

No. 80
STATE OF MICHIGAN
Journal of the Senate
94th Legislature
REGULAR SESSION OF 2008

Senate Chamber, Lansing, Thursday, September 25, 2008.

10:00 a.m.

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

The roll was called by the Secretary of the Senate, who announced that a quorum was present.

Allen—present
Anderson—present
Barcia—present
Basham—present
Birkholz—present
Bishop—present
Brater—present
Brown—present
Cassis—present
Cherry—present
Clark-Coleman—present
Clarke—present
Cropsey—present

Garcia—present
George—present
Gilbert—present
Gleason—present
Hardiman—excused
Hunter—present
Jacobs—present
Jansen—present
Jelinek—present
Kahn—present
Kuipers—present
McManus—present
Olshove—present

Pappageorge—present
Patterson—present
Prusi—present
Richardville—present
Sanborn—present
Schauer—present
Scott—present
Stamas—present
Switalski—present
Thomas—present
Van Woerkom—present
Whitmer—present

Senator Martha G. Scott of the 2nd District offered the following invocation:

I will read you the 63rd Psalm, a Psalm of David when he was in the wilderness of Judea:

“O God, thou art my God; early will I seek thee: my soul thirsteth for thee, my flesh longeth for thee in a dry and thirsty land, where no water is; to see thy power and thy glory, so as I have seen thee in the sanctuary. Because thy loving kindness is better than life, my lips shall praise thee. Thus will I bless thee while I live: I will lift up my hands in thy name. My soul shall be satisfied as with marrow and fatness; and my mouth shall praise thee with joyful lips: when I remember thee upon my bed, and meditate on thee in the night watches. Because thou hast been my help, therefore in the shadow of thy wings will I rejoice. My soul followeth hard after thee: thy right hand upholdeth me. But those that seek my soul, to destroy it, shall go into the lower parts of the earth. They shall fall by the sword: they shall be a portion for foxes. But the king shall rejoice in God; every one that sweareth by him shall glory: but the mouth of them that speak lies shall be stopped.” Amen.

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

Motions and Communications

Senators Kahn, Bishop, Kuipers and Basham entered the Senate Chamber.

Senator Cropsey moved that Senator Hardiman be excused from today’s session.
The motion prevailed.

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

The motion prevailed.

Senator Allen’s statement is as follows:

Today, we are saddened to be seeing one of our other staff people departing and moving on. Joe Agostinelli has been an integral part of our staff, Team Allen, for the last several years, almost ten years. Starting out as a campaign staff member; and working his way through, whether it be with constituent relations, doing a significant amount of outreach within our 37th District stretching from the Sault Ste. Marie area all the way to Traverse City and over to Rogers City; and ultimately, as our legislative director. He was instrumental in making sure that much of the downtown package, the tourism package, the film package, the veterans’ package, machine tooling—a litany of things—were taking place. We are very grateful.

He started in his new job at the Michigan Economic Development Corporation. He is heading up small towns and doing communities working within our downtown area. We are very saddened to see him leave our staff but very happy for his new position. He is taking the knowledge that he has learned in the Michigan Senate and using it and applying it.

I would like an appropriate Senate greeting given to this great person who has done a phenomenal job for our staff. Joe, thank you very much.

Senator Thomas moved that Senators Barcia and Clarke be temporarily excused from today’s session.
The motion prevailed.

Senators Barcia and Clarke entered the Senate Chamber.

Recess

Senator Cropsey moved that the Senate recess subject to the call of the Chair.
The motion prevailed, the time being 10:08 a.m.

11:15 a.m.

The Senate was called to order by the President pro tempore, Senator Richardville.

During the recess, Senators Brown and Garcia entered the Senate Chamber.

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

House Bill No. 6032

House Bill No. 6059

House Bill No. 6091

House Bill No. 5249

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

The Secretary announced that the following House bills were received in the Senate and filed on Wednesday, September 24:

House Bill Nos. 5025 5026 6010 6386 6387 6390 6391 6428 6429 6430 6431 6456 6477

The Secretary announced the enrollment printing and presentation to the Governor on Wednesday, September 24, for her approval the following bills:

Enrolled Senate Bill No. 1263 at 2:31 p.m.

Enrolled Senate Bill No. 1048 at 2:33 p.m.

Enrolled Senate Bill No. 213 at 2:35 p.m.

The Secretary announced that the following official bills were printed on Wednesday, September 24, and are available at the legislative website:

Senate Bill Nos. 1527 1528 1529 1530 1531 1532 1533 1534 1535 1539

House Bill Nos. 6491 6492 6493

By unanimous consent the Senate proceeded to the order of

General Orders

Senator Cropsey moved that the Senate resolve itself into the Committee of the Whole for consideration of the General Orders calendar.

The motion prevailed, and the President pro tempore, Senator Richardville, designated Senator George as Chairperson.

After some time spent therein, the Committee arose; and, the President pro tempore, Senator Richardville, having resumed the Chair, the Committee reported back to the Senate, favorably and without amendment, the following bills:

House Bill No. 6059, entitled

A bill to amend 1997 PA 70, entitled "Compulsive gaming prevention act," by amending section 3 (MCL 432.253).

House Bill No. 6091, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 3104, 3306, 30104, 30109, 32312, and 32513 (MCL 324.3104, 324.3306, 324.30104, 324.30109, 324.32312, and 324.32513), section 3104 as amended by 2005 PA 33, section 3306 as added by 2004 PA 246, section 30104 as amended by 2006 PA 531, sections 30109 and 32513 as amended by 2003 PA 163, and section 32312 as amended by 2004 PA 325.

House Bill No. 6133, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 51108 (MCL 324.51108), as amended by 2006 PA 382.

Senate Bill No. 1466, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 41301 (MCL 324.41301), as amended by 2005 PA 77.

The bills were placed on the order of Third Reading of Bills.

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

House Bill No. 6032, entitled

A bill to amend 1992 PA 147, entitled "Neighborhood enterprise zone act," by amending sections 2, 4, 5, 6, 7, 11, and 16 (MCL 207.772, 207.774, 207.775, 207.776, 207.777, 207.781, and 207.786), section 2 as amended by 2008 PA 228, section 4 as amended by 2008 PA 4, sections 6 and 7 as amended by 2005 PA 338, and section 11 as amended by 2005 PA 339; and to repeal acts and parts of acts.

Substitute (S-2).

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

The Committee of the Whole reported back to the Senate, favorably and with a substitute therefor, the following bill:
House Bill No. 5249, entitled

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," by amending section 224b (MCL 500.224b), as amended by 2005 PA 83.

Substitute (S-1).

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

The Committee of the Whole reported back to the Senate, favorably and with a substitute therefor, the following bill:
Senate Bill No. 1227, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 11717b (MCL 324.11717b), as added by 2004 PA 381.

Substitute (S-1).

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

By unanimous consent the Senate returned to the order of
Third Reading of Bills

Senator Cropsey moved that the rules be suspended and that the following bills, now on the order of Third Reading of Bills, be placed on their immediate passage:

House Bill No. 6032

House Bill No. 6059

House Bill No. 6091

House Bill No. 5249

House Bill No. 6133

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

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

House Bill No. 6032

House Bill No. 6059

House Bill No. 6091

House Bill No. 5249

House Bill No. 6133

Senate Bill No. 1084

House Bill No. 5686

House Bill No. 6271

The motion prevailed.

The following bill was read a third time:

House Bill No. 6032, entitled

A bill to amend 1992 PA 147, entitled "Neighborhood enterprise zone act," by amending sections 2, 4, 5, 6, 7, 11, and 16 (MCL 207.772, 207.774, 207.775, 207.776, 207.777, 207.781, and 207.786), section 2 as amended by 2008 PA 228, section 4 as amended by 2008 PA 4, sections 6 and 7 as amended by 2005 PA 338, and section 11 as amended by 2005 PA 339; and to repeal acts and parts of acts.

The question being on the passage of the bill,

The bill was passed, a majority of the members serving voting therefor, as follows:

Roll Call No. 567

Yeas—37

Allen
Anderson
Barcia

Clark-Coleman
Clarke
Cropsey

Jansen
Jelinek
Kahn

Richardville
Sanborn
Schauer

Basham	Garcia	Kuipers	Scott
Birkholz	George	McManus	Stamas
Bishop	Gilbert	Olshove	Switalski
Brater	Gleason	Pappageorge	Thomas
Brown	Hunter	Patterson	Van Woerkom
Cassis	Jacobs	Prusi	Whitmer
Cherry			

Nays—0

Excused—1

Hardiman

Not Voting—0

In The Chair: Richardville

The question being on concurring in the committee recommendation to give the bill immediate effect,
The recommendation was concurred in, 2/3 of the members serving voting therefor.

Pursuant to Joint Rule 20, the full title of the act shall be inserted to read as follows:

“An act to 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.”.

The Senate agreed to the full title.

The following bill was read a third time:

House Bill No. 6059, entitled

A bill to amend 1997 PA 70, entitled “Compulsive gaming prevention act,” by amending section 3 (MCL 432.253).

The question being on the passage of the bill,

The bill was passed, a majority of the members serving voting therefor, as follows:

Roll Call No. 568

Yeas—37

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

Nays—0

Excused—1

Hardiman

Not Voting—0

In The Chair: Richardville

The question being on concurring in the committee recommendation to give the bill immediate effect,
The recommendation was concurred in, 2/3 of the members serving voting therefor.

Pursuant to Joint Rule 20, the full title of the act shall be inserted to read as follows:

“An act to create the compulsive gaming prevention fund; to impose duties on certain licensed entities; to prescribe the duties of certain state officials; and to impose penalties.”.

The Senate agreed to the full title.

The following bill was read a third time:

House Bill No. 6091, entitled

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” by amending sections 3104, 3306, 30104, 30109, 32312, and 32513 (MCL 324.3104, 324.3306, 324.30104, 324.30109, 324.32312, and 324.32513), section 3104 as amended by 2005 PA 33, section 3306 as added by 2004 PA 246, section 30104 as amended by 2006 PA 531, sections 30109 and 32513 as amended by 2003 PA 163, and section 32312 as amended by 2004 PA 325.

The question being on the passage of the bill,

The bill was passed, a majority of the members serving voting therefor, as follows:

Roll Call No. 569**Yeas—37**

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

Nays—0**Excused—1**

Hardiman

Not Voting—0

In The Chair: Richardville

The question being on concurring in the committee recommendation to give the bill immediate effect,
The recommendation was concurred in, 2/3 of the members serving voting therefor.

Pursuant to Joint Rule 20, the full title of the act shall be inserted to read as follows:

“An act to protect the environment and natural resources of the state; to codify, revise, consolidate, and classify laws relating to the environment and natural resources of the state; to regulate the discharge of certain substances into the environment; to regulate the use of certain lands, waters, and other natural resources of the state; to prescribe the powers and duties of certain state and local agencies and officials; to provide for certain charges, fees, assessments, and donations; to provide certain appropriations; to prescribe penalties and provide remedies; and to repeal acts and parts of acts;”.

The Senate agreed to the full title.

The following bill was read a third time:

House Bill No. 5249, entitled

A bill to amend 1956 PA 218, entitled “The insurance code of 1956,” by amending section 224b (MCL 500.224b), as amended by 2007 PA 88.

The question being on the passage of the bill,

The bill was passed, a majority of the members serving voting therefor, as follows:

Roll Call No. 570

Yeas—37

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

Nays—0

Excused—1

Hardiman

Not Voting—0

In The Chair: Richardville

The question being on concurring in the committee recommendation to give the bill immediate effect,
The recommendation was concurred in, 2/3 of the members serving voting therefor.

Pursuant to Joint Rule 20, the full title of the act shall be inserted to read as follows:

“An act to revise, consolidate, and classify the laws relating to the insurance and surety business; to regulate the incorporation or formation of domestic insurance and surety companies and associations and the admission of foreign and alien companies and associations; to provide their rights, powers, and immunities and to prescribe the conditions on which companies and associations organized, existing, or authorized under this act may exercise their powers; to provide the rights, powers, and immunities and to prescribe the conditions on which other persons, firms, corporations, associations, risk retention groups, and purchasing groups engaged in an insurance or surety business may exercise their

powers; to provide for the imposition of a privilege fee on domestic insurance companies and associations and the state accident fund; to provide for the imposition of a tax on the business of foreign and alien companies and associations; to provide for the imposition of a tax on risk retention groups and purchasing groups; to provide for the imposition of a tax on the business of surplus line agents; to provide for the imposition of regulatory fees on certain insurers; to provide for assessment fees on certain health maintenance organizations; to modify tort liability arising out of certain accidents; to provide for limited actions with respect to that modified tort liability and to prescribe certain procedures for maintaining those actions; to require security for losses arising out of certain accidents; to provide for the continued availability and affordability of automobile insurance and homeowners insurance in this state and to facilitate the purchase of that insurance by all residents of this state at fair and reasonable rates; to provide for certain reporting with respect to insurance and with respect to certain claims against uninsured or self-insured persons; to prescribe duties for certain state departments and officers with respect to that reporting; to provide for certain assessments; to establish and continue certain state insurance funds; to modify and clarify the status, rights, powers, duties, and operations of the nonprofit malpractice insurance fund; to provide for the departmental supervision and regulation of the insurance and surety business within this state; to provide for regulation over worker's compensation self-insurers; to provide for the conservation, rehabilitation, or liquidation of unsound or insolvent insurers; to provide for the protection of policyholders, claimants, and creditors of unsound or insolvent insurers; to provide for associations of insurers to protect policyholders and claimants in the event of insurer insolvencies; to prescribe educational requirements for insurance agents and solicitors; to provide for the regulation of multiple employer welfare arrangements; to create an automobile theft prevention authority to reduce the number of automobile thefts in this state; to prescribe the powers and duties of the automobile theft prevention authority; to provide certain powers and duties upon certain officials, departments, and authorities of this state; to provide for an appropriation; to repeal acts and parts of acts; and to provide penalties for the violation of this act.”.

The Senate agreed to the full title.

The following bill was read a third time:

House Bill No. 6133, entitled

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” by amending section 51108 (MCL 324.51108), as amended by 2006 PA 382.

The question being on the passage of the bill,

The bill was passed, a majority of the members serving voting therefor, as follows:

Roll Call No. 571

Yeas—37

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

Nays—0

Excused—1

Hardiman

Not Voting—0

In The Chair: Richardville

The question being on concurring in the committee recommendation to give the bill immediate effect, The recommendation was concurred in, 2/3 of the members serving voting therefor.

Pursuant to Joint Rule 20, the full title of the act shall be inserted to read as follows:

“An act to protect the environment and natural resources of the state; to codify, revise, consolidate, and classify laws relating to the environment and natural resources of the state; to regulate the discharge of certain substances into the environment; to regulate the use of certain lands, waters, and other natural resources of the state; to prescribe the powers and duties of certain state and local agencies and officials; to provide for certain charges, fees, assessments, and donations; to provide certain appropriations; to prescribe penalties and provide remedies; and to repeal acts and parts of acts;”.

The Senate agreed to the full title.

The following bill was read a third time:

Senate Bill No. 1084, entitled

A bill to authorize the removal, capture, or lethal control of a gray wolf that is preying upon a dog under certain circumstances; to provide for penalties; and to promulgate rules.

The question being on the passage of the bill,

The bill was passed, a majority of the members serving voting therefor, as follows:

Roll Call No. 572

Yeas—36

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

Nays—0

Excused—1

Hardiman

Not Voting—1

Brater

In The Chair: Richardville

The Senate agreed to the title of the bill.

The following bill was read a third time:

House Bill No. 5686, entitled

A bill to authorize the removal, capture, or lethal control of a gray wolf that is preying upon livestock under certain circumstances; and to provide for penalties.

The question being on the passage of the bill,

The bill was passed, a majority of the members serving voting therefor, as follows:

Roll Call No. 573**Yeas—37**

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

Nays—0**Excused—1**

Hardiman

Not Voting—0

In The Chair: Richardville

The question being on concurring in the committee recommendation to give the bill immediate effect,
The recommendation was concurred in, 2/3 of the members serving voting therefor.
The Senate agreed to the title of the bill.

The following bill was read a third time:

House Bill No. 6271, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 48701 and 48703 (MCL 324.48701 and 324.48703), section 48701 as amended by 2003 PA 270 and section 48703 as added by 1995 PA 57; and to repeal acts and parts of acts.

The question being on the passage of the bill,

The bill was passed, a majority of the members serving voting therefor, as follows:

Roll Call No. 574**Yeas—37**

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

Nays—0

Excused—1

Hardiman

Not Voting—0

In The Chair: Richardville

The question being on concurring in the committee recommendation to give the bill immediate effect,
The recommendation was concurred in, 2/3 of the members serving voting therefor.

Pursuant to Joint Rule 20, the full title of the act shall be inserted to read as follows:

“An act to protect the environment and natural resources of the state; to codify, revise, consolidate, and classify laws relating to the environment and natural resources of the state; to regulate the discharge of certain substances into the environment; to regulate the use of certain lands, waters, and other natural resources of the state; to prescribe the powers and duties of certain state and local agencies and officials; to provide for certain charges, fees, assessments, and donations; to provide certain appropriations; to prescribe penalties and provide remedies; and to repeal acts and parts of acts;”.

The Senate agreed to the full title.

By unanimous consent the Senate returned to the order of

Messages from the House

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

Senate Bill No. 53

House Bill No. 4120

House Bill No. 4507

Senate Bill No. 868

Senate Bill No. 239

Senate Bill No. 1038

Senate Bill No. 834

The motion prevailed.

Senate Bill No. 338, entitled

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

The House of Representatives has substituted (H-3) the bill.

The House of Representatives has passed the bill as substituted (H-3), ordered that it be given immediate effect and pursuant to Joint Rule 20, inserted the full title.

Pending the order that, under rule 3.202, the bill be laid over one day,

Senator Cropsey moved that the rule be suspended.

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

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

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

Roll Call No. 575**Yeas—37**

Allen	Clark-Coleman	Jansen	Richardville
Anderson	Clarke	Jelinek	Sanborn
Barcia	Cropsey	Kahn	Schauer
Basham	Garcia	Kuipers	Scott
Birkholz	George	McManus	Stamas

Bishop
Brater
Brown
Cassis
Cherry

Gilbert
Gleason
Hunter
Jacobs

Olshove
Pappageorge
Patterson
Prusi

Switalski
Thomas
Van Woerkom
Whitmer

Nays—0

Excused—1

Hardiman

Not Voting—0

In The Chair: Richardville

The question being on concurring in the committee recommendation to give the bill immediate effect,
The recommendation was concurred in, 2/3 of the members serving voting therefor.
The Senate agreed to the full title.
The bill was referred to the Secretary for enrollment printing and presentation to the Governor.

Senate Bill No. 1304, entitled

A bill to amend 1969 PA 38, entitled "Hospital finance authority act," by amending section 3 (MCL 331.33), as amended by 1994 PA 428.

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

The question being on concurring in the committee recommendation to give the bill immediate effect,
The recommendation was concurred in, 2/3 of the members serving voting therefor.
The Senate agreed to the full title.

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

Senate Bill No. 1398, entitled

A bill to amend 1933 PA 167, entitled "General sales tax act," by amending section 25 (MCL 205.75), as amended by 2007 PA 69.

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

The House of Representatives has passed the bill as substituted (H-1), ordered that it be given immediate effect and pursuant to Joint Rule 20, inserted the full title.

Pursuant to rule 3.202, the bill was laid over one day.

Senate Bill No. 1464, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 809 (MCL 257.809), as amended by 2007 PA 71.

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

The question being on concurring in the committee recommendation to give the bill immediate effect,
The recommendation was concurred in, 2/3 of the members serving voting therefor.
The Senate agreed to the full title.

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

Senate Bill No. 1465, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 806 (MCL 257.806), as amended by 2007 PA 70.

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

The question being on concurring in the committee recommendation to give the bill immediate effect,

The recommendation was concurred in, 2/3 of the members serving voting therefor.

The Senate agreed to the full title.

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

Conference Reports

Senator Cropsey moved that joint rule 9 be suspended to permit immediate consideration of the conference report relative to the following bill:

House Bill No. 5808

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

House Bill No. 5808, entitled

A bill to make appropriations for the state transportation department and certain transportation purposes for the fiscal year ending September 30, 2009; to provide for the imposition of fees; to provide for reports; to create certain funds and programs; to prescribe requirements for certain railroad and bus facilities; to prescribe certain powers and duties of certain state departments and officials and local units of government; and to provide for the expenditure of the appropriations.

The House of Representatives 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

House Bill No. 5808, entitled

A bill to make appropriations for the state transportation department and certain transportation purposes for the fiscal year ending September 30, 2009; to provide for the imposition of fees; to provide for reports; to create certain funds and programs; to prescribe requirements for certain railroad and bus facilities; to prescribe certain powers and duties of certain state departments and officials and local units of government; and to provide for the expenditure of the appropriations.

Recommends:

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

A bill to make appropriations for the state transportation department and certain transportation purposes for the fiscal year ending September 30, 2009; to provide for the imposition of fees; to provide for reports; to create certain funds and programs; to prescribe requirements for certain railroad and bus facilities; to prescribe certain powers and duties of certain state departments and officials and local units of government; and to provide for the expenditure of the appropriations.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

PART 1

LINE-ITEM APPROPRIATIONS

Sec. 101. Subject to the conditions set forth in this act, the amounts listed in this part are appropriated for the state transportation department and certain state purposes designated in this act for the fiscal year ending September 30, 2009, from the funds indicated in this part. The following is a summary of the appropriations in this part:

STATE TRANSPORTATION DEPARTMENT

APPROPRIATION SUMMARY:

Full-time equated unclassified positions..... 6.0

Full-time equated classified positions 3,008.3

GROSS APPROPRIATION \$ 3,612,329,200

Total interdepartmental grants and intradepartmental transfers 0

ADJUSTED GROSS APPROPRIATION \$ 3,612,329,200

Federal revenues:

DOT, federal transit act 55,862,100

	For Fiscal Year Ending Sept. 30, 2009
DOT-FHWA, highway research, planning, and construction.....	\$ 1,266,209,100
DOT-FRA, local rail service assistance.....	100,000
DOT-FRA, rail passenger/HSGT.....	5,800,000
DOT, federal aviation administration.....	133,024,600
Total federal revenues.....	1,460,995,800
Special revenue funds:	
Local revenues:	
Total local and private revenues.....	71,624,200
Blue Water Bridge fund.....	14,460,000
Comprehensive transportation fund.....	240,163,000
Economic development fund.....	57,315,000
Intercity bus equipment fund.....	1,000,000
Local bridge fund.....	31,336,800
Michigan transportation fund.....	1,014,250,400
Rail freight fund.....	2,000,000
State aeronautics fund.....	16,220,200
State trunkline fund.....	702,963,800
Total other state restricted revenues.....	2,079,709,200
State general fund/general purpose.....	\$ 0
Sec. 102. DEBT SERVICE	
State trunkline.....	\$ 139,253,700
Economic development.....	14,450,000
Local bridge fund.....	3,000,000
Blue Water Bridge fund.....	1,977,400
Airport safety and protection plan.....	3,430,900
Comprehensive transportation.....	29,891,600
GROSS APPROPRIATION.....	\$ 192,003,600
Appropriated from:	
Federal revenues:	
DOT-FHWA, highway research, planning, and construction.....	22,783,300
Special revenue funds:	
Blue Water Bridge fund.....	1,977,400
Comprehensive transportation fund.....	29,891,600
Economic development fund.....	14,450,000
Local bridge fund.....	3,000,000
State aeronautics fund.....	3,430,900
State trunkline fund.....	116,470,400
State general fund/general purpose.....	\$ 0
Sec. 103. COLLECTION, ENFORCEMENT, AND OTHER AGENCY SUPPORT SERVICES	
MTF grant to department of environmental quality.....	\$ 1,247,900
MTF grant to department of state for collection of revenue and fees.....	20,000,000
MTF grant to department of treasury.....	7,250,800
MTF grant to legislative auditor general.....	204,300
STF grant to department of attorney general.....	2,821,100
STF grant to civil service commission.....	5,044,000
STF grant to department of history, arts, and libraries.....	110,900
STF grant to department of management and budget.....	1,445,300
STF grant to department of state police.....	9,593,400
STF grant to department of treasury.....	180,200
STF grant to legislative auditor general.....	474,600
SAF grant to department of attorney general.....	157,700
SAF grant to civil service commission.....	56,000
SAF grant to department of history, arts, and libraries.....	2,500
SAF grant to department of management and budget.....	32,300
SAF grant to department of treasury.....	72,400

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SAF grant to legislative auditor general.....	\$ 19,600
CTF grant to department of attorney general.....	159,800
CTF grant to civil service commission	95,000
CTF grant to department of history, arts, and libraries.....	3,900
CTF grant to department of management and budget.....	51,300
CTF grant to department of treasury.....	1,600
CTF grant to legislative auditor general.....	25,200
GROSS APPROPRIATION	\$ 49,049,800
Appropriated from:	
Special revenue funds:	
Comprehensive transportation fund.....	336,800
Michigan transportation fund	28,703,000
State aeronautics fund	340,500
State trunkline fund	19,669,500
State general fund/general purpose	\$ 0
Sec. 104. EXECUTIVE DIRECTION	
Full-time equated unclassified positions.....	6.0
Full-time equated classified positions	31.3
Unclassified salaries	\$ 602,800
Asset management council.....	1,626,400
Commission audit—31.3 FTE positions.....	3,513,100
GROSS APPROPRIATION	\$ 5,742,300
Appropriated from:	
Special revenue funds:	
Michigan transportation fund	1,626,400
State trunkline fund	4,115,900
State general fund/general purpose	\$ 0
Sec. 105. BUSINESS SUPPORT	
Full-time equated classified positions	57.0
Business support services—48.0 FTE positions.....	\$ 5,973,700
Economic development and enhancement programs—9.0 FTE positions.....	1,155,300
Property management	7,972,400
Worker’s compensation.....	2,064,000
GROSS APPROPRIATION	\$ 17,165,400
Appropriated from:	
Special revenue funds:	
Comprehensive transportation fund.....	1,097,000
Economic development fund	495,700
Michigan transportation fund	179,600
State aeronautics fund	596,800
State trunkline fund	14,796,300
State general fund/general purpose	\$ 0
Sec. 106. INFORMATION TECHNOLOGY	
Information technology services and projects	\$ 28,496,200
GROSS APPROPRIATION	\$ 28,496,200
Appropriated from:	
Federal revenues:	
DOT-FHWA, highway research, planning, and construction.....	500,300
Special revenue funds:	
Blue Water Bridge fund.....	46,800
Comprehensive transportation fund.....	183,500
Economic development fund	37,100
Michigan transportation fund	242,600
State aeronautics fund	143,200
State trunkline fund	27,342,700
State general fund/general purpose	\$ 0

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Sec. 107. FINANCE, CONTRACTS, AND SUPPORT SERVICES

Full-time equated classified positions	242.5	
Financial operations—80.0 FTE positions		\$ 7,934,500
Contract services—52.6 FTE positions		5,059,700
Department services—41.9 FTE positions		5,273,000
Performance excellence—13.0 FTE positions		1,522,800
Welcome center operations—55.0 FTE positions		4,896,500
GROSS APPROPRIATION		<u>\$ 24,686,500</u>
Appropriated from:		
Special revenue funds:		
Michigan transportation fund		1,804,000
State trunkline fund		22,882,500
State general fund/general purpose		\$ 0

Sec. 108. TRANSPORTATION PLANNING

Full-time equated classified positions	177.0	
Statewide planning services—125.0 FTE positions		\$ 13,253,300
Data collection services—52.0 FTE positions		5,716,100
Specialized planning services and local studies		16,698,200
Grants to regional planning councils		488,800
GROSS APPROPRIATION		<u>\$ 36,156,400</u>
Appropriated from:		
Federal revenues:		
DOT-FHWA, highway research, planning, and construction		22,000,000
Special revenue funds:		
Comprehensive transportation fund		960,300
Michigan transportation fund		6,304,500
State aeronautics fund		75,000
State trunkline fund		6,816,600
State general fund/general purpose		\$ 0

Sec. 109. DESIGN AND ENGINEERING SERVICES

Full-time equated classified positions	1,496.8	
Engineering services—787.1 FTE positions		\$ 58,736,800
Program services—698.7 FTE positions		39,193,800
Intelligent transportation systems operations—11.0 FTE positions		10,097,900
GROSS APPROPRIATION		<u>\$ 108,028,500</u>
Appropriated from:		
Federal revenues:		
DOT-FHWA, highway research, planning, and construction		18,912,600
Special revenue funds:		
Michigan transportation fund		5,636,100
State trunkline fund		83,479,800
State general fund/general purpose		\$ 0

Sec. 110. HIGHWAY MAINTENANCE

Full-time equated classified positions	832.7	
State trunkline operations—832.7 FTE positions		\$ 134,867,900
Contract operations		149,860,300
GROSS APPROPRIATION		<u>\$ 284,728,200</u>
Appropriated from:		
Special revenue funds:		
State trunkline fund		284,728,200
State general fund/general purpose		\$ 0

Sec. 111. ROAD AND BRIDGE PROGRAMS

State trunkline federal aid and road and bridge construction		\$ 1,043,058,100
Local federal aid and road and bridge construction		309,592,000
Grants to local programs		33,000,000
Rail grade crossing		3,000,000

	For Fiscal Year Ending Sept. 30, 2009
Local bridge program	\$ 28,336,800
County road commissions	598,102,100
Cities and villages	333,468,700
GROSS APPROPRIATION	\$ 2,348,557,700
Appropriated from:	
Federal revenues:	
DOT-FHWA, highway research, planning, and construction.....	1,202,012,900
Special revenue funds:	
Local funds	30,000,000
Blue Water Bridge fund.....	7,107,300
Local bridge fund	28,336,800
Michigan transportation fund	967,570,800
State trunkline fund	113,529,900
State general fund/general purpose	\$ 0
Sec. 112. BLUE WATER BRIDGE	
Full-time equated classified positions	41.0
Blue Water Bridge operations—41.0 FTE positions	\$ 5,328,500
GROSS APPROPRIATION	\$ 5,328,500
Appropriated from:	
Special revenue funds:	
Blue Water Bridge fund.....	5,328,500
State general fund/general purpose	\$ 0
Sec. 113. TRANSPORTATION ECONOMIC DEVELOPMENT	
Forest roads	\$ 5,040,000
Rural county urban system.....	2,500,000
Target industries/economic redevelopment.....	19,146,000
Urban county congestion.....	7,823,100
Rural county primary.....	7,823,100
GROSS APPROPRIATION	\$ 42,332,200
Appropriated from:	
Special revenue funds:	
Economic development fund	42,332,200
State general fund/general purpose	\$ 0
Sec. 114. AERONAUTICS AND FREIGHT SERVICES	
Full-time equated classified positions	84.0
Airport improvement services—30.0 FTE positions	\$ 2,865,900
Aviation services—26.0 FTE positions	4,275,000
Freight and safety services—28.0 FTE positions.....	3,499,400
Air service program.....	700,000
GROSS APPROPRIATION	\$ 11,340,300
Appropriated from:	
Special revenue funds:	
Comprehensive transportation fund.....	1,514,000
Michigan transportation fund	1,985,400
State aeronautics fund	7,840,900
State general fund/general purpose	\$ 0
Sec. 115. PUBLIC TRANSPORTATION SERVICES	
Full-time equated classified positions	46.0
Passenger transportation services—46.0 FTE positions	\$ 5,339,400
GROSS APPROPRIATION	\$ 5,339,400
Appropriated from:	
Federal revenues:	
DOT, federal transit act	762,100
Special revenue funds:	
Comprehensive transportation fund.....	4,379,300
Michigan transportation fund	198,000
State general fund/general purpose	\$ 0

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Sec. 116. BUS TRANSIT DIVISION: STATUTORY OPERATING

Local bus operating	\$ 166,624,000
Nonurban operating/capital	19,300,000
GROSS APPROPRIATION	\$ 185,924,000

Appropriated from:

Federal revenues:

DOT, federal transit act	18,500,000
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Special revenue funds:

Comprehensive transportation fund	166,624,000
Local funds	800,000
State general fund/general purpose	\$ 0

Sec. 117. INTERCITY PASSENGER AND FREIGHT

Freight property management.....	\$ 1,000,000
Detroit/Wayne County port authority	500,000
Intercity services.....	7,425,000
Rail passenger service	12,700,000
Freight preservation and development.....	5,092,900
Rail infrastructure loan program	300,000
Marine passenger service	400,000
Terminal development	550,000
GROSS APPROPRIATION	\$ 27,967,900

Appropriated from:

Federal revenues:

DOT, federal transit act	4,500,000
DOT-FRA, local rail service assistance.....	100,000
DOT-FRA, rail passenger/HSGT	5,800,000

Special revenue funds:

Local funds	50,000
Comprehensive transportation fund	14,517,900
Intercity bus equipment fund.....	1,000,000
Rail freight fund.....	2,000,000
State general fund/general purpose	\$ 0

Sec. 118. PUBLIC TRANSPORTATION DEVELOPMENT

Specialized services.....	\$ 9,500,100
Municipal credit program.....	2,000,000
Bus capital.....	40,803,000
Van pooling	195,000
Service initiatives	1,116,500
Transportation to work	9,244,000
GROSS APPROPRIATION	\$ 62,858,600

Appropriated from:

Federal revenues:

DOT, federal transit act	32,100,000
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Special revenue funds:

Local funds	10,100,000
Comprehensive transportation fund	20,658,600
State general fund/general purpose	\$ 0

Sec. 119. CAPITAL OUTLAY

(1) BUILDINGS AND FACILITIES

Salt storage buildings and containment control systems - contract agencies - various state locations.....	\$ 2,765,000
Salt storage buildings and containment control systems - various state locations.....	1,337,000
Port Huron, St. Clair County, transportation service center construction (total authorized cost \$1,915,000; state trunkline fund share \$1,915,000)	1,915,000
Fennville, Allegan County, maintenance garage expansion (total authorized cost \$945,000; state trunkline fund share \$945,000)	945,000

	For Fiscal Year Ending Sept. 30, 2009
Institutional and agency roads	\$ 750,000
Miscellaneous special maintenance, remodeling, and additions	1,420,000
GROSS APPROPRIATION	\$ 9,132,000
Appropriated from:	
Special revenue funds:	
State trunkline fund	9,132,000
State general fund/general purpose	\$ 0
(2) AIRPORT IMPROVEMENT PROGRAMS	
Airport safety, protection and improvement program	\$ 167,491,700
GROSS APPROPRIATION	\$ 167,491,700
Appropriated from:	
Federal revenues:	
DOT, federal aviation administration	133,024,600
Special revenue funds:	
Local funds	30,674,200
State aeronautics fund	3,792,900
State general fund/general purpose	\$ 0

PART 2

PROVISIONS CONCERNING APPROPRIATIONS

GENERAL SECTIONS

Sec. 201. Pursuant to section 30 of article IX of the state constitution of 1963, total state spending from state resources under part 1 for fiscal year 2008-2009 is \$2,079,709,200.00 and state spending from state resources to be paid to local units of government for fiscal year 2008-2009 is \$1,211,011,600.00. The itemized statement below identifies appropriations from which spending to units of local government will occur:

DEPARTMENT OF TRANSPORTATION

Grants to local programs	\$ 33,000,000
Economic development fund	23,186,200
Grants to cities and villages	333,468,700
Grants to county road commissions	598,102,100
Local bridge fund	28,336,800
Grants to regional planning councils	488,800
Local bus operating	166,624,000
Bus capital	9,403,000
Marine passenger service	400,000
Detroit/Wayne County port authority	500,000
Municipal credit program	2,000,000
Specialized services	4,100,100
Transportation to work	4,844,000
Buildings and facilities	2,765,000
Airport safety, protection, and improvement program	3,792,900
Total payments to local units of government	\$ 1,211,011,600

Sec. 202. The appropriations authorized under this act are subject to the management and budget act, 1984 PA 431, MCL 18.1101 to 18.1594.

Sec. 203. As used in this act:

- (a) "CTF" means comprehensive transportation fund.
- (b) "Department" means the department of transportation.
- (c) "DOT" means the United States department of transportation.
- (d) "DOT-FHWA" means DOT, federal highway administration.
- (e) "DOT-FRA" means DOT, federal railroad administration.
- (f) "DOT-FRA, rail passenger/HSGT" means DOT, federal railroad administration, high-speed ground transportation.
- (g) "EDF" means economic development fund.
- (h) "FTE" means full-time equated.
- (i) "MTF" means Michigan transportation fund.
- (j) "RIF" means recreation improvement fund.
- (k) "SAF" means state aeronautics fund.
- (l) "STF" means state trunkline fund.

Sec. 204. The civil service commission shall bill the departments and agencies at the end of the first fiscal quarter for the 1% charge authorized by section 5 of article XI of the state constitution of 1963. Payments shall be made for the total amount of the billing by the end of the second fiscal quarter.

Sec. 205. (1) A hiring freeze is imposed on the state classified civil service. State departments and agencies are prohibited from hiring any new full-time state classified civil service employees and prohibited from filling any vacant state classified civil service positions. This hiring freeze does not apply to internal transfers of classified employees from 1 position to another within a department.

(2) The state budget director may grant exceptions to this hiring freeze when the state budget director believes that the hiring freeze will result in rendering a state department or agency unable to deliver basic services, causes loss of revenue to the state, would result in the inability of the state to receive federal funds, or would necessitate additional expenditures that exceed any savings from maintaining a vacancy. The state budget director shall report quarterly to the chairpersons of the senate and house of representatives standing committees on appropriations the number of exceptions to the hiring freeze approved during the previous quarter and the reasons to justify the exception.

Sec. 206. (1) In addition to the funds appropriated in part 1, there is appropriated an amount not to exceed \$200,000,000.00 for federal contingency funds. These funds are not available for expenditure until they have been transferred to another line item in this act pursuant to section 393(2) of the management and budget act, 1984 PA 431, MCL 18.1393.

(2) In addition to the funds appropriated in part 1, there is appropriated an amount not to exceed \$40,000,000.00 for state restricted contingency funds. These funds are not available for expenditure until they have been transferred to another line item in this act pursuant to section 393(2) of the management and budget act, 1984 PA 431, MCL 18.1393.

(3) In addition to the funds appropriated in part 1, there is appropriated an amount not to exceed \$1,000,000.00 for local contingency funds. These funds are not available for expenditure until they have been transferred to another line item in this act pursuant to section 393(2) of the management and budget act, 1984 PA 431, MCL 18.1393.

(4) In addition to the funds appropriated in part 1, there is appropriated an amount not to exceed \$1,000,000.00 for private contingency funds. These funds are not available for expenditure until they have been transferred to another line item in this act pursuant to section 393(2) of the management and budget act, 1984 PA 431, MCL 18.1393.

Sec. 207. When beginning any effort to privatize, the department shall submit a complete project plan to the house of representatives and senate appropriations subcommittees on transportation, the state budget office, and the house and senate fiscal agencies. The plan shall include the rationale for privatization, including a cost-benefit analysis if appropriate. The evaluation shall be completed and submitted to the appropriate senate and house of representatives appropriations subcommittees and the senate and house fiscal agencies. As used in this section, "privatize" or "privatization" means the transfer of state highway maintenance or activities currently performed by department forces, or by boards of county road commissioners, county boards of commissioners, or local units of government under contract with the department, to private contractors.

Sec. 208. Unless otherwise specified, the department 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. 209. 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 or 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. In addition, preference should be given to goods or services, or both, that are manufactured or provided by Michigan businesses owned and operated by veterans, if they are competitively priced and of comparable quality.

Sec. 210. The director of each department receiving appropriations in part 1 may take all reasonable steps to ensure businesses in deprived and depressed communities compete for and perform contracts to provide services or supplies, or both. The director shall encourage firms with which the department contracts to subcontract with certified businesses in deprived and depressed communities for services, supplies, or both.

Sec. 211. The departments and state agencies receiving appropriations under this act shall receive and retain copies of all reports funded from appropriations in part 1. These departments and state agencies shall follow federal and state guidelines for short-term and long-term retention of these reports and records.

Sec. 258. Amounts appropriated in part 1 for information technology may be designated as work projects and carried forward to support technology projects under the direction of the department of information technology. Funds designated in this manner are not available for expenditure until approved as work projects under section 451a of the management and budget act, 1984 PA 431, MCL 18.1451a.

Sec. 259. From the funds appropriated in part 1 for information technology, the department shall pay user fees to the department of information technology for technology-related services and projects. The user fees shall be subject to provisions of an interagency agreement between the department and the department of information technology.

Sec. 260. (1) Due to the current budgetary problems in this state, out-of-state travel shall be limited to situations in which 1 or more of the following conditions apply:

- (a) The travel is required by legal mandate or court order or for law enforcement purposes.
- (b) The travel is necessary to protect the health or safety of Michigan citizens or visitors or to assist other states in similar circumstances.
- (c) The travel is necessary to produce budgetary savings or to increase state revenues, including protecting existing federal funds or securing additional federal funds.
- (d) The travel is necessary to comply with federal requirements.
- (e) The travel is necessary to secure specialized training for staff that is not available within this state.
- (f) The travel is financed entirely by federal or nonstate funds.

(2) If out-of-state travel is necessary but does not meet 1 or more of the conditions in subsection (1), the state budget director may grant an exception to allow the travel. Any exceptions granted by the state budget director shall be reported on a monthly basis to the house and senate appropriations committees.

(3) Not later than January 1 of each year, each department shall prepare a travel report listing all travel by classified and unclassified employees outside this state in the immediately preceding fiscal year that was funded in whole or in part with funds appropriated in the department's budget. The report shall be submitted to the chairs and members of the house and senate appropriations committees, the fiscal agencies, and the state budget director. The report shall include the following information:

- (a) The name of each person receiving reimbursement for travel outside this state or whose travel costs were paid by this state.
- (b) The destination of each travel occurrence.
- (c) The dates of each travel occurrence.
- (d) A brief statement of the reason for each travel occurrence.
- (e) The transportation and related costs of each travel occurrence, including the proportion funded with state general fund/general purpose revenues, the proportion funded with state restricted revenues, the proportion funded with federal revenues, and the proportion funded with other revenues.
- (f) A total of all out-of-state travel funded for the immediately preceding fiscal year.

Sec. 261. A department or state agency shall not take disciplinary action against an employee for communicating with a member of the legislature or their staff.

Sec. 262. Funds appropriated in part 1 shall not be used by a principal executive department, state agency, or authority to hire a person to provide legal services that are the responsibility of the attorney general. This prohibition does not apply to legal services for bonding activities and for those activities that the attorney general authorizes.

Sec. 263. (1) The department shall report no later than April 1, 2009 on each specific policy change made to implement a public act affecting the department that took effect during the prior calendar year to the house and senate appropriations subcommittees on the budget for the department, the joint committee on administrative rules, and the senate and house fiscal agencies.

(2) Funds appropriated in part 1 shall not be used by the department to adopt a rule that will apply to a small business and that will have a disproportionate economic impact on small businesses because of the size of those businesses if the department fails to reduce the disproportionate economic impact of the rule on small businesses as provided under section 40 of the administrative procedures act of 1969, 1969 PA 306, MCL 24.240.

(3) As used in this section:

(a) "Rule" means that term as defined under section 7 of the administrative procedures act of 1969, 1969 PA 306, MCL 24.207.

(b) "Small business" means that term as defined under section 7a of the administrative procedures act of 1969, 1969 PA 306, MCL 24.207a.

Sec. 264. The department shall continue its efforts to implement continuous process improvement programs. On or before March 1, 2009, the department shall report to the state budget director, the house and senate appropriations subcommittees on transportation, and the house and senate fiscal agencies on department activities to increase efficiency in the delivery of core programs. The report shall include a description of activities of the performance excellence section in identifying and implementing business process improvements.

Sec. 265. The department shall not approve the travel of more than 1 departmental employee to a specific professional development conference or training seminar that is located outside of this state unless a professional development conference or training seminar that is funded by a federal or private funding source and requires more than 1 person from a department to attend or the conference on training seminar includes more than 1 issue in which 1 employee from the department does not have expertise.

DEPARTMENTAL SECTIONS

Sec. 301. (1) The department may establish a fee schedule and collect fees sufficient to cover the costs to issue the permits that the department is authorized by law to issue upon request, and for fees associated with freedom of

information requests. Unless otherwise authorized by statute, all fee revenue shall be credited to the state trunkline fund to recover the direct and indirect costs of receiving, reviewing, and processing the requests.

(2) A bridge authority shall hold 3 public hearings on an increase in any toll charged by the authority at least 30 days before the toll change will become effective. Two of the hearings shall be held within 5 miles of the bridge over which the bridge authority has jurisdiction. One hearing shall be held in Lansing. Public hearings held under this section shall be conducted in accordance with the open meetings act, 1976 PA 267, MCL 15.261 to 15.275, and shall be conducted so as to provide a reasonable opportunity for public comment, including both spoken and written comments.

Sec. 303. On request, the department shall provide to a legislator, in writing, a report on the amount of money to be received by each city and village and the county road commission of each county, that is included in whole or in part within the legislator's legislative district.

Sec. 304. If, as a requirement of bidding on a highway project, the department requires a contractor to submit financial or proprietary documentation as to how the bid was calculated, that bid documentation shall be kept confidential and shall not be disclosed other than to a department representative without the contractor's written consent. The department may disclose the bid documentation if necessary to address or defend a claim by a contractor.

Sec. 305. The department shall permit space on public passenger transportation properties to be occupied by public or private tenants on a competitive market rate basis. The department shall require that revenue from the tenants be placed in an account to be used to pay the costs to maintain the property.

Sec. 306. (1) The amounts appropriated in section 103 to support tax and fee collection, law enforcement, and other program services provided to the department and to transportation funds by other state departments shall be expended from transportation funds pursuant to annual contracts between the department and those other state departments. The contracts shall be executed prior to the expenditure or obligation of those funds. The contracts shall provide, but are not limited to, the following data applicable to each state department.

(a) Estimated costs to be recovered from transportation funds.

(b) Description of services provided to the department and/or transportation funds and financed with transportation funds.

(c) Detailed cost allocation methods appropriate to the type of services being provided and the activities financed with transportation funds.

(2) Not later than 2 months after publication of the state of Michigan comprehensive annual financial report, each state department receiving funding pursuant to an interdepartment contract with the department shall submit a written report to the department, the state budget director, and the house and senate fiscal agencies stating by spending authorization account the amount of estimated funds contracted with the department, the amount of funds expended, the amount of funds returned to the transportation funds, and any unreimbursed transportation-related costs incurred but not billed to transportation funds. A copy of the report shall be submitted to the auditor general, and the report shall be subject to audit by the auditor general as provided in subsection (4).

(3) In addition to the requirements of subsection (2), the state treasurer shall develop a cost allocation plan to identify the actual costs of work based on time and effort performed by the Michigan department of treasury for state-restricted transportation funds. The cost allocation plan shall specifically identify the costs of collecting constitutionally restricted motor fuel taxes. The cost allocation plan shall be submitted to the senate and house of representatives standing committees on appropriations subcommittees on general government, the senate and house fiscal agencies, the auditor general, and the state budget director by November 1. The cost allocation plan shall be subject to audit by the auditor general.

(4) Biennially, in each even-numbered fiscal year, the auditor general shall conduct an audit of charges to transportation funds by state departments for the 2 preceding fiscal years. The audit shall include both charges governed by interdepartmental contracts as well as miscellaneous charges from other state departments not governed by contracts. The auditor general shall prepare a detailed report, with recommendations and conclusions, including a summary of charges and related services to transportation funds by department, the appropriateness of those charges, the cost allocation methodologies used in determining the level of funding, and any unreimbursed transportation-related costs, if any. The report shall be provided to the senate and house of representatives committees on appropriations, the senate and house fiscal agencies, and the state budget director 9 months after publication of the state of Michigan comprehensive annual financial report.

Sec. 307. Before March 1 of each year, the department will provide to the legislature, the state budget office, and the house and senate fiscal agencies its rolling 5-year plan listing by county or by county road commission all highway construction projects for the fiscal year and all expected projects for the ensuing fiscal years.

Sec. 308. The department and local road agencies that receive appropriations under this act shall pursue compliance with contract specifications for construction and maintenance of state highways and local roads and streets. Work shall not be accepted and paid for until it complies with contract requirements. Contractors with unsatisfactory performance ratings shall be restricted from future bidding through the prequalification process established by the department or a local road agency. The department, county road commissions, and cities and villages shall report to the house of representatives and senate appropriations subcommittees on transportation, the senate and house fiscal agencies, and the state budget director on their respective activities under this section.

Sec. 309. The department shall reduce administrative costs and provide the maximum funding possible for construction projects.

Sec. 310. The department shall provide in a timely manner copies of the agenda and approved minutes of monthly transportation commission meetings to the members of the house and senate appropriations subcommittees on transportation, the house and senate fiscal agencies, and the state budget director.

Sec. 312. At the close of the fiscal year, any unencumbered and unexpended balance in the state trunkline fund shall remain in the state trunkline fund and shall carry forward and is appropriated for federal aid road and bridge programs for projects contained in the annual state transportation program.

Sec. 313. (1) From funds appropriated in part 1, the department may increase a state infrastructure bank program and grant or loan funds in accordance with regulations of the state infrastructure bank program of the United States department of transportation. The state infrastructure bank is to be administered by the department for the purpose of providing a revolving, self-sustaining resource for financing transportation infrastructure projects.

(2) In addition to funds provided in subsection (1), money received by the state as federal grants, repayment of state infrastructure bank loans, or other reimbursement or revenue received by the state as a result of projects funded by the program and interest earned on that money shall be deposited in the revolving state infrastructure bank fund and shall be available for transportation infrastructure projects. At the close of the fiscal year, any unencumbered funds remaining in the state infrastructure bank fund shall remain in the fund and be carried forward into the succeeding fiscal year.

Sec. 314. The department shall provide a report prepared by the department's internal auditor on the activities of the internal auditor for the previous fiscal year. The report shall be due on February 1 of each year and shall be submitted to the senate and house of representatives appropriations committees, the senate and house fiscal agencies, the director of the state budget office, and the auditor general. This report shall include a list of all of the following:

- (a) All work activities conducted by the internal auditor, including a listing of all audits, reviews, and investigations.
- (b) The time charged to each work activity, including time charged to each audit, review, or investigation.
- (c) A listing of which audits, reviews, and investigations have been completed and which audits, reviews, and investigations have had reports of the results issued.

Sec. 319. The department shall post signs at each rest area to identify the agency or contractor responsible for maintenance of the rest area. The signs shall include a department telephone number and shall indicate that unsafe or unclean conditions at the rest area may be reported to that telephone number.

Sec. 324. From the funds appropriated in part 1, \$500,000.00 from the state trunkline fund shall be used for enhanced construction zone traffic law enforcement and the "give 'em a brake" campaign. The funding shall be used to reimburse law enforcement agencies for costs associated with construction zone traffic enforcement. The funding shall be provided based on approved memoranda of understanding between the department and participating law enforcement agencies.

Sec. 334. The department shall continue its program to increase the use of women- and minority-owned businesses in state and local road construction projects. This program shall comprise, at a minimum, outreach and education efforts to inform women- and minority-owned firms of department competitive bidding processes and requirements, and an assessment of the availability of surety for women- and minority-owned businesses. The department shall report by September 30 of each year to the house and senate appropriations subcommittees on transportation and the house and senate fiscal agencies of its progress in complying with this section.

Sec. 353. The department shall review its contractor payment process and ensure that all prime contractors are paid promptly. The department shall ensure that prime contractors are in compliance with special provision 109.10 regarding the prompt payment of subcontractors.

Sec. 357. When presented with complete local federal aid project submittals, the department shall complete all necessary reviews and inspections required to let local federal aid projects within 120 days of receipt. The department shall implement a system for monitoring the local federal aid project review process.

Sec. 361. The department will notify the senate and house appropriations subcommittees on transportation, the senate and house fiscal agencies, and the state budget director of any changes to the services or function of the multi-modal transportation services program as approved by the state transportation commission.

Sec. 374. The department shall produce and distribute all employee newsletters electronically.

Sec. 375. The department is prohibited from reimbursing contractors or consultants for costs associated with groundbreaking ceremonies, receptions, open houses, or press conferences related to transportation projects funded, in whole or in part, by revenue appropriated in part 1.

Sec. 376. No later than March 1 of each year, the department shall report to the senate and house appropriations subcommittees on transportation on the status of the 17 projects that were initially deferred in the department's 5-year plan in 2003 and subsequently restored.

Sec. 383. (1) The department shall prepare a quarterly report on all travel by executive branch employees, and others including local public officials, university employees, and other public employees on department-owned aircraft. The report shall include, by department, the name of the traveler, the travel origination location, the travel destination location, type of aircraft, and the total estimated costs associated with the air travel.

(2) The report shall be submitted to the senate and house appropriations subcommittees on transportation and the house and senate fiscal agencies.

(3) From the funds appropriated in part 1, the department is prohibited from transporting legislators or legislative staff on state-owned aircraft without prior approval from the senate majority leader or the speaker of the house of representatives and only when the aircraft is already scheduled by state employees on related official state business.

(4) The department shall maintain a system for recovering the cost of operating department-owned aircraft through charges to aircraft users.

Sec. 384. (1) The state transportation department is allowed to finish the Detroit River international crossing (DRIC) study provided that activity associated with finishing the DRIC study shall not bind the state in any way to construction. Certain preliminary activities which are necessary to prepare a proposal for a decision by the legislature are allowed as long as they do not bind the state. Those activities include all of the following:

- (a) Applications for permits and approvals.
- (b) Preliminary design engineering work.
- (c) Preliminary utility planning and relocation.
- (d) Preliminary financial and funding arrangements.

(2) The department will report on a quarterly basis to both the house and senate appropriations committees on any expenditures relative to the process identified in subsection (1).

(3) In addition, advanced property acquisitions that are hardship or opportunity purchases are allowed as long as they do not bind the state. The department will notify, in writing, both the house and senate appropriations committees within 30 days of any advanced property acquisition purchases. The department cannot enter into any binding commitment to construct the crossing until authorizing legislation is enacted into law.

Sec. 393. The department shall promote best practices for public transportation services in this state, including, but not limited to, the following:

(a) Transit vehicle rehabilitation to reduce life-cycle cost of public transportation through mid-life rehabilitation of transit buses.

(b) Coordination with the Michigan economic development corporation to promote transition of bus fleets hybrid transit vehicles with a view to promotion of fuel economy.

(c) Cooperation between entities using transit, including school districts, cities, townships, and counties with a view to promoting cost savings through joint purchasing of fuel and other procurements.

(d) Coordination of transportation dollars among state departments which provide transit-related services, including the department of human services and the department of community health. Priority should be given to use of public transportation services where available.

(e) Promotion of intelligent transportation services for buses that which incorporate computer and navigation technology to make transit systems more efficient, including stoplight coordinating, vehicle tracking, data tracking, and computerized scheduling.

Sec. 394. It is the intent of the legislature that the department conduct a study of the current distribution formulae for transit and road funding and of alternative distribution strategies. This study should take into consideration any recommendations made by the alternative transportation funding task force. For transit, alternatives should provide for incentives for those agencies which demonstrate efficient use of resources and increasing ridership levels. For road funding, the study should include an examination of "miles traveled" as a funding variable rather than linear miles. By July 1, 2009, the department shall report to the house and senate appropriations subcommittees on transportation, the house and senate transportation committees, the house and senate fiscal agencies, and the state budget director on the findings of the study including the fiscal impact of the various strategies to individual transit and road agencies.

Sec. 395. It is the intent of the legislature that the department assume jurisdiction of county road C-56 between US 31 at Charlevoix and M-75 at Boyne City in Charlevoix County.

Sec. 397. It is the intent of the legislature that the department will work with the communities, local officials, legislators, and southeast Michigan council of governments to develop criteria for locating future permanent train stations along the Ann Arbor to Detroit commuter rail corridor.

FEDERAL

Sec. 401. Within 30 days of receiving the applicable fiscal year authorization from the federal government to commit transportation funds, the department shall notify local agency representatives, the senate and house of representatives appropriation transportation subcommittees, the senate and house fiscal agencies, and the state budget director regarding the amount of federal aid for categorical allocations to state and local agency programs not specifically allocated in either federal or state law.

Sec. 402. A portion of the federal DOT-FHWA highway research, planning, and construction funds made available to the state shall be allocated to transportation programs administered by local jurisdictions in accordance with section 10o of 1951 PA 51, MCL 247.660o. A local road agency, with respect to a project approved for federal aid funding in a state transportation improvement program, may enter into a voluntary buyout agreement with the department or with another local road agency to exchange the federal aid with state restricted transportation funds as agreed to by the respective

parties. The state-restricted transportation funds received in exchange for federal aid funds shall be used for the same purpose as the federal aid funds were originally intended.

MICHIGAN TRANSPORTATION FUND

Sec. 501. The money received under the motor carrier act, 1933 PA 254, MCL 475.1 to 479.43, and not appropriated to the department of labor and economic growth or the department of state police is deposited in the Michigan transportation fund.

Sec. 502. The department of treasury shall perform audits and make investigations of the disposition of all state funds received by county road commissions or county boards of commissioners, as applicable, and cities and villages for transportation purposes to determine compliance with the terms and conditions of 1951 PA 51, MCL 247.651 to 247.675. County road commissions or county boards of commissioners, as applicable, and cities and villages shall make available to the department of treasury the pertinent records for the audit.

Sec. 503. (1) The funds appropriated in part 1 for the economic development and local bridge programs shall not lapse at the end of the fiscal year but shall carry forward each fiscal year for the purposes for which appropriated in accordance with 1987 PA 231, MCL 247.901 to 247.913, and section 10(5) of 1951 PA 51, MCL 247.660.

(2) Interest earned in the department of transportation economic development fund and local bridge fund shall remain in the respective funds and shall be allocated to the respective programs based on actual interest earned at the end of each fiscal year.

(3) The department of transportation economic development fund and local bridge fund may receive and expend federal, local, or private funds or restricted source funds such as interest earnings for projects that are consistent with the programmatic mission of the respective funds in addition to funds appropriated in part 1.

(4) None of the funds statutorily dedicated to the transportation economic development fund and local bridge fund shall be diverted to other projects.

Sec. 504. Funds from the Michigan transportation fund (MTF) shall be distributed to the comprehensive transportation fund (CTF), the economic development fund (EDF), the recreation improvement fund (RIF), and the state trunkline fund (STF), in accordance with this act and part 711 of the natural resources and environmental protection act, 1994 PA 451, MCL 324.71101 to 324.71108, and may only be used as specified in this act, 1951 PA 51, MCL 247.651 to 247.675, and part 711 of the natural resources and environmental protection act, 1994 PA 451, MCL 324.71101 to 324.71108.

STATE TRUNKLINE FUND

Sec. 601. The department shall work with the road construction industry and engineering consulting community to develop performance and road construction warranties for construction contracts. The development of warranties shall include warranties on materials, workmanship, performance criteria, and design/build projects. The department will report by September 30 of each calendar year to the house of representatives and senate appropriations subcommittees on transportation, the state budget director, and the house and senate fiscal agencies on the status of efforts to develop performance and road construction warranties.

Sec. 602. If the department uses manufactured pipe for road construction drainage, the department shall require that pipe used under certain load-bearing conditions beneath the roadway meets the standards established by the American society for testing and materials (ASTM) or American association of state highway and transportation officials (AASHTO). The department may also use the mandrel test for manufactured pipe 60 days after installation and provide a summary of the results of these inspections to the house of representatives and senate appropriations subcommittees on transportation and house and senate fiscal agencies.

Sec. 603. The department shall use traffic congestion as 1 of the criteria in determining the priorities for designating which roads shall be remediated in its 5-year road plan, which must be submitted on or before March 1 of each year. Criteria for evaluating traffic congestion shall include, but not be limited to, coordination with local, county, and regional planning, improvement in traffic operations, improvement in physical roadway conditions, accident reduction, and coordination with area public transportation planning.

Sec. 607. It is the intent of the legislature that the Michigan department of transportation work to add a southbound entrance ramp at the interchange of I-75 at Corunna Road in the charter township of Flint.

Sec. 608. From the amounts appropriated in part 1 for forest roads from the transportation economic development fund, \$40,000.00 shall be used for the purpose of establishing 2 additional truck inspection stations. The department shall work directly with representatives of the timber industry to educate truck drivers on the use of the stations. The department shall report on the status of this program.

Sec. 610. It is the intent of the legislature that the department have as a priority the removal of dead deer and other large animal remains from the traveled portion and shoulder of state highways. The department, and counties that perform state highway maintenance under contract, shall remove animal remains, wherever practicable, away from the traveled portion and shoulder of state highways.

Sec. 612. The department shall establish guidelines governing incentives and disincentives provided under contracts for state trunkline projects. The guidelines shall include specific financial information concerning incentives and disincentives. On or before January 1 of each year, the department shall prepare a report for the immediately preceding fiscal year regarding contract incentives and disincentives. This report shall include a list, by project, of the contractors

that received contract incentives and/or disincentives, the amount of the incentives and/or disincentives, and the number of days that each project was completed either ahead or past the contracted completion date. This report shall be provided to the senate and house appropriations subcommittees on transportation, the senate and house standing committees on transportation, and the senate and house fiscal agencies.

Sec. 615. It is the intent of the legislature that the department shall proceed with the construction of a full interchange at the intersection of M-48 and I-75 in Chippewa County. It is the intent of the legislature that the department develop design plans and award the construction contract for this project during the fiscal year ending September 30, 2008.

Sec. 617. It is the intent of the legislature to reconstruct the I-75 service drive from the underpass at I-696 to 9 Mile Road in Hazel Park.

Sec. 654. It is the intent of the legislature that the Mackinac Bridge Authority work to protect the long-term viability of the Mackinac Bridge.

Sec. 655. It is the intent of the legislature that the department expend not less than \$32,000.00 for a safe routes to schools project in Eaton Rapids, Michigan, involving extension of and improvements to sidewalks along North State Street from Gould to beyond Greyhound Drive, as well as connecting streets in neighborhoods near Eaton Rapids High School, Eaton Rapids Middle School, Greyhound Intermediate School, and Lockwood Elementary School.

Sec. 656. It is the intent of the legislature that the department upgrade that section of M-49 from M-99 to US-12 to standards necessary for designation as a designated highway as provided under sections 717 and 718 of the Michigan vehicle code, 1949 PA 300, MCL 257.717 and 257.718, and for inclusion as a "green" special designated highway on the department's truck operator's map.

Sec. 658. It is the intent of the legislature that the department proceed with the reconstruction of the interchange at I-196 and Phoenix Road in South Haven.

Sec. 659. For pavement projects for which there are no Michigan actual historic project maintenance, repair, and resurfacing schedules and costs as recorded by the pavement management system, the department may use actual historical and comparable data for equivalent designs from states with similar climates, soil structures, and vehicle traffic.

COMPREHENSIVE TRANSPORTATION FUND

Sec. 701. Money that is received by the state as a lease payment for state-owned intercity bus equipment is not money to be deposited in the comprehensive transportation fund under section 10b of 1951 PA 51, MCL 247.660b, but is money that is deposited in an intercity bus equipment fund for appropriation for the purchase and repair of intercity bus equipment. Proceeds received by the state from the sale of intercity bus equipment are deposited in an intercity bus equipment fund for appropriation for the purchase and repair of intercity bus equipment. Security deposits from the lease of state-owned intercity bus equipment not returned to the lessee of the equipment under terms of the lease agreement are deposited in an intercity bus equipment fund for appropriation for the repair of intercity bus equipment. At the close of the fiscal year, any funds remaining in the intercity bus equipment fund shall remain in the fund and be carried forward into the succeeding fiscal year.

Sec. 702. Money that is received by the state as repayment for loans made for rail or water freight capital projects, and as a result of the sale of property or equipment used or projected to be used for rail or water freight projects shall be deposited in the fund created by section 17 of the state transportation preservation act of 1976, 1976 PA 295, MCL 474.67. At the close of the fiscal year, any funds remaining in the rail freight fund shall remain in the fund and be carried forward into the succeeding fiscal year.

Sec. 703. After receiving notification from a railroad company pursuant to section 8 of the state transportation preservation act of 1976, 1976 PA 295, MCL 474.58, the department shall immediately notify the house of representatives and senate appropriations subcommittees on transportation and the state budget office that the railroad company has filed with the appropriate governmental agencies for abandonment of a line.

Sec. 705. Funds appropriated in part 1 for the rail infrastructure loan program shall be credited to the rail infrastructure loan fund established in section 15a of the state transportation preservation act of 1976, 1976 PA 295, MCL 474.65a.

Sec. 706. The Detroit/Wayne County port authority shall issue a complete operations assessment and a financial disclosure statement. The operations assessment shall include operational goals for the next 5 years and recommendations to improve land acquisition and development efficiency. The report shall be completed and submitted to the house of representatives and senate appropriations subcommittees on transportation, the state budget director, and the house and senate fiscal agencies by February 15 of each fiscal year for the prior fiscal year.

Sec. 708. If funds appropriated in part 1 are used to provide state-owned or state-leased buses to private intercity bus carriers, the department shall charge not less than \$1,000.00 per bus per year for their use.

Sec. 709. (1) The following bus routes are designated as an essential corridor in Michigan:

Between St. Ignace and Escanaba	US-2
Between Escanaba and Duluth	US-2 through Ironwood to the state line
Between Calumet and Escanaba	US-41
Between Escanaba and Milwaukee	US-41 through Menominee to the state line
Between St. Ignace and Sault Ste. Marie	I-75
Between Detroit and Chicago	I-94 from Detroit to the state line

Between Detroit and Muskegon	I-96
Between Grand Rapids, Holland, and Benton Harbor	I-196 to I-94
Between Muskegon and Grand Rapids	US-31, I-96
Between Detroit and Bay City	I-75
Between Bay City and Mount Pleasant	US-10, M-20
Between Jackson and Traverse City	US-127, US-27, I-75, Grayling, Gaylord, M-72 to Traverse City
Between Jackson and Indianapolis	I-69, I-94 to the state line through Albion, Marshall, and Coldwater
Between Houghton Lake and Cadillac	M-55 and M-66
Between Detroit and Toledo	I-75 to the state line
Between the Indiana state line and Traverse City	US-31 and I-196
Between Detroit and Port Huron	I-375 and I-94
Between Toledo and Bay City	US-23, I-75, and I-675, I-75
Between Bay City and Chicago	I-75, Flint, I-69, I-94, Battle Creek, I-94 to the state line
Between Flint and Lansing	I-69, M-21, Owosso, M-52, I-69
Between Bay City and St. Ignace	I-75, US-23
Between Grand Rapids and St. Ignace	US-131, Cadillac, M-115, Mesick, M-37 to Traverse City, US-31, Acme, M-72, Kalkaska, US-131, Boyne Falls, M-75, Walloon Lake, US-131, Petoskey, US-31, I-75, St. Ignace
Between Kalamazoo and Grand Rapids	US-131

(2) Any changes to the essential corridor list in subsection (1) shall be approved by the house and senate appropriations subcommittees on transportation.

(3) No entity shall receive operating assistance for a scheduled regular route service which is competing with another private or public carrier over the same route.

Sec. 711. (1) From the funds appropriated in part 1 from the comprehensive transportation fund for rail passenger service, the department shall negotiate with a rail carrier to provide rail service between Grand Rapids and Chicago and between Port Huron and Chicago on a 7-day basis, consistent with the other provisions of this section.

(2) Any state subsidy for rail passenger service between Grand Rapids and Chicago and between Port Huron and Chicago shall not exceed \$7,100,000.00.

(3) The rail carrier shall, as a condition to receiving a state operating subsidy, maintain a system to monitor, collect, and resolve customer complaints and shall make the information available to the department, the house and senate appropriations subcommittees on transportation, and the house and senate fiscal agencies.

(4) Future state support for the service between Grand Rapids and Chicago and Port Huron and Chicago is dependent on the department's ability to provide a plan and a contract for services that increase ridership and revenue, reduce operating costs, and improve on-time performance.

(5) No state subsidy shall be provided from the funds appropriated in part 1 if the chosen rail carrier is Amtrak and Amtrak discontinued service or any portion of the service between Port Huron and Chicago or Grand Rapids and Chicago during the preceding fiscal year, unless the discontinuance of service was for track maintenance or was caused by acts of God.

Sec. 714. The department, in cooperation with local transit agencies, shall work to ensure that demand-response services are provided throughout Michigan. The department shall continue to work with local units of government to address the unmet transit needs in Michigan.

Sec. 721. For federal transit administration bus acquisition capital grants matched with CTF funds appropriated in part 1, transit agencies shall have 4 years from the federal approval date to carry out their projects. Contract line items unobligated 4 years after the federal approval date may be matched with CTF funds only up to 15% in the fifth and subsequent years. "Unobligated" means any line item in the contract that is not committed to a third party or purchase order. A waiver shall be granted by the department for an additional year with documented justification from the transit agency accompanied by a resolution from the board or authority seeking a waiver. If a transit agency does not carry out a line item activity in a specific authorization and the transit agency requests funds in a new authorization for that same activity, the line item shall be matched at up to 15%. This section applies only to bus acquisition capital grants. Lapsed funds under this section shall remain in the CTF. This section does not take effect if failure to comply with the provisions of this section by a transit agency occurs due to the inability of the state to provide sufficient matching funds for available federal funding earmarked to that transit agency for the purpose of bus capital acquisition. The department shall report to the appropriation subcommittees on transportation of the senate and house of representatives if the state is unable to provide sufficient matching funds for this section to take effect.

Sec. 722. From the funds appropriated in part 1 for transportation to work from the CTF, sufficient funds shall be used as a match for job access reverse commute grants for local transit agencies.

Sec. 729. From the funds appropriated in part 1 for intercity services, \$100,000.00 shall be used for lost ridership support and/or marketing efforts to increase awareness of intercity bus service, increase ridership on intercity bus carriers, and improve coordination of intercity bus service in Michigan.

Sec. 730. The department shall sell all state-owned intercity bus equipment within 6 months of termination of lease agreements with intercity bus carriers. The proceeds from the sale of state-owned intercity bus equipment under this section shall be deposited in the intercity bus equipment fund, consistent with section 701.

Sec. 731. The department shall charge public transit agencies and intercity bus carriers equal rates per square foot for leasing space in state-owned intermodal facilities.

Sec. 734. (1) The department shall ensure that all public transit agencies provide the highest quality public transit service by moving people in a cost-effective, safe, and user-friendly manner that maintains and attracts residents and businesses.

(2) Public transit agencies receiving funds under part 1 shall do all of the following:

(a) Provide efficient, cost-effective, safe, well-maintained, reliable, customer-driven transportation services.

(b) Provide a quality work environment that has and fulfills employee performance, productivity, and development standards.

(c) Identify and capture all available funding or create cost-effective programs to eliminate debt and have a balanced budget.

(d) Maintain sufficient local and community funding.

(e) Support business development by providing transportation to areas of employment and commerce, emerging or established businesses, and health care facilities.

Sec. 736. From the funds appropriated in part 1, the department shall work with intercity rail and bus passenger carriers to coordinate intercity passenger transportation in Michigan. The department shall assist in the coordination of intercity routes, schedules, and facilities.

Sec. 737. It is the intent of the legislature that the department proceed with the construction of a Birmingham/Troy intermodal passenger facility.

Sec. 740. The department shall report by March 1 of each year to the house of representatives and senate appropriations subcommittees on transportation, the house and senate fiscal agencies, and the state budget director the encumbered and unencumbered balances of the comprehensive transportation fund.

Sec. 741. The department shall report by October 1, 2008 to the house of representatives and senate appropriations subcommittees on transportation, the house and senate fiscal agencies, and the state budget director on progress made to improve the Ann Arbor and NW Michigan railroad's track infrastructure for the purpose of supporting passenger train speed of 59 miles per hour.

AERONAUTICS FUND

Sec. 801. At the close of the fiscal year, any unobligated and unexpended balance in the state aeronautics fund created in the aeronautics code of the state of Michigan, 1945 PA 327, MCL 259.1 to 259.208, shall lapse to the state aeronautics fund and be appropriated by the legislature in the immediately succeeding fiscal year.

CAPITAL OUTLAY

Sec. 901. (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. 902. Before the end of each fiscal year, the state transportation department shall report to the house and senate appropriations subcommittees on transportation the status of airport improvement 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 the house and senate appropriations subcommittees on transportation in writing of the date the report will be received.

Sec. 903. The appropriations in part 1 for capital outlay shall be carried forward at the end of the fiscal year consistent with the provisions of section 248 of the management and budget act, 1984 PA 431, MCL 18.1248.

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

A bill to make appropriations for the state transportation department and certain transportation purposes for the fiscal year ending September 30, 2009; to provide for the imposition of fees; to provide for reports; to create certain funds and programs; to prescribe requirements for certain railroad and bus facilities; to prescribe certain powers and duties of certain state departments and officials and local units of government; and to provide for the expenditure of the appropriations.

Lee Gonzales
Matt Gillard
David Agema
Conferees for the House

Bill Hardiman
Alan L. Cropsey
Glenn Anderson
Conferees for the Senate

The question being on the adoption of the conference report,

The first conference report was adopted, a majority of the members serving voting therefor, as follows:

Roll Call No. 576

Yeas—37

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

Nays—0

Excused—1

Hardiman

Not Voting—0

In The Chair: Richardville

Senator Cropsey moved that the bill be given immediate effect.

The motion prevailed, 2/3 of the members serving voting therefor.

Senators Basham, Pappageorge and Cropsey asked and were granted unanimous consent to make statements and moved that the statements be printed in the Journal.

The motion prevailed.

Senator Basham's statement is as follows:

The previous speaker said that he was ready to take questions. I was here to make a comment, but I wasn't prepared to have a debate on this issue. I believe the previous speaker did support the conference report. I do believe that a projection is exactly a projection. I know a good college in this state, the University of Michigan, that always makes a projection about the economy. The economy is supposed to be turning around. Just around the corner, we are supposed to have a bottom in this recession that we have been going through in the state of Michigan. Next year when we hear a projection, it's always going to be around the corner next year.

I think that MDOT does a wonderful job for this state. I think you get a good bang for your buck. I think that certainly a projection is a projection, and I am glad that we can move forward with the Transportation budget and the DRIC process.

Senator Pappageorge's statement is as follows:

In the presentation that we heard from the Floor Leader, they could in some people's minds think that the Legislature cut a deal with a department head of MDOT. That is not the case. If you look at the job description of a department head, he or she works for the Governor and speaks for the Governor. The deal that we made today was with the Governor to include all of the promises that are not in written form. We have to be reminded of that fact.

Department heads work for the Governor, so when they speak to us, they are speaking for the Governor. Their job description also says they must speak to us and give us advice and information. When the Governor signs this, she is agreeing to everything that we just heard and attributed to a deal between MDOT and the Legislature. Let's remind ourselves about separation of powers here and not think that the Governor didn't also agree to this whole thing word for word said, written, and unwritten.

Senator Cropsey's first statement is as follows:

I do have a fairly lengthy statement because this is a tremendously important budget, and it is one that will have implications well into next year and probably the years beyond.

On the conference report for House Bill No. 5808, this is a \$3.61 billion fiscal year 2009 MDOT budget. It came in more than either the Senate or the House versions and comes in \$252.1 million over fiscal year 2008. One-third of this budget comes from federal sources. There is no General Fund revenue and no new transfers from transportation funds to the General Fund. There is \$971 million for local road agencies, which is \$39 million less than in fiscal year 2008. There is \$167.5 million in new spending for the aeronautics capital program, which was moved from the capital outlay budget to this budget. There is \$9.13 million in state and local capital facilities projects. That is moved from the capital outlay budget to the MDOT budget, for a total of \$176.6 million moved from capital outlay. There is \$1.46 million more for employee wages and benefits.

Items that did not make it into the conference report include the public website for expenditures, or the transparency item; the legislative intent for state matching federal money; and the \$2 million in transit innovation grant line items that was in the Senate bill.

There is legislative intent for six projects ranging from Flint, Bay Harbor, Hazel Park, Eaton Rapids, M-49, and I-196 in South Haven. There is also boilerplate that has been added requiring the distribution of funding for both road projects and transit, which is currently based on a 1951 formula that we believe needs to be updated.

One of the key sections that everybody is aware of is Section 384, which is the Detroit River International Crossing language. This states very clearly that MDOT cannot enter into an agreement to construct the crossing without specific authorizing legislation. Only certain preliminary activities are allowed in the process of preparing a proposal for the Legislature. Keep in mind that this is preparation of a proposal to the Legislature. That is, applications for permits, preliminary design work, preliminary utility planning and relocation, and preliminary financial and funding arrangements. But this is only to make a presentation of a proposal to the Legislature, and they cannot go beyond that.

I cannot overemphasize that I believe the DRIC bridge will reduce state road projects over the entire state for the next generation. The MDOT testimony is that the connecting roads cost at least \$167 million. Citibank has said that the connecting roads could cost \$1 billion. Citibank has also said that if a DRIC bridge is built, after five years of operation, we would probably need a subsidy of \$965 million that has to come from the taxpayers or from somewhere.

For perspective, the state gets only 30 percent of all road funding, so for \$167 million in connecting roads, we need to raise \$556 million in new road funding. The \$193 million annual subsidy means that you need \$643 million in new road funding. The summary for the first eight years of DRIC, you will need a 10-cent to 12-cent per gallon gas tax increase just for the DRIC. These figures assume that the DRIC bridge will make up to 75 percent of all river crossing truck traffic, and if that was considered, it could be far worse.

There are a few other problems that we have with DRIC that I believe the department has to overcome. The department's traffic projections in the last two decades, the MDOT has a poor history of projecting international traffic. For the Blue Water Bridge, their projections were too high by 60 percent after just 15 years. Worse, their projections for the proposed DRIC bridge are too high by over 20 percent after just four years. The MDOT testified in front of the ad hoc committee

that private investors require an investment grade traffic projection study before building. MDOT miscalculations in international crossing traffic projections is stunning.

Another issue, the MDOT has a poor history of cost projections. The Blue Water Bridge was projected to cost \$67 million. The new span cost \$107 million, and the new plaza needed to correct the original plan will cost an additional \$433 million—at least. The Blue Water Bridge will end up being 800 percent more expensive than projected. The MDOT projected the DRIC study to cost \$3.3 million. Four years later, the cost had escalated to \$33.3 million, another 1,000 percent increase. The Michigan Department of Transportation claims the DRIC bridge will be self-supporting, but the only private sector cost analysis we've seen estimates the DRIC bridge will need taxpayer subsidies of just under \$1 billion in the first five years. This methodology ought to give all of us pause.

The DRIC bridge would also devastate a Detroit community. There are several things that I believe needs to be done, and the department would agree on at least four of these before a DRIC bridge is built. First of all, you have to get a congressional or presidential permit. Congress has to act on it. Three things this Legislature must do: We have to have a P-3 law—a public-private partnership law—to govern a DRIC bridge; you need a toll provision law; and you need a governance law. Three items that this Legislature would have to pass. Other items that should be done is that Detroit should have a say; the Detroit City Council should give its approval. We also need an updated traffic projection, an investment grade traffic projection, on what we can do, and we should do it and not just allow Canada to do it, but this ought to be done with our interests in mind. We ought to have the study that says how a new DRIC bridge impacts the other three border crossings. Will they go bankrupt? Also the Ambassador Bridge and the Canadian government, in view of their legal settlements, the projections need to be redone in view of a new Ambassador Bridge going up.

I am especially concerned the committee concurred that the intent of this language does not in any way grant a license to MDOT, but rather it is a limitation. In the ad hoc committee, MDOT agreed that they have little expertise in alternative financing and public-private partnerships, and they agreed that they have no legislative authorization to proceed. I reminded MDOT that this state has had its clock cleaned on negotiating tribal compacts, and the Legislature is in no way interested in compounding our economic situation by allowing MDOT to negotiate with foreign interests. That is why we agreed that MDOT could only explore preliminary funding arrangements but has no authority whatsoever to enter into binding contracts with such financial institutions until they have explicit authorization from this Legislature. With that, I believe we are willing to take questions.

Senator Cropsey's second statement is as follows:

I am rising to support this budget, but I did want to make very clear that Section 384, the committee was especially concerned that the intent of the language did not grant MDOT a license but a limitation. That is why we have said MDOT could only explore preliminary funding arrangements, but they have no authority whatsoever to enter into binding contracts with such financial institutions until they have explicit authorization from this Legislature.

This means that we expect Director Steudle or any DRIC consultants will not enter into any binding agreements, as the boilerplate states, on any public-private partnership in any way until there is explicit authorization by the full Legislature. In the meantime, MDOT and the DRIC consultants can perform academic research to do preliminary financial and funding arrangements, but MDOT certainly knows that this Legislature is watching and will reach with appropriate oversight to ensure this is merely preliminary.

Finally, MDOT is honoring the existing commitments, including numerous agreements and the 1999 application for the Gateway Project. The department should be keenly aware that the Federal Highway Administration, Congress, the Ambassador Bridge, and taxpayers have all relied on the partnership commitments, and this Legislature demands that MDOT fulfills its commitments under the Gateway Project. Indeed, MDOT has the moral obligation to fulfill its commitments under the Gateway agreements, including the completion of the second span of the Ambassador Bridge. Anything less than fulfilling existing commitments will seriously undermine any credibility of the department. The Legislature expects that we will study the DRIC for the future, but absolutely we expect to fulfill all existing obligations on the Gateway Project that is currently underway.

In talking with Director Steudle this morning, he very clearly stated to me that MDOT would not in any way impair the Ambassador Bridge project and stated to me that MDOT is on record that the Ambassador Bridge should be twinned. With that, I urge adoption of the report.

By unanimous consent the Senate returned to the order of

Third Reading of Bills

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

Senate Joint Resolution E

The motion prevailed.

The following joint resolution was read a third time:

Senate Joint Resolution E, entitled

A joint resolution proposing an amendment to the state constitution of 1963, by amending section 31 of article IV and section 18 of article V, to limit the budget, to require certain deposits into certain state funds, and to require a 2/3 majority for certain appropriations.

The question being on the adoption of the joint resolution,

The joint resolution was not adopted, 2/3 of the members serving not voting therefor, as follows:

Roll Call No. 577

Yeas—20

Allen	Cropsey	Jelinek	Patterson
Birkholz	Garcia	Kahn	Richardville
Bishop	George	Kuipers	Sanborn
Brown	Gilbert	McManus	Stamas
Cassis	Jansen	Pappageorge	Van Woerkom

Nays—17

Anderson	Clark-Coleman	Jacobs	Scott
Barcia	Clarke	Olshove	Switalski
Basham	Gleason	Prusi	Thomas
Brater	Hunter	Schauer	Whitmer
Cherry			

Excused—1

Hardiman

Not Voting—0

In The Chair: Richardville

Senator Cropsey moved to reconsider the vote by which the joint resolution was not adopted.

The motion prevailed.

The question being on the adoption of the joint resolution,

Senator Cropsey moved that further consideration of the joint resolution be postponed for today.

The motion prevailed.

Senators Switalski, Clark-Coleman, Gleason, Prusi, Olshove, Barcia, Thomas and Scott moved that their names be removed as co-sponsors of the following joint resolution:

Senate Joint Resolution E

The motion prevailed.

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

The motion prevailed.

Senator Switalski's statement is as follows:

Well, I gave you all my good material yesterday, but, of course, on General Orders there is no record of it. It was good stuff, but I have to do it again. I will throw in some new stuff here and there. I was reading *MIRS* last night, and a year ago, the House had just passed \$500 million in loophole closings, and if you recall, we were flailing around trying

to solve our chronic budget deficit problem. It took a lot of twists and turns, but we eventually did solve it after about six years of angst and late-night sessions and problems with being \$1 billion in the hole every year.

I am happy that those bad old days are behind us, except this amendment would bring those days right back. This amendment, if passed, would put us \$1 billion in the hole. If it was in effect right now, and I take this from the Senate Fiscal Agency analysis, we would be \$823 million in the red because we would be budgeting at 96 percent. Add to that, in 2011, we start ratcheting down on the income tax. That is \$175 million for every tenth of a percent, so add \$823 million and \$175 million and, bingo, you are at \$1 billion. It will grow from that too.

I don't want to return to those days, and I hope that no one in the chamber wants to return to those days. That is the principal reason why I oppose Senate Joint Resolution E, even though it has an honorable intent of making us careful with our money.

The other thing that it alleges is that our estimates are always too low, and there is another Senate Fiscal study that shows what our estimates have been over the last eleven years. Estimates a year ahead of time, half of the time they underestimate and half of the time they overestimate—five times over, six times under—both for the General Fund and the School Aid Fund. It is an inexact science. You are trying to predict the future, but they are not consistently overestimating the revenue coming in. Half the time they are underestimating. This would make us always underestimate, and it would require that for appropriations out of the Budget Stabilization Fund that exceeded the 100 percent. You have to have two-thirds for a supplemental, and that lets the minority rule. We are in a democracy and the majority is supposed to rule. Why should the minority rule? Why should one-third of the members decide whether we have a supplemental or not, or withdrawal from the Budget Stabilization Fund?

I hope that members will vote against it because although well-intentioned, it would return us to chronic deficits of \$1 billion-plus.

Senator Pappageorge's statement is as follows:

Yesterday, when this resolution was on second reading, I thought we had a good discussion on it. I just want to quickly remind you of what we are doing here. We are voting on whether or not to put before our constituents in Michigan a proposal that would structurally change the way we do appropriations. It is designed to eliminate the problem we have in a down economy of promising too much money and then later having to take drastic measures to correct that situation.

Unfortunately, yesterday we got sidetracked into a discussion on spending. This is not about spending, taxes, one-time fixes, and so forth. We are asking the people of Michigan whether they want to make a structural change that will cause them to be less likely to be misinformed on how much money we have when we start the budget process.

A "no" vote says, "No, let's just keep doing it the way we've been doing it." I would ask for a "yes" vote so that the people will understand the structural change that needs to be made, and let them tell us whether they are willing to go along with that structural change.

By unanimous consent the Senate returned to the order of

Messages from the House

Senate Bill No. 1111, entitled

A bill to make, supplement, and adjust appropriations for various state departments and agencies for the fiscal year ending September 30, 2008; and to provide for the expenditure of the appropriations.

The House of Representatives has substituted (H-3) the bill.

The House of Representatives has passed the bill as substituted (H-3), ordered that it be given immediate effect and amended the title 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, 2008 and September 30, 2009; and to provide for the expenditure of the appropriations.

Pending the order that, under rule 3.202, the bill be laid over one day,

Senator Cropsey moved that the rule be suspended.

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

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

Senator Jelinek offered the following amendments to the substitute:

1. Amend page 2, line 1, by striking out "(53,584,200)" and inserting "(50,177,400)".
2. Amend page 2, line 4, by striking out "(53,584,200)" and inserting "(50,177,400)".
3. Amend page 2, line 5, by striking out "(28,492,400)" and inserting "(32,473,000)".
4. Amend page 2, line 6, by striking out "2,767,600" and inserting "(843,200)".
5. Amend page 2, line 9, by striking out "72,275,700" and inserting "83,273,900".
6. Amend page 2, line 12, by striking out "200,000" and inserting "415,100".
7. Amend page 2, line 15, by striking out "200,000" and inserting "415,100".

- 8. Amend page 2, line 20, by striking out “200,000” and inserting “415,100”.
- 9. Amend page 2, line 22, by striking out “200,000” and inserting “415,100”.
- 10. Amend page 2, line 23, by striking out “200,000” and inserting “415,100”.
- 11. Amend page 2, line 25, by striking out “200,000” and inserting “415,100”.
- 12. Amend page 3, line 1, by striking out all of section 103.
- 13. Amend page 12, line 11, by striking out “18,351,000” and inserting “0”.
- 14. Amend page 12, line 14, by striking out “18,351,000” and inserting “0”.
- 15. Amend page 12, line 15, by striking out “(103,818,000)” and inserting “(107,798,600)”.
- 16. Amend page 12, line 16, by striking out “3,610,800” and inserting “0”.
- 17. Amend page 12, line 19, by striking out “102,708,200” and inserting “91,948,600”.
- 18. Amend page 12, line 22, by striking out all of line 22.
- 19. Amend page 12, line 24, by striking out “15,182,800” and inserting “0”.
- 20. Amend page 13, line 1, by striking out “(12,019,400)” and inserting “(16,000,000)”.
- 21. Amend page 13, line 3, by striking out all of line 3.
- 22. Amend page 13, line 5, by striking out “7,741,400” and inserting “150,000”.
- 23. Amend page 13, line 26, by striking out all of subsection (6).
- 24. Amend page 14, line 6, by striking out “4,500,000” and inserting “26,042,800”.
- 25. Amend page 14, line 9, by striking out “4,500,000” and inserting “26,042,800”.
- 26. Amend page 14, line 14, by striking out “4,500,000” and inserting “26,042,800”.
- 27. Amend page 14, following line 19, by inserting:
“(3) MANAGEMENT AND BUDGET SERVICES
 State sponsored group insurance fund..... \$ 21,542,800
GROSS APPROPRIATION \$ 21,542,800
 Appropriated from:
 State general fund/general purpose \$ 21,542,800”.
- 28. Amend page 16, line 22, by striking out all of section 113.
- 29. Amend page 18, line 16, by striking out “35,144,100” and inserting “10,160,300”.
- 30. Amend page 18, line 19, by striking out “35,144,100” and inserting “10,160,300”.
- 31. Amend page 18, line 20, by striking out “3,980,600” and inserting “0”.
- 32. Amend page 18, line 21, by striking out “3,610,800” and inserting “0”.
- 33. Amend page 18, line 23, by striking out “16,427,100” and inserting “10,160,300”.
- 34. Amend page 18, line 24, by striking out “11,125,600” and inserting “0”.
- 35. Amend page 19, line 3, by striking out “11,627,100” and inserting “10,160,300”.
- 36. Amend page 19, line 6, by striking out “11,627,100” and inserting “10,160,300”.
- 37. Amend page 19, line 10, by striking out “11,627,100” and inserting “10,160,300”.
- 38. Amend page 19, line 12, by striking out all of subsection (2) and renumbering the remaining subsections.
- 39. Amend page 20, line 8, by striking out the balance of PART 1A.
- 40. Amend page 23, line 4, after “is” by striking out “(\$27,859,400.00)” and inserting “(\$16,861,200.00)”.
- 41. Amend page 23, line 5, after “are” by striking out “(\$1,550,000.00)” and inserting “(\$8,050,000.00)”.
- 42. Amend page 23, line 11, by striking out all of section 203.
- 43. Amend page 25, line 24, by striking out all of section 222.
- 44. Amend page 26, line 2, by striking out all of line 2.
- 45. Amend page 26, line 3, by striking out all of section 241.
- 46. Amend page 26, line 13, after “(1)” by striking out “In addition to” and inserting “From”.
- 47. Amend page 26, line 14, after “appropriated” by striking out the balance of the line through “2008,” on line 15.
- 48. Amend page 27, line 18, by striking out all of section 501.
- 49. Amend page 28, line 20, after “is” by striking out “\$27,552,700.00” and inserting “\$10,160,300.00”.
- 50. Amend page 29, line 25, by striking out the balance of PART 2A and adjusting the subtotals, totals, and section 201 accordingly.

The amendments to the substitute were adopted.

Senator Thomas offered the following amendment to the substitute:

- 1. Amend page 23, following line 10, by inserting:

“Sec. 203. (1) The state budget director shall calculate the amounts of any unreserved fund balances for general fund/general purpose and the state school aid fund at the close of the state fiscal year ending September 30, 2008.

(2) If the unreserved general fund/general purpose balance exceeds \$190,000,000.00 and the unreserved state school aid fund balance is less than \$68,700,000.00, any excess general fund/general purpose funds shall be deposited into the state school aid fund, up to an amount equal to the difference between \$68,700,000.00 and the unreserved state school aid fund balance.

(3) If, following any appropriation under subsection (2), the remaining unreserved general fund/general purpose balance exceeds \$190,000,000.00, any excess general fund/general purpose funds shall be appropriated for the appropriation items listed below in the amounts specified:

DEPARTMENT OF COMMUNITY HEALTH	
Diabetes and kidney program.....	\$ 250,000
Multicultural services.....	320,000
DEPARTMENT OF EDUCATION	
Cultural access grants.....	700,000
Pre-college engineering program.....	400,000
Science, engineering, mathematics, aerospace academy.....	100,000
DEPARTMENT OF STATE POLICE	
Grant to Detroit metropolitan airport.....	175,000
DEPARTMENT OF TREASURY	
Arab American national museum.....	2,700,000
Charles Wright museum of African-American history.....	200,000
Detroit historical society.....	1,900,000
Detroit institute of arts.....	10,000,000
Detroit River regatta association - Detroit gold cup.....	200,000
Downtown Detroit partnership - Detroit grand prix.....	400,000
Edison museum.....	250,000
Grand Rapids art museum.....	2,000,000
Grand Rapids public museum.....	600,000
Henry Ford museum.....	1,800,000
John Ball zoological museum.....	600,000
Kalamazoo aerospace museum.....	800,000
Lansing amphitheatre.....	1,700,000
Millennium park amphitheatre.....	2,000,000
Mining museum of Marquette.....	250,000
Monroe County historical museum.....	100,000
Motown museum.....	100,000
Soo locks museum.....	200,000
TOTAL.....	\$ 27,745,000

(4) If the amount of general fund/general purpose funds available for appropriation under subsection (3) is less than \$27,745,000.00, the amounts listed in subsection (3) shall be reduced proportionately so that the total of the amounts is equal to the available general fund/general purpose funds calculated under that subsection.” and adjusting the subtotals, totals, and section 201 accordingly.

The question being on the adoption of the amendment to the substitute,

Senator Cropsey moved that the previous question be ordered.

The motion prevailed.

The amendment to the substitute was not adopted.

The question being on concurring in the House substitute, as amended,

Senator Cropsey moved that the previous question be ordered.

The motion prevailed.

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

Roll Call No. 578

Yeas—33

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

Nays—4

Cassis

George

Patterson

Sanborn

Excused—1

Hardiman

Not Voting—0

In The Chair: Richardville

The question being on concurring in the committee recommendation to give the bill immediate effect, The recommendation was concurred in, 2/3 of the members serving voting therefor. The Senate agreed to the title as amended.

Recess

Senator Cropsey moved that the Senate recess until 2:30 p.m. The motion prevailed, the time being 12:58 p.m.

The Senate reconvened at the expiration of the recess and was called to order by the President pro tempore, Senator Richardville.

Recess

Senator Brown moved that the Senate recess subject to the call of the Chair. The motion prevailed, the time being 2:31 p.m.

3:58 p.m.

The Senate was called to order by the President pro tempore, Senator Richardville.

By unanimous consent the Senate returned to the order of

Motions and Communications

Senator Cropsey moved that Senator Patterson be excused from the balance of today's session. The motion prevailed.

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

House Bill No. 5896

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

Senator Thomas moved that Senators Clark-Coleman and Basham be excused from the balance of today's session. The motion prevailed.

By unanimous consent the Senate returned to the order of
General Orders

Senator Cropsey moved that the Senate resolve itself into the Committee of the Whole for consideration of the General Orders calendar.

The motion prevailed, and the President pro tempore, Senator Richardville, designated Senator Kuipers as Chairperson.

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

House Bill No. 5896, entitled

A bill to amend 1893 PA 206, entitled "The general property tax act," by amending section 9f (MCL 211.9f), as amended by 2007 PA 116.

Substitute (S-2).

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

By unanimous consent the Senate returned to the order of
Third Reading of Bills

Senator Cropsey moved that the rules be suspended and that the following bill, now on the order of Third Reading of Bills, be placed on its immediate passage at the head of the Third Reading of Bills calendar:

House Bill No. 5896

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

The following bill was read a third time:

House Bill No. 5896, entitled

A bill to amend 1893 PA 206, entitled "The general property tax act," by amending section 9f (MCL 211.9f), as amended by 2008 PA 230.

The question being on the passage of the bill,

The bill was passed, a majority of the members serving voting therefor, as follows:

Roll Call No. 579

Yeas—33

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

Nays—1

Cassis

Excused—4

Basham

Clark-Coleman

Hardiman

Patterson

Not Voting—0

In The Chair: Richardville

The question being on concurring in the committee recommendation to give the bill immediate effect,

The recommendation was concurred in, 2/3 of the members serving voting therefor.

Pursuant to Joint Rule 20, the full title of the act shall be inserted to read as follows:

“An act to provide for the assessment of rights and interests, including leasehold interests, in property and the levy and collection of taxes on property, and for the collection of taxes levied; making those taxes a lien on the property taxed, establishing and continuing the lien, providing for the sale or forfeiture and conveyance of property delinquent for taxes, and for the inspection and disposition of lands bid off to the state and not redeemed or purchased; to provide for the establishment of a delinquent tax revolving fund and the borrowing of money by counties and the issuance of notes; to define and limit the jurisdiction of the courts in proceedings in connection with property delinquent for taxes; to limit the time within which actions may be brought; to prescribe certain limitations with respect to rates of taxation; to prescribe certain powers and duties of certain officers, departments, agencies, and political subdivisions of this state; to provide for certain reimbursements of certain expenses incurred by units of local government; to provide penalties for the violation of this act; and to repeal acts and parts of acts.”

The Senate agreed to the full title.

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

The motion prevailed.

Senator Kahn’s statement is as follows:

As previously discussed, the take-home points for House Bill No. 5896 are that this bill would allow local governments to offer a personal property tax exemption for new equipment in situations where firms have qualified for a MEGA tax credit. Current law restricts the personal property tax exemption to just distressed communities and firms receiving retention MEGAs. This change will allow local governments to decide whether or not to give an additional exemption as outlined in this bill, and, importantly, House Bill No. 5896 will give Michigan another tool in its economic development and redevelopment toolbox. I urge the passage of this bill.

By unanimous consent the Senate returned to the order of

Messages from the House**Senate Bill No. 943, entitled**

A bill to amend 2001 PA 142, entitled “Michigan memorial highway act,” (MCL 250.1001 to 250.2080) by adding section 88.

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

The House of Representatives has passed the bill as substituted (H-1), ordered that it be given immediate effect and pursuant to Joint Rule 20, inserted the full title.

Pending the order that, under rule 3.202, the bill be laid over one day,

Senator Cropsey moved that the rule be suspended.

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

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

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

Roll Call No. 580**Yeas—34**

Allen	Clarke	Jelinek	Sanborn
Anderson	Cropsey	Kahn	Schauer
Barcia	Garcia	Kuipers	Scott
Birkholz	George	McManus	Stamas
Bishop	Gilbert	Olshove	Switalski
Brater	Gleason	Pappageorge	Thomas

Brown
Cassis
Cherry

Hunter
Jacobs
Jansen

Prusi
Richardville

Van Woerkom
Whitmer

Nays—0

Excused—4

Basham

Clark-Coleman

Hardiman

Patterson

Not Voting—0

In The Chair: Richardville

The question being on concurring in the committee recommendation to give the bill immediate effect,
The recommendation was concurred in, 2/3 of the members serving voting therefor.
The Senate agreed to the full title.
The bill was referred to the Secretary for enrollment printing and presentation to the Governor.

By unanimous consent the Senate proceeded to the order of

Resolutions

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

Senate Concurrent Resolution No. 22

Senate Resolution No. 181

The motion prevailed.

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

Senate Resolution No. 223

The resolution consent calendar was adopted.

Senators Garcia, George, Kuipers, Pappageorge, Brown, Stamas, Barcia, Allen, Kahn and Van Woerkom offered the following resolution:

Senate Resolution No. 223.

A resolution recognizing the achievements of Dr. Stephen Thaler and his Michigan-based company Imagitron for piercing the veil of technology and determining Michigan will be home for his legacies.

Whereas, Stephen Thaler set the record for most awards received at the International Science Fair in 1968 in Detroit, Michigan. His first-place work in crystallography was received from the Air Force Research Laboratory, the U.S. Navy, the American Metallurgical Society, and the American Institute of Mining and Metallurgical Engineers; and

Whereas, Dr. Stephen Thaler received second prize from the U.S. Army. Through these technical accomplishments, Dr. Thaler secured a position with Hughes Aircraft Laser Division in Malibu, California, as a summer intern at the University of California, Los Angeles (UCLA); and

Whereas, In 1975, Dr. Thaler developed some of the first artificial neural networks capable of contemplation and idea generation; and

Whereas, In 1981, after earning a PhD. in physics, Dr. Thaler worked for McDonnell Douglas Astronautics as a senior engineer, was promoted to principal technician for space, and developed low observable stealth technology. In 1991, while working for McDonnell Aircraft, Dr. Thaler developed a process that allowed conversion of carbon in tools to potentially create diamond-based electronics for drill bits and lathe inserts, creating a process to increase the hardness for tools; and

Whereas, In 1994, Dr. Thaler formed Imagination Engines, Incorporated. The primary purpose was to harness the power of what NASA was calling artificial intelligence's best bet at creating human-to-transhuman level intelligence in machines for the only route for computer-based machines to produce beyond their capabilities; and

Whereas, After accomplishing over 60 patents, many classified by the Department of Defense, Dr. Thaler returned to Michigan and created Imagitron, a platform company whose sole purpose is to generate companies based on Imagination Engines' unparalleled patented neural network technologies; now, therefore, be it

Resolved by the Senate, That the accomplishments of Dr. Thaler and his patented technologies will advance economic development in Michigan through Imagitron and advance the creation and resurgence in Michigan's job force as a leader in technology; and be it further

Resolved, That a copy of this resolution be transmitted to Dr. Stephen Thaler with our highest esteem.

Senator Gleason was named co-sponsor of the resolution.

Senator Cropsey offered the following concurrent resolution:

Senate Concurrent Resolution No. 32.

A concurrent resolution prescribing the legislative schedule.

Resolved by the Senate (the House of Representatives concurring), That when the House of Representatives adjourns on Thursday, September 25, 2008, it stands adjourned until Wednesday, October 15, 2008, at 12:00 noon.

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

Senator Cropsey moved that the rule be suspended.

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

The concurrent resolution was adopted.

Senate Resolution No. 200.

A resolution to memorialize Congress and the President to support additional funding to expand Amtrak's capacity and routes in Michigan.

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

Substitute (S-1).

The substitute was adopted.

The resolution, as substituted, was adopted.

Senator Hardiman was named as co-sponsor of the resolution.

By unanimous consent the Senate returned to the order of

Messages from the House

Senate Bill No. 1111, 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, 2008 and September 30, 2009; and to provide for the expenditure of the appropriations.

The House of Representatives has concurred in the Senate amendments to the House substitute (H-3).

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

Senate Bill No. 1418, entitled

A bill to amend 1975 PA 238, entitled "Child protection law," by amending sections 3, 7, and 8 (MCL 722.623, 722.627, and 722.628), section 3 as amended by 2006 PA 583, section 7 as amended by 2006 PA 621, and section 8 as amended by 2008 PA 46.

The House of Representatives has substituted (H-2) the bill.

The House of Representatives has passed the bill as substituted (H-2), ordered that it be given immediate effect and pursuant to Joint Rule 20, inserted the full title.

Pending the order that, under rule 3.202, the bill be laid over one day,

Senator Cropsey moved that the rule be suspended.

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

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

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

Roll Call No. 581**Yeas—34**

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

Nays—0**Excused—4**

Basham	Clark-Coleman	Hardiman	Patterson
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Not Voting—0

In The Chair: Richardville

The question being on concurring in the committee recommendation to give the bill immediate effect,
 The recommendation was concurred in, 2/3 of the members serving voting therefor.
 The Senate agreed to the full title.
 The bill was referred to the Secretary for enrollment printing and presentation to the Governor.

Senate Bill No. 1461, entitled

A bill to amend 1951 PA 51, entitled "An act to provide for the classification of all public roads, streets, and highways in this state, and for the revision of that classification and for additions to and deletions from each classification; to set up and establish the Michigan transportation fund; to provide for the deposits in the Michigan transportation fund of specific taxes on motor vehicles and motor vehicle fuels; to provide for the allocation of funds from the Michigan transportation fund and the use and administration of the fund for transportation purposes; to set up and establish the truck safety fund; to provide for the allocation of funds from the truck safety fund and administration of the fund for truck safety purposes; to set up and establish the Michigan truck safety commission; to establish certain standards for road contracts for certain businesses; to provide for the continuing review of transportation needs within the state; to authorize the state transportation commission, counties, cities, and villages to borrow money, issue bonds, and make pledges of funds for transportation purposes; to authorize counties to advance funds for the payment of deficiencies necessary for the payment of bonds issued under this act; to provide for the limitations, payment, retirement, and security of the bonds and pledges; to provide for appropriations and tax levies by counties and townships for county roads; to authorize contributions by townships for county roads; to provide for the establishment and administration of the state trunk line fund, local bridge fund, comprehensive transportation fund, and certain other funds; to provide for the deposits in the state trunk line fund, critical bridge fund, comprehensive transportation fund, and certain other funds of money raised by specific taxes and fees; to provide for definitions of public transportation functions and criteria; to define the purposes for which Michigan transportation funds may be allocated; to provide for Michigan transportation fund grants; to provide for review and approval of transportation programs; to provide for submission of annual legislative requests and reports; to provide for the establishment and functions of certain advisory entities; to provide for conditions for grants; to provide for the issuance of bonds and notes for transportation purposes; to provide for the powers and duties of certain state and local agencies and officials; to provide for the making of loans for transportation purposes by the state transportation

department and for the receipt and repayment by local units and agencies of those loans from certain specified sources; and to repeal acts and parts of acts," by amending section 1 (MCL 247.651).

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

The House of Representatives has passed the bill as substituted (H-1) and ordered that it be given immediate effect.

Pursuant to rule 3.202, the bill was laid over one day.

By unanimous consent the Senate returned to the order of

Conference Reports

Senator Cropsey moved that joint rule 9 be suspended to permit immediate consideration of the conference report relative to the following bill:

Senate Bill No. 511

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

Senator McManus submitted the following:

FIRST CONFERENCE REPORT

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

Senate Bill No. 511, entitled

A bill to make, supplement, adjust, and consolidate appropriations for various state departments and agencies, the judicial branch, and the legislative branch for the fiscal year ending September 30, 2008; to provide for certain conditions on appropriations; to provide for the expenditure of the appropriations; and to repeal acts and parts of acts.

Recommends:

First: That the Senate recede from its amendments numbered 1 to 10, which read as follows:

1. Amend page 2, line 4, by striking out all of line 4 through line 21 on page 25 and inserting:

"CAPITAL OUTLAY

APPROPRIATION SUMMARY

GROSS APPROPRIATION	\$	280,090,000
Interdepartmental grant revenues:		
Total interdepartmental grants and intradepartmental transfers		2,000,000
ADJUSTED GROSS APPROPRIATION	\$	278,090,000
Federal revenues:		
Total federal revenues.....		193,392,000
Special revenue funds:		
Total local revenues.....		15,209,400
Total private revenues.....		723,900
Total other state restricted revenues		68,764,600
State general fund/general purpose	\$	100

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. DEPARTMENT OF MILITARY AFFAIRS	
Lump-sum projects:	
For department of military affairs remodeling and additions and special maintenance projects.....	\$ 15,000,000
Camp Grayling, infantry platoon battle course/live fire range, for design and construction (total authorized cost \$3,500,000; federal share \$3,500,000)	3,500,000
Camp Grayling, multiple company headquarters buildings, phases I and II, for design and construction (total authorized cost is increased from \$37,000,000 to \$45,000,000; federal share is increased from \$37,000,000 to \$45,000,000).....	8,000,000
GROSS APPROPRIATION	\$ 26,500,000
Appropriated from:	
Federal revenues:	
DOD, department of the army, national guard bureau	26,500,000
State general fund/general purpose	\$ 0
Sec. 105. DEPARTMENT OF NATURAL RESOURCES	
(1) STATE PARK AND FOREST AREA IMPROVEMENTS	
State parks repair and maintenance	\$ 2,000,000
Forest roads, bridges, and facilities	500,000
GROSS APPROPRIATION	\$ 2,500,000
Appropriated from:	
Special revenue funds:	
Forest development fund	400,000
Forest recreation fund.....	100,000
State park improvement fund	2,000,000
State general fund/general purpose	\$ 0
(2) WATERWAYS BOATING PROGRAM	
Infrastructure improvements - state projects	2,287,000
Infrastructure improvements - local projects.....	2,115,000
Land acquisition	500,000
Boating program, state boating access projects:	
Boating program, local boating access projects:	
Otsego Lake, Otsego County, dock and launch replacement (total authorized cost \$193,100; state share \$144,000; local share \$49,100).....	144,000
Walloon Lake, Charlevoix County, new site construction (total authorized cost \$510,000; state share \$510,000)	510,000
Boating program, harbors and docks, state facilities:	
Mackinaw City, Cheboygan County, new marina, state dock, phase IV (total authorized cost is increased from \$10,775,000 to \$11,775,000; state share is increased from \$10,775,000 to \$11,775,000).....	1,000,000
Cheboygan, Cheboygan County, lock and dam repairs and improvements (total authorized cost is increased from \$2,610,200 to \$4,289,600; federal share is increased from \$1,957,600 to \$3,262,000; and state share is increased from \$652,600 to \$1,027,600)	1,679,400
Bay Port dredging project (total project cost \$1,000,000; state share \$1,000,000)	1,000,000
Mackinac Island - mooring expansion (total cost \$5,660,800; federal share \$1,893,500; state share \$3,767,300)	1,976,000
Boating program, harbors and docks, local facilities:	
Grand Haven, Ottawa County, dock replacement and marina improvements, phase II (total authorized cost is increased from \$1,000,000 to \$2,010,000; state share is increased from \$500,000 to \$1,005,000; and local share is increased from \$500,000 to \$1,005,000).....	505,000
Petoskey, Emmet County, marina dock and harbormaster building expansion (total authorized cost \$1,725,800; state share \$861,000; local share \$864,800)	861,000
GROSS APPROPRIATION	\$ 12,577,400
Appropriated from:	
Federal revenues:	
DHS, U.S. coast guard	1,470,000

DOI, federal.....	1,304,400
Special revenue funds:	
Michigan state waterways fund.....	9,803,000
State general fund/general purpose	\$ 0
(3) MICHIGAN NATURAL RESOURCES TRUST FUND	
Natural resources trust fund projects.....	\$ <u>35,266,200</u>
Gerrish township community park, phase II, Roscommon County (grant-in-aid to Gerrish Township (#07-002))	
North Maumee Bay coastal wetland acquisition, Monroe County (#07-133)	
Chippewa landing acquisition, Wexford County (#07-121)	
Betsie River consolidation, Benzie and Grand Traverse counties (#07-120)	
Glacial hills pathway and natural area, Antrim County (grant-in-aid to Antrim County) (#07-163)	
Jaxon Creek corridor acquisition, Grand Traverse County (#07-168)	
Mitchell Creek nature area acquisition, Mecosta County (grant-in-aid to city of Big Rapids) (#07-046)	
Southwest Lower Peninsula eco-region land consolidation, various counties (#07-135)	
Cedar Run Creek natural area addition, Grand Traverse County (grant-in-aid to Long Lake Township) (#07-162)	
Northern Lower Peninsula eco-region consolidation, various counties (#07-119)	
Addison Oaks property acquisition, Oakland County (grant-in-aid to Oakland County) (#07-031)	
Upper Peninsula eco-region land consolidation, various counties (#07-123)	
State trailways initiative - corridor and acquisition, various counties statewide (#07-122)	
Wisconsin electric energies land acquisition, Baraga and Iron counties (#07-167)	
Man-made lake acquisition, Manistee County (grant-in-aid to city of Manistee) (#07-040)	
Southeast Michigan eco-region land consolidation, various counties (#07-117)	
DeYoung natural area acquisition, Leelanau County (grant-in-aid to Elmwood Township) (#07-039)	
Indian springs metropark land acquisition, Oakland County (grant-in-aid to Huron-Clinton Metropolitan Authority) (#07-028)	
Olive shores acquisition, Ottawa County (grant-in-aid to Ottawa County) (#07-090)	
Camp Woodsong fee simple acquisition, St. Clair County (grant-in-aid to St. Clair County) (#07-171)	
Novi core habitat reserve property acquisition, Oakland County (grant-in-aid to city of Novi) (#07-017)	
Sterling state park acquisition, Monroe County (#07-131)	
Au Train basin waterfowl refuge project, phase I, Alger County (#07-134)	
Hunters point park acquisition, phase I, Keweenaw County (grant-in-aid to Grant Township) (#07-099)	
DeTour Village waterfront property acquisition, Chippewa County (grant-in-aid to village of DeTour) (#07-164)	
Ashmun Bay park trail parcel acquisition, Chippewa County (grant-in-aid to city of Sault Ste. Marie) (#07-105)	
General Squier memorial park addition, Lapeer County (grant-in-aid to Lapeer County) (#07-038)	
Allendale community park addition, Ottawa County (grant-in-aid to Allendale Township) (#07-041)	
Weesaw Township park acquisition, Berrien County (grant-in-aid to Weesaw Township) (#07-082)	
Ashmun Bay park entrance parcel acquisition, Chippewa County (grant-in-aid to city of Sault Ste. Marie) (#07-174)	
Lake Michigan nature preserve acquisition, phase I, Allegan County (grant-in-aid to Casco Township) (#07-170)	
Riverwalk development - river street park, Mecosta County (grant-in-aid to city of Big Rapids) (#07-097)	

- Grass River center, Antrim County (grant-in-aid to Antrim County) (#07-113)
- Shingle Lake park improvement, Clare County (grant-in-aid to Lincoln Township) (#07-035)
- Addison Oaks trail connector, Oakland County (grant-in-aid to Oakland County) (#07-030)
- White Lake pathway south end completion, Muskegon County (grant-in-aid to city of Whitehall) (#07-037)
- Tate park pathway and fishing docks, Lenawee County (grant-in-aid to village of Clinton) (#07-018)
- Marsh view park development, Oakland County (grant-in-aid to Oakland Township) (#07-057)
- Motz county park development, Clinton County (grant-in-aid to Clinton County) (#07-011)
- Ecorse Creek greenway and park development, Wayne County (grant-in-aid to city of Ecorse) (#07-106)
- Grandville and Kent trails pathway connection, Kent County (grant-in-aid to city of Grandville) (#07-100)
- Greilickville harbor park improvements, Leelanau County (grant-in-aid to Elmwood Township) (#07-095)
- White park improvements, Ingham County (grant-in-aid to city of East Lansing) (#07-087)
- Smith-Ryerson park improvements, Muskegon County (grant-in-aid to city of Muskegon) (#07-060)
- Lakeview park improvement project, Roscommon County (grant-in-aid to Roscommon Township) (#07-049)
- Whiting park universal access improvements, Charlevoix County (grant-in-aid to Charlevoix County) (#07-112)
- Mt. Baldhead park stairway renovation, Allegan County (grant-in-aid to city of Saugatuck) (#07-036)
- Krampe park accessible fishing pier, Montcalm County (grant-in-aid to Montcalm County) (#07-015)
- Ralph A. MacMullan center improvements, Crawford County (#07-118)
- Lake Idlewild park development, Lake County (#07-130)
- Starlite beach promenade facilities project, Alpena County (grant-in-aid to city of Alpena) (#07-023)
- Pere Marquette rail trail extension, Clare County (grant-in-aid to city of Clare) (#07-096)
- Fox Lake park improvements, Muskegon County (grant-in-aid to village of Lakewood Club) (#07-073)
- Rieger park swimming and beach project, Calhoun County (grant-in-aid to city of Albion) (#07-004)
- Russell Miller “wild 100” nature center development, Jackson County (grant-in-aid to Leslie schools) (#07-085)
- Butzel playfield renovation, Wayne County (grant-in-aid to city of Detroit) (#07-055)
- Veterans memorial park improvements, Osceola County (grant-in-aid to village of Marion) (#07-102)
- Proud Lake electrical system upgrades, Oakland County (#07-129)
- Andersen park development, Saginaw County (grant-in-aid to city of Saginaw) (#07-072)
- Skidway Lake boardwalk development, Ogemaw County (grant-in-aid to Mills Township) (#07-051)
- Robbins park improvement project, Berrien County (grant-in-aid to Benton Township) (#07-007)
- Lower Rouge River trail bridges, Wayne County (grant-in-aid to Canton Township) (#07-064)
- Building demolition initiative, various counties (#07-116)
- Clinton River hike bike trail development, Macomb County (grant-in-aid to city of Utica) (#07-054)
- Marshbank park improvement project, Oakland County (grant-in-aid to West Bloomfield Township) (#07-013)

GROSS APPROPRIATION..... \$ 35,266,200

Appropriated from:

Special revenue funds:

Private foundation revenues.....	723,900
Michigan natural resources trust fund.....	34,542,300
State general fund/general purpose	\$ 0

Sec. 106. DEPARTMENT OF TRANSPORTATION

(1) BUILDINGS AND FACILITIES

Salt storage buildings and containment control systems - contract agencies.....	\$ 2,000,000
Salt storage buildings and containment control systems - various state locations.....	600,000
Pontiac, Oakland County, transportation center, rail and bus terminal, for design and construction (total authorized cost \$1,750,000; state share \$1,750,000)	1,750,000
L'Anse, Baraga County, maintenance garage renovation (total authorized cost \$755,000; state trunkline fund share \$755,000).....	755,000
Lansing, Eaton County, central maintenance garage consolidation (total authorized cost \$7,450,000; state trunkline fund share \$7,450,000)	7,450,000
Institutional and agency roads.....	750,000
Miscellaneous remodeling, additions, emergency maintenance	1,000,000
GROSS APPROPRIATION	\$ 14,305,000

Appropriated from:

Special revenue funds:

Comprehensive transportation fund bond proceeds.....	1,750,000
State aeronautics fund	180,000
State trunkline fund	12,375,000
State general fund/general purpose	\$ 0

(2) AIRPORT IMPROVEMENT PROGRAMS

Airport safety, protection, and improvement program	\$ 183,191,300
GROSS APPROPRIATION	\$ 183,191,300

Appropriated from:

Federal revenues:

DOT, federal aviation administration	162,867,600
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Special revenue funds:

Local aeronautics match.....	15,209,400
State aeronautics fund	5,114,300
State general fund/general purpose	\$ 0

Sec. 108. STATE BUILDING AUTHORITY FINANCED CONSTRUCTION

AUTHORIZATIONS

Department of history, arts and libraries - warehouse facility acquisition (total authorized cost \$9,690,000; state building authority share \$9,689,900; state general fund share \$100).....	100
GROSS APPROPRIATION	\$ 100

Appropriated from:

State general fund/general purpose	\$ 100".
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2. Amend page 26, line 2, after "is" by striking out "\$68,769,100.00" and inserting "\$68,764,700.00".
3. Amend page 31, line 8, by striking out all of sections 406, 407, and 408.
4. Amend page 39, line 4, by striking out all of section 604.
5. Amend page 39, line 11, by striking out all of line 11.
6. Amend page 39, line 12, by striking out all of sections 651 and 652.
7. Amend page 43, line 1, by striking out all of line 1.
8. Amend page 43, line 2, by striking out all of sections 671 and 672.
9. Amend page 48, line 2, by striking out all of section 903.
10. Amend page 48, line 24, by striking out all of section 1002.

Second: That the Senate and House agree to the House Substitute for the Senate Substitute for the House Substitute for Senate Bill No. 511 as passed by the House, amended to read as follows:

A bill to make, supplement, and adjust appropriations for various state departments and agencies, capital outlay, the legislative branch, and the judicial branch for the fiscal year ending September 30, 2008; and to provide for the expenditure of the appropriations.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:
PART 1
LINE-ITEM APPROPRIATIONS FOR
FISCAL YEAR 2007-2008

Sec. 101. Subject to the conditions set forth in this act, 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, 2008, from the funds indicated in this part. The following is a summary of the appropriations in this part:

CAPITAL OUTLAY

APPROPRIATION SUMMARY

GROSS APPROPRIATION	\$ 97,880,400
Interdepartmental grant revenues:	
Total interdepartmental grants and intradepartmental transfers	2,000,000
ADJUSTED GROSS APPROPRIATION	\$ 95,880,400
Federal revenues:	
Total federal revenues.....	31,504,100
Special revenue funds:	
Total local revenues.....	0
Total private revenues.....	723,900
Total other state restricted revenues	63,650,300
State general fund/general purpose	\$ 2,100

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. DEPARTMENT OF MILITARY AFFAIRS

Lump-sum projects:	
For department of military affairs remodeling and additions and special maintenance projects	\$ 15,000,000
Camp Grayling, infantry platoon battle course/live fire range, for design and construction (total authorized cost \$3,500,000; federal share \$3,500,000)	3,500,000
Camp Grayling, multiple company headquarters buildings, phases I and II, for design and construction (total authorized cost is increased from \$37,000,000 to \$45,000,000; federal share is increased from \$37,000,000 to \$45,000,000).....	8,000,000
GROSS APPROPRIATION	\$ 26,500,000
Appropriated from:	
Federal revenues:	
DOD, department of the army, national guard bureau	26,500,000
State general fund/general purpose	\$ 0

Sec. 105. DEPARTMENT OF NATURAL RESOURCES

(1) STATE PARK AND FOREST AREA IMPROVEMENTS

State parks repair and maintenance.....	\$ 2,000,000
Forest roads, bridges, and facilities.....	500,000
GROSS APPROPRIATION	\$ 2,500,000

	For Fiscal Year Ending Sept. 30, 2008
Appropriated from:	
Special revenue funds:	
Forest development fund	\$ 400,000
Forest recreation fund.....	100,000
State park improvement fund	2,000,000
State general fund/general purpose	\$ 0
(2) WATERWAYS BOATING PROGRAM	
Infrastructure improvements - state projects	\$ 2,287,000
Infrastructure improvements - local projects.....	2,115,000
Land acquisition	500,000
Boating program, local boating access projects:	
Otsego Lake, Otsego County, dock and launch replacement (total authorized cost \$193,100; state share \$144,000; local share \$49,100).....	144,000
Walloon Lake, Charlevoix County, new site construction (total authorized cost \$510,000; state share \$510,000).....	510,000
Boating program, harbors and docks, state facilities:	
Mackinaw City, Cheboygan County, new marina, state dock, phase IV (total cost authorized cost is increased from \$10,775,000 to \$11,775,000; state share is increased from \$10,775,000 to \$11,775,000).....	1,000,000
Cheboygan, Cheboygan County, lock and dam repairs and improvements (total authorized cost is increased from \$2,610,200 to \$4,289,600; federal share is increased from \$1,957,600 to \$3,262,000; and state share is increased from \$652,600 to \$1,027,600)	1,679,400
Bay Port dredging project (total project cost \$1,000,000; state share \$1,000,000).....	1,000,000
Mackinac Island - mooring expansion (total cost \$5,660,800; federal share \$1,893,500; state share \$3,767,300)	1,976,000
Boating program, harbors and docks, local facilities:	
Peshawbestown, Leelanau County, marina (total project cost \$1,603,300; federal share \$979,700; local share \$623,600).....	979,700
Grand Haven, Ottawa County, dock replacement and marina improvements, phase II (total authorized cost is increased from \$1,000,000 to \$2,010,000; state share is increased from \$500,000 to \$1,005,000; and local share is increased from \$500,000 to \$1,005,000).....	505,000
Petoskey, Emmet County, marina dock and harbormaster building expansion (total authorized cost \$1,725,800; state share \$861,000; local share \$864,800).....	861,000
GROSS APPROPRIATION	\$ 13,557,100
Appropriated from:	
Federal revenues:	
DHS, U.S. coast guard	1,470,000
DOI, federal.....	2,284,100
Special revenue funds:	
Michigan state waterways fund.....	9,803,000
State general fund/general purpose	\$ 0
(3) MICHIGAN NATURAL RESOURCES TRUST FUND	
Natural resources trust fund projects.....	\$ 35,266,200
Gerrish Township community park, phase II, Roscommon County (grant-in-aid to Gerrish Township) (#07-002)	
North Maumee Bay coastal wetland acquisition, Monroe County (#07-133)	
Chippewa landing acquisition, Wexford County (#07-121)	
Betsie River consolidation, Benzie and Grand Traverse counties (#07-120)	
Glacial Hills pathway and natural area, Antrim County (grant-in-aid to Antrim County) (#07-163)	
Jaxon Creek corridor acquisition, Grand Traverse County (#07-168)	
Mitchell Creek nature area acquisition, Mecosta County (grant-in-aid to city of Big Rapids) (#07-046)	
Southwest Lower Peninsula eco-region land consolidation, various counties (#07-135)	

For Fiscal Year
Ending Sept. 30,
2008

Cedar Run Creek natural area addition, Grand Traverse County (grant-in-aid to Long Lake Township) (#07-162)
Northern Lower Peninsula eco-region consolidation, various counties (#07-119)
Addison Oaks property acquisition, Oakland County (grant-in-aid to Oakland County) (#07-031)
Upper Peninsula eco-region land consolidation, various counties (#07-123)
State trailways initiative - corridor and acquisition, various counties statewide (#07-122)
Wisconsin electric energies land acquisition, Baraga and Iron counties (#07-167)
Man-made lake acquisition, Manistee County (grant-in-aid to city of Manistee) (#07-040)
Southeast Michigan eco-region land consolidation, various counties (#07-117)
DeYoung natural area acquisition, Leelanau County (grant-in-aid to Elmwood Township) (#07-039)
Indian Springs metropark land acquisition, Oakland County (grant-in-aid to Huron-Clinton metropolitan authority) (#07-028)
Olive Shores acquisition, Ottawa County (grant-in-aid to Ottawa County) (#07-090)
Camp Woodsong fee simple acquisition, St. Clair County (grant-in-aid to St. Clair County) (#07-171)
Novi core habitat reserve property acquisition, Oakland County (grant-in-aid to city of Novi) (#07-017)
Sterling state park acquisition, Monroe County (#07-131)
Au Train basin waterfowl refuge project, phase I, Alger County (#07-134)
Hunters Point park acquisition, phase I, Keweenaw County (grant-in-aid to Grant Township) (#07-099)
DeTour Village waterfront property acquisition, Chippewa County (grant-in-aid to village of DeTour) (#07-164)
Ashmun Bay park trail parcel acquisition, Chippewa County (grant-in-aid to city of Sault Ste. Marie) (#07-105)
General Squier memorial park addition, Lapeer County (grant-in-aid to Lapeer County) (#07-038)
Allendale community park addition, Ottawa County (grant-in-aid to Allendale Township) (#07-041)
Weesaw Township park acquisition, Berrien County (grant-in-aid to Weesaw Township) (#07-082)
Ashmun Bay park entrance parcel acquisition, Chippewa County (grant-in-aid to city of Sault Ste. Marie) (#07-174)
Lake Michigan nature preserve acquisition, phase I, Allegan County (grant-in-aid to Casco Township) (#07-170)
Riverwalk development - river street park, Mecosta County (grant-in-aid to city of Big Rapids) (#07-097)
Grass River center, Antrim County (grant-in-aid to Antrim County) (#07-113)
Shingle Lake park improvement, Clare County (grant-in-aid to Lincoln Township) (#07-035)
Addison Oaks trail connector, Oakland County (grant-in-aid to Oakland County) (#07-030)
White Lake pathway south end completion, Muskegon County (grant-in-aid to city of Whitehall) (#07-037)
Tate park pathway and fishing docks, Lenawee County (grant-in-aid to village of Clinton) (#07-018)
Marsh View park development, Oakland County (grant-in-aid to Oakland Township) (#07-057)
Motz county park development, Clinton County (grant-in-aid to Clinton County) (#07-011)
Ecorse Creek greenway and park development, Wayne County (grant-in-aid to city of Ecorse) (#07-106)
Grandville and Kent trails pathway connection, Kent County (grant-in-aid to city of Grandville) (#07-100)
Greilickville Harbor park improvements, Leelanau County (grant-in-aid to Elmwood Township) (#07-095)
White park improvements, Ingham County (grant-in-aid to city of East Lansing) (#07-087)

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Smith-Ryerson park improvements, Muskegon County (grant-in-aid to city of Muskegon) (#07-060)		
Lakeview park improvement project, Roscommon County (grant-in-aid to Roscommon Township) (#07-049)		
Whiting park universal access improvements, Charlevoix County (grant-in-aid to Charlevoix County) (#07-112)		
Mt. Baldhead park stairway renovation, Allegan County (grant-in-aid to city of Saugatuck) (#07-036)		
Krampe park accessible fishing pier, Montcalm County (grant-in-aid to Montcalm County) (#07-015)		
Ralph A. MacMullan center improvements, Crawford County (#07-118)		
Lake Idlewild park development, Lake County (#07-130)		
Starlite Beach promenade facilities project, Alpena County (grant-in-aid to city of Alpena) (#07-023)		
Pere Marquette rail trail extension, Clare County (grant-in-aid to city of Clare) (#07-096)		
Fox Lake park improvements, Muskegon County (grant-in-aid to village of Lakewood Club) (#07-073)		
Rieger park swimming and beach project, Calhoun County (grant-in-aid to city of Albion) (#07-004)		
Russell Miller "wild 100" nature center development, Jackson County (grant-in-aid to Leslie schools) (#07-085)		
Butzel playfield renovation, Wayne County (grant-in-aid to city of Detroit) (#07-055)		
Veterans memorial park improvements, Osceola County (grant-in-aid to village of Marion) (#07-102)		
Proud Lake electrical system upgrades, Oakland County (#07-129)		
Andersen park development, Saginaw County (grant-in-aid to city of Saginaw) (#07-072)		
Skidway Lake boardwalk development, Ogemaw County (grant-in-aid to Mills Township) (#07-051)		
Robbins park improvement project, Berrien County (grant-in-aid to Benton Township) (#07-007)		
Lower Rouge River trail bridges, Wayne County (grant-in-aid to Canton Township) (#07-064)		
Building demolition initiative, various counties (#07-116)		
Clinton River hike/bike trail development, Macomb County (grant-in-aid to city of Utica) (#07-054)		
Marshbank park improvement project, Oakland County (grant-in-aid to West Bloomfield Township) (#07-013)		
GROSS APPROPRIATION	\$	35,266,200
Appropriated from:		
Special revenue funds:		
Private foundation revenues.....		723,900
Michigan natural resources trust fund.....		34,542,300
State general fund/general purpose	\$	0
Sec. 106. DEPARTMENT OF TRANSPORTATION		
BUILDINGS AND FACILITIES		
Salt storage buildings and containment control systems - contract agencies.....	\$	2,000,000
Salt storage buildings and containment control systems - various state locations.....		600,000
Pontiac, Oakland County, transportation center, rail and bus terminal, for design and construction (total authorized cost \$1,750,000; state share \$1,750,000)		1,750,000
L'Anse, Baraga County, maintenance garage renovation (total authorized cost \$755,000; state trunkline fund share \$755,000)		755,000
Lansing, Eaton County, central maintenance garage consolidation (total authorized cost \$7,450,000; state trunkline fund share \$7,450,000)		7,450,000
Institutional and agency roads.....		750,000
Miscellaneous remodeling, additions, emergency maintenance		1,000,000
GROSS APPROPRIATION	\$	14,305,000

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Appropriated from:

Special revenue funds:

Comprehensive transportation fund bond proceeds.....	\$	1,750,000
State aeronautics fund		180,000
State trunkline fund		12,375,000
State general fund/general purpose	\$	0

Sec. 107. STATE AGENCY, COMMUNITY COLLEGE, AND UNIVERSITY

PLANNING AUTHORIZATIONS

Eastern Michigan University - Pray-Harrold expansion and renovations - for program and planning to be paid for from university resources (estimated total authorized cost \$57,000,000; state share \$31,500,000; university share \$25,500,000)	\$	100
Ferris State University - center for collaborative health education - for program and planning to be paid for from university resources (estimated total authorized cost \$26,900,000; state share \$20,175,000; university share \$6,725,000)		100
Michigan Technological University – Great Lakes research center for program and planning to be paid for from university resources (estimated total authorized cost \$25,000,000; state share \$18,750,000; university share \$6,250,000)		100
Oakland University - human health building - for program and planning to be paid for from university resources (estimated total authorized cost \$61,748,100; state share \$40,000,000; university share \$21,748,100)		100
Saginaw Valley State University - health sciences facility - for program and planning to be paid for from university resources (estimated total authorized cost \$28,000,000; state share \$21,000,000; university share \$7,000,000)		100
Western Michigan University - Sangren hall renovations phase I - for program and planning to be paid for from university resources (estimated total authorized cost \$56,000,000; state share \$11,700,000; university share \$44,300,000)		100
Henry Ford Community College - science building improvements - for program and planning to be paid for from community college resources (estimated total authorized cost \$15,000,000; state share \$7,500,000; community college share \$7,500,000)		100
Jackson Community College - Whiting hall renovations - for program and planning to be paid for from community college resources (estimated total authorized cost \$21,900,000; state share \$10,950,000; community college share \$10,950,000)		100
Kalamazoo Valley Community College - Texas Township campus expansion - for program and planning to be paid for from community college resources (estimated total authorized cost \$12,000,000; state share \$6,000,000; community college share \$6,000,000)		100
Monroe County Community College - technology center construction - for program and planning to be paid for from community college resources (estimated total authorized cost \$17,000,000; state share \$8,500,000; community college share \$8,500,000)		100
Montcalm Community College - M-TEC expansion for job training - for program and planning to be paid for from college revenues community college resources (estimated total authorized cost \$6,000,000; state share \$3,000,000; community college share \$3,000,000)		100
Mott Community College - library consolidation and renovations - for program and planning to be paid for from college revenues (estimated total authorized cost \$8,156,000; state share \$4,078,000; community college share \$4,078,000)		100
Muskegon Community College - student services one-stop center - for program and planning to be paid for from community college resources (estimated total authorized cost \$5,000,000; state share \$2,500,000; community college share \$2,500,000)		100
Southwestern Michigan College - technology building renovation and expansion - for program and planning to be paid for from community college resources (estimated total authorized cost \$3,200,000; state share \$1,600,000; community college share \$1,600,000)		100
Washtenaw Community College - skilled trades training complex - for program and planning to be paid for from community college resources (estimated total authorized cost \$16,000,000; state share \$8,000,000; community college share \$8,000,000)		100

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West Shore Community College - arts and sciences center/remodeling and additions - for program and planning to be paid for from community college resources (estimated total authorized cost \$6,900,000; state share \$3,450,000; community college share \$3,450,000)	\$	100
GROSS APPROPRIATION	\$	1,600

Appropriated from:

State general fund/general purpose	\$	1,600
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Sec. 108. STATE BUILDING AUTHORITY FINANCED CONSTRUCTION

AUTHORIZATIONS

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
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Wayne County Community College - northwest campus replacement construction (total authorized cost \$42,000,000; state building authority share \$20,999,900; Wayne County community college share \$21,000,000; state general fund share \$100).....		100
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Department of history, arts, and libraries - warehouse facility acquisition (total authorized cost \$9,890,000; state building authority share \$9,889,900; state general fund share \$100)		100
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Department of management and budget - state facility preservation projects - phase III (total authorized costs \$42,221,000; state building authority share \$42,220,900; state general fund share \$100)		100
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Department of state police - Bay City state police post (total authorized cost \$2,889,000; state building authority share \$2,888,900; state general fund share \$100)		100
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GROSS APPROPRIATION	\$	500
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Appropriated from:

State general fund/general purpose	\$	500
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PART 2

PROVISIONS CONCERNING APPROPRIATIONS

GENERAL SECTIONS

Sec. 201. Pursuant to section 30 of article IX of the state constitution of 1963, total state spending from state resources under part 1 for fiscal year 2007-2008 is \$63,652,400.00 and state spending from state resources to be paid to local units of government for fiscal year 2007-2008 is \$26,120,400.00. The itemized statement below identifies appropriations from which spending to units of local government will occur:

CAPITAL OUTLAY

Department of natural resources – waterways boating program	\$	4,135,000
Department of natural resources – Michigan natural resources trust fund – acquisition projects		12,296,700
Department of natural resources – Michigan natural resources trust fund – development projects		7,688,700
Department of transportation – buildings and facilities		2,000,000
TOTAL.....	\$	26,120,400

Sec. 202. The appropriations authorized under this act are subject to the management and budget act, 1984 PA 431, MCL 18.1101 to 18.1594.

Sec. 203. As used in this act:

- (a) “Board” means the state administrative board.
- (b) “Community college” does not include a state agency or university.
- (c) “Department” means the department of management and budget.
- (d) “Director” means the director of the department of management and budget.
- (e) “DAG” means the United States department of agriculture.
- (f) “DHS” means the United States department of homeland security.
- (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) “IDG” means interdepartmental grant.
- (l) “JCOS” means the joint capital outlay subcommittee of the appropriations committees.
- (m) “LEED” means the United States green building council’s leadership in energy and environmental design green building rating system.

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

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

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

Sec. 204. 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 or 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. 205. 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.

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.

CAPITAL OUTLAY PROCESSES, PROCEDURES AND REPORTS

Sec. 401. 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. 402. 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. 403. (1) Before proceeding with final planning and construction for projects at community colleges and universities included in an appropriations act, 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. 404. (1) The department shall provide the JCOS, the state budget director, 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 the JCOS, the state budget director, 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. 405. 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. 406. For the Huron Valley complex – food service addition and facility renovations, for design and construction, originally authorized in 2004 PA 309 (total authorized cost is increased from \$3,675,100 to \$5,775,100; state building authority share from \$3,675,000 to \$5,774,800; state general fund share is increased to \$300).

Sec. 407. The funds appropriated in part 1 for the Wayne County Community College northwest campus replacement project shall only be released upon approval of the program statement, planning documents, and construction authorization request by the JCOS. The project may not move into final design until these documents are approved.

Sec. 410. 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.

STATE AGENCY LUMP SUMS

Sec. 501. (1) The directors of respective departments shall allocate lump-sum appropriations made in this act consistent with statutory provisions and the purposes for which funds were appropriated. Lump-sum allocations shall address priority program or facility needs and may include, but are not limited to, design, construction, remodeling and addition, special maintenance, major special maintenance, energy conservation, and demolition.

(2) The state budget director may authorize that funds appropriated for lump-sum appropriations shall be available for no more than 3 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.

COLLEGES AND UNIVERSITIES

Sec. 601. (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. 602. 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. 603. (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 the JCOS of the intent to terminate the project unless the JCOS convenes to extend the authorization.

Sec. 604. The appropriation included in section 107 for university and community college planning project authorizations allow for the completion of program statements and schematic planning documents. These projects will not receive cost and construction authorizations in subsequent budget acts unless there is sufficient bonding capacity available under the state building authority's statutory bond capacity limit.

USE AND FINANCE STATEMENTS

Sec. 651. (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 \$3,000,000.00 or more 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 \$2,000,000.00 or more 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 and 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 act. For projects not appropriated in a capital outlay appropriations act 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.

(8) By not later than April 1 and October 1, each university shall report to the JCOS chairpersons, the fiscal agencies, and the department all self-funded capital projects commenced for the immediately preceding 6-month period that cost less than \$3,000,000.00 but at least \$1,000,000.00. Community colleges shall also submit these reports for self-funded capital projects that cost less than \$2,000,000.00 but at least \$1,000,000.00.

Sec. 652. A university or community college receiving a project approval pursuant to section 661 shall give preference to goods or services, or both, that are manufactured or provided by Michigan businesses if they are competitively priced and of comparable quality.

DEPARTMENT OF CORRECTIONS

Sec. 671. 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 standards of the American correctional association.

Sec. 672. An appropriation and authorization contained in this act or a previous 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 the JCOS. For purposes of this section, "site" means a city, village, township, or county in which a correctional facility may be located.

DEPARTMENT OF MANAGEMENT AND BUDGET

Sec. 681. (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 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.

Sec. 682. (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. 683. Pursuant to department policy, state agencies may expend not more than \$1,000,000.00 from their operating budget for special maintenance, remodeling, additions, or other capital outlay purposes, unless specifically authorized by the legislature, for those purposes.

DEPARTMENT OF MILITARY AND VETERANS AFFAIRS

Sec. 701. The appropriations in part 1 for the 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. 801. 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. 802. The department of natural resources shall require local units of government to enter into agreements with the department for the purpose of administering the natural resources trust fund grants appropriated in part 1. Among other provisions, the agreements shall require that grant recipients agree to dedicate to public outdoor recreation uses in perpetuity the land acquired or developed; to replace lands converted or lost to other than public outdoor recreation use; and, for parcels acquired that are over 5 or more acres in size, to provide the state with a nonparticipating 1/6 minimum royalty interest in any acquired minerals that are retained by the grant recipient. The agreements shall also provide that the full payments of grants can be made only after proof of acquisition, or completion of the development project, is submitted by the grant recipient and all costs are verified by the department of natural resources.

Sec. 803. 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.

STATE TRANSPORTATION DEPARTMENT

Sec. 902. 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.

MISCELLANEOUS

Sec. 1001. (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 a 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. 1002. (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 at least 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).

Third: 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, capital outlay, the legislative branch, and the judicial branch for the fiscal year ending September 30, 2008; and to provide for the expenditure of the appropriations.

Michelle McManus
Ron Jelinek
Michael Switalski
Conferees for the Senate

Morris W. Hood III
Michael Lahti
Conferees for the House

The question being on the adoption of the conference report,
The first conference report was adopted, a majority of the members serving voting therefor, as follows:

Roll Call No. 582

Yeas—33

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

Nays—1

Sanborn

Excused—4

Basham

Clark-Coleman

Hardiman

Patterson

Not Voting—0

In The Chair: Richardville

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

The motion prevailed.

Senator Kahn's statement is as follows:

I am just delighted to see this bill finally come to us for completion. My good friend Senator Barcia has worked long and hard on this bill and I have too. Contained within this bill is a new state-of-the-art nursing and health sciences facility at Saginaw Valley State University. This will serve as a major trainer and provide health care professionals from northeast and central Lower Michigan an opportunity to expand their professional education and to obtain it in the first place. I am delighted to see this before us, and I urge its passage.

By unanimous consent the Senate proceeded to the order of

Introduction and Referral of Bills

Senator Kuipers introduced

Senate Bill No. 1542, entitled

A bill to amend 1943 PA 240, entitled "State employees' retirement act," by amending section 68c (MCL 38.68c), as added by 2007 PA 95.

The bill was read a first and second time by title and referred to the Committee on Local, Urban and State Affairs.

Senator Brown introduced

Senate Bill No. 1543, entitled

A bill to amend 1986 PA 32, entitled "Emergency 9-1-1 service enabling act," by amending sections 407 and 717 (MCL 484.1407 and 484.1717), as amended by 2007 PA 165.

The bill was read a first and second time by title and referred to the Committee on Energy Policy and Public Utilities.

Senators Olshove, Thomas, Anderson, Jelinek, Brown and Jacobs introduced

Senate Bill No. 1544, entitled

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," by amending section 3101a (MCL 500.3101a), as amended by 1996 PA 456.

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

Senators Olshove, Thomas, Anderson, Jelinek, Brown and Jacobs introduced

Senate Bill No. 1545, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 328 (MCL 257.328), as amended by 2004 PA 52, and by adding section 520a.

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

Senators Olshove, Barcia, Cherry, Anderson, Basham and Schauer introduced

Senate Bill No. 1546, entitled

A bill to amend 1979 PA 218, entitled "Adult foster care facility licensing act," by amending section 13 (MCL 400.713), as amended by 2004 PA 281.

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

Senators Olshove, Barcia, Cherry, Anderson, Basham and Schauer introduced
Senate Bill No. 1547, entitled

A bill to amend 1973 PA 116, entitled "An act to provide for the protection of children through the licensing and regulation of child care organizations; to provide for the establishment of standards of care for child care organizations; to prescribe powers and duties of certain departments of this state and adoption facilitators; to provide penalties; and to repeal acts and parts of acts," by amending section 5 (MCL 722.115), as amended by 2007 PA 218.

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

Senators Scott, Brater, Clark-Coleman, Clarke, Switalski, Anderson and Olshove introduced
Senate Bill No. 1548, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 5504 (MCL 324.5504).

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

Senator Cropsey introduced
Senate Bill No. 1549, entitled

A bill to amend 1990 PA 250, entitled "DNA identification profiling system act," (MCL 28.171 to 28.176) by adding section 5.

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

Senator Cropsey introduced
Senate Bill No. 1550, entitled

A bill to amend 1893 PA 206, entitled "The general property tax act," by amending section 44a (MCL 211.44a), as amended by 2004 PA 357.

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

House Bill No. 6456, entitled

A bill to amend 1967 PA 270, entitled "An act to provide for the release of certain information or data relating to health care research or education, health care entities, practitioners, or professions, or certain governmentally funded programs; to limit the liability with respect to the release of certain information or data; and to safeguard the confidential character of certain information or data," by amending the title and section 1 (MCL 331.531), the title as amended by 1980 PA 3 and section 1 as amended by 2005 PA 89, and by adding section 4.

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

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

Statements

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

The motion prevailed.

Senator Scott's statement is as follows:

John Hope was an important African-American educator and race leader of the early 20th century who became the first Black president of Morehouse College, the alma mater of Dr. Martin Luther King. As a race leader, Hope was steadfast in his support of public education, adequate housing, health care, and job opportunities. He also supported full civil rights in the South decades before the issue was on the national radar.

His passion and focus were apparent when he said, "We have sat on the river bank and caught cat fish with pinhooks. The time has come to harpoon a whale." I can relate to that, for while a few of my colleagues have attempted to address insurance reform with a handful of bills that dance around the edges, I liken that to catching catfish with pinhooks. And for those of you who have been listening to me throughout my legislative career, you know I have my sights set on harpooning a whale. That's what my legislation represents.

If we are going to bring about reform, if we are going to solve the problem, if we are going to initiate change, then, by gosh, let's do it. Let's get together and move my bills together.

Senator Clarke's statement is as follows:

Last night, the President of the United States proposed one of the most sweeping bailouts of the financial markets in generations. What he and other federal policymakers understand is that the crisis in the capital markets are due to problems that are rooted right in the neighborhoods of our own districts as State Senators. The fact that many homeowners who are facing foreclosure no longer make payments on their mortgages causes the actual investors who are holding those mortgages to lose money. When the family gets evicted or has to walk away from their property, the investor ultimately loses his entire investment because there is no market for boarded, vacant, vandalized properties.

The President essentially is proposing that U.S. taxpayers purchase these shaky mortgage-backed securities. He also believes that the government could actually make money by selling these securities when the market comes back and sell them at a profit. The problem is that taxpayers under the President's proposal could face a multi-trillion-dollar tax obligation that they, their children, and, likely, their grandchildren would have to pay if families making payments on these mortgages end up defaulting on them and losing the homes.

I believe that we are going to face another wave of foreclosures in this country, and it is going to hit Michigan especially hard. Even though this is a national problem, the foreclosure crisis is so severe in Michigan because we are also suffering from the tremendous job losses as a result of globalization. We can avoid the taxpayers being placed on the hook for trillions of dollars if we support a court-supervised temporary freeze on foreclosures, which will require the borrower to still make mortgage payments, even though they will be lower and more affordable. They will also maintain their property and pay their taxes, which will help stabilize the economy because these investors who are losing their money will at least receive some money. Some money is better than nothing—what they are getting right now when a family defaults and loses their home in foreclosure.

What is at stake is not only saving homes for our families in Michigan, saving the investment of investors that hold these mortgage-backed securities, but also stabilizing the property values for everyone else in the state who are losing the value of their property radically, dramatically. There are very few people right now who own homes in Michigan. If they were forced to move today, they could find a buyer to pay off their mortgage because their equity has dropped so low on their property. That is a result of the foreclosure crisis.

What I am urging this body to do is to take immediate, decisive, and effective action to slow down the rate of foreclosures in Michigan. We are at the eye of the storm of the capital market crisis facing this country. Senator McCain, in one of the most important presidential contests of this generation, decided to suspend his campaign. You and I don't have to worry about running for office right now; we can stay here and work this out. I am committed to do so.

If we help save homes from foreclosure in this state right now, we can help save the taxpayers from a multi-trillion-dollar tax obligation that they, their kids, and their grandkids would likely have to face. We can help stabilize the world economy. This huge global crisis has its roots in the neighborhoods of the districts that we represent. We can take action to implement the foreclosure moratorium that this body enacted in the 1930s. Unlike the Legislature in the 1930s, we can enact that moratorium not as a remedy to a depression, but to prevent one.

Senator Garcia stated that had he been present on September 17 when the votes were taken on the passage of the following bills, he would have voted "yea":

Senate Bill No. 1414
Senate Bill No. 1415
Senate Bill No. 1451
Senate Bill No. 1461
Senate Bill No. 1462

Senator Garcia stated that had he been present on September 18 when the votes were taken on the passage of the following bills, he would have voted "yea":

Senate Bill No. 1111
House Bill No. 5834
Senate Bill No. 1066

Senator Garcia stated that had he been present on September 18 when the votes were taken on the passage of the following bills, he would have voted "nay":

Senate Bill No. 1398
Senate Bill No. 1464
Senate Bill No. 1465

Senator Garcia stated that had he been present on September 18 when the votes were taken on the adoption of amendments to the following bills, he would have voted "yea":

Senate Bill No. 1263
House Bill No. 4001

Senator Garcia stated that had he been present on September 18 when the votes were taken on the adoption of the conference reports to the following bills, he would have voted “yea”:

Senate Bill No. 213
House Bill No. 5524

Senator Garcia stated that had he been present on September 18 when the vote was taken on concurring in the House substitute to the following bill, he would have voted “yea”:

Senate Bill No. 1048

Senator Brater’s statement is as follows:

I actually do rise to address a matter of great concern to our shared county, and that is the importance of the arts to the economy of the state of Michigan. Yesterday we had the nonprofit association of the state of Michigan up here. There were a number of arts organizations represented there. They are representing jobs of real men and real women, real constituents of ours who work in the arts and cultural institutions of this state.

Since I wasn’t able to make these remarks under debate of Senate Bill No. 1111, I would like to enter these remarks now for the record regarding amendment No. 6, which was offered by Senator Thomas in a sincere effort to get more funding for the Detroit Institute of Arts and other important art institutions all around this state. I know that our budget is very tight. I know that today we were debating a supplemental on an already agreed-upon budget, but I think it is very important that we think, as we are forming next year’s budget, of the importance of investing in the arts and culture in the state.

For every \$1 that we invest in the arts, we have a return of \$10. There is a ripple effect of \$34 on the local economy and the state economy. Those are numbers which come from the Michigan Council for Arts and Cultural Affairs.

Just this week in the Appropriations Committee, the good chair saw fit to take close to an hour and a half of testimony from people from the tourism industry. The good Senator from the 37th District offered a bill, Senate Bill No. 690, to inject money into tourism in this state to the tune of \$30 million, with the idea if we supported and invested \$30 million into the tourism industry, we could get back that money double—two times. I agree with that principle and it’s been shown to be true. In order to attract people with the tourism industry in the state, a very important component of that is bringing people as cultural tourists. Tourism industry studies show consistently that cultural tourists stay longer and spend more than recreational sports tourists.

Unfortunately, grants funding for arts and culture in Michigan has gone from eighth in the country in 2002 to fiftieth—dead last—in 2007, showing our continuing disinvestment of the arts in Michigan. So I think when we are talking about reviving the economy of the state of Michigan and the current fiscal crisis that we have in this country and in this state, it is entirely responsible and urgent that we also include the arts and cultural institutions in this conversation. As we build our 2010 budget, we should be thinking about reinvesting in the arts in the state. I want to thank Senator Thomas for bringing this to our attention today.

By unanimous consent the Senate returned to the order of

Motions and Communications

Senator Cropsey moved that when the Senate adjourns today, it stands adjourned until Thursday, October 2, at 10:00 a.m. The motion prevailed.

Senator Cropsey moved that, pursuant to rule 1.114, upon receipt of Senate bills returned from the House of Representatives, the Secretary of the Senate be directed to proceed with the enrollment printing and presentation of the bills to the Governor.

The motion prevailed.

Recess

Senator Cropsey moved that the Senate recess subject to the call of the Chair. The motion prevailed, the time being 4:44 p.m.

4:49 p.m.

The Senate was called to order by the President pro tempore, Senator Richardville.

By unanimous consent the Senate returned to the order of
Introduction and Referral of Bills

Senators Pappageorge, Kahn and Richardville introduced

Senate Joint Resolution P, entitled

A joint resolution proposing an amendment to the state constitution of 1963, by amending section 3 of article IX, to limit the increase in taxable value of real property under certain circumstances.

The joint resolution was read a first and second time by title and referred to the Committee on Government Operations and Reform.

Committee Reports

The Committee on Judiciary reported

House Bill No. 4552, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending section 50b (MCL 750.50b), as amended by 1996 PA 80.

With the recommendation that the substitute (S-6) be adopted and that the bill then be adopted.

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

Wayne Kuipers
Chairperson

To Report Out:

Yeas: Senators Kuipers, Cropsey, Sanborn, Clarke and Prusi

Nays: None

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

COMMITTEE ATTENDANCE REPORT

The Committee on Judiciary submitted the following:

Meeting held on Tuesday, September 23, 2008, at 1:00 p.m., Room 210, Farnum Building

Present: Senators Kuipers (C), Cropsey, Sanborn, Clarke and Prusi

Excused: Senator Patterson

The Committee on Local, Urban and State Affairs reported

Senate Bill No. 1286, entitled

A bill to amend 1951 PA 33, entitled "An act to provide police and fire protection for townships and for certain areas in townships, certain incorporated villages, and certain cities; to authorize contracting for fire and police protection; to authorize the purchase of fire and police equipment, and the maintenance and operation of the equipment; to provide for defraying the cost of the equipment; to authorize the creation of special assessment districts and the levying and collecting of special assessments; to authorize the issuance of special assessment bonds in anticipation of the collection of special assessments and the advancement of the amount necessary to pay such bonds, and to provide for reimbursement for such advances by reassessment if necessary; to authorize the collection of fees for certain emergency services in townships and other municipalities; to authorize the creation of administrative boards and to prescribe their powers and duties; to provide for the appointment of traffic officers and to prescribe their powers and duties; and to repeal acts and parts of acts," by amending section 1 (MCL 41.801), as amended by 2002 PA 501.

With the recommendation that the bill pass.

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

Gerald Van Woerkom
Chairperson

To Report Out:

Yeas: Senators Van Woerkom, Birkholz, Allen, Gleason and Basham

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Local, Urban and State Affairs reported

Senate Bill No. 1345, entitled

A bill to amend 1909 PA 278, entitled "The home rule village act," by amending section 12 (MCL 78.12).

With the recommendation that the bill pass.

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

Gerald Van Woerkom
Chairperson

To Report Out:

Yeas: Senators Van Woerkom, Birkholz, Allen, Gleason and Basham

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Local, Urban and State Affairs reported

Senate Bill No. 1346, entitled

A bill to amend 1968 PA 191, entitled "An act to create a state boundary commission; to prescribe its powers and duties; to provide for municipal incorporation, consolidation, and annexation; to prescribe penalties and provide remedies; and to repeal acts and parts of acts," by amending section 17 (MCL 123.1017).

With the recommendation that the bill pass.

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

Gerald Van Woerkom
Chairperson

To Report Out:

Yeas: Senators Van Woerkom, Birkholz, Allen, Gleason and Basham

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Local, Urban and State Affairs reported

Senate Bill No. 1347, entitled

A bill to amend 1909 PA 279, entitled "The home rule city act," by amending section 16 (MCL 117.16).

With the recommendation that the bill pass.

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

Gerald Van Woerkom
Chairperson

To Report Out:

Yeas: Senators Van Woerkom, Birkholz, Allen, Gleason and Basham

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Local, Urban and State Affairs reported

Senate Bill No. 1433, entitled

A bill to amend 1893 PA 206, entitled "The general property tax act," (MCL 211.1 to 211.155) by adding sections 89d and 89e.

With the recommendation that the bill pass.

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

Gerald Van Woerkom
Chairperson

To Report Out:

Yeas: Senators Van Woerkom, Birkholz, Allen, Gleason and Basham

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Local, Urban and State Affairs reported

Senate Bill No. 1487, entitled

A bill to amend 1905 PA 157, entitled "An act to provide for the acquisition, maintenance, management, and control of township parks, resorts, bathing beaches, and places of recreation; to provide for the creation of a township park

commission; to provide for a board of commissioners to provide for the issuance of bonds and the levy of taxes; to provide for the transfer of certain real property for parks; to authorize cities and villages to appropriate money for park purposes; to provide for the acquisition, construction, and use of wharves, piers, docks, and landing places in townships; to provide the powers and duties of certain local units of government and certain officials; and to prescribe penalties and provide remedies," (MCL 41.421 to 41.429) by amending the title, as amended by 1998 PA 160, and by adding sections 6g and 6h.

With the recommendation that the bill pass.

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

Gerald Van Woerkom
Chairperson

To Report Out:

Yeas: Senators Van Woerkom, Birkholz, Allen, Gleason and Basham

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Local, Urban and State Affairs reported

House Bill No. 4068, entitled

A bill to amend 1973 PA 139, entitled "An act to provide forms of county government; to provide for county managers and county executives and to prescribe their powers and duties; to abolish certain departments, boards, commissions, and authorities; to provide for transfer of certain powers and functions; to prescribe powers of a board of county commissioners and elected officials; to provide organization of administrative functions; to transfer property; to retain ordinances and laws not inconsistent with this act; to provide methods for abolition of a unified form of county government; and to prescribe penalties and provide remedies," by amending section 9 (MCL 45.559), as amended by 2003 PA 281.

With the recommendation that the bill pass.

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

Gerald Van Woerkom
Chairperson

To Report Out:

Yeas: Senators Van Woerkom, Birkholz, Allen, Gleason and Basham

Nays: None

The bill was referred to the Committee of the Whole.

COMMITTEE ATTENDANCE REPORT

The Committee on Local, Urban and State Affairs submitted the following:

Meeting held on Tuesday, September 23, 2008, at 3:00 p.m., Room 110, Farnum Building

Present: Senators Van Woerkom (C), Birkholz, Allen, Gleason and Basham

The Committee on Transportation reported

Senate Bill No. 491, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 722 (MCL 257.722), as amended by 2006 PA 658.

With the recommendation that the bill pass.

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

Judson S. Gilbert II
Chairperson

To Report Out:

Yeas: Senators Gilbert, Kahn, Van Woerkom and Gleason

Nays: Senator Basham

The bill was referred to the Committee of the Whole.

The Committee on Transportation reported

Senate Bill No. 1459, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 811e (MCL 257.811e), as amended by 2006 PA 562, and by adding sections 811r and 811s.

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

Judson S. Gilbert II
Chairperson

To Report Out:

Yeas: Senators Gilbert, Kahn, Van Woerkom and Gleason
Nays: Senator Basham
The bill was referred to the Committee of the Whole.

The Committee on Transportation reported

Senate Bill No. 1524, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 722 (MCL 257.722), as amended by 2006 PA 658.

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

Judson S. Gilbert II
Chairperson

To Report Out:

Yeas: Senators Gilbert, Kahn, Van Woerkom and Gleason
Nays: Senator Basham
The bill was referred to the Committee of the Whole.

The Committee on Transportation reported

Senate Bill No. 1525, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 722 (MCL 257.722), as amended by 2006 PA 658.

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

Judson S. Gilbert II
Chairperson

To Report Out:

Yeas: Senators Gilbert, Kahn, Van Woerkom, Basham and Gleason
Nays: None
The bill was referred to the Committee of the Whole.

The Committee on Transportation reported

Senate Bill No. 1536, entitled

A bill to amend 1976 PA 295, entitled "State transportation preservation act of 1976," by amending section 10 (MCL 474.60), as amended by 1998 PA 235.

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

Judson S. Gilbert II
Chairperson

To Report Out:

Yeas: Senators Gilbert, Kahn, Van Woerkom, Basham and Gleason
Nays: None
The bill was referred to the Committee of the Whole.

The Committee on Transportation reported

House Bill No. 4839, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending sections 11, 208c, 252a, 252d, 252e, 252f, 252g, 252k, and 252l (MCL 257.11, 257.208c, 257.252a, 257.252d, 257.252e, 257.252f, 257.252g, 257.252k, and 257.252l), section 11 as amended by 2003 PA 37, section 208c as amended by 2004 PA 362, sections 252a, 252d, 252e, and 252f as amended by 2004 PA 495, and section 252g as amended and sections 252k and 252l as added by 2004 PA 493.

With the recommendation that the substitute (S-3) be adopted and that the bill then be adopted.
The committee further recommends that the bill be given immediate effect.

Judson S. Gilbert II
Chairperson

To Report Out:

Yeas: Senators Gilbert, Kahn, Van Woerkom and Basham

Nays: None

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

COMMITTEE ATTENDANCE REPORT

The Committee on Transportation submitted the following:

Meeting held on Tuesday, September 23, 2008, at 1:05 p.m., Room 110, Farnum Building

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

The Committee on Banking and Financial Institutions reported

Senate Bill No. 1517, entitled

A bill to amend 1943 PA 20, entitled "An act relative to the investment of funds of public corporations of the state; and to validate certain investments," by amending section 1 (MCL 129.91), as amended by 2006 PA 400.

With the recommendation that the substitute (S-3) be adopted and that the bill then pass.

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

Randy Richardville
Chairperson

To Report Out:

Yeas: Senators Richardville, Sanborn, Cassis, Stamas, Hunter, Clarke and Olshove

Nays: None

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

The Committee on Banking and Financial Institutions reported

House Bill No. 6297, entitled

A bill to amend 1976 PA 451, entitled "The revised school code," by amending sections 622 and 1223 (MCL 380.622 and 380.1223), section 622 as amended by 2001 PA 127 and section 1223 as amended by 1997 PA 47.

With the recommendation that the substitute (S-1) be adopted and that the bill then pass.

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

Randy Richardville
Chairperson

To Report Out:

Yeas: Senators Richardville, Sanborn, Cassis, Stamas, Hunter, Clarke and Olshove

Nays: None

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

COMMITTEE ATTENDANCE REPORT

The Committee on Banking and Financial Institutions submitted the following:

Meeting held on Wednesday, September 24, 2008, at 9:00 a.m., Room 210, Farnum Building

Present: Senators Richardville (C), Sanborn, Cassis, Stamas, Hunter, Clarke and Olshove

The Committee on Appropriations reported

House Bill No. 5249, entitled

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," by amending section 224b (MCL 500.224b), as amended by 2005 PA 83.

With the recommendation that the substitute (S-1) be adopted and that the bill then pass.

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

Ron Jelinek
Chairperson

To Report Out:

Yeas: Senators Jelinek, Pappageorge, Kahn, Cropsey, Garcia, Jansen, Brown, McManus, Stamas, Switalski, Anderson, Barcia, Brater, Cherry, Clark-Coleman and Scott

Nays: None

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

The Committee on Appropriations reported

House Bill No. 6032, entitled

A bill to amend 1992 PA 147, entitled "Neighborhood enterprise zone act," by amending sections 2, 4, 5, 6, 7, 11, and 16 (MCL 207.772, 207.774, 207.775, 207.776, 207.777, 207.781, and 207.786), section 2 as amended by 2008 PA 228, section 4 as amended by 2008 PA 4, sections 6 and 7 as amended by 2005 PA 338, and section 11 as amended by 2005 PA 339; and to repeal acts and parts of acts.

With the recommendation that the substitute (S-1) be adopted and that the bill then pass.

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

Ron Jelinek
Chairperson

To Report Out:

Yeas: Senators Jelinek, Pappageorge, Kahn, Cropsey, Garcia, Jansen, Brown, McManus, Stamas, Switalski, Anderson, Barcia, Brater, Cherry, Clark-Coleman and Scott

Nays: None

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

The Committee on Appropriations reported

House Bill No. 6059, entitled

A bill to amend 1997 PA 70, entitled "Compulsive gaming prevention act," by amending section 3 (MCL 432.253).

With the recommendation that the bill pass.

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

Ron Jelinek
Chairperson

To Report Out:

Yeas: Senators Jelinek, Pappageorge, Kahn, Cropsey, Garcia, Jansen, Brown, McManus, Stamas, Switalski, Anderson, Barcia, Brater, Cherry, Clark-Coleman and Scott

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Appropriations reported

House Bill No. 6091, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 3104, 3306, 30104, 30109, 32312, and 32513 (MCL 324.3104, 324.3306, 324.30104, 324.30109, 324.32312, and 324.32513), section 3104 as amended by 2005 PA 33, section 3306 as added by 2004 PA 246, section 30104 as amended by 2006 PA 531, sections 30109 and 32513 as amended by 2003 PA 163, and section 32312 as amended by 2004 PA 325.

With the recommendation that the bill pass.

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

Ron Jelinek
Chairperson

To Report Out:

Yeas: Senators Jelinek, Pappageorge, Kahn, Cropsey, Garcia, Jansen, Brown, McManus, Stamas, Switalski, Anderson, Barcia, Brater, Cherry, Clark-Coleman and Scott

Nays: None

The bill was referred to the Committee of the Whole.

COMMITTEE ATTENDANCE REPORT

The Committee on Appropriations submitted the following:

Meeting held on Wednesday, September 24, 2008, at 3:00 p.m., Senate Appropriations Room, 3rd Floor, Capitol Building

Present: Senators Jelinek (C), Pappageorge, Kahn, Cropsey, Garcia, Jansen, Brown, McManus, Stamas, Switalski, Anderson, Barcia, Brater, Cherry, Clark-Coleman and Scott

Excused: Senators Hardiman and George

The Committee on Economic Development and Regulatory Reform reported

House Bill No. 5896, entitled

A bill to amend 1893 PA 206, entitled "The general property tax act," by amending section 9f (MCL 211.9f), as amended by 2007 PA 116.

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

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

Alan Sanborn
Chairperson

To Report Out:

Yeas: Senators Sanborn, Richardville, Allen, Gilbert, Thomas, Hunter and Jacobs

Nays: None

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

COMMITTEE ATTENDANCE REPORT

The Committee on Economic Development and Regulatory Reform submitted the following:

Meeting held on Wednesday, September 24, 2008, at 1:00 p.m., Rooms 402 and 403, Capitol Building

Present: Senators Sanborn (C), Richardville, Allen, Gilbert, Thomas, Hunter and Jacobs

COMMITTEE ATTENDANCE REPORT

The Conference Committee on Transportation (HB 5808) submitted the following:

Meeting held on Wednesday, September 24, 2008, at 9:30 a.m., Room 424, Capitol Building

Present: Senators Hardiman, Cropsey and Anderson

COMMITTEE ATTENDANCE REPORT

The Committee on Education submitted the following:

Meeting held on Wednesday, September 24, 2008, at 2:30 p.m., Room 210, Farnum Building

Present: Senators Kuipers (C), Van Woerkom, Cassis, Whitmer and Gleason

COMMITTEE ATTENDANCE REPORT

The Subcommittee on Higher Education submitted the following:

Meeting held on Thursday, September 25, 2008, at 9:00 a.m., Senate Appropriations Room, 3rd Floor, Capitol Building

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

Excused: Senators Hardiman, McManus and Barcia

Scheduled Meetings

Appropriations -

Subcommittee -

Capital Outlay - Thursday, October 2, 9:00 a.m., House Appropriations Room, 3rd Floor, Capitol Building (373-8080)

Legislative Commission on Government Efficiency - Friday, September 26, 9:00 a.m., Legislative Council Conference Room, 3rd Floor, Boji Tower (373-0212)

Legislative Commission on Statutory Mandates - Tuesday, September 30, 12:00 noon, Executive Conference Room, 5th Floor, Oakland County Executive Office Building, Building 41-West, 2100 Pontiac Lake Road, Waterford (373-0212)

Senator Cropsey moved that the Senate adjourn.
The motion prevailed, the time being 4:50 p.m.

In pursuance of the order previously made, the President pro tempore, Senator Richardville, declared the Senate adjourned until Thursday, October 2, 2008, at 10:00 a.m.

CAROL MOREY VIVENTI
Secretary of the Senate

