

**No. 96**  
**STATE OF MICHIGAN**  
**JOURNAL**  
**OF THE**  
**House of Representatives**  
**93rd Legislature**  
**REGULAR SESSION OF 2006**

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House Chamber, Lansing, Friday, December 15, 2006.

12:01 a.m.

The House was called to order by the Speaker Pro Tempore.

The roll was called by the Clerk of the House of Representatives, who announced that a quorum was present.

Accavitti—present	Elsenheimer—present	Law, Kathleen—excused	Proos—present
Acciavatti—present	Emmons—present	Leland—present	Robertson—present
Adamini—excused	Espinoza—present	Lemmons, III—excused	Rocca—present
Amos—present	Farhat—present	Lemmons, Jr.—present	Sak—present
Anderson—present	Farrah—present	Lipsey—present	Schuitmaker—present
Angerer—present	Gaffney—present	Marleau—present	Shaffer—present
Ball—present	Garfield—present	Mayes—present	Sheen—present
Baxter—present	Gillard—present	McConico—present	Sheltrown—present
Bennett—excused	Gleason—present	McDowell—present	Smith, Alma—present
Bieda—present	Gonzales—present	Meadows—present	Smith, Virgil—present
Booher—present	Gosselin—present	Meisner—present	Spade—present
Brandenburg—present	Green—present	Meyer—e/d/s	Stahl—present
Brown—present	Hansen—present	Miller—present	Stakoe—present
Byrnes—present	Hildenbrand—present	Moolenaar—present	Steil—excused
Byrum—present	Hood—present	Moore—present	Stewart—present
Casperson—present	Hoogendyk—present	Mortimer—present	Taub—present
Caswell—present	Hopgood—present	Murphy—e/d/s	Tobocman—present
Caul—present	Huizenga—present	Newell—present	Vagnozzi—present
Cheeks—present	Hummel—present	Nitz—present	Van Regenmorter—present
Clack—present	Hune—present	Nofs—present	Vander Veen—present
Clemente—present	Hunter—present	Palmer—present	Walker—present
Condino—present	Jones, Hayes—present	Palsrok—present	Ward—present
Cushingberry—present	Jones, Rick—present	Pastor—present	Waters—present
DeRoche—present	Kahn—present	Pavlov—present	Wenke—present
Dillon—present	Kolb—present	Pearce—present	Williams—present
Donigan—present	Koiman—present	Plakas—excused	Wojno—present
Drolet—present	LaJoy—present	Polidori—present	Zelenko—present
Ebli—excused	Law, David—present		

e/d/s = entered during session

Rep. Fulton J. Sheen, from the 88th District, offered the following invocation:

“Let us pray. Father, we thank You for the opportunity to have served these last two years. For some of us, Lord this will be the last time we cast a vote in the legislature, others will be coming back again. Father, we want to pray and ask Your blessing upon those who are going back into their communities, Lord, and back into other jobs. We pray for secure employment, we pray You will provide for their families. And for those who are staying Lord, who will come back again in January, we pray You would give us wisdom. We pray You would give us discernment and we pray, oh God that You would give us guidance. Because, Lord with all that is facing us without You we would never be able to come up with the solutions, the answers, and the directions that can only come from You, Lord. We don’t want to build this house alone. Father, our heart and our prayer is to do Your will. Our heart and our prayer, Lord is to be able to do what You would do in every one of these issues, on every one of these votes. Father we pray for Your direction now, we pray for Your hand to be upon us. And we ask, oh Lord, that we can understand that this is not about us. So, Father, direct us in the way You would have us go and help us through the next hour or however long we are here. And we thank You, Lord, for the opportunity to serve in Jesus name, Amen.”

Rep. Sak moved that Reps. Adamini, Bennett, Ebli, Kathleen Law, Lemmons, III and Plakas be excused from today’s session.

The motion prevailed.

Rep. Palmer moved that Rep. Steil be excused from today’s session.

The motion prevailed.

### Third Reading of Bills

#### Senate Bill No. 1416, entitled

A bill to amend 1978 PA 368, entitled “Public health code,” by amending sections 9206, 9208, and 9227 (MCL 333.9206, 333.9208, and 333.9227), section 9206 as amended by 1996 PA 540, section 9208 as amended by 2000 PA 90, and section 9227 as amended by 2006 PA 91, and by adding section 9205b.

(The bill was read a third time and passed, vote reconsidered and bill postponed for the day on December 15, see House Journal No. 95, p. 3279.)

The question being on the passage of the bill,

The bill was then not passed, a majority of the members serving not voting therefor, by yeas and nays, as follows:

#### Roll Call No. 1393

#### Yeas—53

Accavitti	Donigan	Law, David	Polidori
Amos	Espinoza	Leland	Rocca
Angerer	Farrah	Lemmons, Jr.	Sak
Ball	Gaffney	Lipse	Smith, Alma
Bieda	Gillard	Mayes	Smith, Virgil
Brown	Gleason	McConico	Spade
Byrnes	Gonzales	McDowell	Stewart
Byrum	Hildenbrand	Meadows	Taub
Cheeks	Hopgood	Meisner	Tobocman
Clack	Hunter	Mortimer	Vagnozzi
Clemente	Jones, Rick	Newell	Vander Veen
Condino	Kahn	Nofs	Wenke
DeRoche	Kolb	Palsrok	Wojno
Dillon			

**Nays—48**

Acciavatti	Farhat	LaJoy	Schuitmaker
Anderson	Garfield	Marleau	Shaffer
Baxter	Gosselin	Miller	Sheen
Booher	Green	Moolenaar	Sheltrown
Brandenburg	Hansen	Moore	Stahl
Casperson	Hood	Nitz	Stakoe
Caswell	Hoogendyk	Palmer	Van Regenmorter
Caul	Huizenga	Pastor	Walker
Cushingberry	Hummel	Pavlov	Ward
Drolet	Hune	Pearce	Waters
Elsenheimer	Jones, Hayes	Proos	Williams
Emmons	Kooiman	Robertson	Zelenko

In The Chair: Kooiman

**Second Reading of Bills****Senate Bill No. 1467, entitled**

A bill to amend 1978 PA 368, entitled “Public health code,” by amending section 20161 (MCL 333.20161), as amended by 2005 PA 187.

The bill was read a second time.

Rep. Caswell moved to amend the bill as follows:

1. Amend page 11, line 6, after “**FISCAL**” by striking out the balance of the line through “**2008**” on line 7 and inserting “**YEAR 2006-2007**”.

2. Amend page 11, line 10, after “**THERAPY.**” by inserting “**FOR FISCAL YEAR 2006-2007, OF THE \$66,400,000.00 APPROPRIATED UNDER THIS SUBDIVISION, \$20,000,000.00 SHALL BE PRORATED BASED ON THE IMPLEMENTATION DATE OF THE HMO COST EFFECTIVENESS WAIVER. FOR FISCAL YEAR 2007-2008 AND EACH FISCAL YEAR THEREAFTER, THE DEPARTMENT, IN CONSULTATION WITH THE MICHIGAN HEALTH AND HOSPITAL ASSOCIATION, SHALL DEVELOP A METHODOLOGY FOR DETERMINING THE AMOUNT OF THE QUALITY ASSURANCE ASSESSMENT COLLECTED PURSUANT TO SUBSECTION (1)(H) THAT SHALL BE APPROPRIATED TO THE DEPARTMENT OF COMMUNITY HEALTH TO SUPPORT MEDICAID EXPENDITURES FOR HOSPITAL SERVICES AND THERAPY.**”.

The motion prevailed and the amendments were adopted, a majority of the members serving voting therefor.

Rep. Ward moved that the bill be placed on the order of Third Reading of Bills.

The motion prevailed.

Rep. Ward moved that the bill be placed on its immediate passage.

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

By unanimous consent the House returned to the order of

**Third Reading of Bills****Senate Bill No. 1467, entitled**

A bill to amend 1978 PA 368, entitled “Public health code,” by amending section 20161 (MCL 333.20161), as amended by 2005 PA 187.

The bill was read a third time.

The question being on the passage of the bill,

Rep. Ward moved that consideration of the bill be postponed for the day.

The motion prevailed.

Reps. Murphy and Meyer entered the House Chambers.

**Notices**

Rep. Murphy, under Rule 33, made the following statement:

“Mr. Speaker and members of the House:

I was absent from the Chamber when the vote was taken on Roll Call Nos. 1311 and 1325-1326. Had I been present, I would have voted ‘yea’.”

Rep. Cushingberry, under Rule 33, made the following statement:

“Mr. Speaker and members of the House:

I was absent from the Chamber when the vote was taken on Roll Call No. 1342. Had I been present, I would have voted ‘yea’.”

By unanimous consent the House returned to the order of

**Reports of Select Committees**

**Senate Bill No. 1081, entitled**

A bill to make, supplement, and adjust appropriations for various state departments and agencies and for capital outlay for the fiscal years ending September 30, 2006 and September 30, 2007; to provide conditions on those appropriations; to provide for the expenditure of the appropriations; and to repeal acts and parts of acts.

The Senate has adopted the report of the Committee of Conference and ordered that the bill be given immediate effect.

The Conference Report was read as follows:

**First Conference Report**

The Committee of Conference on the matters of difference between the two Houses concerning

**Senate Bill No. 1081, entitled**

A bill to provide for a capital outlay program; to set forth the provisions for its implementation within the budgetary process; to make appropriations for planning and construction at state institutions and the acquisition of land; to provide for the elimination of fire hazards at the institutions; to provide for certain special maintenance, remodeling, alteration, renovation, or demolition of and additions to projects at state institutions; to provide for elimination of occupational safety and health hazards at state agencies and institutions; to provide for the award of contracts; to provide for expenditures under the supervision of the director of the department of management and budget and the state administrative board; to make, supplement, and adjust appropriations for various state departments and agencies for the fiscal year ending September 30, 2007; and to provide for the expenditure of the appropriations.

Recommends:

First: That the Senate and House agree to the Substitute of the House as passed by the House, amended to read as follows:

A bill to make, supplement, and adjust appropriations for various state departments and agencies and for capital outlay for the fiscal years ending September 30, 2006 and September 30, 2007; to provide conditions on those appropriations; to provide for the expenditure of the appropriations; and to repeal acts and parts of acts.

**THE PEOPLE OF THE STATE OF MICHIGAN ENACT:**

**PART 1**

**LINE-ITEM APPROPRIATIONS FOR**

**FISCAL YEAR 2006-2007**

Sec. 101. Subject to the conditions set forth in part 2, the amounts listed in this part are appropriated for certain capital outlay projects at the various state agencies and institutions for the fiscal year ending September 30, 2007, from the funds indicated in this part. The following is a summary of the appropriations in this part:

**CAPITAL OUTLAY**

**APPROPRIATION SUMMARY:**

GROSS APPROPRIATION..... \$ 203,438,700

For Fiscal Year  
Ending Sept. 30,  
2007

Interdepartmental grant revenues:	
Total interdepartmental grants and intradepartmental transfers .....	2,000,000
ADJUSTED GROSS APPROPRIATION .....	\$ 201,438,700
Federal revenues:	
Total federal revenues .....	148,124,300
Special revenue funds:	
Total local revenues .....	12,648,300
Total private revenues .....	0
Total other state restricted revenues .....	40,663,300
State general fund/general purpose .....	\$ 2,800

**Sec. 102. DEPARTMENT OF AGRICULTURE**

Farmland and open space development acquisition .....	\$ 3,750,000
GROSS APPROPRIATION .....	\$ 3,750,000

Appropriated from:

Federal revenues:	
DAG, multiple grants .....	1,250,000
Special revenue funds:	
Agriculture preservation fund .....	2,500,000
State general fund/general purpose .....	\$ 0

**Sec. 103. DEPARTMENT OF MANAGEMENT AND BUDGET**

Lump-sum projects:

Special maintenance, remodeling and additions:

For state agencies special maintenance projects estimated to cost more than \$100,000 but less than \$1,000,000.....	\$ 2,000,000
GROSS APPROPRIATION .....	\$ 2,000,000

Appropriated from:

Interdepartmental grant revenues:

IDG from building occupancy charges .....	2,000,000
State general fund/general purpose .....	\$ 0

**Sec. 104. STATE AGENCY, COMMUNITY COLLEGE, AND UNIVERSITY**

**PLANNING PROJECTS**

Bay de Noc - student center remodeling - for program and planning to be paid for from college revenues.....	\$ 100
Delta College - health and wellness programs - for program and planning to be paid for from college revenues .....	100
Grand Rapids Community College - lifelong learning center - for program and planning to be paid for from college revenues.....	100
Kalamazoo Valley Community College - Texas Township campus expansion - for program and planning to be paid for from college revenues .....	100
Kellogg Community College - classroom C building renovations - for program and planning to be paid for from college revenues .....	100
Lake Michigan College - emerging technologies initiative - for program and planning to be paid for from college revenues.....	100
Montcalm Community College - MTEC expansion - for program and planning to be paid for from college revenues .....	100
Mott Community College - library consolidation and renovations - for program and planning to be paid for from college revenues .....	100
Muskegon Community College - museum/art project - for program and planning to be paid for from college revenues.....	100
North Central Michigan College - university and science center - for program and planning to be paid for from college revenues .....	100
Oakland Community College - building A additions/renovations - for program and planning to be paid for from college revenues .....	100
St. Clair County Community College - center for health and human services - for program and planning to be paid for from college revenues .....	100

For Fiscal Year  
Ending Sept. 30,  
2007

Wayne County Community College - northwest campus replacement - for program and planning to be paid for from college revenues .....	100
Eastern Michigan University - Pray-Harrold classroom building renovations - for program and planning to be paid for from university revenues .....	100
Ferris State University - Michigan College of Optometry and center for collaborative health education - for program and planning to be paid for from university revenues .....	100
Grand Valley State University - learning technology center - for program and planning to be paid for from university revenues .....	100
Lake Superior State University - south hall addition and renovations project - for program and planning to be paid for from university revenues .....	100
Michigan State University - nursing school expansion - for program and planning to be paid for from university revenues .....	100
Northern Michigan University - Cohodas administrative center renovations - for program and planning to be paid for from university revenues .....	100
Oakland University - engineering center - for program and planning to be paid for from university revenues .....	100
Saginaw Valley State University - nursing and health science facility - for program and planning to be paid for from university revenues.....	100
University of Michigan Dearborn - teacher preparation facility/child development center - for program and planning to be paid for from university revenues .....	100
University of Michigan Flint - Murchie and French hall renovations - for program and planning to be paid for from university revenues.....	100
<b>GROSS APPROPRIATION.....</b>	<b>\$ 2,300</b>
Appropriated from:	
State general fund/general purpose .....	\$ 2,300
<b>Sec. 104a. ECONOMIC DEVELOPMENT PROJECTS</b>	
Regional economic development initiative - for program and planning to be paid for from local resources .....	\$ 100
<b>GROSS APPROPRIATION.....</b>	<b>\$ 100</b>
Appropriated from:	
State general fund/general purpose .....	\$ 100
<b>Sec. 105. STATE BUILDING AUTHORITY FINANCED CONSTRUCTION PROJECTS</b>	
Kirtland Community College - campus water well system upgrades (total authorized cost \$1,005,000; state building authority share \$502,400; Kirtland Community College share \$502,500; state general fund share \$100).....	\$ 100
Department of state police - Lansing lab expansion (total authorized cost \$7,245,000; state building authority share \$7,244,900; state general fund share \$100).....	\$ 100
Department of state police - Marquette forensic science lab (total authorized cost \$6,510,000; state building authority share \$6,509,900; state general fund share \$100).....	\$ 100
Department of education - school for the deaf renovations (total authorized cost \$2,275,000; state building authority share \$2,274,900; state general fund share \$100).....	100
<b>GROSS APPROPRIATION.....</b>	<b>\$ 400</b>
Appropriated from:	
State general fund/general purpose .....	\$ 400
<b>Sec. 106. DEPARTMENT OF MILITARY AFFAIRS</b>	
Lump-sum projects:	
For department of military affairs remodeling and additions and special maintenance projects .....	\$ 5,000,000
Shiawassee County, armory replacement, for design and construction (total authorized cost \$6,350,000; federal share \$4,400,000; state armory construction fund share \$1,950,000) .....	650,000
<b>GROSS APPROPRIATION.....</b>	<b>\$ 5,650,000</b>
Appropriated from:	
Federal revenues:	
DOD, department of the army, national guard bureau.....	5,150,000

	For Fiscal Year Ending Sept. 30, 2007
Armory construction fund .....	500,000
State general fund/general purpose .....	\$ 0
<b>Sec. 107. DEPARTMENT OF NATURAL RESOURCES</b>	
<b>(1) STATE PARK AND FOREST AREA IMPROVEMENTS</b>	
State parks repair and maintenance .....	\$ 2,000,000
Forest roads, bridges, and facilities .....	1,400,000
GROSS APPROPRIATION .....	\$ 3,400,000
Appropriated from:	
Special revenue funds:	
Forest development fund .....	1,300,000
Forest recreation fund .....	100,000
State park improvement fund .....	2,000,000
State general fund/general purpose .....	\$ 0
<b>(2) WILDLIFE</b>	
Statewide wetlands acquisitions .....	\$ 2,000,000
GROSS APPROPRIATION .....	\$ 2,000,000
Appropriated from:	
Special revenue funds:	
Game and fish protection - waterfowl fees .....	2,000,000
State general fund/general purpose .....	\$ 0
<b>(3) WATERWAYS BOATING PROGRAM</b>	
Infrastructure improvements - state projects .....	\$ 4,720,000
Infrastructure improvements - local projects .....	2,250,000
Land acquisition .....	1,170,000
Boating program, state boating access projects:	
Walloon Lake, Charlevoix County, new site construction - phase I (total authorized cost \$510,000, state share \$510,000) .....	510,000
Boating program, boating access sites, grants in aid:	
Tuscarora Township, Cheboygan County, boat launch and parking lot construction (total authorized cost \$467,200, state share \$332,500, local share \$134,700) .....	332,500
Frankfort, Benzie County, boat launch and parking lot rehabilitation (total project cost \$151,300; state share \$113,500; local share \$37,800) .....	113,500
Ludington, Mason County, breakwater rubble mound protective structure (total authorized cost \$227,900; state share \$171,000; local share \$56,900) .....	171,000
Boating program, harbors and docks, state facilities:	
De Tour, Chippewa County, floating dock repair and replacement (total project cost \$4,000,000; federal share \$3,000,000; state share \$1,000,000) .....	4,000,000
Mackinaw City, Cheboygan County, new marina, state dock, phase III (total cost \$10,625,000; state share \$10,625,000) .....	265,000
Mitchell state park, Wexford County, seawall and walkway improvements (total authorized cost \$463,000; state share \$463,000) .....	463,000
Boating program, harbors and docks, local facilities:	
Leland, Leelanau County, marina rehabilitation and upgrades (total project cost \$3,500,000; state share \$2,625,000; local share \$875,000) .....	875,000
GROSS APPROPRIATION .....	\$ 14,870,000
Appropriated from:	
Federal revenues:	
DHS, U.S. coast guard .....	1,470,000
DOI, U.S. fish and wildlife service, Dingell-Johnson .....	3,000,000
Special revenue funds:	
Michigan state waterways fund .....	10,400,000
State general fund/general purpose .....	\$ 0
<b>Sec. 108. DEPARTMENT OF TRANSPORTATION</b>	
<b>STATE TRUNKLINE FUND</b>	
Department buildings and facilities:	
Salt storage buildings and containment control systems - contract agencies .....	\$ 2,000,000

	For Fiscal Year Ending Sept. 30, 2007
Salt storage buildings and containment control systems - various state locations .....	1,100,000
Design and construct maintenance garage washbays - various state locations.....	413,300
Oakland County, transportation service center construction.....	2,800,000
Institutional and agency roads.....	750,000
Miscellaneous remodeling, additions, emergency maintenance .....	400,000
Cadillac, Wexford County, transportation service center construction, total project cost increased from \$1,000,000 to \$1,650,000.....	650,000
Taylor, Wayne County, transportation service center construction, total project cost increased from \$1,800,000 to \$2,550,000; state trunkline fund share is increased from \$1,800,000 to \$2,550,000.....	750,000
GROSS APPROPRIATION.....	\$ 8,863,300
Appropriated from:	
Special revenue funds:	
State trunkline fund.....	8,863,300
State general fund/general purpose .....	\$ 0
<b>Sec. 109. DEPARTMENT OF TRANSPORTATION</b>	
<b>AERONAUTICS FUND: AIRPORT PROGRAMS</b>	
Airport safety, protection, and improvement program.....	\$ 162,902,600
Adrian - Lenawee County airport	
Allegan - Padgham field	
Alma - Gratiot community airport	
Alpena - Alpena County regional airport	
Ann Arbor - Ann Arbor municipal airport	
Atlanta - Atlanta municipal airport	
Bad Axe - Huron County memorial airport	
Baraga - new airport	
Battle Creek - W.K. Kellogg airport	
Bay City - James Clements airport	
Bellaire - Antrim County airport	
Benton Harbor - Southwest Michigan regional airport	
Big Rapids - Roben-Hood airport	
Cadillac - Wexford County airport	
Caro - Tuscola area/Caro municipal airport	
Caseville - new airport	
Charlevoix - Charlevoix municipal airport	
Charlotte - Fitch H. Beach airport	
Cheboygan - Cheboygan County airport	
Clare - Clare municipal airport	
Coldwater - Branch County airport	
Detroit - Detroit city airport	
Detroit - Detroit metropolitan airport, Wayne County airport	
Detroit - Willow Run airport	
Dowagiac - Cass County airport	
Drummond Island - Drummond Island airport	
East Tawas - East Tawas Iosco County airport	
Escanaba - Delta County airport	
Ewart - Ewart municipal airport	
Flint - Bishop international airport	
Frankfort - Frankfort Dow memorial airport	
Fremont - Fremont municipal airport	
Gaylord - Otsego County airport	
Gladwin - Gladwin Zettel memorial airport	
Grand Haven - Grand Haven memorial airport	
Grand Ledge - Abrams municipal airport	
Grand Rapids - Gerald R. Ford international airport	
Grayling - Grayling army airfield	

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Greenville - Greenville municipal airport  
Grosse Ile - Grosse Ile municipal airport  
Hancock - Houghton County memorial airport  
Harbor Springs - Harbor Springs municipal airport  
Hart Shelby - Oceana County airport  
Hastings - Hastings city/Barry County airport  
Hillsdale - Hillsdale municipal airport  
Holland - tulip city airport  
Houghton Lake - Roscommon County airport  
Howell - Livingston County airport  
Ionia - Ionia County airport  
Iron County - county airports  
Iron Mountain - Ford airport  
Ironwood - Gogebic-Iron County (Wisconsin) airport  
Jackson - Jackson County-Reynolds field  
Kalamazoo - Kalamazoo/Battle Creek international airport  
Lakeview - Lakeview-Griffith field  
Lansing - capital city airport  
Lapeer - Dupont-Lapeer airport  
Linden - Price airport  
Ludington - Mason County airport  
Mackinac Island - Mackinac Island airport  
Manistee - Manistee County airport  
Manistique - Schoolcraft County airport  
Marlette - Marlette Township airport  
Marquette - Sawyer airport  
Marshall - Brooks field  
Mason - Mason Jewett field  
Menominee - Menominee-Marinette twin city airport  
Midland - Jack Barstow airport  
Mio - Oscoda County airport  
Monroe - Custer airport  
Mt. Pleasant - Mt. Pleasant municipal airport  
Munising - Hanley field  
Muskegon - Muskegon County airport  
New Hudson - Oakland-Southwest airport  
Newberry - Luce County airport  
Niles - Jerry Tyler memorial airport  
Ontonagon - Ontonagon County airport  
Oscoda - Wurtsmith airport  
Owosso - Owosso community airport  
Paradise - new airport  
Pellston - Pellston regional airport  
Plymouth - Canton-Plymouth-Mettetal airport  
Pointe Aux Pins - Bois Blanc island airport  
Pontiac - Oakland County international airport  
Port Huron - St. Clair County international airport  
Rogers City - Presque Isle County/Rogers City airport  
Romeo - Romeo state airport  
Saginaw - Harry W. Browne airport  
Saginaw - MBS international airport  
St. Ignace - Mackinac County airport  
St. James - Beaver Island airport  
Sandusky - Sandusky city airport  
Sault Ste. Marie - Chippewa County international airport  
South Haven - South Haven area regional airport

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Sparta - Sparta airport		
Statewide - various sites		
Sturgis - Kirsch municipal airport		
Three Rivers - Three Rivers municipal, Dr. Haines airport		
Traverse City - cherry capital airport		
Troy - Oakland-Troy airport		
West Branch - West Branch community airport		
White Cloud - White Cloud airport		
<b>GROSS APPROPRIATION</b> .....	\$	162,902,600
Appropriated from:		
Federal revenues:		
DOT, federal aviation administration .....		137,254,300
Special revenue funds:		
Local aeronautics match.....		12,648,300
Combined comprehensive transportation bond proceeds fund - aeronautics.....		12,000,000
State aeronautics fund.....		1,000,000
State general fund/general purpose .....	\$	0

**PART 1A**  
**LINE-ITEM APPROPRIATIONS FOR**  
**FISCAL YEAR 2005-2006**

Sec. 151. Subject to the conditions provided in part 2A, there is appropriated for the various state departments and agencies to supplement appropriations for the fiscal year ending September 30, 2006, from the following funds:

**APPROPRIATION SUMMARY:**

<b>GROSS APPROPRIATION</b> .....	\$	8,700,000
Total interdepartmental grants and intradepartmental transfers .....		0
<b>ADJUSTED GROSS APPROPRIATION</b> .....	\$	8,700,000
Total federal revenues .....		8,700,000
Total local revenues .....		0
Total private revenues .....		0
Total other state restricted revenues .....		0
State general fund/general purpose .....	\$	0

**Sec. 152. DEPARTMENT OF ENVIRONMENTAL QUALITY**

**(1) APPROPRIATION SUMMARY**

<b>GROSS APPROPRIATION</b> .....	\$	0
Total interdepartmental grants and intradepartmental transfers .....		0
<b>ADJUSTED GROSS APPROPRIATION</b> .....		0
Total federal revenues .....		0
Total local revenues .....		0
Total private revenues .....		0
Total other state restricted revenues .....		0
State general fund/general purpose .....	\$	0

**(2) LAND AND WATER MANAGEMENT**

Field permitting and project assistance .....	\$	0
<b>GROSS APPROPRIATION</b> .....		0
Appropriated from:		
Special revenue funds:		
Environmental protection fund.....		300,000
Land and water permit fees.....		(300,000)
State general fund/general purpose .....	\$	0

**Sec. 153. MICHIGAN STRATEGIC FUND**

**(1) APPROPRIATION SUMMARY**

<b>GROSS APPROPRIATION</b> .....	\$	8,000,000
Total interdepartmental grants and intradepartmental transfers .....		0
<b>ADJUSTED GROSS APPROPRIATION</b> .....	\$	8,000,000
Total federal revenues .....		8,000,000
Total local revenues .....		0

	For Fiscal Year Ending Sept. 30, 2006
Total private revenues .....	0
Total other state restricted revenues .....	0
State general fund/general purpose .....	\$ 0
<b>(2) MICHIGAN STRATEGIC FUND</b>	
Community development block grants .....	\$ 8,000,000
GROSS APPROPRIATION .....	\$ 8,000,000
Appropriated from:	
Federal revenues:	
HUD-CPD, community development block grants .....	8,000,000
State general fund/general purpose .....	\$ 0
<b>Sec. 154. DEPARTMENT OF MILITARY AND VETERANS AFFAIRS</b>	
<b>(1) APPROPRIATION SUMMARY</b>	
GROSS APPROPRIATION .....	\$ 700,000
Total interdepartmental grants and intradepartmental transfers .....	0
ADJUSTED GROSS APPROPRIATION .....	\$ 700,000
Total federal revenues .....	700,000
Total local revenues .....	0
Total private revenues .....	0
Total other state restricted revenues .....	0
State general fund/general purpose .....	\$ 0
<b>(2) GRAND RAPIDS VETERANS' HOME</b>	
Grand Rapids veterans' home .....	\$ 700,000
GROSS APPROPRIATION .....	\$ 700,000
Appropriated from:	
Federal revenues:	
HHS, Medicare .....	100,000
DVA-VHA .....	600,000
State general fund/general purpose .....	\$ 0

PART 1B  
LINE-ITEM APPROPRIATIONS FOR  
FISCAL YEAR 2006-2007

Sec. 181. Subject to the conditions provided in part 2B, there is appropriated for the various state departments and agencies to supplement appropriations for the fiscal year ending September 30, 2007, from the following funds:

**APPROPRIATION SUMMARY:**

GROSS APPROPRIATION .....	\$ 550,000
Total interdepartmental grants and intradepartmental transfers .....	0
ADJUSTED GROSS APPROPRIATION .....	\$ 550,000
Total federal revenues .....	0
Total local revenues .....	0
Total private revenues .....	0
Total other state restricted revenues .....	350,000
State general fund/general purpose .....	\$ 200,000
<b>Sec. 182. DEPARTMENT OF EDUCATION</b>	
<b>(1) APPROPRIATION SUMMARY</b>	
GROSS APPROPRIATION .....	\$ 350,000
Total interdepartmental grants and intradepartmental transfers .....	0
ADJUSTED GROSS APPROPRIATION .....	\$ 350,000
Total federal revenues .....	0
Total local revenues .....	0
Total private revenues .....	0
Total other state restricted revenues .....	350,000
State general fund/general purpose .....	\$ 0
<b>(2) GRANTS ADMINISTRATION AND SCHOOL SUPPORT SERVICES</b>	
School building security mapping .....	\$ 350,000
GROSS APPROPRIATION .....	\$ 350,000

For Fiscal Year  
Ending Sept. 30,  
2007

Appropriated from:	
Special revenue funds:	
School aid fund .....	350,000
State general fund/general purpose .....	\$ 0
<b>Sec. 183. DEPARTMENT OF MILITARY AND VETERANS AFFAIRS</b>	
<b>(1) APPROPRIATION SUMMARY</b>	
GROSS APPROPRIATION .....	\$ 200,000
Total interdepartmental grants and intradepartmental transfers .....	0
ADJUSTED GROSS APPROPRIATION .....	\$ 200,000
Total federal revenues .....	0
Total local revenues .....	0
Total private revenues .....	0
Total other state restricted revenues .....	0
State general fund/general purpose .....	\$ 200,000
<b>(2) HEADQUARTERS AND ARMORIES</b>	
Headquarters and armories .....	\$ 200,000
GROSS APPROPRIATION .....	\$ 200,000
Appropriated from:	
State general fund/general purpose .....	\$ 200,000

PART 2  
PROVISIONS CONCERNING APPROPRIATIONS  
FOR FISCAL YEAR 2006-2007

**GENERAL SECTIONS**

Sec. 201. Pursuant to section 30 of article IX of the state constitution of 1963, total state spending under part 1 for fiscal year 2006-2007 is \$40,666,100.00. State payments to local units of government under part 1 are \$19,992,000.00. The itemized statement below identifies appropriations from which spending to local units of government will occur:

**CAPITAL OUTLAY**

Department of agriculture - farmland and open space preservation.....	\$ 1,250,000
Department of natural resources - waterways.....	3,742,000
Department of transportation - buildings and facilities .....	2,000,000
Department of transportation - airport safety, protection, and improvement program .....	13,000,000
TOTAL .....	\$ 19,992,000

Sec. 202. The appropriations made and the expenditures authorized under this part and the departments, agencies, commissions, boards, offices, and programs for which an appropriation is made under part 1 are subject to the management and budget act, 1984 PA 431, MCL 18.1101 to 18.1594.

Sec. 203. If it appears to the principal executive officer of a department or branch that state spending to local units of government will be less than the amount that was projected to be expended under this act, the principal executive officer shall immediately give notice of the approximate shortfall to the state budget director.

Sec. 204. As used in this act:

- (a) "ADA" means the Americans with disabilities act.
- (b) "Board" means the state administrative board.
- (c) "Community college" does not include a state agency or university.
- (d) "Department" means the department of management and budget.
- (e) "Director" means the director of the department of management and budget.
- (f) "DAG" means the United States department of agriculture.
- (g) "DOD" means the United States department of defense.
- (h) "DOI" means the United States department of interior.
- (i) "DOT" means the United States department of transportation.
- (j) "Fiscal agencies" means the senate fiscal agency and the house fiscal agency.
- (k) "ICF/MR" means intermediate care facilities for the mentally retarded.
- (l) "IDG" means interdepartmental grant.
- (m) "JCOS" means the joint capital outlay subcommittee of the appropriations committees.

(n) "Self-liquidating project" means a project constructed by a community college or university with money raised through the use of a debt instrument or other fund sources including, but not limited to, gifts, grants, federal funds, or institutional sources, that is expected to generate revenues to amortize the loan. A self-liquidating project may or may not be a self-supporting project. Examples of a self-liquidating project include dormitories, parking facilities, and stadia.

(o) "Self-supporting project" means a project of a community college or university that will house a function or activity from which revenue is generated that will cover all the direct and indirect operating costs of the project without the additional transfer of any other general fund money of the community college or university.

(p) "State agency" means an agency of state government. State agency does not include a community college or university.

(q) "State building authority" means the authority created under 1964 PA 183, MCL 830.411 to 830.425.

(r) "University" means a 4-year university supported by the state. University does not include a community college or a state agency.

(s) "Utility system" means a utility supply or distribution system, or a combination utility supply and distribution system.

Sec. 205. Funds appropriated in part 1 shall not be used for the purchase of foreign goods or services, or both, if competitively priced and of comparable quality American goods, services, or both, are available. Preference should be given to goods or services, or both, manufactured or provided by Michigan businesses if they are competitively priced and of comparable quality.

Sec. 206. Unless otherwise specified, departments and agencies receiving appropriations in part 1 shall use the Internet to fulfill the reporting requirements of this act. This requirement may include transmission of reports via electronic mail to the recipients identified for each reporting requirement or it may include placement of reports on an Internet or Intranet site.

Sec. 207. It is the intent of the legislature that efficiencies in state government spending continue to occur. In order for the legislature to review efficiencies in state government spending thus far, the state budget director shall report on the amount of savings generated, by department, as a result of Executive Order Nos. 2003-19, 2004-7, 2004-8, 2004-9, and 2005-1. For each department, the report shall include a listing of line items from which savings were realized, the amount of savings by line item, and a description of how the savings were achieved. The report shall be submitted to the senate and house of representatives standing committees on appropriations and the senate and house fiscal agencies by April 30, 2007.

#### **DEPARTMENT OF AGRICULTURE**

Sec. 301. Of the amounts appropriated in part 1 for farmland and open space development acquisition, the funds shall be used for the purchase of development rights and the awarding of grants by the agriculture preservation fund board under the natural resources and environmental protection act, 1994 PA 451, MCL 324.101 to 324.90106.

#### **DEPARTMENT OF CORRECTIONS**

Sec. 401. A maximum security prison that is constructed or completed after October 1, 1986 shall have operating staffed watchtowers equipped with the weaponry, lighting, sighting, and communications devices necessary for effective execution of its function. The watchtowers shall be constructed pursuant to the American correctional association standards for watchtowers.

Sec. 402. (1) An appropriation and authorization contained in this act or a previous appropriations act for the construction of a new correctional facility, including a correctional camp, for which a specific site was not identified with the appropriation shall not be expended until approved by JCOS.

(2) For the purposes of this section, "site" means a city, village, township, or county in which a correctional facility may be located.

#### **CAPITAL OUTLAY PROCESSES, PROCEDURES, AND REPORTS**

Sec. 501. Each capital outlay project authorized in this act or any previous capital outlay act shall comply with the procedures required by the management and budget act, 1984 PA 431, MCL 18.1101 to 18.1594.

Sec. 502. A statement of a proposed facility's operating cost shall be included with the facility's program statement and planning documents when the plans are presented to JCOS for approval.

Sec. 503. (1) Before proceeding with final planning and construction for projects at community colleges and universities included in an appropriations bill, the community college or university shall sign an agreement with the department that includes the following provisions:

(a) The university or community college agrees to construct the project within the total authorized cost established by the legislature pursuant to the management and budget act, 1984 PA 431, MCL 18.1101 to 18.1594, and an appropriations act.

(b) The design and program scope of the project shall not deviate from the design and program scope represented in the program statement and preliminary planning documents approved by the department.

(c) Any other items as identified by the department that are necessary to complete the project.

(2) The department retains the authority and responsibility normally associated with the prudent maintenance of the public's financial and policy interests relative to the state-financed construction projects managed by a community college or university.

Sec. 504. (1) The department shall provide JCOS and the fiscal agencies with reports as considered necessary relative to the status of each planning or construction project financed by the state building authority, by this act, or by previous acts.

(2) Before the end of each fiscal year, the department shall report to JCOS and the fiscal agencies for each capital outlay project other than lump sums all of the following:

- (a) The account number and name of each construction project.
- (b) The balance remaining in each account.
- (c) The date of the last expenditure from the account.
- (d) The anticipated date of occupancy if the project is under construction.
- (e) The appropriations history for the project.
- (f) The professional service contractor.
- (g) The amount of a project financed with federal funds.
- (h) The amount of a project financed through the state building authority.
- (i) The total authorized cost for the project and the state authorized share if different than the total.

(3) Before the end of each fiscal year, the department shall report the following for each project by a state agency, university, or community college that is authorized for planning but is not yet authorized for construction:

- (a) The name of the project and account number.
- (b) Whether a program statement is approved.
- (c) Whether schematics are approved by the department.
- (d) Whether preliminary plans are approved by the department.
- (e) The name of the professional service contractor.

(4) As used in this section, "project" includes appropriation line items made for purchase of real estate.

Sec. 505. (1) If a capital outlay appropriation is contained in a public act that was not reviewed by JCOS during the legislative process, the director shall notify JCOS of an expenditure of that capital outlay appropriation not less than 60 days before the expenditure.

(2) For the purposes of this section, "capital outlay appropriation" means an appropriation that provides for the construction, renovation, or repair of a capital facility or acquisition or development of land and that is normally reviewed by JCOS.

Sec. 506. A state agency, college, or university shall take steps necessary to make available federal and other money indicated in this act, to make available federal or other money that may become available for the purposes for which appropriations are made in this act, and to use any part or all of the appropriations to meet matching requirements that are considered to be in the best interest of this state. However, the purpose, scope, and total estimated cost of a project shall not be altered to meet the matching requirements.

Sec. 507. (1) Before money is released for the construction or lease of a capital outlay project costing over \$1,000,000.00, at the request of JCOS the department shall submit to JCOS, with preliminary planning documents, a detailed comparative cost analysis. The cost analysis shall include a comparison of the financial and other benefits of construction, financing, operation, and maintenance of the proposed facility between all of the following:

- (a) The state.
- (b) The private sector.
- (c) A combination of the state and the private sector.
- (d) A lease agreement.

(2) If the department's recommendation for financing is inconsistent with the findings of the comparative cost analysis, the department shall present written documentation to JCOS outlining the rationale for the recommendation.

(3) For purposes of this section, "capital outlay project" means a construction project or lease requiring JCOS approval including, but not limited to, a general office facility, special use facility, warehouse, institutional facility, or utility system designed for use by a state agency or university. Capital outlay project does not include a special maintenance and remodeling project, grant-in-aid project, prison facility, legislative facility, judicial facility, community college facility, or self-liquidating project constructed by a university.

Sec. 508. Pursuant to section 242(2) of the management and budget act, 1984 PA 431, MCL 18.1242, the department shall submit 5-year capital outlay plans and capital outlay priority requests developed by state agencies (and as approved by the department of management and budget), universities, and community colleges to the chairperson and ranking vice-chairperson of JCOS and the fiscal agencies upon the release of the executive budget recommendation.

#### **USE AND FINANCE STATEMENTS**

Sec. 601. (1) Except as otherwise provided in subsection (3) or (4), a university shall not enter into a contract for new construction of a self-funded project estimated to cost more than \$3,000,000.00 unless the project is authorized by JCOS through approval of a use and finance statement defined by a policy adopted by JCOS. The request for authorization shall be initially submitted for review to JCOS, the senate and house fiscal agencies, and the department. The use and finance statement for a non-state-funded project shall contain the estimated total construction cost and all associated estimated operating costs, including a statement of anticipated project revenues. As used in this subsection, "new construction" includes land or property acquisition, remodeling and additions, maintenance projects, roads, landscaping, equipment, telecommunications, utilities, and parking lots and structures. Certificate of need forms may be submitted in lieu of a use and finance form where applicable.

(2) Except as otherwise provided in subsection (4), a community college shall not enter into a contract for new construction of a self-funded project estimated to cost more than \$2,000,000.00 unless the project is authorized by JCOS through approval of a use and finance statement defined by a policy adopted by JCOS. The request for legislative authorization shall be initially submitted for review to JCOS, the senate and house fiscal agencies, and the department. The use and finance statement for a non-state-funded project shall contain the estimated total construction cost and all associated estimated operating costs, including a statement of anticipated project revenues. As used in this subsection, "new construction" includes land or property acquisition, remodeling and additions, maintenance projects, roads, landscaping, equipment, telecommunications, utilities, and parking lots and structures. Certificate of need forms may be submitted in lieu of a use and finance form where applicable.

(3) The University of Michigan Hospital and Health Center is not required to obtain JCOS authorization through approval of a use and finance statement defined by a policy adopted by JCOS.

(4) If health or safety concerns warrant, a project may be completed without prior approval of a use and finance statement defined by a policy adopted by JCOS. However, a university or community college shall submit a use and finance statement as soon as possible after the project is completed and the health or safety concerns have abated.

(5) A project that is constructed in violation of this section shall not receive state appropriations for purposes of operating the project or for support for future infrastructure enhancements that are necessitated, in whole or in part, by construction of the project. In addition, a project constructed in violation of this section shall result in the loss of any state capital outlay funding for the institution for 2 years and a prohibition of doing self-funded projects of any kind, except for emergencies where health or safety concerns warrant, for 1 year.

(6) A state agency, including the department of military affairs, shall not enter into a contract, including those for a direct federally-funded capital outlay construction or major maintenance or remodeling project if the total project is estimated to cost more than \$1,000,000.00 and is to be constructed on state-owned lands unless the project is approved by the department and JCOS through approval of a use and finance statement defined by a policy adopted by JCOS, unless the project is otherwise appropriated in a capital outlay appropriations bill. For projects not appropriated in a capital outlay appropriations bill that are over \$1,000,000.00, the state agency shall submit a use and finance statement defined by a policy adopted by JCOS. As used in this subsection, "direct federally-funded" refers to a project for which federal payments are made directly to the construction vendor and not to the state of Michigan.

(7) A public body corporate created under section 28 of article VII of the state constitution of 1963 and the urban cooperation act of 1967, 1967 (Ex Sess) PA 7, MCL 124.501 to 124.512, by a contractual interlocal agreement between local participating economic development corporations formed under the economic development corporations act, 1974 PA 338, MCL 125.1601 to 125.1636, and the Michigan strategic fund shall not enter into a contract for new construction estimated to cost more than \$1,000,000.00 unless the project is authorized by JCOS through the approval of a use and finance statement defined by a policy adopted by JCOS. For purposes of this subsection, the use and finance statement for a project shall contain the estimated total construction cost and all associated estimated operating costs. As used in this subsection, "new construction" means land or property acquisition, remodeling or additions, lease or lease purchase, and maintenance projects for the corporate office of the public body corporate described in this subsection.

#### **LUMP SUMS AND SPECIAL MAINTENANCE**

Sec. 701. (1) The director shall allocate lump-sum appropriations made in this act for remodeling and addition, special maintenance, major special maintenance, energy conservation, demolition, ICF/MR, air-conditioning, and fire protection projects. The director shall allocate other lump sums in order of program priority and need of the various state agencies or as otherwise based on actual building inspection reports by regulatory agencies.

(2) The state budget director may authorize that funds appropriated for lump-sum special maintenance shall be available for no more than 2 fiscal years following the fiscal year in which the original appropriation was made. Any remaining balance from allocations made in this section shall lapse to the fund from which it was appropriated pursuant to the lapsing of funds as provided in the management and budget act, 1984 PA 431, MCL 18.1101 to 18.1594.

(3) Before the end of each fiscal year, the department shall submit a report to JCOS and the fiscal agencies indicating the total cost and status of all lump-sum projects funded under this act and any previous act that have been designated as proposed, designed, bid, under construction, or completed within the current fiscal year.

Sec. 702. (1) A state agency shall provide notification to JCOS prior to commencing a demolition project not authorized by law. The demolition project may be disapproved by JCOS within 30 days after the date of notification, and if disapproved within that time, the demolition project shall not be authorized. The notification to JCOS shall identify the building or facility to be demolished and its location, the estimated cost of the demolition project, estimated project schedule, and the source of financing.

(2) The 30-day disapproval period does not apply to any notifications submitted during a period when the legislature will not be in session for 15 days or more. In these situations, the 30-day disapproval period begins on the first scheduled session day.

Sec. 703. Pursuant to department policy, state agencies may expend not more than \$600,000.00 from their operating budget for special maintenance, remodeling, additions, or other capital outlay purposes, unless specifically authorized by the legislature, for those purposes.

Sec. 705. Any unexpended and unreserved state general fund/general purpose remaining in accounts appropriated in sections 103 and 104 of 2002 PA 518 for major special maintenance and remodeling for the departments of community health, corrections, human services, management and budget, military affairs, and state police is hereby reappropriated for the fiscal year ending September 30, 2007 for maintenance and remodeling projects for the department of corrections.

#### **COLLEGES AND UNIVERSITIES**

Sec. 801. (1) This section applies only to projects for community colleges.

(2) State support is directed towards the remodeling and additions, special maintenance, or construction of certain community college buildings. The community college shall obtain or provide for site acquisition and initial main utility installation to operate the facility. Funding shall be comprised of local and state shares, and the state share shall include 50% of any federal money awarded for projects appropriated in this act. Not more than 50% of a capital outlay project, not including a lump-sum special maintenance project or remodeling and addition project, for a community college shall be appropriated from state and federal funds, unless otherwise appropriated by the legislature.

(3) An expenditure under this act is authorized when the release of the appropriation is approved by the board upon the recommendation of the director. The director may recommend to the board the release of any appropriation in part 1 only after the director is assured that the legal entity operating the community college to which the appropriation is made has complied with this act and has matched the amounts appropriated as required by this act. A release of funds in part 1 shall not exceed 50% of the total cost of planning and construction of any project, not including lump-sum remodeling and additions and special maintenance, unless otherwise appropriated by the legislature. Further planning and construction of a project authorized by this act or applicable sections of the management and budget act, 1984 PA 431, MCL 18.1101 to 18.1594, shall be in accordance with the purpose and scope as defined and delineated in the approved program statements and planning documents. This act is applicable to all projects for which planning appropriations were made in previous acts.

(4) The community college shall take the steps necessary to secure available federal construction and equipment money for projects funded for construction in this act if an application was not previously made. If there is a reasonable expectation that a prior year unfunded application may receive federal money in a subsequent year, the college shall take whatever action necessary to keep the application active. If federal money is received, the state share shall be adjusted accordingly as provided by this act.

Sec. 802. If matching revenues are received in an amount less than the appropriations contained in this act, the state funds of the appropriation shall be reduced in proportion to the amount of matching revenue received.

Sec. 803. (1) The director may require that community colleges and universities that have an authorized project listed in part 1 submit documentation regarding the project match and governing board approval of the authorized project not more than 60 days after the beginning of the fiscal year.

(2) If the documentation required by the director under subsection (1) is not submitted, or does not adequately authenticate the availability of the project match or board approval of the authorized project, the authorization may terminate. The authorization terminates 30 days after the director notifies JCOS of the intent to terminate the project unless JCOS convenes to extend the authorization.

#### **DEPARTMENT OF MANAGEMENT AND BUDGET**

Sec. 901. (1) The department shall provide JCOS and the fiscal agencies a report, not more than 15 days after the reporting date, of privately owned leased space by state agencies, by March 31 and September 30 of each year, consisting of the following:

- (a) Department.
- (b) Agency division and leased number.
- (c) Building location (address and city).
- (d) Type of building.
- (e) County.
- (f) Name and address of lessor.
- (g) Square footage and net square footage rate.
- (h) Monthly and annual cost.
- (i) Date lease started and expires.
- (j) Options and services.
- (k) Total monthly and annual cost for all leases.

(2) The lease report shall be summarized for office space, group homes, and other space for the Lansing area and statewide, excepting the Lansing area.

#### **DEPARTMENT OF MILITARY AND VETERANS AFFAIRS**

Sec. 1001. The appropriations in part 1 for department of military and veterans affairs design and construction projects are contingent upon the availability of federal and state restricted funds for financing.

#### **DEPARTMENT OF NATURAL RESOURCES**

Sec. 1101. The appropriation made in this act for the harbors and docks program is for the purpose of participating with the federal government and assisting political entities and subdivisions of this state in the construction and

improvement of recreational boating facilities within this state. Subject to the approval of the board, this money shall be allocated by the department of natural resources to the federal government, or to the political entities or local units of government involved in the particular projects. An allocation shall not exceed the state portion as listed with each project description. The department of natural resources shall take the steps necessary to match federal money available for the construction and improvement of recreational boating facilities within this state, and to meet requirements of the federal government.

Sec. 1102. Before the end of each fiscal year, the department of natural resources shall report each year to JCOS the status of each project that received an appropriation in any capital outlay act, if the project is either not completed or has a balance remaining in its account. The report shall be in the same form and contain the information as required under section 504. The report shall be separated into the following areas, by fund sources:

- (a) Waterways projects.
- (b) Urban recreation projects.
- (c) State park projects.
- (d) Wildlife and fisheries projects.
- (e) Other projects.

Sec. 1104. The department of natural resources shall transfer all revenues and unreserved receipts in the harbor development fund to the state waterways fund for the purposes appropriated in part 1 of this act.

#### **STATE TRANSPORTATION DEPARTMENT**

Sec. 1201. (1) From federal-state-local project appropriations contained in part 1 for the purpose of assisting political entities and subdivisions of this state in the construction and improvement of publicly used airports and landing fields within this state, the state transportation department may permit the award of contracts on behalf of units of local government for the authorized locations not to exceed the indicated amounts, of which the state allocated portion shall not exceed the amount appropriated in part 1.

(2) Political entities and subdivisions shall provide not less than 2.5% of the cost of any project under this section, unless a total nonfederal share greater than 5% is otherwise specified in federal law. State money shall not be allocated until local money is allocated. State money for any 1 project shall not exceed 1/3 of the total appropriation in part 1 from state funds for airport improvement programs.

(3) The Michigan aeronautics commission may take those steps necessary to match federal money available for airport construction and improvement within this state, and to meet the matching requirements of the federal government. Whether acting alone or jointly with another political subdivision or public agency or with this state, a political subdivision or public agency of this state shall not submit to any agency of the federal government a project application for airport planning or development unless it is authorized in this act and the project application is approved by the governing body of each political subdivision or public agency making the application, and by the Michigan aeronautics commission.

Sec. 1202. Before the end of each fiscal year, the state transportation department shall report to JCOS the status of projects funded in part 1 with the estimated dollars allocated for each project. If there has to be a delay in reporting, the state transportation department shall notify JCOS in writing of the date the report will be received.

Sec. 1203. (1) A planning project or construction project appropriated for the airport program shall be made available for no more than 2 fiscal years following the fiscal year in which the original appropriation was made.

(2) Any remaining balance from allocations made in this section shall lapse to the fund from which it was appropriated pursuant to the lapsing of funds as provided in the management and budget act, 1984 PA 431, MCL 18.1101 to 18.1594.

Sec. 1204. From the appropriations contained in part 1 for airport improvement programs, no funds shall be allocated for any runway extensions, taxiway extensions, or apron extensions at the Detroit-Willow Run airport. Further, it is the intent of the legislature that no state funds shall be expended to improve or repair the airport where the purpose of the improvement or repair is to expand the usage of the airport including, but not limited to, anything approximating a tradeport as that term is defined in the former international tradeport development authority act, former 1994 PA 325.

Sec. 1205. (1) Notwithstanding any other provision of law, the state transportation department shall not, directly or indirectly, expend any funds appropriated in 2006 PA 345, 2005 PA 158, 2004 PA 361, 2003 PA 162, or 2002 PA 561 to continue the Detroit River international crossing study project nor further participate in any manner whatsoever with the border transportation partnership.

(2) Within 10 days of the effective date of this act, the department shall submit a report to the senate and house of representatives appropriations subcommittees on transportation and to the state transportation commission that identifies the source and use of all funds attributable to or expended in furtherance of the Detroit River international crossing study or the border transportation partnership. The report shall include copies of all contracts, agreements, and expenses associated with the project from October 1, 2003 to December 31, 2006.

#### **MISCELLANEOUS**

Sec. 1301. (1) Revenue collected from licenses issued under the antenna site management project shall be deposited into the antenna site management revolving fund created for this purpose in the department of information technology.

The department may receive and expend funds from the fund for costs associated with the antenna site management project, including the cost of the third-party site manager. Any excess revenue remaining in the fund at the close of the fiscal year shall be proportionately transferred to the appropriate state restricted funds as designated in statute or by constitution.

(2) An antenna shall not be sited pursuant to this section without prior compliance with the respective local zoning codes and local unit of government processes.

Sec. 1302. (1) A site preparation economic development fund is hereby created in the department of management and budget. As used in this section, "economic development sites" means those state-owned sites declared as surplus property pursuant to section 251 of the management and budget act, 1984 PA 431, MCL 18.1251, that would provide economic benefit to the area or to the state. The Michigan economic development corporation board and the state budget director shall determine whether or not a specific state-owned site qualifies for inclusion in the fund created under this subsection.

(2) Proceeds from the sale of any sites designated in subsection (1) shall be deposited into the fund created in subsection (1) and shall be available for site preparation expenditures, unless otherwise provided by law. The economic development sites authorized in subsection (1) are hereby authorized for sale consistent with state law. Expenditures from the fund are hereby authorized for site preparation activities that enhance the marketable sale value of the sites. Site preparation activities include, but are not limited to, demolition, environmental studies and abatement, utility enhancement, and site excavation.

(3) A cash advance in an amount of not more than \$25,000,000.00 is hereby authorized from the general fund to the site preparation economic development fund.

(4) An annual report shall be transmitted to the senate and house of representatives appropriations committees not later than December 31 of each year. This report shall detail both of the following:

- (a) The revenue and expenditure activity in the fund for the preceding fiscal year.
- (b) The sites identified as economic development sites under subsection (1).

Sec. 1304. (1) It is the intent of the legislature to authorize regional economic development projects that promote job creation and increased economic activity. All projects must be submitted to the department of management and budget for review and subsequent approval by the senate and house of representatives standing committees on appropriations. It is the intent of the legislature to fund these projects through the state building authority. The total state building authority share for all projects shall not exceed \$75,000,000.00.

(2) It is also the intent of the legislature that the projects to be authorized shall include, but are not limited to, the following:

- (a) Detroit institute of arts.
- (b) Grand Rapids arts museum.
- (c) Hart plaza (Detroit).
- (d) Kalamazoo Valley Community College high throughput screening project.
- (e) Midland baseball stadium project.
- (f) The Opera House/C. H. Binsfeld theater (Traverse City).
- (g) Wurtsmith airport, hangar project (Oscoda).
- (h) Arab/American museum and Chaldean community cultural center.
- (i) John Ball zoo.
- (j) Detroit zoo.
- (k) Grand Rapids - Kent County convention arena authority amphitheater.
- (l) MichBIO.
- (m) Detroit historical society/Detroit historical museums, Dawson Great Lakes museum and collections resource center renovations.
- (n) VanAndel museum center, public museum of Grand Rapids capital project.
- (o) Mount Pleasant smart zone nanotechnology lab construction and equipment.
- (p) Bandshell project (Lansing).
- (q) Blue Lake fine art camp, health lodge facility.

Sec. 1305. For fiscal year 2006-2007 only, \$200,000.00 is appropriated and transferred from the Mackinac Island state park operations fees fund to the Mackinac Island state park commission, historic projects division, revenue bond fund for infrastructure improvements.

Sec. 1306. (1) The department of information technology shall contract with a third party to conduct an audit of the state's telecommunications systems by department. The audit shall include, but is not limited to, findings on overcharges, unnecessary services including lines and circuits, contract compliance, and savings opportunities that will enable this state to substantially reduce its telecommunications costs. It is the intent of the legislature that the savings generated as a result of the audit will be deposited into the general fund.

(2) The third-party vendor shall not charge the department a fee for services provided under subsection (1). However, the vendor shall receive a negotiated percentage of the savings achieved from implementation of a recommendation made by the third-party vendor.

(3) The third-party vendor shall have been in business for at least 10 years. The third-party vendor's principal manager shall have at least 7 years of experience, shall have completed telecommunications cost reduction work for large organizations, and shall have references confirming his or her qualifications and performance. In addition, the vendor's headquarters shall be located in this state. The third-party vendor shall have staff with extensive voice over internet protocol experience, servicing and rolling out these types of services for a large number of users. The third-party vendor shall be independent of all telecommunications carriers and equipment suppliers and shall certify that it has not received any commissions from any carriers for work done with this state and any of its related entities for the past 5 years. It shall be a term of the contract that the third-party vendor will remain independent of all telecommunications carriers and equipment suppliers and will not accept any commissions from any carriers for work done with this state and any of its related entities for the length of the contract. The third-party vendor shall be experienced with voice, data, and auxiliary circuits and functions and shall have done work for at least 1 large governmental agency.

Sec. 1307. Funds appropriated in part 1 of 2005 PA 148 and part 1 of 2006 PA 153 for food and dairy, food safety, and quality assurance shall not lapse but shall continue to be available for completion of the inspector program in accordance with the provisions of section 451a of the management and budget act, 1984 PA 431, MCL 18.1451a.

PART 2A  
PROVISIONS CONCERNING APPROPRIATIONS  
FOR FISCAL YEAR 2005-2006

**GENERAL SECTIONS**

Sec. 2201. In accordance with the provisions of section 30 of article IX of the state constitution of 1963, total state spending from state resources in part 1A for the fiscal year ending September 30, 2006 is \$0 and state appropriations paid to local units of government are \$0.

Sec. 2202. The appropriations made and expenditures authorized under this part and the departments, commissions, boards, offices, and programs for which appropriations are made under part 1A are subject to the management and budget act, 1984 PA 431, MCL 18.1101 to 18.1594.

Sec. 2203. The director of the office of state budget, before the final accounting of state revenues and expenditures for the fiscal year ending September 30, 2006 is completed, shall calculate the amount of funds that will be necessary to ensure a zero balance in the school aid fund at bookclosing. The director of the office of state budget shall provide a report to the house and senate appropriations committees and the house and senate fiscal agencies of this calculation as soon as it is completed. Based on this calculation, there is appropriated from the general fund to the school aid fund the amount calculated by the director of the office of state budget for the fiscal year ending September 30, 2006.

PART 2B  
PROVISIONS CONCERNING APPROPRIATIONS  
FOR FISCAL YEAR 2006-2007

**GENERAL SECTIONS**

Sec. 3201. In accordance with the provisions of section 30 of article IX of the state constitution of 1963, total state spending from state resources in part 1B for the fiscal year ending September 30, 2007 is \$550,000.00 and state appropriations paid to local units of government are \$350,000.00.

Sec. 3202. The appropriations made and expenditures authorized under this part and the departments, commissions, boards, offices, and programs for which appropriations are made under part 1B are subject to the management and budget act, 1984 PA 431, MCL 18.1101 to 18.1594.

**DEPARTMENT OF EDUCATION**

Sec. 3301. (1) From the funds in part 1B for school building security mapping, the department of education shall make grants to districts and intermediate districts as provided in this section for school building security mapping for use by response agencies that are called to respond to an emergency such as the release of a hazardous material, the presence of an armed individual on or near the premises, an act of terrorism, or a related emergency. This mapping shall be conducted by either the Michigan commission on law enforcement standards or the Michigan state police emergency management division. However, if the Michigan commission on law enforcement standards or the Michigan state police emergency management division contracts with another entity for the mapping, the Michigan commission on law enforcement standards or the Michigan state police emergency management division shall ensure that the contract is with a single vendor to provide the mapping on a statewide basis.

(2) From the funds allocated in subsection (1), the department shall award \$105,000.00 to an intermediate district that meets all of the following:

- (a) The total combined membership of all of the intermediate district's constituent districts is less than 10,000.
  - (b) The intermediate district had a 2005 taxable value per pupil of less than \$200,000.00.
  - (c) The intermediate district has 5 constituent districts, excluding public school academies.
- (3) Subject to subsection (7), from the funds allocated in subsection (1), the department shall award \$84,000.00 in grants of \$28,000.00 each to each of 3 intermediate districts that meet all of the following:
- (a) The total combined membership of all of the intermediate district's constituent districts is more than 25,000 but less than 35,000.

(b) The intermediate district had a 2005 taxable value per pupil of less than \$200,000.00.

(c) The intermediate district has no more than 16 constituent districts.

(4) From the funds allocated in subsection (1), the department shall award \$28,000.00 to an intermediate district that meets all of the following:

(a) The total combined membership of all of the intermediate district's constituent districts is less than 4,000.

(b) The intermediate district had a 2005 taxable value per pupil of less than \$150,000.00.

(5) From the funds allocated in subsection (1), the department shall award \$28,000.00 to a district that levied 1.9 mills in 1993 to finance an operating deficit.

(6) From the funds allocated in subsection (1), the department shall award \$105,000.00 to applicant districts in grants of \$7,000.00 each per school building. A district is eligible to receive a grant for a school building under this subsection if an emergency situation has occurred in or near the school building within the last 5 years or if the department, in conjunction with the department of state police, has determined that an emergency situation is likely to occur in or near the school building. Grants under this subsection shall be awarded in a form and manner determined by the department. However, a district may not receive more than 3 grants under this subsection.

(7) An intermediate district that receives a grant under subsection (3) shall contract for school building security mapping in 4 school buildings, 2 of which are located in rural areas and 2 of which are located in urban areas, as defined by the department.

#### **DEPARTMENT OF MILITARY AND VETERANS AFFAIRS**

Sec. 3351. The funds appropriated in part 1B for the department of military and veterans affairs, headquarters and armories, shall be used for the purchase of Oregon aero BLSS (ballistic lining and suspension system) upgrade kits. The kits shall be approved for use in kevlar by the United States marine corps system command. The kits shall be furnished to active duty guardsmen and active duty military personnel in units originated in Michigan and deployed or soon to be deployed to a combat zone.

#### **REPEALER**

Sec. 3401. Section 99f of the state school aid act, 1979 PA 94, MCL 388.1699f, is repealed.

Second: That the Senate and House agree to the title of the bill to read as follows:

A bill to make, supplement, and adjust appropriations for various state departments and agencies and for capital outlay for the fiscal years ending September 30, 2006 and September 30, 2007; to provide conditions on those appropriations; to provide for the expenditure of the appropriations; and to repeal acts and parts of acts.

Kenneth R. Sikkema  
Shirley Johnson  
Michael Prusi  
Conferees for the Senate

Craig DeRoche  
David Farhat  
Richard J. Brown  
Conferees for the House

The Speaker announced that under Joint Rule 9 the conference report would lie over one day.

Rep. Ward moved pursuant to Joint Rule 9, that the Journal printing requirement be suspended, printed copies of the conference report having been made available to each Member.

The motion prevailed.

The question being on the adoption of the conference report,

The conference report was then adopted, a majority of the members serving voting therefor, by yeas and nays, as follows:

#### **Roll Call No. 1394**

#### **Yeas—71**

Acciavatti	Farhat	Marleau	Robertson
Amos	Farrah	Mayer	Rocca
Anderson	Garfield	McDowell	Sak
Ball	Gillard	Meadows	Schuitmaker
Booher	Gleason	Meisner	Shaffer
Brown	Gonzales	Meyer	Sheltrown
Byrnes	Green	Moolenaar	Smith, Alma
Byrum	Hansen	Moore	Stahl
Casperson	Hildenbrand	Murphy	Stewart

Caswell	Huizenga	Newell	Taub
Caul	Hummel	Nitz	Vagnozzi
Clack	Jones, Hayes	Nofs	Van Regenmorter
Clemente	Jones, Rick	Palsrok	Vander Veen
DeRoche	Kahn	Pastor	Walker
Donigan	Kooiman	Pavlov	Wenke
Elsenheimer	LaJoy	Pearce	Williams
Emmons	Law, David	Polidori	Zelenko
Espinoza	Lipsey	Proos	

### Nays—32

Accavitti	Dillon	Hunter	Sheen
Angerer	Drolet	Kolb	Smith, Virgil
Baxter	Gaffney	Leland	Spade
Bieda	Gosselin	Lemmons, Jr.	Stakoe
Brandenburg	Hood	McConico	Tobocman
Cheeks	Hoogendyk	Miller	Ward
Condino	Hopgood	Mortimer	Waters
Cushingberry	Hune	Palmer	Wojno

In The Chair: Kooiman

### Messages from the Senate

#### House Bill No. 4931, entitled

A bill to amend 1927 PA 175, entitled “The code of criminal procedure,” by amending section 13p of chapter XVII (MCL 777.13p), as amended by 2004 PA 418.

The Senate has substituted (S-1) the bill.

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

A bill to amend 1927 PA 175, entitled “An act to revise, consolidate, and codify the laws relating to criminal procedure and to define the jurisdiction, powers, and duties of courts, judges, and other officers of the court under the provisions of this act; to provide laws relative to the rights of persons accused of criminal offenses and ordinance violations; to provide for the arrest of persons charged with or suspected of criminal offenses and ordinance violations; to provide for bail of persons arrested for or accused of criminal offenses and ordinance violations; to provide for the examination of persons accused of criminal offenses; to regulate the procedure relative to grand juries, indictments, informations, and proceedings before trial; to provide for trials of persons complained of or indicted for criminal offenses and ordinance violations and to provide for the procedure in those trials; to provide for judgments and sentences of persons convicted of criminal offenses and ordinance violations; to establish a sentencing commission and to prescribe its powers and duties; to provide for procedure relating to new trials and appeals in criminal and ordinance violation cases; to provide a uniform system of probation throughout this state and the appointment of probation officers; to prescribe the powers, duties, and compensation of probation officers; to provide penalties for the violation of the duties of probation officers; to provide for procedure governing proceedings to prevent crime and proceedings for the discovery of crime; to provide for fees of officers, witnesses, and others in criminal and ordinance violation cases; to set forth miscellaneous provisions as to criminal procedure in certain cases; to provide penalties for the violation of certain provisions of this act; and to repeal all acts and parts of acts inconsistent with or contravening any of the provisions of this act,” by amending section 13p of chapter XVII (MCL 777.13p), as amended by 2005 PA 279.

The Speaker announced that pursuant to Rule 45, the bill was laid over one day.

Rep. Ward moved that Rule 45 be suspended.

The motion prevailed, 3/5 of the members present voting therefor.

The question being on concurring in the (S-1) made to the bill by the Senate,

The substitute (S-1) was concurred in, a majority of the members serving voting therefor, by yeas and nays, as follows:

**Roll Call No. 1395****Yeas—103**

Accavitti	Emmons	Law, David	Robertson
Acciavatti	Espinoza	Leland	Rocca
Amos	Farhat	Lemmons, Jr.	Sak
Anderson	Farrah	Lipse	Schuitmaker
Angerer	Gaffney	Marleau	Shaffer
Ball	Garfield	Mayer	Sheen
Baxter	Gillard	McConico	Sheltrown
Bieda	Gleason	McDowell	Smith, Alma
Booher	Gonzales	Meadows	Smith, Virgil
Brandenburg	Gosselin	Meisner	Spade
Brown	Green	Meyer	Stahl
Byrnes	Hansen	Miller	Stakoe
Byrum	Hildenbrand	Moolenaar	Stewart
Casperson	Hood	Moore	Taub
Caswell	Hoogendyk	Mortimer	Tobocman
Caul	Hopgood	Murphy	Vagnozzi
Cheeks	Huizenga	Newell	Van Regenmorter
Clack	Hummel	Nitz	Vander Veen
Clemente	Hune	Nofs	Walker
Condino	Hunter	Palmer	Ward
Cushingberry	Jones, Hayes	Palsrok	Waters
DeRoche	Jones, Rick	Pastor	Wenke
Dillon	Kahn	Pavlov	Williams
Donigan	Kolb	Pearce	Wojno
Drolet	Kooiman	Polidori	Zelenko
Elsenheimer	LaJoy	Proos	

**Nays—0**

In The Chair: Kooiman

The House agreed to the title as amended.

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

Rep. Palmer moved that Rep. DeRoche be excused temporarily from today's session.

The motion prevailed.

**House Bill No. 4539, entitled**

A bill to amend 1992 PA 147, entitled "Neighborhood enterprise zone act," by amending sections 3 and 4 (MCL 207.773 and 207.774), section 3 as amended by 2004 PA 396 and section 4 as amended by 2004 PA 566.

The Senate has substituted (S-1) the bill.

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

A bill to amend 1992 PA 147, entitled "An act to provide for the development and rehabilitation of residential housing; to provide for the creation of neighborhood enterprise zones; to provide for obtaining neighborhood enterprise zone certificates for a period of time and to prescribe the contents of the certificates; to provide for the exemption of certain taxes; to provide for the levy and collection of a specific tax on the owner of certain facilities; and to prescribe

the powers and duties of certain officers of the state and local governmental units,” by amending sections 2, 4, and 12 (MCL 207.772, 207.774, and 207.782), sections 2 and 12 as amended by 2005 PA 339 and section 4 as amended by 2006 PA 349.

The Speaker announced that pursuant to Rule 45, the bill was laid over one day.

Rep. Ward moved that Rule 45 be suspended.

The motion prevailed, 3/5 of the members present voting therefor.

The question being on concurring in the (S-1) made to the bill by the Senate,

The substitute (S-1) was concurred in, a majority of the members serving voting therefor, by yeas and nays, as follows:

**Roll Call No. 1396****Yeas—102**

Accavitti	Espinoza	Leland	Robertson
Acciavatti	Farhat	Lemmons, Jr.	Rocca
Amos	Farrah	Lipsey	Sak
Anderson	Gaffney	Marleau	Schuitmaker
Angerer	Garfield	Mayer	Shaffer
Ball	Gillard	McConico	Sheen
Baxter	Gleason	McDowell	Sheltrown
Bieda	Gonzales	Meadows	Smith, Alma
Booher	Gosselin	Meisner	Smith, Virgil
Brandenburg	Green	Meyer	Spade
Brown	Hansen	Miller	Stahl
Byrnes	Hildenbrand	Moolenaar	Stakoe
Byrum	Hood	Moore	Stewart
Casperson	Hoogendyk	Mortimer	Taub
Caswell	Hopgood	Murphy	Tobocman
Caul	Huizenga	Newell	Vagnozzi
Cheeks	Hummel	Nitz	Van Regenmorter
Clack	Hune	Nofs	Vander Veen
Clemente	Hunter	Palmer	Walker
Condino	Jones, Hayes	Palsrok	Ward
Cushingberry	Jones, Rick	Pastor	Waters
Dillon	Kahn	Pavlov	Wenke
Donigan	Kolb	Pearce	Williams
Drolet	Kooiman	Polidori	Wojno
Elsenheimer	LaJoy	Proos	Zelenko
Emmons	Law, David		

**Nays—0**

In The Chair: Kooiman

The House agreed to the title as amended.

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

By unanimous consent the House returned to the order of

**Motions and Resolutions**

Reps. Ward and Waters offered the following concurrent resolution:

**House Concurrent Resolution No. 39.**

A concurrent resolution prescribing the legislative schedule.

Resolved by the House of Representatives (the Senate concurring), That when the Legislature adjourns on Friday, December 15, 2006, it stands adjourned until Friday, December 29, 2006, at 11:00 a.m.; and be it further

Resolved, That when the Legislature adjourns on Friday, December 29, 2006, it stands adjourned without day.  
Pending the reference of the resolution to a committee,  
Rep. Ward moved that Rule 77 be suspended and the resolution be considered at this time.  
The motion prevailed, 3/5 of the members present voting therefor.  
The question being on the adoption of the resolution,  
The resolution was adopted.

Rep. Ward moved that pursuant to House Rule 20, the Clerk of the House be authorized to enroll House bills while the House is not in session.  
The motion prevailed.

### Notices

Rep. Sheen, under Rule 33, made the following statement:  
“Mr. Speaker and members of the House:  
I was absent from the Chamber when the vote was taken on Roll Call Nos. 1351 and 1380. Had I been present, I would have voted ‘yea’.”

Rep. Gillard, under Rule 33, made the following statement:  
“Mr. Speaker and members of the House:  
I was absent from the Chamber when the vote was taken on Roll Call No. 1262. Had I been present, I would have voted ‘yea’.”

Rep. Lipsey, under Rule 33, made the following statement:  
“Mr. Speaker and members of the House:  
I was absent from the Chamber when the vote was taken on Roll Call No. 1334. Had I been present, I would have voted ‘yea’.”

Rep. Kolb, under Rule 33, made the following statement:  
“Mr. Speaker and members of the House:  
I was absent from the Chamber when the vote was taken on Roll Call Nos. 1261-1265 and 1286. Had I been present, I would have voted ‘yea’.”

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Rep. Sak moved that Reps. Cheeks, Dillon and Espinoza be excused temporarily from today’s session.  
The motion prevailed.

By unanimous consent the House returned to the order of  
**Messages from the Senate**

#### **House Bill No. 6694, entitled**

A bill to amend 2001 PA 34, entitled “Revised municipal finance act,” by amending section 103 (MCL 141.2103) and by adding sections 518 and 519.

The Senate has amended the bill as follows:

1. Amend page 3, line 11, after “**RETIREES**” by inserting “**OF A COUNTY, CITY, VILLAGE, OR TOWNSHIP**”.
2. Amend page 6, line 4, after “**517(2)**” by inserting “**EXCEPT THAT PETITIONERS SHALL HAVE 60 DAYS AFTER THE PUBLICATION OF THE NOTICE OF INTENT TO FILE A PETITION AND THE REGISTERED ELECTOR REQUIREMENT SHALL BE NOT LESS THAN 5% OR 10,000 REGISTERED ELECTORS, WHICHEVER IS LESS**”.

3. Amend page 6, line 16, after “**SUBSECTION (1)**” by inserting “**OR (3)**”.
  4. Amend page 7, line 13, after “**TO**” by striking out “**REDUCE**” and inserting “**MITIGATE THE INCREASE IN**”.
  5. Amend page 7, line 13, after “**COSTS**” by inserting “**AND MAY INCLUDE A WELLNESS PROGRAM THAT PROMOTES THE MAINTENANCE OR IMPROVEMENT OF HEALTHY BEHAVIORS**”.
  6. Amend page 7, line 14, after “**SUBSECTION (1)**” by inserting “**OR (3)**”.
  7. Amend page 7, line 18, after “**SUBSECTION (1)**” by inserting “**OR (3)**”.
  8. Amend page 7, line 23, after “**SUBSECTION (1)**” by inserting “**OR (3)**”.
  9. Amend page 7, line 26, after “**SUBSECTION (1)**” by inserting “**OR (3)**”.
  10. Amend page 8, line 1, after “**CURRENT**” by inserting “**UNFUNDED**”.
  11. Amend page 8, line 5, by striking out all of subsection **(10)** and inserting:  
“**(10) A COUNTY, CITY, VILLAGE, OR TOWNSHIP SHALL NOT ISSUE A MUNICIPAL SECURITY UNDER SUBSECTION (1) OR (3) UNLESS THE COUNTY, CITY, VILLAGE, OR TOWNSHIP HAS BEEN ASSIGNED A CREDIT RATING WITHIN THE CATEGORY OF AA OR HIGHER BY AT LEAST 1 NATIONALLY RECOGNIZED RATING AGENCY.**”.
  12. Amend page 9, line 1, after “**SUBSECTION (1)**” by inserting “**OR (3)**”.
  13. Amend page 9, line 3, after the first “**THE**” by inserting “**PROJECTED**”.
  14. Amend page 9, line 4, after “**SUBSECTION (1)**” by inserting “**OR (3)**”.
  15. Amend page 9, line 5, after “**POINTS**” by striking out the balance of the subsection and inserting a period.
  16. Amend page 9, following line 10, by inserting:  
“**(12) BEFORE A COUNTY, CITY, VILLAGE, OR TOWNSHIP ISSUES A MUNICIPAL SECURITY UNDER THIS SECTION, THE COUNTY, CITY, VILLAGE, OR TOWNSHIP SHALL OBTAIN THE APPROVAL OF THE DEPARTMENT OF TREASURY. THE DEPARTMENT OF TREASURY SHALL REVIEW THE PROPOSED ISSUANCE OF MUNICIPAL SECURITIES AND IF IT VERIFIES THAT THE COUNTY, CITY, VILLAGE, OR TOWNSHIP MEETS THE REQUIREMENTS OF THIS SECTION, THE DEPARTMENT OF TREASURY SHALL APPROVE THE ISSUANCE OF MUNICIPAL SECURITIES UNDER THIS SECTION.**”.
- The Senate has passed the bill as amended, ordered that it be given immediate effect and pursuant to Joint Rule 20, inserted the full title.
- The Speaker announced that pursuant to Rule 45, the bill was laid over one day.
- Rep. Ward moved that Rule 45 be suspended.
- The motion prevailed, 3/5 of the members present voting therefor.
- The question being on concurring in the amendments made to the bill by the Senate,
- The amendments were concurred in, a majority of the members serving voting therefor, by yeas and nays, as follows:

**Roll Call No. 1397****Yeas—76**

Acciavatti	Gleason	Marleau	Rocca
Amos	Gonzales	Mayes	Sak
Anderson	Green	McConico	Schuitmaker
Angerer	Hansen	McDowell	Shaffer
Ball	Hildenbrand	Meadows	Smith, Alma
Booher	Hood	Meisner	Smith, Virgil
Brown	Hopgood	Meyer	Spade
Byrnes	Huizenga	Moore	Stahl
Byrum	Hunter	Mortimer	Stakoe
Casperson	Jones, Hayes	Murphy	Stewart
Caul	Jones, Rick	Newell	Taub
Clack	Kahn	Nitz	Tobocman
Condino	Kolb	Nofs	Vagnozzi
Cushingberry	Kooiman	Palsrok	Van Regenmorter
DeRoche	LaJoy	Pastor	Vander Veen
Donigan	Law, David	Pavlov	Walker
Farrah	Leland	Pearce	Waters
Gaffney	Lemmons, Jr.	Polidori	Williams
Gillard	Lipsey	Proos	Zelenko

**Nays—24**

Accavitti	Drolet	Hoogendyk	Robertson
Baxter	Elsenheimer	Hummel	Sheen
Bieda	Emmons	Hune	Sheltrown
Brandenburg	Farhat	Miller	Ward
Caswell	Garfield	Moolenaar	Wenke
Clemente	Gosselin	Palmer	Wojno

In The Chair: Kooiman

The House agreed to the full title of the bill.

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

By unanimous consent the House returned to the order of

**Motions and Resolutions**

Rep. Ward moved that when the House adjourns today it stand adjourned until Friday, December 29, at 11:00 a.m.  
The motion prevailed.

**Messages from the Senate****House Bill No. 6440, entitled**

A bill to amend 1994 PA 204, entitled "The children's ombudsman act," by amending the title and section 3 (MCL 722.923), as amended by 2004 PA 560.

The Senate has passed the bill, ordered that it be given immediate effect and pursuant to Joint Rule 20, inserted the full title.

The House agreed to the full title.

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

**House Bill No. 5337, entitled**

A bill to amend 1967 PA 150, entitled "Michigan military act," by amending section 117 (MCL 32.517).

The Senate has passed the bill, ordered that it be given immediate effect and pursuant to Joint Rule 20, inserted the full title.

The House agreed to the full title.

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

**House Bill No. 5637, entitled**

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 722 (MCL 257.722), as amended by 2006 PA 83.

The Senate has concurred in the House amendments to the Senate substitute (S-4).

The House agreed to the full title.

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

**House Bill No. 4800, entitled**

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending section 8311 (MCL 600.8311).

The Senate has substituted (S-5) the bill.

The Senate has passed the bill as substituted (S-5) and pursuant to Joint Rule 20, inserted the full title.

The Speaker announced that pursuant to Rule 45, the bill was laid over one day.

**House Concurrent Resolution No. 39.**

A concurrent resolution prescribing the legislative schedule.

(For text of resolution, see House Journal No. 96, p. 3311.)

The Senate has adopted the concurrent resolution.

The concurrent resolution was referred to the Clerk for record.

**Comments and Recommendations**

Rep. Ward moved that the following remarks be printed in the Journal.

The motion prevailed.

Rep. Newell:

“It doesn’t seem possible that six years could go by so quickly. January 10, 2001 there were 20 new house members sworn in, six republicans and 14 democrats. And while I believe I have a friendly relationship with a number of members on the other side of the isle, you spend the majority of time with the people from your own caucus. Other than myself there is only four others left from that original group, Barb Vander Veen, John Stewart, Jerry Kooiman and my good friend Tom Meyer. It has been a great pleasure to work with each of you, as well as those members who have left and those who came along later.

I want to start today by saying thank you to my lovely wife Darlene. This is a position which puts a lot of pressure on spouses and other family members. I don’t think she will miss my being gone all the time, the constituent calls at home and the unkind things that sometimes get said during a campaign. Thank you dear for your understanding and patience, not just for the past 6 years but for the last 40 years.

It has been a wonderful experience and I to be honest I really don’t want to leave. But, the people have spoken on the issue of term limits and so reluctantly I bow to their wishes.

Like everything in life some moments here have been better than others. But for me it has been a wonderful and rewarding experience. Much of the reason for that has been my office staff since I have been in office. For much of my first years here, Karla Garcia and Amy Taylor did a wonderful job for me and the people of the 87th District. Eventually they both left to enhance their careers. I was then joined in my office by Karen Strickland and Sherry Haueter who have done an outstanding and professional job. Each of us who serve know the value of good staff. I don’t believe they need validation on their value to me but if they do I was told by a lobbyist recently that I had the best staff in the house and I totally agree.

I also want to thank central staff, the folks here in the capitol, legislative services and the folks at house fiscal. A special thanks to Bill Fairgrieve in fiscal and Stacey Hettinger in our policy staff for their help over the years. Also a special thanks to my buddies, the sergeants. I frequently ask those folks if they would take a bullet for me and the chief sergeant, Bill Rinckey is the only one who ever said no. That degree of common sense may be why he is the chief sergeant.

Each of my terms here has been rewarding but each has been very unique from the others. The first two years everything was new and it was just plain exciting to be a part of the lawmaking process and knowing that you had the opportunity to do something that very few people get to do. One of the casualties of term limits, in my opinion, has been floor debate. I miss the hellfire and brimstone style floor speeches that Keith Stallworth used to make, blasting us republicans for something we were doing. We have lost much of that and I think the institution suffers for the loss.

In my first term my seatmate was John Hanson, a Democrat from Washtenaw County. John liked to say that he was the most liberal legislator in the house. I was and am fairly conservative. And while we often didn’t vote together we got along very well. John, while absolutely wrong on the issues was absolutely right when it came to honesty and trustworthiness. I sat on the democrat side of the isle that term, between John and another man I learned to have great respect for, Dale Sheltroun.

When people ask me back home about the folks who serve here I tell them that it is my observation that almost without exception I believe all the people serving here are attempting to do the very best they can for the people in their district.

I will certainly miss many of the folk on the other side of the isle who have been with me here for the past 6 years.

The UP boys, Steve Adamini and Rich Brown. My nickname for Rich is Mr. Big Shot since he became the ranking member on appropriations. He certainly has lived up to that name in his farewell extravaganza. Paula Zelenko, Sandy Lipsey, Carl Williams, Chris Kolb are some of the others. Chris and I seem to have little in common but that doesn’t stop me from admiring his work as a legislator. The people of his district can be proud of his efforts.

One of the highlights in that first term was been sought out by the state Emergency management director to sponsor the rewrite of the state Emergency Management Act, after the terrorist acts of September 11, 2001.

My second term was filled with activity. I would be remiss if I did not thank former Speaker Rick Johnson. Rick appointed to chair the largest general fund budget in the state, he brought me to the leadership table, he gave me a position of responsibility within the caucus and included me in the target setting process. In my first term Rick also allowed me to serve on the policy side as well as assigning me a full four budget load in appropriations. As I look back now it seems that Rick was always bent on insuring I had no personal life.

Gretchen Whitmer was my minority vice-chair on the budget that term. I remember keeping score during those work groups and Telling Gretchen she had won on far more issues than I had, only to have her get up in appropriations and on the floor and tell her members to vote against the budget. In reality I always found Gretchen to be very gracious and easy to work with. I think politics often got in the way of greater unity. I also appreciate her help over in the Senate Health policy committee.

Our claim to fame for that two year period was the percentage of bills introduced which were signed into law. 71% of my bills became public acts, placing second only to the legendary Bill Van Regenmorter. In my final term I would have the privilege of serving with Bill as my chair on the Judiciary committee. I consider it a great honor to be able to say that I have served on the same committee with a man who is without doubt one of the greatest legislators this state has ever seen. Thank you Bill.

While my first term was exciting and my second term busy, my third term was undoubtedly my most rewarding.

When I first started in the legislature I used to joke around with Jerry Kooiman that he was a career politician and that I was a citizen legislator. Jerry had a degree in Political Science worked for a congressman and held local office. My degree was in business, I spent 27 years in the state police and had never held public office. It was meant to be a joke, but in reality Jerry's experience was very helpful to me as we worked side by side in appropriations in those early days.

But regardless of our backgrounds I believe we both came in with the same desire. A desire shared by most of us in this room, to make a long term difference for the people of Michigan.

In my first term everything was so new and exiting I didn't seem to have a lot of time to work on long term projects. In my second term we accomplished some good things, but I was just too busy to spend much time on long range planning.

In my third term I found myself in the position to do the very thing I came here for in the beginning, to make lasting changes for the people of the State of Michigan. I believe we have accomplished that. For the last two years I have been working towards making a statewide information sharing system in healthcare a reality.

The Institute of Medicine estimates that as many as 98,000 people die annually in this country from medical mistakes. Others have estimated that as much as 30% of our medical dollars go to redundancies in our health care industry.

Total integration of technology in the healthcare system will result in billions of dollars and thousands of lives being saved in Michigan.

The successes we have seen towards this goal have been truly astounding. Michigan is now being viewed as a national leader in this arena. As a state we are well ahead of where I thought we could ever be at this time.

In addition to my goals of providing enhanced quality and lowering cost in health care, my third goal was to establish Michigan as a national leader in the integration of technology in health care. I will be in Washington DC this weekend speaking on what Michigan is doing on Health IT. One week from today Department of Community Health Director Janet Olszewski is speaking at a conference in Chicago on Health IT. People across the nation are looking to Michigan as they begin to look at programs for their own states.

I believe that the initiatives we have helped to put into motion regarding Health IT will change the delivery of health care in Michigan forever.

I would be remiss if I didn't say thank you to a couple of people who have been very helpful to me in advancing Health Information Technology here in Michigan. First I would like to thank Speaker DeRoche for his assistance. From the first time I met with him regarding Health IT he has been extremely supportive. His willingness to put money into this year's budget has been a true catalyst. I also want to acknowledge incoming Speaker Andy Dillon. An obvious ingredient to making Michigan a national leader was to move quickly. Speaker-elect Dillon's help in the timely appointments to the Michigan Health Information Technology Commission was instrumental in ensuring that result. Thank you both.

It is always dangerous to thank people because you always wind up leaving out some people who deserve thanks. But I would be remiss if I didn't thank a couple special people. First is Mike Nofs. Mike and I have been together for many years, both in the State Police and here in the legislature. I am proud to call Mike a friend because even though we may disagree on issues from time to time he has never let politics get in the way of our friendship. Thank you Mike. I also want to thank Judy Emmons. Judy and I share coverage of the county I live in. She has been always been supportive friend and a great sounding board. I will miss seeing you Judy at all those meetings and events we attend.

My final thank you is a special thank you to Tom Pearce, Bill Huizenga and Barb Vander Veen. These three and I have held a weekly bible study and prayer group during the past two years. Each of us seems to have had some difficult experiences over that time and it is great to know that you have friends who are thinking of you and praying for you when things aren't going smoothly. Thanks for your support and friendship.

As one of the senior members of the house, both in tenure and age, I would be remiss if I did not offer some advice as I prepare to leave. I find it very disturbing when I see polling results that show legislators are held in such low esteem by the public. You are the people that can change that public opinion.

Successful politics is the art of timing, leveraging of power and compromise. If you are not careful the line between ethical and non-ethical use of those ingredients can become blurred.

The public has empowered you to act their behalf, never lose sight of that responsibility.

Our time here in the legislature is relatively short. Don't ever compromise your personal integrity for some short term gain. Once that occurs, you have most likely lost your credibility forever.

Having said that, I leave this great body confident that each of you will to do great things for the State of Michigan in the years to come. I will pray for God's blessing on each of you. Thank you one and all for what has been the most interesting six years of my life."

Rep. Taub:

"Goodbye to Oz - December 14, 2006

The time has come to say 'good-bye'  
To hit the 'yellow brick road.'  
To pack a box, to grab '*the jar*'  
And get in civilian mode.

The four years here in the 'Land of Oz'  
Have been fun and lots of work.  
Making new friends, going new places  
Being the caucus clerk.

But before I go, you probably know,  
I have a few words to say.  
'Bout the system we have, the way it works,  
The games we have to play.

The first game is called term limits,  
A plan to make you heave.  
You no sooner get a foot in the door,  
And the law says, 'You must leave.'

Next comes the game of trust,  
For which there is no time.  
To evaluate a wink, a nod,  
A shake, a smile, a dime.

And finally comes the very last game,  
The one that we all call.  
It's tough, it's rough, it's politics.  
And it has embraced us all.

You may think that I'm all done.  
Time to close, today.  
However, I still have a few more words,  
Of thank you's I must say.

To Patti who has kept me on track,  
Who works with her heart and her head.  
To Brandi and Matt who got me where,  
Sometimes I feared to tread.

Thank you to my roommates,  
One bedroom, one bathroom, five gals.  
To Laura, Michelle, and Fran, and Barb,  
Bull sessions with my pals.

In the chamber I thank Gary Randall,  
I thank Lindy Benedict, as well.  
Mostly, I thank the Red Coat guys  
Who do more than we can tell.

Here's to those in the Speaker's office  
Jim Holcomb's folks, his crews,  
From Babs, to Mike, to Brandi,  
To Jen Spike with her shoes.

They deserve a great big hand,  
For the days and long, long nights,  
For bills, and conferences and committees,  
For trying to get it right.

Thanks to Fiscal services,  
Mitch Bean you are the best.  
Thanks Robin, Thanks Bill, Thanks Hummel et al,  
Budgeting is the test.

LSB ! LSB !  
They write every bill.  
Sewers, water, Ryder Cup,  
You're a real writing mill.

I've been blessed with two Speakers,  
One farmer, I hid from that man.  
The other from Oakland County,  
With an extremely ambitious plan.

Randy and Chris, my floor leaders,  
Never seemed to unravel.  
Larry and Jerry, Speakers Pro-tem,  
Were demons with a gavel.

Right outside the chamber doors  
The gang who says, 'Vote my way!'  
Lincoln called them lobbyists.  
The name remains today.

Here, here a cheer to the yuppers,  
Who commune with bears and trees.  
And to those of us in the mitten,  
We rake up all their leaves.

Each one of you will be thought of  
Most fondly when I'm at home.  
In spite of the aisle and rhetoric,  
We all serve under this dome.

To my class of two thousand ought two  
You all are right on track.  
I won't be leaving with you in '08,  
But, I will be coming back!

Finally, to my family,  
To Steve, the love of my life.  
I'll be home soon today,  
You're getting back your wife."

Rep. Williams:

“Thank you Mr. Speaker,

Before I start I would like to say that there are so many people in this chamber that have meant so much to me, including the three musketeers. I first would like to thank my wife of 43 years Lavion, I think that it takes a special person to be the spouse of a Legislature because this process takes up so much of you from them and to have them support you is a wonderful thing. I’d like to thank my staff Ontay Johnson and D’Andrea Stewart for supporting me these years that I’ve been in office.

I am going to be brief as brief as my colleague that preceded me. I just wanted to express some feelings. I’ve always been awed by this institution, I’ve always been awed by the privilege that God gave me to serve here. I was so very proud one day when the Lansing State Journal, right after I got here ran a front page story that featured myself, Michael Murphy and Sandy Lipsey and it talked about how we were three African Americans who had been elected across the state and we weren’t from Detroit. I don’t mean that as a put down from Detroit but normally that’s what people look to see; and I was just so very proud to see that and to realize that we’ve broken some new grounds. I’ve also looked at this experience this way right or wrongly. God could have given any African American he had wanted the privilege of being the first African American to serve in the 95th Legislative District in the State of Michigan, but he saved it for me. He waited until I was ready for it and he gave it to me. One thing that I am certain of and that I’m very, very proud of is that 200 years from now when a teacher in Michigan asks her students in a government or civics class who was the first African American ever to serve in the 95th Legislative seat in the State of Michigan, they will have to say ‘Carl MacArthur Williams’. I say that not bragging, but what an awesome privilege that is from God. To me what that means is I will live forever, I will live forever and I appreciate that.

I’ve often wondered how I could be so blessed to come here and on the other hand to come here in the minority. I’ve often wondered how could such a wonderful thing have happened to me, but then I come in the minority and what that means and maybe in retrospect when I look at it maybe I came in the minority so it would keep me humble, maybe I came in the minority so that it would keep me centered , maybe I came in the minority so I wouldn’t start to believe my press clippings, maybe I came in the minority so I would not start to think that it was all about me, maybe I came in the minority so God could keep reminding me that the reason that I am here is to serve others and not myself. I have a caution for all of my colleagues, before I go to my seat; during my 6 years here I think, I’ve started to see a slow erosion of this institution. I think I’ve seen it in a slow erosion of the traditions in this institution. I think I’ve seen it in the erosion of respect in this institution. I think I’ve seen it in the lack of what I thought bi-partisanship meant when I came here. I think I’ve seen it again in the lack of what I consider respect. I want to say this to all of my colleagues, no matter who is in power if this institution erodes then there’s a potential of Michigan eroding. If this institution erodes we put the people of Michigan at risk. If I leave you with anything, I’ll leave you with this, respect this institution, love this institution and always remember that this is a dance that very few people are allowed to attend, don’t abuse that, be grateful to God that you were allowed to attend this dance. I wouldn’t have missed it for the world.

Thank you.”

Rep. Van Regenmorter:

“Thank you Mr. Speaker. This is pretty difficult. I’ve avoided these for 24 years and they finally caught me and I’m under arrest as soon as this is finished. I’m grateful that I’ve had an opportunity to serve with each of you. As you are all aware, I’m a firm believer that we do not serve alone, but we serve at the will of our God, and so that’s one of the goals I set before me. To try to praise Him in what I do. I know there are a number of others who feel that way, and a number of others who don’t feel that way. If you don’t feel that way you give us a letter or a card or something and I’ll have John Moolenaar call on you right away.

But He does, He grants us sustaining power with His gracious assistance for those of us who serve. All of us here. I must say that along the way, He provided my wonderful wife, Cheryl, my children and my grandchildren. Without their support, my work would have been impossible.

I can’t help but remember when I was first put along side Tim Moore. Tim is, I don’t know, he’s thirteen or fourteen years old something like that, but he’s surprisingly mature I must say. Every time Gretchen Whitmer would come near my desk, as a lot of you know my nick name for Gretchen is Courtney Cox – because I think she looks like Courtney Cox and that’s how she should be known, but Tim of course always wanted to let my wife know that I was paying her a little more attention than I ought to. So, thanks Tim. I’ll make things square with you just a little bit later.

I’ve also been blessed through the years with some wonderful staff members. Currently I have Denice Purves, Jami Des Chenes and Stacie Peltomaa. Most, if not all of you have had some contact with them, either through the Judiciary Committee or some other works that we’ve been trying to accomplish together. In twenty-four years they are the best, and I have been blessed with the best for twenty-four years and so, I’m grateful again for that kind of strong support. They have more than a few times saved me from a lot of trouble. They are competent professionals and have become in a way, a part of my extended family. I will miss my daily conversations with them.

We have quite a coterie of people from this floor who are always interested in legislation and I’m glad about that. That’s what we should be doing. We’re called Legislators. People expect us to write laws. Quite a few of those laws

go through the Judiciary Committee and I just want to mention the members of the Judiciary Committee. Not because they are one scintilla better than anybody else on this floor, but it just so happens that Judiciary has a pretty busy agenda and that's an arena in which, as Chair, I've been involved. They kind of exemplify what all of you and I stand for.

Representative Tonya Schuitmaker. Now Tonya is an attorney. She just coincidentally happens to be extremely attractive. It took her about a minute and a quarter to convince everybody that all those blond bomb jokes were nonsense. It has been great to have you on the committee, Tonya.

Gary Newell, who always knows the answer. Gary Newell of course, as most of you know, was a State Police Officer for many years. He was Mike Nofs' boss by the way, so Mike still genuflects once in awhile when they meet each other in the hallway. What a brown nose he is. Gary, when I mispronounced his name, I called him Gary Powell in one of our committee meetings, he smiled and just let it go off his back and he's one of those fine people whose expertise does not shroud his ability to help all of us do good things for Michigan.

Mike Nofs, well, I just told you about Mike and one of his secrets. Mike and I go back to a number of years ago in Battle Creek where I was the speaker for a Victim's Rights Conference and Mike was there as a State Police Officer and we had a chance to talk to each other for quite awhile. Later when both of us were serving here, we had a chance to renew our friendship and it is one that I value.

John Stakoe, Kevin Elsenheimer, Rick Jones, David Law, Tory Rocca. All of these are Judiciary Committee members. Most of them are lawyers, it's true, but surprisingly enough they're pretty decent fellows. I'm going to have to strike all the lawyer jokes from my speeches from now on.

Minority Chair, Alexander Lipsey. A lot of you know Sandi Lipsey. He's a quiet gentleman. Some of you may not have had the same opportunity that I've had in working very closely with him. He is the Minority Vice Chair of the House Judiciary Committee. I've learned to appreciate him not only as a wonderful human being, but a brilliant lawyer and someone who is interested in doing good for the public and I'm very, very full of admiration for Sandi Lipsey and we will be losing a wonderful man.

Paul Condino. He's been instrumental in a lot of ways. We became friends early on and I was immediately struck by his willingness to work together, his knowledge of the system which he used brilliantly, not as a hammer, but as a means of getting people together at the same table and coming up with solutions that work well. He gave me a most extraordinary gift, and that was after some years I had written a law called The Crime Victim's Rights Act, which had become a fairly well known law, and Paul said that as a practicing attorney, The Crime Victim's Rights Act was one of those laws that apparently a lawyer, and I'm not a lawyer, will put on the list to be available for testimony during a trial. We had a bill before us making some technical amendments to The Crime Victim's Rights Act; Paul offered an amendment naming that law after me. You know that I'm a conservative Dutchman from the west side of the state, Paul Condino is a liberal trial lawyer from the east side of the state. I'm glad my Pastor doesn't know about this. He is just an outstanding person and I am deeply honored by what he did. I think my committee members will agree that he has served well and as time goes on I would look to him as being a person who is actively involved in making sure that we be as bipartisan as we possibly can. I liked that committee so much because it was very bipartisan.

Steve Adamini is a little like a few others on our committee. Steve is an attorney from the north country, and he's quiet. Before I came here, after I'd been elected, I had a couple of people who know Steve and said, 'You know, you're going to be serving with Steve Adamini. He's a handful.' And they were apparently fans of his because they had good things to say about him, but I found him to be just absolutely the opposite. An outstanding person, a brilliant lawyer, someone who, not only can one respect, but who gets the job done and Steve, thank you for being a friend.

Bill McConico, spoke a little earlier this afternoon. He is someone of whom I am a fan because of what he stands for.

Steve Bieda. Boy, whoever chairs Judiciary Committee next year, if Steve is on it, you've got to tell him ahead of time before every meeting, no questions. Because if you say, 'just one question,' he'll ask twenty. So, if you say no questions, he'll ask about ten. That's too long, that's just too long. Steve, I'm so glad to know you and to have served with you Steve.

Virgil Smith, whose father served with me in the Senate, here's a guy who came up with some of the most interesting bill ideas I've ever seen. I said interesting Virgil, so get back in your seat. He turned out to be a very nice young man. He's young and ambitious and eager. I think he has a good and long career ahead of him.

I will tell you that, in preparing for this, it's very difficult because I have met so many people who are worthy of mention during my tenure here, it would be impossible to name them all. Jim Howell. I think quite a few of you remember Jim Howell. He was Chair of the House Judiciary Committee, and a very good one. Late in his career, his son was in a horrible accident and to this day is not fully recovered, but has made some improvement. We pray for Jim and his wife frequently.

Jack Brandenburg. The minute he found out my grandson was named Jack, he hounded me every single day. I kind of wish he wouldn't have done that so much. I'd rather he would've put a large amount in a trust account for that grandson.

Brenda Clack and Mary Waters, two really nice people among many nice people. They both are not only believing Christians, but they let their light shine in a whole number of ways. One of them is by being exceptionally nice and another is by working hard on legislation and serving people. I count it a privilege to have served with both of you.

Some groups that I've had a chance to work with and who have really contributed to life in Michigan, particularly through input in some of our laws, MADD (Mothers against Drunk Driving), Right To Life of Michigan, Parents of Murdered Children, many law enforcement groups, The Prosecuting Attorneys Association of Michigan. I might just mention that Parents of Murdered Children, and you can tell from the name of the group it's not one you want to be eligible to join, but it has a lot of members and its membership is growing, they gave me an award. The award is box with glass sides about roughly a foot square by about maybe eight or nine inches high, and people who come into my office often ask about that award, because it's simply a pair of children's used tennis shoes. That's all it is. But, if you read the language, you find that those were two tennis shoes that were worn by a child who was killed. It really causes one to pause and think about how terrible things sometimes are. Knowing that, I think what we do, and that is to provide the law which provides the basis for the kinds of laws that protect us all. That's our principle obligation by the way, from the state at least, and that's to provide for the public protection. I think this body does a wonderful job doing that and I'm very proud to be affiliated with it.

With time short, I want to mention a couple of things and I hope you'll excuse me for getting, not exactly maudlin, but demonstrating how old I am by telling stories. People sometime ask me 'what was it like in the old days?' I served here eight years in the early eighties until the late eighties and things were very different.

For instance, when you entered the chamber, it was filled with smoke. I'm not kidding about the filled part. You could see gray smoke all over this place, because smoking was not only acceptable, it was practiced by a lot of people. That was one difference that I noted right away being now a non-smoker.

Then something happened that has become known as the 'why' question. And I mention this because this is one, again, I'll bet you've not heard and that's because of term limits. If you had people still here, you could ask them about the 'why' question, although one may argue whether the 'why' question has any value whatsoever, in fact it doesn't have any value whatsoever. Here's what happened with the 'why' question. Someone, I'll not name the person, long gone from this body, maybe four or five seats, off the aisle going over that way, and this gentleman had a fondness for alcoholic beverages and his fondness was not reasonable and so he walked in one day and sat down in his seat and session was started. He did o.k., but as the day got even warmer, he got even sleepier. And so, sitting in his chair he began to doze. Well, Gary's up there. Gary knows this exactly. Gary served here at the same time. So, everybody could see that he was, how will I say it, well lubricated. In those days, we would raise our hands if we wanted to talk. One of the Clerk's people would write our name down and then, as they got to your name, the Clerk would say, 'so and so to speak on the issue' or something like that and then you would speak. They did a lot of speaking, more than they do now, but on the floor there was a lot of debate. So, he sat down for awhile and thought, 'well, I'd better get involved,' so he raised his hand, and dutifully, the Clerk wrote down the name. It must have been an interesting bill. He sat down in his chair and time went by. Quite a bit of time. Enough time for him to fall asleep and so the Speaker announced the bill and said we have so and so to speak and somebody nudged our friend as hard as he could with his elbow saying, 'wake up, wake up, wake up, you've got to talk on this bill.' So, he sat up and took a look at what was happening and realized he had not the faintest idea of what was happening here. And so, he sat there for a minute and then, his face as red as could be, he stood up and said, 'Mr. Speaker, I just have a single question and that question is why. Now there are a lot of people here who know the question and the answer, and they will answer to you why. It's pretty difficult as we go out among our constituencies and they ask us about this and all we can say is why, we're going to be embarrassed.' He concluded by saying something like, 'From now on, if people want to ask why, they ought to do that in the Committee.'

On one occasion there was a theory that the Minority Leader had an office that was tapped. The Minority Leader in those days was a Democrat by the way, if you're interested. And, sure enough, the Republicans decided on a coup. The totals were very close, so they were going to swing two Democrat votes with big promises of being Floor Leader or Speaker and so on, and before that meeting broke up, it wasn't ten minutes and we had the Speaker at the door of that room. So we felt fairly confident that we ought to be careful what we say in that room and we were from that time on.

I just want to mention briefly term limits. I know it's kind of difficult for Legislators to talk about term limits because it's sort of self-serving, but nothing says Legislators can't look at a bill idea and support it or object to it and whatever they do is up to them. But, I do think we've always had term limits, you all know that. The public has had a chance to limit our term at the election box every two years for a long period of time. We've got clear demonstration with term limits that those promoting it do not trust the public, which seems like a strange kind of a process. There's not enough time. As I said, you wouldn't have even heard the 'why' story if I hadn't have been here such a terrible long boring time. It's going to be, I think, an issue. I didn't think that four years ago. I thought four or five years ago there wouldn't be a chance that term limits would be addressed and maybe they won't be now, but if there is a possibility of the kind of committee that could do it at arms length or better from any other organization, including the Legislature, I think that might be worth at least taking a look at.

My motto is a verse from Proverbs. It's Proverbs 31, verse 8, which says, 'Speak up for those who cannot speak for themselves for the rights of all who are destitute.' In this body, you have been very willing to speak up for the rights of others and I'm just as proud as I can possibly be, and so honored to have had the chance to serve with you in the Michigan Capitol. Thanks for allowing me to do that."

Rep. Hunter:

"Thank you very much Mr. Speaker and uh, I want you all to know that I am not at all prepared to top the last speech that was given by my good colleague Representative Cole, or any other of the fine speeches given over the last couple days, but I do rise today to bid you all farewell as an outgoing member of this fine chamber. And um, I'm going to keep my comments very short because after all I will be working with most of you next term on the other side of the Capitol as the Senator from the 5th District. But I do just want to share a couple of thoughts with you today.

First of all I can't proceed without giving honor to God as the head of my life. And I want to thank my dear family, in particular, my mother, my beautiful bride to be and my precious son Jalen. These 3 individuals are my heart, my soul and my inspiration. I want to also thank my campaign manager, advisor and good friend Eric Foster who has been with me from the very beginning in my short political career. I want to also thank my staff family, Teisha Metoyer and Stephen Roth, who have done a great job for me. They are simply the best.

Whenever I am asked why I decided to enter politics I think of someone who is a very close friend of mine. He's a high school classmate, college roommate for 3 years, a fraternity brother and now my colleague for the past 2 terms, Representative William Chavez McConico. Says thank you I have to give it up. If you know Bill McConico he has a slight ego problem. But it wasn't until you dare to run Bill, with no political experience, very little backing, little money and you won that race in 2000. It was then that's I knew that this was obtainable for me – really. Your heart, your gumption, was an inspiration to me and it continues to be. Thank you very much for being my friend for almost 20 years now, if you can believe it. I continue to wish you, Jennifer Kindle and William Jr. all the best. I love you Bill.

Like you I'm also proud of the fact that our great friend and brother Bertram Johnson, who is sitting right next to Representative McConico, will become a member of this great chamber. I know Bert will do a great job on the behalf of the citizens of the 5th District. And Bert I'm sure with the \$20,000 or so grand you raised for the primary you didn't think you were going be all over network television talking about your candidacy for the house, or have it talked about for you.

At any rate words really can't express the way I'm feeling right now. All I can say is a heartfelt thank you to everyone.

Thank you Leader Byrum, Diane I was one of those hard headed Democrats that was difficult to deal with I know, but 5 seats, 1 election cycle and 6 in the other, the results speak for themselves, what can I say other than Madame Speaker, Thank you.

Floor Leader Waters, I gave you many problems I know, but you've become a great friend and I respect you a whole lot. I know that you will do well in whatever you choose to take on.

With that, I want to extend my well wishes to House Speaker Elect Andy Dillon, there's none smarter in this chamber.

Followed by my seat mate, Steve Tobocman, who I affectionately refer to as the policy walker of this chamber. Great guy who knocked off an incumbent who no thought he ever would be able to, but he raised the money, knocked at doors, what, 3 1/2 times that summer. And I was looking forward to meeting him because his reputation preceded him. But, you have not disappointed, I admire and respect you a great deal Steve.

I have to give a special thank you to all of my fellow members of the Detroit Delegation who all know Detroit, this great city, is a hard city to represent. It's a hard city to represent.

As well as others like Representative Clack, who's, I don't know if you know this but you're like a mother to me.

Reverend Murphy, Representative Williams, thank you so much for the advice that you gave me; I will carry it for the rest of my life.

Paul Condino, Chris Kolb, Alexander Lipsey, Representative Wheeler and Barb Farrah, Thank you very much for your friendship.

I want to also express appreciation to all those who have come before me in this great house, it's an honor for me to say that I was amongst the ranks of the same chamber that the great Approps Chair Morris Hood – Rest his Soul – he was here, Teola Hunter, who wasn't my mother but she was a very fine lady as well.

Representative former Speaker Curtis Hurtel and some of you may be shocked to me say this but it's really sincere, none other of course than the great Mayor Kwame Malik Kilpatrick who I've learned to respect and admire a great deal.

During my time here I'm also reminded of one of my favorite quotes. It has become sort of a meditation for me it was by De. Benjamin Elijah Maysville who said 'I have only a minute, only 60 seconds in it, force to pry me can't refuse it, didn't seek it, didn't choose it, but it's up to me to use it. I must suffer it I lose it, given account if I abuse it, just a tiny little minute but eternity is in it.'

Our time here is very short in this era of term limits. I have come to really appreciate thought, how precious of an opportunity this really is. To represent the interest of those going to that voting booth and choosing you and me over all others that tried. Even though our time here is short I will carry with me though, the friends that I have made and all the things that I have learned for the rest of my life.

In closing I want to say that I, like all of you, came here to serve the people and to make a difference in the community in which we live. So, if I have been able to help a constituent with a problem no matter how big or how small, if I have kept my commitment to be honest, trustworthy and accountable, if I have been a good son, a good friend, a good father and a good public servant then all praises due to my Lord and Savior Jesus Christ.

And only the mistakes were mine.

Thank you my dear colleagues I wish you all well.”

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Rep. Emmons moved that the House adjourn.

The motion prevailed, the time being 2:00 a.m.

The Speaker Pro Tempore declared the House adjourned until Friday, December 29, at 11:00 a.m.

GARY L. RANDALL  
Clerk of the House of Representatives

