291 La Chaumiere, #103, Petoskey, Michigan 49770, county of Emmett, succeeding Devereaux Trepp, whose term has expired, representing the general public, for a term commencing February 20, 2007 and expiring January 27, 2014.

Senator Cropsey moved that the Senate advise and consent to the appointment.

The question being on advising and consenting to the said appointment to office,

The Senate advised and consented to the appointment, a majority of the members serving voting therefor, as follows:

Roll Call No. 44

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: President

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

The motion prevailed.

Senator Brater’s statement is as follows:

I rise today to support the Senate’s advice and consent to the appointment of Jenny Kronk to the Lake Superior State University Board of Trustees. Ms. Kronk’s background in state and tribal government and her past experience as an adjunct professor at Michigan State University has given her a unique perspective on issues of importance to both the state of Michigan and the higher education community. Her educational experience, with an undergraduate degree from Northern Michigan University and a J.D. from Cooley Law School, will surely be invaluable as preparation for this position.

In addition, Ms. Kronk's testimony before the Senate Appropriations Subcommittee on Higher Education reflected her commitment to serving both the students of Lake Superior State University and the citizens of Michigan. I encourage my colleagues to join me in advising and consenting to Jenny Kronk's appointment today.

Northern Michigan University Board of Control

Mr. Stephen F. Adamini of 27 Oak Hill Drive, Marquette, Michigan 49855, county of Marquette, succeeding Karl A. Weber, whose term has expired, representing the general public, for a term commencing February 5, 2007 and expiring December 31, 2014.

Senator Cropsey moved that the Senate advise and consent to the appointment.

The question being on advising and consenting to the said appointment to office,

The Senate advised and consented to the appointment, a majority of the members serving voting therefor, as follows:

Roll Call No. 45

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: President

Senators Whitmer and Prusi asked and were granted unanimous consent to make statements and moved that the statements be printed in the Journal.

The motion prevailed.

Senator Whitmer's statement is as follows:

I'm proud to say that in my six years serving in the House of Representatives, one of the closest friendships I made was that with Steve Adamini, who is right now before us for confirmation to the NMU Board of Control. Anyone who sat and listened to his testimony before the committee yesterday knows that he has integrity and passion for education. He credits education with all the best things that have ever happened in his life. I know that he will be an enormous asset to the students at NMU and to all the taxpayers and to all of us interested in higher education, the quality and integrity and affordability of that higher education.

I enthusiastically support his nomination.

Senator Prusi's statement is as follows:

For four years—my first term in the Senate—I got to watch my successor in office of the 109th District, State Representative Steve Adamini, do his work on behalf of the citizens of the Upper Peninsula and the 109th District.

Steve brings a lot more experience to the plate than six years in the House. He’s a graduate of the University of Michigan Law School with undergraduate and law degrees. He has 37 years of practicing law in the Upper Peninsula and service on the State Transportation Commission, the Boundary Commission, and numerous boards locally in Marquette County. I think Steve’s passion for service, of serving the people of the Upper Peninsula, brings him a wealth of knowledge to bring to the Board of Control of Northern Michigan University.

I can’t think of anyone from the Upper Peninsula with more qualifications to lead and guide one of our fine universities than Steve Adamini. I encourage members to support this nomination and confirm his appointment.

Northern Michigan University Board of Control

Mr. Gilbert L. Ziegler of 307 Belvadare, Charlevoix, Michigan 49855, county of Charlevoix, succeeding Larry C. Inman, whose term has expired, representing the general public, for a term commencing February 5, 2007 and expiring December 31, 2014.

Senator Cropsey moved that the Senate advise and consent to the appointment.

The question being on advising and consenting to the said appointment to office,

The Senate advised and consented to the appointment, a majority of the members serving voting therefor, as follows:

Roll Call No. 46

Yeas—32

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

Nays—4

Cropsey	Gilbert	Patterson	Sanborn
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Excused—1

Garcia

Not Voting—1

Basham

In The Chair: President

The following message from the Governor was received and read:

March 27, 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 office under Section 7 of the Agricultural Commodities Marketing Act, 1965 PA 232, MCL 290.657:

Michigan Dairy Marketing Program Committee

Mr. Timothy C. Hood of 41488 CR 358, Paw Paw, Michigan 49079, county of Van Buren, succeeding Carl G. Kline, whose term has expired, representing the Michigan Milk Producers Association, for a term commencing March 27, 2007 and expiring December 31, 2009.

Mr. Daniel M. Javor of 4351 Messer Road, Hastings, Michigan 49058, county of Barry, reappointed to represent the Michigan Milk Producers Association, for a term expiring December 31, 2009.

Mr. Gerald A. Neyer of 1455 East Walton Road, Shepherd, Michigan 48883, county of Isabella, reappointed to represent the Michigan Farm Bureau, for a term expiring December 31, 2009.

Mr. Kenneth P. Nobis of 1513 North Lowell Road, St. Johns, Michigan 48879, county of Clinton, reappointed to represent the Michigan Milk Producers Association, for a term expiring December 31, 2009.

Mr. John H. Pell of 3547 Fitzgerald, Fremont, Michigan 49412, county of Newaygo, reappointed to represent Independent Milk Cooperatives, for a term expiring December 31, 2009.

Sincerely,
Jennifer M. Granholm
Governor

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

Third Reading of Bills

The following bill was read a third time:

Senate Bill No. 53, entitled

A bill to amend 1964 PA 284, entitled "City income tax act," (MCL 141.501 to 141.787) by adding section 36 to chapter 2.

The question being on the passage of the bill,

Senator Whitmer offered the following amendments:

1. Amend page 1, line 6, after "CHARITABLE" by inserting "OR PUBLIC SAFETY".
2. Amend page 2, line 22, after "CHARITABLE" by inserting "OR PUBLIC SAFETY".
3. Amend page 2, following line 23, by inserting:

"(9) FOR PURPOSES OF THIS SECTION AND SECTION 10 OF CHAPTER 1, "PUBLIC SAFETY" MEANS THE SUPPORT OF POLICE OFFICERS, FIREFIGHTERS, OTHER FIRST RESPONDERS, SCHOOL SAFETY OFFICERS, AND SCHOOL RESOURCE OFFICERS AND ANY EQUIPMENT THAT IS NECESSARY FOR THE POLICE OFFICER, FIREFIGHTER, OTHER FIRST RESPONDER, SCHOOL SAFETY OFFICER, OR SCHOOL RESOURCE OFFICER TO SAFELY PERFORM HIS OR HER DUTIES."

The amendments were 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. 47

Yeas—36

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

Nays—1

Patterson

Excused—1

Garcia

Not Voting—0

In The Chair: President

The Senate agreed to the title of the bill.

Senator Cropsey moved to reconsider the vote by which the bill was passed.

The motion prevailed, 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. 48**Yeas—36**

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

Nays—1

Patterson

Excused—1

Garcia

Not Voting—0

In The Chair: President

The following bill was read a third time:

House Bill No. 4120, entitled

A bill to amend 1964 PA 284, entitled "City income tax act," (MCL 141.501 to 141.787) by adding section 10 to chapter 1.

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. 49**Yeas—36**

Allen	Cherry	Jacobs	Richardville
Anderson	Clark-Coleman	Jansen	Sanborn

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

Nays—1

Patterson

Excused—1

Garcia

Not Voting—0

In The Chair: President

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 permit the imposition and collection by cities of an excise tax levied on or measured by income; to permit the collection and administration of the tax by the state; to provide the procedure including referendums for, and to require the adoption of a prescribed uniform city income tax ordinance by cities desiring to impose and collect such a tax; to limit the imposition and collection by cities and villages of excise taxes levied on or measured by income; to prescribe the powers and duties of certain state and municipal agencies, departments, and officials; to establish the city income tax trust fund; to provide for appeals; and to prescribe penalties and provide remedies.”.

The Senate agreed to the full title.

The following bill was read a third time:

Senate Bill No. 209, entitled

A bill to amend 1893 PA 206, entitled “The general property tax act,” by amending section 53b (MCL 211.53b), as amended by 2006 PA 378.

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. 50**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: President

The Senate agreed to the title of the bill.

By unanimous consent the Senate proceeded to the order of

Resolutions

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

Senate Resolution No. 35

The resolution consent calendar was adopted.

Senators Gleason, Clark-Coleman, Barcia, Hunter, Anderson, Prusi, Thomas, Cherry, Scott, Jacobs, Clarke, Brater, Switalski, Schauer, Whitmer, Olshove, Birkholz, Basham, Cropsey, Van Woerkom, Patterson, Hardiman, George, Jansen, Kahn, Pappageorge, Sanborn, McManus, Gilbert, Allen and Bishop offered the following resolution:

Senate Resolution No. 35.

A resolution recognizing April 2007 as Donate Life Month in the state of Michigan.

Whereas, More than 3,200 Michigan residents are currently waiting for a lifesaving organ donation, and 15 residents will die each month due to the serious lack of organ donors; and

Whereas, The need for organ, tissue, and eye donations grows daily, and the critical donor shortage remains a public health emergency; and

Whereas, Over 2,600 Michigan residents are waiting for a kidney and/or pancreas transplant, and end-stage renal disease is a major public health burden, which costs the national health system more than \$15 billion per year; and

Whereas, Almost 400 Michigan residents are waiting for a liver transplant, and chronic liver disease costs the national health system at least \$3.5 billion per year; and

Whereas, Nearly 120 Michigan residents are waiting for a heart or lung transplant and chronic pulmonary disease, and heart diseases accrue direct costs of over \$120 billion per year; and

Whereas, Transplantation of organs is medically proven to provide a better quality of life for patients suffering from chronic diseases, and transplantation of tissues enhances the lives of more than one million Americans annually; and

Whereas, Organ, tissue, and eye donation can provide families that are tragically confronted by the death of a loved one the comfort of knowing the gift of donated organs and tissues endows another person with renewed hope for a healthy life; and

Whereas, Giving the gift of life through organ, tissue, and eye donation to someone facing imminent death or living with blindness or a disability is the ultimate act of generosity and kindness; now, therefore, be it

Resolved by the Senate, That the members of this legislative body recognize April 2007 as Donate Life Month in the state of Michigan. With this recognition, we encourage residents to sign up on the Michigan Organ Donor Registry and obtain a heart sticker for their driver's license and also talk with their families to engage in discussions about their wish to be a hero for the more than 3,000 residents waiting for a transplant in our great state; and be it further

Resolved, That a copy of this resolution be transmitted to Gift of Life Michigan as a token of our esteem.

Senator Birkholz offered the following resolution:

Senate Resolution No. 33.

A resolution designating April 22 - May 1, 2007, as Michigan Conservation Week.

Whereas, The Michigan Legislature is constitutionally charged with the responsibility to protect and preserve the natural resources of this great state; and

Whereas, The state of Michigan is blessed with an abundance of natural resources, plentiful lakes, rivers, and streams; bountiful wetlands and sand dunes; and precious forests. These resources provide Michigan residents and visitors to this great state a high quality of life; and

Whereas, Michigan's resources provide both beauty and background for those who live and recreate in the state; and

Whereas, The Legislature has acknowledged the sensitive nature of these resources through a number of environmental programs designed to keep our resource base healthy, while allowing for a wise and continuous use of these natural resources; and

Whereas, It is in the best interest of Michigan's resources that the decisions affecting these resources be made by those knowledgeable and trained in sound scientific principles of resource management; to provide for the continuous availability of these resources for such activities as hunting, fishing, snowmobiling, hiking, skiing, and others while also maintaining the multibillion-dollar outdoor tourism industry; and

Whereas, It is important to recall the tradition America values that respecting our wildlife and beautiful surroundings is practicing responsible conservation; and

Whereas, Designating April 22 - May 1, 2007, as Michigan Conservation Week will offer local conservation groups and educators an opportunity to educate students and community members on the necessity of managing Michigan's natural resources in a sustainable manner to provide enjoyment to both current and future generations; now, therefore, be it

Resolved by the Senate, That we hereby designate April 22 - May 1, 2007, as Michigan Conservation Week. We urge the citizens of the state of Michigan to celebrate and commemorate the heritage of conservation and its role in maintaining and enhancing the natural resources of the state and preserving the high quality of life available to those who live, work, and recreate in the state; and be it further

Resolved, That copies of this resolution be transmitted to Rebecca Humphries, Director of the Department of Natural Resources; the Natural Resources Commission; Representative Rebekah Warren, chair of the House Committee on Great Lakes and Environment; Representative Joel Sheltroun, chair of the House Committee on Tourism, Outdoor Recreation and Natural Resources; Senate Majority Leader Mike Bishop; Speaker of the House Andy Dillon; Governor Jennifer Granholm; Michigan United Conservation Clubs, and all other state and local conservation groups.

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 Natural Resources and Environmental Affairs.

The motion prevailed.

Senators Anderson, Clarke, Gleason, Hardiman, Hunter, Kuipers, Olshove, Pappageorge and Prusi were named co-sponsors of the resolution.

Senators Patterson, Thomas, Pappageorge, Hardiman, Jansen, Basham, Birkholz and Gleason offered the following resolution:

Senate Resolution No. 36.

A resolution to urge the President of the United States, the United States Congress, and the United States Department of Energy to restore funding for the Weatherization Assistance Program in Fiscal Year 2008 and to consider increasing future funding for this important federal program.

Whereas, The Federal Weatherization Assistance Program (WAP), created in 1976 during the nation's oil crisis and administered by the United States Department of Energy (DOE), provides funding to states to operate programs that pay for weatherization improvements for low-income homes. Weatherization refers to a wide variety of measures and technologies, such as weather stripping, caulking, insulation, and energy-efficient appliances that reduce a building's energy consumption. The WAP is the country's longest running and perhaps most successful energy-efficiency program. During the last 30 years, the WAP has provided weatherization services to more than 5.5 million low-income families; and

Whereas, The WAP is a proven and effective program that helps not only low-income households, but the nation as a whole. The WAP empowers low-income families by enabling them to reduce energy costs and take responsibility for their energy bills. Weatherization reduces heating bills by an average of 31 percent. Low-income families receiving WAP retrofits commonly save about \$200 to \$300 each year in energy costs. In addition to the direct benefits that low-income families receive, a recent study by Oak Ridge National Laboratory (ORNL) documents a multitude of indirect benefits to local economies, the nation's energy security, and the environment. These benefits include job creation, increased property values, reduced national energy consumption, and a reduction in carbon dioxide emissions by an average of one ton per weatherized house. The ORNL study concludes that for each \$1 of investment in the WAP program, the nation receives \$3.71 worth of benefits. Surely, no other program receives such bang for its buck; and

Whereas, The effectiveness of the WAP program is threatened by recent DOE funding decisions. The DOE recently cut the Fiscal Year 2007 budget for the WAP by about 16 percent or about \$38 million less than it was a year ago. Local communities and state weatherization directors throughout the nation were dismayed by this decision; and

Whereas, Under the Fiscal Year 2007 budget, Michigan is receiving almost \$2 million less than it did a year ago, and it could not have come at a worse time. The state is suffering through disturbingly high unemployment rates and a weakened economy and is in the midst of its most devastating and prolonged economic downturn since the Great Depression. Losing about \$1.9 million in WAP funds and the associated job stimulus that WAP generally provides is a hard pill for the state to swallow; and

Whereas, As the Fiscal Year 2008 federal budget is hammered out, the WAP program should be recognized and celebrated for its immense effectiveness rather than having its budget slashed. Clearly, it is fiscally wise to invest in the energy-saving WAP program; now, therefore, be it

Resolved by the Senate, That we urge the President of the United States, the United States Congress, and the United States Department of Energy to restore funding for the Weatherization Assistance Program in Fiscal Year 2008 and to consider increasing future funding for this important federal program; 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, the members of the Michigan congressional delegation, and the Secretary of the United States Department of Energy.

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 Energy Policy and Public Utilities.

The motion prevailed.

Senators Anderson, Barcia, Clarke, Hunter and Prusi were named co-sponsors of the resolution.

Senators Patterson, Thomas, Pappageorge, Jansen, Hardiman, Basham, Birkholz, Olshove, Jelinek and Gleason offered the following concurrent resolution:

Senate Concurrent Resolution No. 8.

A concurrent resolution to urge the President of the United States, the United States Congress, and the United States Department of Energy to restore funding for the Weatherization Assistance Program in Fiscal Year 2008 and to consider increasing future funding for this important federal program.

Whereas, The Federal Weatherization Assistance Program (WAP), created in 1976 during the nation's oil crisis and administered by the United States Department of Energy (DOE), provides funding to states to operate programs that pay for weatherization improvements for low-income homes. Weatherization refers to a wide variety of measures and technologies, such as weather stripping, caulking, insulation, and energy efficient appliances that reduce a building's energy consumption. The WAP is the country's longest running, and perhaps most successful energy efficiency program. During the last 30 years, the WAP has provided weatherization services to more than 5.5 million low-income families; and

Whereas, The WAP is a proven and effective program that helps not only low-income households but the nation as a whole. The WAP empowers low-income families by enabling them to reduce energy costs and take responsibility for their energy bills. Weatherization reduces heating bills by an average of 31 percent. Low-income families receiving WAP retrofits commonly save about \$200 to \$300 each year in energy costs. In addition to the direct benefits that low-income families receive, a recent study by Oak Ridge National Laboratory (ORNL) documents a multitude of indirect benefits to local economies, the nation's energy security, and the environment. These benefits include job creation, increased property values, reduced national energy consumption, and a reduction in carbon dioxide emissions by an average of one ton per weatherized house. The ORNL study concludes that for each dollar of investment in the WAP program, the nation receives \$3.71 worth of benefits. Surely, no other program receives such bang for its buck; and

Whereas, The effectiveness of the WAP program is threatened by recent DOE funding decisions. The DOE recently cut the Fiscal Year 2007 budget for the WAP by about 16 percent or about \$38 million less than it was a year ago. Local communities and state weatherization directors throughout the nation were dismayed by this decision; and

Whereas, Under the Fiscal Year 2007 budget, Michigan is receiving almost \$2 million less than it did a year ago and it could not have come at a worse time. The state is suffering through disturbingly high unemployment rates and a weakened economy and is in the midst of its most devastating and prolonged economic downturn since the Great Depression. Losing about \$1.9 million in WAP funds and the associated job stimulus that WAP generally provides is a hard pill for the state to swallow; and

Whereas, As the Fiscal Year 2008 federal budget is hammered out, the WAP program should be recognized and celebrated for its immense effectiveness rather than having its budget slashed. Clearly, it is fiscally wise to invest in the energy saving WAP program; now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That we urge the President of the United States, the United States Congress, and the United States Department of Energy to restore funding for the Weatherization Assistance Program in Fiscal Year 2008 and to consider increasing future funding for this important federal program; 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, the members of the Michigan congressional delegation, and the Secretary of the United States Department of Energy.

Pending the order that, under rule 3.204, the concurrent 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 concurrent resolution,

Senator Cropsey moved that the concurrent resolution be referred to the Committee on Energy Policy and Public Utilities.

The motion prevailed.

Senators Anderson, Barcia, Clarke, Hunter and Prusi were named co-sponsors of the concurrent resolution.

Senator Scott offered the following resolution:

Senate Resolution No. 32.

A resolution of tribute offered as a memorial for Harold M. Ryan, former member of the Michigan Senate and the United States House of Representatives and Wayne County Circuit Judge.

Whereas, With the passing of Harold M. Ryan, Michigan has lost a gentleman who compiled a most remarkable record of commitment to the people of this state. Over the course of six decades he devoted himself to the service of others, as a legislator in Lansing, as a congressman in Washington, and as a judge in Wayne County. Clearly, Harold Ryan exerted an impact on life in Michigan that will long be felt and appreciated; and

Whereas, A proud Irishman from Detroit's east side, Harold Ryan brought warmth and dedication to every task over the course of his accomplishment-filled life. He studied at what was then Michigan State College and earned his law degree from the University of Detroit. After working as an attorney for several years, he pursued his passion for the service of others through elective office. A member of the Michigan Senate from 1949 to 1962, he played a key role on many issues, including the funding for the Mackinac Bridge and making Michigan one of the first states to include photos on driver's licenses; and

Whereas, Harold Ryan served as a member of the United States House of Representatives during the Kennedy and Johnson administrations before returning to Michigan and the practice of law. In 1976, he was elected to the Wayne County Circuit Court bench, where he served with distinction until 1986. In reality, however, this tireless and talented gentleman never retired from the law or from his commitment to others. He served in private practice and heard cases as a visiting judge, in fact, until well into his nineties; now, therefore, be it

Resolved by the Senate, That we offer this expression of our highest tribute to honor the memory of Harold M. Ryan, who served Michigan in the Michigan Senate, in Congress, and as a Wayne County Circuit Court Judge; and be it further

Resolved, That copies of this resolution be transmitted to the Ryan family as evidence of our sincerest condolences.

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

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

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

Senator 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:

This resolution, Senate Resolution No. 32, is a resolution of tribute offered as a memorial for Mr. Harold M. Ryan, former member of the Michigan Senate and the United States House of Representatives and Wayne County Circuit Court judge.

Mr. Ryan, who was from Detroit's eastside, brought warmth and dedication to all of his accomplishments. A member of the Michigan Senate from 1949-1962, he played a key role on many issues including the funding for the Mackinac Bridge and making Michigan one of the first states to include photos on driver's licenses. In 1976, he was elected to the Wayne

County Circuit Court bench. He served with distinction until 1988. In reality, however, this tireless and talented gentleman never retired from law or from his commitment to others. He served in private practice and heard cases as a visiting judge until well into his 90s.

I would also like to say that I met Mr. Ryan back in 1972 when I first became an elected precinct delegate. He was very encouraging and very inspiring. When I became a county commissioner, he served as judge and we had many conversations and worked closely together.

A moment of silence was observed in memory of former State Senator, former member of the United States House of Representatives, and former Wayne County Circuit Court Judge Harold Ryan.

By unanimous consent the Senate proceeded to the order of

Statements

Senators Sanborn and Scott asked and were granted unanimous consent to make statements and moved that the statements be printed in the Journal.

The motion prevailed.

Senator Sanborn's statement is as follows:

I rise to speak to the resolution regarding Howard Ryan. Howard, of course, served with my father and the likes of John Bowman and George Steech and also served in the Judiciary as well with George and my father.

Howard was just a wonderful man who served as a legislator, a congressman, and a judge. He was a gentleman who was a leader and a man of honor and character. He would come up every year to the legislative reunion with George and my father and John Bowman. John has passed since then.

He was quick to offer ideas, even in his 90s—95 years of age—quick to offer ideas for good legislation and a wonderful Irishman. I think it is fitting and appropriate that no doubt he was in heaven 15 minutes before the devil knew he was dead.

Senator Scott's statement is as follows:

My old friend Coleman Young once said, "I've learned over the years that there are setbacks when you come up against an immovable object. Sometimes the object doesn't move." Well, my friends, I know how he felt. That's why I've been standing up here for three years this month making these statements, trying to make the immovable object move.

Those who knew Coleman Young knew that he wasn't one to back down, fold up, or give up, and my back doesn't bend either. I'm here to carry on that legacy. I will continue to urge you to take action. So, once again, I ask you to please address this critical issue of automobile and homeowners rates in Detroit and in other urban areas.

By unanimous consent the Senate returned to the order of

Introduction and Referral of Bills

Senator Kuipers introduced

Senate Bill No. 382, entitled

A bill to amend 1980 PA 299, entitled "Occupational code," by amending sections 105, 2201, 2202, 2203, 2204, 2205, 2208, 2209, 2210, and 2211 (MCL 339.105, 339.2201, 339.2202, 339.2203, 339.2204, 339.2205, 339.2208, 339.2209, 339.2210, and 339.2211), sections 105, 2205, and 2209 as amended by 1988 PA 463 and section 2204 as amended by 1981 PA 83.

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

Senator Kuipers introduced

Senate Bill No. 383, entitled

A bill to amend 1979 PA 152, entitled "State license fee act," by amending section 15 (MCL 338.2215), as amended by 2003 PA 87.

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

Senators Richardville, Barcia and Pappageorge introduced

Senate Bill No. 384, entitled

A bill to amend 1981 PA 125, entitled "The secondary mortgage loan act," by amending section 22 (MCL 493.72), as amended by 1997 PA 91.

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

House Bill No. 4482, entitled

A bill to amend 1939 PA 280, entitled "The social welfare act," by amending sections 57d and 57g (MCL 400.57d and 400.57g), section 57d as amended by 2005 PA 323 and section 57g as amended by 2006 PA 468.

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 Families and Human Services.

Committee Reports

The Committee on Transportation reported

Senate Bill No. 59, 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," (MCL 247.651 to 247.675) by adding section 9c.

With the recommendation that the substitute (S-2) be adopted and that the bill then pass.

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

Judson S. Gilbert II
Chairperson

To Report Out:

Yeas: Senators Gilbert, Kahn, Van Woerkom and Gleason

Nays: None

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

The Committee on Transportation reported

Senate Bill No. 79, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 223 (MCL 257.223).

With the recommendation that the bill pass.

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

Judson S. Gilbert II
Chairperson

To Report Out:

Yeas: Senators Gilbert, Kahn, Van Woerkom, Basham and Gleason

Nays: None

The bill was referred to the Committee of the Whole.

COMMITTEE ATTENDANCE REPORT

The Committee on Transportation submitted the following:

Meeting held on Tuesday, March 27, 2007, at 1:00 p.m., Room 110, Farnum Building

Present: Senators Gilbert (C), Kahn, Van Woerkom, Basham and Gleason

COMMITTEE ATTENDANCE REPORT

The Subcommittee on Prison Reform and Public Safety submitted the following:

Meeting held on Tuesday, March 27, 2007, at 12:30 p.m., Room 210, Farnum Building

Present: Senators Kuipers (C), Cropsey, Patterson and Prusi

COMMITTEE ATTENDANCE REPORT

The Committee on Homeland Security and Emerging Technologies submitted the following:

Meeting held on Tuesday, March 27, 2007, at 1:00 p.m., Room 100, Farnum Building

Present: Senators Brown (C), Richardville, Pappageorge, Hunter, Olshove and Thomas

Excused: Senator Garcia

COMMITTEE ATTENDANCE REPORT

The Subcommittee on Higher Education submitted the following:

Meeting held on Tuesday, March 27, 2007, at 2:00 p.m., Senate Appropriations Room, 3rd Floor, Capitol Building

Present: Senators Stamas (C), George, Hardiman, McManus, Barcia, Anderson and Brater

COMMITTEE ATTENDANCE REPORT

The Committee on Commerce and Tourism submitted the following:

Meeting held on Tuesday, March 27, 2007, at 2:30 p.m., Room 100, Farnum Building

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

Excused: Senator Stamas

COMMITTEE ATTENDANCE REPORT

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

Meeting held on Wednesday, March 28, 2007, at 8:30 a.m., Room 100, Farnum Building

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

Excused: Senator Garcia

Scheduled Meetings

Agriculture - Thursday, March 29, 8:30 a.m., Room 110, Farnum Building (373-1635)

Appropriations -**Subcommittees -**

Capital Outlay - Thursday, March 29, 9:00 a.m., House Appropriations Room, 3rd Floor, Capitol Building (373-8080)

Community Health Department - Thursday, March 29, 1:00 p.m., Senate Hearing Room, Ground Floor, Boji Tower (373-2768)

Environmental Quality Department - Thursdays, April 19, April 26, May 3 and May 10, 1:00 p.m., and Tuesday, May 15, 4:00 p.m., Room 405, Capitol Building (373-2768)

Energy Policy and Public Utilities - Thursday, March 29, 1:00 p.m., Room 210, Farnum Building (373-7350)

Finance - Thursday, March 29, 11:00 a.m. or later immediately following session, Room 110, Farnum Building (373-1758)

Senator Cropsey moved that the Senate adjourn.
The motion prevailed, the time being 11:00 a.m.

The President, Lieutenant Governor Cherry, declared the Senate adjourned until Thursday, March 29, 2007, at 10:00 a.m.

CAROL MOREY VIVENTI
Secretary of the Senate