

**No. 65**  
**JOURNAL OF THE HOUSE**

---

House Chamber, Lansing, Tuesday, July 8, 1997.

10:00 a.m.

The House was called to order by the Speaker.

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

Agee—present	Emerson—present	Kaza—present	Price—present
Alley—present	Fitzgerald—present	Kelly—present	Profit—present
Anthony—present	Frank—present	Kilpatrick—present	Prusi—present
Baade—present	Freeman—present	Kukuk—present	Quarles—present
Baird—present	Gagliardi—present	LaForge—present	Raczkowski—present
Bankes—present	Galloway—e/d/s	Law—present	Rhead—present
Basham—present	Geiger—present	Leland—present	Richner—present
Birkholz—present	Gernaat—present	LeTarte—present	Rison—present
Bobier—present	Gilmer—present	Llewellyn—present	Rocca—present
Bodem—present	Gire—excused	London—present	Schauer—present
Bogardus—present	Godchaux—present	Lowe—present	Schermesser—present
Brackenridge—present	Goschka—present	Mans—present	Schroer—present
Brater—present	Green—present	Martinez—present	Scott—present
Brewer—present	Griffin—present	Mathieu—present	Scranton—present
Brown—present	Gubow—present	McBryde—present	Sikkema—present
Byl—present	Gustafson—present	McManus—present	Stallworth—present
Callahan—present	Hale—present	McNutt—present	Tesanovich—present
Cassis—present	Hammerstrom—present	Middaugh—present	Thomas—present
Cherry—present	Hanley—present	Middleton—present	Varga—present
Ciaramitaro—present	Harder—present	Murphy—excused	Vaughn—present
Crissman—present	Hertel—present	Nye—present	Voorhees—present
Cropsey—present	Hood—present	Olshove—present	Walberg—absent
Curtis—present	Horton—present	Owen—present	Wallace—present
Dalman—present	Jansen—present	Oxender—present	Wetters—e/d/s
DeHart—present	Jaye—present	Palamara—present	Whyman—present
DeVuyst—present	Jelinek—present	Parks—excused	Willard—present
Dobb—present	Jellema—present	Perricone—present	Wojno—present
Dobronski—present	Johnson—present		

e/d/s = entered during session

Rep. Vera Rison, from the 48th District, offered the following invocation:

“Father God, We come this morning giving You all the praise and to thank You for life, health, and strength. We ask You this morning to give us the knowledge that we need to lead the people. Guide us, teach us, and show us the way. We ask You to make us strong in our decision-making and to make decisions for the right reasons, even if we have to stand alone. We ask You for this blessing. Amen.”

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Rep. Dobronski moved that Reps. Parks, Gire and Murphy be excused from today’s session.  
The motion prevailed.

### Notices

July 8, 1997

In accordance with House Rule 10, I hereby designate Representative Eileen DeHart, to be the Presiding Officer for all, or part of today’s session.

Sincerely,  
Curtis Hertel  
Speaker of the House

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Rep. DeHart moved that Rep. Kelly be excused temporarily from today’s session.  
The motion prevailed.

Rep. Thomas moved that Reps. Kilpatrick and Griffin be excused temporarily from today’s session.  
The motion prevailed.

Rep. Gustafson moved that Rep. Rhead be excused temporarily from today’s session.  
The motion prevailed.

By unanimous consent the House returned to the order of  
**Reports of Select Committees**

The Speaker laid before the House the conference report relative to  
**House Bill No. 4219, entitled**

A bill to amend 1980 PA 299, entitled “Occupational code,” by amending sections 1201, 1204, 1205, 1206, 1207, 1208, 1209, 1210, 1211, 1214, 1217, and 1218 (MCL 339.1201, 339.1204, 339.1205, 339.1206, 339.1207, 339.1208, 339.1209, 339.1210, 339.1211, 339.1214, 339.1217, and 339.1218), sections 1204, 1205, 1207, 1208, 1209, 1211, and 1214 as amended by 1988 PA 463, and by adding sections 1203a and 1203b; and to repeal acts and parts of acts.

(The conference report was reported by the conference committee on July 3, consideration of which, under the rules, was postponed until today.)

(For conference report, see House Journal No. 64, p. 1692.)

The question being on the adoption of the conference report,

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

### Roll Call No. 710

**Yeas—94**

Agee	DeHart	Jelinek	Price
Alley	DeVuyst	Johnson	Profit
Anthony	Dobb	Kilpatrick	Prusi
Baade	Dobronski	Kukuk	Quarles

Baird	Fitzgerald	LaForge	Raczkowski
Bankes	Frank	Law	Richner
Basham	Freeman	Leland	Rison
Birkholz	Gagliardi	LeTarte	Rocca
Bobier	Geiger	Llewellyn	Schauer
Bodem	Gernaat	London	Schermesser
Bogardus	Gilmer	Lowe	Schroer
Brackenridge	Godchaux	Mans	Scott
Brater	Goschka	Martinez	Scranton
Brewer	Green	McBryde	Sikkema
Brown	Gubow	McManus	Stallworth
Byl	Gustafson	McNutt	Tesanovich
Callahan	Hale	Middaugh	Thomas
Cassis	Hammerstrom	Middleton	Varga
Cherry	Hanley	Olshove	Vaughn
Ciaramitaro	Harder	Owen	Voorhees
Crissman	Hertel	Oxender	Wallace
Cropsey	Horton	Palamara	Willard
Curtis	Jansen	Perricone	Wojno
Dalman	Jaye		

**Nays—3**

Kaza

Nye

Whyman

In The Chair: Hertel

The Speaker laid before the House the conference report relative to

**House Bill No. 4220, entitled**

A bill to amend 1979 PA 152, entitled "State license fee act," by amending section 25 (MCL 338.2225), as amended by 1988 PA 461.

(The conference report was reported by the conference committee on July 3, consideration of which, under the rules, was postponed until today.)

(For conference report, see House Journal No. 64, p. 1693.)

The question being on the adoption of the conference report,

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

**Roll Call No. 711****Yeas—90**

Agee	DeHart	Jelinek	Palamara
Alley	DeVuyst	Jellema	Perricone
Anthony	Dobb	Johnson	Price
Baade	Dobronski	Kelly	Profit
Baird	Emerson	Kilpatrick	Prusi
Bankes	Fitzgerald	Kukuk	Raczkowski
Basham	Freeman	LaForge	Richner
Birkholz	Gagliardi	Law	Rison
Bobier	Geiger	Leland	Rocca
Bodem	Gernaat	LeTarte	Schauer
Brackenridge	Gilmer	Llewellyn	Schermesser
Brater	Godchaux	London	Scott
Brewer	Green	Lowe	Scranton
Brown	Gubow	Mans	Sikkema
Byl	Gustafson	Martinez	Tesanovich
Callahan	Hale	McBryde	Thomas

Cassis	Hammerstrom	McManus	Varga
Cherry	Hanley	McNutt	Vaughn
Ciaramitaro	Harder	Middaugh	Voorhees
Crissman	Hertel	Middleton	Wallace
Cropsey	Horton	Olshove	Willard
Curtis	Jansen	Oxender	Wojno
Dalman	Jaye		

**Nays—7**

Bogardus	Goschka	Nye	Whyman
Frank	Kaza	Quarles	

In The Chair: Hertel

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The Speaker called Acting Speaker DeHart to the Chair.

Rep. Gagliardi moved that Rep. Hertel be excused temporarily from today's session.  
The motion prevailed.

The Speaker laid before the House the conference report relative to

**Senate Bill No. 114, entitled**

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending sections 2950 and 2950a (MCL 600.2950 and 600.2950a), section 2950 as amended by 1996 PA 10 and section 2950a as amended by 1994 PA 404.

(The conference report was received from the Senate on July 3, consideration of which, under the rules, was postponed until today.)

(For conference report, see House Journal No. 64, p. 1694.)

The question being on the adoption of the conference report,

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

**Roll Call No. 712****Yeas—95**

Agee	DeHart	Jellema	Perricone
Alley	DeVuyst	Johnson	Price
Anthony	Dobb	Kaza	Profit
Baade	Dobronski	Kelly	Prusi
Baird	Fitzgerald	Kilpatrick	Quarles
Bankes	Frank	Kukuk	Raczkowski
Basham	Freeman	LaForge	Richner
Birkholz	Gagliardi	Law	Rison
Bobier	Geiger	Leland	Rocca
Bodem	Gernaat	LeTarte	Schauer
Bogardus	Gilmer	Llewellyn	Schermesser
Brackenridge	Godchaux	Lowe	Schroer
Brater	Goschka	Mans	Scott
Brewer	Green	Martinez	Scranton
Brown	Gubow	McBryde	Sikkema
Byl	Gustafson	McManus	Tesanovich
Callahan	Hale	McNutt	Thomas
Cassis	Hammerstrom	Middaugh	Vaughn
Cherry	Hanley	Middleton	Voorhees
Ciaramitaro	Harder	Nye	Wallace

Crissman	Horton	Olshove	Whyman
Cropsey	Jansen	Owen	Willard
Curtis	Jaye	Oxender	Wojno
Dalman	Jelinek	Palamara	

**Nays—0**

In The Chair: DeHart

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Rep. Galloway entered the House Chambers.

**Messages from the Senate**

The Speaker laid before the House

**House Bill No. 4700, entitled**

A bill to amend 1972 PA 222, entitled “An act to provide for an official personal identification card; to provide for its form, issuance and use; to provide for certain duties of the secretary of state; and to prescribe certain penalties for violations,” by amending the title and sections 1 and 2 (MCL 28.291 and 28.292), section 2 as amended by 1996 PA 204, and by adding sections 1a, 5a, 6, 7, 8, 9, and 10.

(The bill was received from the Senate on July 2, with substitute (S-1) and immediate effect given by the Senate, consideration of which, under the rules, was postponed until July 3, see House Journal No. 63, p. 1578.)

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

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

**Roll Call No. 713****Yeas—98**

Agee	DeVuyst	Kaza	Price
Alley	Dobb	Kelly	Profit
Anthony	Dobronski	Kilpatrick	Prusi
Baade	Fitzgerald	Kukuk	Quarles
Baird	Frank	LaForge	Raczkowski
Banks	Freeman	Law	Richner
Basham	Gagliardi	Leland	Rison
Birkholz	Galloway	LeTarte	Rocca
Bobier	Geiger	Llewellyn	Schauer
Bodem	Gernaat	London	Schermesser
Bogardus	Gilmer	Lowe	Schroer
Brackenridge	Godchaux	Mans	Scott
Brater	Goschka	Martinez	Scranton
Brewer	Green	McBryde	Sikkema
Brown	Gubow	McManus	Stallworth
Byl	Gustafson	McNutt	Tesanovich
Callahan	Hale	Middaugh	Thomas
Cassis	Hanley	Middleton	Varga
Cherry	Harder	Nye	Vaughn
Ciaramitaro	Horton	Olshove	Voorhees
Crissman	Jansen	Owen	Wallace
Cropsey	Jaye	Oxender	Whyman
Curtis	Jelinek	Palamara	Willard
Dalman	Jellema	Perricone	Wojno
DeHart	Johnson		

**Nays—0**

In The Chair: DeHart

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

Rep. Freeman moved that Rep. Emerson be excused temporarily from today's session.  
The motion prevailed.

The Speaker laid before the House

**House Bill No. 4701, entitled**

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending sections 208, 221, 232, and 903 (MCL 257.208, 257.221, 257.232, and 257.903), section 208 as amended by 1996 PA 471 and section 903 as amended by 1992 PA 309, and by adding sections 40b, 208a, 208b, 208c, and 208d.

(The bill was received from the Senate on July 2, with substitute (S-1), title amendment and immediate effect given by the Senate, consideration of which, under the rules, was postponed until July 3, see House Journal No. 63, p. 1578.)

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

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

**Roll Call No. 714****Yeas—99**

Agee	DeVuyst	Johnson	Price
Alley	Dobb	Kaza	Profit
Anthony	Dobronski	Kelly	Prusi
Baade	Fitzgerald	Kilpatrick	Quarles
Baird	Frank	Kukuk	Raczkowski
Bankes	Freeman	LaForge	Richner
Basham	Gagliardi	Law	Rison
Birkholz	Galloway	Leland	Rocca
Bobier	Geiger	LeTarte	Schauer
Bodem	Gernaat	Llewellyn	Schermesser
Bogardus	Gilmer	London	Schroer
Brackenridge	Godchaux	Lowe	Scott
Brater	Goschka	Mans	Scranton
Brewer	Green	Martinez	Sikkema
Brown	Gubow	McBryde	Stallworth
Byl	Gustafson	McManus	Tesanovich
Callahan	Hale	McNutt	Thomas
Cassis	Hammerstrom	Middaugh	Varga
Cherry	Hanley	Middleton	Vaughn
Ciaramitaro	Harder	Nye	Voorhees
Crissman	Horton	Olshove	Wallace
Cropsey	Jansen	Owen	Whyman
Curtis	Jaye	Oxender	Willard
Dalman	Jelinek	Palamara	Wojno
DeHart	Jellema	Perricone	

**Nays—0**

In The Chair: DeHart

The House agreed to the title as amended.

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

By unanimous consent the House returned to the order of

**Reports of Standing Committees**

The Committee on Advanced Technology and Computer Development, by Rep. Brewer, Chair, reported

**Senate Bill No. 637, entitled**

A bill to amend 1991 PA 179, entitled "Michigan telecommunications act," (MCL 484.2101 to 484.2604) by adding section 375.

With the recommendation that the bill pass.

The bill was referred to the order of Second Reading of Bills.

Favorable Roll Call

**SB 637** To Report Out:

Yeas: Reps. Brewer, Basham, Quarles, Kaza, Hammerstrom,

Nays: None.

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Brewer, Chair of the Committee on Advanced Technology and Computer Development, was received and read:

Meeting held on: Tuesday, July 8, 1997, at 9:15 a.m.,

Present: Reps. Brewer, Basham, Quarles, Kaza, Hammerstrom,

Absent: Reps. Anthony, Baird, Walberg, Whyman,

Excused: Reps. Anthony, Baird, Walberg, Whyman.

The Committee on Consumer Protection, by Rep. Brater, Chair, reported

**Senate Bill No. 319, entitled**

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending sections 221, 232, and 903 (MCL 257.221, 257.232, and 257.903), section 903 as amended by 1992 PA 309, and by adding section 208d.

With the recommendation that the bill pass.

The bill was referred to the order of Second Reading of Bills.

Favorable Roll Call

**SB 319** To Report Out:

Yeas: Reps. Brater, DeHart, Brown, Crissman, Birkholz, Cropsey,

Nays: None.

The Committee on Consumer Protection, by Rep. Brater, Chair, reported

**Senate Bill No. 534, entitled**

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 80104, 80129, 80130, 80301, 80310, 80315, 81101, 81113, 81114, 81120, 82101, 82113, and 82156 (MCL 324.80104, 324.80129, 324.80130, 324.80301, 324.80310, 324.80315, 324.81101, 324.81113, 324.81114, 324.81120, 324.82101, 324.82113, and 324.82156), as added by 1995 PA 58, and by adding sections 80130a, 80130b, 80130c, 80130d, 80315a, 80315b, 80315c, 80319a, 81114a, 81114b, 81114c, 82156a, 82156b, 82156c, and 82160.

With the recommendation that the following amendments be adopted and that the bill then pass.

1. Amend page 5, line 16, after "PART." by inserting "FOR EACH INDIVIDUAL RECORD LOOKED UP, THE SECRETARY OF STATE SHALL CHARGE A FEE SPECIFIED ANNUALLY BY THE LEGISLATURE, OR IF NONE, A MARKET-BASED PRICE ESTABLISHED BY THE SECRETARY OF STATE. THE SECRETARY OF STATE SHALL PROCESS A COMMERCIAL LOOKUP REQUEST ONLY IF THE REQUEST IS IN A FORM OR FORMAT PRESCRIBED BY THE SECRETARY OF STATE.".

2. Amend page 14, line 20, after "PART." by inserting "FOR EACH INDIVIDUAL RECORD LOOKED UP, THE SECRETARY OF STATE SHALL CHARGE A FEE SPECIFIED ANNUALLY BY THE LEGISLATURE, OR IF NONE, A MARKET-BASED PRICE ESTABLISHED BY THE SECRETARY OF STATE.".

3. Amend page 28, line 9, after "PART." by inserting "FOR EACH INDIVIDUAL RECORD LOOKED UP, THE SECRETARY OF STATE SHALL CHARGE A FEE SPECIFIED ANNUALLY BY THE LEGISLATURE, OR IF NONE, A MARKET-BASED PRICE ESTABLISHED BY THE SECRETARY OF STATE.".

4. Amend page 41, line 17, after "PART." by inserting "FOR EACH INDIVIDUAL RECORD LOOKED UP, THE SECRETARY OF STATE SHALL CHARGE A FEE SPECIFIED ANNUALLY BY THE LEGISLATURE, OR IF NONE, A MARKET-BASED PRICE ESTABLISHED BY THE SECRETARY OF STATE.".

The bill and amendments were referred to the order of Second Reading of Bills.

#### Favorable Roll Call

#### **SB 534 To Report Out:**

Yeas: Reps. Brater, DeHart, Brown, Crissman, Birkholz, Cropsey,

Nays: None.

#### COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Brater, Chair of the Committee on Consumer Protection, was received and read:

Meeting held on: Tuesday, July 8, 1997, at 9:00 a.m.,

Present: Reps. Brater, DeHart, Brown, Crissman, Birkholz, Cropsey,

Absent: Reps. Freeman, Gire, Law,

Excused: Reps. Freeman, Gire, Law.

#### Second Reading of Bills

#### **Senate Bill No. 319, entitled**

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending sections 221, 232, and 903 (MCL 257.221, 257.232, and 257.903), section 903 as amended by 1992 PA 309, and by adding section 208d.

The bill was read a second time.

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

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

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

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

By unanimous consent the House returned to the order of

#### Third Reading of Bills

#### **Senate Bill No. 319, entitled**

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending sections 221, 232, and 903 (MCL 257.221, 257.232, and 257.903), section 903 as amended by 1992 PA 309, and by adding section 208d.

Was read a third time and passed, a majority of the members serving voting therefor, by yeas and nays, as follows:

#### **Roll Call No. 715**

#### **Yeas—97**

Agee	DeVuyst	Johnson	Perricone
Alley	Dobb	Kaza	Price
Anthony	Dobronski	Kelly	Profit
Baade	Fitzgerald	Kilpatrick	Prusi
Baird	Frank	Kukuk	Quarles
Bankes	Freeman	LaForge	Raczkowski
Basham	Gagliardi	Law	Richner
Birkholz	Galloway	Leland	Rocca



Bobier	Geiger	LeTarte	Schauer
Bodem	Gernaat	Llewellyn	Schermesser
Bogardus	Gilmer	London	Schroer
Brackenridge	Godchaux	Lowe	Scott
Brater	Goschka	Mans	Scranton
Brewer	Green	Martinez	Sikkema
Brown	Gubow	McBryde	Stallworth
Byl	Gustafson	McManus	Tesanovich
Callahan	Hale	McNutt	Thomas
Cassis	Hammerstrom	Middaugh	Varga
Cherry	Hanley	Middleton	Vaughn
Ciaramitaro	Harder	Nye	Voorhees
Crissman	Horton	Olshove	Wallace
Cropsey	Jansen	Owen	Whyman
Curtis	Jelinek	Oxender	Willard
Dalman	Jellema	Palamara	Wojno
DeHart			

### Nays—1

Jaye

In The Chair: DeHart

Pursuant to Joint Rule 20, the full title of the bill shall read as follows:

“An act to provide for the registration, titling, sale, transfer, and regulation of certain vehicles operated upon the public highways of this state or any other place open to the general public or generally accessible to motor vehicles and distressed vehicles; to provide for the licensing of dealers; to provide for the examination, licensing, and control of operators and chauffeurs; to provide for the giving of proof of financial responsibility and security by owners and operators of vehicles; to provide for the imposition, levy, and collection of specific taxes on vehicles, and the levy and collection of sales and use taxes, license fees, and permit fees; to provide for the regulation and use of streets and highways; to create certain funds; to provide penalties and sanctions for a violation of this act; to provide for civil liability of owners and operators of vehicles and service of process on residents and nonresidents; to provide for the levy of certain assessments; to provide for the enforcement of this act; to provide for the creation of and to prescribe the powers and duties of certain state and local agencies; to repeal all other acts or parts of acts inconsistent with this act or contrary to this act; and to repeal certain parts of this act on a specific date,”

The House agreed to the full title of the bill.

Rep. Gagliardi moved that the bill be given immediate effect.

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

### Second Reading of Bills

#### Senate Bill No. 534, entitled

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” by amending sections 80104, 80129, 80130, 80301, 80310, 80315, 81101, 81113, 81114, 81120, 82101, 82113, and 82156 (MCL 324.80104, 324.80129, 324.80130, 324.80301, 324.80310, 324.80315, 324.81101, 324.81113, 324.81114, 324.81120, 324.82101, 324.82113, and 324.82156), as added by 1995 PA 58, and by adding sections 80130a, 80130b, 80130c, 80130d, 80315a, 80315b, 80315c, 80319a, 81114a, 81114b, 81114c, 82156a, 82156b, 82156c, and 82160.

Was read a second time, and the question being on the adoption of the proposed amendments previously recommended by the Committee on Consumer Protection (for amendments, see today’s Journal, p. 1707),

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

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

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

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

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

By unanimous consent the House returned to the order of  
**Third Reading of Bills**

**Senate Bill No. 534, entitled**

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 80104, 80129, 80130, 80301, 80310, 80315, 81101, 81113, 81114, 81120, 82101, 82113, and 82156 (MCL 324.80104, 324.80129, 324.80130, 324.80301, 324.80310, 324.80315, 324.81101, 324.81113, 324.81114, 324.81120, 324.82101, 324.82113, and 324.82156), as added by 1995 PA 58, and by adding sections 80130a, 80130b, 80130c, 80130d, 80315a, 80315b, 80315c, 80319a, 81114a, 81114b, 81114c, 82156a, 82156b, 82156c, and 82160.

Was read a third time and passed, a majority of the members serving voting therefor, by yeas and nays, as follows:

**Roll Call No. 716**

**Yeas—98**

Agee	DeVuyst	Johnson	Perricone
Alley	Dobb	Kaza	Price
Anthony	Dobronski	Kelly	Profit
Baade	Fitzgerald	Kilpatrick	Prusi
Baird	Frank	Kukuk	Quarles
Banks	Freeman	LaForge	Raczkowski
Basham	Gagliardi	Law	Richner
Birkholz	Galloway	Leland	Rison
Bobier	Geiger	LeTarte	Rocca
Bodem	Gernaat	Llewellyn	Schauer
Bogardus	Gilmer	London	Schermesser
Brackenridge	Godchaux	Lowe	Schroer
Brater	Goschka	Mans	Scott
Brewer	Green	Martinez	Scranton
Brown	Gubow	McBryde	Sikkema
Byl	Gustafson	McManus	Stallworth
Callahan	Hale	McNutt	Tesanovich
Cassis	Hammerstrom	Middaugh	Thomas
Cherry	Hanley	Middleton	Varga
Ciaramitaro	Harder	Nye	Vaughn
Crissman	Horton	Olshove	Wallace
Cropsey	Jansen	Owen	Whyman
Curtis	Jaye	Oxender	Willard
Dalman	Jelinek	Palamara	Wojno
DeHart	Jellema		

**Nays—0**

In The Chair: DeHart

Pursuant to Joint Rule 20, the full title of the bill shall 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, and assessments; to provide certain appropriations; to prescribe penalties and provide remedies; to repeal certain parts of this act on a specific date; and to repeal certain acts and parts of acts,"

The House agreed to the full title of the bill.

Rep. Gagliardi moved that the bill be given immediate effect.

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

By unanimous consent the House returned to the order of

**Reports of Standing Committees**

The Speaker laid before the House

**House Resolution No. 121.**

A resolution to urge the Department of Natural Resources to refrain from conducting September lease sales of mineral rights on state-owned land pending legislative review of procedures.

(For text of resolution, see House Journal No. 62, p. 1551.)

(The resolution was reported by the Committee on Forestry and Mineral Rights on July 2, consideration of which was postponed until July 3 under the rules.)

The question being on the adoption of the resolution,

The resolution was adopted, a majority of the members serving voting therefor.

**Second Reading of Bills**

**House Bill No. 4654, entitled**

A bill to amend 1966 PA 331, entitled "Community college act of 1966," by amending sections 103, 111, 121, and 124 (MCL 389.103, 389.111, 389.121, and 389.124).

The bill was read a second time.

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

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

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

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

By unanimous consent the House returned to the order of

**Third Reading of Bills**

**House Bill No. 4654, entitled**

A bill to amend 1966 PA 331, entitled "Community college act of 1966," by amending sections 103, 111, 121, and 124 (MCL 389.103, 389.111, 389.121, and 389.124).

Was read a third time and passed, a majority of the members serving voting therefor, by yeas and nays, as follows:

**Roll Call No. 717**

**Yeas—96**

Anthony	Emerson	Johnson	Perricone
Baade	Fitzgerald	Kaza	Price
Baird	Frank	Kelly	Profit
Bankes	Freeman	Kilpatrick	Prusi
Basham	Gagliardi	Kukuk	Quarles
Birkholz	Galloway	LaForge	Raczkowski
Bodem	Geiger	Law	Rison
Bogardus	Gernaat	Leland	Rocca
Brackenridge	Gilmer	LeTarte	Schauer
Brater	Godchaux	Llewellyn	Schermesser
Brewer	Goschka	London	Schroer
Brown	Green	Lowe	Scott
Byl	Gubow	Mans	Scranton
Callahan	Gustafson	Martinez	Sikkema
Cassis	Hale	McBryde	Stallworth
Cherry	Hammerstrom	McManus	Tesanovich

Ciaramitaro	Hanley	McNutt	Thomas
Crissman	Harder	Middaugh	Varga
Cropsey	Hood	Middleton	Vaughn
Curtis	Horton	Nye	Voorhees
DeHart	Jansen	Olshove	Wallace
DeVuyst	Jaye	Owen	Whyman
Dobb	Jelinek	Oxender	Willard
Dobronski	Jellema	Palamara	Wojno

### Nays—1

Richner

In The Chair: DeHart

The House agreed to the title of the bill.

Rep. Gagliardi moved that the bill be given immediate effect.

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

### Second Reading of Bills

#### House Bill No. 4080, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 21004 (MCL 333.21004), as amended by 1982 PA 354, and by adding section 21053c.

Was read a second time, and the question being on the adoption of the proposed substitute (H-3) previously recommended by the Committee on Insurance,

The substitute (H-3) was adopted, a majority of the members serving voting therefor.

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

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

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

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

By unanimous consent the House returned to the order of

### Third Reading of Bills

#### House Bill No. 4080, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 21004 (MCL 333.21004), as amended by 1982 PA 354, and by adding section 21053c.

Was read a third time and passed, a majority of the members serving voting therefor, by yeas and nays, as follows:

### Roll Call No. 718

### Yeas—101

Agee	Dobb	Jelinek	Palamara
Alley	Dobronski	Jellema	Perricone
Anthony	Emerson	Johnson	Price
Baade	Fitzgerald	Kaza	Profit
Baird	Frank	Kelly	Prusi
Bankes	Freeman	Kilpatrick	Quarles

Basham	Gagliardi	Kukuk	Raczkowski
Birkholz	Galloway	LaForge	Richner
Bobier	Geiger	Law	Rison
Bodem	Gernaat	Leland	Rocca
Bogardus	Gilmer	LeTarte	Schauer
Brackenridge	Godchaux	Llewellyn	Schermesser
Brater	Goschka	London	Schroer
Brewer	Green	Lowe	Scott
Brown	Gubow	Mans	Scranton
Byl	Gustafson	Martinez	Sikkema
Callahan	Hale	McBryde	Tesanovich
Cassis	Hammerstrom	McManus	Thomas
Cherry	Hanley	McNutt	Varga
Ciaramitaro	Harder	Middaugh	Vaughn
Crissman	Hertel	Middleton	Voorhees
Cropsey	Hood	Nye	Wallace
Curtis	Horton	Olshove	Whyman
Dalman	Jansen	Owen	Willard
DeHart	Jaye	Oxender	Wojno
DeVuyst			

### Nays—0

In The Chair: DeHart

The question being on agreeing to the title of the bill,

Rep. Gagliardi moved to amend the title to read as follows:

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 21004 (MCL 333.21004), as amended by 1982 PA 354.

The motion prevailed.

The House agreed to the title as amended.

Rep. Gagliardi moved that the bill be given immediate effect.

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

Reps. Baade, Baird, Basham, Birkholz, Bogardus, Cassis, Curtis, Dalman, DeHart, Dobb, Dobronski, Freeman, Gagliardi, Gernaat, Gubow, Jelinek, Kukuk, LaForge, Law, Martinez, Middleton, Nye, Oxender, Profit, Quarles, Richner, Rison, Rocca, Schauer, Schroer, Scott, Thomas, Vaughn, Voorhees and Wallace were named co-sponsors of the bill.

By unanimous consent the House returned to the order of

### Reports of Select Committees

#### First Conference Report

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

#### House Bill No. 4306, entitled

A bill to make appropriations for the department of community health and certain state purposes related to mental health, public health, and medical services for the fiscal year ending September 30, 1998, and to make certain appropriations for those purposes and adjust certain appropriations for those purposes for the fiscal year ending September 30, 1997; to provide for the expenditure of such appropriations; to create funds; to provide for reports; to prescribe the powers and duties of certain local and state agencies and departments; and to provide for disposition of fees and other income received by the various state agencies.

Recommends:

First: That the Senate recede from the Substitute of the Senate as passed by the Senate.

Second: That the House and Senate agree to the Substitute of the House as passed by the House and to the following amendments:

1. Amend page 1, line 1, by striking out all of section 101 and inserting:  
 “Sec. 101. There is appropriated for the department of community health for the fiscal year ending September 30, 1998, from the following funds:

**DEPARTMENT OF COMMUNITY HEALTH**

Full-time equated unclassified positions .....	7.0	
Full-time equated classified positions .....	7,587.0	
Average population .....	2,091.0	
<b>GROSS APPROPRIATION</b> .....		\$ 7,308,149,400
Interdepartmental grant revenues:		
Total interdepartmental grants and intradepartmental transfers .....		\$ 81,400,400
<b>ADJUSTED GROSS APPROPRIATION</b> .....		\$ 7,226,749,000
Federal revenues:		
Total federal revenues .....		3,471,537,000
Special revenue funds:		
Total local revenues .....		906,475,100
Total private revenues .....		41,404,800
Total other state restricted revenues .....		322,262,100
State general fund/general purpose .....		\$ 2,485,070,000
<b>DEPARTMENTWIDE ADMINISTRATION</b>		
Full-time equated unclassified positions .....	7.0	
Full-time equated classified positions .....	(46.0)	
Community health advisory council .....		\$ 28,900
Director and other unclassified—7.0 FTE positions .....		524,500
Department-wide reorganization savings—(46.0) FTE positions .....		(2,604,900)
<b>GROSS APPROPRIATION</b> .....		\$ (2,051,500)
Appropriated from:		
Federal revenues:		
Total federal revenues .....		(1,358,900)
State general fund/general purpose .....		\$ (692,600)
<b>EXECUTIVE PROGRAM</b>		
Full-time equated classified positions .....	276.0	
Departmental administration and management —276.0 FTE positions .....		\$ 26,109,600
Revenue recapture .....		750,000
<b>GROSS APPROPRIATION</b> .....		\$ 26,859,600
Appropriated from:		
Federal revenues:		
Total federal revenues .....		2,114,300
Special revenue funds:		
Total other state restricted revenues .....		510,000
State general fund/general purpose .....		\$ 24,235,300
<b>EARLY RETIREMENT SAVINGS</b>		
Early retirement .....		\$ (13,056,700)
<b>GROSS APPROPRIATION</b> .....		\$ (13,056,700)
Appropriated from:		
State general fund/general purpose .....		\$ (13,056,700)
<b>FEDERAL AND PRIVATE FUNDED PROJECTS</b>		
Full-time equated classified positions .....	10.0	
Developmental disabilities council and projects—10.0 FTE positions .....		\$ 2,254,700
Central fund for acquiring additional federal and private funds .....		2,500,000
Gifts and bequests for patient living and treatment environment .....		2,000,000
IDEA-federal special education .....		55,000
<b>GROSS APPROPRIATION</b> .....		\$ 6,809,700
Appropriated from:		
Federal revenues:		
Total federal revenues .....		4,609,700
Special revenue funds:		
Total private .....		2,200,000
State general fund/general purpose .....		\$ 0
<b>FAMILY AND CONSUMER SUPPORT SERVICES</b>		
Full-time equated classified positions .....	4.0	

Homelessness formula grant program—2.0 FTE positions .....	\$	1,091,800
Family support subsidy .....		13,401,200
Dental program for persons with developmental disabilities .....		151,000
Pilot projects in prevention for adults and children—2.0 FTE positions .....		1,515,800
Consumer involvement program .....		166,600
Foster grandparent and senior companion program .....		1,972,400
Protection and advocacy services support .....		818,300
Mental health initiatives for older persons .....		1,165,800
GROSS APPROPRIATION .....	\$	<u>20,282,900</u>
Appropriated from:		
Interdepartmental grant revenues:		
IDG-family independence agency .....		7,007,500
Federal revenues:		
Total federal revenues .....		383,000
State general fund/general purpose .....	\$	12,892,400
<b>COMMUNITY MENTAL HEALTH SERVICES PROGRAMS</b>		
Full-time equated classified positions .....		13.0
Community mental health programs .....	\$	1,179,895,900
Respite services .....		3,318,600
CMHSP-purchase of state services contracts .....		202,198,000
Omnibus reconciliation act implementation—11.0 FTE positions .....		10,431,600
Federal mental health block grant—2.0 FTE positions .....		10,772,000
GROSS APPROPRIATION .....	\$	<u>1,406,616,100</u>
Appropriated from:		
Federal revenues:		
Total federal revenues .....		440,728,100
Special revenue funds:		
Total other state restricted revenues .....		4,882,400
State general fund/general purpose .....	\$	961,005,600
<b>INSTITUTIONAL SERVICES</b>		
Full-time equated classified positions .....		5.0
Worker's compensation program—1.0 FTE position .....	\$	13,577,400
Therapeutic work training program .....		345,600
Purchase of psychiatric residency training .....		3,635,100
Purchase of medical services for residents of hospitals and centers .....		2,874,000
Maintenance of property being leased or rented .....		95,000
Equipment .....		300,000
Special maintenance .....		659,000
Closed site, transition, and related costs—4.0 FTE positions .....		5,551,500
Severance pay .....		1,896,000
GROSS APPROPRIATION .....	\$	<u>28,933,600</u>
Appropriated from:		
Special revenue funds:		
Total other state restricted revenues .....		438,700
State general fund/general purpose .....	\$	28,494,900
<b>STATE PSYCHIATRIC HOSPITALS</b>		
Total average population .....		1,319.0
Total full-time equated classified positions .....		3,042.0
Caro regional mental health center-psychiatric services unit—462.0 FTE positions .....	\$	28,675,000
Average population .....		193.0
Clinton Valley center—470.0 FTE positions .....		33,216,800
Average population .....		175.0
Detroit psychiatric institute—235.0 FTE positions .....		17,700,300
Average population .....		94.0
Kalamazoo psychiatric hospital—428.0 FTE positions .....		27,662,000
Average population .....		163.0
Northville psychiatric hospital—943.0 FTE positions .....		63,450,000
Average population .....		444.0
Walter P. Reuther psychiatric hospital—504.0 FTE positions .....		34,328,100
Average population .....		250.0
GROSS APPROPRIATION .....	\$	<u>205,032,200</u>

Appropriated from:	
Federal revenues:	
Total federal revenues .....	4,547,900
Special revenue funds:	
CMHSP-Purchase of state services contracts .....	126,474,300
Total local revenues .....	61,136,800
Total other state restricted revenues .....	12,873,200
State general fund/general purpose .....	\$ 0
<b>STATE PSYCHIATRIC HOSPITALS FOR CHILDREN AND ADOLESCENTS</b>	
Total average population .....	131.0
Total full-time equated classified positions .....	368.0
Detroit psychiatric institute-children's program—20.0 FTE positions.....	\$ 1,128,700
Average population .....	12.0
Hawthorn center—302.0 FTE positions .....	19,480,800
Average population .....	103.0
Pheasant Ridge children's program at Kalamazoo psychiatric hospital— 46.0 FTE positions .....	2,988,200
Average population .....	16.0
<b>GROSS APPROPRIATION.....</b>	<b>\$ 23,597,700</b>
Appropriated from:	
Federal revenues:	
Total federal revenues .....	4,071,100
Special revenue funds:	
CMHSP-Purchase of state services contracts .....	13,418,200
Total local revenues .....	5,654,400
Total other state restricted revenues .....	454,000
State general fund/general purpose .....	\$ 0
<b>STATE CENTERS FOR PERSONS WITH DEVELOPMENTAL DISABILITIES</b>	
Total average population .....	431.0
Total full-time equated classified positions .....	1,032.0
Community residential and support services for persons with developmental disabilities—59.0 FTE positions .....	\$ 69,701,200
Caro mental health center-developmental and alternative services— 195.0 FTE positions .....	12,804,000
Average population .....	89.0
Mount Pleasant center—517.0 FTE positions .....	30,208,200
Average population .....	242.0
Southgate center—261.0 FTE positions .....	16,092,000
Average population .....	100.0
<b>GROSS APPROPRIATION.....</b>	<b>\$ 128,805,400</b>
Appropriated from:	
Federal revenues:	
Total federal revenues .....	46,697,800
Special revenue funds:	
CMHSP-Purchase of state services contracts .....	62,305,500
Total local revenues .....	16,699,900
Total other state restricted revenues .....	3,102,200
State general fund/general purpose .....	\$ 0
<b>FORENSIC AND PRISON MENTAL HEALTH SERVICES</b>	
Total average population .....	210.0
Full-time equated classified positions .....	1,475.0
Center for forensic psychiatry—479.0 FTE positions.....	\$ 31,885,800
Average population .....	210.0
Center for forensic psychiatry-outpatient evaluation—40.0 FTE positions .....	3,087,000
Forensic mental health services provided to the department of corrections— 956.0 FTE positions .....	67,493,800
<b>GROSS APPROPRIATION.....</b>	<b>\$ 102,466,600</b>
Appropriated from:	
Interdepartmental grant revenues:	
IDG-department of corrections.....	67,493,800



Federal revenues:	
Total federal revenues .....	15,800
Special revenue funds:	
Total local revenues .....	1,570,300
Total other state restricted revenues .....	226,900
State general fund/general purpose .....	\$ 33,159,800
<b>EXECUTIVE SERVICES</b>	
Total full-time equated positions.....	241.0
Executive administration—69.0 FTE positions .....	\$ 4,598,900
Contractual services, supplies, and materials .....	268,000
Building occupancy charges.....	2,927,700
Equipment.....	800,100
Rent .....	253,000
Worker's compensation.....	302,500
Health planning—14.8 FTE positions .....	2,961,600
Management information systems—56.4 FTE positions.....	6,281,800
Maternal and infant health data and evaluation—6.5 FTE positions .....	538,300
Minority health grants and contracts .....	650,000
Office of general services—18.0 FTE positions.....	1,056,200
Office of minority health—3.0 FTE positions .....	271,800
Vital records and health statistics—73.3 FTE positions .....	5,760,500
<b>GROSS APPROPRIATION.....</b>	<b>\$ 26,670,400</b>
Appropriated from:	
Interdepartmental grant revenues:	
Intradepartmental transfer-automated data processing charges .....	3,510,400
Interdepartmental grant from family independence agency .....	132,500
Federal revenues:	
Total federal revenues.....	3,647,800
Special revenue funds:	
Total other state restricted revenues .....	3,992,100
State general fund/general purpose .....	\$ 15,387,600
<b>INFECTIOUS DISEASE CONTROL ADMINISTRATION</b>	
Total full-time equated positions.....	4.0
Infectious disease control administration—4.0 FTE positions.....	\$ 333,900
Contractual services, supplies, and materials .....	22,100
<b>GROSS APPROPRIATION.....</b>	<b>\$ 356,000</b>
Appropriated from:	
State general fund/general purpose .....	\$ 356,000
<b>INFECTIOUS DISEASE CONTROL</b>	
Total full-time equated positions.....	86.8
AIDS counseling and testing.....	\$ 4,237,600
AIDS education and outreach.....	3,013,800
AIDS/HIV risk reduction .....	1,000,000
AIDS program administration—13.0 FTE positions.....	1,139,600
AIDS referral and care network grants.....	6,694,700
AIDS surveillance and prevention program—16.0 FTE positions .....	2,845,500
Disease surveillance—4.0 FTE positions .....	366,400
Division administration—6.0 FTE positions .....	491,600
Immunization local agreements.....	15,837,100
Immunization program management and field support—11.0 FTE positions .....	2,047,300
Lyme disease grant—0.3 FTE positions .....	75,000
Sexually transmitted disease control local agreements.....	2,205,700
Sexually transmitted disease control management and field support—32.0 FTE positions.....	2,690,700
Recalcitrant AIDS and tuberculosis aid.....	162,000
Tuberculosis control program—4.5 FTE positions .....	860,900
<b>GROSS APPROPRIATION.....</b>	<b>\$ 43,667,900</b>
Appropriated from:	
Federal revenues:	
Total federal revenues.....	31,036,800

Special revenue funds:	
Local funds .....	242,700
Private funds .....	175,000
Total other state restricted revenues .....	7,585,200
State general fund/general purpose .....	\$ 4,628,200
<b>LABORATORY SERVICES</b>	
Total full-time equated positions .....	106.6
Laboratory services administration—75.8 FTE positions .....	\$ 4,387,000
Contractual services, supplies, and materials .....	1,349,000
EPSDT blood lead screening—6.0 FTE positions .....	665,100
Newborn screening services—24.8 FTE positions .....	1,765,700
<b>GROSS APPROPRIATION</b> .....	\$ <u>8,166,800</u>
Appropriated from:	
Interdepartmental grant revenues:	
Interdepartmental grant from corrections .....	232,600
Federal revenues:	
Total federal revenues .....	506,200
Special revenue funds:	
Total other state restricted revenues .....	1,847,200
State general fund/general purpose .....	\$ 5,580,800
<b>ENVIRONMENTAL HEALTH ADMINISTRATION AND SUPPORT SERVICES</b>	
Total full-time equated positions .....	34.2
Health risk assessment—34.2 FTE positions .....	\$ 4,317,800
<b>GROSS APPROPRIATION</b> .....	\$ <u>4,317,800</u>
Appropriated from:	
Interdepartmental grant revenues:	
Interdepartmental grant from the department of environmental quality .....	458,800
Federal revenues:	
Total federal revenues .....	2,283,100
Special revenue funds:	
Total other state restricted revenues .....	55,100
State general fund/general purpose .....	\$ 1,520,800
<b>HEALTH SYSTEMS ADMINISTRATION</b>	
Total full-time equated positions .....	29.9
Health systems administration—20.7 FTE positions .....	\$ 1,391,300
Contractual services, supplies, and materials .....	52,100
Administrative hearings—2.5 FTE positions .....	166,900
Health facilities management information system .....	39,800
Local health services—4.9 FTE positions .....	141,300
Primary care services grant—1.8 FTE positions .....	218,400
Training and evaluation .....	320,000
<b>GROSS APPROPRIATION</b> .....	\$ <u>2,329,800</u>
Appropriated from:	
Interdepartmental grant revenues:	
Interdepartmental grant from treasury, Michigan state hospital finance authority .....	92,300
Federal revenues:	
Total federal revenues .....	287,100
Special revenue funds:	
Total other state restricted revenues .....	1,075,100
State general fund/general purpose .....	\$ 875,300
<b>HEALTH SYSTEMS LOCAL GRANTS</b>	
Implementation of Act 133 PA 1993 .....	\$ 100,000
Indian health care .....	309,500
Michigan essential health care provider program .....	1,229,100
Primary care services .....	1,922,200
Refugee health program .....	142,300
Rural health grant .....	168,800
State/local cost sharing .....	36,412,600
<b>GROSS APPROPRIATION</b> .....	\$ <u>40,284,500</u>

Appropriated from:	
Federal revenues:	
Total federal funds .....	2,392,700
Special revenue funds:	
Private funds .....	40,000
Total other state restricted revenues .....	500,000
State general fund/general purpose .....	\$ 37,351,800
<b>CENTER FOR HEALTH PROMOTION</b>	
Total full-time equated positions .....	63.7
AIDS and risk reduction clearinghouse and media campaign.....	\$ 1,700,000
Alzheimer's information network.....	150,000
Cancer prevention and control program—19.0 FTE positions .....	13,522,700
Center administration—4.0 FTE positions .....	321,500
Chronic disease prevention—2.5 FTE positions.....	1,609,800
Diabetes local agreements.....	2,409,900
Employee wellness program grants (includes \$50.00 per diem and expenses for the risk reduction and AIDS policy commission).....	4,250,000
Health education, promotion, and research programs—23.0 FTE positions .....	2,155,300
Injury control intervention project—1.0 FTE position .....	437,300
Physical fitness, nutrition, and health .....	1,750,000
Public health traffic safety coordination—1.0 FTE position.....	152,600
School health curriculum .....	2,000,000
School health education project .....	80,000
Smoking prevention program—6.2 FTE positions.....	7,174,700
Survey and analysis—5.0 FTE positions.....	468,000
Violence prevention—2.0 FTE positions.....	2,846,300
<b>GROSS APPROPRIATION.....</b>	<b>\$ 41,028,100</b>
Appropriated from:	
Federal revenues:	
Total federal funds .....	12,057,200
Special revenue funds:	
Total other state restricted revenues .....	25,108,600
State general fund/general purpose .....	\$ 3,862,300
<b>BUREAU OF CHILD AND FAMILY SERVICES</b>	
Total full-time equated positions .....	103.8
Child and family services administration—92.8 FTE positions.....	\$ 6,076,700
Contractual services, supplies, and materials .....	1,572,500
Automated data processing .....	3,730,000
Lead abatement program—3.0 FTE positions .....	4,900,000
Special projects—8.0 FTE positions .....	3,128,000
<b>GROSS APPROPRIATION.....</b>	<b>\$ 19,407,200</b>
Appropriated from:	
Federal revenues:	
Total federal revenues .....	15,773,700
Special revenue funds:	
Private funds .....	434,000
State general fund/general purpose .....	\$ 3,199,500
<b>CHILD AND FAMILY SERVICES GRANTS</b>	
Adolescent health care services.....	\$ 2,892,300
Dental programs.....	260,400
Early and periodic screening, diagnosis, and treatment outreach .....	6,200,000
Family planning local agreements.....	7,392,600
Lead paint program .....	491,800
Local MCH services.....	1,271,200
Maternity, infant, and children's health care local agreements.....	7,083,000
Medical services cost reimbursement to local health departments.....	1,800,000
Migrant health care .....	166,100
Pregnancy prevention program.....	7,296,100
Prenatal care community demonstration projects .....	58,200
Prenatal care outreach and service delivery support.....	7,929,700

Sudden infant death syndrome program .....	121,300
Women, infants, and children program local agreements and food costs.....	141,359,200
GROSS APPROPRIATION.....	\$ 184,321,900
Appropriated from:	
Federal revenues:	
Total federal revenues .....	128,792,600
Special revenue funds:	
Private funds .....	37,200,000
Total other state restricted revenues .....	5,600,000
State general fund/general purpose .....	\$ 12,729,300
CHILDREN'S SPECIAL HEALTH CARE SERVICES	
Total full-time equated positions.....	86.5
Program administration—84.5 FTE positions.....	\$ 5,064,600
Contractual services, supplies, and materials .....	883,100
Amputee program .....	184,600
Bequests for care and services—2.0 FTE positions.....	1,004,600
Case management services .....	3,923,500
Conveyor contract.....	559,100
Medical care and treatment .....	116,070,100
Pediatric AIDS prevention and control .....	582,200
Follow-up and treatment services for newborn screening.....	1,729,400
GROSS APPROPRIATION.....	\$ 130,001,200
Appropriated from:	
Federal revenues:	
Total federal revenues .....	61,669,100
Special revenue funds:	
Private-bequests .....	650,000
Total other state restricted revenues .....	6,019,100
State general fund/general purpose .....	\$ 61,663,000
SUBSTANCE ABUSE PROGRAM ADMINISTRATION	
Total full-time equated positions.....	45.0
Substance abuse program administration—32.5 FTE positions .....	\$ 1,886,000
Contractual services, supplies, and materials .....	120,300
Federal projects—12.5 FTE positions .....	1,384,300
GROSS APPROPRIATION.....	\$ 3,390,600
Appropriated from:	
Federal revenues:	
Total federal revenues .....	1,261,400
Special revenue funds:	
Total other state restricted revenues .....	198,200
State general fund/general purpose .....	\$ 1,931,000
SUBSTANCE ABUSE GRANTS AND CONTRACTS	
Chemically-dependent pregnant women and children program .....	\$ 2,100,000
Community substance abuse prevention, education, and treatment grants.....	72,840,400
Federal and other special projects .....	7,427,200
Highway safety projects.....	337,200
Program enhancement, evaluation, and data services .....	1,137,600
State disability assistance program substance abuse services .....	6,600,000
GROSS APPROPRIATION.....	\$ 90,442,400
Appropriated from:	
Federal revenues:	
Total federal revenues .....	64,369,100
Special revenue funds:	
Total other state restricted revenues .....	1,360,000
State general fund/general purpose .....	\$ 24,713,300
OFFICE OF DRUG CONTROL POLICY	
Total full-time equated positions.....	13.0
Drug control policy—13.0 FTE positions .....	\$ 1,028,000
Anti-drug abuse grants .....	30,931,100
GROSS APPROPRIATION.....	\$ 31,959,100

Appropriated from:	
Federal revenues:	
Total federal revenues .....	31,785,400
State general fund/general purpose .....	\$ 173,700
<b>OFFICE OF SERVICES TO THE AGING</b>	
Total full-time equated positions.....	44.5
Commission (per diem \$50.00) .....	\$ 10,500
Office of services to aging administration—44.5 FTE positions .....	4,270,800
Information systems .....	957,500
Community services .....	24,163,400
Nutrition services .....	28,185,700
Senior volunteer services .....	4,130,900
Senior citizen centers staffing and equipment .....	1,140,700
Employment assistance .....	2,632,700
DAG commodity supplement .....	6,978,800
Michigan pharmaceutical program .....	5,000,000
Respite care program .....	3,500,000
<b>GROSS APPROPRIATION</b> .....	\$ <u>80,971,000</u>
Appropriated from:	
Interdepartmental grant revenues:	
Interdepartmental grant from department of community health.....	2,472,500
Federal revenues:	
Total federal revenues .....	39,262,500
Special revenue funds:	
Total private revenues .....	125,000
Total other state restricted revenues .....	8,500,000
State general fund/general purpose .....	\$ 30,611,000
<b>MEDICAL SERVICES ADMINISTRATION</b>	
Full-time equated classified positions .....	549.0
Salaries and wages—549.0 FTE positions.....	\$ 31,931,200
Contractual services, supplies, and materials .....	24,342,600
Rent .....	2,253,000
Travel and equipment.....	288,500
Data processing contractual services.....	100
Facility inspection contract - state police.....	132,800
<b>GROSS APPROPRIATION</b> .....	\$ <u>58,948,200</u>
Appropriated from:	
Federal revenues:	
Total federal revenues .....	35,378,300
Special revenue funds:	
Total private .....	80,800
State general fund/general purpose .....	\$ 23,489,100
<b>MEDICAL SERVICES</b>	
Hospital services and therapy.....	\$ 669,496,500
Hospital disproportionate share payments .....	45,000,000
Physician services .....	147,639,800
Medicare premium payments .....	99,203,200
Pharmaceutical services .....	194,898,900
Home health services .....	32,703,500
Transportation .....	4,143,000
Auxiliary medical services .....	46,573,000
Nursing home services .....	720,643,900
Chronic care units and county medical care facilities .....	160,740,800
Substance abuse services .....	16,339,000
Health plan services .....	1,251,146,000
Early periodic screening, diagnosis, and treatment outreach .....	2,582,000
Caring program for children.....	1,500,000
Personal care services—adult foster care .....	24,962,000
Personal care services—in home services .....	5,500,000

Maternal and child health.....	9,234,500
Indigent medical care program.....	22,686,000
Adult home help .....	139,561,700
Social services to the physically disabled .....	1,344,900
Subtotal basic medical services program.....	3,595,898,700
Outpatient hospital adjustor .....	44,012,800
School based services .....	127,341,500
Special adjustor payments.....	840,337,900
Subtotal special medical services payments .....	1,011,692,200
GROSS APPROPRIATION.....	\$ 4,607,590,900
Appropriated from:	
Federal revenues:	
Total federal revenues .....	2,539,225,200
Special revenue funds:	
Total local.....	618,973,000
Total private.....	500,000
Tobacco company litigation fund .....	50,000
Total other state restricted revenues .....	237,884,100
State general fund/general purpose .....	\$ 1,210,958,600".
2. Amend page 23, line 21, by striking out all of section 102.	
3. Amend page 24, line 17, after "at" by striking out "\$2,880,335,100.00" and inserting "\$2,807,332,100.00".	
4. Amend page 24, line 24, by striking out "13,401,200" and inserting "6,393,700".	
5. Amend page 25, line 3, by striking out "763,432,600" and inserting "747,925,600".	
6. Amend page 25, line 4, by striking out all of line 4.	
7. Amend page 26, line 19, by striking out "12,048,000" and inserting "11,621,400".	
8. Amend page 27, line 2, by striking out "1,005,707,600" and inserting "982,016,500".	
9. Amend page 27, line 9, after "this" by striking out "bill" and inserting "act".	
10. Amend page 27, line 13, by striking out all of section 204 and inserting:	
"Sec. 204. As used in this act:	
(a) "AIDS" means acquired immunodeficiency syndrome.	
(b) "CMH" means community mental health.	
(c) "CMHSP" means a community mental health service program as that term is defined in section 100a of the mental health code, 1974 PA 258, MCL 330.1100a.	
(d) "DAG" means the United States department of agriculture.	
(e) "DAG-FNS" means the United States department of agriculture, food and nutritional services.	
(f) "Department" or "MDCH" means the Michigan department of community health.	
(g) "DOL-CETA" means the United States department of labor, comprehensive employment training act.	
(h) "DSH" means disproportionate share hospital.	
(i) "EPSDT" means early and periodic screening, diagnosis, and treatment.	
(j) "FTE" means full-time equated position.	
(k) "GME" means graduate medical education.	
(l) "HHS-OHDS" means the United States department of health and human services, office of human development services.	
(m) "HIV" means human immunodeficiency virus.	
(n) "IDEA" means individuals with disabilities education act.	
(o) "IDG" means interdepartmental grant.	
(p) "IDT" means intradepartmental transfer.	
(q) "MCH" means maternal and child health.	
(r) "Qualified health plan" means, at a minimum, an organization that meets the criteria for delivering the comprehensive package of services under the department's comprehensive health plan.	
(s) "Title X" means title X of the public health services act, 300 U.S.C. 1001.	
(t) "Title XVIII" means title XVIII of the social security act, chapter 531, 49 Stat. 620, 42 U.S.C. 1395 to 1395b, 1395b-2, 1395c to 1395i, 1395i-2 to 1395i-4, 1395j to 1395t, 1395u to 1395w-2, 1395w-4 to 1395zz, and 1395bbb to 1395ccc.	
(u) "Title XIX" means title XIX of the social security act, chapter 531, 49 Stat. 620, 42 U.S.C. 1396 to 1396d, 1396f to 1396g, and 1396i to 1396s.	
(v) "Title XX" means title XX of the social security act, chapter 531, 49 Stat. 620, 42 U.S.C. 1397 to 1397f.".	
11. Amend page 29, line 7, after "are" by inserting "funded with".	
12. Amend page 29, line 23, after "act," by striking out "1936" and inserting "1939".	

13. Amend page 30, line 6, by striking out "20,600,000" and inserting "20,552,000".
14. Amend page 30, line 7, by striking out "6,300,000" and inserting "6,587,500".
15. Amend page 30, line 8, by striking out "59,700,000" and inserting "58,057,700".
16. Amend page 30, line 9, by striking out "35,147,800" and inserting "34,811,000".
17. Amend page 30, line 16, after "the" by striking out "appropriations units" and inserting "line items".
18. Amend page 30, line 21, after "the" by striking out the balance of the line and inserting "line items in section 101 of the fiscal year 1998-99 executive budget proposal."
19. Amend page 33, line 1, after "Sec. 217." by striking out "Money" and inserting "Funds".
20. Amend page 33, line 3, after "available." by striking out the balance of the section.
21. Amend page 33, line 19, after "measures" by striking out the balance of the section and inserting a period.
22. Amend page 33, line 23, after "Sec. 219." by striking out "(1)".
23. Amend page 33, line 24, after "the" by striking out the balance of the line through "resulting" on line 25 and inserting "savings".
24. Amend page 34, line 2, after "MCL 18.1393," by striking out the balance of the section and inserting "to apply retirement costs and salary and fringe benefit savings to the appropriated line items affected by the early retirement of state employees."
25. Amend page 35, line 16, by striking out all of section 221.
26. Amend page 38, following line 13, by inserting:

"Sec. 222. (1) In addition to the funds appropriated in section 101, there is appropriated an amount not to exceed \$100,000,000.00 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 section 101, there is appropriated an amount not to exceed \$10,000,000.00 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 section 101, there is appropriated an amount not to exceed \$10,000,000.00 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 section 101, there is appropriated an amount not to exceed \$10,000,000.00 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. 223. Basic health services for the fiscal year beginning October 1, 1997, for the purpose of part 23 of the public health code, 1978 PA 368, MCL 333.2301 to 333.2321, are those described by the department in its proposed program statement dated October 16, 1981, and in the "prenatal postpartum care, proposed basic health service program statement" included in the department document entitled "A Study of Prenatal Care as a Basic Service," dated March 1, 1986, and for which the legislature has made funds available in amounts necessary to ensure their availability and accessibility. The services described in the statement are: immunizations, communicable disease control, venereal disease control, tuberculosis control, prevention of gonorrhea eye infection in newborns, screening newborns for phenylketonuria, screening newborns for hypothyroidism, health/medical annex of emergency preparedness plan, licensing and surveillance of agricultural labor camps, and prenatal care.
- Sec. 224. The department may contract with the Michigan public health institute for the design and implementation of projects and for other public health related activities prescribed in section 2611 of the public health code, 1978 PA 368, MCL 333.2611. The department may develop a master agreement with the institute for up to a 3-year period to carry out these purposes. The department shall report on projects to be carried out by the institute, expected project duration, and project cost by November 1, 1997 and May 1, 1998 to the house and senate appropriations subcommittees on community health, senate and house fiscal agencies, and the department of management and budget. If the reports are not received by the specified dates, no funds shall be disbursed. For the purposes of this section, the Michigan public health institute shall be considered a public health agency.
- Sec. 225. No funds appropriated in section 101 shall be expended for media activities regarding the alleged dangers of naturally occurring radon gas.
- Sec. 226. It is the intent of this legislature to prohibit state contracts with health care agencies, organizations and providers licensed or registered as defined in the public health code, 1978 PA 368, MCL 333.1101 to 333.25211, that use gag rules in their relationships with health care providers.
- Sec. 227. The department may receive and expend funds dedicated to the establishment of programs for education, research and treatment services related to pathological gambling addictions."
27. Amend page 40, line 21, after "of" by striking out "\$60,000.00" and inserting "\$9,000.00".

28. Amend page 40, line 22, after "services" by striking out the balance of the section and inserting a period.
29. Amend page 41, line 6, by striking out all of section 311.
30. Amend page 41, line 16, after "local" by striking out "CMHSP boards" and inserting "CMHSPs".
31. Amend page 41, line 19, after "(b)" by striking out "A continuum of mental health services" and inserting "A complete array of mental health services".
32. Amend page 41, line 20, after "residential" by striking out "care services".
33. Amend page 41, line 21, after "outpatient" by striking out "care" and inserting "services".
34. Amend page 41, line 22, by striking out "partial hospitalization,".
35. Amend page 41, line 22, after "inpatient" by striking out "care" and inserting "services".
36. Amend page 42, line 8, after "the" by striking out "board's" and inserting "CMHSP's".
37. Amend page 42, line 16, after "with" by striking out "CMHSP boards" and inserting "CMHSPs".
38. Amend page 42, line 20, after "to" by striking out "CMHSP" and inserting "CMHSPs".
39. Amend page 42, line 21, after "and" by striking out "CMHSP" and inserting "CMHSPs".
40. Amend page 43, line 1, after "to" by striking out "CMHSP" and inserting "CMHSPs".
41. Amend page 43, line 3, after the first "to" by striking out "CMHSP" and inserting "CMHSPs".
42. Amend page 43, line 7, after "CMHSP" by striking out "board".
43. Amend page 43, line 24, after "CMHSP" by striking out "board".
44. Amend page 44, line 2, after "of" by striking out "CMHSP" and inserting "CMHSPs".
45. Amend page 46, line 14, after "for" by striking out "CMHSP boards" and inserting "CMHSPs".
46. Amend page 46, line 16, after "by" by striking out the balance of the line through "boards" on line 17 and inserting "CMHSPs".
47. Amend page 46, line 20, after "individual" by striking out "CMHSP boards" and inserting "CMHSPs".
48. Amend page 46, line 22, after "all" by striking out the balance of the line through "boards" on line 23 and inserting "CMHSPs".
49. Amend page 46, line 24, after "with" by striking out the balance of the line through "boards" on line 26 and inserting "CMHSPs shall provide 3 days notice to the CMHSP of all committee and full board meetings and shall conduct all portions of meetings pertaining to CMHSPs".
50. Amend page 47, line 3, after "(1)" by striking out "From" and inserting "Effective January 1, 1998, from".
51. Amend page 47, line 8, after "by" by striking out "\$1.00" and inserting "\$0.75".
52. Amend page 47, line 22, by striking out all of section 410.
53. Amend page 48, line 8, after "for" by striking out "CMHSP" and inserting "CMHSPs".
54. Amend page 48, following line 26, by inserting:  
"Sec. 504. Over the next 4 years, the department shall establish as a funding priority increases for residential service providers in order to assure the provision of quality services through a more stable workforce.".
55. Amend page 50, line 6, after "until" by striking out the balance of the line through "boards" on line 7 and inserting "CMHSPs".
56. Amend page 50, line 11, after "CMHSP" by striking out "board".
57. Amend page 50, line 21, after "to" by striking out "CMHSP boards" and inserting "CMHSPs".
58. Amend page 50, line 23, by striking out all of line 23 through line 11 of page 52 and inserting:  
"Sec. 605. (1) The department, in conjunction with the CMHSPs, will continue to assure the provision of a complete array of services on a statewide basis. Such an array of services shall include, but is not limited to, residential and other individualized living arrangements, outpatient services, acute inpatient services, and long-term, 24-hour inpatient care in a structured, secure environment.  
(2) Long-term psychiatric beds, whether occupied or unoccupied, whether operated by the state or an agency with whom the department or a CMHSP contracts, will be available at various locations across the state.  
(3) The department and CMHSPs shall continue to develop and facilitate community placement opportunities for persons with developmental disabilities, adults with mental illness, and children with emotional disturbance for whom such placement is clinically appropriate.  
(4) The department and CMHSPs shall not discriminate against the placement of an individual in a state psychiatric hospital when long-term psychiatric inpatient care is appropriate. This subsection does not prohibit the department and CMHSPs from considering consumer choice, quality of care, and cost of care in making the hospital referral.".
59. Amend page 54, line 8, by striking out all of section 903 and inserting:  
"Sec. 903. The amount appropriated in section 101 for implementation of the 1993 amendments to sections 9161, 16221, 16226, 17014, 17015, and 17515 of the public health code, 1978 PA 368, MCL 333.9161, 333.16221, 333.16226, 333.17014, 333.17015, and 333.17515, shall reimburse local health departments for costs incurred related to implementation of section 17015(15) of the public health code, 1978 PA 368, MCL 333.17015.".
60. Amend page 55, line 8, after "(1)" by striking out the balance of the line through "funds" on line 9 and inserting "Funds appropriated in section 101 for state/local cost sharing".
61. Amend page 55, line 23, by striking out all of section 908.



62. Amend page 56, line 11, by striking out all of sections 909 and 910.

63. Amend page 57, line 4, after "breast" by striking out "and cervical" and inserting a comma and "cervical, and prostate".

64. Amend page 59, line 23, by striking out all of section 1010.

65. Amend page 60, following line 15, by inserting:

"Sec. 1012. The department shall apply to the federal health resources and services administration, maternal and child health bureau for a state planning grant to conduct statewide needs assessment and to develop a statewide plan for traumatic brain injury services and activities.

**BUREAU OF CHILD AND FAMILY SERVICES**

Sec. 1050. The department shall provide a report quarterly to the house and senate appropriations subcommittees on community health, the senate and house fiscal agencies, and the department of management and budget on the expenditures and activities undertaken by the lead abatement program. The report shall include but not be limited to a funding allocation schedule, expenditures by category of expenditure and by subcontractor, revenues received, description of program elements, and description of program accomplishments and progress."

66. Amend page 62, line 26, after "allocations" by striking out the balance of the line through "resulting" on line 27.

67. Amend page 63, line 3, after "programs." by inserting "Using applicable federal definitions, the report shall include information on all of the following:

(a) Funding allocations.

(b) Basis for grantee selection.

(c) Expected cost per client served by grantee.

(d) Number of women, children, and/or adolescents expected to be served.

(e) Expected first and third party collections by source of payment.

(f) The extent to which grantees meet federal indicators, when applicable.

(g) Actual numbers served and amounts expended in the categories described in subdivisions (a) to (e) for the fiscal year 1996-97."

68. Amend page 66, line 2, after the first "of" by striking out the balance of the line and inserting "1992 PA 168."

69. Amend page 66, line 12, by striking out all of lines 12 through 21 and inserting:

"(2) The department shall establish a fee schedule for providing substance abuse services and charge participants in accordance with their ability to pay. The mechanisms and fee schedule shall be developed by the department with input from substance abuse coordinating agencies."

70. Amend page 67, line 18, by striking out all of section 1304 and inserting:

"Sec. 1304. The funding in section 101 for substance abuse services shall be distributed in a manner so as to provide priority to service providers which furnish child care services to clients with children.

Sec. 1305. If a person licensed to provide substance abuse services receives federal substance abuse prevention block grant funds, any priority positions established under state statute for recipients of their services shall apply only after serving those priority positions granted under the conditions of the federal block grant."

71. Amend page 68, line 21, after "(1)" by inserting "Effective October 1, 1997, the pharmaceutical dispensing fee shall be \$3.72 or the usual and customary cash charge, whichever is less."

72. Amend page 68, following line 26, by inserting:

"(3) The copayments in subsections (1) and (2) may be waived for recipients who participate in a program of medical case management such as enrollment in a health maintenance organization or the primary physician sponsor plan program.

(4) Usual and customary charges for pharmacy providers are defined as the pharmacy's charges to the general public for like or similar services."

73. Amend page 69, line 8, after "1606." by striking out "Medical services adult" and inserting "Medicaid adult".

74. Amend page 69, line 11, after "utilization." by inserting "The department shall not impose utilization restrictions on chiropractic services unless a recipient has exceeded 18 office visits within 1 year."

75. Amend page 70, line 8, after "coverage" by striking out the balance of the subsection and inserting a comma and "including medically necessary ancillary services, to individuals categorized as permanently residing under color of law and who meet either of the following requirements:

(a) The individuals were medically eligible and residing in such a facility as of August 22, 1996 and qualify for emergency medical services.

(b) The individuals were medicaid eligible as of August 22, 1996, and admitted to a nursing facility before a new eligibility determination was conducted by the family independence agency."

76. Amend page 70, line 14, by striking out all of subsection (2) and inserting:

"(2) The department may implement managed care programs for specialty mental health, substance abuse, and developmental disabilities services. Such programs shall be operated through CMHSPs and substance abuse coordinating agencies as specialty service carve-outs to maintain accountability for the system to local units of government and to preserve the services and supports for persons with severe and persistent mental illnesses, for persons with substance abuse addictions, and for persons with developmental disabilities.

(3) The substance abuse coordinating agencies shall arrange for clinical reviews to assure appropriate continuity of care for recipients of substance abuse treatment services.”.

77. Amend page 71, line 2, after “regarding” by striking out the balance of the subsection and inserting “grievance and appeals rights.”.

78. Amend page 71, line 4, after “to” by striking out the balance of the subsection and inserting “qualified health plans shall be based on submitted documentation that indicates a recipient has a serious medical condition, and is undergoing active treatment for that condition with a physician who does not participate in 1 of the qualified health plans. If the person meets the criteria established by this subsection, the department shall grant an exception to mandatory enrollment at least through the current prescribed course of treatment, subject to periodic review of continued eligibility.”.

79. Amend page 71, following line 21, by inserting:

“Sec. 1613. The department shall not implement a mail-order pharmacy program.”.

80. Amend page 73, line 19, after “to” by striking out “\$1.00” and inserting “\$0.75”.

81. Amend page 74, line 26, after “with” by inserting “part”.

82. Amend page 75, line 20, by striking out all of subsection (3) and inserting:

“(3) The department may establish county-based, indigent health care programs that are at least equal in eligibility and coverage to the fiscal year 1996 state medical program.”.

83. Amend page 76, line 15, after “(1)” by striking out the balance of the subsection and inserting “The department may establish a program for persons who work their way off welfare to purchase medical coverage at a rate determined by the department.”.

84. Amend page 76, line 22, by striking out “medicaid” and inserting “medical”.

85. Amend page 76, following line 23, by inserting:

“(3) The premiums described in this section shall be classified as private funds.”.

86. Amend page 77, line 14, after the first “and” by striking out “ombudsman” and inserting “beneficiary”.

87. Amend page 77, line 17, by striking out “ombudsman” and inserting “beneficiary”.

88. Amend page 77, line 22, after “affected.” by inserting “Exceptions may be considered in areas where at least 85% of all area providers are in 1 plan.”.

89. Amend page 77, line 23, by striking out all of line 23 through line 9 of page 79 and inserting:

“(g) Maternal and infant support services shall continue to be provided through state-certified providers. The department shall continue to reimburse state-certified maternal and infant support services providers on a fee-for-service basis to be charged back to health plans until such time as health plans have contracts with state-certified providers.

(h) The department shall develop a case adjustment to its rate methodology that considers the costs of persons with HIV/AIDS, end stage renal disease, organ transplants, epilepsy, and other high-cost diseases or conditions and shall implement the case adjustment when it is proven to be actuarially and fiscally sound. Implementation of the case adjustment must be budget neutral.

(i) The department may encourage bids for multicounty regions through the use of preference points but shall not initially require a plan provider to submit a bid for a multicounty region.

(j) Enrollment of recipients of children’s special health care services in qualified health plans shall be voluntary during fiscal year 1997-98.”.

90. Amend page 79, line 11, after “all” by inserting “qualified or”.

91. Amend page 81, line 1, after “necessary” by striking out the balance of the subsection and inserting “and approved by the plan, immediately required, and which could not be reasonably obtained through the plan’s providers on a timely basis. Such services shall be deemed approved if the plan does not respond to a request for authorization within 24 hours of the request. Reimbursement shall not exceed the medicaid fee-for-service payment for such services.”.

92. Amend page 82, line 1, by striking out all of subsection (11) and inserting:

“(11) Medicaid qualified health plans shall develop written plans for providing nonemergency medical transportation services funded through supplemental payments made to the plans by the department, and shall include information about transportation in their member handbook.”.

93. Amend page 82, line 5, after “department” by striking out “shall” and inserting “may”.

94. Amend page 82, line 23, after “enrollment” by inserting a comma and “when practicable”.

95. Amend page 83, line 4, by striking out “ombudsman” and inserting “beneficiary”.

96. Amend page 83, line 10, after “enrollment” by striking out the balance of the subsection and inserting a period.

97. Amend page 83, line 13, after “an” by striking out the balance of the line through line 14 of page 84 and inserting “expedited complaint review procedure for medicaid eligible persons enrolled in qualified health plans for situations where failure to receive any health care service would result in significant harm to the enrollee.” and renumbering the remaining subsections.

98. Amend page 84, line 17, after “complaints.” by striking out the balance of the subsection and inserting “If warranted, the department shall immediately disenroll persons from managed care and approve fee-for-service coverage.”.

99. Amend page 84, line 24, after “for” by striking out “ombudsman” and inserting “beneficiary”.
100. Amend page 84, line 25, after “recipients” by inserting “in medicaid managed care plans”.
101. Amend page 84, line 25, after “services.” by inserting “The department may contract with the enrollment counseling service contractor to provide these beneficiary services.”.
102. Amend page 84, line 26, after “may” by striking out the balance of the line through “services” on line 1 of page 85 and inserting “also contract with different organizations for beneficiary services”.
103. Amend page 85, line 3, after “private” by striking out the balance of the line and inserting “organizations”.
104. Amend page 85, line 5, after “through” by striking out the balance of the line through “Ombudsman” on line 7 and inserting “qualified health plans.”
- (b) Beneficiary”.
105. Amend page 85, line 12, by striking out all of line 12 through “ombudsman” on line 15 and inserting: “(c) A report on beneficiary services”.
106. Amend page 86, line 7, after “share” by striking out “(DSH)”.
107. Amend page 86, line 8, after “education” by striking out “(GME)”.
108. Amend page 86, line 12, by striking out all of subsection (2) and renumbering the remaining subsection.
109. Amend page 87, line 19, after “continuing” by striking out “medical” and inserting “medicaid”.
110. Amend page 87, line 21, by striking out all of lines 21 through 27.
111. Amend page 88, line 4, after “for” by striking out the balance of the line through “abdomen” on line 9 and inserting “annual “well-woman” examinations and routine obstetrical and gynecologic services”.
112. Amend page 88, line 13, by striking out all of section 1655.
113. Amend page 88, following line 15, by inserting:  
“Sec. 1656. The department shall promote activities that preserve the dignity and rights of terminally ill and chronically ill individuals. Priority shall be given to programs, such as hospice, that focus on individual dignity and quality of care provided persons with terminal illness and programs serving persons with chronic illnesses that reduce the rate of suicide through the advancement of the knowledge and use of improved, appropriate pain management for these persons; and initiatives that train health care practitioners and faculty in managing pain, providing palliative care and suicide prevention.  
Sec. 1657. The department may require beneficiaries to enroll in a long-term care plan if the following requirements are met:  
(a) An eligibility screening/enrollment component is in place at community hospitals, in-home for persons who are homebound, as well as at convenient community locations.  
(b) The eligibility screening/enrollment counseling service is performed by an entity(s) selected through a request for proposal.  
(c) Enrollment counselor services are available to the clients and their families to ensure clients or their legally authorized representatives have the information necessary to make an informed choice of plans, to appropriately access care within the plan, to file grievances with the plan and the state, and to access care out of network if appropriate.  
(d) Quality outcome measures and consumer satisfaction measures are developed based on the minimum data sets for home care and nursing home care.  
(e) Services offered will include a range of home and community services including adult day care, respite care homemaker, chore, personal care, personal care supervision, personal emergency response systems, community living supports, services in nursing home settings.  
(f) There will be 2 long-term care plan contractors in all areas of the state except in areas with sparse population and when the long-term care plan network includes at least 85% of the providers in the region.  
(g) Long-term care plans are selected through a request for proposal process that identifies organizations capable of organizing and managing a continuum of services.  
(h) The department reviews and approves provider contracts used by the plan to ensure that the plan’s risk/incentive arrangements do not provide incentives to withhold appropriate medical services.  
(i) The department establishes criteria for the plan’s provider network that take into consideration the unique needs of the population to be enrolled and ensure that the network has adequate capacity to provide home and community-based service alternatives and is in place before enrollment begins.  
(j) The department establishes requirements for encounter data collection and reporting that ensure the department has the ability to closely monitor care provided to enrollees to assure quality and appropriate access to care.  
(k) The department contracts for an independent, external quality review of the services provided through the managed care plans. The protocols used in the review shall be appropriate for the specialized population enrolled in the plan and shall be at least as rigorous as those used by national committee on quality assurance.  
(l) The department conducts annual patient satisfaction surveys using statistically valid sampling techniques that focus on this population and a survey tool that is appropriate to the population being surveyed.  
(m) The department maintains an exception process that allows clients meeting established medical criteria to be exempt from enrollment in managed care.

(n) The department maintains an expedited grievance process that provides a response to urgent requests within 1 business day.

(o) Eligibility for the long-term plan is based on medicaid financial eligibility criteria and medical/functional determination of necessity to qualify for nursing facility level of care. The initial eligible group would include those persons eligible for medicaid now in licensed nursing facilities and those eligible for the medicaid home and community based waiver. Eligible persons (and their families if incapacitated), in conjunction with the managed care organization and medical caregivers, shall choose their preferred care setting, to live at home, in other home-like settings, or in a skilled nursing facility. Eligible persons will be offered choices by the managed care plan that emphasize the individual's dignity and independence, quality of life, and reflect the principles of person-centered planning.

(p) An area agency on aging may bid for either the eligibility screening/enrollment counseling service contract or the long-term care managed care organization contract. An area agency on aging may continue to provide case management/care coordination services for non-medicaid-eligible persons with funds appropriated in section 101.

(q) The managed care program for long-term care services shall assure that the services provided are coordinated with those available under the medicare program.

(r) At least 30 days prior to implementation of any long-term managed care program, the department shall conduct public hearings and submit its plan to the senate and house appropriations subcommittees on community health, the appropriate senate and house standing committees, and the senate and house fiscal agencies. The plan shall include a summary of the public comments received by the department regarding the managed care program.

Sec. 1658. Funds appropriated for substance abuse services shall be contracted in full to coordinating agencies through CMHSPs unless such a pass-through is held to be in violation of federal or state law or rules. If such a pass-through is not permissible, the department shall contract directly with coordinating agencies. CMHSPs shall not assume any contractual or financial liability associated with the pass-through of substance abuse services funds provided to eligible recipients with these funds. The coordinating agencies shall retain financial program responsibilities and liabilities consistent with contract requirements.

Sec. 1659. From the funds appropriated in section 101 for hospital services and therapy, the department shall increase graduate medical education payments to hospitals by \$8,300,000.00.”

114. Amend page 90, line 1, by striking out all of section 1706 and inserting:

“Sec. 1706. (1) Of the amount appropriated in section 101 to the office of services to the aging for community services, sufficient funds shall be allocated to fund statewide care management or case coordination projects in the following regions:

Region 1A.....	\$	600,000
Region 1B.....		720,000
Region 1C.....		420,000
Region 2.....		180,000
Region 3.....		300,000
Region 4.....		180,000
Region 5.....		300,000
Region 6.....		180,000
Region 7.....		360,000
Region 8.....		360,000
Region 9.....		360,000
Region 10.....		360,000
Region 11.....		360,000
Region 14.....		180,000

(2) The office of services to the aging shall provide a report to the senate and house appropriations subcommittees on general government by November 1, 1997, summarizing the accomplishments of each program in the 1996-97 fiscal year.”

115. Amend page 91, line 1, by striking out all of section 1708.

116. Amend page 91, line 14, by striking out “\$1,514,000.00” and inserting “\$1,723,400.00”.

117. Amend page 91, line 16, by striking out all of section 1711.

118. Amend page 91, following line 21, by inserting:

“Sec. 1713. The office of services to the aging shall award contracts and distribute funds only to those projects that are cost effective, meet minimum operational standards, and serve the greatest number of eligible people.

Sec. 1714. The office of services to the aging shall provide that funds appropriated under this act shall be awarded on a local level in accordance with locally determined needs.”

119. Amend page 93, line 1, by striking out all of lines 1 through 6.

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

A bill to make appropriations for the department of community health and certain state purposes related to mental health, public health, and medical services for the fiscal year ending September 30, 1998; to provide for the

expenditure of such appropriations; to create funds; to provide for reports; to prescribe the powers and duties of certain local and state agencies and departments; and to provide for disposition of fees and other income received by the various state agencies.

Nick Ciaramitaro  
Bob Emerson  
Conferees for the House

R. Robert Geake  
John Schwarz  
Joe Conroy  
Conferees for the Senate

The Speaker announced that under Joint Rule 9 the conference report would lie over one day to fulfill the Journal printing requirements.

Rep. Gagliardi moved pursuant to Joint Rule 9, that the Journal printing requirement be suspended, printed copies of the conference report having been placed on the member's desks.

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

The question being on the adoption of the conference report,

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

**Roll Call No. 719****Yeas—66**

Agee	Dobronski	Jansen	Quarles
Anthony	Emerson	Kaza	Richner
Baade	Fitzgerald	Kelly	Rison
Baird	Frank	Kilpatrick	Rocca
Basham	Freeman	LaForge	Schauer
Bodem	Gagliardi	Leland	Schermesser
Bogardus	Galloway	Mans	Schroer
Brater	Gilmer	Martinez	Scott
Brewer	Godchaux	McBryde	Stallworth
Brown	Green	McManus	Tesanovich
Callahan	Gubow	Olshove	Thomas
Cherry	Hale	Owen	Varga
Ciaramitaro	Hammerstrom	Palamara	Vaughn
Crissman	Hanley	Price	Wallace
Cropsey	Harder	Profit	Willard
Curtis	Hertel	Prusi	Wojno
DeHart	Hood		

**Nays—35**

Alley	Dobb	Johnson	Nye
Bankes	Geiger	Law	Oxender
Birkholz	Gernaat	LeTarte	Perricone
Bobier	Goschka	Llewellyn	Rackowski
Brackenridge	Gustafson	London	Scranton
Byl	Horton	Lowe	Sikkema
Cassis	Jaye	McNutt	Voorhees
Dalman	Jelinek	Middaugh	Whyman
DeVuyst	Jellema	Middleton	

In The Chair: DeHart

Rep. Gagliardi moved that the bill be given immediate effect.

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

Rep. Jaye, having reserved the right to explain his nay vote, made the following statement:

“Mr. Speaker and members of the House:

It is outrageous that this budget contains \$4 million in health care for foreigners who refuse to become U.S. citizens. Over 1/2 of Michigan taxpayers don't have health care! Most of these foreigners don't want to become U.S. citizens because they'd lose their government pension from their native land. Other foreigners don't even want to be U.S. citizens because they don't like America, don't want to learn English, never want to become part of our U.S. community and only want to freeload off our welfare and economic opportunities. This budget also pays the health care benefits for people with AIDS but not people with any other non behavioral diseases like breast cancer, tumors and heart disease. Over 95% of people get AIDS through homosexual sex or illegal drug use, risky self destructive free will behavior.”

Rep. Goschka, having reserved the right to explain his nay vote, made the following statement:

“Mr. Speaker and members of the House:

I voted 'No' on House Bill 4306 because it contains a number of absolutely ludicrous provisions in which Michigan taxpayers foot the health care bill for thousands of foreign nationals who are not U.S. citizens, nor do they have any intention of doing so lest they lose their government pensions from their own country. They are individuals who all-too-often want little or nothing to do with the people or language of our country, but rather, they are here only to reap the benefits of our economy—on the backs of our hard working, taxpaying citizens.

We are also paying the health care premiums of those individuals with AIDS, a disease of choice 95% of the time. We ignore those with the various forms of cancer, cystic fibrosis, muscular dystrophy, heart disease, etc., but we are paying “through the nose,” as it were, to pay for those whose lifestyles gave them their disease.

HB 4306 teaches bad values, and it places higher priority on sexual deviants and foreign nationals than it does on our own hard working, taxpaying, productive citizens.

Mr. Speaker and members, this bill further tears down America and her people, and I want no part of it.”

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The Speaker resumed the Chair.

Rep. Gagliardi questioned the presence of a quorum and moved that the roll be called and printed in the Journal. The motion prevailed.

The roll was called and the Clerk announced that a quorum was present.

The following is the roll call:

### Roll Call No. 720

### Yeas—102

Agee	Dobb	Jellema	Perricone
Alley	Dobronski	Johnson	Price
Anthony	Emerson	Kaza	Profit
Baade	Fitzgerald	Kelly	Prusi
Baird	Frank	Kilpatrick	Quarles
Bankes	Freeman	Kukuk	Raczkowski
Basham	Galloway	LaForge	Richner
Birkholz	Geiger	Law	Rison
Bobier	Gernaat	Leland	Rocca
Bodem	Gilmer	LeTarte	Schauer
Bogardus	Godchaux	Llewellyn	Schermesser
Brackenridge	Goschka	London	Schroer
Brater	Green	Lowe	Scott
Brewer	Griffin	Mans	Scranton
Brown	Gubow	Martinez	Sikkema
Byl	Gustafson	Mathieu	Stallworth
Callahan	Hale	McBryde	Tesanovich
Cassis	Hammerstrom	McManus	Thomas
Cherry	Hanley	McNutt	Varga
Ciaramitaro	Harder	Middaugh	Vaughn
Crissman	Hertel	Middleton	Voorhees

Cropsey	Hood	Nye	Wallace
Curtis	Horton	Olshove	Whyman
Dalman	Jansen	Owen	Willard
DeHart	Jaye	Oxender	Wojno
DeVuyst	Jelinek		

In The Chair: Hertel

### Second Reading of Bills

#### Senate Bill No. 637, entitled

A bill to amend 1991 PA 179, entitled "Michigan telecommunications act," (MCL 484.2101 to 484.2604) by adding section 375.

The bill was read a second time.

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

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

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

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

By unanimous consent the House returned to the order of

### Third Reading of Bills

#### Senate Bill No. 637, entitled

A bill to amend 1991 PA 179, entitled "Michigan telecommunications act," (MCL 484.2101 to 484.2604) by adding section 375.

Was read a third time and passed, a majority of the members serving voting therefor, by yeas and nays, as follows:

#### Roll Call No. 721

#### Yeas—101

Agee	Dobronski	Jellema	Perricone
Alley	Fitzgerald	Johnson	Price
Anthony	Frank	Kaza	Profit
Baade	Freeman	Kelly	Prusi
Baird	Gagliardi	Kilpatrick	Quarles
Banks	Galloway	Kukuk	Raczkowski
Basham	Geiger	LaForge	Richner
Birkholz	Gernaat	Law	Rison
Bobier	Gilmer	Leland	Rocca
Bodem	Godchaux	LeTarte	Schauer
Bogardus	Goschka	Llewellyn	Schermesser
Brackenridge	Green	London	Schroer
Brater	Griffin	Lowe	Scott
Brewer	Gubow	Mans	Scranton
Brown	Gustafson	Martinez	Sikkema
Byl	Hale	Mathieu	Stallworth
Callahan	Hammerstrom	McBryde	Tesanovich
Cassis	Hanley	McManus	Thomas
Cherry	Harder	McNutt	Varga
Ciaramitaro	Hertel	Middaugh	Vaughn
Crissman	Hood	Middleton	Voorhees
Curtis	Horton	Nye	Wallace
Dalman	Jansen	Olshove	Whyman
DeHart	Jaye	Owen	Willard
DeVuyst	Jelinek	Oxender	Wojno
Dobb			

**Nays—0**

In The Chair: Hertel

Pursuant to Joint Rule 20, the full title of the bill shall read as follows:

“An act to regulate and insure the availability of certain telecommunication services; to prescribe the powers and duties of certain state agencies and officials; to prescribe penalties; to repeal certain acts and parts of acts; and to repeal this act on a specific date,”

The House agreed to the full title of the bill.

Rep. Gagliardi moved that the bill be given immediate effect.

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

**Second Reading of Bills****Senate Bill No. 521, entitled**

A bill to amend 1974 PA 198, entitled “An act to provide for the establishment of plant rehabilitation districts and industrial development districts in local governmental units; to provide for the exemption from certain taxes; to levy and collect a specific tax upon the owners of certain facilities; to provide for the disposition of the tax; to provide for the obtaining and transferring of an exemption certificate and to prescribe the contents of those certificates; to prescribe the powers and duties of the state tax commission and certain officers of local governmental units; and to provide penalties,” by amending section 9 (MCL 207.559), as amended by 1996 PA 513.

Was read a second time, and the question being on the adoption of the proposed substitute (H-1) previously recommended by the Committee on Urban Policy and Economic Development,

The substitute (H-1) was adopted, a majority of the members serving voting therefor.

Rep. Baade moved to amend the bill as follows:

1. Amend page 3, line 15, after “months” by inserting a comma and “OR 7 MONTHS IF THE APPLICATION WAS FILED BETWEEN SEPTEMBER 1, 1996 AND OCTOBER 31, 1996.”

The motion prevailed and the amendment was adopted, a majority of the members serving voting therefor.

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Acting Speaker DeHart resumed the Chair.

Rep. Gagliardi moved that Rep. Hertel be excused temporarily from today’s session.

The motion prevailed.

Rep. Jaye moved to amend the bill as follows:

1. Amend page 10, following line 8, by inserting:

“Sec. 22. (1) A new industrial facilities exemption certificate shall not be approved and issued under this act after April 1, 1994, unless a written agreement is entered into between the local governmental unit and the person to whom the certificate is to be issued, and filed with the department of treasury.

(2) IN THE WRITTEN AGREEMENT DESCRIBED IN SUBSECTION (1), THE PERSON TO WHOM THE CERTIFICATE IS TO BE ISSUED SHALL MAKE SPECIFIC REPRESENTATIONS AS TO THE CAPITAL INVESTMENT, EQUIPMENT PURCHASE, AND THE NUMBER OF JOBS THE FACILITY WILL PROVIDE. THE WRITTEN AGREEMENT SHALL ALSO PROVIDE THAT IF IN ANY YEAR THE AMOUNT OF CAPITAL INVESTMENT, EQUIPMENT PURCHASE, OR NUMBER OF JOBS PROVIDED IS LESS THAN REPRESENTED IN THE WRITTEN AGREEMENT, THEN THE SPECIFIC TAX IMPOSED UNDER THIS ACT, EACH YEAR, SHALL BE INCREASED, AS DETERMINED BY THE COMMISSION, TO EQUAL THE AMOUNT OF GENERAL AD VALOREM PROPERTY TAX THAT THE FACILITY WOULD HAVE PAID IF THE FACILITY WAS NOT GRANTED AN ABATEMENT UNDER THIS ACT ADJUSTED BY THE COMMISSION TO REFLECT THE LEVEL OF COMPLIANCE WITH THE REPRESENTATIONS MADE IN THE WRITTEN AGREEMENT. IF THE OWNER OF THE FACILITY FULLY COMPLIES WITH THE REPRESENTATIONS MADE IN THE WRITTEN AGREEMENT, THEN THE COMMISSION SHALL MAKE THE ADJUSTMENT BY MULTIPLYING THE AMOUNT OF THE GENERAL AD VALOREM PROPERTY TAX THAT WOULD HAVE BEEN PAID BY ZERO. IF THE OWNER OF THE FACILITY FAILS COMPLETELY TO COMPLY WITH ALL OF THE REPRESENTATIONS MADE IN THE WRITTEN AGREEMENT, THE COMMISSION SHALL MAKE THE ADJUSTMENT BY MULTIPLYING THE AMOUNT OF GENERAL AD VALOREM PROPERTY TAX THAT WOULD HAVE BEEN



PAID BY 1. IF THE OWNER OF THE FACILITY PARTIALLY COMPLIES WITH THE REPRESENTATIONS MADE IN THE WRITTEN AGREEMENT, THE COMMISSION SHALL MAKE THE ADJUSTMENT BY MULTIPLYING THE AMOUNT OF GENERAL AD VALOREM PROPERTY TAX THAT WOULD HAVE BEEN PAID BY AN APPROPRIATE PERCENTAGE, GREATER THAN ZERO AND LESS THAN 1, THAT REPRESENTS THE LEVEL OF PARTIAL COMPLIANCE WITH THE REPRESENTATIONS IN THE WRITTEN AGREEMENT. THE OWNER OF A FACILITY SHALL FILE A FORM PRESCRIBED BY THE COMMISSION THAT WILL AID THE COMMISSION IN MAKING THE ADJUSTMENT, IF ANY, UNDER THIS SUBSECTION.”.

The question being on the adoption of the amendment offered by Rep. Jaye,

Rep. Jaye demanded the yeas and nays.

The demand was supported.

The question being on the adoption of the amendment offered by Rep. Jaye,

The amendment was not adopted, a majority of the members serving not voting therefor, by yeas and nays, as follows:

**Roll Call No. 722****Yeas—46**

Alley	Curtis	Jelinek	Perricone
Birkholz	DeVuyst	Johnson	Raczkowski
Bobier	Freeman	Kaza	Richner
Bodem	Geiger	Llewellyn	Rocca
Brackenridge	Gernaat	Lowe	Sikkema
Brater	Goschka	McBryde	Varga
Brewer	Gubow	McManus	Vaughn
Brown	Gustafson	McNutt	Voorhees
Cassis	Hammerstrom	Nye	Whyman
Cherry	Horton	Olshove	Willard
Crissman	Jansen	Oxender	Wojno
Cropsey	Jaye		

**Nays—51**

Agee	Fitzgerald	Kelly	Profit
Anthony	Frank	Kilpatrick	Prusi
Baade	Gagliardi	Kukuk	Rison
Baird	Galloway	LaForge	Schauer
Banks	Gilmer	Leland	Schermesser
Basham	Godchaux	LeTarte	Schroer
Bogardus	Green	London	Scott
Byl	Griffin	Mans	Scranton
Callahan	Hale	Martinez	Stallworth
Dalman	Hanley	Middaugh	Tesanovich
DeHart	Harder	Middleton	Thomas
Dobb	Hood	Owen	Wallace
Dobronski	Jellema	Price	

In The Chair: DeHart

Rep. Jaye moved to amend the bill as follows:

1. Amend page 10, following line 8, by inserting:

“(10) NOTWITHSTANDING ANY OTHER PROVISION OF THIS ACT, THIS STATE SHALL NOT REIMBURSE A LOCAL UNIT OF GOVERNMENT ANY TAX REVENUE THAT IS ABATED BY THE LOCAL UNIT OF GOVERNMENT UNDER THIS ACT.”.

The question being on the adoption of the amendment offered by Rep. Jaye,

Rep. Jaye demanded the yeas and nays.

The demand was supported.

The question being on the adoption of the amendment offered by Rep. Jaye,

The amendment was not adopted, a majority of the members serving not voting therefor, by yeas and nays, as follows:

**Roll Call No. 723****Yeas—47**

Birkholz	Freeman	Jaye	Nye
Bobier	Galloway	Jelinek	Oxender
Bodem	Geiger	Jellema	Perricone
Brackenridge	Gernaat	Johnson	Raczkowski
Byl	Godchaux	Kaza	Richner
Cassis	Goschka	Law	Rocca
Ciaramitaro	Green	Llewellyn	Sikkema
Crissman	Gubow	Lowe	Vaughn
Cropsey	Gustafson	McBryde	Voorhees
Dalman	Hammerstrom	McManus	Whyman
DeVuyst	Horton	McNutt	Willard
Dobb	Jansen	Middleton	

**Nays—52**

Agee	Curtis	Kukuk	Quarles
Alley	DeHart	LaForge	Rison
Anthony	Dobronski	Leland	Schauer
Baade	Frank	LeTarte	Schermesser
Baird	Gagliardi	Mans	Schroer
Banks	Gilmer	Martinez	Scott
Basham	Griffin	Mathieu	Scranton
Bogardus	Hale	Middaugh	Stallworth
Brater	Hanley	Olshove	Tesanovich
Brewer	Harder	Owen	Thomas
Brown	Hood	Price	Varga
Callahan	Kelly	Profit	Wallace
Cherry	Kilpatrick	Prusi	Wojno

In The Chair: DeHart

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

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

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

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

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Rep. Wetters entered the House Chambers.

By unanimous consent the House returned to the order of  
**Third Reading of Bills**

**Senate Bill No. 521, entitled**

A bill to amend 1974 PA 198, entitled "An act to provide for the establishment of plant rehabilitation districts and industrial development districts in local governmental units; to provide for the exemption from certain taxes; to levy and collect a specific tax upon the owners of certain facilities; to provide for the disposition of the tax; to provide for the obtaining and transferring of an exemption certificate and to prescribe the contents of those certificates; to prescribe the powers and duties of the state tax commission and certain officers of local governmental units; and to provide penalties," by amending section 9 (MCL 207.559), as amended by 1996 PA 513.

Was read a third time and passed, a majority of the members serving voting therefor, by yeas and nays, as follows:

**Roll Call No. 724****Yeas—96**

Agee	Dobb	Johnson	Profit
Anthony	Dobronski	Kelly	Prusi
Baade	Fitzgerald	Kilpatrick	Quarles
Baird	Frank	Kukuk	Raczkowski
Banks	Freeman	LaForge	Richner
Basham	Gagliardi	Law	Rison
Birkholz	Geiger	Leland	Rocca
Bobier	Gernaat	LeTarte	Schauer
Bodem	Gilmer	Llewellyn	Schermesser
Bogardus	Godchaux	London	Schroer
Brackenridge	Goschka	Lowe	Scott
Brater	Green	Mans	Scranton
Brewer	Griffin	Martinez	Sikkema
Brown	Gubow	Mathieu	Stallworth
Byl	Gustafson	McBryde	Tesanovich
Callahan	Hale	McManus	Thomas
Cassis	Hammerstrom	McNutt	Varga
Cherry	Hanley	Middaugh	Vaughn
Ciaramitaro	Harder	Middleton	Voorhees
Crissman	Hood	Olshove	Wallace
Cropsey	Horton	Owen	Wetters
Curtis	Jansen	Oxender	Whyman
Dalman	Jelinek	Perricone	Willard
DeVuyst	Jellema	Price	Wojno

**Nays—4**

Galloway	Jaye	Kaza	Nye
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In The Chair: DeHart

The House agreed to the title of the bill.

Rep. Gagliardi moved that the bill be given immediate effect.

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

Rep. Jaye, having reserved the right to explain his protest against the passage of the bill, made the following statement:  
 “Mr. Speaker and members of the House:

This bill is a shocking example of corporate welfare. This bill gives special tax breaks called 198's, industrial tax breaks of 50% for ten years. This law was passed to encourage new companies to locate and build in Michigan. However, these three companies want this special tax break retroactively to 1995 two years after the facilities already were built. These companies did not get their request for corporate welfare in within the six month application process that every other firm must comply with. This is a bill to give a special tax break to three companies and violates the Michigan constitutional requirement of a 2/3 vote to authorize a special appropriation or tax break which benefits a single city, unit of government, entity or company.

The House rejected my two amendments to limit this corporate welfare. The first Jaye amendment would have required a linkage between the annual tax break the percentage of compliance the company made with their employment, equipment purchase and building promises. If the company only hired 50 out of the 100 employees they promised to hire in that year the company would only be eligible for a 50% tax cut. Not one city, village or township has imposed this linkage between the company's annual compliance with their job promises and their tax cuts. The burden of compliance would be imposed on the company seeking the tax break.

The 2nd Jaye amendment which failed would have required each community to pay for the corporate welfare tax breaks they grant. Under this current law the state's hard working men and women and small business often in competition with these politically powerful tax break corporate welfare firms have to pay the community for the tax revenue they lose under the tax abatement. Since the benefits of an employer's jobs, housing and related benefits are extremely localized, why should the rest of the state taxpayer's be force to foot the bill of lost revenue to local governments who give away their own tax revenue. Obviously local politicians do not hesitate to grant tax breaks that the rest of the state pays for."

### Second Reading of Bills

#### Senate Bill No. 619, entitled

A bill to amend 1936 (Ex Sess) PA 1, entitled "Michigan employment security act," by amending section 75 (MCL 421.75), as amended by 1995 PA 25.

Was read a second time, and the question being on the adoption of the proposed amendments previously recommended by the Committee on Labor and Occupational Safety (for amendments, see House Journal No. 63, p. 1597),

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

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

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

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

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

By unanimous consent the House returned to the order of

### Third Reading of Bills

#### Senate Bill No. 619, entitled

A bill to amend 1936 (Ex Sess) PA 1, entitled "Michigan employment security act," by amending section 75 (MCL 421.75), as amended by 1995 PA 25.

Was read a third time and passed, a majority of the members serving voting therefor, by yeas and nays, as follows:

#### Roll Call No. 725

#### Yeas—98

Agee	Dobb	Johnson	Perricone
Anthony	Dobronski	Kaza	Price
Baade	Fitzgerald	Kelly	Profit
Baird	Frank	Kilpatrick	Prusi
Bankes	Freeman	Kukuk	Quarles
Basham	Gagliardi	LaForge	Raczkowski
Birkholz	Galloway	Law	Richner
Bobier	Geiger	Leland	Rison
Bodem	Gernaat	LeTarte	Rocca
Bogardus	Gilmer	Llewellyn	Schauer
Brackenridge	Goschka	London	Schermesser
Brater	Green	Lowe	Schroer
Brewer	Griffin	Mans	Scott
Brown	Gubow	Martinez	Scranton
Byl	Gustafson	Mathieu	Sikkema
Callahan	Hale	McBryde	Tesanovich
Cassis	Hammerstrom	McManus	Thomas
Cherry	Hanley	McNutt	Vaughn
Ciaramitaro	Harder	Middaugh	Voorhees
Crissman	Hood	Middleton	Wallace
Cropsey	Horton	Nye	Wetters
Curtis	Jansen	Olshove	Whyman

Dalman  
DeHart  
DeVuyst

Jaye  
Jelinek  
Jellema

Owen  
Oxender

Willard  
Wojno

**Nays—0**

In The Chair: DeHart

Pursuant to Joint Rule 20, the full title of the bill shall read as follows:

“An act to protect the welfare of the people of this state through the establishment of an unemployment compensation fund, and to provide for the disbursement thereof; to create certain other funds; to create the Michigan employment security commission, and to prescribe its powers and duties; to provide for the protection of the people of this state from the hazards of unemployment; to levy and provide for contributions from employers; to provide for the collection of such contributions; to enter into reciprocal agreements and to cooperate with agencies of the United States and of other states charged with the administration of any unemployment insurance law; to furnish certain information to certain governmental agencies for use in administering public benefit and child support programs and investigating and prosecuting fraud; to provide for the payment of benefits; to provide for appeals from redeterminations, decisions and notices of assessments; and for referees and a board of review to hear and decide the issues arising from redeterminations, decisions and notices of assessment; to provide for the cooperation of this state and compliance with the provisions of the social security act and the Wagner-Peyser act passed by the Congress of the United States of America; to provide for the establishment and maintenance of free public employment offices; to provide for the transfer of funds; to make appropriations for carrying out the provisions of this act; to prescribe remedies and penalties for the violation of the provisions of this act; and to repeal all acts and parts of acts inconsistent with the provisions of this act,”

The House agreed to the full title of the bill.

Rep. Gagliardi moved that the bill be given immediate effect.

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

—

Rep. Gagliardi moved that House Committees be given leave to meet during the balance of today’s session.  
The motion prevailed.

The Speaker resumed the Chair.

Rep. Gagliardi questioned the presence of a quorum and moved that the roll be called and printed in the Journal.  
The motion prevailed.

The roll was called and the Clerk announced that a quorum was present.

The following is the roll call:

**Roll Call No. 726**

**Yeas—96**

Agee  
Alley  
Anthony  
Baade  
Baird  
Banks  
Basham  
Birkholz  
Bobier

DeVuyst  
Dobb  
Dobronski  
Fitzgerald  
Frank  
Freeman  
Gagliardi  
Galloway  
Geiger

Jelinek  
Jellema  
Johnson  
Kaza  
Kelly  
Kilpatrick  
Kukuk  
LaForge  
Law

Perricone  
Price  
Profit  
Quarles  
Raczkowski  
Richner  
Rison  
Rocca  
Schauer

Bodem	Gernaat	Leland	Schermesser
Bogardus	Godchaux	Llewellyn	Schroer
Brackenridge	Goschka	Lowe	Scott
Brater	Green	Mans	Scranton
Brewer	Griffin	Martinez	Sikkema
Brown	Gubow	Mathieu	Stallworth
Callahan	Gustafson	McBryde	Tesanovich
Cassis	Hale	McManus	Thomas
Cherry	Hammerstrom	Middaugh	Varga
Ciaramitaro	Hanley	Middleton	Vaughn
Crissman	Harder	Nye	Voorhees
Cropsey	Hertel	Olshove	Wetters
Curtis	Hood	Owen	Whyman
Dalman	Horton	Oxender	Willard
DeHart	Jansen	Palamara	Wojno

In The Chair: Hertel

By unanimous consent the House returned to the order of  
**Reports of Select Committees**

**Senate Bill No. 170, entitled**

A bill to make appropriations for the departments of attorney general, civil rights, civil service, management and budget, state, and treasury, the Michigan biologic products institute, the executive office, and the legislative branch for the fiscal year ending September 30, 1998; to provide for the expenditure of these appropriations; to provide for the funding of certain work projects; to provide for the imposition of certain fees; to establish or continue certain funds, programs, and categories; to prescribe certain requirements for bidding on state contracts; to provide for disposition of year-end balances for the fiscal year ending September 30, 1998; to prescribe the powers and duties of certain principal executive departments and state agencies, officials, and employees; and to provide for the disposition of fees and other income received by the various principal executive departments and state agencies.

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

The Conference Report was read as follows:

**First Conference Report**

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

**Senate Bill No. 170, entitled**

A bill to make appropriations for the departments of attorney general, civil rights, civil service, management and budget, state, and treasury, the Michigan biologic products institute, the executive office, and the legislative branch for the fiscal year ending September 30, 1998; to provide for the expenditure of these appropriations; to provide for the funding of certain work projects; to provide for the imposition of certain fees; to establish or continue certain funds, programs, and categories; to prescribe certain requirements for bidding on state contracts; to provide for disposition of year-end balances for the fiscal year ending September 30, 1998; to prescribe the powers and duties of certain principal executive departments and state agencies, officials, and employees; and to provide for the disposition of fees and other income received by the various principal executive departments and state agencies.

Recommends:

First: That the Senate and House agree to the Substitute of the House as passed by the House and to the following amendments:

1. Amend page 2, line 1, by striking out all of section 101 and inserting:

“Sec. 101. There is appropriated for the departments of attorney general, civil rights, civil service, management and budget, state, and treasury, the executive office, the legislative branch, and certain other state purposes, subject to the conditions set forth in this act, for the fiscal year ending September 30, 1998, the following amounts from the funds identified as follows:

**TOTAL GENERAL GOVERNMENT**

**APPROPRIATION SUMMARY:**

Full-time equated unclassified positions .....	42.0	
Full-time equated classified positions .....	6,085.4	
Full-time equated exempted positions .....	140.0	
<b>GROSS APPROPRIATION</b> .....		\$ 2,314,263,500
Interdepartmental grant revenues:		
Total interdepartmental grants and intradepartmental transfers .....		\$ 128,728,200
<b>ADJUSTED GROSS APPROPRIATION</b> .....		\$ 2,185,535,300
Federal revenues:		
Total federal revenues .....		62,796,300
Special revenue funds:		
Total local revenues .....		3,847,300
Total private revenues .....		2,424,600
Total other state restricted revenues .....		1,644,931,200
State general fund/general purpose .....		\$ 471,535,900

**DEPARTMENT OF ATTORNEY GENERAL**

**APPROPRIATION SUMMARY:**

Full-time equated unclassified positions .....	6.0	
Full-time equated classified positions .....	544.0	
<b>GROSS APPROPRIATION</b> .....		\$ 50,239,200
Interdepartmental grant revenues:		
Total interdepartmental grants and intradepartmental transfers .....		7,526,700
<b>ADJUSTED GROSS APPROPRIATION</b> .....		\$ 42,712,500
Federal revenues:		
Total federal revenues .....		6,347,400
Special revenue funds:		
Total local revenues .....		0
Total private revenues .....		1,065,300
Total other state restricted revenues .....		5,571,600
State general fund/general purpose .....		\$ 29,728,200

**ATTORNEY GENERAL OPERATIONS**

Full-time equated unclassified positions .....	6.0	
Full-time equated classified positions .....	544.0	
Attorney general .....		\$ 112,000
Unclassified positions .....		242,100
Attorney general operations—523.5 FTE positions .....		48,285,500
Prosecuting attorneys coordinating council—20.5 FTE positions.....		1,612,000
PACC-training project.....		300,000
<b>GROSS APPROPRIATION</b> .....		\$ 50,551,600

Appropriated from:

Interdepartmental grant revenues:

IDG from FIA .....	1,617,800
IDG from MDCIS-health services.....	590,000
IDG from MDCIS-liquor purchase revolving fund.....	681,900
IDG from MDCIS-public utility assessments .....	1,462,400
IDG from MDSP-Michigan justice training fund .....	300,000
IDG from MDOT-state aeronautics fund .....	116,400
IDG from MDOT-comprehensive transportation fund .....	120,600
IDG from MDOT-state trunkline fund.....	2,276,100
IDG from natural resources-game and fish fund .....	361,500

Federal revenues:

DAG, state administrative match grant/food stamps .....	953,000
DED-OPSE, student loan, federal lender allowance .....	272,400
DOL-ETA, unemployment insurance .....	1,231,300
DOL-OSHA, occupational safety and health.....	240,400
EPA, multiple grants .....	331,900
Federal funds .....	639,800

HHS-OS, state medicaid fraud control units .....	2,244,100
HHS, Medical assistance, medigrant .....	496,000
Special revenue funds:	
Private - accident fund company revenue.....	1,072,500
Antitrust enforcement collections.....	276,900
Auto repair facilities fees.....	169,100
Collections revenue.....	531,000
Corporate fees.....	55,900
Franchise fees .....	211,900
Low-level radioactive waste management fund.....	220,900
Michigan state housing development authority fees .....	425,900
Michigan underground storage tank financial assurance fund .....	141,000
Mobile home commission fees.....	162,300
Oil and gas privilege fee revenue.....	125,300
Prisoner reimbursement.....	266,600
Prosecuting attorneys training fees.....	236,800
Retirement funds.....	306,800
Second injury fund.....	845,800
Securities fees .....	55,900
Self-insurers security fund .....	140,900
Silicosis and dust disease fund.....	423,700
State building authority revenue .....	82,100
State hospital authority .....	277,800
State lottery fund .....	91,000
Utility consumers fund.....	432,100
Waterways fund. ....	72,700
Worker's compensation administrative revolving fund.....	116,100
State general fund/general purpose .....	\$ 29,875,000
<b>EARLY RETIREMENT</b>	
Early retirement savings.....	\$ (312,400)
<b>GROSS APPROPRIATION</b> .....	\$ (312,400)
Appropriated from:	
Federal revenues:	
Federal funds .....	(61,500)
Special revenue funds:	
Private funds .....	(7,200)
State restricted funds.....	(96,900)
State general fund/general purpose .....	\$ (146,800)
<b>DEPARTMENT OF CIVIL RIGHTS</b>	
<b>APPROPRIATION SUMMARY:</b>	
Full-time equated unclassified positions .....	5.0
Full-time equated classified positions .....	184.0
<b>GROSS APPROPRIATION</b> .....	\$ 13,944,400
Interdepartmental grant revenues:	
Total interdepartmental grants and intradepartmental transfers .....	0
<b>ADJUSTED GROSS APPROPRIATION</b> .....	\$ 13,944,400
Federal revenues:	
Total federal revenues .....	1,480,900
Special revenue funds:	
Total local revenues .....	0
Total private revenues .....	0
Total other state restricted revenues .....	0
State general fund/general purpose .....	\$ 12,463,500
<b>CIVIL RIGHTS OPERATIONS</b>	
Full-time equated unclassified positions .....	5.0
Full-time equated classified positions .....	184.0
Commission (per diem \$75.00) .....	\$ 16,200
Unclassified positions—5.0 FTE positions.....	314,000
Civil rights operations—184.0 FTE positions .....	14,252,600
<b>GROSS APPROPRIATION</b> .....	\$ 14,582,800



Appropriated from:	
Federal revenues:	
HUD grant .....	100,000
EEOC, state and local antidiscrimination agency contracts .....	1,380,900
Special revenue funds:	
State general fund/general purpose .....	\$ 13,101,900
<b>EARLY RETIREMENT</b>	
Early retirement savings.....	\$ (638,400)
<b>GROSS APPROPRIATION</b> .....	\$ (638,400)
Appropriated from:	
State general fund/general purpose .....	\$ (638,400)
<b>DEPARTMENT OF CIVIL SERVICE</b>	
<b>APPROPRIATION SUMMARY:</b>	
Full-time equated classified positions .....	238.5
<b>GROSS APPROPRIATION</b> .....	\$ 28,458,400
Interdepartmental grant revenues:	
Total interdepartmental grants and intradepartmental transfers .....	5,738,700
<b>ADJUSTED GROSS APPROPRIATION</b> .....	\$ 22,719,700
Federal revenues:	
Total federal revenues .....	1,582,600
Special revenue funds:	
Total local revenues .....	927,700
Total private revenues .....	0
Total other state restricted revenues .....	7,058,600
State general fund/general purpose .....	\$ 13,150,800
<b>DEPARTMENT OF CIVIL SERVICE</b>	
Full-time equated classified positions .....	238.5
Civil service operations—238.5 FTE positions .....	\$ 28,566,400
<b>GROSS APPROPRIATION</b> .....	\$ 28,566,400
Appropriated from:	
Interdepartmental grant revenues:	
IDG- training charges .....	1,181,800
IDG-1% special funds.....	4,556,900
Federal revenues:	
Federal funds 1% .....	1,582,600
Special revenue funds:	
Local funds 1% .....	927,700
Data services revenue .....	13,100
Freedom of information fees .....	1,100
State restricted funds 1% .....	7,044,400
State general fund/general purpose .....	\$ 13,258,800
<b>EARLY RETIREMENT</b>	
Early retirement savings.....	\$ (108,000)
<b>GROSS APPROPRIATION</b> .....	\$ (108,000)
Appropriated from:	
State general fund/general purpose .....	\$ (108,000)
<b>EXECUTIVE OFFICE SUMMARY UNIT</b>	
<b>APPROPRIATION SUMMARY:</b>	
Full-time equated unclassified positions .....	10.0
Full-time equated classified positions .....	75.0
<b>GROSS APPROPRIATION</b> .....	\$ 5,073,400
Interdepartmental grant revenues:	
Total interdepartmental grants and intradepartmental transfers .....	0
<b>ADJUSTED GROSS APPROPRIATION</b> .....	\$ 5,073,400
Federal revenues:	
Total federal revenues .....	0
Special revenue funds:	
Total local revenues .....	0
Total private revenues .....	0
Total other state restricted revenues .....	0
State general fund/general purpose .....	\$ 5,073,400

<b>EXECUTIVE OFFICE</b>	
Full-time equated unclassified positions .....	10.0
Full-time equated classified positions .....	75.0
Governor .....	\$ 127,100
Lieutenant governor .....	93,800
Executive office—75.0 FTE positions.....	4,187,300
Unclassified positions—8.0 FTE positions.....	665,200
<b>GROSS APPROPRIATION</b> .....	<b>\$ 5,073,400</b>
Appropriated from:	
State general fund/general purpose .....	\$ 5,073,400
<b>LEGISLATIVE AUDITOR GENERAL</b>	
<b>APPROPRIATION SUMMARY:</b>	
<b>GROSS APPROPRIATION</b> .....	<b>\$ 13,339,300</b>
Interdepartmental grant revenues:	
Total interdepartmental grants and intradepartmental transfers .....	1,362,900
<b>ADJUSTED GROSS APPROPRIATION</b> .....	<b>\$ 11,976,400</b>
Federal revenues:	
Total federal revenues .....	0
Special revenue funds:	
Total local revenues .....	0
Total private revenues .....	0
Total other state restricted revenues .....	540,100
State general fund/general purpose .....	\$ 11,436,300
<b>OFFICE OF THE AUDITOR GENERAL</b>	
Legislative auditor general.....	\$ 98,600
Unclassified positions .....	111,900
Field operations .....	13,128,800
<b>GROSS APPROPRIATION</b> .....	<b>\$ 13,339,300</b>
Appropriated from:	
Interdepartmental grant revenues:	
IDG from MDCIS-liquor purchase revolving fund.....	78,200
IDG from MDOT-comprehensive transportation fund.....	36,100
IDG from MDOT-Michigan transportation fund.....	162,500
IDG from MDOT-state aeronautics fund .....	15,700
IDG from MDOT-state trunkline fund.....	341,000
IDG from MDNR-game and fish protection fund.....	18,500
IDG from MDCS .....	74,400
IDG-single audit act.....	636,500
Special revenue funds:	
Construction lien fund.....	4,600
Contract audit administration fees.....	46,000
Correctional industries revolving fund .....	33,100
Marine safety fund .....	1,500
Michigan higher education assistance authority .....	34,500
Michigan higher education authority-student loans .....	67,000
Michigan state fair revolving fund .....	41,600
Michigan state housing development authority fees .....	40,000
Michigan veterans trust fund.....	14,100
Motor transport revolving fund .....	24,800
Office services revolving fund .....	33,200
Retirement funds .....	70,000
State building authority.....	40,000
State employees' deferred compensation.....	59,000
State employees' group insurance .....	26,200
Waterways fund .....	4,500
State general fund/general purpose .....	\$ 11,436,300
<b>LEGISLATURE</b>	
<b>APPROPRIATION SUMMARY:</b>	
<b>GROSS APPROPRIATION</b> .....	<b>\$ 91,556,500</b>

Interdepartmental grant revenues:	
Total interdepartmental grants and intradepartmental transfers .....	0
<b>ADJUSTED GROSS APPROPRIATION</b> .....	<b>\$ 91,556,500</b>
Federal revenues:	
Total federal revenues .....	0
Special revenue funds:	
Total local revenues .....	0
Total private revenues .....	400,000
Total other state restricted revenues .....	1,041,800
State general fund/general purpose .....	<b>\$ 90,114,700</b>
<b>LEGISLATURE</b>	
Senate .....	<b>\$ 24,492,300</b>
Senate automated data processing .....	1,444,300
Senate fiscal agency .....	3,134,700
House of representatives .....	36,204,000
House automated data processing .....	1,979,500
House fiscal agency .....	3,021,300
<b>GROSS APPROPRIATION</b> .....	<b>\$ 70,276,100</b>
Appropriated from:	
State general fund/general purpose .....	<b>\$ 70,276,100</b>
<b>LEGISLATIVE COUNCIL</b>	
Legislative council .....	<b>\$ 10,354,700</b>
Legislative service bureau automated data processing .....	1,222,300
Legislative session integration system .....	2,178,000
Legislative corrections ombudsman .....	325,000
Worker's compensation .....	125,000
National association dues .....	374,400
<b>GROSS APPROPRIATION</b> .....	<b>\$ 14,579,400</b>
Appropriated from:	
Special revenue funds:	
Private-gifts and bequests revenues .....	400,000
State general fund/general purpose .....	<b>\$ 14,179,400</b>
<b>LEGISLATIVE RETIREMENT SYSTEM</b>	
Actuarial requirement .....	<b>\$ 2,030,700</b>
General nonretirement expenses .....	1,720,900
<b>GROSS APPROPRIATION</b> .....	<b>\$ 3,751,600</b>
Appropriated from:	
Special revenue funds:	
Court fees .....	1,041,800
State general fund/general purpose .....	<b>\$ 2,709,800</b>
<b>PROPERTY MANAGEMENT</b>	
Capitol building .....	<b>\$ 1,820,000</b>
Roosevelt building .....	564,700
Farnum building .....	564,700
<b>GROSS APPROPRIATION</b> .....	<b>\$ 2,949,400</b>
Appropriated from:	
State general fund/general purpose .....	<b>\$ 2,949,400</b>
<b>LIBRARY OF MICHIGAN</b>	
<b>APPROPRIATION SUMMARY:</b>	
Full-time equated exempted positions .....	140.0
<b>GROSS APPROPRIATION</b> .....	<b>\$ 35,867,700</b>
Interdepartmental grant revenues:	
Total interdepartmental grants and intradepartmental transfers .....	0
<b>ADJUSTED GROSS APPROPRIATION</b> .....	<b>\$ 35,867,700</b>
Federal revenues:	
Total federal revenues .....	4,109,800
Special revenue funds:	
Total local revenues .....	0
Total private revenues .....	75,000

Total other state restricted revenues .....	86,900
State general fund/general purpose .....	\$ 31,596,000
<b>LIBRARY OF MICHIGAN</b>	
Full-time equated exempted positions .....	140.0
Operations—140.0 FTE positions .....	\$ 9,899,500
Library automation.....	1,036,600
Collected gifts and fees.....	161,900
Book distribution centers .....	285,000
State aid to libraries .....	13,519,600
Grant to the Detroit public library .....	5,871,600
Grand Rapids public library .....	406,400
Subregional state aid.....	251,800
Wayne county library for the blind & physically handicapped.....	49,200
Library services and construction act.....	4,109,800
Renaissance zone reimbursement .....	276,300
<b>GROSS APPROPRIATION.....</b>	<b>\$ 35,867,700</b>
Appropriated from:	
Federal revenues:	
Library services and construction act.....	4,109,800
Special revenue funds:	
Private-gifts and bequests revenues.....	75,000
User fees.....	86,900
State general fund/general purpose .....	\$ 31,596,000
<b>DEPARTMENT OF MANAGEMENT AND BUDGET</b>	
<b>APPROPRIATION SUMMARY:</b>	
Full-time equated unclassified positions .....	6.0
Full-time equated classified positions .....	1,024.0
<b>GROSS APPROPRIATION.....</b>	<b>\$ 145,327,500</b>
Interdepartmental grant revenues:	
Total interdepartmental grants and intradepartmental transfers .....	53,734,100
<b>ADJUSTED GROSS APPROPRIATION .....</b>	<b>\$ 91,593,400</b>
Federal revenues:	
Total federal revenues .....	9,295,400
Special revenue funds:	
Total local revenues .....	0
Total private revenues .....	0
Total other state restricted revenues .....	38,198,800
State general fund/general purpose .....	\$ 44,099,200
<b>MANAGEMENT AND BUDGET SERVICES</b>	
Full-time equated unclassified positions .....	6.0
Full-time equated classified positions .....	853.0
Unclassified positions—6.0 FTE positions.....	\$ 410,700
Departmentwide services—64.0 FTE positions .....	12,445,500
Statewide administrative services—270.5 FTE positions .....	23,500,500
Statewide support services—408.5 FTE positions.....	45,108,600
Michigan administrative information network—110.0 FTE positions .....	24,390,600
<b>GROSS APPROPRIATION.....</b>	<b>\$ 105,855,900</b>
Appropriated from:	
Interdepartmental grant revenues:	
IDG from MDOT-Michigan transportation fund.....	336,800
IDG from MDOT-state aeronautics fund .....	28,900
IDG from MDOT-comprehensive transportation fund .....	39,000
IDG from MDOT-state trunkline fund.....	693,900
IDG from building occupancy and parking charges .....	43,864,800
IDG from MJC.....	100,000
IDG from DNR-game and fish protection fund .....	127,100
IDG from MDCS .....	3,604,200
IDG from community health .....	235,000
IDG from user fees .....	3,423,400

Federal revenues:	
Federal-MESC-administration fund.....	590,300
Federal funds .....	34,300
Special revenue funds:	
Marine safety fund.....	32,800
MAIN user charges .....	3,684,800
Special revenue, internal service, and pension trust funds .....	4,783,000
State building authority revenue .....	289,300
State lottery fund .....	15,600
Waterways fund .....	17,100
State sponsored group insurance, flexible spending accounts and COBRA.....	3,542,800
State general fund/general purpose .....	\$ 40,412,800
<b>STATEWIDE APPROPRIATIONS</b>	
Professional development fund-MPES .....	\$ 90,000
Professional development fund-UAW .....	900,000
Professional development fund-local 31-M.....	25,000
Professional development fund-MSC .....	150,000
Professional development fund-nonexclusively represented employees .....	116,000
<b>GROSS APPROPRIATION</b> .....	\$ 1,281,000
Appropriated from:	
Interdepartmental grant revenues:	
IDG from employer contributions .....	1,281,000
Special revenue funds:	
State general fund/general purpose .....	\$ 0
<b>SPECIAL PROGRAMS</b>	
Full-time equated classified positions .....	171.0
Building occupancy charges-property management services for executive/legislative building occupancy .....	\$ 2,558,800
Grants administration services—9.0 FTE positions.....	593,600
Retirement services—148.0 FTE positions.....	20,707,100
Office of childrens ombudsman—14.0 FTE positions .....	1,157,100
<b>GROSS APPROPRIATION</b> .....	\$ 25,016,600
Appropriated from:	
Federal revenues:	
Federal funds .....	70,800
Special revenue funds:	
Pension trust funds.....	20,707,100
Victims services fund.....	51,700
State general fund/general purpose .....	\$ 4,187,000
<b>GRANTS</b>	
Justice assistance grants.....	\$ 7,900,000
Crime victims rights services grants .....	5,774,600
<b>GROSS APPROPRIATION</b> .....	\$ 13,674,600
Appropriated from:	
Federal revenues:	
Federal funds .....	8,600,000
Special revenue funds:	
Victims services fund.....	5,074,600
State general fund/general purpose .....	\$ 0
<b>EARLY RETIREMENT</b>	
Early retirement savings.....	\$ (500,600)
<b>GROSS APPROPRIATION</b> .....	\$ (500,600)
Appropriated from:	
State general fund/general purpose .....	\$ (500,600)
<b>DEPARTMENT OF STATE</b>	
<b>APPROPRIATION SUMMARY:</b>	
Full-time equated unclassified positions .....	6.0
Full-time equated classified positions .....	2,078.9
<b>GROSS APPROPRIATION</b> .....	\$ 165,570,800

Interdepartmental grant revenues:	
Total interdepartmental grants and intradepartmental transfers .....	44,808,700
ADJUSTED GROSS APPROPRIATION .....	\$ 120,762,100
Federal revenues:	
Total federal revenues .....	945,000
Special revenue funds:	
Total local revenues .....	0
Total private revenues .....	884,300
Total other state restricted revenues .....	58,343,000
State general fund/general purpose .....	\$ 60,589,800
EXECUTIVE DIRECTION	
Full-time equated unclassified positions .....	6.0
Full-time equated classified positions .....	24.2
Secretary of state .....	\$ 112,000
Unclassified positions—5.0 FTE positions .....	419,000
Operations—24.2 FTE positions .....	2,024,600
GROSS APPROPRIATION .....	\$ 2,555,600
Appropriated from:	
Interdepartmental grant revenues:	
IDG-from MDOT-Michigan transportation fund .....	391,700
Special revenue funds:	
Auto repair facilities fees .....	50,100
Driver fees .....	111,400
Expedient service fees .....	22,600
Look-up fees .....	563,400
Parking ticket court fines .....	6,500
Personal identification card fees .....	10,000
Reinstatement fees-operator licenses .....	90,400
Vehicle theft prevention fees .....	28,800
State general fund/general purpose .....	\$ 1,280,700
DEPARTMENT SERVICES	
Full-time equated classified positions .....	355.8
Operations—134.3 FTE positions .....	\$ 13,767,200
Auto regulation—114.5 FTE positions .....	6,960,900
Data processing—99.0 FTE positions .....	18,793,900
Assigned claims assessments—8.0 FTE positions .....	579,700
GROSS APPROPRIATION .....	\$ 40,101,700
Appropriated from:	
Interdepartmental grant revenues:	
IDG-from MDOT-Michigan transportation fund .....	9,821,400
Special revenue funds:	
Administrative order processing fee .....	10,300
Auto repair facilities fees .....	4,069,000
Assigned claims assessments .....	579,700
Child support clearance fees .....	43,900
Driver fees .....	1,118,600
Expedient service fees .....	634,300
Look-up fees .....	8,221,700
Marine safety fund .....	61,100
Off-road vehicle title fees .....	6,500
Parking ticket court fines .....	115,400
Personal identification card fees .....	87,600
Reinstatement fees-operator licenses .....	815,800
Scrap tire fund .....	56,100
Snowmobile registration fee revenue .....	14,700
Vehicle theft prevention fees .....	1,509,100
State general fund/general purpose .....	\$ 12,936,500
REGULATORY SERVICES	
Full-time equated classified positions .....	96.8
Operations—96.8 FTE positions .....	\$ 6,549,100
GROSS APPROPRIATION .....	\$ 6,549,100

Appropriated from:	
Interdepartmental grant revenues:	
IDG-from MDOT-Michigan transportation fund .....	1,766,600
Special revenue funds:	
Auto repair facilities fees .....	56,100
Driver fees .....	508,200
Expedient service fees.....	25,300
Look-up fees .....	2,097,000
Parking ticket court fines .....	7,000
Personal identification card fees .....	34,500
Reinstatement fees-operator licenses.....	461,000
Vehicle theft prevention fees.....	32,300
State general fund/general purpose .....	\$ 1,561,100
<b>CUSTOMER DELIVERY SERVICES</b>	
Full-time equated classified positions .....	1,472.0
Branch operations—1,033.1 FTE positions .....	\$ 59,263,800
Central records—403.0 FTE positions .....	24,480,300
Motor carrier services—19.0 FTE positions.....	1,028,600
Commemorative license plates—16.9 FTE positions .....	9,282,000
Specialty license plates .....	2,215,000
Olympic center plate.....	75,700
<b>GROSS APPROPRIATION.....</b>	<b>\$ 96,345,400</b>
Appropriated from:	
Interdepartmental grant revenues:	
IDG-from MDOT-Michigan transportation fund .....	30,278,000
Special revenue funds:	
Auto repair facilities fees.....	71,500
Child support clearance fees .....	316,000
Commercial driver training school fees.....	25,100
Driver fees .....	10,202,200
Expedient service fees.....	1,485,000
Look-up fees .....	13,999,400
Marine safety fund.....	859,300
Mobile home commission fees .....	356,600
Motorcycle safety fund .....	113,000
Olympic center training fund .....	75,700
Off-road vehicle title fees .....	92,100
Parking ticket court fines .....	1,257,800
Personal identification card fees .....	1,155,000
Reinstatement fees-operator licenses.....	1,761,500
Snowmobile annual permit fee revenue.....	126,100
Snowmobile registration fee revenue .....	211,800
Vehicle theft prevention fees.....	161,300
State general fund/general purpose .....	\$ 33,798,000
<b>ELECTION REGULATION AND DEPARTMENT POLICY AND PLANNING</b>	
Full-time equated classified positions .....	54.5
Election administration and services—29.5 FTE positions.....	\$ 2,136,800
Fees to local units .....	69,800
Office of policy and planning—25.0 FTE positions .....	1,800,900
Qualified voter file.....	1,073,400
<b>GROSS APPROPRIATION.....</b>	<b>\$ 5,080,900</b>
Appropriated from:	
Interdepartmental grant revenues:	
IDG-from MDOT-Michigan transportation fund .....	461,500
Special revenue funds:	
Auto repair facilities fees.....	27,300
Driver fees .....	27,000
Expedient service fees.....	12,400
Look-up fees .....	545,100

Parking ticket court fines .....	3,100
Personal identification card fees .....	5,300
Reinstatement fees-operator licenses.....	15,600
Vehicle theft prevention fees.....	15,700
State general fund/general purpose .....	\$ 3,967,900
<b>HISTORICAL PROGRAM</b>	
Full-time equated classified positions .....	75.6
Historical administration and services—65.5 FTE positions .....	\$ 4,080,100
Federal programs—9.6 FTE positions.....	945,000
Heritage publications .....	700,000
Mann house—0.5 FTE position.....	50,000
Private grants and gifts .....	834,300
<b>GROSS APPROPRIATION</b> .....	\$ 6,609,400
Appropriated from:	
Federal revenues:	
DOI-NPS, historic preservation grants-in-aid.....	750,000
Federal institute of museum services .....	50,000
Federal DOI-NHPRC .....	70,000
DOC-NOAA coastal zone management administration .....	75,000
Special revenue funds:	
Private-grants and gifts .....	834,300
Private-Mann house trust fund .....	50,000
Heritage publication fund.....	700,000
State general fund/general purpose .....	\$ 4,080,100
<b>DEPARTMENTWIDE APPROPRIATIONS</b>	
Building occupancy charges-property management services .....	\$ 1,449,500
Private rent .....	6,351,000
Worker's compensation.....	692,800
<b>GROSS APPROPRIATION</b> .....	\$ 8,493,300
Appropriated from:	
Interdepartmental grant revenues:	
IDG-from MDOT-Michigan transportation fund .....	2,089,500
Special revenue funds:	
Auto repair facilities fees.....	171,500
Driver fees .....	527,500
Expedient service fees.....	15,700
Look-up fees .....	1,990,300
Parking ticket court fines .....	568,700
State general fund/general purpose .....	\$ 3,130,100
<b>EARLY RETIREMENT</b>	
Early retirement savings.....	\$ (164,600)
<b>GROSS APPROPRIATION</b> .....	\$ (164,600)
Appropriated from:	
State general fund/general purpose .....	\$ (164,600)
<b>DEPARTMENT OF TREASURY</b>	
<b>APPROPRIATION SUMMARY:</b>	
Full-time equated unclassified positions .....	9.0
Full-time equated classified positions .....	1,941.0
<b>GROSS APPROPRIATION</b> .....	\$ 1,764,886,300
Interdepartmental grant revenues:	
Total interdepartmental grants and intradepartmental transfers .....	15,557,100
<b>ADJUSTED GROSS APPROPRIATION</b> .....	\$ 1,749,329,200
Federal revenues:	
Total federal revenues.....	39,035,200
Special revenue funds:	
Total local revenues .....	2,919,600
Total private revenues .....	0
Total other state restricted revenues .....	1,534,090,400
State general fund/general purpose .....	\$ 173,284,000



EXECUTIVE DIRECTION

Full-time equated unclassified positions .....	9.0	
Full-time equated classified positions .....	4.0	
Unclassified positions—9.0 FTE positions .....		\$ 612,300
Multistate tax commission dues .....		111,700
Office of the director—4.0 FTE positions .....		369,100
GROSS APPROPRIATION .....		\$ 1,093,100
Appropriated from:		
Interdepartmental grant revenues:		
IDG from MDOT-Michigan transportation fund .....		69,700
Special revenue funds:		
State lottery fund .....		83,400
State general fund/general purpose .....		\$ 940,000

DEPARTMENTWIDE APPROPRIATIONS

Rent .....		\$ 570,400
Travel .....		1,805,400
Building occupancy charges-property management services .....		2,344,700
Worker's compensation insurance premium .....		396,000
GROSS APPROPRIATION .....		\$ 5,116,500
Appropriated from:		
Interdepartmental grant revenues:		
IDG from MDOT-Michigan transportation fund .....		334,600
IDG from MDOT-state aeronautics fund .....		2,700
IDG-state agency collection fees .....		17,900
Special revenue funds:		
Local-audit charges .....		80,600
Local-equalization study charge-backs .....		16,300
Delinquent property tax administration fund .....		127,000
Delinquent tax collection revenue .....		2,768,000
Municipal finance fees .....		11,200
Treasury fees .....		18,900
Waterways fund .....		2,300
State general fund/general purpose .....		\$ 1,737,000

LOCAL GOVERNMENT PROGRAMS

Full-time equated classified positions .....	103.0	
Supervision of the general property tax law—55.0 FTE positions .....		\$ 4,205,200
Property tax assessor training—4.0 FTE positions .....		335,600
Local property tax services—14.5 FTE positions .....		1,457,000
Local finance—29.5 FTE positions .....		1,822,900
State audits of counties .....		60,000
Pari-mutuel audits .....		240,000
GROSS APPROPRIATION .....		\$ 8,120,700
Appropriated from:		
Special revenue funds:		
Local-assessor training fees .....		335,600
Local-audit charges .....		987,200
Local-equalization study charge-backs .....		199,900
Local-revenue from local government .....		600,000
Delinquent property tax administration fund .....		1,417,400
Municipal finance fees .....		223,700
State general fund/general purpose .....		\$ 4,356,900

TAX PROGRAMS

Full-time equated classified positions .....	937.5	
Administration—245.0 FTE positions .....		\$ 17,449,500
Enforcement—684.5 FTE positions .....		41,449,100
Home heating assistance .....		1,600,000
Senior prescription drug credit processing .....		182,500
Michigan underground storage tank assurance fund—4.0 FTE positions .....		191,400
Wage match verification reporting .....		1,545,000
Joint federal/state motor fuel compliance project .....		100,000

Bottle bill implementation .....	250,000
Tobacco tax collection—4.0 FTE positions .....	200,000
ESKORT tax audit system.....	3,700,000
GROSS APPROPRIATION.....	\$ 66,667,500
Appropriated from:	
Interdepartmental grant revenues:	
IDG from MDOT-Michigan transportation fund.....	4,791,600
IDG from MDOT-state aeronautics fund .....	36,500
IDG from FIA.....	1,545,000
IDG from MDCH.....	200,000
IDG-state agency collection fees.....	285,200
IDG-data/collection services fees.....	250,000
IDG-warrant/lien processing fees.....	1,415,500
Federal revenues:	
HHS-SSA, low income energy assistance .....	1,600,000
DOT-FHA, intermodal surface transportation efficiency act .....	100,000
Special revenue funds:	
Bottle deposit fund.....	250,000
Delinquent tax collection revenue .....	42,752,500
Escheats revenue.....	297,300
Michigan pharmaceutical .....	182,500
Michigan underground storage tank financial assurance revenue .....	191,400
Waterways fund .....	48,100
State general fund/general purpose .....	\$ 12,721,900
<b>MANAGEMENT PROGRAMS</b>	
Full-time equated classified positions .....	397.5
Department services—203.5 FTE positions.....	\$ 9,851,600
Community policing grants administration—3.0 FTE positions .....	180,000
Information technology services—180.0 FTE positions .....	11,528,100
Receipt, warrant, and cash processing.....	3,736,300
Fiscal agent—3.0 FTE positions .....	131,200
Child support order offsets—8.0 FTE positions .....	480,800
GROSS APPROPRIATION.....	\$ 25,908,000
Appropriated from:	
Interdepartmental grant revenues:	
IDG from MDOT-Michigan transportation fund.....	1,650,500
IDG from MDOT-state aeronautics fund .....	16,400
IDG receipt, warrant, and cash processing fees.....	3,736,300
IDG-state agency collection fees.....	131,300
IDG-FIA title IV D .....	451,200
IDG-fiscal agent service fees .....	131,200
IDG-user services .....	491,500
Special revenue funds:	
Children's trust fund .....	6,500
Delinquent property tax administration fund.....	17,500
Delinquent tax collection revenue .....	4,524,300
Garnishment fees .....	344,500
Treasury fees.....	145,200
Waterways fund .....	17,400
State general fund/general purpose .....	\$ 14,244,200
<b>FINANCIAL PROGRAMS</b>	
Full-time equated classified positions .....	297.0
Retirement investments—87.5 FTE positions.....	\$ 8,199,900
Deferred compensation—18.5 FTE positions .....	2,735,900
Common cash investments and debt management—10.5 FTE positions .....	752,800
Student financial assistance programs—180.5 FTE positions.....	38,969,400
GROSS APPROPRIATION.....	\$ 50,658,000
Appropriated from:	
Federal revenues:	
DED-OPSE, federal lenders allowance .....	11,348,600
DED-OPSE, higher education act of 1965, insured loans.....	25,986,600

Special revenue funds:	
School bond fees.....	318,200
Deferred compensation .....	2,735,900
Retirement funds.....	7,999,900
College work study .....	46,000
MI-CASHE fees.....	355,000
Treasury fees.....	261,100
State general fund/general purpose .....	\$ 1,606,700
DEBT SERVICE	
Water pollution control bond and interest redemption.....	\$ 5,145,000
School bond loan .....	31,060,000
Quality of life bond .....	69,437,600
GROSS APPROPRIATION.....	\$ 105,642,600
Appropriated from:	
Special revenue funds:	
Local-school bond loan repayments by school districts .....	700,000
State general fund/general purpose .....	\$ 104,942,600
GRANTS	
Grants to counties in lieu of taxes.....	\$ 50,000
Convention facility development distribution.....	34,000,000
Michigan education trust fund challenge grants .....	50,000
Senior citizen cooperative housing tax exemption program .....	12,190,600
Constitutional state general revenue sharing grants.....	565,500,000
Statutory state general revenue sharing grants .....	802,900,000
Special census revenue sharing payments .....	5,000,000
Health and safety fund grants.....	23,175,000
Tax increment finance authority payments .....	6,000,000
City of Benton Harbor-enterprise zone.....	298,400
Grants to locals for community policing .....	10,000,000
GROSS APPROPRIATION.....	\$ 1,459,164,000
Appropriated from:	
Special revenue funds:	
Convention facility development fund .....	34,000,000
Sales tax.....	1,368,400,000
Health and safety fund .....	23,175,000
State general fund/general purpose .....	\$ 33,589,000
STATE LOTTERY	
Full-time equated classified positions .....202.0	
Lottery operations—164.0 FTE positions.....	\$ 11,607,700
Promotion and advertising .....	17,172,000
Multi-state lottery contingency .....	2,400,000
Lottery data processing—38.0 FTE positions.....	4,860,500
Property management.....	830,000
GROSS APPROPRIATION.....	\$ 36,870,200
Appropriated from:	
Special revenue funds:	
State lottery fund .....	36,870,200
State general fund/general purpose .....	\$ 0
CASINO GAMING	
Michigan gaming control board .....	\$ 500,000
Casino gaming control administration.....	6,000,000
GROSS APPROPRIATION.....	\$ 6,500,000
Appropriated from:	
Special revenue funds:	
State casino gaming fund .....	6,500,000
State general fund/general purpose .....	\$ 0
EARLY RETIREMENT	
Early retirement savings.....	\$ (854,300)
GROSS APPROPRIATION.....	\$ (854,300)
Appropriated from:	
State general fund/general purpose .....	\$ (854,300)*.

2. Amend page 36, line 12, by striking out all of section 102.
3. Amend page 37, line 16, after "is" by striking out "\$2,276,009,700.00" and inserting "\$2,116,467,100.00".
4. Amend page 37, line 18, by striking out all of lines 18 through 20.
5. Amend page 37, line 22, by striking out "13,649,800" and inserting "13,519,600".
6. Amend page 37, line 24, by striking out "1,000,000" and inserting "406,400".
7. Amend page 38, line 4, by striking out "20,822,400" and inserting "20,098,600".
8. Amend page 38, following line 11, by inserting:  
"Grants to locals for community policing ..... \$ 10,000,000".
9. Amend page 38, line 16, by striking out "576,446,300" and inserting "565,500,000".
10. Amend page 38, line 17, by striking out "817,500,000" and inserting "802,900,000".
11. Amend page 38, line 18, by striking out "7,000,000" and inserting "5,000,000".
12. Amend page 38, line 21, by striking out "1,476,660,300" and inserting "1,459,114,000".
13. Amend page 38, line 22, by striking out "1,517,862,400" and inserting "1,482,682,400".
14. Amend page 39, line 5, after "at" by striking out "\$ \_\_\_\_\_" and inserting "\$22,103,500,000.00".
15. Amend page 39, line 7, after "at" by striking out "\$ \_\_\_\_\_" and inserting "\$13,019,100,000.00".
16. Amend page 39, line 8, after "at" by striking out "\_\_\_\_%" and inserting "58.9%".
17. Amend page 43, following line 7, by striking out all of section 208.
18. Amend page 43, following line 12, by inserting:  
"Sec. 210. Pursuant to the management and budget act, 1984 PA 431, MCL 18.1101 to 18.1594, which provides for a countercyclical budget and economic stabilization fund, there is appropriated into the countercyclical budget and economic stabilization fund the sum of \$18,600,000.00.".
19. Amend page 44, line 13, after "treasury," by inserting "and".
20. Amend page 44, line 13, after "office" by striking out the balance of the line through "branch" on line 14.
21. Amend page 44, line 21, by striking out all of section 214.
22. Amend page 47, line 20, by striking out all of section 215 and inserting:  
"Sec. 215. The negative appropriation in section 101 for the departments of attorney general, civil rights, civil service, management and budget, state, and treasury, for early retirement compensation savings represents savings from the state's 1997 early retirement program. Not later than October 15, 1997, each department and the state budget director shall request legislative transfers under section 393(2) of the management and budget act, 1984 PA 431, MCL 18.1393, to apply the retirement costs and salary and fringe benefits savings to the appropriated line items affected by the early retirement of state employees.".
23. Amend page 49, following line 3, following section 217, by striking out all of sections 218, 219, and 220.
24. Amend page 49, following line 4, by inserting:  
"Sec. 301. (1) In addition to the funds appropriated in section 101, there is appropriated an amount not to exceed \$750,000.00 for federal contingency funds. These funds are not available for expenditure until they have been transferred to another line item in this act under section 393(2) of the management and budget act, 1984 PA 431, MCL 18.1393.  
(2) In addition to the funds appropriated in section 101, there is appropriated an amount not to exceed \$500,000.00 for state restricted contingency funds. These funds are not available for expenditure until they have been transferred to another line item in this act under section 393(2) of the management and budget act, 1984 PA 431, MCL 18.1393.  
(3) In addition to the funds appropriated in section 101, there is appropriated an amount not to exceed \$100,000.00 for local contingency funds. These funds are not available for expenditure until they have been transferred to another line item in this act under section 393(2) of the management and budget act, 1984 PA 431, MCL 18.1393.  
(4) In addition to the funds appropriated in section 101, there is appropriated an amount not to exceed \$100,000.00 for private contingency funds. These funds are not available for expenditure until they have been transferred to another line item in this act under section 393(2) of the management and budget act, 1984 PA 431, MCL 18.1393.".
25. Amend page 50, line 25, by striking out all of section 309.
26. Amend page 51, following line 26, by striking out all of sections 310, 311, and 312 and inserting:  
"Sec. 310. Any proceeds from a lawsuit initiated by or settlement agreement entered into on behalf of this state against a manufacturer of tobacco products by the attorney general are state funds and subject to appropriation as provided by law.".
27. Amend page 52, following line 1, by inserting:  
"Sec. 401. In addition to the funds appropriated in section 101, there is appropriated an amount not to exceed \$500,000.00 for federal contingency funds. These funds are not available for expenditure until they have been transferred to another line item in this act under section 393(2) of the management and budget act, 1984 PA 431, MCL 18.1393.".
28. Amend page 52, following line 22, by inserting:  
"Sec. 501. (1) In addition to the funds appropriated in section 101, there is appropriated an amount not to exceed \$1,000,000.00 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 section 101, there is appropriated an amount not to exceed \$5,000,000.00 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 section 101, there is appropriated an amount not to exceed \$100,000.00 for local contingency funds. These funds are not available for expenditure until they have been transferred to another line item in this act under section 393(2) of the management and budget act, 1984 PA 431, MCL 18.1393.

(4) In addition to the funds appropriated in section 101, there is appropriated an amount not to exceed \$100,000.00 for private contingency funds. These funds are not available for expenditure until they have been transferred to another line item in this act under section 393(2) of the management and budget act, 1984 PA 431, MCL 18.1393.”

29. Amend page 53, line 18, by striking out the balance of the page through line 4 of page 54.

30. Amend page 55, following line 22, by inserting:

“Sec. 604. In addition to the funds appropriated in section 101, there is appropriated an amount not to exceed \$500,000.00 for state restricted contingency funds. These funds are not available for expenditure until they have been transferred to another line item in this act under section 393(2) of the management and budget act, 1984 PA 431, MCL 18.1393.

Sec. 605. Upon request of the state treasurer, the auditor general may temporarily assign staff to the department of treasury for the purpose of auditing local road authorities.

Sec. 606. The department of treasury and the legislative auditor general may conduct performance 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 legislative auditor general and the department of treasury the pertinent records for the audit.”

31. Amend page 58, line 11, by striking out all of sections 630, 631, 632, 633, and 634.

32. Amend page 60, following line 26, by inserting:

“Sec. 657. The appropriation in section 101 to the library of Michigan for library automation includes \$500,000.00 which shall be used only for making computerized data bases, searches of those data bases, and the products of those searches, available through the libraries of Michigan. Only those libraries that qualify under the federal library services and technology act are eligible to participate in this project.”

33. Amend page 61, following line 2, by inserting:

“Sec. 701. (1) In addition to the funds appropriated in section 101, there is appropriated an amount not to exceed \$2,000,000.00 for federal contingency funds. These funds are not available for expenditure until they have been transferred to another line item in this act under section 393(2) of the management and budget act, 1984 PA 431, MCL 18.1393.

(2) In addition to the funds appropriated in section 101, there is appropriated an amount not to exceed \$3,000,000.00 for state restricted contingency funds. These funds are not available for expenditure until they have been transferred to another line item in this act under section 393(2) of the management and budget act, 1984 PA 431, MCL 18.1393.

(3) In addition to the funds appropriated in section 101, there is appropriated an amount not to exceed \$3,000.00 for local contingency funds. These funds are not available for expenditure until they have been transferred to another line item in this act under section 393(2) of the management and budget act, 1984 PA 431, MCL 18.1393.

(4) In addition to the funds appropriated in section 101, there is appropriated an amount not to exceed \$3,000.00 for private contingency funds. These funds are not available for expenditure until they have been transferred to another line item in this act under section 393(2) of the management and budget act, 1984 PA 431, MCL 18.1393.”

34. Amend page 66, line 19, by striking out all of sections 714 and 715.

35. Amend page 68, following line 8, by striking out all of section 717b and inserting:

“Sec. 718. (1) The department of management and budget and each principal executive department and agency shall provide to the senate and house of representatives standing committees on appropriations and the senate and house fiscal agencies a monthly report on all personal service contracts awarded without competitive bidding, pricing, or rate-setting. The notification shall include all of the following:

(a) The total dollar amount of the contract.

(b) The duration of the contract.

(c) The name of the vendor.

(d) The type of service to be provided.

(2) For personal service contracts of \$100,000.00 or more, the department of management and budget shall provide a monthly report including all of the following:

(a) The total dollar amount of the contract.

(b) The duration of the contract.

(c) The name of the vendor.

(d) The type of service to be provided.

(3) The department of management and budget shall provide a monthly listing of all bid requests or requests for proposal that were issued.

(4) Each principal executive department and agency shall provide a monthly summary listing of information that identifies any authorizations for personal service contracts that are provided to the department of civil service pursuant to delegated authority granted to each principal executive department and agency related to personal service contracts.

Sec. 719. If a department enters into a personal service contract with any temporary service agency or similar contractor that hires or subcontracts with a person who retired from employment in the department under the early retirement program under section 19f of the state employees' retirement act, 1943 PA 240, MCL 38.19f, the retired state employee shall be limited to 500 hours for professional, technical, or clerical services and 250 hours for management services. This provision only applies during a 24-month period after the date of retirement. This section applies to each principal executive department and agency."

36. Amend page 68, following line 9, by inserting:

"Sec. 800. (1) In addition to the funds appropriated in section 101, there is appropriated an amount not to exceed \$500,000.00 for federal contingency funds. These funds are not available for expenditure until they have been transferred to another line item in this act under section 393(2) of the management and budget act, 1984 PA 431, MCL 18.1393.

(2) In addition to the funds appropriated in section 101, there is appropriated an amount not to exceed \$7,500,000.00 for state restricted contingency funds. These funds are not available for expenditure until they have been transferred to another line item in this act under section 393(2) of the management and budget act, 1984 PA 431, MCL 18.1393.

(3) In addition to the funds appropriated in section 101, there is appropriated an amount not to exceed \$44,000.00 for local contingency funds. These funds are not available for expenditure until they have been transferred to another line item in this act under section 393(2) of the management and budget act, 1984 PA 431, MCL 18.1393.

(4) In addition to the funds appropriated in section 101, there is appropriated an amount not to exceed \$44,000.00 for private contingency funds. These funds are not available for expenditure until they have been transferred to another line item in this act under section 393(2) of the management and budget act, 1984 PA 431, MCL 18.1393."

37. Amend page 74, line 12, after "services," by striking out "\$40,000.00" and inserting "\$64,000.00".

38. Amend page 74, line 14, by striking out all of section 819.

39. Amend page 74, following line 19, by inserting:

"Sec. 900. (1) In addition to the funds appropriated in section 101, there is appropriated an amount not to exceed \$1,000,000.00 for federal contingency funds. These funds are not available for expenditure until they have been transferred to another line item in this act under section 393(2) of the management and budget act, 1984 PA 431, MCL 18.1393.

(2) In addition to the funds appropriated in section 101, there is appropriated an amount not to exceed \$10,000,000.00 for state restricted contingency funds. These funds are not available for expenditure until they have been transferred to another line item in this act under section 393(2) of the management and budget act, 1984 PA 431, MCL 18.1393.

(3) In addition to the funds appropriated in section 101, there is appropriated an amount not to exceed \$200,000.00 for local contingency funds. These funds are not available for expenditure until they have been transferred to another line item in this act under section 393(2) of the management and budget act, 1984 PA 431, MCL 18.1393.

(4) In addition to the funds appropriated in section 101, there is appropriated an amount not to exceed \$50,000.00 for private contingency funds. These funds are not available for expenditure until they have been transferred to another line item in this act under section 393(2) of the management and budget act, 1984 PA 431, MCL 18.1393."

40. Amend page 75, line 3, after "(2)" by striking out "Of" and inserting "In addition to".

41. Amend page 75, line 9, after "17.455." by inserting "The fiscal year 1997-98 cash flow borrowing costs are estimated at \$113,000,000.00."

42. Amend page 81, following line 12, by inserting:

"Michigan transportation.....	22,500
Comprehensive transportation.....	7,500".

43. Amend page 82, line 19, by inserting:

"State trunkline .....	18,800".
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44. Amend page 85, line 1, by striking out "376,400" and inserting "425,200".

45. Amend page 88, line 20, after "Sec. 955." by striking out "(1)".

46. Amend page 89, line 1, after "sharing" by striking out "payment" and inserting "payments".

47. Amend page 89, following line 3, by striking out the balance of the section and inserting:

"Sec. 957. County treasurers shall comply with section 151 of the state school aid act of 1979, 1979 PA 94, MCL 388.1751, to be eligible to receive funds from section 101 for the statutory state general revenue sharing grant payments in excess of the constitutional state general revenue sharing grant payments. The department of education shall notify the state treasurer that all reporting requirements pursuant to section 151 of the state school aid act have been met before county treasurers receive a December statutory state general revenue sharing grant payment. A statutory state general revenue sharing grant payment shall not be made to a county until it has complied with the reporting requirements.

Sec. 958a. Local units of government which receive revenue sharing funds and which distribute property tax statements and/or income tax forms shall not visibly include, as part of the property tax statements or income tax forms external address, the social security number of the recipient and/or recipients.”.

48. Amend page 90, following line 14, by inserting:

“Sec. 959d. (1) The state community policing program is created within the department of treasury. The program shall provide a local community with funds to employ additional police officers and/or to purchase technology and equipment. State grant funds shall provide a portion of the matching funds necessary for local communities to receive funds under the federal community oriented policing services program, pursuant to the violent crime control and law enforcement act of 1994, Public Law 103-322, 108 Stat. 1796. Of the 25% local match required under federal law, the state shall provide 20.5% and the local units of government shall provide 4.5%.

(2) The department shall not award grants for more than 1,666 community policing officers.

(3) If a local law enforcement agency receives federal community oriented policing services grant funding for community oriented police officer hiring, and that law enforcement agency has an ongoing community policing program functioning in that law enforcement agency, reimbursement of the grant matching money under this section for additional community police officers shall receive priority.

(4) In order to use state funds under this section to match federal funds, local units shall receive prior approval of the state grant funds from the department of treasury.

(5) Once agencies receive community oriented policing services grant funding, and additional individuals are hired, they shall receive training for community policing through a Michigan law enforcement officers’ training council approved program.

(6) A local law enforcement agency receiving community oriented policing services grant funding under this section shall not reassign the officers hired under this section during the period covered by the grant.

(7) If a federal community oriented policing services grants audit shows that community oriented policing services grant funding was not used as prescribed, the local law enforcement agency shall reimburse the state for the amount misused.

(8) The unexpended portions of the appropriations in section 101 for grants to local units for community policing shall be considered work project appropriations and any unencumbered funding shall not lapse and shall be available in the succeeding fiscal year.”.

49. Amend page 91, line 6, by striking out all of section 964.

50. Amend page 93, line 8, by striking out all of line 8 and inserting:

“General	0110	\$ 0.0	\$ 8,586.2	\$ 0.6”.
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51. Amend page 93, line 11, by striking out all of line 11 and inserting:

“economic stabilization	0111	1,212.5	96.5	1,309.0”.
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52. Amend page 93, line 12, by striking out all of lines 12 through 14.

53. Amend page 93, line 26, by striking out all of line 26 and inserting:

“School aid	0122	152.2	8,926.0	58.7”.
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54. Amend page 94, line 24, by striking out all of line 24 and inserting:

“TOTALS		\$1,446.6	\$21,072.1	\$1,516.3”.
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55. Amend page 95, line 3, after “from” by inserting “federal and”.

56. Amend page 95, following line 7, by inserting:

**“MISCELLANEOUS”.**

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

A bill to make appropriations for the departments of attorney general, civil rights, civil service, management and budget, state, and treasury, the Michigan biologic products institute, the executive office, and the legislative branch for the fiscal year ending September 30, 1998; to provide for the expenditure of these appropriations; to provide for the funding of certain work projects; to provide for the imposition of certain fees; to establish or continue certain funds, programs, and categories; to prescribe certain requirements for bidding on state contracts; to provide for disposition of year-end balances for the fiscal year ending September 30, 1998; to prescribe the powers and duties of certain principal executive departments and state agencies, officials, and employees; and to provide for the disposition of fees and other income received by the various principal executive departments and state agencies.

Dan L. DeGrow  
 Glenn Steil  
 Alma Wheeler Smith  
 Conferees for the Senate

Lynn Owen  
 Lynne Martinez  
 Conferees for the House

The Speaker announced that under Joint Rule 9 the conference report would lie over one day to fulfill the Journal printing requirements.

Rep. Gagliardi moved pursuant to Joint Rule 9, that the Journal printing requirement be suspended, printed copies of the conference report having been placed on the member's desks.

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

The question being on the adoption of the conference report,

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### Point of Order

Rep. Gustafson requested a ruling of the Chair on whether or not certain sections in SB 170 violate Joint Rule 8 to the extent that they were not points of difference in the versions of SB 170 which passed the House and Senate.

The Chair ruled that Joint Rule 8 was not violated. The items challenged were amended in order to conform those sections to the agreement which had been reached on sections which were a point of difference. These changes are permitted pursuant to Joint Rule 8.

Rep. Bobier appealed the decision of the Chair.

The question being, "Shall the judgment of the Chair stand as the judgment of the House?"

The judgment of the Chair stood as the judgment of the House, a majority of the members present and voting, voting therefor, by yeas and nays, as follows:

#### Roll Call No. 727

#### Yeas—53

Agee	DeHart	Kelly	Quarles
Alley	Dobronski	Kilpatrick	Rison
Anthony	Emerson	LaForge	Schauer
Baade	Frank	Leland	Schermesser
Baird	Freeman	Mans	Schroer
Basham	Gagliardi	Martinez	Scott
Bogardus	Griffin	Mathieu	Stallworth
Brater	Gubow	Olshove	Tesanovich
Brewer	Hale	Owen	Thomas
Brown	Hanley	Palamara	Varga
Callahan	Harder	Price	Vaughn
Cherry	Hertel	Profit	Willard
Ciaramitaro	Hood	Prusi	Wojno
Curtis			

#### Nays—50

Banks	Galloway	Jellema	Middaugh
Birkholz	Geiger	Johnson	Middleton
Bobier	Gernaat	Kaza	Nye
Bodem	Gilmer	Kukuk	Oxender
Brackenridge	Godchaux	Law	Perricone
Byl	Goschka	LeTarte	Raczkowski
Cassis	Green	Llewellyn	Richner
Crissman	Gustafson	London	Rocca
Cropsey	Hammerstrom	Lowe	Scranton
Dalman	Horton	McBryde	Sikkema
DeVuyst	Jansen	McManus	Voorhees
Dobb	Jaye	McNutt	Whyman
Fitzgerald	Jelinek		

In The Chair: Hertel



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

**Roll Call No. 728****Yeas—56**

Agee	DeHart	Kilpatrick	Quarles
Alley	Dobronski	LaForge	Rison
Anthony	Frank	Law	Schauer
Baade	Freeman	Leland	Schermesser
Baird	Gagliardi	Mans	Schroer
Basham	Gilmer	Martinez	Scott
Bogardus	Griffin	Mathieu	Stallworth
Brater	Gubow	Middaugh	Tesanovich
Brewer	Hale	Olshove	Thomas
Brown	Hanley	Owen	Varga
Callahan	Harder	Palamara	Vaughn
Cherry	Hertel	Price	Voorhees
Ciaramitaro	Hood	Profit	Wetters
Curtis	Kelly	Prusi	Wojno

**Nays—45**

Bankes	Galloway	Jelinek	Middleton
Birkholz	Geiger	Jellema	Nye
Bobier	Gernaat	Johnson	Oxender
Bodem	Godchaux	Kaza	Perricone
Brackenridge	Goschka	Kukuk	Raczkowski
Byl	Green	LeTarte	Richner
Cassis	Gustafson	London	Rocca
Cropsey	Hammerstrom	Lowe	Scranton
Dalman	Horton	McBryde	Sikkema
DeVuyst	Jansen	McManus	Whyman
Dobb	Jaye	McNutt	Willard
Fitzgerald			

In The Chair: Hertel

Rep. Gagliardi moved that the bill be given immediate effect.  
The motion prevailed, 2/3 of the members serving voting therefor.

Reps. Jaye and Cropsey, having reserved the right to explain their nay vote, made the following statement:

“Mr. Speaker and members of the House:

No Vote General Government Appropriations Budget Amendments

These amendments failed:

1. Limit all pay increases to 3% for unclassified employees making over \$80,000 per year.
2. The department of attorney general shall notify and get approval the legislature of that decision to negotiate a plea bargain agreement. Before Atty. General decides to negotiate a plea bargain agreement in which a court order, court settlement, or out of court settlement could be in an amount equal to or greater than \$200,000.00.
3. Require the Office of the State Employer to notify the Legislature 60 days before any final approval of any state employee contracts.

4. Remove Grant for Detroit Public Library and redistribute these funds per capita to all libraries including the Detroit Public Library.
5. End the convention facility development fund \$32,000,000 & earmark ½ for universities, and ½ for tax cuts.
6. End the tax increment finance authority & earmark ½ for universities and ½ for tax cuts.
7. Prohibit taxpayer financed travel outside of the U.S. unless personally approved by the Governor.
8. No off budget appropriations or expenditures for items like strategic fund without Legislative approval.
9. Eliminate all affirmative action or preference programs.
10. Prohibit non-civil service employees of the executive, legislative, or judicial branches or their families from being reimbursed for abortion services.
11. Prohibit County, State, local elected employees, officials, or appointees or these groups immediate family members from receiving any gift, job, or any other compensation or campaign contributions from any business or individual applies to, locates in, or who may locate to a renaissance zone.
12. No departmental consolidations or creations of state agencies without legislative approval.
13. Governor shall get legislative approval before any interdepartmental transfers over \$100,00 are approved.
14. Initiate a system of per capita revenue sharing as opposed to a fixed formula plan.

These amendments were deleted by the conference committee:

**Boiler Plate:**

- Deletes Jaye language on gold leaf stationary.
- Deletes Emerson amendment for legislators to receive Medicaid in lieu of health insurance.
- Deletes Kaza requirement that AG develop organized crime task-force.
- Deletes Birkholz competitive bidding for legislature.
- Deletes Wetters language that privatization projects must demonstrate cost savings.
- Deletes Richner legislative approval of lawsuits over \$500,000.
- Deletes Cropsey ban on health insurance for domestic partners.
- Deletes Crissman test norming language.
- Deletes Cropsey government promotional mail ban language.
- Deletes Dobb language on distribution of special census revenue sharing uses Senate.
- Deletes Gustafson prohibition of expenditures to fight term limits.
- Deletes ability for Treasury to bill locals for equalization study.
- Deletes reduction of statutory revenue sharing for additional constitutional revenue sharing.

Reps. McBryde and Bodem, having reserved the right to explain their nay vote, made the following statement:

“Mr. Speaker and members of the House:

I voted “no” on the First Conference Report on the matters of difference concerning SB170, the General Government Budget for several reasons. First, I believe the joint rules on matters of difference between the House and the Senate were violated despite the ruling of the Chair to the contrary, because changes were made in areas where there was no difference between the two versions. If we do not follow the rules in all cases, our integrity begins to erode.

Secondly, an unusually large number of amendments, supported by a bipartisan majority in the House, were omitted by the Conference Committee. Strong House amendments that required the creation of an organized crime task force; that required competitive bidding for contracts for the legislature; that required legislative approval of lawsuits over \$500,000; that banned health insurance for domestic partners; that prohibited state employees assigned to oversee casinos from being employed by casinos in a revolving door situation; and that prohibited that taxpayer dollars be used to fight term limits were all left out.

Because of the importance of the House amendments that were dropped and because of the violation of joint rules, I voted no on this conference report.”

Rep. Kaza, having reserved the right to explain his nay vote, made the following statement:

“Mr. Speaker and members of the House:

The conference committee report before us is bad public policy for the State of Michigan.

A conference committee is established when there are points of difference between House- and Senate-passed versions of legislation. The purpose of the conference committee, which is composed of members of both parties, is to reconcile the differences between both versions. In this instance, Appropriation Committee members serving as conferees have deleted key public policy amendments supported by an overwhelming majority of Michigan citizens.

Every conferee who signed the conference committee report and every legislator who votes “yes” on it today is opening themselves up to criticism that they are ignoring the wishes of the overwhelming majority of Michigan citizens.

The people of Michigan approved term limits by a landslide margin in 1992 despite the opposition of a majority of legislators.

Some of those legislators have been working since then to overturn term limits with a legal challenge.

Language was inserted in this bill to prohibit the expenditure of tax dollars to fund a legal challenge to term limits.

The pro-term limits language was removed in committee by Appropriation Committee members.

A “yes” vote for this conference report is a vote against the term limits approved by the people of Michigan.”

Rep. Cassis, having reserved the right to explain her nay vote, made the following statement:

“Mr. Speaker and members of the House:

The General Government budget represents significant policy removals which I cannot support including competitive bidding for the legislature, deletion of test norming language, special census revenue sharing distribution community policing from the Attorney General, and a ban on health insurance for domestic partners. I also object to the process utilized by the Conference Committee!”

Reps. Birkholz, Dalman, Perricone and Middleton, having reserved the right to explain their nay vote, made the following statement:

“Mr. Speaker and members of the House:

I voted no on SB170 because the Conference Committee failed to follow the process and conference only on points of differences as set forth in the Joint Rules of Legislature.”

Rep. Jansen, having reserved the right to explain his nay vote, made the following statement:

“Mr. Speaker and members of the House:

I voted “NO” on Senate Bill 170 because this bill has removed Republican amendments that would 1) ban health insurance for unmarried domestic partners 2) deletes legislative approval of lawsuits over \$500,000.00 3) deletes norm testing language 4) deletes competitive bidding for the legislature just to mention 4 of the many amendments that have been removed.”

Rep. Goschka, having reserved the right to explain his nay vote, made the following statement:

“Mr. Speaker and members of the House:

I voted ‘No’ on Senate Bill 170 because the conference committee deleted several House amendments which the people of Saginaw County and Michigan support.

A partial list of those amendments stripped off by the conference committee are as follows: the prohibition that no state money would be used to fight term limits for legislators, the prohibition that no health benefits would be used for same-sex partners of legislators or staff, that no more lawsuits would be settled by the state without legislative approval for such settlements as law libraries, athletic facilities and athletic directors for prisoners, and that the \$2 million lawsuit settlement of a civilian against an off-duty Michigan State policeman for shooting up the civilian’s car would be disallowed.

Every one of these amendments were thoughtful and constructive to the debate. They should have remained in the bill because they would have made good law. Mr. Speaker and members, the conference committee took an overall bad bill and made it worse. I cannot in good conscience support it.”

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Rep. Kelly moved that Rep. DeHart be excused temporarily from today’s session.  
The motion prevailed.

### **Senate Bill No. 171, entitled**

A bill to make appropriations for the judicial branch for the fiscal year ending September 30, 1998; to provide for the expenditure of these appropriations; to place certain restrictions on the expenditure of these appropriations; to prescribe the powers and duties of certain officials and employees; to require certain reports; and to provide for the disposition of fees and other income received by the judicial branch.

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

The Conference Report was read as follows:

### **First Conference Report**

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

### **Senate Bill No. 171, entitled**

A bill to make appropriations for the judicial branch for the fiscal year ending September 30, 1998; to provide for the expenditure of these appropriations; to place certain restrictions on the expenditure of these appropriations; to prescribe the powers and duties of certain officials and employees; to require certain reports; and to provide for the disposition of fees and other income received by the judicial branch.

Recommends:

First: That the House recede from the Substitute of the House as passed by the House.

Second: That the Senate and House agree to the Substitute of the Senate as passed by the Senate and to the following amendments:

1. Amend page 1, line 1, by striking out all of section 101 and inserting:

“Sec. 101. There is appropriated for the judicial branch, subject to the conditions set forth in this act, for the fiscal year ending September 30, 1998, the following amounts from the funds identified as follows:

**JUDICIARY**

**APPROPRIATION SUMMARY:**

Full-time equated exempted positions .....	601.0	
GROSS APPROPRIATION .....		\$ 207,428,400
Interdepartmental grant revenues:		
Total interdepartmental grants and intradepartmental transfers .....		2,886,700
ADJUSTED GROSS APPROPRIATION .....		\$ 204,541,700
Total federal revenues .....		889,300
Total local revenues .....		1,869,200
Total private revenues .....		1,115,500
Total other state restricted revenues .....		49,152,000
State general fund/general purpose .....		\$ 151,515,700

**SUPREME COURT**

Full-time equated exempted positions .....	276.0	
Supreme court administration—136.0 FTE positions .....		\$ 15,217,400
State court administrative office—80.0 FTE positions .....		8,614,800
Judicial information systems—21.0 FTE positions .....		2,576,800
Direct trial court automation support—23.0 FTE positions .....		1,869,200
Foster care review board—12.0 FTE positions .....		1,155,400
Community dispute resolution—4.0 FTE positions .....		2,038,700
GROSS APPROPRIATION .....		\$ 31,472,300

Appropriated from:

Interdepartmental grant revenues:

IDG from state police-Michigan justice training fund .....	80,300
IDG from state police-criminal justice improvement .....	1,435,000
IDG from FIA-title IV-D child support program .....	342,200
IDG from FIA-title IV-E foster care program .....	773,200

Federal revenues:

Federal highway safety planning revenue .....	70,000
HHS-court improvement project .....	439,300
DAG-agriculture mediation grant .....	320,000
Federal - special ed. grant .....	60,000

Special revenue funds:

Local revenues:

Local-user fees .....	1,869,200
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Private revenues:

Private .....	418,000
Private-interest on lawyers trust accounts .....	667,500
Private-state justice institute .....	30,000
State court fund .....	302,300
Community dispute resolution fees .....	1,628,700
Law exam fees .....	387,300
Miscellaneous restricted .....	201,000
State general fund/general purpose .....	\$ 22,448,300

**COURT OF APPEALS**

Full-time equated exempted positions .....	245.5	
Court of appeals operations—223.5 FTE positions .....		\$ 17,784,300
Delay reduction—22.0 FTE positions .....		1,500,000
GROSS APPROPRIATION .....		\$ 19,284,300

Appropriated from:

Special revenue funds:

Court filing/motion fees .....	1,514,700
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Miscellaneous revenue .....	75,000
State general fund/general purpose .....	\$ 17,694,600
<b>JUDGES SALARIES</b>	
Supreme court justices—7.0 judges .....	\$ 868,100
Court of appeals judges—28.0 judges .....	3,208,600
District court judges state base salaries—259.0 judges .....	15,283,100
District court judicial salary standardization .....	11,842,500
Probate court judges state base salaries—107.0 judges .....	6,078,200
Probate court judicial salary standardization .....	4,332,800
Circuit court judges state base salaries—210.0 judges .....	13,715,900
Circuit court judicial salary standardization .....	9,228,000
Grant to the OASI contribution fund, employers share, .....	3,518,100
social security	
<b>GROSS APPROPRIATIONS</b> .....	\$ 68,075,300
Appropriated from:	
Court fee fund.....	5,300,000
State general fund/general purpose .....	\$ 62,775,300
<b>JUDICIAL AGENCIES</b>	
Full-time equated exempted positions .....	10.0
Judicial tenure commission—10.0 FTE positions.....	\$ 920,600
Grant to the legislative council for trial court assessment commission .....	279,900
<b>GROSS APPROPRIATION</b> .....	\$ 1,200,500
Appropriated from:	
State general fund/general purpose .....	\$ 1,200,500
<b>INDIGENT DEFENSE-CRIMINAL</b>	
Full-time equated exempted positions .....	69.5
Appellate public defender program—61.5 FTE positions.....	\$ 5,141,700
Appellate assigned counsel administration—8.0 FTE positions .....	789,900
<b>GROSS APPROPRIATION</b> .....	\$ 5,931,600
Appropriated from:	
Interdepartmental grant revenues:	
IDG from state police-Michigan justice training fund.....	256,000
Federal revenues:	
Special revenue funds:	
Miscellaneous revenue .....	75,000
State general fund/general purpose .....	\$ 5,600,600
<b>INDIGENT DEFENSE-CIVIL</b>	
Indigent civil defense.....	\$ 6,026,000
<b>GROSS APPROPRIATION</b> .....	\$ 6,026,000
Appropriated from:	
Special revenue funds:	
State court fund.....	6,026,000
<b>TRIAL COURT OPERATIONS</b>	
Court equity fund reimbursements .....	\$ 57,538,400
Hold harmless fund reimbursements .....	16,000,000
<b>GROSS APPROPRIATIONS</b> .....	\$ 73,538,400
Appropriated from:	
Court equity fund.....	31,742,000
State general fund/general purpose .....	\$ 41,796,400
<b>GRANTS/REIMBURSEMENTS</b>	
Drunk driving caseflow program.....	\$ 1,800,000
<b>GROSS APPROPRIATIONS</b> .....	\$ 1,900,000
Appropriated from:	
Drunk driving fund .....	1,800,000
Drug fund .....	100,000
State general fund/general purpose .....	\$ 0"

2. Amend page 3, line 17, after "at" by striking out "\$197,219,700.00" and inserting "\$200,667,700.00".

3. Amend page 3, line 19, after "at" by striking out "\$103,438,100.00" and inserting "\$105,531,900.00".

4. Amend page 4, line 1, by striking out "55,444,400" and inserting "57,538,400".

5. Amend page 4, line 4, by striking out "11,842,600" and inserting "11,842,500".
6. Amend page 4, line 6, by striking out "4,332,900" and inserting "4,332,800".
7. Amend page 4, line 8, by striking out "103,438,100" and inserting "105,531,900".
8. Amend page 4, line 25, by striking out all of section 203.
9. Amend page 5, following line 10, by inserting:

"Sec. 206. (1) The chief justice of the supreme court shall take all reasonable steps to ensure businesses in deprived and depressed communities compete for and perform contracts to provide services or supplies, or both, for the judicial branch.

(2) The chief justice shall strongly encourage firms with which the courts of this state contract to subcontract with certified businesses in depressed and deprived communities for services or supplies, or both."

10. Amend page 5, line 12, by striking out all of sections 301 and 302 and inserting:

"Sec. 301. (1) The direct trial court automation support program of the state court administrative office shall recover direct and overhead costs from trial courts by charging for services rendered. The fee shall cover the actual costs incurred to the direct trial court automation support program in providing the service. A report of amounts collected in excess of funds identified as user service charges in section 101 shall be submitted to the house and senate appropriations subcommittees on judiciary and general government, respectively, 30 days before expenditure by the direct trial court automation support program.

(2) From funds appropriated in section 101, the direct trial court automation support program of the state court administrative office shall provide to the senate and house appropriations committees and the senate and house fiscal agencies before January 1 of each year, a detailed list of user service charges collected during the immediately preceding state fiscal year."

11. Amend page 7, line 8, by striking out all of sections 308 and 309 and inserting:

"Sec. 308. The supreme court shall continue to implement and enforce an antinepotism policy, which shall include provisions that prohibit a judge from hiring or employing a member of his or her immediate family as a court employee or in any judicial support related capacity.

Sec. 309. The state supreme court and the state court administrative office shall consider and analyze the various methods of providing necessary travel for judges, and shall then adopt as policy for all judicial agencies the most efficient and cost-effective method."

12. Amend page 7, line 23, by striking out all of sections 311, 312, and 313 and inserting:

"Sec. 311. (1) The chief financial officer of a funding unit for a court, in cooperation with the local court, shall provide to the state treasurer and state court administrative office by January 1, 1998 audited accounts of all money due and owing the court as of September 30, 1997. Where audited accounts are not available, the chief financial officer of a funding unit for a court may provide estimates as long as they are clearly marked as "estimated".

(2) Each court funding unit, in cooperation with the local court, shall submit to the state treasurer and state court administrative office by January 1, 1998 a plan to collect its audited or estimated accounts receivable under existing provisions of law. A funding unit may file a request for an extension of time, not to exceed 30 days, with the state treasurer and the state court administrative office.

(3) The state treasurer shall report to the legislature a compilation of the estimated receivables of all courts and cumulative totals by March 1, 1998. This report is a public record.

Sec. 312. (1) From the appropriation in section 101 for supreme court administration, \$190,000.00 is appropriated for changing computer software and hardware to perform properly in the year 2000 and beyond.

(2) The supreme court shall report quarterly to the general government and judiciary subcommittees of the senate and house appropriations committees, the house and senate standing committees having jurisdiction over technology issues, and to the senate and house fiscal agencies, the year-to-date expenditures for implementing this section."

13. Amend page 9, line 21, by striking out all of section 315 and inserting:

"Sec. 315. If legislation is not enacted and effective by October 1, 1997 to increase court of appeals filing and motion fees, the appropriation contained in section 101 for the court of appeals shall be reduced by not more than \$425,000.00, and the FTE positions for the court of appeals shall be reduced by not more than 10."

14. Amend page 9, line 26, after "available" by striking out "in" and inserting "from".

15. Amend page 10, following line 4, by striking out all of section 317 and inserting:

"Sec. 317. Funds appropriated in section 101 for indigent defense shall be used in accordance with terms and conditions of section 1485(11)(b) of the revised judicature act of 1961, 1961 PA 236, MCL 600.1485, including reference to federal prohibitions against providing legal assistance with respect to any proceeding or litigation which seeks to procure an abortion."

16. Amend page 10, following line 4, following section 318, by striking out all of sections 319 and 320 and inserting:

"Sec. 321. The state court administrative office, from funds appropriated in section 101, shall assist the court of appeals and trial courts to meet American bar association model standards on case processing, including the standard that 95% of all civil appellate cases be disposed within 12 months of filing."

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

A bill to make appropriations for the judicial branch for the fiscal year ending September 30, 1998; to provide for the expenditure of these appropriations; to place certain restrictions on the expenditure of these appropriations; to prescribe the powers and duties of certain officials and employees; to require certain reports; and to provide for the disposition of fees and other income received by the judicial branch.

Dan L. DeGrow  
Glenn Steil  
Alma Wheeler Smith  
Conferees for the Senate

Nick Ciaramitaro  
A. T. Frank  
Conferees for the House

The Speaker announced that under Joint Rule 9 the conference report would lie over one day to fulfill the Journal printing requirements.

Rep. Gagliardi moved pursuant to Joint Rule 9, that the Journal printing requirement be suspended, printed copies of the conference report having been placed on the member's desks.

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

The question being on the adoption of the conference report,

Rep. Gagliardi moved that consideration of the bill be postponed temporarily.

The motion prevailed.

### Second Reading of Bills

#### House Bill No. 4905, entitled

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," by amending sections 150, 244, 405, 436, 437, 810, 901, and 2125 (MCL 500.150, 500.244, 500.405, 500.436, 500.437, 500.810, 500.901, and 500.2125), sections 150, 244, 436, and 437 as amended by 1992 PA 182, section 405 as amended by 1994 PA 228, section 810 as amended by 1986 PA 173, and section 901 as amended by 1994 PA 226.

Was read a second time, and the question being on the adoption of the proposed amendment previously recommended by the Committee on Insurance (for amendment, see House Journal No. 58, p. 1342),

The amendment was adopted, a majority of the members serving voting therefor.

Reps. Gubow and Llewellyn moved to substitute (H-1) the bill.

The motion prevailed and the substitute (H-1) was adopted, a majority of the members serving voting therefor.

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

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

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

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

By unanimous consent the House returned to the order of

### Third Reading of Bills

#### House Bill No. 4905, entitled

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," by amending sections 150, 244, 405, 436, 437, 810, 901, and 2125 (MCL 500.150, 500.244, 500.405, 500.436, 500.437, 500.810, 500.901, and 500.2125), sections 150, 244, 436, and 437 as amended by 1992 PA 182, section 405 as amended by 1994 PA 228, section 810 as amended by 1986 PA 173, and section 901 as amended by 1994 PA 226.

Was read a third time and passed, a majority of the members serving voting therefor, by yeas and nays, as follows:

#### Roll Call No. 729

#### Yeas—97

Agee	Fitzgerald	Kaza	Perricone
Anthony	Frank	Kelly	Price
Baade	Freeman	Kilpatrick	Profit
Baird	Gagliardi	Kukuk	Prusi
Bankes	Galloway	LaForge	Quarles

Basham	Geiger	Law	Richner
Birkholz	Gernaat	Leland	Rison
Bobier	Gilmer	LeTarte	Rocca
Bodem	Godchaux	Llewellyn	Schauer
Bogardus	Goschka	London	Schermesser
Brackenridge	Green	Lowe	Schroer
Brater	Gubow	Mans	Scott
Brown	Gustafson	Martinez	Scranton
Byl	Hale	Mathieu	Sikkema
Callahan	Hanley	McBryde	Stallworth
Cassis	Harder	McManus	Tesanovich
Cherry	Hertel	McNutt	Thomas
Ciaramitaro	Hood	Middaugh	Varga
Crissman	Horton	Middleton	Vaughn
Cropsey	Jansen	Nye	Voorhees
Curtis	Jaye	Olshove	Wetters
Dalman	Jelinek	Owen	Whyman
DeVuyst	Jellema	Oxender	Willard
Dobb	Johnson	Palamara	Wojno
Dobronski			

### Nays—0

In The Chair: Hertel

The House agreed to the title of the bill.

Rep. Gagliardi moved that the bill be given immediate effect.

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

### Second Reading of Bills

Pending the second reading of

#### **House Bill No. 4330, entitled**

A bill to license and regulate the conducting of bingo and certain forms of gambling; to provide for the conducting of charity games and numeral games; to impose certain duties and authority upon certain state departments, agencies, and officers; to provide a tax exemption; to provide for remedies and penalties; and to repeal acts and parts of acts.

Rep. Gagliardi moved that the bill be re-referred to the Committee on Regulatory Affairs.

The motion prevailed.

By unanimous consent the House returned to the order of

### Motions and Resolutions

Reps. Raczkowski, Goschka, Cassis, Whyman, Voorhees, Bodem, Horton, McBryde, Perricone, Wojno, Dobronski, Scranton, Kukuk, Kaza, Hammerstrom, Sikkema, Crissman, Llewellyn, McNutt, Rhead, Jansen, Richner, DeVuyst, Lowe, Cropsey, Geiger, Jellema, Gilmer and Rocca offered the following resolution:

#### **House Resolution No. 129.**

A resolution to memorialize the Congress of the United States to return to the states the 4.3 cent federal gas tax currently dedicated to budget reduction and to eliminate federal mandates that are not related to road repair and construction.

Whereas, While Michigan has long had a major stake in the manner in which highways in this country are constructed and maintained, this interest now includes our perspective as a state with significant problems with the conditions of our roads. Michigan's highway network is severely jeopardized by inadequate repair and maintenance in recent years. One of the most important contributors to this deteriorating situation is the disparity between the amount of money Michigan sends to Washington and the amount it receives in return. Our state falls further behind other states under the current system of disbursements from the Highway Trust Fund; and



Whereas, With the completion of the massive interstate highway system, the time is right to adjust the philosophy of how we pay for the repair and maintenance of roads in this country. There is no longer any need for the completely centralized system of funding everything through Washington. The inefficiencies of the extra layer of bureaucracy of collecting money in the states, sending it to the Capital, and awaiting the return of a fraction of the amount are clear; and

Whereas, In addition to the inefficiencies, money funneled through Washington often is accompanied by mandates and requirements far beyond the primary intention for the money. Certainly, the 4.3-cent federal gas tax used for the non-highway purpose of budget reduction is an example of an area where great savings can be realized. The money raised by the gas tax should be used for the purpose the tax was implemented—to repair and maintain the roads. In addition to fixing our crumbling highways, this approach will help restore faith in the integrity of the transportation tax system; now, therefore, be it

Resolved by the House of Representatives, That we memorialize the Congress of the United States to return to the states the 4.3 cent federal gas tax currently dedicated to budget reduction and to eliminate federal mandates that are not related to road repair and construction; and be it further

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

The resolution was referred to the Committee on House Oversight and Ethics.

Reps. Wojno, Freeman, Raczkowski, Kilpatrick, Brown, Callahan, Rocca, Jaye, Frank, Olshove, Kelly, Leland, Hanley, Schauer, Schermesser, DeHart, Tesanovich, Thomas, Cherry, Rison, Quarles, Bogardus, Fitzgerald, Brater, Agee, Hale, Willard, Richner, Kukuk, Ciaramitaro, Mans and LaForge offered the following resolution:

**House Resolution No. 130.**

A resolution to recognize June 14th to July 14th as Flag Month in Michigan.

Whereas, The flag of the United States of America is recognized throughout the world and across the Great State of Michigan as the symbol of freedom and opportunity for all; and

Whereas, The American Flag wherever it flies, projects an image of strength and freedom; and

Whereas, The beauty of the American Flag should be proudly displayed and celebrated more often; and

Whereas, Many lives were lost and much blood was shed in all the wars to date to preserve our freedoms and our system of government under the Constitution and Bill of Rights; and

Whereas, The month between June 14th and July 14th is the appropriate season for the celebration of the American flag. The celebration will begin on Flag Day and continue to include Independence Day; now, therefore, be it

Resolved by the House of Representatives, That the entire State of Michigan shall recognize June 14th to July 14th as Flag Month In Michigan; and be it further

Resolved, That a copy of this resolution be transmitted to organizers of this observance as evidence of our esteem.

Pending the reference of the resolution to a committee,

Rep. Gagliardi moved that Rule 77 be suspended and the resolution be considered at this time.

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

The question being on the adoption of the resolution,

The resolution was adopted, a majority of the members serving voting therefor.

Reps. Profit and Palamara offered the following resolution:

**House Resolution No. 131.**

A resolution to memorialize the Congress of the United States to enact the Transportation Empowerment Act to give the states authority for all transportation not directly under the purview of the federal government.

Whereas, The objectives of the national transportation system were to build a network to promote efficient interstate commerce and to promote the national defense. These goals have been met, as the Interstate system nears completion. To meet these aims, the federal government assumed most responsibility for taxation, spending, planning, and maintenance. A formula of distributing revenues and partnerships with the states was developed to meet these needs; and

Whereas, As our country shifts to a new era in state-federal relations and as we respond to changing transportation challenges, the methods of funding and maintaining transportation must change as well. It is time for a major redesign of authority, taxation, and responsibility with regard to transportation; and

Whereas, The present system of federal taxation and redistribution of funds to the states according to formulas set and administered by Washington includes many inefficiencies. The distribution, review, and enforcement process wastes billions of dollars that would be far better spent on actual projects and maintenance. In addition, federal mandates impose standards and practices that may or may not be applicable in every state. This also wastes enormous sums of money. In many states, including Michigan, the return of federal dollars relative to taxes paid is significantly deficient; and

Whereas, States are better able to determine what needs to be done in their jurisdiction. Local officials are also far more accountable and accessible to citizens and groups who pay the taxes and use the services. This can only promote efficiency and economy; and

Whereas, Congress is considering bills that would revamp the authority for transportation in this country. The Transportation Empowerment Act offers a needed approach by removing the federal government's responsibility from all but a few specific duties for transportation services within the direct purview of the federal government. This legislation includes a substantial revision of funding responsibilities as well; now, therefore, be it

Resolved by the House of Representatives, That we memorialize the Congress of the United States to enact the Transportation Empowerment Act to give the states authority for all transportation not directly under the purview of the federal government; and be it further

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

The resolution was referred to the Committee on Transportation.

Reps. Prusi, Anthony, Tesanovich and Gagliardi offered the following concurrent resolution:

**House Concurrent Resolution No. 54.**

A concurrent resolution to request the United States Army Corps of Engineers to restore and maintain the harbor of refuge at Grand Marais.

Whereas, The harbor at Grand Marais has long been a key contributor to the economic and recreational well-being of Alger County and neighboring communities. The harbor was built through the enactment of federal legislation in 1880 and 1950. Grand Marais is the only harbor of refuge for ninety miles of Lake Superior shoreline, an area with a history of shipwrecks. For many decades, since the time of the great lumber era in this part of the Upper Peninsula, Grand Marais has served the state well as a natural deep water harbor resource made more valuable by engineering; and

Whereas, A key feature of the harbor is the 5,700-foot timber-pile breakwater. This helped to maintain an appropriate depth of the navigation channel for many years. However, over the past forty years, the United States Army Corps of Engineers has effectively abandoned the harbor of refuge at Grand Marais. The timber-pile breakwater is deteriorating, and sand is accumulating and ruining the harbor's usefulness; and

Whereas, Officials, individual citizens, and commercial interests have long sought a recommitment to the harbor by the Army Corps of Engineers. A recent independent evaluation of the harbor has confirmed the dire need to strengthen and reestablish the timber-pile breakwater. The benefits reach far beyond the immediate Grand Marais area and would serve commercial and private vessels alike. To continue to ignore this problem is to abandon a genuine resource for our state. Given the proven value of the harbor over many years, this Grand Marais harbor of refuge must be repaired and maintained; now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That we request the United States Army Corps of Engineers to restore and maintain the harbor of refuge at Grand Marais; and be it further

Resolved, That copies of this resolution be transmitted to the U. S. Army Corps of Engineers.

The concurrent resolution was referred to the Committee on Marine Affairs and Port Development.

### Reports of Select Committees

**House Bill No. 4219, entitled**

A bill to amend 1980 PA 299, entitled "Occupational code," by amending sections 1201, 1204, 1205, 1206, 1207, 1208, 1209, 1210, 1211, 1214, 1217, and 1218 (MCL 339.1201, 339.1204, 339.1205, 339.1206, 339.1207, 339.1208, 339.1209, 339.1210, 339.1211, 339.1214, 339.1217, and 339.1218), sections 1204, 1205, 1207, 1208, 1209, 1211, and 1214 as amended by 1988 PA 463, and by adding sections 1203a and 1203b; and to repeal acts and parts of acts.

(For text of conference report, see House Journal No. 64, p. 1692.)

The Senate has adopted the report of the Committee of Conference.

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

**House Bill No. 4220, entitled**

A bill to amend 1979 PA 152, entitled "State license fee act," by amending section 25 (MCL 338.2225), as amended by 1988 PA 461.

(For text of conference report, see House Journal No. 64, p. 1693.)

The Senate has adopted the report of the Committee of Conference.

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

**House Bill No. 4306, entitled**

A bill to make appropriations for the department of community health and certain state purposes related to mental health, public health, and medical services for the fiscal year ending September 30, 1998; to provide for the expenditure of such appropriations; to create funds; to provide for reports; to prescribe the powers and duties of certain local and state agencies and departments; and to provide for disposition of fees and other income received by the various state agencies.

(For text of conference report, see today's Journal, p. 1713.)

The Senate has adopted the report of the Committee of Conference.

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

**Messages from the Senate****House Concurrent Resolution No. 52.**

A concurrent resolution to express support for a federal disaster declaration for southeastern Michigan for storm damage. The Senate has adopted the concurrent resolution and named Senators Schwarz, Vaughn, Young, DeBeaussaert, Cherry, Hart, Stallings, V. Smith, O'Brien and Conroy as co-sponsors of the concurrent resolution.

The concurrent resolution was referred to the Clerk.

**House Bill No. 4997, entitled**

A bill to amend 1991 PA 179, entitled "Michigan telecommunications act," (MCL 484.2101 to 484.2604) by adding section 376.

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

The House agreed to the full title of the bill.

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

**Announcement by the Clerk of Printing and Enrollment**

The Clerk announced that the following bills had been printed and placed upon the files of the members, Wednesday, July 2:

**Senate Bill Nos.   625   626   627**

**Messages from the Governor**

The following messages from the Governor, approving and signing the following bills at the times designated below, were received and read:

Date: July 6, 1997

Time: 10:15 p.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

**Enrolled House Bill No. 4230 (Public Act No. 57, I.E.), being**

An act to amend 1978 PA 368, entitled "An act to protect and promote the public health; to codify, revise, consolidate, classify, and add to the laws relating to public health; to provide for the prevention and control of diseases and disabilities; to provide for the classification, administration, regulation, financing, and maintenance of personal, environmental, and other health services and activities; to create or continue, and prescribe the powers and duties of, departments, boards, commissions, councils, committees, task forces, and other agencies; to prescribe the powers and duties of governmental entities and officials; to regulate occupations, facilities, and agencies affecting the public health; to regulate health maintenance organizations and certain third party administrators and insurers; to provide for the imposition of a regulatory fee; to promote the efficient and economical delivery of health care services, to provide for the appropriate utilization of health care facilities and services, and to provide for the closure of hospitals or consolidation of hospitals or services; to provide for the collection and use of data and information; to provide for the transfer of property; to provide certain immunity from liability; to regulate and prohibit the sale and offering for sale of drug paraphernalia under certain circumstances; to provide for penalties and remedies; to provide for sanctions for violations of this act and local ordinances; to repeal certain acts and parts of acts; to repeal certain parts of this act; and to repeal certain parts of this act on specific dates," by amending sections 5131, 5205, and 5207 (MCL 333.5131,

333.5205, and 333.5207), section 5131 as amended by 1994 PA 200 and sections 5205 and 5207 as added by 1988 PA 490, and by adding section 5204.

(Filed with the Secretary of State July 7, 1997, at 10:50 a.m.)

Date: July 6, 1997

Time: 10:20 p.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

**Enrolled House Bill No. 4774 (Public Act No. 58, I.E.), being**

An act to amend 1976 PA 451, entitled “An act to provide a system of public instruction and elementary and secondary schools; to revise, consolidate, and clarify the laws relating to elementary and secondary education; to provide for the organization, regulation, and maintenance of schools, school districts, public school academies, and intermediate school districts; to prescribe rights, powers, duties, and privileges of schools, school districts, public school academies, and intermediate school districts; to provide for the regulation of school teachers and certain other school employees; to provide for school elections and to prescribe powers and duties with respect thereto; to provide for the levy and collection of taxes; to provide for the borrowing of money and issuance of bonds and other evidences of indebtedness; to establish a fund and provide for expenditures from that fund; to provide for and prescribe the powers and duties of certain state departments, the state board of education, and certain other boards and officials; to provide for licensure of boarding schools; to prescribe penalties; and to repeal acts and parts of acts,” by amending section 1234 (MCL 380.1234).

(Filed with the Secretary of State July 7, 1997, at 10:52 a.m.)

Date: July 6, 1997

Time: 10:25 p.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

**Enrolled House Bill No. 4117 (Public Act No. 59, I.E.), being**

An act to amend 1975 PA 238, entitled “An act to require the reporting of child abuse and neglect by certain persons; to permit the reporting of child abuse and neglect by all persons; to provide for the protection of children who are abused or neglected; to authorize limited detainment in protective custody; to authorize medical examinations; to prescribe the powers and duties of the state department of social services to prevent child abuse and neglect; to prescribe certain powers and duties of local law enforcement agencies; to safeguard and enhance the welfare of children and preserve family life; to provide for the appointment of legal counsel; to provide for the abrogation of privileged communications; to provide civil and criminal immunity for certain persons; to provide rules of evidence in certain cases; to provide for confidentiality of records; to provide for the expungement of certain records; to prescribe penalties; and to repeal certain acts and parts of acts,” by amending section 8 (MCL 722.628), as amended by 1988 PA 372.

(Filed with the Secretary of State July 7, 1997, at 10:54 a.m.)

Date: July 6, 1997

Time: 10:40 p.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

**Enrolled House Bill No. 4237 (Public Act No. 60, I.E.), being**

An act to amend 1846 RS 14, entitled “Of county officers,” by amending sections 107 and 117 (MCL 55.107 and 55.117), section 107 as amended by 1993 PA 96 and section 117 as amended by 1997 PA 4.

(Filed with the Secretary of State July 7, 1997, at 10:56 a.m.)

Date: July 6, 1997

Time: 10:45 p.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

**Enrolled House Bill No. 4636 (Public Act No. 61, I.E.), being**

An act to amend 1994 PA 451, entitled “An act to protect the environment and natural resources of the state; to codify, revise, consolidate, and classify laws relating to the environment and natural resources of the state; to regulate the discharge of certain substances into the environment; to regulate the use of certain lands, waters, and other natural resources of the state; to prescribe the powers and duties of certain state and local agencies and officials; to provide for certain charges, fees, and assessments; to provide certain appropriations; to prescribe penalties and provide remedies; to repeal certain parts of this act on a specific date; and to repeal certain acts and parts of acts,” by amending section 20129a (MCL 324.20129a), as added by 1995 PA 71.

(Filed with the Secretary of State July 7, 1997, at 10:58 a.m.)

Date: July 6, 1997

Time: 10:50 p.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

**Enrolled House Bill No. 4523 (Public Act No. 62, I.E.), being**

An act to amend 1931 PA 328, entitled “An act to revise, consolidate, codify and add to the statutes relating to crimes; to define crimes and prescribe the penalties therefor; to provide for restitution under certain circumstances; to provide for the competency of evidence at the trial of persons accused of crime; to provide immunity from prosecution for certain witnesses appearing at such trials; and to repeal certain acts and parts of acts inconsistent with or contravening any of the provisions of this act,” (MCL 750.1 to 750.568) by adding section 160a.

(Filed with the Secretary of State July 7, 1997, at 11:00 a.m.)

The following message from the Governor was received July 3, 1997 and read:

**EXECUTIVE ORDER**

No. 1997 - 9

**National Guard Assistance**

WHEREAS, on the evening of July 2, 1997 severe thunderstorms and tornadoes struck southeast Michigan, resulting in widespread and severe damage in the county of Wayne and the city of Detroit; and

WHEREAS, the storms have resulted in several deaths and numerous injuries, widespread power outages, debris in streets, and security problems; and

WHEREAS, the storms have caused severe damage to homes, businesses, and public facilities; and

WHEREAS, I have previously declared a state of disaster to exist in the county of Wayne and the city of Detroit.

NOW, THEREFORE, by virtue of the constitutional authority vested in me as Commander-in-Chief of the military forces of the State of Michigan and pursuant to Section 151 of Act No. 150 of the Public Acts of 1967, the Adjutant General is hereby directed to activate to state service, units and individuals of the Michigan National Guard which in his discretion he deems appropriate to meet general mission assignments as determined by the state director of emergency management, or his authorized representative. Units or individuals called to active state service will terminate at such time as determined by the Adjutant General after consultation with the state director of emergency management or his representative.

FURTHER, the Emergency Management Division of the Department of State Police shall coordinate and maximize all state efforts, including such units and individuals of the Michigan National Guard which may be activated to state service to assist local units of government affected pursuant to the Michigan Emergency Management Plan.

[SEAL]

Given under my hand and the Great Seal of the State of Michigan this 3rd day of July, in the Year of our Lord, One Thousand Nine Hundred Ninety-Seven.

John Engler

Governor

By the Governor:

Candice S. Miller

Secretary of State

The message was referred to the Clerk.

The following message from the Governor was received on July 7, 1997 and read:

**EXECUTIVE ORDER**

No. 1997 - 10

**Crime Victim Services Commission**

**Michigan Department of Management and Budget  
Michigan Department of Community Health**

**Executive Reorganization**

WHEREAS, Article V, Section 1 of the Constitution of the State of Michigan of 1963 vests the executive power in the Governor; and

WHEREAS, Article V, Section 2 of the Constitution of the State of Michigan of 1963 empowers the Governor to make changes in the organization of the executive branch or in the assignment of functions among its units which he considers necessary for efficient administration; and

WHEREAS, Act No. 223 of the Public Acts of 1976, as amended, created the Crime Victims Compensation Board within the Department of Management and Budget; and

WHEREAS, Act No. 196 of 1989, as amended, created the Criminal Assessments Commission within the Department of Management and Budget; and

WHEREAS, Act No. 519 of 1996, being Sections 18.351 et seq. of the Michigan Compiled Laws, renamed the former Crime Victims Compensation Board as the Crime Victim Services Commission, which is the successor agency of the board in all respects and for all purposes; and

WHEREAS, Act No. 520 of 1996, being Sections 780.901 et seq. of the Michigan Compiled Laws, abolished the former Criminal Assessments Commission, and further transferred its powers, duties, and jurisdiction to the Crime Victim Services Commission; and

WHEREAS, management of the Crime Victim Services Commission will be enhanced with increased coordination of efforts, collaboration and communication with other criminal justice related agencies and divisions within the Department of Community Health; and

WHEREAS, the Crime Victim Services Commission is responsible for duties and functions closely related to the duties and functions of divisions within the Michigan Department of Community Health, including, but not limited to, the Office of Drug Control Policy and the Division of Violence, Injury and Surveillance; and

WHEREAS, the Department of Community Health has a role in determining the Medicaid eligibility of applicants, which is a prerequisite for processing a claim for reimbursement for necessary medical expenses under Act No. 519 of 1996 and its constitutional and statutory counterparts; and

WHEREAS, mental health services to children and families provided by the Department of Community Health will serve to assist the counseling needs of crime victims; and

WHEREAS, it is necessary in the interests of efficient administration and effectiveness of government to effect changes in the organization of the Executive Branch of government.

NOW THEREFORE, I, John Engler, Governor of the State of Michigan, pursuant to the powers vested in me by the Constitution of the State of Michigan of 1963 and the laws of the State of Michigan, do hereby order the following:

1. All the statutory authority, powers, duties, functions and responsibilities of the Crime Victim Services Commission set forth in Act No. 519 and Act No. 520 of the Public Acts of 1996, as amended, are hereby transferred from the Department of Management and Budget to the Department of Community Health by a Type II transfer, as defined by Section 3 of Act No. 380 of the Public Acts of 1965, as amended, being Section 16.103 of the Michigan Compiled Laws.

2. The Department of Community Health shall administer the assigned functions in such ways as to promote efficient administration and make internal organizational changes as may be administratively necessary to complete the realignment of responsibilities prescribed by this Order.

3. The Director of the Department of Management and Budget shall immediately initiate coordination with the Director of the Department of Community Health to facilitate the transfer and develop a memorandum of record identifying any pending settlements, issues of compliance with applicable federal and state laws and regulations, and other obligations to be resolved related to the Crime Victim Services Commission or its predecessor Commissions;

4. All records, personnel, property and unexpended balances of appropriations, allocations and other funds used, held, employed, available or to be made available to any entity for the activities, powers, duties, functions and responsibilities transferred to the Department of Community Health by this Order are hereby transferred to the Department of Community Health.

5. The Department of Management and Budget shall determine and authorize the most efficient manner possible for handling the financial transactions and records related to this Order and the state's financial management system for the remainder of the fiscal year.

6. All rules, orders, contracts, declaratory rulings, agreements and other actions relating to the functions transferred to the Department of Community Health by this Order lawfully adopted prior to the effective date of this Order shall continue to be effective until revised, amended or rescinded.

7. Any suit, action or other proceeding lawfully commenced by, against or before the Crime Victim Service Commission, or its predecessors, the Crime Victims Compensation Board or the Criminal Assessments Commission, shall not abate by reason of the taking effect of this Order.

In fulfillment of the requirement of Article V, Section 2, of the Constitution of the State of Michigan of 1963, the provisions of this Executive Order shall become effective sixty (60) days after filing.

[SEAL]

Given under my hand and the Great Seal of the State of Michigan this 7th day of July, in the Year of our Lord, One Thousand Nine Hundred Ninety-Seven.

John Engler

Governor

By the Governor:

Candice S. Miller

Secretary of State

The message was referred to the Clerk.

The following message from the Governor was received July 8, 1997 and read:

EXECUTIVE ORDER  
No. 1997 - 11

**Committee on Juvenile Justice**

**Michigan Family Independence Agency**

**Amendment of Executive Order No. 1993-14**

WHEREAS, on July 27, 1993, the Committee on Juvenile Justice was established by Executive Order 1993-14; and amended by Executive Order 1994-8; and

WHEREAS, it is necessary to further amend Executive Order 1993-14, so that, while the composition of the Committee conforms to the requirements of federal law, it prescribes a size and diversity that makes possible the most effective fulfillment of its mission.

NOW, THEREFORE, I, John Engler, Governor of the State of Michigan, do hereby order that Executive Order 1993-14 be amended to read as follows:

WHEREAS, on May 7, 1976, the Advisory Committee on Juvenile Justice was established by Executive Order 1976-6; and

WHEREAS, on February 6, 1990, the Committee on Juvenile Justice was re-established within the Department of Management and Budget by Executive Order 1990-4; and

WHEREAS, Article V, Section 2, of the Constitution of the State of Michigan of 1963 empowers the Governor to make changes in the organization of the Executive Branch or in the assignment of functions among its units which he considers necessary for efficient administration; and

WHEREAS, Congress enacted the Juvenile Justice and Delinquency Prevention Act of 1974 (the "Act"), being 42 USC 5601 et seq., to provide a comprehensive, coordinated approach to the problems of juvenile delinquency and a funding mechanism for projects and programs intended to reduce and prevent delinquency; and

WHEREAS, the Act makes funds available to participating states to assist in planning, establishing, operating, coordinating and evaluating, either directly or through grants and/or contracts with public or private agencies, projects to improve education, training, research, prevention, diversion, treatment and rehabilitation programs in the area of juvenile justice; and

WHEREAS, Sec. 223(a)(3) of the Act requires that any state receiving money create an advisory group, appointed by the chief executive of the state, in order to advise the state planning agency on juvenile justice and delinquency prevention matters and to advise the state planning agency on the award grants to state and local government and private non-profit agencies and colleges and universities; and

WHEREAS, it is in the interest of the State of Michigan to have the advice of a committee constituted to review and recommend policy in the area of reducing juvenile delinquency and improving the state's system of juvenile justice.

NOW THEREFORE, I, John Engler, Governor of the State of Michigan, pursuant to the powers vested in me by the Constitution of the State of Michigan of 1963 and the laws of the State of Michigan, and Public Law 93-415, do hereby establish the Committee on Juvenile Justice (the "Committee") within the Family Independence Agency (the "Department"), which I hereby designate as the "state agency" responsible to supervise, prepare and administer the comprehensive Juvenile Justice and Delinquency Prevention Plan (the "Plan") required by the Act; and direct that appropriate staff support be provided by the Director thereof.

FURTHERMORE, I do hereby rescind Executive Orders 1976-6 and 1990-4, which rescissions shall be deemed effective as of the date of this Order. All records, property and unexpended balances of appropriations, allocations and other funds used, held, employed, available or to be made available to the Department of Management and Budget Grant Management Division, "The State Planning Agency," are hereby transferred to the Family Independence Agency. Appropriate staff and equipment are hereby transferred from the Department of Management and Budget to the Family Independence Agency.

The Committee on Juvenile Justice shall submit to the Governor and the legislature annual recommendations related to its functions which shall include a report of state compliance with the federal program requirements.

The Committee shall participate in the annual review of the federally required Juvenile Justice and Delinquency Prevention Plan; may review and comment upon all juvenile justice and delinquency prevention grant applications submitted to the state agency; and shall contact and regularly seek comments from juveniles currently under the jurisdiction of the juvenile court system.

The Committee may be delegated a role in monitoring state compliance with federal program requirements.

IT IS FURTHER ORDERED THAT, the Governor shall appoint, with the advice and consent of the Senate, a Committee on Juvenile Justice consisting of twenty-three (23) members. The members of the Committee shall be appointed for terms of three (3) years. The Governor shall designate a chairperson of the Committee. Not more than

fifteen (15) members shall be of the same gender. Not more than twelve (12) members shall be from the same political party. A vacancy on the Committee shall be filled in the same manner as the original appointment. A quorum shall consist of a majority of the members serving.

Members of the Committee on Juvenile Justice appointed shall include representatives of all of the following:

- (a) Local units of government;
- (b) Law Enforcement;
- (c) Probate judges involved in juvenile justice matters;
- (d) Public agencies concerned with the prevention and treatment of juvenile delinquency; and
- (e) Private organizations concerned with the prevention and treatment of juvenile delinquency.

Members of the Committee shall be selected in accordance with the requirements of Sec. 223(a)(3) of the Juvenile Justice and Delinquency Prevention Act of 1974, as amended, being 42 U.S.C. 5633(a)(3). A majority of the Committee members shall not be full-time employees of the federal, state or local government, nor shall the chairperson of the Committee be a full-time employee of the federal, state or local government. One-fifth of the members of the Committee shall be under the age of 24 years of age at the time of appointment. Three (3) members of the Committee shall have been or shall be at the time of appointment under the jurisdiction of the juvenile justice system. Members shall receive no compensation for their services as members and may be reimbursed only for those actual expenses incurred which are reimbursable under the laws, rules and practices of the state.

The Committee shall advise the Department, the Governor and the Legislature annually on matters related to the juvenile justice system in this state.

The provisions of this Executive Order shall become effective upon filing.

[SEAL]

Given under my hand and the Great Seal of the State of Michigan this 8th day of July, in the Year of our Lord, One Thousand Nine Hundred Ninety-Seven.

John Engler

Governor

By the Governor:

Candice S. Miller

Secretary of State

The message was referred to the Clerk.

### Communications from State Officers

The following communication from the Secretary of State was received and read:

#### Notice of Filing Administrative Rules

June 19, 1997

In accordance with the provisions of Section 46(1) of Act 306, Public Acts of 1969, as amended, and Executive Order 1995-6 this is to advise you that the Office of Regulatory Reform, Legal Division filed at 11:55 a.m. this date, administrative rule (97-6-16) for the Michigan Department of Consumer and Industry Services, Director's Office, entitled "*Securities*", effective 15 days hereafter.

Sincerely,

Candice S. Miller

Secretary of State

Helen Kruger, Supervisor

Office of the Great Seal

The communication was referred to the Clerk.

### Introduction of Bills

Reps. Baird, Martinez, Quarles, Baade, Scott, Vaughn, Gire and Brater introduced

#### **House Bill No. 5013, entitled**

A bill to amend 1976 PA 451, entitled "The revised school code," by amending section 1212 (MCL 380.1212), as amended by 1993 PA 312.

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



Reps. Horton, Lowe, McManus, Voorhees, Brackenridge, Dalman, Whyman, Raczkowski, Bodem, Jansen, Green, Goschka, Hammerstrom, McBryde and Kaza introduced

**House Bill No. 5014, entitled**

A bill to amend 1939 PA 280, entitled "The social welfare act," (MCL 400.1 to 400.119b) by adding section 17a. The bill was read a first time by its title and referred to the Committee on Human Services and Children.

Reps. DeHart, Curtis, Bogardus and Schermesser introduced

**House Bill No. 5015, entitled**

A bill to amend 1994 PA 358, entitled "An act to regulate the possession of ferrets; to provide for the licensing of ferrets; to provide for requirements for importation and rabies control procedures for ferrets; to provide for the powers and duties of certain governmental entities; to prescribe penalties and provide remedies; and to repeal acts and parts of acts," by amending section 2 (MCL 287.892).

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

Rep. DeVuyst introduced

**House Bill No. 5016, entitled**

A bill to amend 1953 PA 232, entitled "An act to revise, consolidate, and codify the laws relating to probationers and probation officers, to pardons, reprieves, commutations, and paroles, to the administration of correctional institutions, correctional farms, and probation recovery camps, to prisoner labor and correctional industries, and to the supervision and inspection of local jails and houses of correction; to provide for the siting of correctional facilities; to create a state department of corrections, and to prescribe its powers and duties; to provide for the transfer to and vesting in said department of powers and duties vested by law in certain other state boards, commissions, and officers, and to abolish certain boards, commissions, and offices the powers and duties of which are transferred by this act; to allow for the operation of certain facilities by private entities; to prescribe the powers and duties of certain other state departments and agencies; to provide for the creation of a local lockup advisory board; to prescribe penalties for the violation of the provisions of this act; to make certain appropriations; to repeal certain parts of this act on specific dates; and to repeal all acts and parts of acts inconsistent with the provisions of this act," (MCL 791.201 to 791.283) by adding section 220i.

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

Rep. DeVuyst introduced

**House Bill No. 5017, entitled**

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending sections 520b, 520c, 520d, and 520e (MCL 750.520b, 750.520c, 750.520d, and 750.520e), sections 520b and 520c as amended by 1983 PA 158 and sections 520d and 520e as amended by 1996 PA 155.

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

Reps. Bogardus, Wallace, Hanley, Willard, Vaughn, Martinez, Curtis, Brater, LaForge, Schauer, DeHart, Anthony, Prusi, Kilpatrick, Goschka, Callahan, Kaza, Freeman, Hale, Brewer, Quarles, Cherry, Brown, Law, Walberg, LeTarte and Basham introduced

**House Bill No. 5018, entitled**

A bill to require certain credit reporting agencies to disclose certain information to certain consumers.

The bill was read a first time by its title and referred to the Committee on Consumer Protection.

Reps. Schroer, Brater, LaForge, Mans, Varga, Baird, Bobier, LeTarte and Profit introduced

**House Bill No. 5019, entitled**

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," (MCL 324.101 to 324.90106) by adding part 332.

The bill was read a first time by its title and referred to the Committee on Conservation, Environment and Recreation.

Reps. Schroer, Brater, LaForge, Mans, Varga, Baird, Bobier, LeTarte and Profit introduced

**House Bill No. 5020, entitled**

A bill to amend 1996 PA 199, entitled "Michigan aquaculture development act," by amending section 6 (MCL 286.876) and by adding section 7a.

The bill was read a first time by its title and referred to the Committee on Conservation, Environment and Recreation.

Reps. Raczkowski, Whyman, Goschka, Kelly, Voorhees, Bodem, McBryde, Cassis and Perricone introduced  
**House Bill No. 5021, entitled**

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," by amending sections 520 and 522 (MCL 206.520 and 206.522), section 520 as amended by 1995 PA 245 and section 522 as amended by 1996 PA 484.

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

Reps. Basham, DeHart, Wojno, Gire, Hale, Rocca, Voorhees, Raczkowski, Llewellyn, Goschka, Schermesser, Richner, McBryde, Kelly, Bogardus and Stallworth introduced

**House Bill No. 5022, entitled**

A bill to amend 1982 PA 14, entitled "An act to provide for the reimbursement of expenses incurred by cities in providing medical supplies for or medical treatment or attendance of prisoners in city jails; and to provide civil fines for a violation of this act," by amending the title (MCL 801.301) and by adding sections 2, 3, and 4.

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

Reps. Geiger, Goschka, Scranton, Brackenridge, Stallworth, Bodem and McNutt introduced

**House Bill No. 5023, 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 the department of social services and adoption facilitators; to provide penalties; and to repeal certain acts and parts of acts," by amending section 1 (MCL 722.111), as amended by 1994 PA 205.

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

Reps. Hammerstrom, Voorhees, Bodem, Horton and McNutt introduced

**House Bill No. 5024, entitled**

A bill to create a board and a fund in the department of military and veterans affairs; to provide for grants; to prescribe the powers and duties of the board and certain state officials; and to provide for an appropriation.

The bill was read a first time by its title and referred to the Committee on Senior Citizens and Veterans Affairs.

Reps. Hammerstrom, McBryde, Voorhees, Bodem, Horton and McNutt introduced

**House Bill No. 5025, entitled**

A bill to amend 1975 PA 228, entitled "Single business tax act," (MCL 208.1 to 208.145) by adding section 38e.

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

—

Rep. Gagliardi questioned the presence of a quorum and moved that the roll be called and printed in the Journal. The motion prevailed.

The roll was called and the Clerk announced that a quorum was present.

The following is the roll call:

**Roll Call No. 730**

**Yeas—103**

Agee	Dobb	Jelinek	Perricone
Alley	Dobronski	Jellema	Price
Anthony	Emerson	Johnson	Profit
Baade	Fitzgerald	Kaza	Prusi
Baird	Frank	Kelly	Quarles
Bankes	Freeman	Kilpatrick	Raczkowski
Basham	Gagliardi	Kukuk	Richner
Birkholz	Galloway	LaForge	Rison
Bobier	Geiger	Law	Schauer
Bodem	Gernaat	Leland	Schermesser
Bogardus	Gilmer	LeTarte	Schroer
Brackenridge	Godchaux	Llewellyn	Scott

Brater	Goschka	London	Scranton
Brewer	Green	Lowe	Sikkema
Brown	Griffin	Mans	Stallworth
Byl	Gubow	Martinez	Tesanovich
Callahan	Gustafson	Mathieu	Thomas
Cassis	Hale	McBryde	Varga
Cherry	Hammerstrom	McManus	Vaughn
Ciaramitaro	Hanley	McNutt	Voorhees
Crissman	Harder	Middaugh	Wallace
Cropsey	Hertel	Middleton	Wetters
Curtis	Hood	Nye	Whyman
Dalman	Horton	Olshove	Willard
DeHart	Jansen	Owen	Wojno
DeVuyst	Jaye	Oxender	

In The Chair: Hertel

By unanimous consent the House returned to the order of  
**Notices**

Rep. Bobier moved that the Committee on Transportation be discharged from further consideration of **House Bill No. 4813**.

(For first notice see House Journal No. 64, p. 1698.)

The question being on the motion by Rep. Bobier,

Rep. Bobier moved that consideration of the motion be postponed for the day.

The motion prevailed.

I hereby give notice that on the next legislative session day I will move to discharge the Committee on Conservation, Environment and Recreation from further consideration of **House Bill No. 4854**.

Rep. Kukuk

July 8, 1997

This is to inform you that I have appointed Representative Raymond Basham as Vice Chair of the Advanced Technology and Computer Development Committee. Representative Basham is replacing Representative Brown in this position.

If you have any questions regarding this matter, please don't hesitate to contact my office.

Thank you for your attention to this matter.

Speaker Curtis Hertel

Rep. Gagliardi moved that when the House adjourns today it stand adjourned until Wednesday, July 9, at 12:01 a.m. The motion prevailed.

Rep. Gagliardi moved that the House adjourn. The motion prevailed, the time being 11:59 p.m.

The Speaker declared the House adjourned until Wednesday, July 9, at 12:01 a.m.

MARY KAY SCULLION  
Clerk of the House of Representatives.

