

No. 109
STATE OF MICHIGAN
Journal of the Senate
94th Legislature
REGULAR SESSION OF 2007

Senate Chamber, Lansing, Tuesday, October 23, 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 not 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

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

Good morning, Lord. It's not quite so obvious this morning, but thank You for the beautiful fall weather You've blessed us with this past weekend. The blue sky, the red and yellow leaves, and the green grass presented stark contrasts with the white Capitol Building. The crisp, freshening fall air made the diversity of colors all the more vivid and pleasing.

We pray that You will change a couple of other prominent colors in the Capitol. Although we often make conflicting wishes, upon this request we are united. All of us hope that You will help us change the ink in our budgets from red to black. Most of all, we would like to simply have budgets. Inspire us to find common ground and honorable compromise in our negotiations. Help us to keep our commitments and cooperate with one another when unforeseen difficulties arise and disrupt issues we thought we had already settled.

Show us how to find balance and harmony, and if You can, Lord, move our negotiations up a notch on Your priority list. We'd like to finish our work before the end of the month so we can start November by giving You our full attention and the rich thanksgiving You so deeply deserve.

So really, Lord, it's in Your best interest to help us. Give us the vision and we will hit our targets. Amen.

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

Recess

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

10:36 a.m.

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

During the recess, Senators Gleason, Allen, Brown, Bishop, Sanborn, Stamas, Hardiman, Garcia, Kuipers, Cropsey, George, Richardville, Jelinek, Van Woerkom, McManus, Kahn, Pappageorge, Birkholz, Jansen and Cassis entered the Senate Chamber.

A quorum of the Senate was present.

Motions and Communications

Senator Thomas moved that Senator Hunter be temporarily excused from today's session.
The motion prevailed.

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

Senate Resolution No. 117

House Concurrent Resolution No. 51

The motion prevailed.

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

Saginaw Valley State University Board of Control

Mr. Jeffrey T. Martin of 3785 Chipping Norton, Saginaw, Michigan 48603, county of Saginaw, succeeding Ruth A. Braun, whose term has expired, representing the general public, for a term commencing September 11, 2007 and expiring July 21, 2015.

Mr. Jerome L. Yantz of 2728 Oakmont Drive, Bay City, Michigan 48706, county of Bay, reappointed to represent the general public, for a term expiring July 21, 2015.

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

Senator Cropsey moved that a respectful message be sent to the House of Representatives requesting the return of the following bills:

Senate Bill No. 237

Senate Bill No. 511

The motion prevailed.

The following communication was received:
Department of State

Administrative Rules
Notice of Filing

October 19, 2007

In accordance with the provisions of Section 46(1) of Act 306, Public Acts of 1969, as amended, and Executive Order 1995-6, this is to advise you that the Michigan Department of Labor & Economic Growth, State Office of Administrative Hearings and Rules filed at 3:36 p.m. this date, administrative rule (07-10-06) for the Department of Labor and Economic Growth, entitled "*Part 620. Ventilation Control for Construction.*" These rules become effective immediately upon filing with the Secretary of State unless adopted under sections 33, 44, or 45a(6) of 1969 PA 306. Rules adopted under these sections become effective 7 days after filing with the Secretary of State.

Sincerely,
Terri Lynn Land
Secretary of State
Robin Houston, Office Supervisor
Office of the Great Seal

The communication was referred to the Secretary for record.

The Secretary announced that pursuant to Rule 2.109 of the Standing Rules of the Senate, the following expense reports have been filed with the Secretary of the Senate for the quarter from April 1, 2007 through June 30, 2007, and are available in the Secretary's office during business hours for public inspection:

Committee

Agriculture
Appropriations
Banking and Financial Institutions
Campaign and Election Oversight
Commerce and Tourism
Economic Development and Regulatory Reform
Education
Energy Policy and Public Utilities
Families and Human Services
Finance
Government Operations and Reform
Health Policy
Homeland Security and Emerging Technologies
Judiciary
Local, Urban and State Affairs
Natural Resources and Environmental Affairs
Senior Citizens and Veterans Affairs
Transportation

Chairperson

Senator Gerald Van Woerkom
Senator Ron Jelinek
Senator Randy Richardville
Senator Michelle McManus
Senator Jason Allen
Senator Alan Sanborn
Senator Wayne Kuipers
Senator Bruce Patterson
Senator Mark Jansen
Senator Nancy Cassis
Senator Michael Bishop
Senator Tom George
Senator Cameron Brown
Senator Wayne Kuipers
Senator Gerald Van Woerkom
Senator Patricia Birkholz
Senator Jason Allen
Senator Jud Gilbert

The Secretary announced that the following House bills were received in the Senate and filed on Thursday, October 18:
House Bill Nos. 5034 5035

The Secretary announced the enrollment printing and presentation to the Governor on Monday, October 22, for her approval the following bill:

Enrolled Senate Bill No. 276 at 10:46 a.m.

The Secretary announced that the following official bills were printed on Thursday, October 18, and are available at the legislative website:

Senate Bill Nos. 834 835

House Bill Nos. 5325 5326 5327 5328 5329 5330 5331 5332 5333 5334

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

Senate Bill Nos. 836 837 838 839 840

Messages from the Governor

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

Senate Bill No. 436

The motion prevailed.

Senator Hunter entered the Senate Chamber.

The following message from the Governor was received and read:

October 18, 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 22211 of the Public Health Code, 1978 PA 368, MCL 333.22211:

Certificate of Need Commission

Mr. Thomas M. Smith, a Republican, of 1636 Allendale Drive, Saginaw, Michigan 48638, county of Saginaw, succeeding Roger G. Andrzejewski, whose term has expired, representing a company that is self-insured for health coverage, for a term commencing October 18, 2007 and expiring April 9, 2010.

Mr. Edward B. Goldman, a Democrat, of 1944 Boulder Drive, Ann Arbor, Michigan 48104, county of Washtenaw, reappointed to represent hospitals, for a term expiring April 9, 2010.

Ms. Norma R. Hagenow, a Republican, of 8103 Hawkcrest Drive, Grand Blanc, Michigan 48439, county of Genesee, reappointed to represent hospitals, for a term expiring April 9, 2010.

Sincerely,
Jennifer M. Granholm
Governor

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

Saginaw Valley State University Board of Control

Mr. Jeffrey T. Martin of 3785 Chipping Norton, Saginaw, Michigan 48603, county of Saginaw, succeeding Ruth A. Braun, whose term has expired, representing the general public, for a term commencing September 11, 2007 and expiring July 21, 2015.

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. 427

Yeas—38

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

Nays—0

Excused—0

Not Voting—0

In The Chair: President

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

The motion prevailed.

Senator Barcia's statement is as follows:

I rise to speak in strong support of Jeffrey Martin's appointment to the Saginaw Valley State University Board of Control. Being an alumnus of that university and also being so close just across the border of my 31st Senatorial District, I'm a frequent visitor of the campus and speaker in the government classes out there. I feel that Jeff would be a major asset to the governing board of the institution with the expertise which he would bring as a result of his distinguished career in state government and public service.

I would like to ask my colleagues to join me in supporting the appointment of Jeffrey Martin to the Saginaw Valley State University Board of Control. Jeff, as many of you know, has been around the Capitol for several years, first working for Representative A.T. Frank for six years, and most recently, with Lieutenant Governor John Cherry. The Cherry Commission report on higher education was released while Jeff was with the Lieutenant Governor, and one can be sure that the recommendations contained in the report will underpin his work on the board.

Jeff's educational background has helped him understand the value of Michigan's public institutions of higher education and should serve him well in his new role. Please join me in supporting Jeff's confirmation today.

Senator Kahn's statement is as follows:

This appointment is one of the best I have seen this year, and that is not mentioned in any way to diminish any of the others, but to say just what a quality young man Jeff Martin is. I consider him a friend. We are certainly not in the same party, but he has always been reasonable, easy to work with, easy to discuss ideas with, easy to learn from, and easy to give ideas to. He is exactly what we talked about in our universities—the free exchange of information. People were willing to be open-minded and broad-minded and constructive and bring to our government quality ideas.

I am just delighted to see that his name was proposed in the first place. I, too, urge my colleagues to confirm Jeff Martin.

Saginaw Valley State University Board of Control

Mr. Jerome L. Yantz of 2728 Oakmont Drive, Bay City, Michigan 48706, county of Bay, reappointed to represent the general public, for a term expiring July 21, 2015.

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. 428

Yeas—38

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

Nays—0

Excused—0

Not Voting—0

In The Chair: President

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

The motion prevailed.

Senator Barcia's statement is as follows:

Like Mr. Martin's appointment, I rise to strongly support the approval of one of my constituents in the Bay City-Bay County area; a community leader, particularly an advocate and champion on behalf of education, and someone who has the educational foundation created by the Bay Area Chamber of Commerce in his name. He truly is an icon in our community and has been involved in a number of civic organizations in his career as a principal partner in Weinlander Fitzhugh CPA firm. He brings us a tremendous amount of financial expertise, hopefully, to his continuing position as a member of the Saginaw Valley State University Board of Control.

I just would like to mention a couple of bio facts to assure my colleagues that he will be an excellent asset to the board and its work. Jerome has been associated with Weinlander Fitzhugh CPA firm in Bay City since 1961 and a partner since 1970. While over the years he has provided clients services for a broad range of entities, his primary role is as a specialist in business development, accounting taxes, financial planning, and asset management for small and mid-size, closely-held businesses. Jerome functions as president of the company as well as office manager of the firm's Bay City office. In his role as human resources director and chairman of the executive committee, he has been instrumental in firm expansion and development of personnel. One of his designed evaluation programs was profiled in *CPA Personnel Report*, a monthly journal produced by Stafford Publications and distributed nationwide.

His own commitment to personal growth and career development has seen him augment his background as a 1961 graduate of the Northeastern School of Commerce at Bay City with a receipt in 1970 of his CPA certificate. Jerome has served actively on committees of the American Institute of Certified Public Accountants. He also has been active with the Michigan Association of Certified Public Accountants as a board member of that organization, chairman of the Eastern Chapter, and member of the legislative committee and subcommittee on Ethics and Professional Conduct.

And for those of you who have the time, you can skim his biographical information. As I say, time will not permit me to highlight the number of civic organizations and the involvement he has had as a community leader on behalf of so many good causes in our region of the state.

I believe he is a highly-qualified appointment and would hope the Senate, as they did with Mr. Martin, will also unanimously approve his appointment to the Saginaw Valley State University Board of Control.

Messages from the House

Senator Cropsy moved that consideration of the following bills be postponed for today:

Senate Bill No. 53

House Bill No. 4120

The motion prevailed.

Senate Bill No. 16, entitled

A bill to establish the prostate cancer research fund in the department of community health; to provide for the distribution of money from the fund; to prescribe the powers and duties of certain agencies and officials; and to provide for appropriations.

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

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.

The bill was referred to the Secretary for enrollment printing and presentation to the Governor.

Senate Bill No. 348, entitled

A bill to establish the Amanda’s fund for breast cancer research in the department of community health; to provide for the distribution of money from the fund; to prescribe the duties and powers of certain agencies and officials; and to provide for appropriations.

The House of Representatives has substituted (H-1) the bill.

The House of Representatives has passed the bill as substituted (H-1), ordered that it be given immediate effect and amended the title to read as follows:

A bill to establish the Amanda’s fund for breast cancer prevention and treatment in the department of community health; to provide for the distribution of money from the fund; to prescribe the duties and powers of certain agencies and officials; and to provide for appropriations.

Pending the order that, under rule 3.202, the bill be laid over one day, Senator Cropsey moved that the rule be suspended.

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

The question being on concurring in the substitute made to the bill by the House,

The substitute was concurred in, a majority of the members serving voting therefor, as follows:

Roll Call No. 429

Yeas—38

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

Nays—0

Excused—0

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. The Senate agreed to the title as amended. The bill was referred to the Secretary for enrollment printing and presentation to the Governor.

Senate Bill No. 350, entitled

A bill to establish the animal welfare fund in the department of agriculture; to provide for the distribution of money from the fund; to prescribe the powers and duties of certain agencies and officials; and to provide for appropriations.

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

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.

The bill was referred to the Secretary for enrollment printing and presentation to the Governor.

Senate Bill No. 347, entitled

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," by amending sections 437 and 440 (MCL 206.437 and 206.440), section 437 as added by 2005 PA 249 and section 440 as amended by 2005 PA 160, and by adding section 435. Substitute (H-1).

The question being on concurring in the substitute made to the bill by the House,

The substitute was concurred in, a majority of the members serving voting therefor, as follows:

Roll Call No. 430**Yeas—38**

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

Nays—0**Excused—0****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.

The Senate agreed to the full title.

The bill was referred to the Secretary for enrollment printing and presentation to the Governor.

Third Reading of Bills

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

Senate Bill No. 730

The motion prevailed.

The following bill was read a third time:

Senate Bill No. 730, entitled

A bill to amend 1976 PA 451, entitled "The revised school code," by amending sections 4, 6, 504, 524, 605, 701, 1296, 1311, 1311g, 1321, 1701, 1701a, 1711, 1723, 1724, 1751, 1752, 1756, 1757, and 1761 (MCL 380.4, 380.6, 380.504, 380.524, 380.605, 380.701, 380.1296, 380.1311, 380.1311g, 380.1321, 380.1701, 380.1701a, 380.1711, 380.1723, 380.1724, 380.1751, 380.1752, 380.1756, 380.1757, and 380.1761), section 4 as amended by 2005 PA 61, sections 6, 701, and 1724 as amended by 2003 PA 299, sections 504 and 1701a as amended by 1994 PA 416, section 524 as added by 2003 PA 179, section 605 as amended by 1985 PA 86, section 1311 as amended by 1999 PA 23, section 1311g as amended by 2007 PA 21, section 1321 as amended by 1990 PA 163, section 1723 as amended by 2004 PA 415, and section 1752 as added by 2006 PA 186.

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. 431**Yeas—38**

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

Nays—0**Excused—0****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
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 George as Chairperson.

After some time spent therein, the Committee arose; and, the President pro tempore, Senator Richardville, having assumed the Chair, the Committee reported back to the Senate, favorably and with amendment, the following bill:

Senate Bill No. 754, entitled

A bill to assure that returning veterans are informed of state-funded veterans service organizations; and to prescribe certain duties of certain state agencies.

The following is the amendment recommended by the Committee of the Whole:

1. Amend page 1, line 4, after “that” by striking out “is” and inserting “it”.

The Senate agreed to the amendment recommended by the Committee of the Whole, and the bill as amended 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. 455, entitled

A bill to amend 1986 PA 281, entitled “The local development financing act,” by amending section 2 (MCL 125.2152), as amended by 2004 PA 17.

Substitute (S-2).

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

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

Senate Bill No. 577, entitled

A bill to regulate certain persons building certain residential structures; to provide for certain disclosures and prescribe certain limitations regarding the transfer of that residential structure; and to provide for remedies and penalties.

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.

By unanimous consent the Senate proceeded to the order of

Introduction and Referral of Bills

Senators Richardville and Schauer introduced

Senate Bill No. 841, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending section 167b (MCL 750.167b). The bill was read a first and second time by title and referred to the Committee on Judiciary.

House Bill No. 5034, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 8501 (MCL 324.8501), as amended by 2006 PA 503.

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 Agriculture.

House Bill No. 5035, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 8517 (MCL 324.8517), as added by 1998 PA 276.

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 Agriculture.

Statements

Senators Scott, Hardiman and Garcia 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:

This morning I have a message for my colleagues in the Michigan Senate. It comes from a member of the Detroit Federation of Teachers. He would like you to know the following: "Being a resident of the city of Detroit and a homeowner, I have observed how all of the insurance companies have committed ongoing acts of financial terrorism against consumers in the state of Michigan, and particularly Detroit residents. This economic terrorism and exploitation has to stop.

People in this state find practices such as using credit scores to determine someone's insurance rate is reason enough to go to Ohio to get insurance or just move the bleep out of Michigan's economically-repressive environment. Our legislative reps must take an aggressive stand and put a stop to the atrocities committed by these insurance company terrorists."

So what would you like me to tell this distinguished Michigan citizen? That I have been delivering this message for nearly four years? That despite my tireless efforts, my bills continue to lie in legislative limbo? That my colleagues don't see insurance as a problem? Tell me, Senators, what I should tell him?

Senator Hardiman's statement is as follows:

Mr. President, I rise to speak in particular on Senate Bill No. 16, which we passed with immediate effect today, but also on other bills that were Messages from the House. I support each of these bills, including the bills dealing with breast cancer. But I wanted to draw the members' attention specifically to Senate Bill No. 16, in particular, and to thank the sponsor, the Senator from the 4th District, for bringing this bill forward.

Prostate cancer is a widespread condition which will affect 1 in 6 men in this country. Statistics show that the number of cases in Michigan has grown by 11 percent in just the past year. In the African-American community, the risks are even higher. Studies show rates of this cancer are 60 percent higher among African-American men than among white men. This is the highest racial disparity for any cancer, whether for men or women. The fatality rate for men who have prostate cancer is two and a half times higher for African Americans than it is for whites.

A cancer diagnosis is serious and sobering no matter what the race of the patient. I mention these statistics only to highlight the particular challenge prostate cancer poses for the African-American community. I commend the Senator from the 4th District again for providing another tool to fight this disease. I hope all members recognize the risk. I want to thank everyone for voting for the passage and immediate effect for this bill.

Senator Garcia's statement is as follows:

Today I rise to recall a tragic day in our nation's history. Today is October 23, 2007, and 23 years ago today, our nation lost more Americans in one hour than in any two months of fighting in Iraq. The event which I am about to describe occurred in our lifetime and most of us in this chamber were old enough to understand the tragedy of that day.

On October 23, 1984, at approximately 6:20 a.m., a suicide truck filled with over 12,000 pounds of explosives drove past a guard post, crashed into the lobby of the building filled with a battalion of United States Marines, and detonated the truck, killing 241 Marines, sailors, and other U.S. personnel in the headquarters barracks. Among those who died were six Marines, one sailor, and one soldier from Michigan. Detroit alone lost three brave Americans that day. Fraser, Grand Rapids, Grand Haven, Port Huron, and Fife Lake also lost a member of their communities.

The Beirut bombing of the Marine barracks became the deadliest single-day death toll for the United States Marine Corps since the Battle for Iwo Jima during World War II and the deadliest single-day death toll for the United States military since the first day of the Tet Offensive in the Vietnam War.

I mention this today because we often say we should never forget those who gave their all in the defense of our country or who give their lives in carrying out the policies of our national government. And, indeed, 18 days from now many Americans will celebrate the birthday of the United States Marine Corps. Then one day after that, the nation will take a day to honor its veterans. Of course, none of us want to be ungrateful for those who have served their country, but we tend to remember those who served in the big wars—World War II, Korea, Vietnam, Operation Desert Storm, Afghanistan, and Iraq. Of course, there was also Panama and Grenada, but few recall the sacrifices of those who served in Beirut.

Between 1982 and 1984, a total of 273 American servicemen lost their lives trying to keep the peace in Lebanon. Some lost their lives in the bombing of the American Embassy in 1983, while others lost their lives due to sniper fire and other enemy actions, but the majority gave the ultimate sacrifice on this day 23 years ago.

I was a skinny first lieutenant at the time of the bombings, serving in the United States Army at Fort Knox, far from the danger, but angry nonetheless at the loss of my fellow soldiers. But I was not there. However, there are two individuals in the chamber today who served in Lebanon. First, Bill Yontz, a former Marine, who served in Beirut from November 1982 through February 1983. He was there when the fighting between the warring parties escalated considerably, and he and his fellow Marines became regular targets after the first of the year in 1983. He was the one who brought this date to my attention. His friend, Bill Short, served on the aircraft carrier the *USS Eisenhower* during the bombing which was stationed close to Lebanon at the time. I am glad that they reminded me of the sacrifice of our fellow Americans, and I am honored that they are here today.

In conclusion, I will read the names of the Michiganders who lost their lives that day and then I will ask for a moment of silence: Lance Corporal Johansen Banks, United States Marine Corps, Detroit; Corporal David R. Bousum, Fife Lake, United States Marine Corps; Corporal Anthony Brown, United States Marine Corps, Detroit; HM2 Michael Johnson, United States Navy; Michael R. Massman, United States Marine Corps, Sergeant, Port Huron; First Lieutenant William A. Zimmerman, United States Marine Corps, Grand Haven, Michigan; Lieutenant, United States Navy, Mark A. Lange, Fraser, Michigan; and last, but not least, Warrant Officer Kenneth Welch, United States Army, Grand Rapids, Michigan.

A moment of silence was observed in memory of those who lost their lives in the 1984 Beirut bombing.

Committee Reports

The Committee on Energy Policy and Public Utilities reported

Senate Bill No. 92, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 12101, 12102, 12103, 12105, 12107, 12111, 12112, and 12113 (MCL 324.12101, 324.12102, 324.12103, 324.12105, 324.12107, 324.12111, 324.12112, and 324.12113), sections 12101, 12102, 12103, and 12112 as amended by 2001 PA 165 and sections 12105 and 12107 as amended by 1998 PA 140.

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.

Bruce Patterson
Chairperson

To Report Out:

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

Nays: None

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

The Committee on Energy Policy and Public Utilities reported
Senate Bill No. 679, entitled

A bill to amend 1986 PA 32, entitled "Emergency telephone service enabling act," by amending section 717 (MCL 484.1717), as amended by 2006 PA 249; and to repeal acts and parts of acts.

With the recommendation that the bill pass.

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

Bruce Patterson
 Chairperson

To Report Out:

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

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Energy Policy and Public Utilities reported
Senate Bill No. 815, entitled

A bill to amend 1986 PA 32, entitled "Emergency telephone service enabling act," by amending section 401 (MCL 484.1401), as amended by 2006 PA 249.

With the recommendation that the bill pass.

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

Bruce Patterson
 Chairperson

To Report Out:

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

Nays: None

The bill was referred to the Committee of the Whole.

COMMITTEE ATTENDANCE REPORT

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

Meeting held on Thursday, October 18, 2007, at 1:00 p.m., Room 210, Farnum Building

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

Excused: Senator Thomas

The Committee on Finance reported

House Bill No. 5151, entitled

A bill to amend 1975 PA 228, entitled "Single business tax act," by amending section 53 (MCL 208.53).

With the recommendation that the bill pass.

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

Nancy Cassis
 Chairperson

To Report Out:

Yeas: Senators Cassis, Gilbert, McManus, Jansen, Prusi, Jacobs and Whitmer

Nays: None

The bill was referred to the Committee of the Whole.

COMMITTEE ATTENDANCE REPORT

The Committee on Finance submitted the following:

Meeting held on Thursday, October 18, 2007, at 12:52 p.m., Room 110, Farnum Building

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

COMMITTEE ATTENDANCE REPORT

The Committee on Agriculture submitted the following:

Meeting held on Thursday, October 18 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 Subcommittee on Higher Education submits the following:

Meeting held on Thursday, October 18, 2007, at 9:00 a.m., Senate Appropriations Room, 3rd Floor, Capitol Building

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

Excused: Senators McManus and Barcia

Scheduled Meetings

Agriculture - Thursday, October 25, 9:00 a.m., Room 110, Farnum Building (373-1635)

Banking and Financial Institutions - Wednesday, October 24, 9:00 a.m., Room 210, Farnum Building (373-3543)

Economic Development and Regulatory Reform - Wednesday, October 24, 1:00 p.m., Rooms 402 and 403, Capitol Building (373-7670)

Energy Policy and Public Utilities - Thursday, October 25, 1:00 p.m., Room 210, Farnum Building (373-7350)

Health Policy - Wednesday, October 24, 3:00 p.m., Senate Hearing Room, Ground Floor, Boji Tower (373-0793)

Natural Resources and Environmental Affairs and House Great Lakes and Environment, Joint - Wednesday, October 24, 8:00 a.m., Room 519, South Tower, House Office Building (373-3447)

Senate Fiscal Agency Board of Governors - Wednesday, October 24, 9:15 a.m., Room S-101, Capitol Building (373-5300)

Senior Citizens and Veterans Affairs - Wednesday, October 24, 9:00 a.m., Room 100, Farnum Building (373-2413)

Senator Cropsy moved that the Senate adjourn.
The motion prevailed, the time being 11:25 a.m.

The President pro tempore, Senator Richardville, declared the Senate adjourned until Wednesday, October 24, 2007, at 10:00 a.m.

CAROL MOREY VIVENTI
Secretary of the Senate

