

**No. 57**  
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**REGULAR SESSION OF 1999**

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House Chamber, Lansing, Thursday, June 17, 1999.

10:00 a.m.

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

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

Allen—present	Frank—present	Kuipers—present	Rison—present
Baird—present	Garcia—present	Kukuk—present	Rivet—present
Basham—present	Garza—present	LaForge—present	Rocca—present
Birkholz—present	Geiger—present	LaSata—present	Sanborn—present
Bisbee—present	Gieleghem—present	Law—present	Schauer—present
Bishop—present	Gilbert—present	Lemmons—present	Schermesser—present
Bogardus—present	Godchaux—present	Lockwood—present	Scott—present
Bovin—present	Gosselin—present	Mans—present	Scranton—present
Bradstreet—present	Green—present	Martinez—present	Shackleton—present
Brater—present	Hager—present	Mead—present	Sheltrown—present
Brewer—present	Hale—present	Middaugh—present	Shulman—present
Brown, Bob—present	Hanley—present	Minore—present	Spade—present
Brown, Cameron—present	Hansen—present	Mortimer—present	Stallworth—present
Byl—present	Hardman—present	Neumann—present	Stamas—present
Callahan—present	Hart—present	O’Neil—present	Switalski—present
Cassis—excused	Howell—present	Pappageorge—present	Tabor—present
Caul—present	Jacobs—present	Patterson—present	Tesanovich—present
Cherry—present	Jamnick—present	Perricone—present	Thomas—present
Clark—present	Jansen—present	Pestka—present	Toy—present
Clarke—present	Jelinek—present	Price—present	Vander Roest—present
Daniels—present	Jellema—present	Prusi—present	Van Woerkom—present
DeHart—present	Johnson, Rick—present	Pumford—present	Vaughn—present
Dennis—present	Johnson, Ruth—excused	Quarles—present	Vear—present
DeRossett—present	Julian—present	Raczkowski—present	Voorhees—present
DeVuyst—present	Kelly—present	Reeves—present	Wojno—present
DeWeese—present	Kilpatrick—present	Richardville—present	Woodward—present
Ehardt—present	Koetje—present	Richner—present	Woronchak—present
Faunce—present	Kowall—present		

e/d/s = entered during session

Reverend Jean Snyder, from the Lexington United Methodist Church, offered the following invocation:

“God of all wisdom and truth, You are our hope and our trust. May Your presence be real to us during the session, this day. Strengthen us for victories over temptation, for renewal of our love for You, and one another, and for leadership and service to our beloved state of Michigan. Teach us, Almighty God, to see every question of policy in the light of our faith. Grant us insight to recognize the needs and aspirations of others, and remove our suspicions and misunderstandings, that we may honor all people in Your name. We give You thanks that You have called us into community service and commissioned us to make a difference in the world. With wisdom and understanding, with justice and mercy, with courage and commitment, O God, equip us for the task You set before us. Amen.”

Rep. DeWeese moved that Reps. Cassis and Ruth Johnson be excused from today’s session.  
The motion prevailed.

The Speaker Pro Tempore called Associate Speaker Pro Tempore Scranton to the Chair.

### Messages from the Senate

The Speaker laid before the House

#### House Bill No. 4744, entitled

A bill to amend 1937 PA 94, entitled “Use tax act,” by amending sections 3, 4, and 4h (MCL 205.93, 205.94, and 205.94h), section 3 as amended by 1995 PA 67, section 4 as amended by 1998 PA 491, and section 4h as added by 1986 PA 13, and by adding sections 4o, 4p, 4q, 4r, 4s, 8, and 9a.

(The bill was received from the Senate on June 10, substitute (S-3) concurred in, immediate effect defeated, motion for immediate effect made and postponed temporarily on June 11, see House Journal No. 56, p. 1573.)

The question being on the motion made previously by Rep. Raczkowski,

The motion did not prevail, 2/3 of the members serving not voting therefor, by yeas and nays, as follows:

#### Roll Call No. 757

#### Yeas—55

Allen	Geiger	Kuipers	Rocca
Birkholz	Gilbert	Kukuk	Sanborn
Bisbee	Gosselin	LaSata	Scranton
Bishop	Green	Law	Shackleton
Bradstreet	Hager	Mead	Shulman
Brown, C.	Hart	Middaugh	Stamas
Byl	Howell	Mortimer	Tabor
Caul	Jansen	Pappageorge	Toy
DeRossett	Jelinek	Patterson	Van Woerkom
DeVuyst	Jellema	Perricone	Vander Roest
DeWeese	Johnson, Rick	Pumford	Vear
Ehardt	Julian	Raczkowski	Voorhees
Faunce	Koetje	Richardville	Woronchak
Garcia	Kowall	Richner	

#### Nays—42

Baird	Garza	Lockwood	Rivet
Basham	Gielegem	Martinez	Sheltrown
Bogardus	Hale	Neumann	Spade
Bovin	Hanley	O’Neil	Stallworth
Brater	Hansen	Pestka	Switalski
Brewer	Hardman	Price	Tesanovich
Brown, B.	Jacobs	Prusi	Thomas
Callahan	Jamnick	Quarles	Vaughn

Clark, I.  
Daniels  
Dennis

Kelly  
LaForge  
Lemmons

Reeves  
Rison

Wojno  
Woodward

In The Chair: Scranton

Rep. Raczkowski moved that the bill be given immediate effect.  
The motion prevailed, 2/3 of the members serving voting therefor.  
The bill was referred to the Clerk for enrollment printing and presentation to the Governor.

The Speaker laid before the House

**House Bill No. 4745, entitled**

A bill to amend 1975 PA 228, entitled "Single business tax act," by amending sections 3, 4, 5, 23, 23b, 31, 45a, 49, 71, 77, and 78 (MCL 208.3, 208.4, 208.5, 208.23, 208.23b, 208.31, 208.45a, 208.49, 208.71, 208.77, and 208.78), section 4 as amended by 1995 PA 285, section 5 as amended by 1987 PA 253, sections 23 and 23b as amended by 1998 PA 504, section 31 as amended by 1994 PA 247, section 45a as added by 1995 PA 282, and section 71 as amended by 1984 PA 281, and by adding sections 19, 35a, and 54; and to repeal acts and parts of acts.

(The bill was received from the Senate on June 11, substitute (S-3) concurred in, immediate effect defeated, motion for immediate effect made and postponed temporarily on June 11, see House Journal No. 56, p. 1571.)

The question being on the motion made previously by Rep. Raczkowski,  
The motion prevailed, 2/3 of the members serving voting therefor.  
The bill was referred to the Clerk for enrollment printing and presentation to the Governor.

The Speaker laid before the House

**Senate Bill No. 544, entitled**

A bill to amend 1933 PA 167, entitled "An act to provide for the raising of additional public revenue by prescribing certain specific taxes, fees, and charges to be paid to the state for the privilege of engaging in certain business activities; to provide, incident to the enforcement thereof, for the issuance of licenses to engage in such occupations; to provide for the ascertainment, assessment and collection thereof; to appropriate the proceeds thereof; and to prescribe penalties for violations of the provisions of this act," by amending sections 1, 4a, 4g, 4j, and 4q (MCL 205.51, 205.54a, 205.54g, 205.54j, and 205.54q), section 1 as amended by 1998 PA 451, section 4a as amended by 1998 PA 490, section 4g as amended by 1998 PA 60, section 4j as added by 1985 PA 225, and section 4q as added by 1998 PA 258, and by adding sections 4r, 4s, 4t, 4u, 4v, and 4w.

(The bill was received from the Senate on June 10, Senate substitute (S-4) to House substitute (H-6) concurred in, motion for immediate effect made and postponed temporarily on June 11, see House Journal No. 56, p. 1574.)

The question being on the motion made previously by Rep. Raczkowski,  
Rep. Raczkowski withdrew the motion.

### Second Reading of Bills

**Senate Bill No. 592, entitled**

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 5431 (MCL 333.5431), as amended by 1998 PA 88.

The bill was read a second time.  
Rep. Raczkowski 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. Raczkowski 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. 592, entitled**

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 5431 (MCL 333.5431), as amended by 1998 PA 88.

The bill was read a third time.

The question being on the passage of the bill,

Rep. Raczkowski moved that consideration of the bill be postponed temporarily,  
The motion prevailed.

Associate Speaker Pro Tempore Patterson assumed the Chair.

### Second Reading of Bills

#### House Bill No. 4656, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 16d of chapter XVII (MCL 777.16d), as added by 1998 PA 317.

Was read a second time, and the question being on the adoption of the proposed amendment previously recommended by the Committee on Criminal Law and Corrections (for amendment, see House Journal No. 51, p. 1306),

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

Rep. Julian 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. Raczkowski 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. 4656, entitled

A bill to amend 1931 PA 328, entitled "The code of criminal procedure," by amending section 16d of chapter XVII (MCL 777.16d), as added by 1998 PA 317.

The bill was read a third time.

The question being on the passage of the bill,

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

The motion prevailed.

### Second Reading of Bills

#### Senate Bill No. 546, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," (MCL 750.1 to 750.568) by adding section 90g.

The question being on the adoption of the proposed substitute (H-1) previously recommended by the Committee on Criminal Law and Corrections,

Rep. Bogardus demanded the yeas and nays.

The demand was supported.

The question being on the adoption of the proposed substitute (H-1) previously recommended by the Committee on Criminal Law and Corrections,

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

### Roll Call No. 758

### Yeas—70

Allen	Frank	LaSata	Richner
Basham	Garcia	Law	Rocca
Birkholz	Geiger	Lockwood	Sanborn
Bisbee	Gilbert	Mans	Schermesser
Bishop	Gosselin	Mead	Shackleton
Bovin	Green	Middaugh	Sheltrown
Bradstreet	Hager	Mortimer	Shulman
Brown, B.	Hart	Neumann	Spade
Brown, C.	Howell	O'Neil	Stamas

Byl	Jansen	Pappageorge	Tabor
Callahan	Jelinek	Patterson	Toy
Caul	Jellema	Perricone	Van Woerkom
DeHart	Johnson, Rick	Pestka	Vander Roest
DeRossett	Julian	Pumford	Vear
DeVuyst	Koetje	Rackowski	Voorhees
DeWeese	Kowall	Reeves	Wojno
Ehardt	Kuipers	Richardville	Woronchak
Faunce	Kukuk		

**Nays—32**

Baird	Garza	LaForge	Scott
Bogardus	Godchaux	Lemmons	Scranton
Brater	Hale	Martinez	Stallworth
Cherry	Hanley	Minore	Switalski
Clark, I.	Hansen	Price	Tesanovich
Clarke, H.	Hardman	Prusi	Thomas
Daniels	Jacobs	Quarles	Vaughn
Dennis	Jamnick	Schauer	Woodward

In The Chair: Patterson

Reps. Baird and Jacobs moved to amend the bill as follows:

1. Amend page 2, following line 22, by inserting:

“(6) THIS SECTION DOES NOT PROHIBIT THE PERFORMANCE OF A LEGALLY RECOGNIZED MEDICAL PROCEDURE THAT IS NOT PROHIBITED BY SUBSECTION (3).” and renumbering the remaining subsection.

The question being on the adoption of the amendment offered by Reps. Baird and Jacobs,

Rep. Baird demanded the yeas and nays.

The demand was supported.

The question being on the adoption of the amendment offered by Reps. Baird and Jacobs,

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

**Roll Call No. 759****Yeas—38**

Baird	Garza	LaForge	Schermesser
Bogardus	Gielegem	Lemmons	Scott
Brater	Godchaux	Martinez	Scranton
Brewer	Hale	Minore	Stallworth
Cherry	Hanley	Price	Switalski
Clark, I.	Hansen	Prusi	Tesanovich
Clarke, H.	Hardman	Quarles	Thomas
Daniels	Jacobs	Rison	Vaughn
DeHart	Jamnick	Schauer	Woodward
Dennis	Kilpatrick		

**Nays—70**

Allen	Garcia	LaSata	Richner
Basham	Geiger	Law	Rivet
Birkholz	Gilbert	Lockwood	Rocca
Bisbee	Gosselin	Mans	Sanborn
Bishop	Green	Mead	Shackleton
Bovin	Hager	Middaugh	Sheltrown

Bradstreet	Hart	Mortimer	Shulman
Brown, B.	Howell	Neumann	Spade
Brown, C.	Jansen	O'Neil	Stamas
Byl	Jelinek	Pappageorge	Tabor
Callahan	Jellema	Patterson	Toy
Caul	Johnson, Rick	Perricone	Van Woerkom
DeRossett	Julian	Pestka	Vander Roest
DeVuyst	Kelly	Pumford	Vear
DeWeese	Koetje	Raczkowski	Voorhees
Ehardt	Kowall	Reeves	Wojno
Faunce	Kuipers	Richardville	Woronchak
Frank	Kukuk		

In The Chair: Patterson

Reps. Baird and Jacobs moved to amend the bill as follows:

1. Amend page 2, following line 22, by inserting:

“(6) THIS SECTION DOES NOT PROHIBIT THE PERFORMANCE OF AN OTHERWISE LEGAL ABORTION.”  
and renumbering the remaining subsection.

The question being on the adoption of the amendment offered by Reps. Baird and Jacobs,

Rep. Jacobs demanded the yeas and nays.

The demand was supported.

The question being on the adoption of the amendment offered by Reps. Baird and Jacobs,

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

**Roll Call No. 760**

**Yeas—38**

Baird	Garza	LaForge	Schermesser
Bogardus	Gielegem	Lemmons	Scott
Brater	Godchaux	Martinez	Scranton
Brewer	Hale	Minore	Stallworth
Cherry	Hanley	Price	Switalski
Clark, I.	Hansen	Prusi	Tesanovich
Clarke, H.	Hardman	Quarles	Thomas
Daniels	Jacobs	Rison	Vaughn
DeHart	Jamnack	Schauer	Woodward
Dennis	Kilpatrick		

**Nays—69**

Allen	Garcia	Kukuk	Richner
Basham	Geiger	LaSata	Rivet
Birkholz	Gilbert	Law	Rocca
Bisbee	Gosselin	Lockwood	Sanborn
Bishop	Green	Mans	Shackleton
Bovin	Hager	Mead	Sheltrown
Bradstreet	Hart	Middaugh	Shulman
Brown, B.	Howell	Mortimer	Spade
Brown, C.	Jansen	Neumann	Stamas
Byl	Jelinek	O'Neil	Tabor
Callahan	Jellema	Pappageorge	Toy
Caul	Johnson, Rick	Patterson	Van Woerkom
DeRossett	Julian	Perricone	Vander Roest
DeVuyst	Kelly	Pestka	Vear
DeWeese	Koetje	Pumford	Voorhees

Ehardt  
Faunce  
Frank

Kowall  
Kuipers

Raczkowski  
Richardville

Wojno  
Woronchak

In The Chair: Patterson

Reps. Baird and Jacobs moved to amend the bill as follows:

1. Amend page 2, line 15, after "MOTHER" by inserting "OR TO PRESERVE THE MOTHER'S HEALTH, OR BOTH,".

The question being on the adoption of the amendment offered by Reps. Baird and Jacobs,

Rep. Baird demanded the yeas and nays.

The demand was supported.

The question being on the adoption of the amendment offered by Reps. Baird and Jacobs,

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

**Roll Call No. 761**

**Yeas—38**

Baird	Garza	LaForge	Schermesser
Bogardus	Gielegem	Lockwood	Scott
Brater	Godchaux	Martinez	Scranton
Brewer	Hale	Minore	Stallworth
Cherry	Hanley	Price	Switalski
Clark, I.	Hansen	Prusi	Tesanovich
Clarke, H.	Hardman	Quarles	Thomas
Daniels	Jacobs	Rison	Vaughn
DeHart	Jamnick	Schauer	Woodward
Dennis	Kilpatrick		

**Nays—68**

Allen	Frank	Kuipers	Richner
Basham	Garcia	Kukuk	Rivet
Birkholz	Geiger	LaSata	Rocca
Bisbee	Gilbert	Law	Sanborn
Bishop	Gosselin	Mans	Shackleton
Bovin	Green	Mead	Sheltrown
Bradstreet	Hager	Middaugh	Shulman
Brown, B.	Hart	Mortimer	Spade
Brown, C.	Howell	Neumann	Stamas
Byl	Jansen	O'Neil	Tabor
Callahan	Jelinek	Pappageorge	Toy
Caul	Jellema	Patterson	Van Woerkom
DeRossett	Johnson, Rick	Perricone	Vander Roest
DeVuyst	Julian	Pestka	Vear
DeWeese	Kelly	Pumford	Voorhees
Ehardt	Koetje	Raczkowski	Wojno
Faunce	Kowall	Richardville	Woronchak

In The Chair: Patterson

Rep. LaForge moved that Rep. Kelly be excused temporarily from today's session.  
The motion prevailed.

Reps. Baird and Jacobs moved to amend the bill as follows:

1. Amend page 2, line 24, after "A" by inserting "VIABLE".
2. Amend page 3, following line 12, by inserting:

"(E) "VIABLE" MEANS THAT A HUMAN FETUS, IN THE REASONABLE MEDICAL JUDGMENT OF A PHYSICIAN, CAN SURVIVE OUTSIDE THE UTERUS."

The question being on the adoption of the amendments offered by Reps. Baird and Jacobs,

Rep. Baird demanded the yeas and nays.

The demand was supported.

The question being on the adoption of the amendments offered by Reps. Baird and Jacobs,

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

### Roll Call No. 762

### Yeas—38

Baird	Garza	LaForge	Schermesser
Bogardus	Gielegem	Lemmons	Scott
Brater	Godchaux	Martinez	Scranton
Brewer	Hale	Minore	Stallworth
Cherry	Hanley	Price	Switalski
Clark, I.	Hansen	Prusi	Tesanovich
Clarke, H.	Hardman	Quarles	Thomas
Daniels	Jacobs	Rison	Vaughn
DeHart	Jamnick	Schauer	Woodward
Dennis	Kilpatrick		

### Nays—69

Allen	Garcia	LaSata	Richner
Basham	Geiger	Law	Rivet
Birkholz	Gilbert	Lockwood	Rocca
Bisbee	Gosselin	Mans	Sanborn
Bishop	Green	Mead	Shackleton
Bovin	Hager	Middaugh	Sheltrown
Bradstreet	Hart	Mortimer	Shulman
Brown, B.	Howell	Neumann	Spade
Brown, C.	Jansen	O'Neil	Stamas
Byl	Jelinek	Pappageorge	Tabor
Callahan	Jellema	Patterson	Toy
Caul	Johnson, Rick	Perricone	Van Woerkom
DeRossett	Julian	Pestka	Vander Roest
DeVuyst	Koetje	Pumford	Vear
DeWeese	Kowall	Rackowski	Voorhees
Ehardt	Kuipers	Reeves	Wojno
Faunce	Kukuk	Richardville	Woronchak
Frank			

In The Chair: Patterson

Rep. Martinez moved to amend the bill as follows:

1. Amend page 2, line 26, after "HAS" by striking out the balance of the line through "(iii)" on line 3 of page 3.

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

Rep. Martinez demanded the yeas and nays.

The demand was supported.

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

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



**Roll Call No. 763****Yeas—36**

Baird	Garza	Kilpatrick	Schauer
Bogardus	Gielegem	LaForge	Scott
Brater	Godchaux	Lemmons	Scranton
Brewer	Hale	Martinez	Stallworth
Cherry	Hanley	Minore	Switalski
Clark, I.	Hansen	Price	Tesanovich
Clarke, H.	Hardman	Prusi	Thomas
Daniels	Jacobs	Quarles	Vaughn
Dennis	Jamnick	Rison	Woodward

**Nays—71**

Allen	Frank	LaSata	Rivet
Basham	Garcia	Law	Rocca
Birkholz	Geiger	Lockwood	Sanborn
Bisbee	Gilbert	Mans	Schermesser
Bishop	Gosselin	Mead	Shackleton
Bovin	Green	Middaugh	Sheltrown
Bradstreet	Hager	Mortimer	Shulman
Brown, B.	Hart	Neumann	Spade
Brown, C.	Howell	O'Neil	Stamas
Byl	Jansen	Pappageorge	Tabor
Callahan	Jelinek	Patterson	Toy
Caul	Jellema	Perricone	Van Woerkom
DeHart	Johnson, Rick	Pestka	Vander Roest
DeRossett	Julian	Pumford	Vear
DeVuyst	Koetje	Raczkowski	Voorhees
DeWeese	Kowall	Reeves	Wojno
Ehardt	Kuipers	Richardville	Woronchak
Faunce	Kukuk	Richner	

In The Chair: Patterson

Rep. Julian moved to amend the bill as follows:

1. Amend page 2, line 15, after "MEDICAL" by striking out "JUDGEMENT" and inserting "JUDGMENT".  
The motion prevailed and the amendment was adopted, a majority of the members serving voting therefor.

Rep. Julian moved to amend the bill as follows:

1. Amend page 2, line 18, by striking out all of subsection (5) and inserting:  
“(5) SUBSECTION (3) DOES NOT APPLY TO AN ACTION TAKEN BY THE MOTHER. HOWEVER, THIS SUBSECTION DOES NOT EXEMPT THE MOTHER FROM ANY OTHER PROVISION OF LAW.”.

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

Rep. Baird demanded the yeas and nays.

The demand was supported.

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

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

**Roll Call No. 764****Yeas—70**

Allen	Garcia	Law	Rivet
Basham	Geiger	Lockwood	Rocca
Birkholz	Gilbert	Mans	Sanborn
Bisbee	Gosselin	Mead	Schermesser

Bishop	Green	Middaugh	Shackleton
Bovin	Hager	Mortimer	Sheltrown
Bradstreet	Hart	Neumann	Shulman
Brown, B.	Howell	O'Neil	Spade
Brown, C.	Jansen	Pappageorge	Stamas
Byl	Jelinek	Patterson	Tabor
Callahan	Jellema	Perricone	Toy
Caul	Johnson, Rick	Pestka	Van Woerkom
DeRossett	Julian	Pumford	Vander Roest
DeVuyst	Koetje	Raczkowski	Vear
DeWeese	Kowall	Reeves	Voorhees
Ehardt	Kuipers	Richardville	Wojno
Faunce	Kukuk	Richner	Woronchak
Frank	LaSata		

**Nays—34**

Baird	Dennis	Jamnick	Schauer
Bogardus	Garza	LaForge	Scott
Brater	Gielegem	Lemmons	Scranton
Brewer	Godchaux	Martinez	Stallworth
Cherry	Hale	Price	Switalski
Clark, I.	Hanley	Prusi	Thomas
Clarke, H.	Hansen	Quarles	Vaughn
Daniels	Hardman	Rison	Woodward
DeHart	Jacobs		

In The Chair: Patterson

Rep. Baird moved to amend the bill as follows:

1. Amend page 1, line 2, after "AS" by striking out the balance of the line and inserting "AN UNCONSTITUTIONAL ACT TO PROHIBIT ALL LEGAL ABORTIONS."

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

Rep. Baird demanded the yeas and nays.

The demand was supported.

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

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

**Roll Call No. 765****Yeas—34**

Baird	Gielegem	Lemmons	Scott
Bogardus	Godchaux	Martinez	Scranton
Brater	Hale	Minore	Stallworth
Brewer	Hanley	Price	Switalski
Cherry	Hansen	Prusi	Tesanovich
Clark, I.	Hardman	Quarles	Thomas
Daniels	Jacobs	Rison	Vaughn
Dennis	Jamnick	Schauer	Woodward
Garza	LaForge		

**Nays—71**

Allen	Frank	LaSata	Rivet
Basham	Garcia	Law	Rocca

Birkholz	Geiger	Lockwood	Sanborn
Bisbee	Gilbert	Mans	Schermesser
Bishop	Gosselin	Mead	Shackleton
Bovin	Green	Middaugh	Sheltrown
Bradstreet	Hager	Mortimer	Shulman
Brown, B.	Hart	Neumann	Spade
Brown, C.	Howell	O'Neil	Stamas
Byl	Jansen	Pappageorge	Tabor
Callahan	Jelinek	Patterson	Toy
Caul	Jellema	Perricone	Van Woerkom
Clarke, H.	Johnson, Rick	Pestka	Vander Roest
DeRossett	Julian	Pumford	Vear
DeVuyst	Koetje	Raczkowski	Voorhees
DeWeese	Kowall	Reeves	Wojno
Ehardt	Kuipers	Richardville	Woronchak
Faunce	Kukuk	Richner	

In The Chair: Patterson

Rep. Vear moved that Rep. Ehardt be excused temporarily from today's session.  
The motion prevailed.

Rep. Brater moved to amend the bill as follows:

1. Amend page 2, line 18, after "Mother." by striking out the balance of the subsection.

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

Rep. Brater demanded the yeas and nays.

The demand was supported.

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

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

### Roll Call No. 766

### Yeas—37

Baird	Garza	LaForge	Schermesser
Bogardus	Gielegem	Lemmons	Scott
Brater	Godchaux	Martinez	Scranton
Brewer	Hale	Minore	Stallworth
Cherry	Hanley	Price	Switalski
Clark, I.	Hansen	Prusi	Tesanovich
Clarke, H.	Hardman	Quarles	Thomas
Daniels	Jacobs	Rison	Vaughn
DeHart	Jamnick	Schauer	Woodward
Dennis			

### Nays—68

Allen	Garcia	LaSata	Richner
Basham	Geiger	Law	Rivet
Birkholz	Gilbert	Lockwood	Rocca
Bisbee	Gosselin	Mans	Sanborn
Bishop	Green	Mead	Shackleton
Bovin	Hager	Middaugh	Sheltrown

Bradstreet	Hart	Mortimer	Shulman
Brown, B.	Howell	Neumann	Spade
Brown, C.	Jansen	O'Neil	Stamas
Byl	Jelinek	Pappageorge	Tabor
Callahan	Jellema	Patterson	Toy
Caul	Johnson, Rick	Perricone	Van Woerkom
DeRossett	Julian	Pestka	Vander Roest
DeVuyst	Koetje	Pumford	Vear
DeWeese	Kowall	Raczkowski	Voorhees
Faunce	Kuipers	Reeves	Wojno
Frank	Kukuk	Richardville	Woronchak

In The Chair: Patterson

Rep. Raczkowski 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. Raczkowski moved that the bill be placed on its immediate passage.  
The motion prevailed, a majority of the members serving voting therefor.

—————

Rep. Scott moved that Rep. Tesanovich be excused temporarily from today's session.  
The motion prevailed.

Associate Speaker Pro Tem Scranton resumed the Chair.

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

**Senate Bill No. 546, entitled**

A bill to amend 1931 PA 328, entitled "The Michigan penal code," (MCL 750.1 to 750.568) by adding section 90g.  
Was read a third time and passed, a majority of the members serving voting therefor, by yeas and nays, as follows:

**Roll Call No. 767**

**Yeas—70**

Allen	Garcia	Law	Rivet
Basham	Geiger	Lockwood	Rocca
Birkholz	Gilbert	Mans	Sanborn
Bisbee	Gosselin	Mead	Schermesser
Bishop	Green	Middaugh	Shackleton
Bovin	Hager	Mortimer	Sheltrown
Bradstreet	Hart	Neumann	Shulman
Brown, B.	Howell	O'Neil	Spade
Brown, C.	Jansen	Pappageorge	Stamas
Byl	Jelinek	Patterson	Tabor
Callahan	Jellema	Perricone	Toy
Caul	Johnson, Rick	Pestka	Van Woerkom
DeRossett	Julian	Pumford	Vander Roest
DeVuyst	Koetje	Raczkowski	Vear
DeWeese	Kowall	Reeves	Voorhees
Ehardt	Kuipers	Richardville	Wojno
Faunce	Kukuk	Richner	Woronchak
Frank	LaSata		

## Nays—37

Baird	Garza	Kilpatrick	Schauer
Bogardus	Gielegem	LaForge	Scott
Brater	Godchaux	Lemmons	Scranton
Brewer	Hale	Martinez	Stallworth
Cherry	Hanley	Minore	Switalski
Clark, I.	Hansen	Price	Tesanovich
Clarke, H.	Hardman	Prusi	Thomas
Daniels	Jacobs	Quarles	Vaughn
DeHart	Jamnick	Rison	Woodward
Dennis			

In The Chair: Scranton

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

“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.”.

The House agreed to the full title.

Rep. Scranton, having reserved the right to explain her protest against the passage of the bill, made the following statement:

“Mr. Speaker and members of the House:

SB 546 is patently unconstitutional. Because this bill intentionally subverts a woman’s constitutional rights and shows a complete and hypocritical disregard for the legality of a medical procedure - I vote No. Clever, semantic smoke and mirror tricks should not be allowed to replace legal rights or to abrogate constitutional principals.

As responsible legislators we should craft policy and laws that prevent tragedy and not punish unavoidable consequences. We should hold firm to the principle that an ounce of prevention is better than a pound of cure. If all focused our time, energy, and funds on birth control and education, this debate would be moot.

This is my statement as made to the members of the House:

I have a statement to make before we vote on this piece of legislation. We all know that this is a bill that will be litigated. We, the legislature, are taking tax dollars to pay for the AG - at this time an amount we don’t know. When the state loses this court case, and lose it will, we will also have to pay for the opposition costs. Last time this issue was litigated and lost by the state, we wrote a check for \$150,000 to the ACLU. Assuming for the AG, \$50,000, that’s \$200,000 that could be used for contraception instead of litigation. The one thing we can all agree on is that only pregnant woman have abortions to prevent further tragedies in their lives. Contraception prevents these tragedies and prevents abortion. A vote for this bill, and its subsequent expenditures, is a vote to continue the tragedies of abortion. Those who vote to spend on lawyers and court costs and vote not to support abstinence and contraception are legislators who vote for abortion. I say to you - shame on you.”

Reps. Brater, Scott, Quarles and Woodward, having reserved the right to explain their protest against the passage of the bill, made the following statement:

“Mr. Speaker and members of the House:

I voted ‘no’ on Senate Bill 546 because it is unconstitutional.

Senate Bill 546 is unconstitutionally vague and over broad for the following reasons: 1) It does not specify what medical or non-medical procedures are prohibited under it; 2) the bill does not define viable/non-viable fetuses, in fact, the definition of ‘live infant’ used in this bill is very broad and would include fetuses in the first and second trimesters. Additionally, the bill does not provide the constitutional exception of allowing abortions to protect the health of the mother, the bill only provides ‘to save the life of the mother if every reasonable precaution is taken to save the ‘live infant’s’ life’. This bill is not a bill to prohibit ‘late term’ or ‘partial birth’ abortions, it will prohibit and place a substantial obstacle and undue burden on a woman’s right to abortions within the first and second trimesters. I supported four amendments to make this bill more constitutionally palatable by defining the term viable fetus, making an exception to preserve the mother’s health (not life) and to not otherwise prohibit a legal abortion or medical

procedure to procure a legal abortion. By making this a maximum life sentence imprisonment coupled with the vagueness in the bill, it could ban abortions making criminals out of doctors who perform safe and otherwise legal abortions here. This is an inappropriate intrusion into the practice of medicine and these medical decisions should be left up to the mother and her physician. By outlawing safe abortions on non-viable fetuses, which is currently a safe procedure performed in a controlled, sterile environment, the bill will once again force women to seek 'back alley' abortions at greater risk to women's health and lives.

House Bill 4656 is the companion bill which places the life imprisonment sentence within Michigan's sentencing guidelines."

Rep. Bogardus, having reserved the right to explain her protest against the passage of the bill, made the following statement:

"Mr. Speaker and members of the House:

I voted no on SB 546 because it is unconstitutional. It provides no provision to save the health of women. It could prevent fetal surgery because it is so vague doctors could be prosecuted if the fetus died. It also could cause women who seek abortions to be criminally prosecuted."

Rep. Jacobs, having reserved the right to explain her protest against the passage of the bill, made the following statement:

"Mr. Speaker and members of the House:

This legislation is not about protecting infants. It is about turning back the clock. It is about turning back the clock to before *Roe vs. Wade* when women were forced to go to back rooms for illegal abortions. It is about women dying from infections. It's about women becoming permanently sterilized from improper care. It's about making women and their doctors criminals. It's about disenfranchising women. Why? Because it will create such a chilling effect on doctors who will now face criminal charges that they will no longer perform legal abortions. Women will by, de facto, lose access to safe and legal abortions.

Since I joined this August body, we have seen the systematic disenfranchisement of many people in our state. First we disenfranchised the voters of the City of Detroit when we took over the Detroit Schools. Next this chamber voted not to extend the opportunity to poor people to register to vote when they were fingerprinted to receive food stamps. (By the way, we did discover that this is standard operating procedure by the FIA, so they already do the 'right thing'.)

Recently, we disenfranchised all the college students in Michigan so that the Republican candidate for congress could get a political edge. And today we are taking away the power of women to decide for themselves what is best for them.

This is about disempowering and disenfranchising our sisters, our nieces, our cousins, our wives, our mothers. It is about government making decisions for women that should only be made by women with their families, their doctors, their clergy.

This is about more government in our lives, not less. I can't think of a greater local control issue than the one before us today.

This bill is ironically named the 'Infant Protection Act'. Isn't it odd that this bill went through the Criminal Law and Corrections Committee instead of Health Policy—only proof that its intention is to intimidate, not protect. Ladies and gentleman, if we truly want to decrease unintended pregnancies, then we must step up our efforts through education and family planning—not attempting to criminalize women and their doctors.

All of us come from different backgrounds, cultures, and religions. Each of our religions differ as to when 'life' begins. This legislation serves the theology of some people, not all the people of Michigan. Let us be careful that the theology and moral philosophy of some do not oppress the rights of others. Thank you."

Rep. Gielegem, 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:

I voted 'no' on Senate Bill 546 because it is unconstitutional.

Senate Bill 546 is unconstitutionally vague and over broad for the following reasons: 1) It does not specify what medical or non-medical procedures are prohibited under it; 2) the bill does not define viable/non-viable fetuses, in fact, the definition of 'live infant' used in this bill is very broad and would include fetuses in the first and second trimesters. Additionally, the bill does not provide the constitutional exception of allowing abortions to protect the health of the mother, the bill only provides 'to save the life of the mother if every reasonable precaution is taken to save the 'live infant's' life'. This bill is not a bill to prohibit 'late term' or 'partial birth' abortions, it will prohibit and place a substantial obstacle and undue burden on a woman's right to abortions within the first and second trimesters. I supported four amendments to make this bill more constitutionally palatable by defining the term viable fetus, making an exception to preserve the mother's health (not life) and to not otherwise prohibit a legal abortion or medical procedure to procure a legal abortion. By making this a maximum life sentence imprisonment coupled with the

vagueness in the bill, it could ban abortions making criminals out of doctors who perform safe and otherwise legal abortions here. This is an inappropriate intrusion into the practice of medicine and these medical decisions should be left up to the mother and her physician.

House Bill 4656 is the companion bill which places the life imprisonment sentence within Michigan's sentencing guidelines."

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

The question being on the motion made by Rep. Raczkowski,

Rep. Godchaux demanded the yeas and nays.

The demand was supported.

The question being on the motion made by Rep. Raczkowski,

The motion did not prevail, 2/3 of the members serving not voting therefor, by yeas and nays, as follows:

**Roll Call No. 768**

**Yeas—68**

Allen	Frank	Kukuk	Richner
Basham	Garcia	LaSata	Rivet
Birkholz	Geiger	Law	Rocca
Bisbee	Gilbert	Lockwood	Sanborn
Bishop	Gosselin	Mans	Shackleton
Bovin	Green	Mead	Sheltrown
Bradstreet	Hager	Middaugh	Shulman
Brown, B.	Hart	Mortimer	Spade
Brown, C.	Howell	Neumann	Stamas
Byl	Jansen	O'Neil	Tabor
Callahan	Jelinek	Pappageorge	Toy
Caul	Jellema	Patterson	Van Woerkom
DeRossett	Johnson, Rick	Perricone	Vander Roest
DeVuyst	Julian	Pestka	Vear
DeWeese	Koetje	Pumford	Voorhees
Ehardt	Kowall	Raczkowski	Wojno
Faunce	Kuipers	Richardville	Woronchak

**Nays—37**

Baird	Garza	LaForge	Schermesser
Bogardus	Gielegem	Lemmons	Scott
Brater	Godchaux	Martinez	Scranton
Brewer	Hale	Minore	Stallworth
Cherry	Hanley	Price	Switalski
Clark, I.	Hansen	Prusi	Tesanovich
Clarke, H.	Hardman	Quarles	Thomas
Daniels	Jacobs	Rison	Vaughn
DeHart	Jamnick	Schauer	Woodward
Dennis			

In The Chair: Scranton

By unanimous consent the House returned to the order of

**Messages from the Senate**

The Speaker laid before the House

**House Bill No. 4733, entitled**

A bill to amend 1996 PA 376, entitled "Michigan renaissance zone act," by amending the title and sections 3, 4, 5, 6, and 8 (MCL 125.2683, 125.2684, 125.2685, 125.2686, and 125.2688) and by adding sections 8a and 8b.

(The bill was received from the Senate on June 10, with concurrence in the House amendment to Senate substitute (S-2), immediate effect defeated, motion for immediate effect made and postponed temporarily on June 10, see House Journal No. 55, p. 1562.)

The question being on the motion made previously by Rep. Raczkowski,

Rep. Kilpatrick demanded the yeas and nays.

The demand was supported.

The question being on the motion made previously by Rep. Raczkowski,

The motion did not prevail, 2/3 of the members serving not voting therefor, by yeas and nays, as follows:

**Roll Call No. 769****Yeas—57**

Allen	Gilbert	Kuipers	Richner
Birkholz	Godchaux	Kukuk	Rocca
Bisbee	Gosselin	LaSata	Sanborn
Bishop	Green	Law	Scranton
Bradstreet	Hager	Mead	Shackleton
Brown, C.	Hart	Middaugh	Shulman
Caul	Howell	Mortimer	Stamas
DeRossett	Jansen	Neumann	Tabor
DeVuyst	Jelinek	Pappageorge	Toy
DeWeese	Jellema	Patterson	Van Woerkom
Ehardt	Johnson, Rick	Perricone	Vander Roest
Faunce	Julian	Pumford	Vear
Frank	Koetje	Raczkowski	Voorhees
Garcia	Kowall	Richardville	Woronchak
Geiger			

**Nays—39**

Basham	Daniels	LaForge	Schermesser
Bogardus	DeHart	Lemmons	Scott
Bovin	Garza	Lockwood	Spade
Brater	Gielegem	O'Neil	Switalski
Brewer	Hale	Price	Tesanovich
Brown, B.	Hanley	Prusi	Thomas
Callahan	Hansen	Quarles	Vaughn
Cherry	Hardman	Reeves	Wojno
Clark, I.	Jacobs	Rison	Woodward
Clarke, H.	Kilpatrick	Rivet	

In The Chair: Scranton

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

The question being on the motion made by Rep. Raczkowski,

Rep. Raczkowski moved that consideration of the motion be postponed temporarily.

The motion prevailed.

**Second Reading of Bills****Senate Bill No. 625, entitled**

A bill to amend 1996 PA 376, entitled "Michigan renaissance zone act," by amending sections 4, 6, 8, and 10 (MCL 125.2684, 125.2686, 125.2688, and 125.2690), section 10 as amended by 1999 PA 36.



Was read a second time, and the question being on the adoption of the proposed substitute (H-2) previously recommended by the Committee on Economic Development,

The substitute (H-2) was adopted, a majority of the members serving voting therefor.

Rep. Garcia moved to amend the bill as follows:

1. Amend page 3, line 25, after “ZONE” by inserting “UNTIL 2017”.

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

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

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

Rep. Switalski moved that Rep. Baird be excused temporarily from today’s session.

The motion prevailed.

Rep. Raczkowski moved that Rep. Perricone be excused temporarily from today’s session.

The motion prevailed.

Rep. Jacobs moved that Reps. Hanley and Kilpatrick be excused temporarily from today’s session.

The motion prevailed.

By unanimous consent the House returned to the order of

### Third Reading of Bills

#### Senate Bill No. 625, entitled

A bill to amend 1996 PA 376, entitled “Michigan renaissance zone act,” by amending sections 4, 6, 8, and 10 (MCL 125.2684, 125.2686, 125.2688, and 125.2690), section 10 as amended by 1999 PA 36.

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

#### Roll Call No. 770

#### Yeas—96

Allen	Garcia	Kukuk	Rivet
Basham	Garza	LaSata	Rocca
Birkholz	Geiger	Law	Sanborn
Bisbee	Gielegghem	Lemmons	Schauer
Bishop	Gilbert	Lockwood	Schermesser
Bogardus	Godchaux	Mans	Scott
Bovin	Gosselin	Martinez	Scranton
Brewer	Green	Mead	Shackleton
Brown, B.	Hager	Middaugh	Sheltrown
Brown, C.	Hale	Minore	Shulman
Byl	Hansen	Mortimer	Spade
Callahan	Hardman	Neumann	Stamas
Caul	Hart	O’Neil	Switalski
Cherry	Howell	Pappageorge	Tabor
Clark, I.	Jacobs	Patterson	Thomas
Clarke, H.	Jamnack	Pestka	Toy
Daniels	Jansen	Price	Van Woerkom
Dennis	Jelinek	Pumford	Vander Roest
DeRossett	Jellema	Quarles	Vaughn
DeVuyst	Johnson, Rick	Raczkowski	Vear
DeWeese	Julian	Reeves	Voorhees
Ehardt	Koetje	Richardville	Wojno
Faunce	Kowall	Richner	Woodward
Frank	Kuipers	Rison	Woronchak

**Nays—6**Bradstreet  
BraterDeHart  
LaForge

Prusi

Tesanovich

In The Chair: Scranton

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

“An act to create certain renaissance zones; to foster economic opportunities in this state; to facilitate economic development; to stimulate industrial, commercial, and residential improvements; to prevent physical and infrastructure deterioration of geographic areas in this state; to authorize expenditures; to provide exemptions and credits from certain taxes; to create certain obligations of this state and local governmental units; to require disclosure of certain transactions and gifts; to provide for appropriations; and to prescribe the powers and duties of certain state and local departments, agencies, and officials.”

The House agreed to the full title.

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

The question being on the motion made by Rep. Raczkowski,

Rep. Jacobs demanded the yeas and nays.

The demand was supported.

The question being on the motion made by Rep. Raczkowski,

The motion did not prevail, 2/3 of the members serving not voting therefor, by yeas and nays, as follows:

**Roll Call No. 771****Yeas—62**Allen  
Birkholz  
Bisbee  
Bishop  
Bradstreet  
Brewer  
Brown, C.  
Byl  
Caul  
DeRossett  
DeVuyst  
DeWeese  
Ehardt  
Faunce  
Frank  
GarciaGeiger  
Gilbert  
Godchaux  
Gosselin  
Green  
Hager  
Hart  
Howell  
Jansen  
Jelinek  
Jellema  
Johnson, Rick  
Julian  
Koetje  
Kowall  
KuipersKukuk  
LaSata  
Law  
Mans  
Mead  
Middaugh  
Mortimer  
Neumann  
Pappageorge  
Patterson  
Pumford  
Raczkowski  
Richardville  
Richner  
RoccaSanborn  
Schauer  
Scranton  
Shackleton  
Sheltrown  
Shulman  
Spade  
Stamas  
Tabor  
Toy  
Van Woerkom  
Vander Roest  
Vear  
Voorhees  
Woronchak**Nays—32**Basham  
Bogardus  
Bovin  
Brater  
Brown, B.  
Callahan  
Clark, I.  
Clarke, H.Daniels  
DeHart  
Dennis  
Garza  
Gielegem  
Hale  
Hansen  
HardmanJacobs  
LaForge  
Lemmons  
Price  
Prusi  
Quarles  
Reeves  
RisonSchermesser  
Scott  
Stallworth  
Switalski  
Tesanovich  
Vaughn  
Wojno  
Woodward

In The Chair: Scranton

Rep. Raczkowski moved that the bill be given immediate effect.  
The question being on the motion by Rep. Raczkowski,

Rep. Raczkowski moved that consideration of the motion be postponed temporarily.  
The motion prevailed.

The House returned to the consideration of  
**House Bill No. 4656, entitled**

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 16d of chapter XVII (MCL 777.16d), as added by 1998 PA 317.

(The bill was considered earlier today, see today's journal, p. 1582.)

The question being on the passage of the bill,

The bill was then passed, a majority of the members serving voting therefor, by yeas and nays, as follows:

**Roll Call No. 772****Yeas—67**

Allen	Garcia	LaSata	Rocca
Basham	Geiger	Law	Sanborn
Birkholz	Gilbert	Lockwood	Schermesser
Bisbee	Gosselin	Mans	Shackleton
Bishop	Green	Mead	Sheltrown
Bovin	Hager	Middaugh	Shulman
Bradstreet	Hart	Neumann	Spade
Brown, B.	Howell	O'Neil	Stamas
Brown, C.	Jansen	Pappageorge	Tabor
Byl	Jelinek	Patterson	Toy
Caul	Jellema	Pestka	Van Woerkom
DeRossett	Johnson, Rick	Pumford	Vander Roest
DeVuyst	Julian	Raczkowski	Vear
DeWeese	Koetje	Reeves	Voorhees
Ehardt	Kowall	Richardville	Wojno
Faunce	Kuipers	Richner	Woronchak
Frank	Kukuk	Rivet	

**Nays—37**

Baird	Garza	Kilpatrick	Schauer
Bogardus	Gielegem	LaForge	Scott
Brater	Godchaux	Lemmons	Scranton
Brewer	Hale	Martinez	Stallworth
Cherry	Hanley	Minore	Switalski
Clark, I.	Hansen	Price	Tesanovich
Clarke, H.	Hardman	Prusi	Thomas
Daniels	Jacobs	Quarles	Vaughn
DeHart	Jamnick	Rison	Woodward
Dennis			

In The Chair: Scranton

The House agreed to the title of the bill.

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

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

The House returned to the consideration of  
**Senate Bill No. 592, entitled**

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 5431 (MCL 333.5431), as amended by 1998 PA 88.

(The bill was considered earlier today, see today's journal, p. 1581.)

The question being on the passage of the bill,

The bill was then passed, a majority of the members serving voting therefor, by yeas and nays, as follows:

**Roll Call No. 773**

**Yeas—101**

Allen	Frank	Kuipers	Richner
Baird	Garcia	Kukuk	Rivet
Basham	Garza	LaForge	Rocca
Birkholz	Geiger	LaSata	Sanborn
Bisbee	Gielegem	Law	Schauer
Bishop	Gilbert	Lemmons	Schermesser
Bogardus	Godchaux	Lockwood	Scott
Bovin	Gosselin	Mans	Scranton
Brater	Green	Martinez	Shackleton
Brewer	Hager	Mead	Shulman
Brown, B.	Hale	Middaugh	Spade
Brown, C.	Hansen	Minore	Stallworth
Byl	Hardman	Mortimer	Stamas
Callahan	Hart	Neumann	Switalski
Caul	Howell	O'Neil	Tabor
Cherry	Jacobs	Pappageorge	Tesanovich
Clark, I.	Jamnick	Patterson	Thomas
Clarke, H.	Jansen	Pestka	Toy
Daniels	Jelinek	Price	Van Woerkom
DeHart	Jellema	Prusi	Vander Roest
Dennis	Johnson, Rick	Pumford	Vear
DeRossett	Julian	Quarles	Voorhees
DeVuyst	Kilpatrick	Rackowski	Wojno
DeWeese	Koetje	Reeves	Woodward
Ehardt	Kowall	Richardville	Woronchak
Faunce			

**Nays—3**

Bradstreet	Sheltrown	Vaughn
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In The Chair: Scranton

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

"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 the implementation of federal law; 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.”.

The House agreed to the full title.

Rep. Raczkowski 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

### Messages from the Senate

The Speaker laid before the House

#### House Bill No. 4471, entitled

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” by amending sections 3104, 3109a, 3119, 30101, 30104, 30105, 30109, 32312, 32501, and 32513 (MCL 324.3104, 324.3109a, 324.3119, 324.30101, 324.30104, 324.30105, 324.30109, 324.32312, 324.32501, and 324.32513), section 3104 as amended by 1995 PA 169, section 3109a as added by 1995 PA 70, sections 30101 and 32501 as added by 1995 PA 59, section 30104 as amended by 1996 PA 97, sections 30105 and 30109 as amended by 1995 PA 171, section 32312 as amended by 1995 PA 168, and section 32513 as amended by 1995 PA 170.

(The bill was received from the Senate on June 9, with substitute (S-1), title amendment and immediate effect given by the Senate, consideration of which, under the rules, was postponed until June 10, see House Journal No. 54, p. 1434; amendment offered and bill postponed temporarily on June 10, see House Journal No. 55, p. 1518.)

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

Rep. DeVuyst withdrew the amendment.

The question being on concurring in 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. 774

#### Yeas—101

Allen	Frank	Kukuk	Rocca
Baird	Garcia	LaSata	Sanborn
Basham	Garza	Law	Schauer
Birkholz	Geiger	Lemmons	Schermesser
Bisbee	Gielegem	Lockwood	Scott
Bishop	Gilbert	Mans	Scranton
Bogardus	Godchaux	Martinez	Shackleton
Bovin	Gosselin	Mead	Sheltrown
Bradstreet	Green	Middaugh	Shulman
Brater	Hager	Minore	Spade
Brewer	Hale	Mortimer	Stallworth
Brown, B.	Hansen	Neumann	Stamas
Brown, C.	Hardman	O’Neil	Switalski
Byl	Howell	Pappageorge	Tabor
Callahan	Jacobs	Patterson	Tesanovich
Caul	Jamnack	Pestka	Thomas
Cherry	Jansen	Price	Toy
Clark, I.	Jelinek	Prusi	Van Woerkom
Clarke, H.	Jellema	Pumford	Vander Roest
Daniels	Johnson, Rick	Quarles	Vaughn
DeHart	Julian	Raczkowski	Vear
DeRossett	Kelly	Reeves	Voorhees
DeVuyst	Koetje	Richardville	Wojno
DeWeese	Kowall	Richner	Woodward
Ehardt	Kuipers	Rivet	Woronchak
Faunce			

**Nays—0**

In The Chair: Scranton

The House agreed to the title as amended.

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

The House returned to the consideration of

**House Bill No. 4733, entitled**

A bill to amend 1996 PA 376, entitled "Michigan renaissance zone act," by amending the title and sections 3, 4, 5, 6, and 8 (MCL 125.2683, 125.2684, 125.2685, 125.2686, and 125.2688) and by adding sections 8a and 8b.

(The bill was considered earlier today, see today's journal, p. 1593.)

The question being on the motion made previously by Rep. Raczkowski that **House Bill No. 4733** be given immediate effect,

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

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

**Third Reading of Bills**

The question being on the motion made previously by Rep. Raczkowski that **Senate Bill No. 625** 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

**Messages from the Senate**

The Speaker laid before the House

**House Bill No. 4065, entitled**

A bill to make appropriations for the department of career development and certain other state purposes for the fiscal year ending September 30, 2000; to provide for the expenditure of the appropriations; and to provide for the disposition of fees and other income received by the state agencies.

(The bill was received from the Senate on June 10, with substitute (S-1), title amendment and immediate effect given by the Senate, consideration of which, under the rules, was postponed until June 17, see House Journal No. 55, p. 1561.)

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

Rep. Baird moved to amend the Senate substitute (S-1) as follows:

1. Amend page 29, following line 2, by inserting:

"Sec. 412. (1) From funds appropriated in section 103 for clean Michigan initiative fund-pollution prevention activities, the department of environmental quality shall make grants to implement a children's health pollution prevention initiative. The grants described in this subsection shall be made for the following voluntary, cooperative projects:

(a) Up to \$50,000.00 for a pilot work project to demonstrate the cost-effectiveness of methods to assist businesses and municipalities in reducing emissions of air pollutants known or suspected by the department or the United States environmental protection agency of inducing childhood cancer, birth defects, or developmental effects in children. The selected work project shall demonstrate the potential for reductions from air emissions sources within 1/4 mile of schools, day care centers, and residences.

(b) Up to \$50,000.00 for grants to assist businesses in reducing the use of metals known or suspected of causing health effects in children, including but not limited to lead, chromium, and cadmium.

(c) Up to \$25,000.00 for grants to reduce the concentrations of drinking water contaminants known or suspected of causing illness in children, including but not limited to E. coli from animal waste, septic waste, and fertilizer runoff, and microorganisms that may result from anthropogenic sources.

(2) The department of environmental quality shall issue a request for proposals for each of the categories of funding described in subsection (1) by September 1, 1999, specifying the information required to complete applications and a 10% match requirement for all applicants."

2. Amend page 29, following line 2, by inserting:

"Sec. 413. Not later than September 30, 1999, the department shall provide to the legislature a report containing the following information to assist with development of future pollution prevention appropriations:

(a) An estimate of the type and volume of air and water emissions of substances known or suspected by the department and the United States environmental protection agency of affecting the development of children released in this state during 1997 and 1998.

(b) A description of the relative contribution by percentage of the principal sources of the emissions described in subdivision (a) by category, including municipal incinerators and wastewater treatment plants, industrial facilities, and others. For industrial facilities, the department shall provide an estimate of the relative contribution of individual industry sectors.

(c) An assessment of the potential for reduction in emissions described in this section that can be accomplished through funding of voluntary pollution prevention projects from the clean Michigan initiative or other state sources.”.

The question being on the adoption of the amendments offered by Rep. Baird,

Rep. Baird demanded the yeas and nays.

The demand was supported.

The question being on the adoption of the amendments offered by Rep. Baird,

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

**Roll Call No. 775**

**Yeas—49**

Baird	Dennis	Lockwood	Schermesser
Basham	Frank	Martinez	Scott
Bogardus	Garza	Minore	Shackleton
Bovin	Gielegem	Neumann	Sheltrown
Brater	Hale	O’Neil	Spade
Brewer	Hansen	Pestka	Stallworth
Brown, B.	Hardman	Prusi	Switalski
Callahan	Jacobs	Quarles	Tesanovich
Cherry	Jamnick	Reeves	Thomas
Clark, I.	Kelly	Rison	Vaughn
Clarke, H.	LaForge	Rivet	Wojno
Daniels	Lemmons	Schauer	Woodward
DeHart			

**Nays—58**

Allen	Godchaux	Kuipers	Richardville
Birkholz	Gosselin	Kukuk	Richner
Bisbee	Green	LaSata	Rocca
Bishop	Hager	Law	Sanborn
Bradstreet	Hanley	Mans	Scranton
Brown, C.	Hart	Mead	Shulman
Byl	Howell	Middaugh	Stamas
Caul	Jansen	Mortimer	Tabor
DeRossett	Jelinek	Pappageorge	Toy
DeVuyst	Jellema	Patterson	Van Woerkom
DeWeese	Johnson, Rick	Perricone	Vander Roest
Faunce	Julian	Price	Vear
Garcia	Kilpatrick	Pumford	Voorhees
Geiger	Koetje	Rackowski	Woronchak
Gilbert	Kowall		

In The Chair: Scranton

Rep. Brater moved to amend the Senate substitute (S-1) as follows:

1. Amend page 29, following line 2, by inserting:

“Sec. 412. In promulgating rules for the clean water fund pursuant to section 8808 of the natural resources and environmental protection act, 1994 PA 451, MCL 324.8808, the department shall specify in the rules that funding for ambient water quality monitoring programs shall not exceed \$10,000,000.00. The department shall provide the legislature with a list of specific projects to be funded from the clean water fund as part of their request for appropriations from the fund.”.

The question being on the adoption of the amendment offered by Rep. Brater, Rep. Brater demanded the yeas and nays.

The demand was supported.

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

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

**Roll Call No. 776****Yeas—44**

Baird	Daniels	Kelly	Rison
Basham	DeHart	LaForge	Schauer
Bogardus	Dennis	Lemmons	Schermesser
Bovin	Frank	Lockwood	Scott
Brater	Garza	Martinez	Sheltrown
Brewer	Gielegem	Minore	Stallworth
Brown, B.	Hale	Neumann	Switalski
Callahan	Hansen	Pestka	Thomas
Cherry	Hardman	Prusi	Vaughn
Clark, I.	Jacobs	Quarles	Wojno
Clarke, H.	Jamnick	Reeves	Woodward

**Nays—62**

Allen	Godchaux	Kukuk	Rivet
Birkholz	Gosselin	LaSata	Rocca
Bisbee	Green	Law	Sanborn
Bishop	Hager	Mans	Scranton
Bradstreet	Hanley	Mead	Shackleton
Brown, C.	Hart	Middaugh	Shulman
Byl	Howell	Mortimer	Spade
Caul	Jansen	O'Neil	Stamas
DeRossett	Jelinek	Pappageorge	Tabor
DeVuyst	Jellema	Patterson	Toy
DeWeese	Johnson, Rick	Perricone	Van Woerkom
Ehardt	Julian	Pumford	Vander Roest
Faunce	Kilpatrick	Rackowski	Vear
Garcia	Koetje	Richardville	Voorhees
Geiger	Kowall	Richner	Woronchak
Gilbert	Kuipers		

In The Chair: Scranton

Rep. Brater moved to amend the Senate substitute (S-1) as follows:

1. Amend page 29, following line 2, by inserting:

“Sec. 412. Not less than \$2,000,000.00 of the funds appropriated in section 103 for clean Michigan initiative fund - pollution prevention activities shall be used for grants to support voluntary, cooperative projects as follows:

(a) Not less than \$1,000,000.00 shall be made available to implement the state energy bank recommended in the April 1996 final report of the department of environmental quality mercury pollution prevention task force. The department shall offer zero-interest loans to assist local governments, school districts, and other public agencies to conduct energy efficiency audits of public buildings that analyze the potential for reduced electric demand, lowered electricity bills, and reduced emissions of mercury and other pollutants resulting from electricity generation. The



department may work cooperatively with other state agencies to implement this program, and may develop other financial mechanisms to support energy-related capital improvements for public buildings that reduce emissions resulting from electricity generation.

(b) Not less than \$1,000,000.00 shall be made available for projects involving municipalities, hospitals, nonprofit organizations, and businesses to reduce or eliminate the use and release of mercury and the emission of dioxin compounds. Eligible expenditures shall include those which support 1 or more of the following:

(i) Equipment needed to separate prior to incineration, or recycle, mercury-bearing materials and plastics that are precursors to dioxin formation when incinerated.

(ii) Costs of replacing mercury-containing equipment with mercury-free substitutes.

(iii) Technical assistance to identify sources of, and safe alternatives to, mercury equipment and plastics that are precursors to dioxin formation when incinerated.

(iv) Development and dissemination to municipalities, hospitals, nonprofit organizations, and businesses of a list of the safe alternatives identified in subparagraph (iii).

(v) Other expenditures which can be demonstrated to result in reduced mercury and dioxin emissions through pollution prevention projects as that term is defined in section 14501 of the natural resources and environmental protection act, 1994 PA 451, MCL 324.14501.”

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

Rep. Brater demanded the yeas and nays.

The demand was supported.

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

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

**Roll Call No. 777**

**Yeas—44**

Baird	Daniels	Kelly	Schauer
Basham	DeHart	LaForge	Schermesser
Bogardus	Dennis	Lemmons	Scott
Bovin	Frank	Lockwood	Shackleton
Brater	Garza	Martinez	Sheltrown
Brewer	Gielegem	Minore	Spade
Brown, B.	Hale	Pestka	Stallworth
Callahan	Hansen	Prusi	Switalski
Cherry	Hardman	Quarles	Vaughn
Clark, I.	Jacobs	Reeves	Wojno
Clarke, H.	Jamnick	Rivet	Woodward

**Nays—57**

Allen	Godchaux	Kukuk	Richardville
Birkholz	Gosselin	LaSata	Richner
Bisbee	Green	Law	Rocca
Bishop	Hager	Mans	Sanborn
Bradstreet	Howell	Mead	Scranton
Brown, C.	Jansen	Middaugh	Shulman
Byl	Jelinek	Mortimer	Stamas
Caul	Jellema	O’Neil	Tabor
DeVuyst	Johnson, Rick	Pappageorge	Toy
DeWeese	Julian	Patterson	Van Woerkom
Ehardt	Kilpatrick	Perricone	Vander Roest
Faunce	Koetje	Price	Vear
Garcia	Kowall	Pumford	Voorhees
Geiger	Kuipers	Rackowski	Woronchak
Gilbert			

Rep. Brater moved to amend the Senate substitute (S-1) as follows:

1. Amend page 10, line 15, after "Sec. 405." by striking out "The" and inserting "Subject to section 405a, the".
2. Amend page 14, following line 3, by inserting:

"Sec. 405a. (1) From the funds appropriated in section 103 for the environmental cleanup and redevelopment program, not more than \$25,000,000.00 shall be used to remediate the following contaminated sites:

- (a) G & H Landfill, Macomb County
- (b) Total Petroleum, Mt. Pleasant
- (c) Saginaw River and Saginaw Bay
- (d) GMPT, Bay City
- (e) D & B Buildings, Buchanan
- (f) Grand Trunk Western Railroad, Battle Creek
- (g) Portage Creek, Kalamazoo River, Kalamazoo
- (h) Ionia City Landfill, Ionia
- (i) Bofors Nobel, Inc., Muskegon
- (j) Rose Township dump, Oakland County
- (k) Bay City Middlegrounds, Bay City
- (l) Kuhlman Electric, Bay City
- (m) MDOT Boardman Yard, Traverse City
- (n) Green Bay Paint sludge, Menominee
- (o) State Prison of Southern Michigan, Jackson
- (p) Auto Specialties, St. Joseph
- (q) Village of Douglas, Douglas
- (r) Scott-Fetzor Plant, Bronson
- (s) Bruce Products Corporation, Howell
- (t) Florida Gas, Laurium
- (u) Cannelton Industries, Sault Ste. Marie
- (v) Abitibi-Price, Alpena
- (w) Lake State Railway, Alpena
- (x) Marathon Oil Production, Muskegon
- (y) Arkona Road Landfill, Milan".

The question being on the adoption of the amendments offered by Rep. Brater,

Rep. Brater demanded the yeas and nays.

The demand was supported.

The question being on the adoption of the amendments offered by Rep. Brater,

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

#### Roll Call No. 778

#### Yeas—46

Baird	Frank	Martinez	Schermesser
Basham	Garza	Minore	Scott
Bogardus	Gielegem	Neumann	Shackleton
Brater	Hale	Pestka	Stallworth
Brown, B.	Hansen	Prusi	Switalski
Callahan	Hardman	Quarles	Tesanovich
Caul	Jacobs	Reeves	Thomas
Cherry	Jamnick	Rison	Van Woerkom
Clarke, H.	Kelly	Rivet	Vaughn
Daniels	LaForge	Rocca	Wojno
DeHart	Lemmons	Schauer	Woodward
Dennis	Lockwood		

#### Nays—60

Allen	Gilbert	Kowall	Rackowski
Birkholz	Godchaux	Kuipers	Richardville
Bisbee	Gosselin	Kukuk	Richner
Bishop	Green	LaSata	Sanborn

Bovin	Hager	Law	Scranton
Bradstreet	Hanley	Mans	Sheltrown
Brown, C.	Hart	Mead	Shulman
Byl	Howell	Middaugh	Spade
DeRossett	Jansen	Mortimer	Stamas
DeVuyst	Jelinek	O'Neil	Tabor
DeWeese	Jellema	Pappageorge	Toy
Ehardt	Johnson, Rick	Patterson	Vander Roest
Faunce	Julian	Perricone	Vear
Garcia	Kilpatrick	Price	Voorhees
Geiger	Koetje	Pumford	Woronchak

In The Chair: Scranton

Rep. Callahan moved to amend the Senate substitute (S-1) as follows:

1. Amend page 29, following line 2, by inserting:

“Sec. 412. The department of environmental quality shall pursue cost recovery from potentially responsible parties pursuant to cleanup projects financed through section 103(3) of this act. The department shall provide an itemized report to the house and senate standing and appropriations subcommittees on environmental quality detailing any recovered funds required under this subsection, by December 31, 1999”.

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

Rep. Callahan demanded the yeas and nays.

The demand was supported.

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

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

#### Roll Call No. 779

#### Yeas—45

Baird	Frank	Lemmons	Schermesser
Basham	Garza	Lockwood	Scott
Bogardus	Gielegem	Minore	Shackleton
Brater	Gilbert	Neumann	Sheltrown
Brown, B.	Hale	O'Neil	Spade
Callahan	Hansen	Pestka	Stallworth
Cherry	Hardman	Prusi	Switalski
Clarke, H.	Jacobs	Quarles	Thomas
Daniels	Jamnack	Rison	Vaughn
DeHart	Kelly	Rivet	Wojno
Dennis	LaForge	Schauer	Woodward
Faunce			

#### Nays—57

Allen	Gosselin	Kuipers	Richardville
Birkholz	Green	Kukuk	Richner
Bisbee	Hager	LaSata	Rocca
Bishop	Hanley	Law	Sanborn
Bovin	Hart	Mans	Scranton
Bradstreet	Howell	Mead	Shulman
Brown, C.	Jansen	Middaugh	Stamas
Byl	Jelinek	Mortimer	Tabor
Caul	Jellema	Pappageorge	Tesanovich
DeRossett	Johnson, Rick	Patterson	Toy
DeVuyst	Julian	Perricone	Van Woerkom
DeWeese	Kilpatrick	Price	Vander Roest

Ehardt  
Garcia  
Godchaux

Koetje  
Kowall

Pumford  
Raczkowski

Voorhees  
Woronchak

In The Chair: Scranton

Rep. Callahan moved to amend the Senate substitute (S-1) as follows:

1. Amend page 5, following line 9, by inserting:

“Water pollution prevention and monitoring ..... 250,000”.

2. Amend page 5, line 17, by striking out “0” and inserting “250,000” and adjusting the subtotals, totals, and section 201 accordingly.

3. Amend page 29, following line 2, by inserting:

“Sec. 412. The money appropriated in section 103 for water pollution prevention and monitoring shall be used to establish a comprehensive public right-to-know electronic data base containing accurate and timely information accessible to the public on the quality and safety of public bathing beaches.”.

The question being on the adoption of the amendments offered by Rep. Callahan,

Rep. Callahan demanded the yeas and nays.

The demand was supported.

The question being on the adoption of the amendments offered by Rep. Callahan,

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

**Roll Call No. 780**

**Yeas—46**

Baird  
Basham  
Bogardus  
Brater  
Brewer  
Callahan  
Cherry  
Clark, I.  
Clarke, H.  
Daniels  
DeHart  
Dennis

Faunce  
Frank  
Garza  
Gieleghem  
Gilbert  
Hale  
Hansen  
Hardman  
Jacobs  
Jamnick  
Kelly  
LaForge

Lemmons  
Lockwood  
Martinez  
Minore  
Neumann  
O’Neil  
Pestka  
Prusi  
Quarles  
Reeves  
Rison

Rocca  
Sanborn  
Schauer  
Schermesser  
Scott  
Shackleton  
Sheltrown  
Switalski  
Vaughn  
Wojno  
Woodward

**Nays—59**

Allen  
Birkholz  
Bisbee  
Bishop  
Bovin  
Bradstreet  
Brown, C.  
Byl  
Caul  
DeRossett  
DeVuyst  
DeWeese  
Ehardt  
Garcia  
Godchaux

Gosselin  
Green  
Hager  
Hanley  
Hart  
Howell  
Jansen  
Jelinek  
Jellema  
Johnson, Rick  
Julian  
Kilpatrick  
Koetje  
Kowall  
Kuipers

Kukuk  
LaSata  
Law  
Mans  
Mead  
Middaugh  
Mortimer  
Pappageorge  
Patterson  
Perricone  
Price  
Pumford  
Raczkowski  
Richardville  
Richner

Scranton  
Shulman  
Spade  
Stallworth  
Stamas  
Tabor  
Tesanovich  
Thomas  
Toy  
Van Woerkom  
Vander Roest  
Vear  
Voorhees  
Woronchak

In The Chair: Scranton

Reps. Callahan and Gielegem moved to amend the Senate substitute (S-1) as follows:

- 1. Amend page 4, following line 6, by inserting:  
 "Septic field disposal station..... 1,600,000  
 Illicit connection/sediment remediation demonstration project..... 1,000,000  
 Twelve towns drain ..... 1,000,000".
- 2. Amend page 4, line 12, by striking out "12,000,000" and inserting "15,600,000".
- 3. Amend page 5, following line 9, by inserting:  
 "Sanitary sewage mapping ..... 1,500,000".
- 4. Amend page 5, line 14, by striking out "15,000,000" and inserting "16,500,000", and adjusting the subtotals, totals, and section 201 accordingly.

The question being on the adoption of the amendments offered by Reps. Callahan and Gielegem,

Rep. Callahan demanded the yeas and nays.

The demand was supported.

The question being on the adoption of the amendments offered by Reps. Callahan and Gielegem,

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

**Roll Call No. 781**

**Yeas—43**

Baird	Frank	Martinez	Schauer
Basham	Gielegem	Minore	Schermesser
Bogardus	Gilbert	Neumann	Scott
Brater	Hale	O'Neil	Shackleton
Brewer	Hansen	Prusi	Sheltrown
Callahan	Jacobs	Quarles	Switalski
Clarke, H.	Jamnack	Reeves	Tesanovich
Daniels	Kelly	Rison	Vaughn
DeHart	LaForge	Rivet	Wojno
Dennis	Lockwood	Rocca	Woodward
Faunce	Mans	Sanborn	

**Nays—59**

Allen	Geiger	Koetje	Raczkowski
Birkholz	Godchaux	Kowall	Richardville
Bisbee	Gosselin	Kuipers	Richner
Bishop	Green	Kukuk	Scranton
Bovin	Hager	LaSata	Shulman
Bradstreet	Hanley	Law	Spade
Brown, B.	Hardman	Mead	Stallworth
Brown, C.	Hart	Middaugh	Stamas
Byl	Howell	Mortimer	Tabor
Caul	Jansen	Pappageorge	Toy
DeRossett	Jelinek	Patterson	Van Woerkom
DeVuyst	Jellema	Perricone	Vander Roest
DeWeese	Johnson, Rick	Pestka	Vear
Ehardt	Julian	Price	Voorhees
Garcia	Kilpatrick	Pumford	

In The Chair: Scranton

Rep. Kelly moved that Rep. LaForge be excused temporarily from today's session.  
The motion prevailed.

The question being on concurring in 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. 782****Yeas—106**

Allen	Frank	Kukuk	Rivet
Baird	Garcia	LaSata	Rocca
Basham	Garza	Law	Sanborn
Birkholz	Geiger	Lemmons	Schauer
Bisbee	Gielegem	Lockwood	Schermesser
Bishop	Gilbert	Mans	Scott
Bogardus	Godchaux	Martinez	Scranton
Bovin	Green	Mead	Shackleton
Bradstreet	Hager	Middaugh	Sheltrown
Brater	Hale	Minore	Shulman
Brewer	Hanley	Mortimer	Spade
Brown, B.	Hansen	Neumann	Stallworth
Brown, C.	Hardman	O'Neil	Stamas
Byl	Hart	Pappageorge	Switalski
Callahan	Howell	Patterson	Tabor
Caul	Jacobs	Perricone	Tesanovich
Cherry	Jamnick	Pestka	Thomas
Clark, I.	Jansen	Price	Toy
Clarke, H.	Jelinek	Prusi	Van Woerkom
Daniels	Jellema	Pumford	Vander Roest
DeHart	Johnson, Rick	Quarles	Vaughn
Dennis	Julian	Raczkowski	Vear
DeRossett	Kelly	Reeves	Voorhees
DeVuyst	Kilpatrick	Richardville	Wojno
DeWeese	Koetje	Richner	Woodward
Ehardt	Kowall	Rison	Woronchak
Faunce	Kuipers		

**Nays—0**

In The Chair: Scranton

The House agreed to the title as amended.

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

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

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

**House Bill No. 4075, entitled**

A bill to make, supplement, and adjust appropriations for various state departments and agencies, capital outlay, and certain other state purposes for the fiscal year ending September 30, 1999 and for the fiscal year ending September 30, 2000; to provide for the expenditure of the appropriations; and to repeal acts and parts of acts.

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

The Senate has passed the bill as substituted (S-1) and ordered that it be given immediate effect.

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

Rep. Raczkowski moved that Rule 45 be suspended.

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

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

Rep. Spade moved to amend the Senate substitute (S-1) as follows:

1. Amend page 13, line 14, by striking out "250,000" and inserting "653,000" and adjusting the subtotals, totals, and section 201 accordingly.

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

Rep. Spade demanded the yeas and nays.

The demand was supported.

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

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

**Roll Call No. 783**

**Yeas—49**

Baird	Garza	Mans	Schermesser
Basham	Gielegthem	Martinez	Scott
Bogardus	Hager	Minore	Shackleton
Bovin	Hale	Neumann	Sheltrown
Brater	Hansen	O’Neil	Spade
Brewer	Jacobs	Pestka	Switalski
Brown, B.	Jamnick	Price	Tesanovich
Callahan	Julian	Prusi	Vander Roest
Clark, I.	Kelly	Quarles	Vaughn
Clarke, H.	LaForge	Richardville	Wojno
DeHart	Lemmons	Rison	Woodward
Dennis	Lockwood	Rivet	Woronchak
Frank			

**Nays—53**

Allen	Gilbert	Kowall	Reeves
Birkholz	Godchaux	Kuipers	Richner
Bisbee	Gosselin	Kukuk	Rocca
Bishop	Green	LaSata	Sanborn
Bradstreet	Hanley	Law	Scranton
Brown, C.	Hardman	Mead	Shulman
Byl	Hart	Middaugh	Stallworth
Caul	Jansen	Mortimer	Stamas
DeRossett	Jelinek	Pappageorge	Tabor
DeWeese	Jellema	Patterson	Toy
Ehardt	Johnson, Rick	Perricone	Van Woerkom
Faunce	Kilpatrick	Pumford	Vear
Garcia	Koetje	Rackowski	Voorhees
Geiger			

In The Chair: Scranton

Rep. Vander Roest moved to amend the Senate substitute (S-1) as follows:

1. Amend page 16, following line 8, by inserting:

“Vocational rehabilitation independent living..... 402,000”

and adjusting the subtotals, totals, and section 201 accordingly.

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

Rep. Vander Roest demanded the yeas and nays.

The demand was supported.

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

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

**Roll Call No. 784**

**Yeas—53**

Baird	DeHart	Lemmons	Schermesser
Basham	Dennis	Mans	Scott
Birkholz	Frank	Martinez	Shackleton
Bogardus	Garza	Middaugh	Sheltrown
Bovin	Gielegthem	Minore	Spade
Bradstreet	Gosselin	Neumann	Stamas
Brater	Hale	O’Neil	Switalski
Brewer	Hansen	Prusi	Tesanovich

Brown, B.	Jacobs	Richardville	Vander Roest
Callahan	Jamnick	Rison	Vaughn
Caul	Julian	Rivet	Wojno
Cherry	Kelly	Rocca	Woodward
Clark, I.	LaForge	Schauer	Woronchak
Clarke, H.			

**Nays—51**

Allen	Godchaux	Kuipers	Reeves
Bisbee	Hager	Kukuk	Richner
Bishop	Hanley	LaSata	Sanborn
Brown, C.	Hardman	Law	Scranton
Byl	Hart	Lockwood	Shulman
DeRossett	Howell	Mead	Stallworth
DeVuyst	Jansen	Mortimer	Tabor
DeWeese	Jelinek	Pappageorge	Thomas
Ehardt	Jellema	Patterson	Toy
Faunce	Johnson, Rick	Perricone	Van Woerkom
Garcia	Kilpatrick	Price	Vear
Geiger	Koetje	Pumford	Voorhees
Gilbert	Kowall	Raczkowski	

In The Chair: Scranton

Rep. Martinez moved to amend the Senate substitute (S-1) as follows:

1. Amend page 29, following line 23, by striking out all of section 1204.

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

Rep. Martinez demanded the yeas and nays.

The demand was supported.

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

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

**Roll Call No. 785****Yeas—38**

Baird	DeHart	Lockwood	Schauer
Basham	Dennis	Mans	Schermesser
Bogardus	Frank	Martinez	Scott
Bovin	Garza	Minore	Shackleton
Brater	Hansen	Neumann	Sheltrown
Brewer	Jacobs	O'Neil	Switalski
Cherry	Jamnick	Prusi	Tesanovich
Clark, I.	Kelly	Quarles	Vaughn
Clarke, H.	LaForge	Rison	Woodward
Daniels	Lemmons		

**Nays—66**

Allen	Gilbert	Kuipers	Rivet
Birkholz	Godchaux	Kukuk	Rocca
Bisbee	Gosselin	LaSata	Sanborn
Bishop	Green	Law	Scranton
Bradstreet	Hager	Mead	Shulman
Brown, B.	Hale	Middaugh	Spade
Brown, C.	Hardman	Mortimer	Stamas



Byl	Hart	Pappageorge	Tabor
Callahan	Howell	Patterson	Thomas
Caul	Jansen	Perricone	Toy
DeRossett	Jelinek	Price	Van Woerkom
DeVuyst	Jellema	Pumford	Vander Roest
DeWeese	Johnson, Rick	Raczkowski	Vear
Ehardt	Julian	Reeves	Voorhees
Faunce	Kilpatrick	Richardville	Wojno
Garcia	Koetje	Richner	Woronchak
Geiger	Kowall		

In The Chair: Scranton

Rep. Brater moved to amend the Senate substitute (S-1) as follows:

1. Amend page 33, following line 24, section 1308(1)(d), by striking out “A brief” and inserting “The cleanup level and a”.

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

Rep. Brater demanded the yeas and nays.

The demand was supported.

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

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

**Roll Call No. 786**

**Yeas—47**

Baird	Frank	Lockwood	Scott
Basham	Garza	Mans	Shackleton
Bogardus	Gielegem	Martinez	Sheltrown
Bovin	Gilbert	Minore	Spade
Brater	Hale	Neumann	Switalski
Brown, B.	Hansen	O’Neil	Tesanovich
Callahan	Hardman	Prusi	Thomas
Cherry	Jacobs	Quarles	Vaughn
Clark, I.	Jamnick	Reeves	Wojno
Clarke, H.	Kelly	Rison	Woodward
DeHart	LaForge	Schauer	Woronchak
Dennis	Lemmons	Schermesser	

**Nays—56**

Allen	Geiger	Kowall	Richardville
Birkholz	Godchaux	Kuipers	Richner
Bisbee	Gosselin	Kukuk	Rocca
Bishop	Green	LaSata	Sanborn
Bradstreet	Hager	Law	Scranton
Brown, C.	Hart	Mead	Shulman
Byl	Howell	Middaugh	Stallworth
Caul	Jansen	Mortimer	Stamas
DeRossett	Jelinek	Pappageorge	Tabor
DeVuyst	Jellema	Patterson	Toy
DeWeese	Johnson, Rick	Perricone	Van Woerkom
Ehardt	Julian	Price	Vander Roest
Faunce	Kilpatrick	Pumford	Vear
Garcia	Koetje	Raczkowski	Voorhees

In The Chair: Scranton

The question being on concurring in 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. 787****Yeas—91**

Allen	Garcia	LaSata	Sanborn
Baird	Garza	Law	Schauer
Basham	Geiger	Lemmons	Schermesser
Birkholz	Godchaux	Lockwood	Scott
Bisbee	Green	Mans	Scranton
Bovin	Hager	Martinez	Sheltrown
Brater	Hale	Mead	Shulman
Brewer	Hansen	Minore	Spade
Brown, B.	Hardman	Mortimer	Stallworth
Byl	Hart	O'Neil	Stamas
Callahan	Howell	Pappageorge	Switalski
Caul	Jacobs	Patterson	Tabor
Cherry	Jansen	Perricone	Tesanovich
Clark, I.	Jelinek	Pestka	Thomas
Clarke, H.	Jellema	Price	Toy
Daniels	Johnson, Rick	Prusi	Van Woerkom
DeHart	Julian	Pumford	Vaughn
Dennis	Kelly	Quarles	Vear
DeRossett	Kilpatrick	Raczkowski	Voorhees
DeVuyst	Koetje	Reeves	Wojno
DeWeese	Kowall	Richner	Woodward
Ehardt	Kuipers	Rison	Woronchak
Frank	Kukuk	Rivet	

**Nays—16**

Bishop	Faunce	Jamnick	Richardville
Bogardus	Gielegem	LaForge	Rocca
Bradstreet	Gilbert	Middaugh	Shackleton
Brown, C.	Gosselin	Neumann	Vander Roest

In The Chair: Scranton

Rep. Raczkowski moved that the bill be given immediate effect.  
The motion prevailed, 2/3 of the members serving voting therefor.  
The bill was referred to the Clerk for enrollment printing and presentation to the Governor.

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

“Mr. Speaker and members of the House:  
\$92.69

That is how much every man, woman and child in the state of Michigan will pay in the coming months to cover the growth of state government. The figure includes a \$422 million increase in next year's spending, and \$488 million of this year's tax overcharge (a.k.a. 'surplus') spent by this legislature right away.

I represent a wealthy district. Most citizens in the 42nd district probably won't be harmed much by the state taking an additional \$92.69 from their hard earned income. But I know how most will answer if I ask, 'Would you rather have

\$92.69 for each member of your family, or instead grow state government 4.7% next year, and spend an extra \$488 million of taxpayer overcharges this year?' They already answered that question by sending me to the House, based on my promise not to grow government.

That is the view of a wealthy district. What answer would my House colleagues from less affluent districts get?

\$92.69, or bigger government? With this and the other budgets passed by this House, we've answered the question for them.

Bigger government."

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

"Mr. Speaker and members of the House:

I voted against the final passage of this budget because it contains an appropriation of \$10 million for furniture for the House of Representatives. I find that expenditure to be an extravagant use of taxpayers' money."

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

"Mr. Speaker and members of the House:

The sole reason for this no vote is the addition of \$488,800 for salaries to be increased for unclassified positions and to fill vacant support positions with no specific details and/or breakdown and the defeat of an amendment for additional funding for vocational rehabilitation and independent living. Just don't agree with these kinds of priorities."

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

"Mr. Speaker and members of the House:

As a steward of the taxpayers' money. I find myself in the position of opposing House Bill 4075, the supplemental appropriations bill. This bill will appropriate more than \$530.6 million in surplus funds for the current budget. Because of the 26 tax cuts, we have turned Michigan around and are receiving our award of additional tax relief. An example: we should be reducing the required household tax rate from 3.5 percent to 3 percent to help seniors on their Homestead Property Tax Credit. This type of cut would only use \$43 million. We also could provide relief to seniors by helping with their prescription drug costs. It is projected that prescription costs will increase by 14 percent this year. We also must invest in helping our youth who need more substance abuse treatment and prevention programs This supplemental appropriation bill consists of many unnecessary projects. One example is spending more than \$91,000 per legislator for equipment and furnishings in our new office building. The sad part of my no vote is not being able to support some of the few good programs in the bill that would help save money in the long run such as funding the experimental drug courts or educational, innovative programs for every school district in the state. But, my first responsibility is to protect the taxpayers' money; that's why I a voting no."

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

"Mr. Speaker and members of the House:

While I recognize the many positives of this bill, I continue in opposition to the laundry list of unnecessary pork and special interests. For example, four million for 'Windmill Island', Five hundred thousand for the 'Marquette museum', One million for the 'Island shooting range', Ten million for 'equipment and furnishings', etc. All of the foregoing examples are unnecessary and irresponsible. Moreover, this bill continues to blatantly fleece Oakland County while pandering to the political agendas of certain regions of the state. The facts are clear, Oakland County has 12% of the population, pays 19% of the taxes and gets a mere 8% of the services. This is neither fair nor equitable and I can not, in good conscience, endorse this on-going injustice."

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

"Mr. Speaker and members of the House:

My vote on the supplemental HB 4075 is based on the \$10 million price tag for the office furniture for the new House office building. I can't in good conscience support this price tag and justify it to the constituents in my district. I appreciate the efforts made to keep the cost down and would hope that further cost cuts could be explored to further reduce this exorbitant expense."

### **House Bill No. 4472, entitled**

A bill to amend 1972 PA 382, entitled "Traxler-McCauley-Law-Bowman bingo act," by amending the title and sections 2, 4, 5, 6, 7a, 9, 10, 10a, 11, 12, 13, 14, 15, 16, and 18 (MCL 432.102, 432.104, 432.105, 432.106, 432.107a, 432.109, 432.110, 432.110a, 432.111, 432.112, 432.113, 432.114, 432.115, 432.116, and 432.118), sections 2, 4, 5, 9, 10, 10a, 11, 12, 13, 14, 15, and 18 as amended by 1981 PA 229 and section 7a as amended by 1994 PA 118, and by adding sections 3a, 4a, 5a, 5b, 5c, 5d, 7b, 7c, 7d, 10b, 11a, 11b, and 11c; and to repeal acts and parts of acts.

The Senate has substituted (S-2) the bill.

The Senate has passed the bill as substituted (S-2), and amended the title to read as follows:

A bill to amend 1972 PA 382, entitled "An act to license and regulate the conducting of bingo and certain other forms of gambling; to provide for the conducting of charity games; to impose certain duties and authority upon certain state departments, agencies, and officers; to provide a tax exemption; and to provide penalties," by amending the title and sections 2, 4, 5, 6, 7a, 9, 10, 10a, 11, 12, 13, 14, 15, 16, and 18 (MCL 432.102, 432.104, 432.105, 432.106, 432.107a, 432.109, 432.110, 432.110a, 432.111, 432.112, 432.113, 432.114, 432.115, 432.116, and 432.118), sections 2, 4, 5, 9, 10, 10a, 11, 12, 13, 14, 15, and 18 as amended and section 7a as added by 1981 PA 229, and by adding sections 3a, 4a, 5a, 5b, 5c, 5d, 7b, 7c, 7d, 10b, 11a, 11b, and 11c; and to repeal acts and parts of acts.

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

Rep. Raczkowski moved that Rule 45 be suspended.

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

The question being on concurring in the substitute (S-2) made to the bill by the Senate,

The substitute (S-2) was concurred in, a majority of the members serving voting therefor, by yeas and nays, as follows:

### Roll Call No. 788

### Yeas—90

Allen	Geiger	Lockwood	Rocca
Baird	Gielegem	Mans	Schauer
Basham	Godchaux	Martinez	Schermesser
Bisbee	Hale	Mead	Scott
Bogardus	Hanley	Middaugh	Scranton
Bovin	Hansen	Mortimer	Shackleton
Brater	Hardman	Neumann	Sheltrown
Brewer	Howell	O'Neil	Shulman
Brown, B.	Jacobs	Pappageorge	Spade
Callahan	Jamnack	Patterson	Stallworth
Caul	Jelinek	Perricone	Switalski
Cherry	Jellema	Pestka	Tabor
Clark, I.	Johnson, Rick	Price	Tesanovich
Clarke, H.	Julian	Prusi	Thomas
Daniels	Kelly	Pumford	Toy
DeHart	Kilpatrick	Quarles	Van Woerkom
Dennis	Koetje	Raczkowski	Vander Roest
DeRossett	Kowall	Reeves	Vaughn
DeWeese	Kukuk	Richardville	Vear
Ehardt	LaForge	Richner	Wojno
Faunce	LaSata	Rison	Woodward
Frank	Law	Rivet	Woronchak
Garza	Lemmons		

### Nays—17

Birkholz	DeVuyst	Green	Kuipers
Bishop	Garcia	Hager	Sanborn
Bradstreet	Gilbert	Hart	Stamas
Brown, C.	Gosselin	Jansen	Voorhees
Byl			

In The Chair: Scranton

The House agreed to the title as amended.

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

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

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

**House Bill No. 4408, entitled**

A bill to amend 1954 PA 116, entitled "Michigan election law," by amending sections 614a and 615a (MCL 168.614a and 168.615a), section 614a as added by 1988 PA 275 and section 615a as amended by 1995 PA 87.

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

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

A bill to amend 1954 PA 116, entitled "An act to reorganize, consolidate, and add to the election laws; to provide for election officials and prescribe their powers and duties; to prescribe the powers and duties of certain state departments, state agencies, and state and local officials and employees; to provide for the nomination and election of candidates for public office; to provide for the resignation, removal, and recall of certain public officers; to provide for the filling of vacancies in public office; to provide for and regulate primaries and elections; to provide for the purity of elections; to guard against the abuse of the elective franchise; to define violations of this act; to provide appropriations; to prescribe penalties and provide remedies; and to repeal certain acts and all other acts inconsistent with this act," by amending sections 613a, 614a, and 615a (MCL 168.613a, 168.614a, and 168.615a), sections 613a and 615a as amended by 1995 PA 87 and section 614a as added by 1988 PA 275.

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

Rep. Raczkowski moved that Rule 45 be suspended.

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

The question being on concurring in 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. 789****Yeas—104**

Allen	Faunce	Kowall	Rivet
Baird	Frank	Kuipers	Rocca
Basham	Garcia	Kukuk	Sanborn
Birkholz	Garza	LaForge	Schauer
Bisbee	Geiger	LaSata	Schermesser
Bishop	Gielegem	Law	Scott
Bogardus	Gilbert	Lemmons	Scranton
Bovin	Godchaux	Lockwood	Shackleton
Bradstreet	Gosselin	Mans	Sheltrown
Brater	Green	Martinez	Shulman
Brewer	Hager	Mead	Spade
Brown, B.	Hale	Middaugh	Stallworth
Brown, C.	Hanley	Mortimer	Stamas
Byl	Hansen	Neumann	Switalski
Callahan	Hardman	O'Neil	Tabor
Caul	Hart	Pappageorge	Tesanovich
Cherry	Howell	Patterson	Thomas
Clark, I.	Jacobs	Perricone	Toy
Clarke, H.	Jansen	Pestka	Van Woerkom
Daniels	Jelinek	Price	Vander Roest
DeHart	Jellema	Prusi	Vaughn
Dennis	Johnson, Rick	Pumford	Vear
DeRossett	Julian	Quarles	Voorhees
DeVuyst	Kelly	Raczkowski	Wojno
DeWeese	Kilpatrick	Richardville	Woodward
Ehardt	Koetje	Richner	Woronchak

**Nays—0**

In The Chair: Scranton

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 Select Committees**

**Senate Bill No. 365, entitled**

A bill to make appropriations for the family independence agency and certain state purposes related to public welfare services for the fiscal year ending September 30, 2000; to provide for the expenditure of the appropriations; to create funds; to provide for the imposition of fees; to provide for reports; to provide for the disposition of fees and other income received by the state agency; and to provide for the powers and duties of certain individuals, local governments, and state departments, agencies, and officers.

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. 365, entitled**

A bill to make appropriations for the family independence agency and certain state purposes related to public welfare services for the fiscal year ending September 30, 2000; to provide for the expenditure of the appropriations; to create funds; to provide for the imposition of fees; to provide for reports; to provide for the disposition of fees and other income received by the state agency; and to provide for the powers and duties of certain individuals, local governments, and state departments, agencies, and officers.

Recommends:

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

A bill to make appropriations for the family independence agency and certain state purposes related to public welfare services for the fiscal year ending September 30, 2000; to provide for the expenditure of the appropriations; to create funds; to provide for the imposition of fees; to provide for reports; to provide for the disposition of fees and other income received by the state agency; and to provide for the powers and duties of certain individuals, local governments, and state departments, agencies, and officers.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

PART 1

LINE-ITEM APPROPRIATIONS

Sec. 101. Subject to the conditions set forth in this act, the amounts listed in this part are appropriated for the family independence agency for the fiscal year ending September 30, 2000, from the funds indicated in this part. The following is a summary of the appropriations in this part:

**FAMILY INDEPENDENCE AGENCY**

Full-time equated classified positions .....	13,222.3	
Unclassified positions .....	6.0	
Total full-time equated positions .....	13,228.3	
GROSS APPROPRIATION .....		\$ 3,642,987,400
Interdepartmental grant revenues:		
Total interdepartmental grants and intradepartmental transfers .....		\$ 150,000
ADJUSTED GROSS APPROPRIATION .....		\$ 3,642,837,400
Federal revenues:		
Total federal revenues .....		2,374,089,800
Special revenue funds:		
Total private revenues .....		7,858,100
Total local revenues .....		48,539,500
Total other state restricted revenues .....		123,565,500
State general fund/general purpose .....		\$ 1,088,784,500

**Sec. 102. EXECUTIVE OPERATIONS**

Total full-time equated positions .....	953.3	
Full-time equated unclassified positions .....	6.0	
Full-time equated classified positions .....	947.3	
Other unclassified salaries—6.0 FTE positions .....		\$ 492,300
Salaries and wages—728.3 FTE positions .....		33,990,000
Contractual services, supplies, and materials .....		10,330,300

	For Fiscal Year Ending Sept. 30, 2000
Demonstration projects—11.0 FTE positions .....	10,634,600
End user support .....	7,614,500
Computer service fees .....	20,076,300
Automated social services information system project—25.0 FTE positions .....	16,963,800
Data system enhancement—26.0 FTE positions .....	20,948,500
Child support automation—25.0 FTE positions .....	36,042,000
Child support distribution computer system .....	7,164,100
Supplemental security income advocates, salaries and wages—16.0 FTE positions .....	980,000
Commission on disability concerns—8.0 FTE positions .....	759,600
Commission for the blind—108.0 FTE positions .....	17,309,700
<b>GROSS APPROPRIATION</b> .....	<b>\$ 183,305,700</b>

Appropriated from:

Interdepartmental grant revenues:

IDG-ADP user fees .....	150,000
<b>ADJUSTED GROSS APPROPRIATION</b> .....	<b>\$ 183,155,700</b>

Appropriated from:

Federal revenues:

Total federal revenues .....	119,518,500
Special revenue funds:	
Total private revenues .....	1,840,000
Total local revenues .....	475,000
Total other state restricted revenue .....	477,300
State general fund/general purpose .....	<b>\$ 60,844,900</b>

**Sec. 103. FAMILY INDEPENDENCE SERVICES ADMINISTRATION**

Full-time equated classified positions .....	359.0
Salaries and wages—299.0 FTE positions.....	<b>\$ 14,268,100</b>
Contractual services, supplies, and materials .....	5,776,500
Child support incentive payments .....	32,409,600
Legal support contracts .....	97,496,400
State incentive payments.....	4,449,000
Employment and training support services.....	28,051,700
Food stamp issuance .....	5,374,400
High school completion project—5.0 FTE positions.....	363,400
Wage employment verification reporting—2.0 FTE positions.....	5,171,000
Urban and rural empowerment/enterprise zones.....	100
Training and staff development—53.0 FTE positions .....	9,587,300
Community services block grant .....	18,100,000
<b>GROSS APPROPRIATION</b> .....	<b>\$ 221,047,500</b>

Appropriated from:

Federal revenues:

Total federal revenues .....	193,759,500
Special revenue funds:	
Total local revenues - donated .....	340,000
State general fund/general purpose .....	<b>\$ 26,948,000</b>

**Sec. 104. CHILD AND FAMILY SERVICES**

Full-time equated classified positions .....	104.3
Salaries and wages—53.3 FTE positions.....	<b>\$ 2,747,200</b>
Contractual services, supplies, and materials .....	1,782,000
Refugee assistance program—9.0 FTE positions.....	7,377,100
Foster care payments.....	289,596,500
Adoption subsidies.....	140,149,900
Youth in transition—20.0 FTE positions.....	9,896,900
Interstate compact.....	300,000
Children's benefit fund donations .....	21,000
Domestic violence prevention and treatment—1.0 FTE positions .....	8,662,200
Teenage parent counseling—3.0 FTE positions.....	3,405,200

	For Fiscal Year Ending Sept. 30, 2000
Family preservation and prevention services—13.0 FTE positions .....	68,114,000
Black child and family institute .....	100,000
Rape prevention and services .....	1,100,000
Children's trust fund administration—4.0 FTE positions .....	330,300
Children's trust fund grants.....	3,615,000
Attorney general contracts .....	1,708,700
Guardian contract.....	600,000
County shelters .....	200,000
Prosecuting attorney contracts—1.0 FTE positions .....	1,061,700
GROSS APPROPRIATION.....	\$ 540,767,700
Appropriated from:	
Federal revenues:	
Total federal revenues .....	303,516,600
Special revenue funds:	
Private-children's benefit fund donations .....	21,000
Private-collections.....	4,101,300
Local funds - county payback .....	32,676,100
Children's trust fund .....	2,070,300
State general fund/general purpose .....	\$ 198,382,400
<b>Sec. 105. JUVENILE JUSTICE SERVICES</b>	
Full-time equated classified positions .....	1,081.4
Personnel payroll costs—863.0 FTE positions .....	\$ 45,063,100
County juvenile officers.....	3,551,000
Child care fund .....	56,752,900
Delinquency services operations .....	15,901,000
Residential care centers—45.0 FTE positions .....	2,623,600
Genesee valley and Detroit detention centers—133.7 FTE positions .....	8,876,800
Federally funded activities—26.1 FTE positions.....	1,802,200
W.J. Maxey memorial fund .....	45,000
Regional detention services—10.6 FTE positions .....	1,207,300
Juvenile accountability incentive block grant.....	6,482,000
Juvenile boot camp program .....	2,300,000
Committee on juvenile justice administration—3.0 FTE positions.....	269,300
Committee on juvenile justice grants .....	7,000,000
Wayne county block grant.....	64,516,900
GROSS APPROPRIATION.....	\$ 216,391,100
Appropriated from:	
Federal revenues:	
Total federal revenues .....	36,205,200
Special revenue funds:	
Total private revenues .....	45,000
Wayne county block grant revenue .....	38,610,200
Local funds - county payback .....	14,550,900
State general fund/general purpose .....	\$ 126,979,800
<b>Sec. 106. LOCAL OFFICE STAFF AND OPERATIONS</b>	
Full-time equated classified positions .....	10,083.6
Field staff, salaries and wages—7,258.6 FTE positions .....	\$ 285,944,200
Children and adult services, salaries and wages—2,704.5 FTE positions.....	111,170,000
Contractual services, supplies, and materials .....	25,042,900
Outstationed eligibility workers—30.0 FTE positions.....	3,552,900
Wayne county gifts and bequests .....	100,000
Volunteer services and reimbursement—90.5 FTE positions.....	7,065,500
GROSS APPROPRIATION.....	\$ 432,875,500
Appropriated from:	
Federal revenues:	
Total federal revenues .....	266,173,300



	For Fiscal Year Ending Sept. 30, 2000
Special revenue funds:	
Local funds - donated funds.....	193,100
Private funds - hospital contributions.....	1,750,800
Private - Wayne county gifts.....	100,000
State general fund/general purpose .....	\$ 164,658,300
<b>Sec. 107. DISABILITY DETERMINATION SERVICES</b>	
Full-time equated classified positions .....623.0	
Disability determination operations—623.0 FTE positions .....	\$ 68,990,000
GROSS APPROPRIATION.....	\$ 68,990,000
Appropriated from:	
Federal revenues:	
Total federal revenues.....	68,152,000
State general fund/general purpose .....	\$ 838,000
<b>Sec. 108. CENTRAL SUPPORT ACCOUNTS</b>	
Rent.....	\$ 49,521,100
Occupancy charge.....	5,378,900
Travel.....	7,859,500
Equipment.....	3,022,900
Workers' compensation.....	4,577,000
Advisory commissions .....	17,900
Payroll taxes and fringe benefits.....	152,030,600
GROSS APPROPRIATION.....	\$ 222,407,900
Appropriated from:	
Federal revenues:	
Total federal revenues.....	126,696,900
Special revenue funds:	
Local funds - county payback.....	304,400
Departmentwide lapse revenue.....	8,024,200
State general fund/general purpose .....	\$ 87,382,400
<b>Sec. 109. PUBLIC ASSISTANCE</b>	
Full-time equated classified positions .....23.7	
Family independence program .....	\$ 348,960,400
State disability assistance payments.....	22,341,700
Food stamp program benefits.....	600,000,000
State supplementation .....	60,180,300
State supplementation administration.....	1,960,000
Low income energy assistance program—21.7 FTE positions.....	60,000,000
State emergency relief—2.0 FTE positions .....	38,555,000
Weatherization assistance.....	10,900,000
Day care services.....	614,304,600
GROSS APPROPRIATION.....	\$ 1,757,202,000
Appropriated from:	
Federal revenues:	
Total federal revenues.....	1,260,067,800
Special revenue funds:	
Child support collections .....	66,943,400
Supplemental security income recoveries.....	4,440,000
Public assistance recoupment revenue.....	3,000,100
State general fund/general purpose .....	\$ 422,750,700

PART 2

PROVISIONS CONCERNING APPROPRIATIONS

**GENERAL SECTIONS**

Sec. 201. (1) Pursuant to section 30 of article IX of the state constitution of 1963, total state spending from state sources for fiscal year 1999-2000 is estimated at \$1,212,350,000.00 in this act and state spending from state sources paid to local units of government for fiscal year 1999-2000 is estimated at \$172,154,500.00. The itemized statement below identifies appropriations from which spending to units of local government will occur:

FAMILY INDEPENDENCE AGENCY  
CHILD AND FAMILY SERVICES

Adoption subsidies.....	\$ 57,946,400
<b>JUVENILE JUSTICE SERVICES</b>	
Child care fund.....	51,352,900
County juvenile officers.....	2,452,300
Wayne County block grant.....	59,244,200
<b>PUBLIC ASSISTANCE</b>	
State disability program.....	1,158,700
<b>TOTAL</b> .....	<b>\$ 172,154,500</b>

(2) If it appears to the principal executive officer of a department or branch that state spending to local units of government will be less than the amount that was projected to be expended under subsection (1), the principal executive officer shall immediately give notice of the approximate shortfall to the state budget director, the house and senate appropriations committees, and the house and senate fiscal agencies.

Sec. 202. The department may receive and expend advances or reimbursements from the department of state police for the administration of the individual and family grant disaster assistance program. An account shall be established in the department for this purpose when a disaster is declared. The authorization and allotment for the account shall be in the amount advanced or reimbursed from the department of state police.

Sec. 203. The state budget director may make administrative transfers of appropriations for the department to adjust amounts between the local funds - county payback line items in part 1. Such transfers shall be made in compliance with section 393(1) of the management and budget act, 1984 PA 431, MCL 18.1393.

Sec. 204. In addition to funds appropriated in part 1 for all programs and services, there is appropriated for write-offs of accounts receivable, deferrals, and for prior year obligations in excess of applicable prior year appropriations, an amount equal to total write-offs and prior year obligations, but not to exceed amounts available in prior year revenues or current year revenues that are in excess of the authorized amount.

Sec. 205. The expenditures and funding sources authorized under this act are subject to the management and budget act, 1984 PA 431, MCL 18.1101 to 18.1594.

Sec. 206. The department may retain all of the state's share of food stamp overissuance collections as an offset to general fund/general purpose costs. Retained collections shall be applied against federal funds deductions in all appropriation units where department costs related to the investigation and recoupment of food stamp overissuances are incurred. Retained collections in excess of such costs shall be applied against the federal funds deducted in the executive operations appropriation unit.

Sec. 207. (1) The department shall submit a report to the chairpersons of the senate and house appropriations subcommittees on the family independence agency budget and to the senate and house fiscal agencies on the details of allocations within program budgeting line items and within the salaries and wages line items in the field services appropriation unit. The report shall include a listing, by account, dollar amount, and fund source, of salaries and wages; longevity and insurance; retirement; contractual services, supplies, and materials; equipment; travel; and grants within each program line item appropriated for the fiscal year ending September 30, 2000.

(2) On a monthly basis, the department shall report on the number of FTEs in pay status by type of staff.

Sec. 208. As used in this act:

- (a) "ADP" means automated data processing.
- (b) "ASSIST" means automated social services information system.
- (c) "Department" means the family independence agency.
- (d) "FTE" means full-time equated position.
- (e) "IDG" means interdepartmental grant.

(f) "Temporary assistance for needy families" (TANF) or "title IV" means title IV of the social security act, chapter 531, 49 Stat. 620, 42 U.S.C. 601 to 603, 604 to 608, 609 to 619, 620 to 629e, 651 to 660, 663 to 669b, 670 to 673, 673b, 674 to 679, 679b, and 681 to 687.

(g) "Title XX" means title XX of the social security act, chapter 531, 49 Stat. 620, 42 U.S.C. 1397 to 1397f.

Sec. 209. If a legislative objective of this act or the social welfare act, 1939 PA 280, MCL 400.1 to 400.119b, cannot be implemented without loss of federal financial participation because implementation would conflict with or violate federal regulations, the department shall notify the house and senate appropriations committees and the house and senate fiscal agencies of that fact. Upon receipt of the notification, a joint house and senate committee made up of the members of the house and senate appropriations subcommittees dealing with appropriations for the family independence agency may be appointed to meet with the director of the department to review the substantive, procedural, and legal ramifications of the legislative objective and to develop a plan to attain that legislative objective.

Sec. 210. Funds appropriated in part 1 shall not be used for the purchase of foreign goods or services when competitively priced and of comparable quality American goods or services are available.

Sec. 211. The department of civil service shall bill departments and agencies at the end of the first fiscal quarter for the 1% charges authorized by section 5 of article XI of the state constitution of 1963. Payments shall be made for the total amount of the billing by the end of the second fiscal quarter.

Sec. 212. In compliance with governmental accounting standards board (GASB) statement no. 24, accounting and financial reporting for certain grants and other financial assistance, such as federal food stamp distributions via coupons or electronic benefits systems, are hereby appropriated and shall be recognized as general fund - special purpose expenditures in the state's accounting records and financial reports. The level of appropriations under this section shall coincide with anticipated federal food stamps revenues for the fiscal year ending September 30, 2000.

Sec. 213. (1) Beginning October 1, 1999, a hiring freeze is imposed on the state classified civil service. State departments and agencies are prohibited from hiring any new full-time state classified civil service employees and prohibited from filling any vacant state classified civil service positions. This hiring freeze does not apply to internal transfers of classified employees from 1 position to another within a department or to positions that are funded 80% or more from federal or restricted funds.

(2) The state budget director shall grant exceptions to this hiring freeze when the state budget director believes that the hiring freeze will result in rendering a state department or agency unable to deliver basic services.

Sec. 214. (1) The director 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 department.

(2) The director shall strongly encourage firms with which the department contracts to subcontract with certified businesses in depressed and deprived communities for services or supplies, or both.

Sec. 215. (1) The department shall submit to the department of management and budget, the house and senate appropriations committees, the house and senate fiscal agencies, and the house and senate standing committees having jurisdiction over technology issues quarterly reports on the department's efforts to change the department's computer software and hardware as necessary to perform properly in the year 2000 and beyond. These reports shall identify actual progress in comparison to the department's approved work plan for these efforts.

(2) Beginning with the report on April 1, 2000, the department shall submit to the department of management and budget, the senate and house of representatives standing committees on appropriations, the senate and house fiscal agencies, and the senate and house standing committees having jurisdiction over technology issues quarterly reports identifying for the immediately preceding quarter significant problems with information systems, occurrences of information system failure as a result of noncompliance with year 2000 standards, and previously unidentified areas of significant impact. These reports shall identify systems needing corrective action and the contractual obligations of accountable parties. These reports shall give the status of the progress made in repairing and testing applications, the status of vendor supplied solutions to problems, information on the activation of manual or contract processes used to correct problems, and an itemization of the additional costs incurred.

(3) The department may present progress billings to the department of management and budget for the costs incurred in changing computer software and hardware as necessary to perform properly in the year 2000 and beyond and for costs incurred as a result of initiating corrective actions. At the time progress billings are presented for reimbursement, the department shall identify the funding sources that should support the work performed and the department of management and budget shall forward the appropriated funding.

Sec. 216. The departments and state agencies receiving appropriations under this act shall receive and retain copies of all reports funded from appropriations in part 1. These departments and state agencies shall follow federal and state guidelines for short-term and long-term retention of these reports and records.

Sec. 217. (1) The department shall prepare a semiannual report on the temporary assistance for needy families (TANF) federal block grant. The report shall include projected expenditures for the current fiscal year, an accounting of any previous year funds carried forward, and a summary of all interdepartmental or interagency agreements relating to the use of TANF funds. The report shall be forwarded to the house and senate appropriations subcommittees on the family independence agency budget on or before October 15, 1999 and April 15, 2000.

(2) The state budget director shall give prior written notice to the members of the house and senate appropriations subcommittees for the family independence agency and to the house and senate fiscal agencies of any proposed changes in utilization or distribution of TANF funding or the distribution of TANF maintenance of effort spending relative to the amounts reflected in the annual appropriations acts of all state agencies where TANF funding is appropriated.

Sec. 218. The department shall include in its quality control reporting the number of veterans receiving food stamps, family independence program assistance, and Medicaid.

Sec. 219. (1) In contracting with faith-based organizations for mentoring or supportive services, and in all contracts for services, the department shall ensure that no funds provided directly to institutions or organizations to provide services and administer programs shall be used or expended for any sectarian activity, including sectarian worship, instruction, or proselytization.

(2) If an individual requests the service and has an objection to the religious character of the institution or organization from which the individual receives or would receive services or assistance, the department shall provide

the individual within a reasonable time after the date of the objection with assistance or services and which are substantially the same as the service the individual would have received from the organization.

(3) Notwithstanding subsections (1) and (2), the department shall cooperate with faith-based organizations so that they are able to compete on the same basis as any other private organization for contracts to provide services to recipients of department services, including, but not limited to, mentoring or supportive services. The department shall not discriminate against an organization that applies to become a contractor on the basis that the organization has a religious character.

Sec. 221. If the revenue collected by the department from private and local sources exceeds the amount appropriated in part 1, the revenue may be carried forward, with approval from the state budget director, into the subsequent fiscal year.

Sec. 222. Sixty days before beginning any effort to privatize, the department shall submit a complete project plan to the appropriate house and senate appropriations subcommittees and the house and senate fiscal agencies. The plan shall include the criteria under which the privatization initiative will be evaluated. The evaluation shall be completed and submitted to the appropriate house and senate appropriations subcommittees and the house and senate fiscal agencies within 30 months.

Sec. 224. (1) In addition to the funds appropriated in part 1, there is appropriated an amount not to exceed \$200,000,000.00 for federal contingency funds. These funds are not available for expenditure until they have been transferred to another line item in this act pursuant to section 393(2) of the management and budget act, 1984 PA 431, MCL 18.1393.

(2) In addition to the funds appropriated in part 1, there is appropriated an amount not to exceed \$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 part 1, there is appropriated an amount not to exceed \$20,000,000.00 for local contingency funds. These funds are not available for expenditure until they have been transferred to another line item in this act pursuant to section 393(2) of the management and budget act, 1984 PA 431, MCL 18.1393.

(4) In addition to the funds appropriated in part 1, there is appropriated an amount not to exceed \$20,000,000.00 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. 225. The department shall implement a pilot program that places reports required by this act on the Internet, with electronic notification to legislative offices of Internet access to the reports. During fiscal year 2000, the department shall continue to distribute all of these reports to the legislature in the current printed format.

Sec. 226. The department shall provide a report prepared by the department's internal auditor on the activities of the internal auditor for the prior fiscal year. This report shall include a listing of each audit or investigation performed by the internal auditor pursuant to sections 486(4) and 487 of the management and budget act, 1984 PA 431, MCL 18.1486 and 18.1487. The report shall identify the proportion of time spent on each of the statutory responsibilities listed in sections 485(4), 486(4), and 487 of the management and budget act, 1984 PA 431, MCL 18.1485, 18.1486, and 18.1487, and the time spent on all other activities performed in the internal audit function. The first report shall be due March 1, 2000, and biennially thereafter beginning on May 1 and shall be submitted to the governor, auditor general, the senate and house appropriations committees, the senate and house fiscal agencies, and the director.

#### **EXECUTIVE OPERATIONS**

Sec. 301. The department may receive local funds to be applied toward the purchase of local office automation equipment. Local office automation equipment shall only be purchased through appropriate departmentwide automated data processing equipment contracts and shall be the property of the department.

Sec. 302. The department may distribute cash assistance to recipients electronically by using debit cards.

Sec. 303. The appropriation in section 102 for the Michigan commission for the blind includes funds for case services. These funds may be used for tuition payments for blind clients for the school year beginning September 1999.

Sec. 304. The appropriation in section 102 for commissions and boards may be used for per diem payments to members of commissions or boards for a full day of committee work at which a quorum is present for performing official business as authorized by each respective commission or board. The per diem payment for the Michigan commission for the blind shall be at a rate of \$50.00 per day.

#### **FAMILY INDEPENDENCE SERVICES ADMINISTRATION**

Sec. 401. (1) From the federal money received for child support incentive payments, up to \$4,365,200.00 shall be retained by the state and expended for legal support contracts, state incentive payments, and salaries and wages for office of child support staff.

(2) At the end of the current fiscal year, the department may, when it is cost beneficial to the state and counties, withhold from submitting to the federal office of child support administrative expenses eligible for federal financial participation. The department may recoup earned but unclaimed federal funds from the resulting increased federal child support incentive. The recoupment by the department shall be made prior to distribution of the increased incentive to the counties. Any incentive funds retained by the state under this section shall be separate and apart from incentive funds retained in any other section of this act.

(3) A county shall be required to pay a penalty due to the state's failure to be in compliance with federal child support enforcement system requirements unless the county, friend of the court, and the department have a written agreement that outlines the county's commitment to participate in the federally required child support enforcement system and the county complies with a timeline for completion established by the department.

Sec. 402. From the funds appropriated in section 103 for legal support contracts and child support incentive payments, the department may fund demonstration projects to enhance friend of the court child support collections efforts for public assistance recipients. Funding shall be from federal title IV-D and federal child support incentives earned. The projects shall be implemented in no more than 3 counties. Priority shall be given to counties with federal title IV-D aid to families with dependent children collections exceeding \$5,000,000.00 in fiscal year 1992.

Sec. 403. Not later than September 30 of each year, the department shall submit for public hearing to the chairpersons of the house and senate appropriations subcommittees dealing with appropriations for the family independence agency the proposed use and distribution plan for community services block grant funds appropriated in section 103 for the succeeding fiscal year.

Sec. 404. The department shall develop plans jointly with the Indian affairs commission for the implementation of programs and the distribution of funds for recognized tribal groups and organizations under the block grant programs that are established by the community services block grant act, subtitle B of title VI of the omnibus budget reconciliation act of 1981, Public Law 97-35, 42 U.S.C. 9901 to 9910a, 9910c, and 9911 to 9912, and that are administered by that bureau. The plans shall comply with the regulations issued by the United States department of health and human services.

Sec. 405. The state general fund/general purpose contribution related to the Wayne County third circuit court cooperative reimbursement contract resides in the judiciary budget. There are no general fund/general purpose funds appropriated for this purpose in the family independence agency budget.

Sec. 406. Any unencumbered balances included in the training and staff development line for child welfare education shall not lapse and shall be carried forward to fiscal year 2001.

Sec. 407. From the funds appropriated in section 103 for employment and training support services, the department shall contract with created for caring for \$112,500.00 to provide employment skills and opportunities support services.

Sec. 408. (1) The family independence agency shall work jointly with the department of career development to implement the enhanced technical vocational training program that shall meet all of the following criteria:

- (a) The training program shall be available statewide.
- (b) Eligible participants shall include family independence program recipients, work first clients, and child day care recipients referred by the family independence agency.
- (c) Training shall be limited to not longer than 12 months in duration.
- (d) Training shall be directed to achieving or gaining skills that will lead to a career for the participant.
- (e) Training shall be reasonably calculated to lead to full-time, skilled employment.
- (f) Participants shall receive any additional support needed to facilitate participation in the training program within reasonable parameters established by the department of career development including, but not limited to, all of the following:

- (i) Child day care, including evening or nighttime care if appropriate.
- (ii) Transportation.
- (iii) Transitional Medicaid.

(2) Eligible family independence program recipients, work first clients, and child day care recipients that commence training will be allowed to complete training, as long as all enhanced technical vocational training program participation requirements are being met.

Sec. 409. (1) From the funds appropriated in part 1, the family independence agency in conjunction with the department of career development shall conduct a study of the effect of the enhanced technical vocational program and report the results of the study to the house and senate appropriations subcommittees of the family independence agency no later than August 31, 2000. The study shall examine all of the following about the participants and former participants in the program:

- (a) Whether they have obtained jobs.
  - (b) What kind of jobs they have obtained.
  - (c) How long they have retained those jobs and if they have had more than 1 job, how long were they at each job.
  - (d) Current hourly wages.
  - (e) Whether they are receiving basic health care benefits, tuition reimbursement, or training from their employers.
  - (f) Whether they continue to receive any type of public assistance.
  - (g) Any other information specifically impacting on children that the department considers relevant.
- (2) The 2 departments may retain a third party to conduct the study under this section.

Sec. 410. From the funds appropriated in section 103 for employment and training support services, \$3,000,000.00 shall be spent to develop new project zero services and new sites in counties or districts, with a priority to counties or districts not meeting minimum federal work participation requirements.

**CHILD AND FAMILY SERVICES**

Sec. 501. The following goal is established by state law. During the fiscal year ending September 30, 2000, not more than 3,150 children supervised by the department shall remain in foster care longer than 24 months. The department shall give priority to reducing the number of children under 1 year of age in foster care.

Sec. 502. From the funds appropriated in section 104 for foster care, the department shall provide 50% reimbursement to Indian tribal governments for foster care expenditures for children who are under the jurisdiction of Indian tribal courts and who are not otherwise eligible for federal foster care cost sharing.

Sec. 503. The department shall continue adoption subsidy payments to families after the eighteenth birthday of an adoptee who meets the following criteria:

- (a) Has not yet graduated from high school or passed a high school equivalency examination.
- (b) Is making progress toward completing high school.
- (c) Has not yet reached his or her twenty-first birthday.

Sec. 504. The department's ability to satisfy appropriation deducts in section 104 for foster care private collections shall not be limited to collections and accruals pertaining to services provided in the current fiscal year but shall include revenues collected in excess of the amount specified in section 104.

Sec. 505. Counties shall be subject to 50% charge back for the use of alternative regional detention services, except for those counties receiving a delinquency block grant, if those detention services do not fall under the basic provision of section 117e of the social welfare act, 1939 PA 280, MCL 400.117e, or if a county operates those detention services programs primarily with professional rather than volunteer staff.

Sec. 506. (1) In order to promote continuity of service for children and families, the department shall, to the maximum extent possible, enter into multiyear contracts for child welfare and juvenile justice services.

(2) The bid specifications and contract award determinations for child welfare and juvenile justice services shall include criteria relative to provider experience, placing emphasis on total years of experience in providing child welfare and juvenile justice services, provision of services to persons of similar characteristics as the target clientele, quality of prior child welfare and juvenile justice services, length of service in the targeted geographic area, and the adequacy of the provider's plan for coordinating the provision of services in the targeted geographic area.

Sec. 507. Funds appropriated in part 1 for the child care fund may be used as local match for the purchase of families first services for clients referred by juvenile courts except for delinquent children in counties receiving a delinquency block grant. For local offices and courts choosing this option, the in-home portion of the county child care fund plan must authorize the transfer of funds from the state child care fund account designated for that county to a local funds - county payback deduct account associated with the family preservation services appropriation.

Sec. 508. (1) In addition to the amount appropriated in section 104, money granted or money received as gifts or donations to the children's trust fund created by 1982 PA 249, MCL 21.171 to 21.172, is appropriated for expenditure in an amount not to exceed \$800,000.00.

(2) The state child abuse and neglect prevention board may initiate a joint project with another state agency to the extent that the project supports the programmatic goals of both the state child abuse and neglect prevention board and the state agency. The department may invoice the state agency for shared costs of a joint project in an amount authorized by the state agency, and the state child abuse and neglect prevention board may receive and expend funds for shared costs of a joint project in addition to those authorized by section 104.

Sec. 509. (1) From the funds appropriated in part 1, the department shall not expend funds to preserve or reunite a family, unless there is a court order requiring the preservation or reuniting of the family, if either of the following would result:

- (a) A child would be living in the same household with a parent or other adult who has been convicted of criminal sexual conduct against a child.
- (b) A child would be living in the same household with a parent or other adult against whom there is a substantiated charge of sexual abuse against a child.

(2) Notwithstanding subsection (1), this section shall not prohibit counseling or other services provided by the department, if the service is not directed toward influencing the child to remain in an abusive environment, justifying the actions of the abuser, or reuniting the family.

Sec. 510. The department shall not be required to put up for bids contracts with service providers if currently only 1 provider in the service area exists.

Sec. 511. In order to be reimbursed for child care fund expenditures, counties are required to submit department developed reports to enable the department to document potential federally claimable expenditures. This requirement is in accordance with the reporting requirements specified in section 117a(7) of the social welfare act, 1939 PA 280, MCL 400.117a.

Sec. 512. From the funds appropriated in section 104 for foster care payments, the department may expend up to \$500,000.00 for foster care pilot projects that include ways to increase foster parent recruitment, improve foster parent retention, and increase delivery of training and supportive services to foster parents.

Sec. 513. The department shall not expend funds appropriated in part 1 to pay for the placement of a child in an out-of-state facility unless all of the following conditions are met:

- (a) There is no appropriate placement available in this state.
- (b) The out-of-state facility meets all of the licensing standards of this state for a comparable facility.
- (c) The out-of-state facility meets all of the applicable licensing standards of the state in which it is located.
- (d) The department has done an on-site visit to the out-of-state facility, reviewed the facility records, and reviewed licensing records and reports on the facility and believes that the facility is an appropriate placement for the child.

Sec. 514. The department shall make a comprehensive report concerning children's protective services (CPS) to the legislature by January 1, 2000, that shall include all of the following:

- (a) Statistical information including, at a minimum, all of the following:
  - (i) The total number of reports of abuse or neglect investigated under the child protection law, 1975 PA 238, MCL 722.621 to 722.638, and the number of cases that were substantiated and the number that were unsubstantiated.
  - (ii) Characteristics of perpetrators of abuse or neglect and the child victims, such as age, relationship, socioeconomic status, race, and ethnicity.
  - (iii) The mandatory reporter category in which the individual who made the report fits, or other categorization if the individual is not within a group required to report under the child protection law, 1975 PA 238, MCL 722.621 to 722.638.

(b) New policies related to children's protective services including, but not limited to, major policy changes and court decisions affecting the children's protective services system during the immediately preceding 12-month period.

Sec. 515. From the funds appropriated in part 1 for foster care payments and related administrative costs, the department may implement the federally approved title IV-E child welfare waiver managed care demonstration project.

Sec. 516. (1) The department, with the involvement of private nonprofit agencies providing adoption services for special needs children through contracts with the department, shall design and conduct a study of the administration of the public and private agency special needs adoption services and the payment systems to private nonprofit agencies providing adoption services. The study shall include, at a minimum, all of the following:

- (a) For each private nonprofit agency contract, and in aggregate, the number and percentage of adoptions in each of the payment categories specified in contracts with the department for calendar years 1998 and 1999.
- (b) A review of the administrative procedures for authorizing and processing payments to private nonprofit agencies for provision of adoption services including an assessment and identification of methods to simplify and expedite those procedures.

(2) Based on the study required in subsection (1), the department shall by June 1, 2000 prepare a comprehensive report addressing its findings, any actions taken as a result of its review, and any recommendations for changes in the administration of this program including financial and administrative resources necessary to increase timely adoptions for these children. The report shall be submitted to the house and senate standing committees dealing with human services and the house and senate appropriations subcommittees dealing with appropriations for the family independence agency.

Sec. 517. (1) From the funds appropriated in section 104 for family preservation and prevention services, the department is authorized to allocate funds to multipurpose collaborative bodies to address issues raised in the Binsfeld children's commission report issued in July 1996. Priority for activities and services will be given to at-risk children and families in unsubstantiated child protective services cases or low-risk substantiated cases.

(2) From the funds appropriated in section 104 for family preservation and prevention services, up to \$2,000,000.00 may be used to fund community based collaborative prevention services designed to do any of the following:

- (a) Foster positive parenting skills especially for parents of children under 3 years of age.
- (b) Improve parent/child interaction.
- (c) Promote access to needed community services.
- (d) Increase local capacity to serve families at risk.
- (e) Improve school readiness.
- (f) Support healthy family environments that discourage alcohol, tobacco, and other drug use.

(3) The appropriation provided for in subsection (2) is to fund secondary prevention programs as defined in the children's trust fund's pre-application materials for fiscal year 1999-2000 direct services grants.

(4) Projects funded through the appropriation provided for in subsection (2) shall meet all of the following criteria:

- (a) Be awarded through a joint request for proposal process established by the department in conjunction with the children's trust fund and the state human services directors.
- (b) Be secondary prevention initiatives. Funds are not intended to be expended in cases in which neglect or abuse has been substantiated.

(c) Demonstrate that the planned services are part of a community's integrated comprehensive family support strategy endorsed by the local multipurpose collaborative body.

(d) Provide a 25% local match of which not more than 10% is in-kind goods or services unless the maximum percentage is waived by the state human services directors.

(5) As used in this section, "state human services directors" means the director of the department of community health, the director of the department of education, and the director of the family independence agency.

Sec. 518. (1) It is the intent of the legislature that the funds appropriated in section 104 for family preservation and prevention services in the 1999-2000 fiscal year reflect strong families/safe children allocations to local multipurpose collaborative bodies that are no less than the allocations in effect on April 1, 1997.

(2) In order to maintain this level of funding, the department may use up to \$8,000,000.00 in TANF funds provided that the local multipurpose collaborative bodies submit data to the department that will enable the department to document potential federal claimable expenditures.

(3) No later than March 1, 2000, each local multipurpose collaborative body shall submit a report to the department that includes the number of people receiving strong families/safe children services, the local goals for this program, and a measure of the effectiveness in meeting these goals.

Sec. 520. From the funds appropriated in section 104 for foster care payments and adoption subsidies, the department shall increase the rate of payments for foster parents, parents receiving adoption subsidies, and agencies' administrative rate by 2.7% beginning on January 1, 2000. The increase described in this section shall be paid to all private foster care providers who contract with the family independence agency. Funding provided to a county juvenile agency for the increase described in this section shall only be used to increase payments to foster care providers.

#### **PUBLIC ASSISTANCE**

Sec. 601. (1) The department may terminate a vendor payment for shelter upon written notice from the appropriate local unit of government that a recipient's rental unit is not in compliance with applicable local housing codes or when the landlord is delinquent on property tax payments. A landlord shall be considered to be in compliance with local housing codes when the department receives from the landlord a signed statement stating that the rental unit is in compliance with local housing codes and that statement is not contradicted by the recipient and the local housing authority. The department shall terminate vendor payments if a taxing authority notifies the department that taxes are delinquent.

(2) Whenever a client agrees to the release of his or her name and address to the local housing authority, the department shall request from the local housing authority information regarding whether the housing unit for which vendoring has been requested meets applicable local housing codes. Vendoring shall be terminated for those units that the local authority indicates in writing do not meet local housing codes until such time as the local authority indicates in writing that local housing codes have been met.

(3) In order to participate in the rent vendoring programs of the department, a landlord shall cooperate in weatherization and conservation efforts directed by the department or by an energy provider participating in an agreement with the department when the landlord's property has been identified as needing services.

Sec. 602. The department, together with other agencies, may establish special projects to provide special needs shelter payment levels for the family independence program that will support the development of transitional shelter facilities for homeless families. These facilities are to provide supportive services to families and to support the development of permanent low-income housing.

Sec. 603. (1) The department, as it determines is appropriate, shall enter into agreements with energy providers by which cash assistance recipients and the energy providers agree to permit the department to make direct payments to the energy providers on behalf of the recipient. The payments may include heat and electric payment requirements from recipient grants and amounts in excess of the payment requirements.

(2) The department shall establish caps for natural gas, wood, electric heat service, deliverable fuel heat services, and for electric service based on available federal funds.

(3) The department shall negotiate with positive billing utility companies to develop extended payment plans. Such plans shall allow clients who terminate from positive billing due to increased income to make monthly payments in order to gradually liquidate utility arrears.

Sec. 604. (1) The department shall operate a state disability assistance program. Except as provided in subsection (3), persons eligible for this program shall include needy citizens of the United States or aliens exempted from the supplemental security income citizenship requirement who are at least 18 years of age or emancipated minors meeting 1 or more of the following requirements:

(a) A recipient of supplemental security income, social security, or medical assistance due to disability or 65 years of age or older.

(b) A person with a physical or mental impairment which meets federal supplemental security income disability standards, except that the minimum duration of the disability shall be 90 days. Substance abuse alone is not defined as a basis for eligibility.

(c) A resident of an adult foster care facility, a home for the aged, a county infirmary, or a substance abuse treatment center.

(d) A person receiving 30-day postresidential substance abuse treatment.

(e) A person diagnosed as having acquired immunodeficiency syndrome.

(f) A person receiving special education services through the local intermediate school district.

(g) A caretaker of a disabled person as defined in subdivision (a), (b), (e), or (f) above.

(2) Applicants for and recipients of the state disability assistance program shall be considered needy if they:



(a) Meet the same asset test as is applied to applicants for the family independence program.

(b) Have a monthly budgetable income that is less than the payment standards.

(3) Except for a person described in subsection (1)(c) or (d), a person is not disabled for purposes of this section if his or her drug addiction or alcoholism is a contributing factor material to the determination of disability. "Material to the determination of disability" means that, if the person stopped using drugs or alcohol, his or her remaining physical or mental limitations would not be disabling. If his or her remaining physical or mental limitations would be disabling, then the drug addiction or alcoholism is not material to the determination of disability and the person may receive state disability assistance. Such a person must actively participate in a substance abuse treatment program, and the assistance must be paid to a third party or through vendor payments. For purposes of this section, substance abuse treatment includes receipt of inpatient or outpatient services or participation in alcoholics anonymous or a similar program.

(4) A refugee or asylee who loses his or her eligibility for the federal supplemental security income program by virtue of exceeding the maximum time limit for eligibility as delineated in section 402 of title IV of the personal responsibility and work opportunity reconciliation act of 1996, Public Law 104-193, 8 U.S.C. 1612, and who otherwise meets the eligibility criteria under this section shall be eligible to receive benefits under the state disability assistance program.

Sec. 605. The level of reimbursement provided to state disability assistance recipients in licensed adult foster care facilities shall be the same as the prevailing supplemental security income rate under the personal care category.

Sec. 606. County family independence agencies shall require each recipient of state disability assistance who has applied with the social security administration for supplemental security income to sign a contract to repay any assistance rendered through the state disability assistance program upon receipt of retroactive supplemental security income benefits.

Sec. 607. The department's ability to satisfy appropriation deductions in section 109 for state disability assistance/supplemental security income recoveries and public assistance recoupment revenues shall not be limited to recoveries and accruals pertaining to state disability assistance, or family independence assistance grant payments provided only in the current fiscal year, but shall include all related net recoveries received during the current fiscal year.

Sec. 608. Adult foster care facilities providing domiciliary care or personal care to residents receiving supplemental security income or homes for the aged serving residents receiving supplemental security income shall not require those residents to reimburse the home or facility for care at rates in excess of those legislatively authorized. To the extent permitted by federal law, adult foster care facilities and homes for the aged serving residents receiving supplemental security income shall not be prohibited from accepting third-party payments in addition to supplemental security income provided that the payments are not for food, clothing, shelter, or result in a reduction in the recipient's supplemental security income payment.

Sec. 609. The state supplementation level under the supplemental security income program for the personal care/adult foster care and home for the aged categories shall not be reduced during the fiscal year beginning October 1, 1999 and ending September 30, 2000.

Sec. 610. In developing good cause criteria for the state emergency relief program, the department shall grant exemptions if the emergency resulted from unexpected expenses related to maintaining or securing employment.

Sec. 611. (1) The department shall not require providers of burial services to accept state payment for indigent burials as payments in full. Providers shall be permitted to collect additional payment, not to exceed \$2,300.00, from relatives or other persons on behalf of the deceased.

(2) Of the additional payments collected in subsection (1), 75% shall be distributed to funeral directors and 25% to cemeteries or crematoriums if cemeteries provide the vaults.

(3) Any additional payment collected pursuant to subsection (1) shall not increase the maximum charge limit for state payment as established by law.

Sec. 612. For purposes of determining housing affordability eligibility for state emergency relief, a group is considered to have sufficient income to meet ongoing housing expenses if their total housing obligation does not exceed 75% of their total net income.

Sec. 613. From the funds appropriated in section 109 for state emergency relief, the maximum allowable charge limit for indigent burials shall be \$1,460.00. It is the intent of the legislature that this charge limit reflect a maximum payment to funeral directors of \$910.00 for funeral goods and services and a maximum payment to cemeteries or crematoriums of \$350.00 for cemetery goods and services. In addition, a maximum payment of \$200.00 shall be distributed to either the funeral director or cemetery, whoever provides the burial vault.

Sec. 614. The funds available pursuant to this section shall be available if the deceased was an eligible recipient and an application for emergency relief funds was made within 10 days of the burial or cremation of the deceased person. Each provider of burial services shall be paid directly by the department.

Sec. 615. Except as required by federal law or regulations, funds appropriated in section 109 shall not be used to provide public assistance to a person who is an illegal alien. This section shall not prohibit the department from entering into contracts with food banks or emergency shelter providers who may, as a normal part of doing business, provide food or emergency shelter to individuals.

Sec. 616. (1) The appropriation in section 109 for the weatherization program shall be expended in such a manner that at least 25% of the households weatherized under the program shall be households of families receiving family independence assistance, state disability assistance, or supplemental security income.

(2) Any unencumbered balances of the weatherization program shall not lapse and may be carried forward to fiscal year 2001.

Sec. 617. In operating the family independence program with funds appropriated in section 109, the department shall not approve as a minor parent's adult supervised household a living arrangement in which the minor parent lives with his or her partner as the supervising adult.

Sec. 618. (1) Except as otherwise provided in subsection (2), the department shall provide not less than 10 days' notice before reducing, terminating, or suspending assistance provided under the social welfare act, 1939 PA 280, MCL 400.1 to 400.122.

(2) The department may reduce, terminate, or suspend assistance provided under the social welfare act, 1939 PA 280, MCL 400.1 to 400.122, without prior notice in 1 or more of the following situations:

- (a) The only eligible recipient has died.
- (b) A recipient member of a program group or family independence assistance group has died.
- (c) A recipient child is removed from his or her family home by court action.
- (d) A recipient requests in writing that his or her assistance be reduced, terminated, or suspended.
- (e) A recipient has intentionally violated 1 or more of the requirements of the social welfare act, 1939 PA 280, MCL 400.1 to 400.122.
- (f) A recipient has been approved to receive assistance in another state.
- (g) A change in either state or federal law that requires automatic grant adjustments for classes of recipients.

(3) If a recipient appeals the department's determination to reduce, terminate, or suspend his or her assistance within 10 days from the mailing of the notice of negative action, the department shall not reduce, terminate, or suspend that assistance until there is a final determination of that appeal upholding the department's determination to reduce, terminate, or suspend that assistance.

Sec. 619. The department shall exempt from the denial of title IV-A assistance and food stamp benefits, contained in section 115 of title I of the personal responsibility and work opportunity reconciliation act of 1996, Public Law 104-193, 21 U.S.C. 862a, any individual who has been convicted of a felony that included the possession, use, or distribution of a controlled substance, after August 22, 1996, provided that the individual is not in violation of his or her probation or parole requirements. Benefits shall be provided to such individuals as follows:

- (a) A third-party payee or vendor shall be required for any cash benefits provided.
- (b) An authorized representative shall be required for food stamp receipt.

Sec. 620. Funds appropriated under this act shall not be used to pay for the purchase, installation, repair, or maintenance of any air-conditioning unit or equipment unless either of the following conditions is met:

- (a) The recipient requesting the payment provides to the department a certificate from a physician stating that the air-conditioning is medically required.
- (b) The recipient is 55 years of age or older.

Sec. 621. The department shall conduct a feasibility study and develop a plan for the state to implement a vehicle donation program. As part of the feasibility study, the department shall review similar programs implemented in other states. It is the intent of the legislature that the vehicle donation program provide a transportation option to family independence program recipients to alleviate a barrier to employment.

Sec. 624. (1) The department shall ensure that all family independence agency clients are informed in writing of additional programs for which they may potentially be eligible. Notification of programs should at a minimum include information on transitional Medicaid, LIF Medicaid, Healthy Kids, and MICHild, transitional child day care services, extended payment plans with positive billing utility companies as negotiated under section 603(3) of this bill including emergency assistance with utility arrearages, tax credits available to low income households, opportunities for skills development, training and education, training programs administered by the department of career development, individual development account opportunities, and instructions on the application process for each program benefit.

(2) At the client's discretion, the department shall grant an exit interview to discuss issues pertaining to self-sufficiency including all of the information outlined in subsection (1). Clients shall be notified of their right to an exit interview.

Sec. 625. Funds appropriated in part 1 may be used to support multicultural assimilation and support services. The department shall distribute all of the funds described in this section based on assessed community needs.

Sec. 626. (1) From the funds appropriated in part 1, the family independence agency in conjunction with the department of career development shall study the outcomes for recipients who have participated in work first, as well as those who completed work first in the previous fiscal year and shall submit quarterly reports on the progress and findings to the appropriate house and senate appropriations subcommittees and the house and senate fiscal agencies by February 28, 2000, and each quarter thereafter. The quarterly reports shall include all of the following:

- (a) The number and percentage having obtained jobs.

- (b) Average hourly wages.
- (c) The number of participants served.
- (d) The number of clients referred to work first who failed to report.
- (e) The number placed in employment training and education programs.

(2) From the funds appropriated in part 1, the family independence agency in conjunction with the department of career development shall study the outcomes for recipients who have participated in work first, as well as those who completed work first in the previous fiscal year and shall submit an annual report on the progress and findings to the appropriate house and senate appropriations subcommittees and the house and senate fiscal agencies by March 15, 2000. In addition to the data required in subsection (1), the annual report shall include all of the following:

- (a) The kind of jobs they have obtained.
  - (b) How long they have retained those jobs.
  - (c) The number and percentage receiving basic health care benefits, tuition reimbursement, or training from their employers.
  - (d) The number and percentage continuing to receive other types of public assistance.
  - (e) Any other information specifically impacting on children that the departments consider relevant.
  - (f) The number of noncustodial parent work first participants or former participants who make child support payments.
  - (g) Any other information the departments consider relevant.
- (3) The 2 departments may retain a third party to conduct the studies under this section.

Sec. 629. From the funds appropriated in section 109, \$100,000.00 shall be used to leverage additional funds and to promote private or nonprofit sector matching funds in individual development accounts for family independence program recipients pursuant to the personal responsibility and work opportunity reconciliation act of 1996, Public Law 104-193, 110 Stat. 2105. These funds may be used to support individual development accounts for both home purchase and education.

Sec. 630. The department shall maintain a plan to provide for the implementation of individual development accounts pursuant to section 57k of the social welfare act, 1939 PA 280, MCL 400.57k, by individuals who apply for or receive public assistance from the department.

Sec. 631. (1) From the funds appropriated in section 109, the department, in collaboration with the center on urban affairs at Michigan State University, the Michigan credit unions league, and the national federation of community development credit unions, shall begin the work of implementing individual development account programs in the growing number of low-income designated credit unions (i.e., CDCUs) located in Michigan's poorest communities. This will include:

- (a) Development and testing of training and technical assistance initiatives and related materials, and other capacity building services to Michigan CDCUs.
  - (b) Funding for a 2-year VISTA volunteer program to staff each of 20 sites.
  - (c) Other related supports to assist CDCUs to become self-supporting institutions to assist impoverished Michigan residents to become economically independent.
- (2) Eligible participants shall meet 1 of the following criteria:
- (a) Make less than 80% of the average for all wage earners as established by the bureau of labor statistics.
  - (b) Have annual household income that falls at or below 80% of the median household income for the nation as established by the census bureau.
  - (c) Meet the definition of low-income members as determined by order of the national credit union association (NCUA) board.

Sec. 636. From the funds appropriated in section 109 for state emergency relief, the department shall fund a pilot project instituting a program that would allow indigent persons to secure a birth certificate or a state identification card at no cost to the individual.

Sec. 639. (1) From the funds appropriated in section 109 for day care services, the department shall expend \$800,000.00 for day care provider training programs administered under contract with the Michigan community coordinated child care association. Training shall be made available to all day care providers including those who work out of centers, group homes, family homes, and the homes of relatives, and in-home aides.

(2) From the funds appropriated in subsection (1), the Michigan community coordinated child care association shall administer a training pilot project targeting in-home aides and persons providing child care to relatives. Providers who verify that they have received day care payments for at least 3 months from the department and who successfully complete at least 15 hours of approved child care training shall be eligible to receive a 1-time lump sum payment of up to \$150.00 for training received after October 1, 1999. The total paid in lump sum payments and training costs shall not exceed \$300,000.00. Approved training may include programs operated by the Michigan community coordinated child care association, the Michigan association for the education of young children, community colleges, universities, or university extension programs.

(3) On or before March 1, 2000, the department shall provide the house and senate appropriations subcommittees on the family independence agency budget a progress report on the pilot project authorized in subsection (2).

Sec. 640. From the funds appropriated in section 109 for day care services, the department shall contract with the Michigan community coordinated child care association to administer an amount not to exceed \$900,000.00 for the "enhance quality improvement program" (EQUIP) grants. A priority for the expenditure of EQUIP funds shall be given to providers to expand access to child care, specifically 24-hour care and weekend care. A child care program shall not be eligible for an EQUIP grant unless 25% or more of its clients receive day care payments from the department.

Sec. 641. (1) From the funds appropriated in part 1, \$100,000.00 shall be used to leverage and match additional funds for the purpose of following up on the "Ready to Learn" leadership summit that was conducted in 1999 utilizing funding appropriated to the department in the 1998-1999 fiscal year. This follow-up shall be known as the "Ready to Learn Dialogue with Michigan". The Ready to Learn Dialogue with Michigan, consistent with findings and calls to action provided at the 1999 "Ready to Learn" leadership summit, shall continue to explore the development of an early childhood education and care system that meets the needs of every child prior to kindergarten entry. The Ready to Learn Dialogue with Michigan shall bring together leaders from Michigan's legislature, the governor and leaders in the administration, leaders from Michigan's large business corporations and from small businesses, economists, parents and faith-based entities, experts in early childhood education and care, legal scholars, law enforcement officials, leaders from Michigan universities, and others selected by the planning committee established under subsection (4).

(2) The Ready to Learn Dialogue with Michigan shall examine how Michigan can develop a system that assures that every child in Michigan has a good opportunity to enter kindergarten ready to learn. The Ready to Learn Dialogue with Michigan shall address at least the following topics:

- (a) Helping parents obtain high quality early childhood education and care.
- (b) Protecting children by assuring that early childhood education and care occurs in safe and healthy places.
- (c) Helping parents obtain early childhood education and care when they work nontraditional hours or have special needs because their children have disabilities or are sick.
- (d) Developing an early childhood education and care system that recognizes the diversity of Michigan's parents with respect to ethnic, religious, income, and philosophical differences.

(e) Taking the next steps toward a comprehensive early childhood education and care system.

(3) The Ready to Learn Dialogue with Michigan shall do at least the following:

(a) Conduct at least 1 post-summit meeting that brings together leaders who attended the Ready to Learn leadership summit in the 1998-1999 fiscal year, representatives from diverse parts of the early childhood education and care field, and other parties as appropriate to plan ways of implementing the calls to action produced at the 1999 summit.

(b) Examine outstanding early childhood education and care practices implemented in places within and outside of Michigan for purposes of bringing to the legislature and governor early childhood education and care proposals for their consideration.

(c) Hold community forums across the state to bring the Ready to Learn Dialogue with Michigan to a broad cross-section of the people and to report to the legislature and governor the range of community concerns about early childhood education and care.

(d) Consult with leaders in the sectors of business, education, faith, health, labor, media, politics, philanthropy, and other sectors as appropriate to garner their support in helping all children enter kindergarten ready to learn and informing the legislature and governor about early childhood education and care policies they might consider.

(4) Organizational leadership for planning and conducting the Ready to Learn Dialogue with Michigan shall rest with a planning committee composed of people from the Michigan child care task force operating under the direction of the task force's legislative sponsors. This committee shall consult with the governor's office, the Michigan senate and house, business leaders, and Michigan foundations in planning and conducting the Ready to Learn Dialogue with Michigan. The planning committee may expend funds to consult with and hire people and organizations considered necessary for implementing this section. The committee shall provide the house and senate appropriations committees a full accounting of its expenditures incurred under this section.

(5) The Ready to Learn Dialogue with Michigan shall conduct the activities set out in subsection (3) no later than August 31, 2000, and the planning committee shall submit a report on the business conducted and recommendations made during the Ready to Learn Dialogue with Michigan to the house and senate appropriations committees no later than September 30, 2000.

Sec. 642. From the funds appropriated in part 1, \$55,000.00 is appropriated for the department to establish citizenship assistance programs to assist refugees, asylees, and legal immigrants residing in Michigan to become citizens of the United States. The program shall be administered by community-based organizations to the maximum extent possible as determined by the department.

Sec. 644. (1) From the funds appropriated in part 1, up to \$275,000.00 shall be utilized by the family independence agency to contract with Goodwill Industries, Michigan Businesses, Partners in Public Education, Family Guidance Center, and businesses including medical providers, manufacturing industries, and human services and hospitality providers to initiate a career tracked approach to employment of individuals receiving TANF. Career training will include but not be limited to certified nurse aide training, child care provision, and manufacturing and retail and service industries. The following criteria will be met:

- (a) The program shall be implemented as a pilot program.
- (b) The program shall be developed through community partnerships with businesses that shall agree to provide jobs related to the training at the end of the training period.
- (c) Eligible participants shall include family independence program recipients and work first clients referred by the family independence agency.
- (d) Training shall be limited to not longer than 6 months in duration.
- (e) Training shall be directed to achieving or gaining skills that will lead to significant skilled employment for the participants such as a certification as a nurse's aide.
- (f) Training shall be reasonably calculated to lead to full-time skilled employment.
- (g) Participants shall receive any additional support needed to facilitate participation in the training program within reasonable parameters established by the department of career development including, but not limited to, both of the following:

- (i) Child day care, including evening or nighttime care if appropriate.
- (ii) Transportation.
- (h) Eligible family independence program recipients and work first clients who commence training will be allowed to complete training, as long as all program participation requirements are being met.

(2) It is the intent of this section that all program participants satisfy the state work requirements.

Sec. 645. (1) From the funds appropriated in part 1 for day care services, the family independence agency, in consultation with the chairpersons and vice-chairpersons of the house and senate appropriations subcommittees on the family independence agency budget and the house and senate fiscal agencies, shall conduct an evaluation of child day care funding and submit a report to the house and senate appropriations subcommittees on the family independence agency budget and the house and senate fiscal agencies on or before November 15, 1999, that includes all of the following:

- (a) An assessment and regrouping of counties by shelter areas, including any impact on market rate survey cost projections.
- (b) An assessment and breakdown of costs of child day care by age group and by provider type.
- (c) A listing of opportunities or recommendations to leverage public funding with private funding to increase access to or quality of child day care services that includes, but is not limited to, the following:
  - (i) Tax credit for employer supported child day care.
  - (ii) Providing consultation resources for the development of private sector programs and facilities.
  - (iii) Creating partnerships to fund the following:
    - (A) Recruitment and training of new quality child day care providers.
    - (B) Subsidies for low income working families for quality child day care.
    - (C) Increased access to sick baby, infant, nontraditional hour, and quality special needs child day care.
- (d) An analysis of costs to vary child day care eligibility to no more than 200% of poverty and no less than 100% of poverty, and including tiered reimbursement payments.
- (e) An analysis of strategies used by other states to avoid child day care waiting lists.
- (f) A review of existing studies regarding the cost avoidance to the state in such areas as juvenile justice, corrections, school readiness, etc., arising from investment in quality child day care and education.
- (g) Consideration for funding priorities if the legislature authorizes additional spending.

(2) The family independence agency may retain a third party to conduct the evaluation required under this section. The third party may be retained through a sole source contract if necessary.

(3) This section, being considered of immediate importance, is effective upon enactment.

Sec. 646. (1) The department and the Michigan department of career development shall establish clear joint guidelines on the eligibility of work first participants for post-employment training support and on how training and education hours can be applied toward federal work participation requirements. These guidelines shall be developed in a manner that balances the ability of participants to obtain training and subsequent long-term, high-wage employment with the need to connect participants with the workplace. Any and all training/education, with the exception of high school completion and GED preparation, must be occupationally relevant and in demand in the labor market as determined by the workforce development board. Participants must make satisfactory progress while in training/education. The department shall submit these guidelines to the house and senate appropriations subcommittees with jurisdiction over the department, over the department of career development, and to the house and senate fiscal agencies by October 1, 1999.

(2) Work first participants may meet the work participation requirement by combining a minimum of 10 hours per week of work with training/education, as determined in subsection (1). Training/education may last up to 12 months and the calculated hours may include actual classroom seat time up to 10 hours per week plus up to 1 hour of study time for each hour of classroom seat time. The combined work and training/education hours must equal the minimum number of hours required to meet the federal work participation requirements which are 30 hours per week for a single parent; 35 hours per week for 2-parent families, 55 hours if utilizing federally funded day care; and 20 hours per week

for single parents with a child under the age of 6. Work first participants may enroll in additional hours of classroom seat time beyond the 10 hours; however, these hours and the related study time will not count toward the work participation requirement. The training may be no longer than a 1-year program, which may include the final year of a 2- or 4-year undergraduate program which is designed to lead to immediate labor force attachment, as determined in subsection (1).

(3) Work first participants may meet the federal work participation requirement through enrollment in a short-term vocational program, as determined in subsection (1), requiring 30 hours of classroom seat time per week for a period not to exceed 6 months, or by enrollment in full-time internships, practicums, or clinicals required by an academic or training institution for licensure, professional certification, or degree completion, as determined in subsection (1), without an additional work requirement. Two-parent families who receive federally funded day care must work an additional 25 hours per week to meet the federal work participation requirement.

(4) Work first participants who lack a high school diploma or GED and who enroll in high school completion or classes to obtain a GED may count up to 10 hours of classroom seat time, combined with a minimum of number of hours of work per week, to meet their federal work participation requirement. There shall be no time limit on high school completion. GED preparation shall be limited to 6 months.

(5) The department and the Michigan department of career development shall develop a procedure to ensure that the guidelines established under this section are effectively communicated to all possible participants of the post-employment training and education program.

Sec. 648. The department shall maintain policies and procedures to achieve all of the following:

(a) The identification of individuals on entry into the system who have a history of domestic violence, while maintaining the confidentiality of that information.

(b) Referral of persons so identified to counseling and supportive services.

(c) In accordance with a determination of good cause, the waiving of certain requirements of family independence programs where compliance with those requirements would make it more difficult for the individual to escape domestic violence or would unfairly penalize individuals who have been victims of domestic violence or who are at risk of further domestic violence.

Sec. 649. The department shall calculate the food stamp allotment for applicants who are United States citizens and who live in a household with legal immigrants in a manner that maximizes the food stamps available to these United States citizens under federal law.

Sec. 650. From the funds appropriated in part 1 for day care services, the department may establish a \$33,000,000.00 accessibility incentive pool to increase the accessibility to quality child day care, especially care for children between birth and 2-1/2 years of age. The state may utilize the funds appropriated in this pool to implement 1 or more of the recommendations in the department's child day care report and/or 1 or more of the following:

(a) Provide 1-time accessibility incentive grants to child day care providers who receive children whose care is subsidized by the department, that have family independence agency subsidized children in care, and that provide documentation of the children enrolled in the new spaces created pursuant to this subdivision for all of the following:

(i) \$500.00 to every family child care provider who creates a minimum of 1 new space for evening or weekend care, 1 new space for a child with special needs, or 1 new space for a child under 2-1/2 years of age.

(ii) \$1,000.00 to every group family child care provider who creates a minimum of 2 new spaces for evening or weekend care, 2 new spaces for children with special needs, or 2 new spaces for children under 2-1/2 years of age.

(iii) \$1,500.00 to every child care center that creates a minimum of 3 new spaces for evening or weekend care, 3 new spaces for children with special needs, or 3 new spaces for children under 2-1/2 years of age.

(b) Provide outreach activities and technical assistance to businesses interested in providing licensed child day care services to their employees.

(c) Provide start-up grants to businesses and individuals interested in establishing licensed child day care services. In order to receive these grants, the businesses and individuals must commit in writing to the family independence agency department that they will maintain a clientele for at least the next 2 years, 25% of which falls below 200% of the federal poverty guidelines. Failure to document this shall result in being required to repay the grant award in full. In order to receive the grants, individuals and businesses must provide a match of \$2.00 for each \$1.00 received. Priority for grants under this subdivision shall be given to businesses and individuals that commit to providing child day care services to children in need of evening and weekend care, children with special needs, or children under 2-1/2 years of age.

(d) Provide 1-time incentive grants to businesses that offer programs to assist employees in obtaining child day care services. In order to receive the grants, businesses must provide a match of \$2.00 for each \$1.00 received. Priority for grants under this subdivision shall be given to businesses that commit to assisting employees in obtaining child day care services for children in need of evening and weekend care, children with special needs, or children under 2-1/2 years of age. Employer sponsored child day care benefits shall include, but are not limited to, any of the following:

(i) Financial support for child day care.

(ii) On-site child day care.

(iii) Referral services for child day care.

(iv) Flexible scheduling.

(e) Provide 1-time grants to businesses, individuals, and schools that provide child day care services for the purpose of capital improvements or quality enhancements to the child day care facilities.

Sec. 651. (1) From the funds appropriated in part 1 for the family independence program, the family independence agency shall expend up to \$250,000.00 to develop and fund a parenting skills and career development pilot program that meets all of the following criteria:

(a) Identification of single parents eligible for cash assistance having children up to 3 years old.

(b) Referral of persons identified under subdivision (a) to a local collaborative program responsible for the development and supervision of a comprehensive parenting skills and career development plan for each referred client.

(c) Each referred client shall participate in 30 hours a week of parenting skills training that is a formal professional program with either a trainer or facilitator and career development activities as detailed in his or her comprehensive plan and monitored by the local collaborative program.

(d) Participation in the above activities for the hours specified would satisfy cash assistance work requirements.

(e) The program must not place the state of Michigan in violation of work requirements as defined in the federal personal responsibility and work opportunity reconciliation act of 1996, Public Law 104-193.

(2) The local collaborative program shall provide the department with a report not later than September 30, 2000 that includes all of the following:

(a) The number of participants served.

(b) The family size of participants served.

(c) Participants' rate of compliance with their comprehensive plans.

(d) The number of participants attending postsecondary education or vocational training programs.

(e) Parenting skills training outcomes.

(f) The number of participants working at the time the report is completed.

(g) The average cost per participant of the program.

(h) Any other information that the department considers relevant.

Sec. 653. From the funds appropriated in part 1, up to \$112,500.00 may be utilized by the family independence agency to contract with Saginaw service career paths, a program under development in Saginaw to assist low income persons in developing their economic potential by combining mentoring and training with actual work experience.

Sec. 654. Within 10 business days of receiving all information necessary to process an application for payments for child day care, the family independence agency shall determine whether the child day care provider to whom the payments, if approved, would be made, is listed on the child abuse and neglect central registry. If the provider is listed on the central registry, the family independence agency shall immediately send written notice denying the applicant's request for child day care payments.

Sec. 656. The department shall submit a report to the house and senate appropriations committees and the house and senate standing committees having jurisdiction over human services matters by March 1, 2000 on the subject of late payments to child day care providers for the year of 1999. The report shall include the reasons for any late payments made to providers.

Sec. 657. The department and the department of career development shall work together to develop a program to provide employment services to former family independence program recipients and to recipients of noncash public assistance benefits, such as child day care, Medicaid, or food stamp benefits. This program shall not be construed to be an entitlement to services.

#### **JUVENILE JUSTICE SERVICES**

Sec. 701. The department shall expend a portion of the federal juvenile accountability incentive block grant to support the boot camp program. The remainder of the state allocation of the juvenile accountability incentive block grant shall be used to provide funding to enable juvenile courts, juvenile probation offices, and community-based programs to be more effective and efficient in holding juvenile offenders accountable and reducing recidivism, treating substance abuse problems, and developing community-based alternatives for female offenders and the following:

(a) To better address gang, drug, and youth violence.

(b) For training, equipment, and technology.

(c) For the establishment of programs that protect students and school personnel from drug, gang, and youth violence.

Sec. 703. Expansion of facilities funded under section 105 for juvenile justice services shall not be authorized by the joint capital outlay subcommittee of the appropriations committees until the department has held a public hearing in the community where the facility proposed to be expanded is located.

Sec. 705. (1) The Wayne County block grant amount appropriated in part 1 has been reduced by an amount calculated by subtracting the following amount determined under subdivision (a) from the following amount determined under subdivision (b) and multiplying the result by 50% of the projected per-child cost for educational services to state wards in state operated training schools and treatment and detention facilities for the state fiscal year beginning October 1, 1998:

(a) The estimated average daily population of public wards from Wayne County in state operated training schools and treatment and detention facilities for the 1999-2000 state fiscal year.

(b) The actual average daily population of public wards from Wayne County in state operated training schools and treatment and detention facilities for the 1997-1998 state fiscal year.

(2) The state budget director shall review the reductions made under this section during the third quarter of the 1999-2000 state fiscal year based on actual data from the first 2 quarters of the 1999-2000 state fiscal year and make recommendations to the legislature regarding appropriate fourth quarter adjustments.

Sec. 706. (1) As a condition of receiving funding under the Wayne County block grant contract, Wayne County shall submit a report to the department, the house and senate appropriations subcommittees on the family independence agency budget, and the house and senate fiscal agencies no later than January 1, 2000 that includes all of the following related to the Wayne County block grant:

- (a) Implementation plan.
- (b) Service goals for fiscal year 2000.
- (c) An outline of measures for effectiveness.

(2) As a condition of receiving funding under the Wayne County block grant contract, no later than September 30, 2000, Wayne County shall submit a report to the department, the house and senate appropriations subcommittees on the family independence agency budget, and the house and senate fiscal agencies that includes all of the following related to the Wayne County block grant:

- (a) Implementation status.
- (b) Service outcomes.
- (c) Program effectiveness based upon measures described in this section.
- (d) How the Wayne County block grant was expended.
- (e) Any other information required to meet federal requirements.

(3) No later than September 30, 2000, the auditor general shall begin an audit on the implementation of delinquency programs funded with the Wayne County block grant.

Sec. 707. (1) Wayne County and the family independence agency may enter into an agreement under which the family independence agency will provide juvenile justice services to juvenile public wards committed to Wayne County. Pursuant to the agreement, the family independence agency may utilize the funds appropriated in section 105 for the Wayne County block grant to pay for costs incurred by the family independence agency for providing juvenile justice services to Wayne County.

(2) Wayne County shall be responsible for all costs under subsection (1). To the extent costs incurred by the family independence agency exceed the amount available under section 105, Wayne County shall make payment to the state within 30 days from the date of invoice. The state budget director is authorized to approve spending authority for the family independence agency necessary to provide services until payment is received from Wayne County.

Sec. 709. A juvenile adjudicated and placed in a state operated maximum security program funded under section 105 for juvenile justice services shall not be allowed to leave the property of the maximum security facility at which the program is located except when required to leave the property for medical treatment, court appearances, or other good cause approved by the facility director. For purposes of this section, "juvenile" means that term as defined in section 115n of the social welfare act, 1939 PA 280, MCL 400.115n.

Sec. 710. New facilities funded under section 105 for juvenile justice services shall not be located within 1,500 feet of property in use for a K-12 educational program.

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

A bill to make appropriations for the family independence agency and certain state purposes related to public welfare services for the fiscal year ending September 30, 2000; to provide for the expenditure of the appropriations; to create funds; to provide for the imposition of fees; to provide for reports; to provide for the disposition of fees and other income received by the state agency; and to provide for the powers and duties of certain individuals, local governments, and state departments, agencies, and officers.

Mike Goschka  
Joel Gougeon  
Robert L. Emerson  
Conferees for the Senate

Mark Jansen  
Laura M. Toy  
Hubert Price, Jr.  
Conferees for the House

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

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

The motion prevailed.



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

**Roll Call No. 790**

**Yeas—104**

Allen	Faunce	Kowall	Rison
Baird	Frank	Kuipers	Rivet
Basham	Garcia	Kukuk	Rocca
Birkholz	Garza	LaSata	Sanborn
Bisbee	Geiger	Law	Schauer
Bishop	Gielegem	Lemmons	Schermesser
Bogardus	Gilbert	Lockwood	Scott
Bovin	Godchaux	Mans	Scranton
Bradstreet	Green	Martinez	Shackleton
Brater	Hager	Mead	Sheltrown
Brewer	Hale	Middaugh	Shulman
Brown, B.	Hanley	Mortimer	Spade
Brown, C.	Hansen	Neumann	Stallworth
Byl	Hardman	O'Neil	Stamas
Callahan	Hart	Pappageorge	Switalski
Caul	Howell	Patterson	Tabor
Cherry	Jacobs	Perricone	Tesanovich
Clark, I.	Jamnick	Pestka	Toy
Clarke, H.	Jansen	Price	Van Woerkom
Daniels	Jelinek	Prusi	Vander Roest
DeHart	Jellema	Pumford	Vaughn
Dennis	Johnson, Rick	Quarles	Vear
DeRossett	Julian	Raczkowski	Voorhees
DeVuyst	Kelly	Reeves	Wojno
DeWeese	Kilpatrick	Richardville	Woodward
Ehardt	Koetje	Richner	Woronchak

**Nays—2**

Gosselin LaForge

In The Chair: Scranton

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

\_\_\_\_\_

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

“Mr. Speaker and members of the House:  
 It’s not our money!

A few weeks ago we learned the state has overcharged taxpayers more than \$600 million this year, and expects to overcharge them \$500 million next year. In the peculiar Orwellian phrasing typical of government this overcharge is called a ‘surplus,’ and rather than returning it to the gyped customer right away, as any ethical business would do, we immediately began looking for ways to spend it. And found them.

To be fair, we have decided to return some of the money through a cut in the rate of the Single Business Tax, and it is good we’re moving in the right direction on that job-destroying tax. But the public reaction to the proposed 23-year phaseout of that tax was summed up by one Oakland citizen who said ‘I’ll be dead before that tax goes away.’

The members of the majority caucus in this House were not elected to grow government, but that’s what we’re doing. Economists estimate that inflation over the last few years has been one percent per year or less, and wholesale prices have actually declined. Yet next year’s proposed budget started out by increasing state spending by 3.0 percent, and that was before the legislature piled on extra spending for pet programs and projects.

Now we discover extra money due to the overcharge, and behind closed doors deals are made to increase the growth of government next year by another 1.7 percent, for a grand total of 4.7 percent over the current year!

Where is all this extra money coming from? Studies by the Senate Fiscal Agency comparing state expenditures and revenue by county show a trend in which Oakland County *will soon be a \$1 billion donor* to the rest of the state, if we have not achieved that status already. In 1997 Oakland County citizen subsidized the state \$715, paying \$2,731 in taxes but getting back just \$2,016 in services from the state, and the subsidy has probably grown since then.

Meanwhile, Oakland County is suffering a traffic congestion crisis due to inadequate state investment in transportation infrastructure, and the state is doing absolutely nothing to address that problem.

This is wrong. It’s not our money. We should give it back.”

The Speaker Pro Tempore resumed the Chair.

**Senate Bill No. 372, entitled**

A bill to make appropriations for the state transportation department and certain transportation purposes for the fiscal year ending September 30, 2000; to provide for the imposition of fees; to provide for reports; to create certain funds and programs; to prescribe requirements for certain railroad and bus facilities; to prescribe certain powers and duties of certain state departments and officials and local units of government; and to provide for the expenditure of the appropriations.

The 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. 372, entitled**

A bill to make appropriations for the state transportation department and certain transportation purposes for the fiscal year ending September 30, 2000; to provide for the imposition of fees; to provide for reports; to create certain funds and programs; to prescribe requirements for certain railroad facilities; to prescribe certain powers and duties of certain state departments and officials and local units of government; and to provide for the expenditure of the appropriations.

Recommends:

First: That the House 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 3, by striking out all of section 101 and inserting:

“Sec. 101. Subject to the conditions set forth in this act, the amounts listed in this part are appropriated for the state transportation department and certain state purposes designated in this act for the fiscal year ending September 30, 2000, from the funds indicated in this part. The following is a summary of the appropriations in this part:

**STATE TRANSPORTATION DEPARTMENT**

**APPROPRIATION SUMMARY:**

Full-time equated unclassified positions .....	6.0	
Full-time equated classified positions .....	3,176.3	
<b>GROSS APPROPRIATION.....</b>		<b>\$ 2,829,895,700</b>
Interdepartmental grant revenues:		
IDT, intradepartmental charges .....	10,459,500	
Total interdepartmental grants and intradepartmental transfers .....	10,459,500	
<b>ADJUSTED GROSS APPROPRIATION .....</b>		<b>\$ 2,819,436,200</b>
Federal revenues:		
DOT, federal transit act.....	26,146,000	

DOT-FHWA, highway research, planning, and construction .....	800,525,000
DOT-FRA, local rail service assistance .....	2,000,000
DOT-FRA, rail passenger/HSGT .....	3,000,000
Total federal revenues .....	831,671,000
Special revenue funds:	
Local funds .....	5,300,000
Total local revenues .....	5,300,000
Total private revenues .....	0
Total local and private revenues .....	5,300,000
Michigan transportation fund .....	1,024,787,200
General fund restricted purpose .....	12,999,800
Blue Water Bridge fund .....	12,395,400
State trunkline fund .....	696,404,000
State aeronautics fund .....	9,056,000
Comprehensive transportation fund .....	224,322,800
Intercity bus equipment fund .....	500,000
Rail preservation fund .....	2,000,000
Total other state restricted revenues .....	1,982,465,200
State general fund/general purpose .....	\$ 0
TOTAL PAYMENTS TO LOCALS .....	\$ 1,105,317,700
<b>Sec. 102. DEBT SERVICE</b>	
State trunkline .....	\$ 35,904,600
Trunkline bonds, series 1989A-EDF (\$100,000,000) .....	6,608,300
Critical bridge .....	3,000,000
Blue Water Bridge .....	2,311,900
Comprehensive transportation .....	21,209,300
GROSS APPROPRIATION .....	\$ 69,034,100
Appropriated from:	
Special revenue funds:	
Comprehensive transportation fund .....	21,209,300
Michigan transportation fund .....	9,608,300
State trunkline fund .....	35,904,600
Blue Water Bridge fund .....	2,311,900
State general fund/general purpose .....	\$ 0
<b>Sec. 103. INTERDEPARTMENT &amp; STATUTORY CONTRACTS</b>	
Michigan transportation fund (MTF)	
MTF grant to department of environmental quality .....	\$ 813,000
MTF grant to department of state .....	56,830,800
MTF grant to legislative auditor general .....	101,800
MTF grant to attorney general .....	2,475,200
State trunkline fund (STF)	
STF grant to department of civil service .....	1,320,000
STF grant to department of management and budget .....	768,100
STF grant to department of natural resources .....	37,500
STF grant to department of state police .....	6,305,700
STF grant to department of treasury .....	24,300
STF grant to legislative auditor general .....	381,100
State aeronautics fund (SAF)	
SAF grant to department of attorney general .....	114,900
SAF grant to department of civil service .....	50,000
SAF grant to department of management and budget .....	18,200
SAF grant to department of treasury .....	61,500
SAF grant to legislative auditor general .....	15,400
Comprehensive transportation fund (CTF)	
CTF grant to department of civil service .....	95,000
CTF grant to department of management and budget .....	38,600
CTF grant to department of treasury .....	8,900
CTF grant to legislative auditor general .....	38,900
GROSS APPROPRIATION .....	\$ 69,498,900

Appropriated from:	
Special revenue funds:	
Comprehensive transportation fund.....	181,400
Michigan transportation fund.....	60,220,800
State aeronautics fund.....	260,000
State trunkline fund.....	8,836,700
State general fund/general purpose.....	\$ 0
<b>Sec. 104. EXECUTIVE DIRECTION</b>	
Full-time equated unclassified positions.....	6.0
Full-time equated classified positions.....	33.3
Unclassified salaries.....	\$ 476,500
State transportation commission (per diem payments).....	7,200
Commission audit—33.3 FTE positions.....	2,911,900
GROSS APPROPRIATION.....	\$ 3,395,600
Appropriated from:	
Special revenue funds:	
State trunkline fund.....	3,395,600
State general fund/general purpose.....	\$ 0
<b>Sec. 105. ADMINISTRATIVE SERVICES</b>	
Full-time equated classified positions.....	138.7
Administration and data center—103.7 FTE positions.....	\$ 31,227,400
Building occupancy charges-property management.....	4,582,400
Human resources—30.0 FTE positions.....	2,402,200
Economic development administration—5.0 FTE positions.....	500,700
Rent.....	1,940,000
Worker's compensation.....	2,528,600
GROSS APPROPRIATION.....	\$ 43,181,300
Appropriated from:	
Federal revenues:	
DOT-FHWA, highway research, planning, and construction.....	1,000,000
Special revenue funds:	
General fund restricted purpose.....	129,800
State aeronautics fund.....	631,900
Comprehensive transportation fund.....	1,086,200
Michigan transportation fund.....	435,600
State trunkline fund.....	39,897,800
State general fund/general purpose.....	\$ 0
<b>Sec. 106. BUREAU OF FINANCE AND ADMINISTRATION</b>	
Full-time equated classified positions.....	255.5
Administration—255.5 FTE positions.....	\$ 20,355,500
GROSS APPROPRIATION.....	\$ 20,355,500
Appropriated from:	
Special revenue funds:	
Michigan transportation fund.....	1,048,100
State trunkline fund.....	19,307,400
State general fund/general purpose.....	\$ 0
<b>Sec. 107. BUREAU OF TRANSPORTATION PLANNING</b>	
Full-time equated classified positions.....	185.1
Administration—185.1 FTE positions.....	\$ 20,674,700
Grants to regional planning councils.....	488,800
GROSS APPROPRIATION.....	\$ 21,163,500
Appropriated from:	
Federal revenues:	
DOT-FHWA, highway research, planning, and construction.....	11,041,000
Special revenue funds:	
State aeronautics fund.....	267,000
Comprehensive transportation fund.....	1,679,500
Michigan transportation fund.....	5,755,200
State trunkline fund.....	2,420,800
State general fund/general purpose.....	\$ 0

**Sec. 108. BUREAU OF HIGHWAYS**

Full-time equated classified positions .....	1,658.1	
Engineering operations—826.3 FTE positions .....		\$ 23,250,900
Maintenance operations—78.0 FTE positions .....		6,904,700
Program services—753.8 FTE positions .....		35,431,100
<b>GROSS APPROPRIATION</b> .....		\$ <u>65,586,700</u>
Appropriated from:		
Interdepartmental grant revenues:		
IDT, intradepartmental charges .....		207,500
Federal revenues:		
DOT-FHWA, highway research, planning, and construction .....		3,035,000
Special revenue funds:		
Michigan transportation fund .....		2,182,200
State trunkline fund.....		60,162,000
State general fund/general purpose .....		\$ 0

**Sec. 109. HIGHWAY MAINTENANCE**

Full-time equated classified positions .....	707.1	
State trunkline operations—707.1 FTE positions .....		\$ 102,271,100
Contract operations .....		126,628,300
<b>GROSS APPROPRIATION</b> .....		\$ <u>228,899,400</u>
Appropriated from:		
Interdepartmental grant revenues:		
IDT, intradepartmental charges .....		10,252,000
Special revenue funds:		
State trunkline fund.....		218,647,400
State general fund/general purpose .....		\$ 0

**Sec. 110. ROAD AND BRIDGE PROGRAMS**

State trunkline federal aid and road and bridge construction.....		\$ 896,203,700
Local federal aid and road and bridge construction.....		195,827,000
Grants to local programs.....		33,000,000
AAA intersection improvement program.....		2,000,000
Rail grade crossing .....		3,000,000
Critical bridge program.....		5,250,000
County road commissions .....		558,320,300
Cities and villages.....		311,288,600
<b>GROSS APPROPRIATION</b> .....		\$ <u>2,004,889,600</u>
Appropriated from:		
Federal revenues:		
DOT-FHWA, highway research, planning, and construction .....		785,449,000
Special revenue funds:		
Local funds .....		5,000,000
Michigan transportation fund .....		910,608,900
State trunkline fund.....		303,831,700
State general fund/general purpose .....		\$ 0

**Sec. 111. BLUE WATER BRIDGE**

Full-time equated classified positions .....	33.0	
Blue Water Bridge fund operations—33.0 FTE positions.....		\$ 10,083,500
<b>GROSS APPROPRIATION</b> .....		\$ <u>10,083,500</u>
Appropriated from:		
Special revenue funds:		
Blue Water Bridge fund .....		10,083,500
State general fund/general purpose .....		\$ 0

**Sec. 112. TRANSPORTATION ECONOMIC DEVELOPMENT FUND**

Forest roads .....		\$ 5,040,000
Rural county urban system.....		2,500,000
Target industries/economic redevelopment.....		23,064,500
Urban county congestion.....		9,782,200
Rural county primary .....		9,782,200
<b>GROSS APPROPRIATION</b> .....		\$ <u>50,168,900</u>

Appropriated from:	
Special revenue funds:	
General fund restricted purpose .....	12,870,000
Michigan transportation fund .....	33,298,900
State trunkline fund.....	4,000,000
State general fund/general purpose .....	\$ 0
<b>Sec. 113. BUREAU OF AERONAUTICS</b>	
Full-time equated classified positions .....	56.0
Administration—56.0 FTE positions .....	\$ 6,732,100
Air service program .....	1,000,000
Airport management program .....	165,000
GROSS APPROPRIATION.....	\$ 7,897,100
Appropriated from:	
Special revenue funds:	
State aeronautics fund .....	7,897,100
State general fund/general purpose .....	\$ 0
<b>Sec. 114. BUREAU OF URBAN &amp; PUBLIC TRANSPORTATION</b>	
Full-time equated classified positions .....	109.5
Administration—109.5 FTE positions .....	\$ 8,649,700
GROSS APPROPRIATION.....	\$ 8,649,700
Appropriated from:	
Special revenue funds:	
Comprehensive transportation fund.....	7,020,500
Michigan transportation fund .....	1,629,200
State general fund/general purpose .....	\$ 0
<b>Sec. 115. BUS TRANSIT DIVISION: STATUTORY OPERATING</b>	
Local bus operating.....	\$ 144,576,300
Local bus operating: unreserved CTF fund balance.....	6,000,000
Nonurban operating/capital .....	6,646,000
GROSS APPROPRIATION.....	\$ 157,222,300
Appropriated from:	
Federal revenues:	
DOT, federal transit act.....	6,546,000
Special revenue funds:	
Local funds .....	100,000
Comprehensive transportation fund.....	150,576,300
State general fund/general purpose .....	\$ 0
<b>Sec. 116. INTERCITY PASSENGER AND FREIGHT</b>	
Freight property management.....	\$ 1,893,300
Detroit/Wayne County port authority .....	408,500
Intercity bus equipment.....	2,824,500
Rail passenger service.....	8,812,800
Freight preservation and development.....	7,500,000
Rail infrastructure loan program .....	2,000,000
Intercity bus service development.....	2,025,500
Marine passenger services.....	800,000
Terminal development.....	1,000,000
GROSS APPROPRIATION.....	\$ 27,264,600
Appropriated from:	
Federal revenues:	
DOT, federal transit act.....	1,000,000
DOT-FRA, local rail service assistance.....	2,000,000
DOT-FRA, rail passenger/HSGT .....	3,000,000
Special revenue funds:	
Local funds .....	50,000
Rail preservation fund.....	2,000,000
Intercity bus equipment fund .....	500,000
Comprehensive transportation fund.....	18,714,600
State general fund/general purpose .....	\$ 0

**Sec. 117. PUBLIC TRANSPORTATION DEVELOPMENT**

Specialized services .....	\$ 3,600,100
Municipal credit program.....	2,000,000
Bus capital .....	29,400,000
Ride sharing.....	330,700
Van pooling.....	145,000
Bus property management.....	125,000
Service development and new technology.....	1,675,000
Planning grants .....	150,000
Audit settlements .....	200,000
Region service coordination.....	1,000,000
Work first initiative.....	3,979,200
<b>GROSS APPROPRIATION.....</b>	<b>\$ 42,605,000</b>
Appropriated from:	
Federal revenues:	
DOT, federal transit act.....	18,600,000
Special revenue funds:	
Local funds .....	150,000
Comprehensive transportation fund.....	23,855,000
State general fund/general purpose .....	\$ 0”.

2. Amend page 12, line 24, after “Sec. 201.” by striking out all of subsection (1) and inserting “(1) Pursuant to section 30 of article IX of the state constitution of 1963, total state spending from state sources for fiscal year 1999-2000 is estimated at \$1,982,465,200.00 in this act and state spending from state sources paid to local units of government for fiscal year 1999-2000 is estimated at \$1,105,317,700.00. The itemized statement below identifies appropriations from which spending to units of local government will occur:

**DEPARTMENT OF TRANSPORTATION**

Local grant program.....	\$ 33,000,000
Economic development fund.....	27,104,400
Grants to cities and villages .....	311,288,600
Grants to county road commissions .....	558,320,300
Critical bridge program.....	5,250,000
Grants to regional planning councils.....	488,800
Local bus operating.....	150,576,300
Bus capital .....	12,000,000
Marine passenger service .....	800,000
Detroit/Wayne County port authority .....	408,500
Local ride sharing operating grants.....	330,700
Planning grants .....	150,000
Municipal credit program.....	2,000,000
Specialized services .....	3,600,100
Total payments to local units of government.....	<b>\$ 1,105,317,700”.</b>

3. Amend page 13, line 25, by striking out all of section 202 and inserting:

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

4. Amend page 14, following line 16, by inserting:

“(n) “RTCC” means regional transit coordinating council.” and relettering the remaining subdivisions.

5. Amend page 14, line 20, by striking out all of sections 204 and 205 and inserting:

“Sec. 204. (1) Beginning October 1, a hiring freeze is imposed on the state classified civil service. State departments and agencies are prohibited from hiring any new full-time state classified civil service employees and prohibited from filling any vacant state classified civil service positions. This hiring freeze does not apply to internal transfers of classified employees from 1 position to another within a department or to positions that are funded with 80% or more federal or restricted funds.

(2) The state budget director shall grant exceptions to this hiring freeze when the state budget director believes that the hiring freeze will result in rendering a state department or agency unable to deliver basic services. The state budget director shall report by the fifteenth of each month to the chairpersons of the senate and house appropriations committees the number of exceptions to the hiring freeze approved during the previous month and the reasons to justify the exception.

Sec. 205. A department or agency billed by the department of civil service for the 1% charge authorized by section 5 of article XI of the state constitution of 1963 by the end of the first fiscal quarter, shall pay the total amount of the billing by the end of the second fiscal quarter.”.

6. Amend page 16, line 10, after "part 1." by inserting "These departments and state agencies shall follow federal and state guidelines for short-term and long-term retention of these reports and records."

7. Amend page 16, following line 10, by inserting:

"Sec. 209. The department shall not implement an affirmative action plan unless it has been submitted to the Michigan civil rights commission for approval in accordance with section 210 of the Elliott-Larsen civil rights act, 1976 PA 453, MCL 37.2210, and the Michigan civil rights commission has approved the plan.

Sec. 210. (1) The department shall submit to the department of management and budget, the house and senate appropriations committees, the house and senate fiscal agencies, and the house and senate standing committees having jurisdiction over technology issues quarterly reports on the department's efforts to change the department's computer software and hardware as necessary to perform properly in the year 2000 and beyond. These reports shall identify actual progress in comparison to the department's approved work plan for these efforts.

(2) Beginning with the report on April 1, 2000, the department shall submit to the department of management and budget, the senate and house of representatives standing committees on appropriations, the senate and house fiscal agencies, and the senate and house standing committees having jurisdiction over technology issues quarterly reports identifying for the immediately preceding quarter significant problems with information systems, occurrences of information system failure as a result of noncompliance with year 2000 standards, and previously unidentified areas of significant impact. These reports shall identify systems needing corrective action and the contractual obligations of accountable parties. These reports shall give the status of the progress made in repairing and testing applications, the status of vendor supplied solutions to problems, information on the activation of manual or contract processes used to correct problems, and an itemization of the additional costs incurred.

(3) The department may present progress billings to the department of management and budget for the costs incurred in changing computer software and hardware as necessary to perform properly in the year 2000 and beyond and for costs incurred as a result of initiating corrective actions. At the time progress billings are presented for reimbursement, the department shall identify the funding sources that should support the work performed and the department of management and budget shall forward the appropriated funding."

8. Amend page 16, line 12, after "Sec. 301." by inserting "(1)".

9. Amend page 16, line 15, after "law." by inserting:

"(2)".

10. Amend page 18, line 1, by striking out all of sections 307, 308, and 309 and inserting:

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

Sec. 308. Money appropriated in part 1 shall not be used for the purchase of foreign goods or services when competitively priced and of comparable quality American goods or services are available.

Sec. 309. The department shall aggressively pursue compliance with contract specifications for construction and maintenance of state highways. Work shall not be accepted and paid for until it complies with contract requirements. Contractors with unsatisfactory performance ratings shall be restricted from future bidding through the department's prequalification process. As part of its annual overview of the budget, the department shall report to the house and senate appropriations subcommittees on transportation on its activities under this section."

11. Amend page 19, line 4, by striking out all of section 314 and inserting:

"Sec. 314. (1) The director 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 department.

(2) The director shall strongly encourage firms with which the department contracts to subcontract with certified businesses in depressed and deprived communities for services or supplies, or both."

12. Amend page 19, line 14, by striking out all of section 316 and inserting:

"Sec. 316. At the close of the fiscal year ending September 30, 2000, any unencumbered and unexpended balance in the state trunkline fund shall remain in the state trunkline fund and shall carry forward and be appropriated for federal aid road and bridge programs for projects contained in the annual state transportation program."

13. Amend page 20, line 22, by striking out all of section 321 and inserting:

"Sec. 321. (1) It shall remain a priority for the office of commission audits to fill all authorized positions. The commission shall submit a written report to the house and senate appropriations subcommittees on transportation and the house and senate fiscal agencies providing the structure of the office, the oversight of the office by the commission, and specific plans and the date or dates for implementation of those plans for improvements in the office.

(2) The chief administrative officer of the office shall be responsible for the performance by the office of not less than 6 performance audits in a fiscal year. The chief administrative officer shall provide a report at the end of each 6 months to the house and senate appropriations subcommittees on transportation and the house and senate fiscal agencies on the status of the office, the hours spent on performance audits, and the expected completion dates of audits in progress. Copies of audits completed during the reporting period may be included with the report.

(3) The department shall provide a report prepared by the department's internal auditor on the activities of the internal auditor for the prior fiscal year. This report shall include a listing of each audit or investigation performed by



the internal auditor pursuant to sections 486(4) and 487 of the management and budget act, 1984 PA 431, MCL 18.1486 and 18.1487. The report shall identify the proportion of time spent on each of the statutory responsibilities listed in sections 485(4), 486(4), and 487 of the management and budget act, 1984 PA 431, MCL 18.1485, 18.1486, and 18.1487, and the time spent on all other activities performed in the internal audit function. The first report shall be due on March 1, 2000 and biennially thereafter beginning on May 1, 2001 and shall be submitted to the governor, auditor general, the senate and house appropriations committees, the senate and house fiscal agencies, and the director.”.

14. Amend page 23, line 20, by striking out all of section 328.

15. Amend page 25, line 1, by striking out all of sections 331 and 332 and inserting:

“Sec. 331. The department shall implement a pilot program that places reports required by this act on the Internet, with electronic notification to legislative offices of Internet access to the reports. During fiscal year 2000, the department shall continue to distribute all of these reports to the legislature in the current printed format.

Sec. 333. (1) The department shall conduct a pavement demonstration project of not less than 1 mile in length as part of new construction using a pavement design that increases pavement life expectancy by not less than 40%. The department shall work with interested parties to develop design details and specifications for pavement design for the project which would best reduce pavement life cycle cost. It is the intent of the legislature that the department monitor the ride quality, performance, and life cycle cost of the road section constructed with the pavement design in comparison with road sections constructed using standard department specifications.

(2) The design shall increase pavement life expectancy by at least 40%. If the estimated paving construction costs for the road section designed to modified specifications exceed 15% of the estimated paving costs for comparable road sections on the same project designed to standard department paving specifications, the department shall use standard paving design details and specifications.

Sec. 334. The department shall continue its program to increase the use of women and minority owned businesses in state and local road construction projects. This program shall comprise, at a minimum, outreach and education efforts to inform women and minority owned firms of department competitive bidding processes and requirements, and an assessment of the availability of surety for women and minority owned businesses. The department shall report by March 31, 2000 to the house and senate appropriations subcommittees on transportation and the house and senate fiscal agencies of its progress in complying with this section.

Sec. 335. Logo signs shall be placed at 30 interchange locations during the fiscal year ending September 30, 2000. The signs may not be located within 5 miles of any international airport.

Sec. 336. (1) From funds appropriated in section 110 for state trunkline federal aid and road and bridge construction, the department shall expend \$2,000,000.00 on a 2-year pilot project to improve traffic flow on US 131, the major north and south artery through western Michigan. This pilot project shall be comprised of the following components:

(a) \$1,750,000.00 to examine alternatives in which the state, in collaboration with local transit providers, can mitigate congestion caused by the closure for repairs of US 131. This component shall explore the use of the following options:

(i) Keeping 1 lane open on the expressway at all times or providing an alternate route for use by buses, vans, and cars with 6 or more occupants.

(ii) Establishing a park and go program.

(iii) Other options the state and pilot participants consider feasible.

(b) \$250,000.00 shall be used to examine and improve traffic flow through and around the intersection of US 131, BR 131, and M 20.

(2) The department shall provide the house and senate appropriations subcommittees on transportation and the house and senate fiscal agencies a status report on this project on or before June 1, 2000.

Sec. 337. The department and the department of state police shall jointly prepare a report for the house and senate appropriations subcommittees on transportation that provides a cost effective strategic direction for the motor carrier weight enforcement program. The report shall minimally address the role of existing weigh stations and the use of new technologies for mobile enforcement. This report shall be submitted not later than April 1, 2000.”.

16. Amend page 26, line 22, after “year.” by striking out “Up to 30%” and inserting “Thirty percent”.

17. Amend page 27, following line 2, by inserting:

“(6) The department shall not borrow against the critical bridge fund for the first 9 months of the fiscal year.”.

18. Amend page 27, line 20, by striking out all of section 404 and inserting:

“Sec. 404. The appropriation in part 1 for grants to regional planning councils shall not be distributed until the regional planning councils submit to the department a work plan for the ensuing fiscal year and a description of transportation planning activities performed in the prior fiscal year. The appropriation in part 1 for grants to regional planning councils shall not be affected in the current fiscal year. It is the intent of the legislature that in subsequent fiscal years the distribution of grants to regional planning councils be based on needs as supported by a submitted work plan.”.

19. Amend page 33, following line 6, by inserting:

“Sec. 510. It is the intent of the legislature that as the appropriation of Michigan transportation fund funds for administration for certain state agencies is phased out, as provided for in section 10(1) of 1951 PA 51, MCL 247.660,

those funds shall be distributed pursuant to section 10 of 1951 PA 51, MCL 247.660, and shall not be distributed to any state agency that remains eligible to receive Michigan transportation fund funds for administration.”.

20. Amend page 33, line 12, by striking out all of section 602 and inserting:

“Sec. 602. The legislature encourages the department to work with the road construction industry to develop performance and road construction warranties for construction contracts. The development of warranties shall include warranties on materials, workmanship, performance criteria, and design/build projects. The department will report by September 30, 2000 to the house and senate appropriations subcommittees on transportation and to the house and senate fiscal agencies on the status of efforts to develop performance and road construction warranties.”.

21. Amend page 33, line 19, by striking out all of line 19 through “demonstration, the” on line 20 and inserting “establishing 2 additional truck inspection stations. The”.

22. Amend page 33, line 22, after “effectiveness.” by inserting “The department shall report on the effectiveness of this program.”.

23. Amend page 34, line 11, after “before” by striking out “September 30, 2000” and inserting “October 1, 1999”.

24. Amend page 34, line 15, by striking out all of section 606 and inserting:

“Sec. 606. If the department uses manufactured pipe for road construction drainage, the department shall require that pipe used under certain load bearing conditions beneath the roadway meet the standards established by the American society for testing and materials (ASTM) or American association of state highway and transportation officials (AASHTO). The department may also use the mandrel test for manufactured pipe 60 days after installation and provide a summary of the results of these inspections to the house and senate appropriations subcommittees on transportation and house and senate fiscal agencies.”.

25. Amend page 35, line 4, by striking out all of section 612.

26. Amend page 35, following line 5, by inserting:

“Sec. 617. It is the intent of the legislature that the department shall use traffic congestion as 1 of the criteria in determining the priorities for designating which roads shall be remediated in its 5-year road plan, which must be submitted on or before February 1, 2000. Criteria for evaluating traffic congestion shall include, but not be limited to, coordination with local, county, and regional planning, improvement in traffic operations, improvement in physical roadway conditions, accident reduction, and coordination with area public transportation planning.”.

27. Amend page 36, line 6, by striking out all of section 705.

28. Amend page 37, line 19, after “purpose.” by inserting “The report shall include recommendations on self-sustaining revenue sources to increase awareness and include efforts to increase ridership.”.

29. Amend page 43, line 14, by striking out all of section 709 and inserting:

“Sec. 709. (1) By March 31, 2000, the department shall submit a report to the house and senate appropriations subcommittees on transportation and to the house and senate fiscal agencies on the ridesharing and van pooling programs. The report shall describe how the appropriations for this program were expended in the last 5 years and assess the program’s effectiveness during this period.

(2) The department shall utilize competitive bidding for each grant awarded under subsection (1).”.

30. Amend page 43, line 26, by striking out all of section 710 and inserting:

“Sec. 710. (1) From the funds appropriated in part 1, \$2,000,000.00 is allocated for a rail infrastructure loan program. The program shall provide noninterest bearing loans for rail infrastructure improvements. The department shall evaluate loan applications according to the relative merit of the project in conjunction with program goals. The transportation commission shall approve the loans. The loans shall fund not less than 90% of the rail portion of project costs, and the loan repayment period shall not exceed 10 years. Local governments, railroads, and current or potential users of freight railroad services are eligible applicants. At the end of the fiscal year, unexpended funds shall remain in the rail infrastructure loan program and shall be available to be allocated for the purposes of the program in the succeeding fiscal year. Money that is received by this state as repayment for rail infrastructure loans made pursuant to this program shall remain within the rail infrastructure loan program and shall be allocated for the purposes of the program. The state’s total contribution to the rail infrastructure loan program shall not exceed \$15,000,000.00.

(2) The department or the state transportation commission shall not require any collateral or personal guarantees to qualify for a loan under the rail infrastructure loan program. However, the department or the state transportation commission shall review all outstanding loans issued under the rail infrastructure loan program every 180 days to determine the current status of the loan and verify the continuing eligibility and operations of loan recipients. The department shall prepare an annual report on the status of all outstanding loans issued under this program and present this report to the house and senate appropriations subcommittees on transportation and house and senate fiscal agencies on or before May 1, 2000.”.

31. Amend page 44, line 16, by striking out all of section 711.

32. Amend page 45, line 12, by striking out all of section 716 and inserting:

“Sec. 717. (1) It is the intent of the legislature to achieve coordinated services between DDOT and SMART by October 1, 1999. Prior to October 1, 1999, the RTCC shall meet to develop a report on all progress made in the coordination of services between DDOT and SMART. On or before October 1, 1999, the RTCC shall submit the report

to the house and senate appropriations subcommittees on transportation and the house and senate fiscal agencies. At a minimum, the RTCC shall coordinate dispatching, scheduling, ticketing, and fare boxes. Compliance shall require the RTCC to coordinate intersystem monthly reimbursement to ensure fare box neutrality. If the RTCC fails to meet and submit the report to the legislature on or before October 1, 1999, reimbursement of the monthly eligible operating expenses and bus capital to the RTCC for the month of October 1999 shall not exceed 1/12 of the amount of the distribution received from the CTF for eligible operating expenses and bus capital for the fiscal year ending September 30, 1997.

(2) If the RTCC fails to meet and submit the report to the legislature before that date, then on or before November 1, 1999, DDOT and SMART shall develop, submit, and set into operation a plan to achieve coordinated service that does not reduce total fare box revenue to the house and senate appropriations subcommittees on transportation and the house and senate fiscal agencies. At a minimum, the plan shall coordinate service on the Michigan avenue, Grand River avenue, Woodward avenue, Gratiot avenue, and the Jefferson avenue-Lakeshore drive corridors. The coordinated transit plan shall include coordination of local, intermediate, and express services to increase efficiency and eliminate redundant service which shall not reduce total fare box revenues on those routes.

(3) If DDOT and SMART fail to develop, submit to the legislature, and initiate operation of a coordinated transit plan by November 1, 1999, reimbursement of the monthly eligible operating expenses and bus capital to the RTCC shall not exceed 1/12 of the amount of the distribution received from the CTF for eligible operating expenses for the fiscal year ending September 30, 1997. If no coordinated transit plan is presented and in place by November 1, 1999, it is the intent of the legislature to amend the metropolitan transportation authorities act of 1967, 1967 PA 204, MCL 124.401 to 124.426, to disband the DDOT and SMART RTCC and separate all subsequent reimbursement of eligible operating expenses and bus capital to DDOT and SMART. After November 1, 1999 and until the metropolitan transportation authorities act of 1967, 1967 PA 204, MCL 124.401 to 124.426, is amended, for each month that a coordinated transit plan is not in operation, reimbursement of the monthly eligible operating expenses and bus capital to the RTCC shall not exceed 1/12 of the amount of the distribution received from the CTF for eligible operating expenses for the fiscal year ending September 30, 1997.

(4) All funds withheld from the RTCC under this section shall be reallocated and distributed to all remaining eligible public transit authorities statewide. The amount of funding withheld, reallocated, and distributed under this subsection shall comply with section 10e(4)(a) of 1951 PA 51, MCL 247.660e.

Sec. 718. On or before March 31, 2000, the department shall report to the house and senate appropriations subcommittees on transportation and the house and senate fiscal agencies on the status of efforts to develop a Lansing to Detroit commuter rail line. The report shall include an analysis of the feasibility of the proposed Lansing to Detroit commuter rail line.”

33. Amend page 49, line 3, by striking out all of section 725.

34. Amend page 49, following line 13, following section 726, by inserting:

“Sec. 727. It is the intent of the legislature that the department develop a plan to phase out, in subsequent years, the local bus operating funds currently used to reimburse services by water vehicle. Not later than September 1, 1999, the legislature and the department shall hold hearings jointly on the plan to phase out the operating funding.

Sec. 728. The department shall work with public transportation providers to determine the availability of additional federal funds and to develop a strategy to obtain these funds. The discussion shall include, but not be limited to, bonding.

Sec. 729. The appropriation in section 115 for local bus operating: unreserved CTF fund balance shall only be expended by the department if the department, together with the house and senate fiscal agencies and the department of management and budget, determines that sufficient funding is available in the comprehensive transportation fund to support the appropriation. The funding shall be appropriated pursuant to statutory requirements of 1951 PA 51, MCL 247.651 to 247.675, as follows:

(a) Ten percent shall be appropriated to the intercity passenger and freight programs with not more than \$1,000,000.00 of that amount appropriated to the rail infrastructure loan program. Any amount above the \$1,000,000.00 from the 10% shall be appropriated to the freight preservation and development program.

(b) The remaining 90% shall be appropriated to the local bus operating program.”

35. Amend page 49, line 21, by striking out all of sections 803 and 804 and inserting:

“Sec. 803. The appropriation in part 1 from the state aeronautics fund for transportation planning administration shall not be distributed until the department submits a report to the house and senate appropriations subcommittees on transportation and the house and senate fiscal agencies. The report shall describe in detail how the appropriations for aeronautics planning have been spent in the last 2 years, and assess the current and future levels of funding needed for this purpose.

Sec. 804. The department and the departments of state police, natural resources, and military affairs shall develop plans for the maintenance, scheduling, and use of all state-owned, noncombat aircraft. It is the intent of the legislature that these plans maximize the cost-efficient use of the state transportation air fleet. The departments shall prepare a joint report, coordinated by the department, on the development and implementation of these plans.

Sec. 805. The appropriation in section 113 for the airport management program is a 1-time only appropriation. The department shall include language in the agreement made with Western Michigan University pursuant to this section that the appropriation is a 1-time only appropriation. The department shall use the funding for a 2-year program with Western Michigan University as the fixed base operator for the Romeo airport. The university, in addition to being the fixed base operator for the airport, shall commit university funding for an academic internship program in airport management at the airport. The university shall actively work with local school districts and vocational schools, such as Davis technical institute in Detroit, to identify opportunities for students to pursue postsecondary education opportunities in the aviation industry.”.

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

A bill to make appropriations for the state transportation department and certain transportation purposes for the fiscal year ending September 30, 2000; to provide for the imposition of fees; to provide for reports; to create certain funds and programs; to prescribe requirements for certain railroad and bus facilities; to prescribe certain powers and duties of certain state departments and officials, certain state institutions of higher education, and local units of government; and to provide for the expenditure of the appropriations.

Philip E. Hoffman  
Leon Stille  
Joe Young, Jr.  
Conferees for the Senate

Judith Scranton  
Jon Jellema  
Keith Stallworth  
Conferees for the House

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

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

The motion prevailed.

The question being on the adoption of the conference report,

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

#### Roll Call No. 791

#### Yeas—104

Allen	Frank	Kowall	Rivet
Baird	Garcia	Kuipers	Rocca
Basham	Garza	Kukuk	Sanborn
Birkholz	Geiger	LaSata	Schauer
Bisbee	Gielegthem	Law	Schermesser
Bishop	Gilbert	Lemmons	Scott
Bogardus	Godchaux	Lockwood	Scranton
Bradstreet	Gosselin	Mans	Shackleton
Brater	Green	Martinez	Sheltrown
Brewer	Hager	Mead	Shulman
Brown, B.	Hale	Middaugh	Spade
Brown, C.	Hanley	Mortimer	Stallworth
Byl	Hansen	Neumann	Stamas
Callahan	Hardman	O'Neil	Switalski
Caul	Hart	Pappageorge	Tabor
Cherry	Howell	Patterson	Tesanovich
Clark, I.	Jacobs	Perricone	Thomas
Clarke, H.	Jamnack	Pestka	Toy
Daniels	Jansen	Price	Van Woerkom
DeHart	Jelinek	Prusi	Vander Roest
Dennis	Jellema	Pumford	Vaughn
DeRossett	Johnson, Rick	Raczkowski	Vear
DeVuyst	Julian	Reeves	Voorhees
DeWeese	Kelly	Richardville	Wojno
Ehardt	Kilpatrick	Richner	Woodward
Faunce	Koetje	Rison	Woronchak

**Nays—3**

LaForge

Minore

Quarles

In The Chair: Birkholz

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

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

“Mr. Speaker and members of the House:

While in general this is a good budget which addresses many needs, I voted no in protest of the \$56 million dollar transfer of transportation revenue to the Secretary of State for undefined and unclear ‘administrative expenses.’ This takes transportation dollars from their intended and legitimate uses for roads, bridges and public transportation. It funds ‘administrative expenses’ that should be funded with general revenue dollars.

This appropriation bill diverts gasoline taxes paid by the users of our roads and highways away from their intended use to fund undefined and unclear ‘administrative expenses’ in the Department of State. That department’s activities are, at best, loosely connected to the legitimate and intended use of these dollars for transportation expenses.”

**Senate Bill No. 366, entitled**

A bill to make appropriations for the departments of attorney general, civil rights, civil service, management and budget, state, and treasury, the executive office, and the legislative branch for the fiscal year ending September 30, 2000; 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 transfer certain funds; to prescribe certain requirements for bidding on state contracts; to provide for disposition of year-end balances for the fiscal year ending September 30, 2000; 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 Second Committee of Conference.

The Conference Report was read as follows:

**Second Conference Report**

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

**Senate Bill No. 366, entitled**

A bill to make appropriations for the departments of attorney general, civil rights, civil service, management and budget, state, and treasury, the executive office, and the legislative branch for the fiscal year ending September 30, 2000; 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 transfer certain funds; to prescribe certain requirements for bidding on state contracts; to provide for disposition of year-end balances for the fiscal year ending September 30, 2000; 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 part 1 and inserting:

“PART 1

LINE-ITEM APPROPRIATIONS

Sec. 101. Subject to the conditions set forth in this act, the amounts listed in this part are appropriated for the 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, for the fiscal year ending September 30, 2000, from the funds indicated in this part. The following is a summary of the appropriations in this part:

**TOTAL GENERAL GOVERNMENT**

Full-time equated unclassified positions .....	42.0	
Full-time equated classified positions .....	5,962.0	
<b>GROSS APPROPRIATION</b> .....		\$ 2,444,872,200
Interdepartmental grant revenues:		
Total interdepartmental grants and intradepartmental transfers .....		\$ 130,631,500
<b>ADJUSTED GROSS APPROPRIATION</b> .....		\$ 2,314,240,700
Federal revenues:		
Total federal revenues .....		60,820,700
Special revenue funds:		
Total local revenues .....		4,647,200
Total private revenues .....		2,231,900
Total other state restricted revenues .....		1,768,644,100
State general fund/general purpose .....		\$ 477,896,800

**Sec. 102. DEPARTMENT OF ATTORNEY GENERAL**

**(1) APPROPRIATION SUMMARY:**

Full-time equated unclassified positions .....	6.0	
Full-time equated classified positions .....	569.0	
<b>GROSS APPROPRIATION</b> .....		\$ 55,132,300
Interdepartmental grant revenues:		
Total interdepartmental grants and intradepartmental transfers .....		8,686,800
<b>ADJUSTED GROSS APPROPRIATION</b> .....		\$ 46,445,500
Federal revenues:		
Total federal revenues .....		6,401,700
Special revenue funds:		
Total local revenues .....		0
Total private revenues .....		1,106,800
Total other state restricted revenues .....		6,858,200
State general fund/general purpose .....		\$ 32,078,800

**(2) ATTORNEY GENERAL OPERATIONS**

Full-time equated unclassified positions .....	6.0	
Full-time equated classified positions .....	569.0	
Attorney general .....		\$ 124,900
Unclassified positions—5.0 FTE positions.....		444,500
Attorney general operations—550.5 FTE positions.....		52,712,000
Prosecuting attorneys coordinating council—18.5 FTE positions.....		1,550,900
PACC, training project .....		300,000
<b>GROSS APPROPRIATION</b> .....		\$ 55,132,300

Appropriated from:

Interdepartmental grant revenues:		
IDG from FIA .....		1,691,500
IDG from MDCIS, financial and insurance services .....		94,100
IDG from MDCIS, health services .....		907,700
IDG from MDCIS, liquor purchase revolving fund.....		805,400
IDG from MDCIS, public utility assessments .....		1,531,000
IDG from MDSP, Michigan justice training fund.....		300,000
IDG from MDOT, Michigan transportation fund.....		2,475,200
IDG from MDOT, state aeronautics fund .....		114,900
IDG from Michigan gaming control board.....		767,000
Federal revenues:		
DAG, state administrative match grant/food stamps .....		992,400
DED-OPSE, student loan, federal lender allowance.....		268,300

DOL-ETA, unemployment insurance .....	1,274,600
DOL-OSHA, occupational safety and health.....	249,400
EPA, multiple grants .....	343,500
Federal funds .....	419,600
HHS-OS, state Medicaid fraud control units .....	2,343,800
HHS, medical assistance, medigrant .....	510,100
Special revenue funds:	
Private - accident fund company revenue.....	1,106,800
Antitrust enforcement collections.....	285,800
Auto repair facilities fees.....	178,400
Collections revenue.....	550,400
Corporate fees.....	58,500
Franchise fees .....	223,100
Game and fish protection fund.....	630,800
Low level radioactive waste management fund.....	230,500
Michigan state housing development authority fees.....	447,300
Michigan underground storage tank financial assurance fund .....	147,900
Mobile home commission fees.....	173,100
Oil and gas privilege fee revenue.....	131,900
Prisoner reimbursement.....	277,600
Prosecuting attorneys training fees.....	236,800
Retirement funds.....	570,900
Second injury fund.....	865,800
Securities fees.....	58,600
Self-insurers security fund .....	148,400
Silicosis and dust disease fund.....	442,100
State building authority revenue .....	74,800
State hospital authority .....	291,200
State lottery fund .....	190,100
Utility consumers fund.....	446,300
Waterways fund .....	76,600
Worker's compensation administrative revolving fund.....	121,300
State general fund/general purpose .....	\$ 32,078,800
<b>Sec. 103. DEPARTMENT OF CIVIL RIGHTS</b>	
Full-time equated unclassified positions .....	5.0
Full-time equated classified positions .....	166.5
<b>GROSS APPROPRIATION.....</b>	<b>\$ 14,623,300</b>
Interdepartmental grant revenues:	
Total interdepartmental grants and intradepartmental transfers .....	0
<b>ADJUSTED GROSS APPROPRIATION .....</b>	<b>\$ 14,623,300</b>
Federal revenues:	
Total federal revenues .....	1,634,000
Special revenue funds:	
Total local revenues .....	0
Total private revenues .....	0
Total other state restricted revenues .....	0
State general fund/general purpose .....	\$ 12,989,300
<b>(2) CIVIL RIGHTS OPERATIONS</b>	
Full-time equated unclassified positions .....	5.0
Full-time equated classified positions .....	166.5
Commission (per diem \$75.00) .....	\$ 16,200
Unclassified positions—5.0 FTE positions.....	333,100
Civil rights operations—166.5 FTE positions .....	14,274,000
<b>GROSS APPROPRIATION.....</b>	<b>\$ 14,623,300</b>
Appropriated from:	
Federal revenues:	
EEOC, state and local antidiscrimination agency contracts.....	1,500,000
HUD, grant .....	134,000
State general fund/general purpose .....	\$ 12,989,300

**Sec. 104. DEPARTMENT OF CIVIL SERVICE**

**(1) APPROPRIATION SUMMARY:**

Full-time equated classified positions .....	230.5	
GROSS APPROPRIATION .....		\$ 28,585,500
Interdepartmental grant revenues:		
Total interdepartmental grants and intradepartmental transfers .....		2,300,000
ADJUSTED GROSS APPROPRIATION .....		\$ 26,285,500
Federal revenues:		
Total federal revenues .....		4,779,100
Special revenue funds:		
Total local revenues .....		1,700,000
Total private revenues .....		150,000
Total other state restricted revenues .....		8,859,200
State general fund/general purpose .....		\$ 10,797,200

**(2) CIVIL SERVICE OPERATIONS**

Full-time equated classified positions .....	230.5	
Civil service operations—230.5 FTE positions .....		\$ 28,585,500
GROSS APPROPRIATION .....		\$ 28,585,500
Appropriated from:		
Interdepartmental grant revenues:		
IDG, training charges .....		1,000,000
IDG, 1% special funds .....		1,300,000
Federal revenues:		
Federal funds 1% .....		4,779,100
Special revenue funds:		
Local funds 1% .....		1,700,000
Private funds 1% .....		150,000
Data services revenue .....		8,100
Freedom of information fees .....		1,100
State sponsored group insurance .....		2,650,000
State restricted funds 1% .....		6,200,000
State general fund/general purpose .....		\$ 10,797,200

**Sec. 105. EXECUTIVE OFFICE**

**(1) APPROPRIATION SUMMARY:**

Full-time equated unclassified positions .....	10.0	
Full-time equated classified positions .....	75.0	
GROSS APPROPRIATION .....		\$ 5,425,100
Interdepartmental grant revenues:		
Total interdepartmental grants and intradepartmental transfers .....		0
ADJUSTED GROSS APPROPRIATION .....		\$ 5,425,100
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 .....		\$ 5,425,100

**(2) EXECUTIVE OFFICE OPERATIONS**

Full-time equated unclassified positions .....	10.0	
Full-time equated classified positions .....	75.0	
Governor .....		\$ 149,000
Lieutenant governor .....		100,300
Executive office—75.0 FTE positions .....		4,367,000
Unclassified positions—8.0 FTE positions .....		808,800
GROSS APPROPRIATION .....		\$ 5,425,100
Appropriated from:		
State general fund/general purpose .....		\$ 5,425,100

**Sec. 106. LEGISLATIVE AUDITOR GENERAL**

**(1) APPROPRIATION SUMMARY:**

GROSS APPROPRIATION .....		\$ 14,343,400
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Interdepartmental grant revenues:	
Total interdepartmental grants and intradepartmental transfers .....	1,527,100
ADJUSTED GROSS APPROPRIATION .....	\$ 12,816,300
Federal revenues:	
Total federal revenues .....	0
Special revenue funds:	
Total local revenues .....	0
Total private revenues .....	0
Total other state restricted revenues .....	293,800
State general fund/general purpose .....	\$ 12,522,500
<b>(2) OFFICE OF THE AUDITOR GENERAL</b>	
Legislative auditor general .....	\$ 118,000
Unclassified positions .....	128,200
Field operations .....	14,097,200
GROSS APPROPRIATION .....	\$ 14,343,400
Appropriated from:	
Interdepartmental grant revenues:	
IDG from MDCIS, liquor purchase revolving fund .....	79,300
IDG from MDCS .....	67,100
IDG from MDOT, comprehensive transportation fund .....	38,900
IDG from MDOT, Michigan transportation fund .....	101,800
IDG from MDOT, state aeronautics fund .....	15,400
IDG from MDOT, state trunkline fund .....	381,100
IDG, single audit act .....	843,500
Special revenue funds:	
Construction lien fund .....	5,000
Contract audit administration fees .....	46,000
Correctional industries revolving fund .....	31,800
Game and fish protection fund .....	17,100
Marine safety fund .....	1,500
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 .....	49,600
State employees' group insurance .....	26,200
Waterways fund .....	4,500
State general fund/general purpose .....	\$ 12,522,500
<b>Sec. 107. LEGISLATURE</b>	
<b>(1) APPROPRIATION SUMMARY:</b>	
GROSS APPROPRIATION .....	\$ 103,153,500
Interdepartmental grant revenues:	
Total interdepartmental grants and intradepartmental transfers .....	0
ADJUSTED GROSS APPROPRIATION .....	\$ 103,153,500
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 .....	\$ 101,711,700
<b>(2) LEGISLATURE</b>	
Senate .....	\$ 27,538,300
Senate automated data processing .....	2,221,500
Senate fiscal agency .....	3,252,800
House of representatives .....	38,247,700
House automated data processing .....	1,979,500
House fiscal agency .....	3,073,800
GROSS APPROPRIATION .....	\$ 76,313,600

Appropriated from:	
State general fund/general purpose .....	\$ 76,313,600
<b>(3) LEGISLATIVE COUNCIL</b>	
Legislative council.....	\$ 10,827,200
Legislative service bureau automated data processing .....	1,548,900
Legislative session integration system .....	900
Legislative corrections ombudsman .....	563,300
Worker's compensation .....	154,800
National association dues.....	396,100
GROSS APPROPRIATION.....	\$ 13,491,200
Appropriated from:	
Special revenue funds:	
Private - gifts and bequests revenues .....	400,000
State general fund/general purpose .....	\$ 13,091,200
<b>(4) LEGISLATIVE RETIREMENT SYSTEM</b>	
General nonretirement expenses.....	\$ 4,298,900
GROSS APPROPRIATION.....	\$ 4,298,900
Appropriated from:	
Special revenue funds:	
Court fees .....	1,041,800
State general fund/general purpose .....	\$ 3,257,100
<b>(5) PROPERTY MANAGEMENT</b>	
Capitol building .....	\$ 1,885,100
House of representatives office building .....	6,500,000
Farnum building .....	664,700
GROSS APPROPRIATION.....	\$ 9,049,800
Appropriated from:	
State general fund/general purpose .....	\$ 9,049,800
<b>Sec. 108. LIBRARY OF MICHIGAN</b>	
<b>(1) APPROPRIATION SUMMARY:</b>	
GROSS APPROPRIATION.....	\$ 38,977,400
Interdepartmental grant revenues:	
Total interdepartmental grants and intradepartmental transfers .....	0
ADJUSTED GROSS APPROPRIATION .....	\$ 38,977,400
Federal revenues:	
Total federal revenues .....	4,557,400
Special revenue funds:	
Total local revenues .....	0
Total private revenues .....	75,000
Total other state restricted revenues .....	86,900
State general fund/general purpose .....	\$ 34,258,100
<b>(2) LIBRARY OF MICHIGAN</b>	
Operations.....	\$ 8,117,600
Michigan library and historical center operations .....	2,787,600
Library automation.....	728,400
Statewide database access .....	650,000
Collected gifts and fees.....	161,900
State aid to libraries .....	14,350,700
Grant to the Detroit public library .....	5,871,600
Grand Rapids public library .....	406,400
Subregional state aid.....	554,300
Wayne county library for the blind & physically handicapped.....	49,200
Book distribution centers .....	313,500
Library services and technology act.....	4,557,400
Renaissance zone reimbursement .....	428,800
GROSS APPROPRIATION.....	\$ 38,977,400
Appropriated from:	
Federal revenues:	
Library services and technology act.....	4,557,400

Special revenue funds:	
Private - gifts and bequests revenues .....	75,000
User fees .....	86,900
State general fund/general purpose .....	\$ 34,258,100
<b>Sec. 109. DEPARTMENT OF MANAGEMENT AND BUDGET</b>	
<b>(1) APPROPRIATION SUMMARY:</b>	
Full-time equated unclassified positions .....	6.0
Full-time equated classified positions .....	944.0
GROSS APPROPRIATION .....	\$ 137,400,800
Interdepartmental grant revenues:	
Total interdepartmental grants and intradepartmental transfers .....	52,476,200
ADJUSTED GROSS APPROPRIATION .....	\$ 84,924,600
Federal revenues:	
Total federal revenues .....	536,400
Special revenue funds:	
Total local revenues .....	0
Total private revenues .....	0
Total other state restricted revenues .....	39,579,000
State general fund/general purpose .....	\$ 44,809,200
<b>(2) MANAGEMENT AND BUDGET SERVICES</b>	
Full-time equated unclassified positions .....	6.0
Full-time equated classified positions .....	782.0
Unclassified positions—6.0 FTE positions .....	\$ 515,700
Departmentwide services—62.0 FTE positions .....	14,590,300
Statewide administrative services—253.0 FTE positions .....	24,414,500
Statewide support services—356.0 FTE positions .....	47,906,400
Michigan administrative information network—111.0 FTE positions .....	24,762,400
GROSS APPROPRIATION .....	\$ 112,189,300
Appropriated from:	
Interdepartmental grant revenues:	
IDG from building occupancy and parking charges .....	46,500,300
IDG from MDCH .....	235,000
IDG from MDOT, comprehensive transportation fund .....	38,600
IDG from MDOT, state aeronautics fund .....	18,200
IDG from MDOT, state trunkline fund .....	768,100
IDG from department of career development .....	100,000
IDG from user fees .....	3,561,000
Federal revenues:	
Federal - MESA, administration fund .....	536,400
Special revenue funds:	
Game and fish protection fund .....	190,800
Health management funds .....	1,195,400
Marine safety fund .....	14,100
MAIN user charges .....	5,142,200
Special revenue, internal service, and pension trust funds .....	6,501,400
State building authority revenue .....	435,200
State lottery fund .....	103,300
State sponsored group insurance, flexible spending accounts and COBRA .....	4,672,100
Waterways fund .....	46,200
State general fund/general purpose .....	\$ 42,131,000
<b>(3) STATEWIDE APPROPRIATIONS</b>	
Professional development fund - MPES .....	\$ 105,000
Professional development fund - MSC .....	150,000
Professional development fund - UAW .....	900,000
Professional development fund - local 31-M .....	50,000
Professional development fund - nonexclusively represented employees .....	50,000
GROSS APPROPRIATION .....	\$ 1,255,000
Appropriated from:	
Interdepartmental grant revenues:	
IDG from employer contributions .....	1,255,000
State general fund/general purpose .....	\$ 0

**(4) SPECIAL PROGRAMS**

Full-time equated classified positions .....	162.0	
Building occupancy charges - property management services for executive/legislative building occupancy .....		1,514,300
Retirement services—148.0 FTE positions.....		21,278,300
Office of children's ombudsman—14.0 FTE positions .....		1,163,900
<b>GROSS APPROPRIATION</b> .....		\$ 23,956,500

## Appropriated from:

Special revenue funds:		
Pension trust funds.....		21,278,300
State general fund/general purpose .....		\$ 2,678,200

**Sec. 110. DEPARTMENT OF STATE****(1) APPROPRIATION SUMMARY:**

Full-time equated unclassified positions .....	6.0	
Full-time equated classified positions .....	2,044.0	
<b>GROSS APPROPRIATION</b> .....		\$ 181,515,300

## Interdepartmental grant revenues:

Total interdepartmental grants and intradepartmental transfers .....		56,830,800
<b>ADJUSTED GROSS APPROPRIATION</b> .....		\$ 124,684,500

## Federal revenues:

Total federal revenues .....		3,112,100
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## Special revenue funds:

Total local revenues .....		0
Total private revenues .....		500,100
Total other state restricted revenues .....		60,983,300
State general fund/general purpose .....		\$ 60,089,000

**(2) EXECUTIVE DIRECTION**

Full-time equated unclassified positions .....	6.0	
Full-time equated classified positions .....	26.2	
Secretary of state .....		\$ 124,900
Unclassified positions—5.0 FTE positions.....		444,500
Operations—26.2 FTE positions .....		1,737,600
<b>GROSS APPROPRIATION</b> .....		\$ 2,307,000

## Appropriated from:

## Interdepartmental grant revenues:

IDG from MDOT, Michigan transportation fund.....		483,700
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## Special revenue funds:

Auto repair facilities fees .....		48,600
Driver fees .....		78,800
Expedient service fees.....		40,500
Look-up fees .....		353,600
Parking ticket court fines .....		6,300
Personal identification card fees .....		9,600
Reinstatement fees - operator licenses .....		84,200
Vehicle theft prevention fees.....		27,800
State general fund/general purpose .....		\$ 1,173,900

**(3) DEPARTMENT SERVICES**

Full-time equated classified positions .....	374.0	
Operations—164.8 FTE positions .....		\$ 18,447,200
Auto regulation—103.7 FTE positions.....		7,085,400
Data processing—99.0 FTE positions .....		23,239,800
Assigned claims assessments—6.5 FTE positions.....		600,600
<b>GROSS APPROPRIATION</b> .....		\$ 49,373,000

## Appropriated from:

## Interdepartmental grant revenues:

IDG from MDOT, Michigan transportation fund.....		15,686,500
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## Federal revenues:

Temporary assistance for needy families.....		1,345,900
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Special revenue funds:	
Administrative order processing fees .....	10,400
Assigned claims assessments .....	600,600
Auto repair facilities fees .....	4,251,700
Child support clearance fees .....	45,700
Driver fees .....	1,076,500
Expedient service fees .....	664,400
Look-up fees .....	9,058,200
Marine safety fund .....	64,500
Off-road vehicle title fees .....	6,900
Parking ticket court fines .....	122,000
Personal identification card fees .....	97,000
Reinstatement fees - operator licenses .....	860,200
Scrap tire fund .....	59,200
Snowmobile registration fee revenue .....	15,500
Vehicle theft prevention fees .....	1,518,000
State general fund/general purpose .....	\$ 13,889,800
<b>(4) REGULATORY SERVICES</b>	
Full-time equated classified positions .....	95.8
Operations—95.8 FTE positions .....	\$ 7,295,800
<b>GROSS APPROPRIATION</b> .....	\$ 7,295,800
Appropriated from:	
Interdepartmental grant revenues:	
IDG from MDOT, Michigan transportation fund .....	2,004,800
Special revenue funds:	
Auto repair facilities fees .....	57,400
Driver fees .....	520,100
Expedient service fees .....	25,900
Look-up fees .....	2,173,100
Parking ticket court fines .....	7,100
Personal identification card fees .....	35,400
Reinstatement fees - operator licenses .....	456,800
Vehicle theft prevention fees .....	95,400
State general fund/general purpose .....	\$ 1,919,800
<b>(5) CUSTOMER DELIVERY SERVICES</b>	
Full-time equated classified positions .....	1,444.8
Branch operations—1,020.0 FTE positions .....	\$ 63,892,100
Central records—408.6 FTE positions .....	27,537,300
Commemorative license plates—16.2 FTE positions .....	9,353,300
Specialty license plates .....	2,215,000
Olympic center plate .....	75,700
Organ donor program .....	104,100
<b>GROSS APPROPRIATION</b> .....	\$ 103,177,500
Appropriated from:	
Interdepartmental grant revenues:	
IDG from MDOT, Michigan transportation fund .....	35,936,600
Federal revenues:	
Temporary assistance for needy families .....	366,300
Special revenue funds:	
Private funds .....	100
Auto repair facilities fees .....	75,700
Child support clearance fees .....	331,500
Commercial driver training school fees .....	57,200
Driver fees .....	10,887,100
Expedient service fees .....	1,549,900
Look-up fees .....	15,259,800
Marine safety fund .....	907,400
Mobile home commission fees .....	376,600
Motorcycle safety fund .....	119,700
Off-road vehicle title fees .....	97,100

Olympic center training fund .....	75,700
Parking ticket court fines .....	1,312,800
Personal identification card fees .....	1,217,700
Reinstatement fees - operator licenses .....	1,846,800
Snowmobile registration fee revenue .....	265,600
Vehicle theft prevention fees.....	168,900
State general fund/general purpose .....	\$ 32,325,000
<b>(6) ELECTION REGULATION</b>	
Full-time equated classified positions .....	28.5
Election administration and services—28.5 FTE positions.....	\$ 2,118,200
Fees to local units .....	69,800
Qualified voter file.....	1,154,300
GROSS APPROPRIATION.....	\$ 3,342,300
Appropriated from:	
State general fund/general purpose .....	\$ 3,342,300
<b>(7) HISTORICAL PROGRAM</b>	
Full-time equated classified positions .....	74.7
Historical administration and services—63.3 FTE positions .....	\$ 4,326,100
Federal programs—8.9 FTE positions .....	1,399,900
Mann house—0.5 FTE position.....	100,000
Lighthouse program—1.0 FTE position .....	150,000
Tax credit program—1.0 FTE position.....	70,000
Heritage publications .....	700,000
Private grants and gifts .....	400,000
GROSS APPROPRIATION.....	\$ 7,146,000
Appropriated from:	
Federal revenues:	
DOC-NOAA, coastal zone management administration .....	75,000
DOI-NHPRC .....	250,000
DOI-NPS, historic preservation grants-in-aid.....	924,900
Federal institute of museum and library services .....	150,000
Special revenue funds:	
Private - grants and gifts .....	400,000
Private - Mann house trust fund.....	100,000
Heritage publication fund.....	700,000
State general fund/general purpose .....	\$ 4,546,100
<b>(8) DEPARTMENTWIDE APPROPRIATIONS</b>	
Building occupancy charges - property management services .....	\$ 1,493,700
Private rent .....	6,570,400
Worker's compensation .....	809,600
GROSS APPROPRIATION.....	\$ 8,873,700
Appropriated from:	
Interdepartmental grant revenues:	
IDG from MDOT, Michigan transportation fund.....	2,719,200
Special revenue funds:	
Auto repair facilities fees .....	174,300
Driver fees .....	536,200
Expedient service fees.....	16,000
Look-up fees .....	1,957,800
Parking ticket court fines .....	578,100
State general fund/general purpose .....	\$ 2,892,100
<b>Sec. 111. DEPARTMENT OF TREASURY</b>	
<b>(1) APPROPRIATION SUMMARY:</b>	
Full-time equated unclassified positions .....	9.0
Full-time equated classified positions .....	1,933.0
GROSS APPROPRIATION.....	\$ 1,865,715,600
Interdepartmental grant revenues:	
Total interdepartmental grants and intradepartmental transfers .....	8,810,600
ADJUSTED GROSS APPROPRIATION .....	\$ 1,856,905,000

Federal revenues:	
Total federal revenues .....	39,800,000
Special revenue funds:	
Total local revenues .....	2,947,200
Total private revenues .....	0
Total other state restricted revenues .....	1,650,941,900
State general fund/general purpose .....	\$ 163,215,900
<b>(2) EXECUTIVE DIRECTION</b>	
Full-time equated unclassified positions .....	9.0
Full-time equated classified positions .....	4.0
Unclassified positions—9.0 FTE positions .....	\$ 748,600
Multistate tax commission dues .....	111,700
Office of the director—4.0 FTE positions .....	426,800
GROSS APPROPRIATION .....	\$ 1,287,100
Appropriated from:	
Special revenue funds:	
State lottery fund .....	109,700
State services fee fund .....	117,600
State general fund/general purpose .....	\$ 1,059,800
<b>(3) DEPARTMENTWIDE APPROPRIATIONS</b>	
Rent .....	\$ 570,400
Travel .....	1,815,900
Building occupancy charges - property management services .....	2,398,300
Worker's compensation insurance premium .....	486,800
GROSS APPROPRIATION .....	\$ 5,271,400
Appropriated from:	
Interdepartmental grant revenues:	
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 .....	2,833,300
Municipal finance fees .....	11,200
Treasury fees .....	18,900
Waterways fund .....	2,300
State general fund/general purpose .....	\$ 2,161,200
<b>(4) LOCAL GOVERNMENT PROGRAMS</b>	
Full-time equated classified positions .....	98.0
Supervision of the general property tax law—49.0 FTE positions .....	\$ 4,147,700
Property tax assessor training—4.0 FTE positions .....	346,400
Local property tax services—16.5 FTE positions .....	1,739,800
Local finance—28.5 FTE positions .....	2,215,400
State audits of counties .....	60,000
Pari-mutuel audits .....	240,000
GROSS APPROPRIATION .....	\$ 8,749,300
Appropriated from:	
Special revenue funds:	
Local - assessor training fees .....	346,400
Local - audit charges .....	988,300
Local - equalization study charge-backs .....	200,500
Local - revenue from local government .....	615,100
Delinquent property tax administration fund .....	4,739,800
Municipal finance fees .....	243,300
State general fund/general purpose .....	\$ 1,615,900
<b>(5) TAX PROGRAMS</b>	
Full-time equated classified positions .....	761.5
Administration—229.0 FTE positions .....	\$ 17,347,000

Enforcement—524.5 FTE positions .....	32,758,100
Technology investment plan.....	5,000,000
Home heating assistance .....	1,600,000
Senior prescription drug credit processing .....	182,500
Michigan underground storage tank assurance fund—4.0 FTE positions .....	199,000
Tobacco tax collection—4.0 FTE positions.....	200,000
Joint federal/state motor fuel compliance project.....	100,000
Bottle bill implementation .....	250,000
New hire reporting.....	1,545,000
FARSTAR tax audit system.....	4,242,400
GROSS APPROPRIATION.....	\$ 63,424,000
Appropriated from:	
Interdepartmental grant revenues:	
IDG, data/collection services fees .....	250,900
IDG from FIA .....	1,545,000
IDG from MDCH.....	200,000
IDG from MDOT, state aeronautics fund .....	38,000
Federal revenues:	
DOT-FHA, intermodal surface transportation efficiency act .....	410,000
HHS-SSA, low income energy assistance .....	1,600,000
Special revenue funds:	
Bottle deposit fund.....	250,000
Delinquent tax collection revenue .....	36,400,500
Escheats revenue.....	298,200
Michigan pharmaceutical .....	182,500
Michigan underground storage tank financial assurance revenue .....	199,000
Tobacco tax revenue .....	325,000
Waterways fund .....	49,400
State general fund/general purpose .....	\$ 21,675,500
<b>(6) MANAGEMENT PROGRAMS</b>	
Full-time equated classified positions .....	520.5
Department services—338.5 FTE positions.....	\$ 21,215,800
Information technology services—171.0 FTE positions .....	11,999,400
Receipt, warrant and cash processing.....	3,736,300
Fiscal agent—3.0 FTE positions .....	136,700
Child support order offsets—8.0 FTE positions .....	501,300
GROSS APPROPRIATION.....	\$ 37,589,500
Appropriated from:	
Interdepartmental grant revenues:	
IDG, fiscal agent service fees .....	136,700
IDG from FIA, title IV D.....	471,700
IDG from MDOT, state aeronautics fund .....	16,200
IDG, levy/warrant cost assessment fees .....	1,481,200
IDG, receipt, warrant and cash processing fees.....	3,736,300
IDG, state agency collection fees.....	421,500
IDG, user services.....	492,500
Special revenue funds:	
Children's trust fund .....	6,400
Delinquent property tax administration fund.....	17,300
Delinquent tax collection revenue .....	13,637,100
Garnishment fees .....	391,100
Treasury fees.....	150,800
Waterways fund .....	17,100
State general fund/general purpose .....	\$ 16,613,600
<b>(7) FINANCIAL PROGRAMS</b>	
Full-time equated classified positions .....	289.0
Retirement investments—86.5 FTE positions.....	\$ 8,803,800
Common cash investments and debt management—10.5 FTE positions .....	780,900
Student financial assistance programs—174.5 FTE positions.....	39,441,400



Deferred compensation/defined contribution—17.5 FTE positions .....	2,972,100
Health insurance reserve fund payment.....	573,600
Michigan merit award commission .....	2,000,000
<b>GROSS APPROPRIATION</b> .....	\$ 54,571,800
Appropriated from:	
Federal revenues:	
DED-OPSE, federal lenders allowance .....	11,487,900
DED-OPSE, higher education act of 1965, insured loans.....	26,302,100
Special revenue funds:	
College work study .....	46,300
Deferred compensation .....	2,774,800
Michigan merit award trust fund.....	2,000,000
MI-CASHE fees.....	357,400
Retirement funds.....	8,803,800
School bond fees.....	330,200
Treasury fees.....	270,800
State general fund/general purpose .....	\$ 2,198,500
<b>(8) DEBT SERVICE</b>	
Water pollution control bond and interest redemption.....	\$ 4,065,000
School bond loan .....	23,615,000
Quality of life bond .....	66,437,500
<b>GROSS APPROPRIATION</b> .....	\$ 94,117,500
Appropriated from:	
Special revenue funds:	
Local - school bond loan repayments by school districts .....	700,000
State general fund/general purpose .....	\$ 93,417,500
<b>(9) GRANTS</b>	
Grants to counties in lieu of taxes.....	\$ 10,000
Convention facility development distribution.....	40,000,000
Michigan education trust fund challenge grants .....	50,000
Senior citizen cooperative housing tax exemption program .....	13,700,600
Constitutional state general revenue sharing grants.....	607,230,000
Statutory state general revenue sharing grants .....	855,270,000
Special census revenue sharing payments .....	6,500,000
Health and safety fund grants.....	23,175,000
City of Benton Harbor - enterprise zone .....	213,200
Tax increment finance authority payments .....	4,000,100
<b>GROSS APPROPRIATION</b> .....	\$ 1,550,148,900
Appropriated from:	
Special revenue funds:	
Convention facility development fund .....	40,000,000
Sales tax.....	1,462,500,000
Health and safety fund .....	23,175,000
State general fund/general purpose .....	\$ 24,473,900
<b>(10) STATE LOTTERY</b>	
Full-time equated classified positions .....	202.0
Lottery operations—164.0 FTE positions.....	\$ 12,917,300
Promotion and advertising .....	18,372,000
Lottery data processing—38.0 FTE positions.....	4,862,800
<b>GROSS APPROPRIATION</b> .....	\$ 36,152,100
Appropriated from:	
Special revenue funds:	
State lottery fund .....	36,152,100
State general fund/general purpose .....	\$ 0
<b>(11) CASINO GAMING</b>	
Full-time equated classified positions .....	58.0
Michigan gaming control board .....	\$ 500,000
Casino gaming control administration—58.0 FTE positions .....	13,904,000
<b>GROSS APPROPRIATION</b> .....	\$ 14,404,000

Appropriated from:

Special revenue funds:

Casino gambling agreements.....	383,500
State services fee fund .....	14,020,500
State general fund/general purpose .....	\$ 0”.

2. Amend page 32, line 4, by striking out all of section 201 and inserting:

“Sec. 201. (1) Pursuant to section 30 of article IX of the state constitution of 1963, total state spending under part 1 for fiscal year 1999-2000 is \$2,246,540,900.00 and state appropriations to be paid to local units of government are as follows:

LEGISLATIVE BRANCH - LIBRARY OF MICHIGAN

State aid to libraries.....	\$ 14,350,700
Detroit public library .....	5,871,600
Grand Rapids public library .....	406,400
Subregional state aid.....	554,300
Wayne County library for the blind and physically handicapped .....	49,200
Renaissance zone reimbursement .....	428,800
Subtotal.....	\$ 21,661,000

DEPARTMENT OF STATE

Fees to local units .....	\$ 69,800
Subtotal.....	\$ 69,800

DEPARTMENT OF TREASURY

Senior citizen cooperative housing tax exemption .....	\$ 13,700,600
Grants to counties in lieu of taxes.....	10,000
Health and safety fund grants.....	23,175,000
City of Benton Harbor enterprise zone.....	213,200
Constitutional state general revenue sharing grants.....	607,230,000
Statutory state general revenue sharing grants .....	855,270,000
Special census revenue sharing payments .....	6,500,000
Convention facility development fund distribution .....	40,000,000
Tax increment finance authority payments .....	4,000,100
Subtotal.....	\$ 1,550,098,900
TOTAL GENERAL GOVERNMENT .....	\$ 1,571,829,700

(2) If it appears to the principal executive officer of a department or branch that state spending to local units of government will be less than the amount that was projected to be expended for any quarter under subsection (1), the principal executive officer shall immediately give notice of the approximate shortfall to the state budget director, the senate and house of representatives standing committees on appropriations, and the senate and house fiscal agencies.

(3) Pursuant to section 30 of article IX of the state constitution of 1963, total state spending from state sources for fiscal year 1999-2000 is estimated at \$23,731,359,500.00 in the 1999-2000 appropriations acts and state spending from state sources paid to local units of government for fiscal year 1999-2000 is estimated at \$14,502,800,700.00. The state-local proportion is estimated at 61.1% of total state spending from state resources.

(4) If payments to local units of government and state spending from state sources for fiscal year 1999-2000 are different than the amounts estimated in subsection (3), the state budget director shall report the payments to local units of government and state spending from state sources that were made for fiscal year 1999-2000 to the senate and house of representatives standing committees on appropriations within 30 days after the final bookclosing for fiscal year 1999-2000.”.

3. Amend page 37, line 24, by striking out all of section 209 and inserting:

“Sec. 209. (1) The departments of attorney general, civil rights, civil service, management and budget, state, and treasury, the executive office, and the legislative branch shall submit to the department of management and budget, the senate and house of representatives standing committees on appropriations, the senate and house fiscal agencies, and the senate and house standing committees having jurisdiction over technology issues, quarterly reports on the department’s or agency’s efforts to change the department’s or agency’s computer software and hardware as necessary to perform properly in the year 2000 and beyond. These reports shall identify actual progress in comparison to the department’s or agency’s approved work plan for these efforts.

(2) Beginning with the report on April 1, 2000, the departments of attorney general, civil rights, civil service, management and budget, state, and treasury, the executive office, and the legislative branch shall submit to the department of management and budget, the senate and house of representatives standing committees on appropriations, the senate and house fiscal agencies, and the senate and house standing committees having jurisdiction over technology issues, quarterly reports identifying, for the immediately preceding quarter, significant problems with information systems, occurrences of information system failure as a result of noncompliance with year 2000 standards, and

previously unidentified areas of significant impact. These reports shall identify systems needing corrective action and the contractual obligations of accountable parties. These reports shall give the status of the progress made in repairing and testing applications, the status of vendor-supplied solutions to problems, information on the activation of manual or contract processes used to correct problems, and an itemization of the additional costs incurred.

(3) The departments of attorney general, civil rights, civil service, management and budget, state, and treasury, and the executive office may present progress billings to the department of management and budget for the costs incurred in changing computer software and hardware as necessary to perform properly in the year 2000 and beyond, and for costs incurred as a result of initiating corrective actions. At the time progress billings are presented for reimbursement, the departments and agencies shall identify the funding sources that should support the work performed, and the department of management and budget shall forward the appropriate funding.”.

4. Amend page 39, line 21, after “agencies” by striking out the balance of the section and inserting “within 30 months.”.

5. Amend page 39, line 22, by striking out all of section 212 and inserting:

“Sec. 212. Pursuant to section 352 of the management and budget act, 1984 PA 431, MCL 18.1352, that provides for a transfer of state general fund into the countercyclical budget and economic stabilization fund, there is appropriated into the countercyclical budget and economic stabilization fund the sum of \$37,100,000.00 determined as follows:

	<u>1998</u>	<u>1999</u>
Michigan personal income (millions)	\$253,841	\$264,908
less: transfer payments	39,655	40,805
Subtotal	214,186	224,103
Divided by: Detroit CPI for 12 months		
Ending June 30 (1982=1.00)	1,582	1,616
Equals: Real adjusted Michigan personal income	\$135,389	\$138,686
Percentage change		2.4%
Percentage change in excess of 2%		0.4%
Multiplied by: estimated GF/GP revenue in FY 1998-99 (millions)		9,266.9
Equals: countercyclical budget and economic stabilization fund requirements		
for the fiscal year ending September 30, 2000.		\$37.1”.

6. Amend page 41, line 12, by striking out all of section 216.

7. Amend page 53, line 4, by striking out all of section 631.

8. Amend page 61, line 5, by striking out all of sections 716 and 717 and inserting:

“Sec. 716. The department of management and budget shall maintain an Internet website that contains notice of all invitations for bids and requests for proposals over \$50,000.00 issued by the department or by any state agency operating under delegated authority. The department shall not accept an invitation for bid or request for proposal less than 14 days after the notice was made available on the Internet website, except in situations where it would be in the best interest of the state and documented by the department. In addition to the requirements of this section, the department may advertise the invitations for bids and requests for proposals in any manner the department determines appropriate, in order to give the greatest number of individuals and businesses the opportunity to make bids or requests for proposals.”.

9. Amend page 70, line 25, by striking out all of sections 821 and 822.

10. Amend page 73, line 26, after “funds” by striking out “international”.

11. Amend page 73, line 27, after “portfolios.” by inserting “The state treasurer shall report annually to the senate and house of representatives standing committees on appropriations concerning the performance of each portfolio by investment advisor.”.

12. Amend page 87, line 6, by striking out all of section 935.

13. Amend page 90, line 14, by striking out all of section 1101 and inserting:

“Sec. 1101. Pursuant to section 18 of article V of the state constitution of 1963, fund balances and estimates are presented in the following statement:

**BUDGET RECOMMENDATIONS BY OPERATING FUNDS**

(Amounts in millions)

Fiscal Year 1999-2000

	Fund #	Beginning Unreserved Fund Balance	Estimated Revenue	Ending Balance
Operating Fund				
General	0110	0.0	20,076.4	0.0
Special Revenue Funds:				
Counter-cyclical budget and economic stabilization	0111	1,040.1	96.3	1,104.4
Game and fish protection	0112	9.2	47.1	8.2

Michigan employment security act administration	0113	0.0	149.7	0.0
State aeronautics	0114	3.7	90.1	0.0
Michigan veterans' benefit trust	0115	0.0	0.4	0.0
State trunkline	0116	5.0	1,581.6	0.0
Michigan state waterways	0117	16.1	22.1	6.4
Blue water bridge	0118	1.4	11.0	0.0
Michigan transportation	0119	0.0	1,844.6	0.0
Comprehensive transportation	0120	0.0	247.4	0.0
School aid	0122	433.8	10,549.8	495.5
Marine safety	0123	3.4	4.8	2.2
Game and fish protection trust	0124	0.0	9.2	0.0
State park improvement	0125	10.1	28.2	13.9
Forest development	0126	3.4	20.8	0.0
Michigan civilian conservation corps endowment	0128	1.9	1.2	1.8
Michigan natural resources trust	0129	0.0	37.7	0.0
Michigan state parks endowment	0130	0.0	15.5	5.4
Safety education and training	0131	2.9	5.5	2.2
Uninsured employers' security	0135	0.0	1.4	0.0
Bottle deposit	0136	20.0	16.1	5.0
School bond loan	0137	46.0	130.0	109.3
State construction code	0138	6.2	9.0	4.8
Children's trust	0139	0.3	4.7	0.1
Homeowner construction lien recovery	0141	1.6	0.3	0.5
Michigan nongame fish and wildlife	0143	0.7	0.9	0.9
Michigan underground storage tank finance assurance	0160	0.0	65.8	0.0
State building authority	0165	0.0	0.4	0.0
Total		\$1,605.8	\$35,068.0	\$1,760.6".

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 executive office, and the legislative branch for the fiscal year ending September 30, 2000; 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 transfer certain funds; to prescribe certain requirements for bidding on state contracts; to provide for disposition of year-end balances for the fiscal year ending September 30, 2000; 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.

John J.H. Schwarz, M.D.  
Glenn Steil  
Joe Young, Jr.  
Conferees for the Senate

John Pappageorge  
Lynne Martinez  
Conferees for the House

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

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

The motion prevailed.

The question being on the adoption of the second conference report,

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

#### Roll Call No. 792

#### Yeas—103

Allen	Faunce	Kuipers	Rivet
Baird	Frank	Kukuk	Sanborn
Basham	Garcia	LaSata	Schauer

Birkholz	Garza	Law	Schermesser
Bisbee	Geiger	Lockwood	Scott
Bishop	Gielegem	Mans	Scranton
Bogardus	Gilbert	Martinez	Shackleton
Bovin	Godchaux	Mead	Sheltrown
Bradstreet	Green	Middaugh	Shulman
Brater	Hager	Minore	Spade
Brewer	Hale	Mortimer	Stallworth
Brown, B.	Hanley	Neumann	Stamas
Brown, C.	Hansen	O'Neil	Switalski
Byl	Hardman	Pappageorge	Tabor
Callahan	Hart	Patterson	Tesanovich
Caul	Howell	Perricone	Thomas
Cherry	Jacobs	Pestka	Toy
Clark, I.	Jamnack	Price	Van Woerkom
Clarke, H.	Jansen	Prusi	Vander Roest
Daniels	Jelinek	Pumford	Vaughn
DeHart	Jellema	Quarles	Vear
Dennis	Johnson, Rick	Raczkowski	Voorhees
DeRossett	Julian	Reeves	Wojno
DeVuyst	Kelly	Richardville	Woodward
DeWeese	Koetje	Richner	Woronchak
Ehardt	Kowall	Rison	

### Nays—3

Gosselin                                      LaForge                                      Rocca

In The Chair: Birkholz

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

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

“Mr. Speaker and members of the House:

Two studies were released last month by the Washington-based Cato Institute. The one showing that increased speed limits do not cause increased fatalities has received a lot of press. But the second study has more important implications for what we’re doing here today.

Cato compared the ‘revenue windfalls’ which have come to the 50 states since 1992 due to economic growth. Michigan’s total tax revenue was \$11.2 billion in 1992, and \$21.2 billion in 1998. If revenue had increased at the same rate as inflation and population growth, the 1998 figure would have been \$13.5 billion, instead of \$21.2 billion. In other words we took in \$7.7 billion additional total tax revenue due to economic growth. This amounts to \$787 more taxes from every man, woman, and child in the state.

‘We’re Number One’ is a popular chant at sporting events. Sadly, it also describes Michigan’s rank among states taking more in taxes from citizens. Compared to our \$787 per capita additional take due to economic growth, the national average is \$278.

These numbers do not include the \$600 million overcharge (a.k.a. ‘Surplus’) this year and projected \$500 million overcharge next year. A good sized chunk of next year’s overcharge is being appropriated in these budget conference reports. This bipartisan willingness to spend the extra tax revenue rather than return it to those who earned it is why we’re number one in increased tax take.

What does all this mean? It means government is growing in Michigan. That we’re not cutting taxes fast enough, and instead spending the extra money.

This is wrong. I was not sent to Lansing by the citizens of the 42nd district to grow government, but that’s what this budget does. We should give it back.”

Associate Speaker Pro Tempore Scranton resumed the Chair.

**Senate Bill No. 364, entitled**

A bill to make appropriations for the department of environmental quality for the fiscal year ending September 30, 2000; to provide for the expenditure of those appropriations; to create funds and accounts; to require reports; to prescribe certain powers and duties of certain state agencies and officials; to authorize certain transfers by certain state agencies; and to provide for the disposition of fees and other income received by the various 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. 364, entitled**

A bill to make appropriations for the department of environmental quality for the fiscal year ending September 30, 2000; to provide for the expenditure of those appropriations; to create funds and accounts; to require reports; to prescribe certain powers and duties of certain state agencies and officials; to authorize certain transfers by certain state agencies; and to provide for the disposition of fees and other income received by the various 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 1, line 1, by striking out all of part 1 and inserting:

“PART 1

LINE-ITEM APPROPRIATIONS

Sec. 101. Subject to the conditions set forth in this act, the amounts listed in this part are appropriated for the department of environmental quality for the fiscal year ending September 30, 2000, from the funds indicated in this part. The following is a summary of the appropriations in this part:

**DEPARTMENT OF ENVIRONMENTAL QUALITY**

Full-time equated classified positions .....	1,609.7		
GROSS APPROPRIATION.....		\$	393,988,600
Interdepartmental grant revenues:			
Total interdepartmental grants and intradepartmental transfers .....			16,778,700
ADJUSTED GROSS APPROPRIATION .....		\$	377,209,900
Federal revenues:			
Total federal revenues .....			126,831,500
Special revenue funds:			
Total local revenues .....			1,195,600
Total private revenues .....			333,700
Total other state restricted revenues .....			152,602,700
State general fund/general purpose .....		\$	96,246,400

**OPERATIONS APPROPRIATIONS SUMMARY:**

Full-time equated unclassified positions .....	6.0		
Full-time equated classified positions .....	1,607.7		
GROSS APPROPRIATION.....		\$	393,848,000
Interdepartmental grant revenues:			
IDG from MDOT-Michigan transportation fund.....			813,000
IDG - MSP.....			609,400
IDG - MDCH.....			9,590,500
IDT-interdivisional charges .....			5,765,800
Total interdepartmental grants and intradepartmental transfers .....			16,778,700
ADJUSTED GROSS APPROPRIATION .....		\$	377,069,300
Federal revenues:			
DOC-federal.....			3,047,700
DOD-federal .....			850,600
DOI-federal.....			456,300
EPA-federal.....			22,140,600

EPA-GWDW .....	3,715,600
EPA, superfund .....	8,428,800
EPA, UST .....	267,600
EPA, LUST trust .....	2,467,400
FEMA-federal .....	456,900
Federal revenues .....	85,000,000
Total federal revenues .....	126,831,500
Special revenue funds:	
Local funds .....	1,195,600
Total local revenues .....	1,195,600
Private funds .....	333,700
Total private revenues .....	333,700
Aboveground storage tank fees .....	687,500
Act 64 revenues .....	1,000,000
Act 641 forfeited revenues (solid waste revenue) .....	1,000,000
Air emissions fees .....	11,181,300
CESARS service fee .....	24,200
Cleanup and redevelopment fund .....	8,200,000
Drinking water revolving fund .....	5,829,400
Environmental response fund .....	9,089,200
Environmental education fund .....	172,100
Environmental pollution prevention fund .....	1,019,700
Environmental protection fund .....	6,000,000
Environmental training revenue .....	273,900
Fees and collections .....	723,600
Great Lakes protection fund .....	1,000,000
Hazardous materials transportation permit fund .....	114,300
Land and water permit fees .....	2,822,900
Landfill maintenance trust fund .....	46,500
Medical waste fees .....	397,000
Metallic mining surveillance fee revenue .....	62,900
Mineral well regulatory fee revenue .....	400,200
Michigan underground storage tank financial assurance fund .....	62,194,900
Oil and gas privilege fee revenue .....	9,115,000
Orphan well fund .....	1,308,000
Publication revenue .....	100,000
Public utility assessments .....	761,300
Public water supply fees .....	3,998,100
Revitalization revolving loan fund .....	1,000,000
Settlement funds .....	3,383,200
Sand extraction fee revenue .....	177,800
Scrap tire regulatory fund .....	1,607,000
Septage waste license fees .....	200,000
Sewage sludge land application fee .....	682,300
Solid waste program fees .....	1,165,200
Stormwater permit fees .....	1,269,800
Underground storage tank fees .....	6,441,900
Water analysis fees .....	2,268,700
Waste reduction fee revenue .....	3,565,200
Water pollution control revolving fund .....	3,108,000
Wastewater operator training fees .....	155,800
Water use reporting fees .....	55,800
Total other state restricted revenues .....	152,602,700
State general fund/general purpose .....	\$ 96,105,800
<b>Sec. 102. EXECUTIVE</b>	
Full-time equated unclassified positions .....	6.0
Full-time equated classified positions .....	11.0
Unclassified salaries .....	\$ 454,200
Executive direction—7.0 FTE positions .....	1,033,300

Office of the Great Lakes—4.0 FTE positions .....	767,000
GROSS APPROPRIATION .....	\$ 2,254,500
Appropriated from:	
Federal revenues:	
EPA-federal.....	223,200
DOI-federal.....	51,300
Special revenue funds:	
Environmental response fund.....	40,600
Environmental education fund .....	172,100
Oil and gas regulatory fund.....	84,300
Settlement funds .....	208,400
State general fund/general purpose .....	\$ 1,474,600
<b>Sec. 103. FINANCIAL AND BUSINESS SERVICES</b>	
Full-time equated classified positions .....	77.0
Financial support services—27.0 FTE positions .....	\$ 1,497,400
Field operations support—20.0 FTE positions .....	1,380,900
Automated data processing—8.0 FTE positions .....	5,916,800
Office of special environmental projects—6.0 FTE positions .....	571,800
Personnel—12.0 FTE positions .....	756,100
Administrative hearings—4.0 FTE positions.....	386,200
GROSS APPROPRIATION .....	\$ 10,509,200
Appropriated from:	
IDT-interdivisional charges .....	5,765,800
Federal revenues:	
DOD, federal .....	15,000
EPA, superfund .....	56,400
Special revenue funds:	
Aboveground storage tank fee revenue .....	22,900
Environmental response fund.....	766,800
Land and water permit fees.....	31,800
Michigan underground storage tank financial assurance fund .....	164,200
Oil and gas regulatory fund.....	413,900
Public water supply fees .....	156,500
Scrap tire regulatory fund .....	31,700
Settlement funds .....	183,900
State general fund/general purpose .....	\$ 2,900,300
<b>Sec. 104. DEPARTMENTAL OPERATION SUPPORT</b>	
Building occupancy charges.....	\$ 2,210,600
Rent-privately owned property .....	4,691,700
Publications .....	100,000
GROSS APPROPRIATION .....	\$ 7,002,300
Appropriated from:	
Special revenue funds:	
Air emissions fees.....	341,200
Environmental pollution prevention fund.....	37,900
Environmental response fund.....	417,400
Fees and collections .....	52,700
Land and water permit fees.....	62,600
Medical waste fees.....	18,600
Michigan underground storage tank financial assurance fund .....	132,300
Oil and gas regulatory fund.....	269,300
Publication revenue.....	100,000
Public utility assessments .....	11,300
Public water supply fees .....	167,000
Stormwater permit fees .....	43,300
Solid waste program fees .....	41,900
Scrap tire regulatory fund .....	35,000
Waste reduction revenue .....	52,000
Water analysis fees.....	92,900



Water pollution control revolving fund .....	79,400
Water use reporting fees.....	4,200
Underground storage tank fees.....	177,400
State general fund/general purpose .....	\$ 4,865,900

**Sec. 105. GEOLOGICAL SURVEY**

Full-time equated classified positions .....	89.5
Services to oil and gas programs—80.0 FTE positions .....	\$ 8,415,800
Well plugging - orphan wells—2.5 FTE positions.....	1,308,000
Coal and sand dune management—3.0 FTE positions.....	582,800
Mineral wells management—3.0 FTE positions .....	400,200
Metallic mining reclamation program—1.0 FTE position .....	62,900
<b>GROSS APPROPRIATION.....</b>	<b>\$ 10,769,700</b>

Appropriated from:

Federal revenues:

DOI-federal.....	405,000
Special revenue funds:	
Environmental response fund.....	71,200
Metallic mining surveillance fee revenue.....	62,900
Mineral well regulatory fee revenue .....	400,200
Orphan well fund .....	1,308,000
Oil and gas regulatory fund.....	8,219,100
Sand extraction fee revenue .....	177,800
State general fund/general purpose .....	\$ 125,500

**Sec. 106. LAND AND WATER MANAGEMENT**

Full-time equated classified positions .....	147.0
Land and water administration—14.0 FTE positions.....	\$ 1,229,800
Field permitting and project assistance—77.0 FTE positions.....	6,276,700
Dam safety, erosion control, and clean lakes—26.0 FTE positions.....	2,284,500
Great Lakes shorelands—30.0 FTE positions.....	3,162,900
<b>GROSS APPROPRIATION.....</b>	<b>\$ 12,953,900</b>

Appropriated from:

Interdepartmental grant revenues:

IDG-Michigan transportation fund.....	813,000
Federal revenues:	
EPA-federal.....	681,800
DOC-federal.....	1,547,700
FEMA-federal .....	246,900
Special revenue funds:	
Local funds .....	148,700
Land and water permit fees.....	2,728,500
State general fund/general purpose .....	\$ 6,787,300

**Sec. 107. AIR QUALITY**

Full-time equated classified positions .....	221.5
Air quality programs—57.0 FTE positions .....	\$ 4,893,800
Clean air act implementation—164.5 FTE positions .....	13,149,100
<b>GROSS APPROPRIATION.....</b>	<b>\$ 18,042,900</b>

Appropriated from:

Federal revenues:

EPA-federal.....	3,243,900
Special revenue funds:	
Air emissions fees.....	8,562,400
Environmental response fund.....	82,200
State general fund/general purpose .....	\$ 6,154,400

**Sec. 108. SURFACE WATER QUALITY**

Full-time equated classified positions .....	207.5
Surface water compliance program—75.0 FTE positions.....	\$ 6,156,500
Surface water permits program—35.0 FTE positions.....	3,177,100
Surface water surveillance program—65.5 FTE positions.....	7,115,500
State and local water quality management planning—8.0 FTE positions .....	1,641,500

Fish contaminant monitoring contracts .....	321,000
Sewage sludge land application program—9.5 FTE positions.....	682,300
Stormwater discharge program—14.5 FTE positions .....	1,152,900
GROSS APPROPRIATION.....	\$ 20,246,800
Appropriated from:	
Federal revenues:	
EPA-federal.....	7,172,300
Special revenue funds:	
Local funds .....	1,046,900
CESARS service fee .....	24,200
Environmental response fund.....	136,000
State water pollution control revolving fund.....	554,100
Stormwater permit fees .....	1,146,500
Sewage sludge land application fee.....	682,300
State general fund/general purpose .....	\$ 9,484,500
<b>Sec. 109. DRINKING WATER PROTECTION &amp; RADIOLOGICAL HEALTH</b>	
Full-time equated classified positions .....	199.7
Environmental health—31.0 FTE positions.....	\$ 3,502,300
Laboratory services administration—69.0 FTE positions .....	5,951,700
Drinking water—81.2 FTE positions.....	11,713,800
Radiological protection—18.5 FTE positions.....	1,544,500
GROSS APPROPRIATION.....	\$ 22,712,300
Appropriated from:	
Interdepartmental grant revenues	
IDG-MSP .....	609,400
Federal revenues:	
EPA-federal.....	1,003,700
EPA-GWDW .....	3,556,000
Special revenue funds:	
Drinking water revolving fund .....	3,280,700
Medical waste fees.....	378,400
Public water supply fees .....	2,274,600
Settlement funds .....	283,100
Water analysis fees.....	2,175,800
Water use reporting fees.....	51,600
Fees and collections .....	670,900
State general fund/general purpose .....	\$ 8,428,100
<b>Sec. 110. LOW-LEVEL RADIOACTIVE WASTE AUTHORITY</b>	
Full-time equated classified positions .....	2.0
Low-level radioactive waste authority—2.0 FTE positions .....	\$ 750,000
GROSS APPROPRIATION.....	\$ 750,000
Appropriated from:	
Special revenue funds:	
Public utility assessments .....	750,000
State general fund/general purpose .....	\$ 0
<b>Sec. 111. ENVIRONMENTAL RESPONSE</b>	
Full-time equated classified positions .....	263.0
Environmental cleanup and redevelopment program .....	\$ 16,352,600
Contaminated site investigations, cleanup, and revitalization—211.0 FTE positions .....	15,527,100
State cleanup (Part 201 of 1994 PA 451) .....	3,397,700
Emergency cleanup actions .....	2,000,000
Federal cleanup project management—52.0 FTE positions .....	5,112,100
Revitalization revolving loan program .....	7,000,000
Superfund cleanup .....	7,250,000
GROSS APPROPRIATION.....	\$ 56,639,500
Appropriated from:	
Federal revenues:	
DOD-federal .....	835,600
EPA-federal.....	1,411,000
EPA, superfund .....	8,372,400

Special revenue funds:

Private funds.....	133,700
Cleanup and redevelopment fund.....	5,234,000
Environmental response fund.....	6,531,600
Environmental protection fund.....	6,000,000
Landfill maintenance trust fund.....	46,500
Revitalization revolving loan fund.....	1,000,000
Settlement funds.....	2,640,700
State general fund/general purpose.....	\$ 24,434,000

**Sec. 112. STORAGE TANKS**

Full-time equated classified positions.....	120.5
MI underground storage tank financial assurance program—36.5 FTE positions.....	\$ 61,794,300
Underground storage tank program—45.0 FTE positions.....	6,534,100
Above ground storage tank program—9.0 FTE positions.....	664,600
Leaking underground storage tank cleanup program.....	5,966,000
Emergency cleanup actions.....	2,000,000
Leaking underground storage tank program—30.0 FTE positions.....	4,310,800
<b>GROSS APPROPRIATION.....</b>	<b>\$ 81,269,800</b>

Appropriated from:

Federal revenues:

EPA, LUST trust.....	2,467,400
EPA, UST.....	267,600

Special revenue funds:

Aboveground storage tank fees.....	664,600
Cleanup and redevelopment fund.....	2,966,000
Environmental response fund.....	1,043,400
Michigan underground storage tank financial assurance fund.....	61,794,300
Underground storage tank fees.....	6,264,500
State general fund/general purpose.....	\$ 5,802,000

**Sec. 113. WASTE MANAGEMENT**

Full-time equated classified positions.....	148.0
Administration and technical support—20.0 FTE positions.....	\$ 1,488,900
Compliance and enforcement—75.0 FTE positions.....	4,548,300
Hazardous waste permits—25.0 FTE positions.....	1,936,700
Groundwater permits—17.0 FTE positions.....	1,307,900
Solid waste program—11.0 FTE positions.....	1,263,700
Hazardous waste program support.....	605,000
Hazardous waste disposal facility closures.....	1,000,000
Solid waste disposal facility closures.....	1,000,000
<b>GROSS APPROPRIATION.....</b>	<b>\$ 13,150,500</b>

Appropriated from:

Federal revenues:

EPA-federal.....	2,903,000
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Special revenue funds:

Hazardous waste facility closure revenue.....	1,000,000
Hazardous materials transportation permit fund.....	114,300
Solid waste facility closure revenue.....	1,000,000
Environmental pollution prevention fund.....	981,800
Scrap tire regulatory fund.....	886,300
Solid waste program fees.....	1,123,300
State general fund/general purpose.....	\$ 5,141,800

**Sec. 114. ENVIRONMENTAL ASSISTANCE DIVISION**

Full-time equated classified positions.....	101.0
Municipal assistance—39.5 FTE positions.....	\$ 3,192,400
Pollution prevention—29.0 FTE positions.....	2,562,600
Low-income community wastewater assistance.....	90,000
Environmental services—12.0 FTE positions.....	1,559,500
Pollution prevention outreach.....	200,000
Technical assistance—20.5 FTE positions.....	2,519,500
<b>GROSS APPROPRIATION.....</b>	<b>\$ 10,124,000</b>

Appropriated from:	
Federal revenues:	
EPA-federal.....	783,300
EPA-GWDW.....	159,600
Special revenue funds:	
Private funds.....	200,000
Air emissions fees.....	612,900
Settlement funds.....	67,100
Drinking water revolving fund.....	1,218,700
Environmental training revenue.....	273,900
State water pollution control revolving fund.....	2,474,500
Stormwater permit fees.....	80,000
Waste reduction fee revenue.....	3,513,200
Wastewater operator training fees.....	155,800
State general fund/general purpose.....	\$ 585,000
<b>Sec. 115. CRIMINAL INVESTIGATIONS</b>	
Full-time equated classified positions.....	21.0
Environmental investigations—21.0 FTE positions.....	\$ 1,748,700
GROSS APPROPRIATION.....	\$ 1,748,700
Appropriated from:	
Federal revenues:	
EPA-federal.....	128,400
Special revenue funds:	
MUSTFA fund.....	104,100
Oil and gas regulatory fund.....	128,400
Scrap tire regulatory fund.....	54,000
State general fund/general purpose.....	\$ 1,333,800
<b>Sec. 116. GRANTS</b>	
Grants to counties—air pollution.....	\$ 2,854,900
Water pollution control and drinking water revolving fund.....	102,353,500
Noncommunity water grants.....	1,400,000
Land resource program grants.....	1,800,000
Federal - nonpoint source water pollution grants.....	3,500,000
Federal - Great Lakes remedial action plan grants.....	700,000
Great Lakes research and protection grants.....	1,000,000
Radon grants.....	135,000
Septage waste compliance grants.....	200,000
Scrap tire grants.....	600,000
Drinking water revolving fund implementation.....	1,330,000
Local health department operations.....	9,590,500
GIS floodplain mapping.....	210,000
GROSS APPROPRIATION.....	\$ 125,673,900
Appropriated from:	
IDG-MDCH-local public health operations.....	9,590,500
Federal revenues:	
DOC-federal.....	1,500,000
EPA-federal.....	4,590,000
FEMA-federal.....	210,000
Federal revenues.....	85,000,000
Special revenue funds:	
Air emissions fees.....	1,664,800
Drinking water revolving fund.....	1,330,000
Great Lakes protection fund.....	1,000,000
Public water supply fees.....	1,400,000
Scrap tire regulatory fund.....	600,000
Septage waste license fees.....	200,000
State general fund/general purpose.....	\$ 18,588,600
<b>Sec. 117. BOND ADMINISTRATION SUMMARY</b>	
Full-time equated classified positions.....	2.0
GROSS APPROPRIATION.....	\$ 140,600
ADJUSTED GROSS APPROPRIATION.....	\$ 140,600

Special revenue funds:	
State general fund/general purpose .....	\$ 140,600
<b>Sec. 118. BOND WASTE MANAGEMENT</b>	
Full-time equated classified positions .....2.0	
Solid waste implementation staff—2.0 FTE positions.....	\$ 140,600
<b>GROSS APPROPRIATION.....</b>	<b>\$ 140,600</b>
Appropriated from:	
Special revenue funds:	
State general fund/general purpose .....	\$ 140,600”.

2. Amend page 17, line 19, by striking out all of section 201 and inserting:

“Sec. 201. (1) In accordance with the provisions of section 30 of article IX of the state constitution of 1963, total state spending in this appropriation act is \$248,849,100.00 and state appropriations to be paid to local units of government for fiscal year 1999-2000 are estimated at \$6,619,900.00. The itemized statement below identifies appropriations from which spending to units of local government will occur:

**DEPARTMENT OF ENVIRONMENTAL QUALITY  
GRANTS**

Grants to counties - air pollution .....	\$ 2,854,900
Septage waste compliance program.....	200,000
Scrap tire grants.....	600,000
Noncommunity water grants .....	1,400,000
Radon grants.....	135,000
Dam safety, erosion control, clean lakes.....	100,000
Drinking water grants .....	1,330,000
<b>TOTAL .....</b>	<b>\$ 6,619,900</b>

(2) If it appears to the principal executive officer of each department that state spending to local units of government will be less than the amount that was projected to be expended under subsection (1), the principal executive officer shall immediately give notice of the approximate shortfall to the department of management and budget, the senate and house of representatives appropriations committees, and the senate and house fiscal agencies.”.

3. Amend page 23, line 16, after “appropriations.” by striking out the balance of the section.

4. Amend page 24, line 7, by striking out all of section 212 and inserting:

“Sec. 212. The department shall implement a pilot program that places reports required by this act on the Internet, with electronic notification to legislative offices of Internet access to the reports. During fiscal year 2000, the department shall continue to distribute all of these reports to the legislature in the current printed format.”.

5. Amend page 25, line 9, after “agencies” by striking out the balance of the section and inserting “within 30 months.”.

6. Amend page 25, line 10, by striking out all of section 216.

7. Amend page 26, line 22, by striking out all of section 220 and inserting:

“Sec. 220. The department shall provide a report prepared by the department’s internal auditor on the activities of the internal auditor for the prior fiscal year. This report shall include a listing of each audit or investigation performed by the internal auditor pursuant to sections 486(4) and 487 of the management and budget act, 1984 PA 431, MCL 18.1486 and 18.1487. The report shall identify the proportion of time spent on each of the statutory responsibilities listed in sections 485(4), 486(4), and 487 of the management and budget act, 1984 PA 431, MCL 18.1485, 18.1486, and 18.1487, and the time spent on all other activities performed in the internal audit function. The first report shall be due March 1, 2000, and biennially thereafter beginning on May 1 and shall be submitted to the governor, auditor general, the senate and house appropriations committees, the senate and house fiscal agencies, and the director.”.

8. Amend page 27, line 9, by striking out all of section 221 and inserting:

“Sec. 221. The departments and state agencies receiving appropriations under this act shall receive and retain copies of all reports funded from appropriations in part 1. These departments and state agencies shall follow federal and state guidelines for short-term and long-term retention of these reports and records.”.

9. Amend page 27, line 19, by striking out all of section 224.

10. Amend page 28, line 14, after “shall” by striking out “prepare,” and inserting “cooperate”.

11. Amend page 28, line 15, after “resources” by striking out the comma and inserting “in developing”.

12. Amend page 28, line 23, by striking out all of section 227 and inserting:

“Sec. 227. (1) The department shall submit to the department of management and budget, the house and senate appropriations committees, the house and senate fiscal agencies, and the house and senate standing committees having jurisdiction over technology issues quarterly reports on the department’s efforts to change the department’s computer software and hardware as necessary to perform properly in the year 2000 and beyond. These reports shall identify actual progress in comparison to the department’s approved work plan for these efforts.

(2) Beginning with the report on April 1, 2000, the department shall submit to the department of management and budget, the senate and house of representatives standing committees on appropriations, the senate and house fiscal agencies, and the senate and house standing committees having jurisdiction over technology issues quarterly reports identifying for the immediately preceding quarter significant problems with information systems, occurrences of information system failure as a result of noncompliance with year 2000 standards, and previously unidentified areas of significant impact. These reports shall identify systems needing corrective action and the contractual obligations of accountable parties. These reports shall give the status of the progress made in repairing and testing applications, the status of vendor supplied solutions to problems, information on the activation of manual or contract processes used to correct problems, and an itemization of the additional costs incurred.

(3) The department may present progress billings to the department of management and budget for the costs incurred in changing computer software and hardware as necessary to perform properly in the year 2000 and beyond and for costs incurred as a result of initiating corrective actions. At the time progress billings are presented for reimbursement, the department shall identify the funding sources that should support the work performed and the department of management and budget shall forward the appropriated funding.”.

13. Amend page 29, line 18, by striking out all of section 402.

14. Amend page 39, following line 5, by striking out all of section 804.

15. Amend page 39, line 12, by striking out all of section 902 and inserting:

“Sec. 902. Of the funds appropriated in section 115 for criminal investigations, 1.0 FTE and \$75,000.00 are designated primarily for inspections of incoming out-of-state waste, but can also be made available for other criminal investigation activities.”.

16. Amend page 40, following line 17, by striking out all of section 1005.

17. Amend page 40, line 19, by striking out all of section 1101 and inserting:

“Sec. 1101. (1) The department shall prepare a plan to collect Great Lakes bottomland permit fees uniformly and fairly from commercial and noncommercial users of the Great Lakes bottomlands. The plan prepared by the department shall be presented to the house and senate appropriations committees by May 1, 2000.

(2) If this plan is not presented by May 1, 2000, commercial and noncommercial users are exempt from the Great Lakes bottomland permit fees.

Sec. 1102. Of the funds appropriated in section 106 for dam safety, erosion control, and clean lakes, \$100,000.00 shall be used for removal of the dam at Big Rapids.”.

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

A bill to make appropriations for the department of environmental quality for the fiscal year ending September 30, 2000; to provide for the expenditure of those appropriations; to create funds and accounts; to require reports; to prescribe certain powers and duties of certain state agencies and officials; to authorize certain transfers by certain state agencies; and to provide for the disposition of fees and other income received by the various state agencies.

Loren Bennett  
Walter North  
Alma Wheeler Smith  
Conferees for the Senate

William Byl  
David Mead  
Deborah Cherry  
Conferees for the House

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

Rep. Raczkowski moved pursuant to Joint Rule 9, that the Journal printing requirement be suspended, printed copies of the conference report having been placed on the members’ desks.

The motion prevailed.

The question being on the adoption of the conference report,

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

### Roll Call No. 793

### Yeas—103

Allen	Frank	Kuipers	Rivet
Baird	Garcia	Kukuk	Rocca
Basham	Garza	LaSata	Sanborn
Birkholz	Geiger	Law	Schauer

Bishop	Gielegem	Lockwood	Schermesser
Bogardus	Gilbert	Mans	Scott
Bovin	Godchaux	Martinez	Scranton
Bradstreet	Green	Mead	Shackleton
Brater	Hager	Middaugh	Sheltrown
Brewer	Hale	Minore	Shulman
Brown, B.	Hanley	Mortimer	Spade
Brown, C.	Hansen	Neumann	Stamas
Byl	Hardman	O'Neil	Switalski
Callahan	Hart	Pappageorge	Tabor
Caul	Howell	Patterson	Tesanovich
Cherry	Jacobs	Perricone	Thomas
Clark, I.	Jamnick	Pestka	Toy
Clarke, H.	Jansen	Price	Van Woerkom
Daniels	Jelinek	Prusi	Vander Roest
DeHart	Jellema	Pumford	Vaughn
Dennis	Johnson, Rick	Quarles	Vear
DeRossett	Julian	Raczkowski	Voorhees
DeVuyst	Kelly	Reeves	Wojno
DeWeese	Kilpatrick	Richardville	Woodward
Ehardt	Koetje	Richner	Woronchak
Faunce	Kowall	Rison	

### Nays—3

Bisbee

Gosselin

LaForge

In The Chair: Scranton

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

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

“Mr. Speaker and members of the House:

It's not our money!

A few weeks ago we learned the state has overcharged taxpayers more than \$600 million this year, and expects to overcharge them \$500 million next year. In the peculiar Orwellian phrasing typical of government this overcharge is called a ‘surplus,’ and rather than returning it to the gypped customer right away, as any ethical business would do, we immediately began looking for ways to spend it. And found them.

To be fair, we have decided to return some of the money through a cut in the rate of the Single Business Tax, and it is good we're moving in the right direction on that job-destroying tax. But the public reaction to the proposed 23-year phaseout of that tax was summed up by one Oakland citizen who said ‘I'll be dead before that tax goes away.’

The members of the majority caucus in this House were not elected to grow government, but that's what we're doing. Economists estimate that inflation over the last few years has been one percent per year or less, and wholesale prices have actually declined. Yet next year's proposed budget started out by increasing state spending by 3.0 percent, and that was before the legislature piled on extra spending for pet programs and projects.

Now we discover extra money due to the overcharge, and behind closed doors deals are made to increase the growth of government next year by another 1.7 percent, for a grand total of 4.7 percent over the current year!

Where is all this extra money coming from? Studies by the Senate Fiscal Agency comparing state expenditures and revenue by county show a trend in which Oakland County *will soon be a \$1 billion donor* to the rest of the state, if we have not achieved that status already. In 1997 Oakland County subsidized the state \$715, paying \$2,731 in taxes but getting back just \$2,016 in services from the state, and the subsidy has probably grown since then.

Meanwhile, Oakland County is suffering a traffic congestion crisis due to inadequate state investment in transportation infrastructure, and the state is doing absolutely nothing to address that problem.

This is wrong. It's not our money. We should give it back.”

**Senate Bill No. 79, entitled**

A bill to make appropriations for the department of career development and the Michigan strategic fund and certain other state purposes for the fiscal year ending September 30, 2000; to provide for the expenditure of the appropriations; and to provide for the disposition of fees and other income received by the 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. 79, entitled**

A bill to make appropriations for the department of career development and the Michigan strategic fund and certain other state purposes for the fiscal year ending September 30, 2000; to provide for the expenditure of the appropriations; and to provide for the disposition of fees and other income received by the state agencies.

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 sections 101, 102, and 103 and inserting:

“PART 1

LINE-ITEM APPROPRIATIONS

Sec. 101. There is appropriated for the department of career development and the Michigan strategic fund for the fiscal year ending September 30, 2000, from the funds indicated in this part, the following:

**TOTAL APPROPRIATIONS**

Full-time equated unclassified positions .....	6.0	
Full-time equated classified positions .....	1,307.0	
GROSS APPROPRIATION .....		\$ 684,821,800
Total interdepartmental grants and intradepartmental transfers .....		\$ 1,147,000
ADJUSTED GROSS APPROPRIATION .....		\$ 683,674,800
Federal revenues:		
Total federal revenues .....		453,526,500
Special revenue funds:		
Total local revenues .....		10,867,900
Total private revenues .....		3,263,700
Total other state restricted revenues .....		129,970,300
State general fund/general purpose .....		\$ 86,046,400

**Sec. 102. DEPARTMENT OF CAREER DEVELOPMENT**

**(1) APPROPRIATION SUMMARY:**

Full-time equated unclassified positions .....	6.0	
Full-time equated classified positions .....	1,066.0	
GROSS APPROPRIATION .....		\$ 515,904,700
Interdepartmental grant revenues:		
Total interdepartmental grants and intradepartmental transfers .....		1,047,000
ADJUSTED GROSS APPROPRIATION .....		\$ 514,857,700
Federal revenues:		
Total federal revenues .....		400,323,300
Special revenue funds:		
Total local revenues .....		10,867,900
Total private revenues .....		2,607,000
Total other state restricted revenues .....		79,920,300
State general fund/general purpose .....		\$ 21,139,200

**(2) DEPARTMENTAL ADMINISTRATION**

Full-time equated unclassified positions .....	6.0	
Full-time equated classified positions .....	11.0	
Unclassified salaries .....		\$ 536,200
Executive direction—11.0 FTE positions .....		1,001,700
GROSS APPROPRIATION .....		\$ 1,537,900



Appropriated from:	
State general fund/general purpose .....	\$ 1,537,900
<b>(3) DEPARTMENT OPERATIONS</b>	
Full-time equated classified positions .....86.0	
Administrative services—86.0 FTE positions .....	\$ 9,602,300
Building occupancy charges - property development services.....	432,600
Special project advances .....	200,000
Worker’s compensation .....	196,400
GROSS APPROPRIATION.....	\$ 10,431,300
Appropriated from:	
Federal revenues:	
CNS .....	50,000
DED-OSERS, rehabilitation services, vocational rehabilitation of state grants .....	1,957,300
DED, cooperative demonstration, school-to-work .....	57,700
DOL-ETA .....	408,000
DOL-ETA, bureau of labor statistics.....	990,800
DOL-ETA, employment services.....	2,007,400
DOL-ETA, job training partnership grants .....	434,200
DOL-ETA, miscellaneous funds.....	38,900
DOL-ETA, veterans’ employment and training administration.....	2,240,600
HHS, temporary assistance for needy families .....	565,700
Special revenue funds:	
Private - special project advances .....	200,000
Contingent fund, penalty and interest.....	790,000
State general fund/general purpose .....	\$ 690,700
<b>(5) WORKFORCE DEVELOPMENT</b>	
Full-time equated classified positions .....666.0	
Employment training services—571.0 FTE positions.....	\$ 59,258,600
Michigan career and technical institute—95.0 FTE positions .....	9,675,800
GROSS APPROPRIATION.....	\$ 68,934,400
Appropriated from:	
Interdepartmental grant revenues:	
IDG-MDOC .....	31,400
Federal revenues:	
CNS .....	516,500
DAG, employment and training .....	250,600
DED, cooperative demonstration, school-to-work .....	1,017,900
DED-OPSE, multiple grants.....	599,500
DED-OSERS, centers for independent living .....	56,500
DED-OSERS, rehabilitation long-term training .....	350,200
DED-OSERS, rehabilitation services, vocational rehabilitation of state grants .....	40,117,700
DED-OSERS, state grants for technical related assistance.....	54,000
DOL-ETA, job training partnership act .....	3,077,700
DOL-ETA, multiple grants.....	578,500
DOL-NOICC.....	166,800
HHS, temporary assistance for needy families .....	3,567,500
HHS-SSA, supplemental security income .....	4,061,700
Special revenue funds:	
Private - gifts, bequests, and donations .....	1,357,000
Local vocational rehabilitation match .....	3,152,200
Rehabilitation services fees.....	1,908,000
Risk management internal service fund.....	99,700
Second injury fund.....	50,000
Student fees .....	80,000
Training material fees .....	249,600
State general fund/general purpose .....	\$ 7,591,400
<b>(6) DEPARTMENT GRANTS</b>	
Displaced homemakers.....	\$ 470,000
Job training programs subgrantees .....	102,095,600

Michigan community service commission subgrantees .....	5,900,000
Personal assistance services .....	412,000
Pre-college programs in engineering and the sciences .....	1,044,700
School-to-work subgrantees .....	3,000,000
Supported employment grants .....	1,308,600
Technology assistance grants .....	1,086,600
Vocational rehabilitation client services/facilities .....	50,104,000
Vocational rehabilitation independent living .....	2,365,700
Welfare-to-work programs .....	140,279,000
Michigan technical education centers.....	75,000,000
Focus: HOPE .....	5,494,300
<b>GROSS APPROPRIATION.....</b>	<b>\$ 388,560,500</b>
Appropriated from:	
Interdepartmental grant revenues:	
IDG-MDOC .....	1,015,600
Federal revenues:	
CNS .....	4,500,000
DAG, employment and training .....	13,000,000
DED, cooperative demonstration, school to work .....	3,000,000
DED-OSERS, centers for independent living .....	525,000
DED-OSERS, client assistance for individuals with disabilities .....	360,600
DED-OSERS, rehabilitation services, vocational rehabilitation of state grants .....	34,935,200
DED-OSERS, rehabilitation services facilities .....	2,272,500
DED-OSERS, supported employment .....	1,308,600
DED-OSERS, state grants for technical related assistance .....	1,086,600
DOL-ETA, job training partnership act .....	96,650,000
DOL-ETA, multiple grants .....	4,430,000
HHS, temporary assistance for needy families .....	127,029,000
HHS-SSA, supplemental security income .....	2,362,500
Special revenue funds:	
Private - gifts, bequests, and donations .....	800,000
Private - oil overcharge .....	250,000
Contingent fund, penalty and interest account .....	1,000,000
Local vocational rehabilitation match .....	6,437,400
Local vocational rehabilitation facilities match .....	1,278,300
Tobacco settlement revenue .....	75,000,000
State general fund/general purpose .....	\$ 11,319,200
<b>(7) EMPLOYMENT SERVICE AGENCY</b>	
Full-time equated classified positions .....	303.0
Building occupancy charges - property development service .....	\$ 230,100
Rent .....	458,300
Worker's compensation .....	141,300
Employment services—256.0 FTE positions .....	42,636,600
Labor market information—47.0 FTE positions .....	2,974,300
<b>GROSS APPROPRIATION.....</b>	<b>\$ 46,440,600</b>
Appropriated from:	
Federal revenues:	
DOL-ETA .....	1,312,700
DOL-ETA, bureau of labor statistics .....	1,651,700
DOL-ETA, employment service .....	26,968,400
DOL-ETA, miscellaneous funds .....	11,368,300
DOL-ETA, veterans' employment and training administration .....	4,396,500
Special revenue funds:	
Contingent fund, penalty and interest account .....	743,000
State general fund/general purpose .....	\$ 0
<b>Sec. 103. MICHIGAN STRATEGIC FUND</b>	
<b>(1) APPROPRIATION SUMMARY:</b>	
Full-time equated classified positions .....	241.0
<b>GROSS APPROPRIATION.....</b>	<b>\$ 168,917,100</b>

Interdepartmental grant revenues:	
Total interdepartmental grants and intradepartmental transfers .....	100,000
ADJUSTED GROSS APPROPRIATION .....	\$ 168,817,100
Federal revenues:	
Total federal revenues .....	53,203,200
Special revenue funds:	
Total private revenues .....	656,700
Total other state restricted revenues .....	50,050,000
State general fund/general purpose .....	\$ 64,907,200

**(2) MICHIGAN STRATEGIC FUND**

Full-time equated classified positions .....	241.0
Administration—40.0 FTE positions .....	\$ 5,337,100
Job creation services—201.0 FTE positions .....	24,537,500
Michigan promotion program .....	8,042,500
Economic development job training grants .....	31,000,000
Community development block grants .....	50,000,000
Health and aging research and development initiative .....	50,000,000
GROSS APPROPRIATION .....	\$ 168,917,100

Appropriated from:

Interdepartmental grant revenues:	
IDG-MDEQ, air quality fees .....	100,000
Federal revenues:	
DOL-ETA, employment service .....	1,300,000
HUD-CPD, community development block grant .....	51,903,200
Special revenue funds:	
Private-Michigan certified development corporations fees .....	156,700
Private-special project advances .....	500,000
Industry support fees .....	50,000
Tobacco settlement revenue .....	50,000,000
State general fund/general purpose .....	\$ 64,907,200”.

2. Amend page 9, line 17, by striking out all of sections 201, 202, 203, and 204 and inserting:

“Sec. 201. (1) Pursuant to section 30 of article IX of the state constitution of 1963, total state spending from state sources for fiscal year 1999-2000 is estimated at \$216,016,700.00 in this act and state spending from state sources paid to local units of government for fiscal year 1999-2000 is estimated at \$106,000,000.00. The itemized statement below identifies appropriations from which spending to units of local government will occur:

DEPARTMENT OF CAREER DEVELOPMENT

Michigan technical education centers .....	\$ 75,000,000
Total department of career development .....	\$ 75,000,000

MICHIGAN STRATEGIC FUND

Economic development job training grants .....	\$ 31,000,000
Total Michigan strategic fund .....	\$ 31,000,000

(2) If it appears to the principal executive officer of a department or branch that state spending to local units of government will be less than the amount that was projected to be expended under subsection (1), the principal executive officer shall immediately give notice of the approximate shortfall to the state budget director, the house and senate appropriations committees, and the fiscal agencies.

Sec. 202. As used in this appropriation act:

- (a) “CDBG” means community development block grant.
- (b) “CNS” means the corporation for national services.
- (c) “DAG” means the United States department of agriculture.
- (d) “DED” means the United States department of education.
- (e) “DED-OPSE” means the DED office of postsecondary education.
- (f) “DED-OSERS” means the DED office of special education rehabilitation services.
- (g) “Department” means the department of career development.
- (h) “Director” means the director of the department of career development.
- (i) “DOL” means the United States department of labor.
- (j) “DOL-ETA” means the DOL employment and training act.
- (k) “DOL-NOICC” means the DOL national occupational information coordinating committee.
- (l) “Fiscal agencies” means the Michigan house fiscal agency and the Michigan senate fiscal agency.
- (m) “FTE” means full-time equated.

- (n) "Fund" means the Michigan strategic fund.
- (o) "HHS" means the United States department of health and human services.
- (p) "HHS-SSA" means HHS social security administration.
- (q) "HUD-CPD" means HUD community planning and development.
- (r) "IDG" means interdepartmental grant.
- (s) "JTPA" means job training partnership act, Public Law 97-300, 96 Stat. 1322.
- (t) "MDEQ" means the Michigan department of environmental quality.
- (u) "MDOC" means the Michigan department of corrections.
- (v) "President" means the president of the Michigan strategic fund.

Sec. 203. The appropriations made and the expenditures authorized under this act and the departments, agencies, commissions, boards, offices, and programs for which an appropriation is made under this act are subject to the management and budget act, 1984 PA 431, MCL 18.1101 to 18.1594.

Sec. 204. A department or agency billed by the department of civil service for the 1% charge authorized by section 5 of article XI of the state constitution of 1963 by the end of the first fiscal quarter shall pay the total amount of the billing by the end of the second fiscal quarter."

3. Amend page 11, line 17, after "unit," by striking out "a department" and inserting "the department and the fund".

4. Amend page 11, line 19, after "department" by inserting "or the fund".

5. Amend page 12, line 3, by striking out all of sections 207, 208, and 209 and inserting:

"Sec. 207. (1) Beginning October 1, 1999, a hiring freeze is imposed on the state classified civil service. State departments and agencies are prohibited from hiring any new full-time state classified civil service employees and prohibited from filling any vacant state classified civil service positions. This hiring freeze does not apply to internal transfers of classified employees from 1 position to another within a department or to positions that are funded with 80% or more federal or restricted funds.

(2) The state budget director shall grant exceptions to this hiring freeze when the state budget director believes that the hiring freeze will result in rendering a state department or agency unable to deliver basic services. The state budget director shall report by the fifteenth of each month to the chairpersons of the senate and house of representatives standing committees on appropriations the number of exceptions to the hiring freeze approved during the previous month and the reasons to justify the exceptions.

Sec. 208. The departments and state agencies receiving appropriations under this act shall receive and retain copies of all reports funded from appropriations in part 1. These departments and state agencies shall follow federal and state guidelines for short-term and long-term retention of these reports and records.

Sec. 209. (1) The director and the president 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 department or the fund.

(2) The director and the president shall strongly encourage firms with which the department and the fund contract to subcontract with certified businesses in depressed and deprived communities for services or supplies, or both."

6. Amend page 13, line 4, by striking out all of section 211.

7. Amend page 14, line 8, by striking out all of section 213 and inserting:

"Sec. 213. The department and the fund shall implement a pilot program that places reports required by this act on the Internet, with electronic notification to legislative offices of Internet access to the reports. During fiscal year 2000, the department and the fund shall continue to distribute all of these reports to the legislature in the current printed format.

Sec. 214. (1) The department and the fund shall submit to the department of management and budget, the house and senate appropriations committees, the fiscal agencies, and the house and senate standing committees having jurisdiction over technology issues quarterly reports on the department's and the fund's efforts to change the department's and the fund's computer software and hardware as necessary to perform properly in the year 2000 and beyond. These reports shall identify actual progress in comparison to the department's and the fund's approved work plan for these efforts.

(2) Beginning with the report on April 1, 2000, the department and the fund shall submit to the department of management and budget, the senate and house of representatives standing committees on appropriations, the fiscal agencies, and the senate and house standing committees having jurisdiction over technology issues quarterly reports identifying for the immediately preceding quarter significant problems with information systems, occurrences of information system failure as a result of noncompliance with year 2000 standards, and previously unidentified areas of significant impact. These reports shall identify systems needing corrective action and the contractual obligations of accountable parties. These reports shall give the status of the progress made in repairing and testing applications, the status of vendor supplied solutions to problems, information on the activation of manual or contract processes used to correct problems, and an itemization of the additional costs incurred.

(3) The department and the fund may present progress billings to the department of management and budget for the costs incurred in changing computer software and hardware as necessary to perform properly in the year 2000 and

beyond and for costs incurred as a result of initiating corrective actions. At the time progress billings are presented for reimbursement, the department and the fund shall identify the funding sources that should support the work performed and the department of management and budget shall forward the appropriated funding.

Sec. 215. The department and the fund shall provide a report prepared by the department's and the fund's internal auditor on the activities of the internal auditor for the prior fiscal year. This report shall include a listing of each audit or investigation performed by the internal auditor pursuant to sections 486(4) and 487 of the management and budget act, 1984 PA 431, MCL 18.1486 and 18.1487. The report shall identify the proportion of time spent on each of the statutory responsibilities listed in sections 485(4), 486(4), and 487 of the management and budget act, 1984 PA 431, MCL 18.1485, 18.1486, and 18.1487, and the time spent on all other activities performed in the internal audit function. The first report shall be due March 1, 2000, and biennially thereafter beginning on May 1 and shall be submitted to the governor, auditor general, the senate and house appropriations committees, the fiscal agencies, and the director and the president."

8. Amend page 15, line 3, by striking out all of sections 303 and 304 and inserting:

"Sec. 303. (1) The appropriation in part 1 to the department for the work first program shall be expended for grants which provide employment and training services to family independence program applicants and recipients and may be expended for grants which provide employment and training services to former family independence program recipients, as well as to recipients of noncash public assistance, specifically child day care, medicaid, or food stamp benefits.

(2) An applicant may be a district, intermediate district, community college, public or private nonprofit college or university, nonprofit organization that provides school-to-work transition programs or that provides employment and training services or vocational rehabilitation programs or state licensed accredited vocational or technical education programs, proprietary school licensed by the state board of education, local workforce development board, or a consortium consisting of any combination of districts, intermediate districts, community colleges, nonprofit organizations described in this subsection, licensed proprietary schools, or public or private nonprofit colleges or universities described in this subsection.

(3) When the work first job search requirements have been completed, if the participant has not found employment, the work first site shall identify the barriers which may have prevented the participant from obtaining employment and assist the client in removing those barriers. The work first site shall also identify appropriate education and job training programs which would be available to the participant.

(4) Work first program participants shall include applicants and recipients of the family independence program established under section 57a of the social welfare act, 1939 PA 280, MCL 400.57a, and such individuals referred to a job club program by a county family independence agency board or a county friend of the court as long as the participation in the job club is part of an application made under this section. Additionally, the department and the family independence agency shall work together to develop a program to provide employment services to former family independence program recipients and to recipients of noncash public assistance benefits such as child day care, medicaid, or food stamp benefits. This program shall not be construed to be an entitlement to services.

(5) Participants in the work first program shall not be enrolled and counted in membership in a school district or intermediate school district.

(6) The department will work with the family independence agency to coordinate support services to work first participants relating to special/emergency needs.

(7) Work first program participants must receive or be provided an explanation of the program including their benefits and responsibilities before the job interview phase of the program. This explanation shall include clear guidelines with regard to an individual's eligibility for postemployment training support and for applying hours in training toward federal work requirements.

(8) The department shall make every effort to place a minimum of 25% of clients who participate in the work first program in positions that provide wages of \$6.00 per hour or more.

(9) The department shall submit to the fiscal agencies and the state budget director by March 15, 2000 a report on the work first program, including the number of participants served under this section, the number of persons who located employment through work first, the average wage of participants who found employment, the number of persons who retained jobs for 90 days, the number of participants placed in employment training and education programs, the number of clients referred to work first who failed to report, a compilation of barriers to employment by incidence and type experienced by participants, and the number of participants referred back to the family independence agency with sanctions recommended by the family independence agency.

(10) A grant awarded under this section may extend beyond the end of the fiscal year in which the grant is awarded and the funds awarded for the grant may be available in the subsequent fiscal year for payment the next fiscal year.

(11) The department shall provide to the state budget director and the fiscal agencies by May 15 and November 15 of each year a report on the work first grants. The report due by May 15 shall provide the information described in this subsection for each grant or contract awarded during the preceding 2 quarters of the state fiscal year. The report due by November 15 shall provide this information for each grant or contract awarded during the preceding full fiscal year. The report shall contain both of the following:

(a) The amount and recipient of each grant or contract.

(b) The number of participants in each service delivery area and the number of clients placed in employment in each service delivery area.

(12) The department and the family independence agency shall establish clear joint guidelines on the eligibility of work first participants for post-employment training support and on how training/education hours can be applied toward federal work participation requirements. These guidelines shall be developed in a manner which balances the ability of participants to obtain training and subsequent long-term, high-wage employment with the need to connect participants with the workplace. Any and all training/education, with the exception of high school completion and GED preparation, must be occupationally relevant and in demand in the labor market as determined by the workforce development board. Participants must make satisfactory progress while in training/education. The department shall submit these guidelines to the house and senate appropriations committees with jurisdiction over the department, over the family independence agency, and to the fiscal agencies by October 1, 1999.

(13) Work first participants may meet the work participation requirement by combining a minimum of 10 hours per week of work with training/education. Training/education may last up to 12 months and the calculated hours may include actual classroom seat time up to 10 hours per week plus up to 1 hour of study time for each hour of classroom seat time. The combined work and training/education hours must equal the minimum number of hours required to meet the federal work participation requirements, 30 hours per week for a single parent, 35 hours per week for 2-parent families, 55 hours if utilizing federally funded day care, and 20 hours per week for single parents with a child under the age of 6. Work first participants may enroll in additional hours of classroom seat time beyond 10 hours. However, these hours and the related study time will not count toward the work participation requirement. The training may be no longer than a 1-year program, or the final year of a 2- or 4-year undergraduate program which is designed to lead to immediate labor force attachment.

(14) Work first participants may meet the federal work participation requirement through enrollment in a short-term vocational program requiring 30 hours of classroom seat time per week for a period not to exceed 6 months, or by enrollment in full-time internships, practicums, or clinicals required by an academic or training institution for licensure, professional certification, or degree completion, without an additional work requirement. Two-parent families who receive federally funded day care must work an additional 25 hours per week to meet the federal work participation requirement.

(15) Work first participants who lack a high school diploma or GED and who enroll in high school completion or classes to obtain a GED may count up to 10 hours of classroom seat time, combined with a minimum of number of hours of work per week, to meet their federal work participation requirement. There shall be no time limit on high school completion. GED preparation shall be limited to 6 months.

Sec. 304. (1) Of the funds appropriated in part 1 for precollege programs in engineering and the sciences, \$620,000.00 shall be provided in the form of a grant to the Detroit precollege engineering program, incorporated and \$424,700.00 shall be provided in the form of a grant to the Grand Rapids area precollege engineering program.

(2) The department shall submit a report to the appropriate house and senate appropriations subcommittees and the fiscal agencies by February 1, 2000, evaluating the effectiveness of the precollege programs in engineering and sciences funded through part 1 appropriations and making recommendations on whether state support to expand such programs to other areas of the state is warranted in future fiscal years.”

9. Amend page 18, line 5, after “exceed” by striking out “\$4,000,000.00” and inserting “\$8,000,000.00”.

10. Amend page 19, line 1, by striking out all of section 309.

11. Amend page 19, line 5, after “Sec. 310.” by inserting “(1)”.

12. Amend page 19, line 6, after “than” by striking out “\$1,250,000.00” and inserting “\$1,288,000.00”.

13. Amend page 19, line 16, after “living.” by inserting “The department is directed to work with the Michigan association of centers for independent living and the local workforce development boards to identify other competitive sources of funding.”

14. Amend page 19, following line 16, by inserting:

“(2) The statewide independent living council, the Michigan association of centers for independent living, and Michigan rehabilitation services shall jointly produce a report providing the information listed in subdivisions (a), (b), (c), (d), and (e). Of the general fund/general purpose revenue appropriated in part 1 for vocational rehabilitation independent living, \$288,000.00 is restricted and shall not be made available for distribution and expenditure prior to the submission and approval by the relevant subcommittees of this report. The report shall include all of the following:

(a) A detailed spending plan, including the specific entities, projects, and activities for each center for independent living that will be funded with the general fund/general purpose appropriation being restricted by this subsection.

(b) Anticipated results in terms of enhanced statewide access to independent living services to individuals who do not have access to such services through other existing public agencies, including measures by which these results can be monitored over time.

(c) Information from each center for independent living receiving funding through appropriations in part 1 detailing their total budget for their 3 most recently completed fiscal years as well as the amount within each of those budgets

funded through the vocational rehabilitation independent living grant program referenced in part 1, the total amount funded through other state agencies, the amount funded through federal sources, and the amount funded through local and private sources.

(d) Savings to state taxpayers in other specific areas that can be shown to be the direct result of activities funded from the vocational rehabilitation independent living grant program during the most recently completed state fiscal year as well as additional anticipated savings that would directly result from the expenditure of the funds restricted by this subsection.

(e) Other information deemed relevant by the 3 reporting entities.

(3) The report required in subsection (2) shall be submitted for approval to the appropriations subcommittees for the department, the fiscal agencies, and the state budget director on or before January 15, 2000.”.

15. Amend page 20, following line 11, by inserting:

“Sec. 312. (1) From the funds appropriated in part 1 for welfare-to-work programs, the department shall compile the data listed in the subsections below on participants in the enhanced technical vocational training (ETVT) program and work first in an effort to develop long-term data on the program’s effectiveness.

(2) Using all relevant state data resources, the department shall acquire data on participants 90 days, 1 year, and 3 years following their completion of the program that show whether the participant is employed and the wages earned by the participant. Using survey data, the department shall acquire data on participants at the same time intervals that show the degree to which participants are receiving health care and other benefits from their employers and the degree to which the participants are receiving public assistance and type of assistance received.

(3) The department shall file a report with the appropriate house and senate appropriations subcommittees and the fiscal agencies by February 1, 2000 summarizing the above data acquired during the previous 12-month period. The summary shall include all of the following:

(a) The percentage of participants employed at each interval.

(b) The average wage earned, the range of wages earned, and a measure of the variability of wages earned for participants at each interval.

(c) The percentage of participants receiving health care benefits and other benefits at each interval.

(d) The percentage of participants receiving some form of public assistance at each interval.

(4) The department shall cooperate with the family independence agency in formulating and acquiring any similar data for the work first program as may be required in the family independence agency appropriations act or other law.

Sec. 313. Interest earnings on the portion of the tobacco settlement revenue received by the state from the national tobacco master settlement agreement incorporated into a consent decree and final judgment in Kelley Ex Rel. Michigan v Philip Morris Incorporated, et al., which is not deposited in the Michigan merit award trust fund, are hereby appropriated to the department. These funds shall be distributed to the council of Michigan foundations as a grant to support local community efforts to address youth and senior health needs. The council may distribute the funds according to formula determined by the council or may invest these funds. Any investment earnings from this appropriation shall be used for the same purpose as the original appropriation.

Sec. 314. (1) In developing school-to-work programs, the department shall cooperate with the Michigan department of education in emphasizing the importance of apprenticeship opportunities for students who may choose to participate including, but not limited to, low-income students and students with disabilities.

(2) The school-to-work apprenticeship programs shall link employers, organized labor, educators, and community organizations for the purpose of providing necessary knowledge, skills, and labor market information to students.

(3) As participants in school-to-work apprenticeship programs, students will be expected to obtain any of the following:

(a) High school diploma, or its equivalent.

(b) Skill certificate.

(c) Possible further training, including a registered apprenticeship.

(d) Certificate or associate degree recognizing successful completion of 1 or 2 years of postsecondary education.

(e) Admission to a college or university, or a first job on a career pathway.

(4) In order for a public school to receive and spend school-to-work funds, it must receive approval of its implementation plan from its governing board or its intermediate school board and forward such approval to its local workforce development board. As used in this subsection, “public school” and “intermediate school board” mean those terms as defined in the revised school code, 1976 PA 451, MCL 380.1 to 380.1852.

Sec. 315. The department shall work cooperatively with the department of civil service to identify state employees who will lose their jobs as a result of an agency or program being reorganized, modified, or eliminated and shall develop training programs and provide training to these individuals that will provide them an opportunity and skills necessary to secure new employment within state government or the private sector.

Sec. 316. State and federal funds allocated to local workforce development boards for disbursement shall not be appropriated unless the local workforce development boards maintain a partnership with governmental agencies, public school districts, and public colleges located within the local service delivery area.

Sec. 317. From the funds appropriated in part 1 for vocational rehabilitation independent living, a portion of the funds shall be distributed to the superior alliance for independent living in Marquette County.”

16. Amend page 20, line 22, after “the” by striking out the balance of the line through “commission” on line 23 and inserting “fund”.

17. Amend page 21, line 1, by striking out all of subsection (4) and inserting:

“(4) Seventy percent of the economic development job training grant funds, except for any amount up to \$6,000,000.00 which is utilized for the development of web-based or other distance learning training which has the substantial potential for lowering training costs and improving access, shall be awarded to community colleges or a consortium of community colleges and other eligible applicants pursuant to the requirements of this section.”.

18. Amend page 21, line 7, by striking out all of subsection (6) and renumbering the remaining subsections.

19. Amend page 25, following line 26, by striking out all of subdivisions (d) and (e) and inserting:

“(d) The names and addresses of any companies and training providers utilizing web-based or other distance learning training formats along with a current estimate of the number of individuals to be involved in this training.

(e) The cost savings or other benefits due to utilizing any web-based or other distance learning training formats as opposed to delivering a comparable training program delivered face-to-face.”.

20. Amend page 26, following line 7, by inserting:

“(18) Of the funds appropriated in part 1 for economic development job training grants, the fund shall not use these funds to finance the startup or in any way subsidize any private distributor of liquor products in Michigan.

(19) As a condition of receiving funds under part 1 of this act, the fund shall not expend any of the economic development job training grant funds to train any employee who is an officer of a corporation in a corporation employing more than 250 employees.”.

21. Amend page 27, line 13, by striking out all of sections 406 and 407.

22. Amend page 28, line 17, by striking out all of section 410.

23. Amend page 29, line 10, after “allocated.” by inserting “At least 25% of all program funds shall be used to promote cultural tourism opportunities in Michigan.”.

24. Amend page 29, line 20, after the first “the” by striking out “senate and house full appropriations committees” and inserting “relevant senate and house appropriation subcommittees”.

25. Amend page 30, following line 8, by inserting:

“(l) Health and aging research and development initiative.

(m) Any other programs of the fund.”.

26. Amend page 30, line 9, by striking out all of subsection (2) and inserting:

“(2) The reports in subsection (1) shall be submitted by January 1, 2000. The report for each program in subsection (1)(a) through (m) shall include details on the actual spending and number of FTEs for that program.”.

27. Amend page 30, line 24, after “Michigan” by striking out “first corporation” and inserting “economic development foundation”.

28. Amend page 31, line 3, by striking out all of section 416 and inserting:

“Sec. 417. (1) Of the funds appropriated to the fund or through grants to the Michigan economic development corporation, no funds shall be expended for the purchase of options on land or the purchase of land unless at least 1 of the following conditions applies:

(a) The land is located in an economically distressed area.

(b) The land is obtained through a purchase or exercise of an option at the invitation of the local unit of government and local economic development agency.

(2) It is the intent of the legislature that consideration be given to purchases where the proposed use of the land is consistent with a regional land use plan, will result in the redevelopment of an economically distressed area, can be supported by existing infrastructure, and will not cause shifts in population away from the area’s population centers.

(3) As used in this section, “economically distressed area” means an area in a city, village, or township that has been designated as blighted; a city, village, or township that shows negative population change from 1970 and a poverty rate and unemployment rate greater than the statewide average; or an area certified as a neighborhood enterprise zone.

Sec. 418. (1) From the funds appropriated in part 1 for the fund, \$50,000,000.00 is appropriated for a health and aging research and development initiative to support basic and applied research in health-related areas, with emphasis on issues related to aging.

(2) A health and aging steering committee, appointed by the governor, shall consist of 14 members including the CEO of the Michigan economic development corporation, a member from Michigan State University, the University of Michigan, Wayne State University, the VanAndel Institute, and 2 members from the private sector. The remaining members shall be appointed at large and may include members from the private sector, public sector, or other Michigan universities. The purpose of the steering committee is to provide advice and oversight of the initiative, including the development of criteria for the award of contracts or grants to qualifying universities, institutions, or individuals. The steering committee will make decisions regarding distribution of these grant funds.

(3) Of the funds appropriated, 40% is allocated for a basic research fund, to be distributed on a competitive basis to Michigan universities for basic research in health-related areas. Not less than \$5,000,000.00 is allocated to research



related to aging diseases and health problems. Fifty percent of the appropriated funds are earmarked for a collaborative research fund to support peer-reviewed collaborative grants among Michigan universities and/or private research facilities, with emphasis on testing or developing emerging discoveries. The VanAndel Institute and other private research facilities may participate in collaboration with the universities on research fund grants. Up to 10% of the appropriated funds may be used to support a commercial development fund to support commercialization opportunities for life science research in Michigan. Appropriated funds must be matched with other university, private, or federal funding. Not more than 1% of the appropriated funds may be used for administrative costs of administering the initiative.

Sec. 419. The fund shall provide to the appropriate house and senate appropriations subcommittees and the fiscal agencies by December 1, 1999 a report on the status of the development finance agency grant and loan program including, but not limited to:

- (a) The balance of the revolving fund.
- (b) Projects funded from the revolving fund.
- (c) A proposal on whether the program should continue and the proposed use of any unobligated balance.”.

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

A bill to make appropriations for the department of career development and the Michigan strategic fund and certain other state purposes for the fiscal year ending September 30, 2000; to provide for the expenditure of the appropriations; and to provide for the disposition of fees and other income received by the state agencies.

Glenn Steil  
 Joel Gougeon  
 Conferees for the Senate

Patricia Godchaux  
 Janet Kukuk  
 Conferees for the House

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

Rep. Raczkowski moved pursuant to Joint Rule 9, that the Journal printing requirement be suspended, printed copies of the conference report having been placed on the members’ desks.

The motion prevailed.

The question being on the adoption of the conference report,

**Point of Order**

Rep. Martinez requested a ruling from the Chair as to whether the Conference Report is properly before the House and questioned whether the addition of provisions of expenditure for federal funds was a matter of difference between the two houses and could properly be considered by the Committee of Conference.

The Chair ruled that the conference report is properly before the House. Pursuant to Joint Rule 8, conferees may recommend amendments to the bill that deal with additional anticipated federal or flow through funding.

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. 794**

**Yeas—93**

Allen	Faunce	Koetje	Richner
Baird	Frank	Kowall	Rocca
Basham	Garcia	Kuipers	Sanborn
Birkholz	Garza	Kukuk	Scott
Bisbee	Geiger	LaSata	Scranton
Bishop	Gielegem	Law	Shackleton
Bogardus	Gilbert	Lemmons	Sheltrown
Bovin	Godchaux	Lockwood	Shulman
Bradstreet	Green	Martinez	Spade

Brater	Hager	Mead	Stallworth
Brewer	Hanley	Middaugh	Stamas
Brown, B.	Hansen	Mortimer	Switalski
Brown, C.	Hardman	Neumann	Tabor
Byl	Hart	Pappageorge	Thomas
Callahan	Howell	Patterson	Toy
Caul	Jacobs	Perricone	Van Woerkom
Cherry	Jamnick	Pestka	Vander Roest
Clark, I.	Jansen	Price	Vaughn
Daniels	Jelinek	Pumford	Vear
Dennis	Jellema	Quarles	Voorhees
DeRossett	Johnson, Rick	Raczkowski	Wojno
DeVuyst	Julian	Reeves	Woodward
DeWeese	Kilpatrick	Richardville	Woronchak
Ehardt			

### Nays—15

Clarke, H.	Kelly	O'Neil	Schauer
DeHart	LaForge	Prusi	Schermesser
Gosselin	Mans	Rison	Tesanovich
Hale	Minore	Rivet	

In The Chair: Scranton

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

### Senate Bill No. 368, entitled

A bill to make appropriations for the judicial branch for the fiscal year ending September 30, 2000; 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 Second Committee of Conference.

The Conference Report was read as follows:

### Second Conference Report

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

### Senate Bill No. 368, entitled

A bill to make appropriations for the judicial branch for the fiscal year ending September 30, 2000; 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 Senate and House agree to the Substitute of the House as passed by the House, amended to read as follows:

A bill to make appropriations for the judicial branch for the fiscal year ending September 30, 2000; 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 PEOPLE OF THE STATE OF MICHIGAN ENACT:

PART 1

LINE-ITEM APPROPRIATIONS

Sec. 101. Subject to the conditions set forth in this act, the amounts listed in this part are appropriated for the judicial branch for the fiscal year ending September 30, 2000, from the funds indicated in this part. The following is a summary of the appropriations in this part:

**JUDICIARY**

APPROPRIATION SUMMARY:

Full-time equated exempted positions .....	583.0	
GROSS APPROPRIATION .....		\$ 227,130,300
Interdepartmental grant revenues:		
Total interdepartmental grants and intradepartmental transfers .....		2,287,400
ADJUSTED GROSS APPROPRIATION .....		\$ 224,842,900
Federal revenues:		
Total federal revenues .....		3,077,800
Special revenue funds:		
Total local revenues .....		2,496,600
Total private revenues .....		1,702,400
Total other state restricted revenues .....		56,074,900
State general fund/general purpose .....		\$ 161,491,200

**Sec. 102. SUPREME COURT**

Full-time equated exempted positions .....	283.0	
Supreme court administration—118.0 FTE positions .....		\$ 13,973,900
Judicial institute—18.0 FTE positions .....		2,809,700
State court administrative office—80.0 FTE positions .....		8,675,600
Judicial information systems—21.0 FTE positions .....		4,182,900
Direct trial court automation support—30.0 FTE positions .....		2,496,600
Foster care review board—12.0 FTE positions .....		1,198,700
Community dispute resolution—4.0 FTE positions .....		2,444,300
GROSS APPROPRIATION .....		\$ 35,781,700

Appropriated from:

Interdepartmental grant revenues:		
IDG from department of career development .....		120,000
IDG from state police - criminal justice improvement .....		1,443,900
IDG from state police - Michigan justice training fund .....		300,000
Federal revenues:		
DAG, agriculture mediation grant .....		469,900
DOE, special education grant .....		130,000
DOJ, victims assistance programs .....		50,000
DOT, national highway safety traffic administration .....		215,300
HHS, access and visitation grant .....		387,000
HHS, court improvement project .....		629,800
HHS, title IV-D child support program .....		419,100
HHS, title IV-E foster care program .....		276,700
HHS, TANF .....		500,000
Special revenue funds:		
Local - user fees .....		2,496,600
Private .....		419,000
Private - interest on lawyers trust accounts .....		712,600
Private - state justice institute .....		500,800
Community dispute resolution fees .....		1,642,300
Law exam fees .....		477,200
Miscellaneous revenue .....		227,900
State court fund .....		319,000
State general fund/general purpose .....		\$ 24,044,600

For Fiscal Year  
Ending Sept. 30,  
2000

<b>Sec. 103. COURT OF APPEALS</b>	
Full-time equated exempted positions .....	235.5
Court of appeals operations—223.5 FTE positions .....	\$ 18,754,800
Delay reduction—12.0 FTE positions .....	950,000
GROSS APPROPRIATION .....	\$ 19,704,800
Appropriated from:	
Special revenue funds:	
Court filing/motion fees .....	1,571,000
Miscellaneous revenue .....	77,800
State general fund/general purpose .....	\$ 18,056,000
<b>Sec. 104. JUSTICES' AND JUDGES' COMPENSATION</b>	
Full-time judges positions .....	610.0
Supreme court justices' salaries—7.0 judges .....	\$ 975,100
Court of appeals judges' salaries—28.0 judges .....	3,588,400
District court judges' state base salaries—259.0 judges .....	18,463,700
District court judicial salary standardization .....	11,842,500
Probate court judges' state base salaries—106.0 judges .....	7,029,100
Probate court judicial salary standardization .....	4,332,800
Circuit court judges' state base salaries—210.0 judges .....	15,637,000
Circuit court judicial salary standardization .....	9,228,000
Judges' retirement system defined contributions .....	2,204,900
OASI, social security .....	4,002,600
GROSS APPROPRIATION .....	\$ 77,304,100
Appropriated from:	
Special revenue funds:	
Court fee fund .....	6,065,600
State general fund/general purpose .....	\$ 71,238,500
<b>Sec. 105. JUDICIAL AGENCIES</b>	
Full-time equated exempted positions .....	10.0
Judicial tenure commission—10.0 FTE positions .....	\$ 953,700
GROSS APPROPRIATION .....	\$ 953,700
Appropriated from:	
State general fund/general purpose .....	
\$ 953,700	
<b>Sec. 106. INDIGENT DEFENSE - CRIMINAL</b>	
Full-time equated exempted positions .....	54.5
Appellate public defender program—46.5 FTE positions .....	\$ 4,618,400
State appellate defender office .....	508,300
Appellate assigned counsel administration—8.0 FTE positions .....	881,900
GROSS APPROPRIATION .....	\$ 6,008,600
Appropriated from:	
Interdepartmental grant revenues:	
IDG from state police - Michigan justice training fund .....	423,500
Special revenue funds:	
Private - interest on lawyers trust accounts .....	70,000
Miscellaneous revenue .....	113,100
State general fund/general purpose .....	\$ 5,402,000
<b>Sec. 107. INDIGENT CIVIL LEGAL ASSISTANCE</b>	
Indigent civil legal assistance .....	\$ 7,337,000
GROSS APPROPRIATION .....	\$ 7,337,000
Appropriated from:	
Special revenue funds:	
State court fund .....	7,337,000
State general fund/general purpose .....	\$ 0
<b>Sec. 108. TRIAL COURT OPERATIONS</b>	
Court equity fund reimbursements .....	\$ 69,840,400
Hold harmless fund reimbursements .....	8,000,000
GROSS APPROPRIATION .....	\$ 77,840,400

For Fiscal Year  
Ending Sept. 30,  
2000

Appropriated from:	
Special revenue funds:	
Court equity fund.....	36,044,000
State general fund/general purpose .....	\$ 41,796,400
<b>Sec. 109. GRANTS AND REIMBURSEMENTS TO LOCAL GOVERNMENT</b>	
Drunk driving caseflow program.....	\$ 2,000,000
Drug caseflow program.....	200,000
GROSS APPROPRIATION.....	\$ <u>2,200,000</u>
Appropriated from:	
Special revenue funds:	
Drug fund .....	200,000
Drunk driving fund .....	2,000,000
State general fund/general purpose .....	\$ 0

PART 2  
PROVISIONS CONCERNING APPROPRIATIONS

**GENERAL SECTIONS**

Sec. 201. (1) Pursuant to section 30 of article IX of the state constitution of 1963, total state spending from state sources for fiscal year 1999-2000 is estimated at \$218,566,100.00 in this act and state spending from state sources paid to local units of government for fiscal year 1999-2000 is estimated at \$112,984,700.00. The itemized statement below identifies appropriations from which spending to units of local government will occur:

**SUPREME COURT**

State court administrative office - administration.....	\$ 511,900
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**TRIAL COURT OPERATIONS**

Court equity fund reimbursements .....	\$ 69,840,400
Hold harmless fund reimbursement.....	8,000,000

**JUSTICES' AND JUDGES' COMPENSATION**

District court judicial salary standardization .....	\$ 11,842,500
Probate court judges' state base salaries .....	7,029,100
Probate court judicial salary standardization.....	4,332,800
Circuit court judicial salary standardization.....	9,228,000

**GRANTS AND REIMBURSEMENTS TO LOCAL GOVERNMENT**

Drunk driving caseflow program.....	\$ 2,000,000
Drug caseflow program.....	200,000
TOTAL .....	\$ <u>112,984,700</u>

(2) If it appears to the principal executive officer of a department or branch that state spending to local units of government will be less than the amount that was projected to be expended under subsection (1), the principal executive officer shall immediately give notice of the approximate shortfall to the state budget director, the house and senate appropriations committees, and the house and senate fiscal agencies.

Sec. 202. (1) The expenditures and funding sources authorized under this act are subject to the management and budget act, 1984 PA 431, MCL 18.1101 to 18.1594.

(2) Funds appropriated in part 1 to an entity within the judicial branch shall not be expended or transferred to another account without written approval of the authorized agent of the judicial entity. If the authorized agent of the judicial entity notifies the state budget director of its approval of an expenditure or transfer, the state budget director shall immediately make the expenditure or transfer. The authorized judicial entity agent shall be designated by the chief justice of the supreme court.

Sec. 203. As used in this act:

- (a) "DAG" means the United States department of agriculture.
- (b) "DOE" means the United States department of education.
- (c) "DOJ" means the United States department of justice.
- (d) "DOT" means the United States department of transportation.
- (e) "FTE" means full-time equated.
- (f) "HHS" means the United States department of health and human services.
- (g) "IDG" means interdepartmental grant.
- (h) "MDSP" means the department of state police.
- (i) "OASI" means old age survivor's insurance.
- (j) "TANF" means temporary assistance for needy families.

Sec. 204. Funds appropriated in this act shall not be used for the purchase of foreign goods or services when competitively priced American goods and services are available.

Sec. 205. (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.

Sec. 206. (1) In addition to the funds appropriated in part 1, there is appropriated an amount not to exceed \$500,000.00 for federal contingency funds.

(2) In addition to the funds appropriated in part 1, there is appropriated an amount not to exceed \$500,000.00 for state restricted contingency funds.

(3) In addition to the funds appropriated in part 1, there is appropriated an amount not to exceed \$100,000.00 for local contingency funds.

(4) In addition to the funds appropriated in part 1, there is appropriated an amount not to exceed \$100,000.00 for private contingency funds.

(5) A transfer of contingency funds within the judicial branch shall not be made by the authorized agent of the judicial entity unless approved by both appropriations committees. If the state budget director does not approve contingency fund transfers adopted by both appropriations committees under this section, the state budget director shall notify the appropriations committees of his or her action within 15 days.

Sec. 207. (1) The judicial branch 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 judicial branch shall provide a monthly report on 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.

Sec. 208. Sixty days prior to beginning any effort to privatize, the judicial branch shall submit a complete project plan to the appropriate house and senate appropriations subcommittees and the house and senate fiscal agencies. The plan shall include the criteria under which the privatization initiative will be evaluated. The evaluation shall be completed and submitted to the appropriate house and senate appropriations subcommittees and the house and senate fiscal agencies within 30 months.

Sec. 209. All reports required by this act shall be made available to the public primarily through Internet access, unless a printed version is requested. The judiciary shall provide electronic notification to all legislative offices for specific reports requested by the legislature.

Sec. 209a. The judicial branch shall receive and retain copies of all reports funded from appropriations in part 1, and shall follow federal and state guidelines for short-term and long-term retention of these reports and records.

Sec. 210. The judicial branch shall provide a report prepared by the judicial branch's internal auditor for the prior fiscal year. This report shall include a listing of each audit or investigation performed by the internal auditor pursuant to sections 486(4) and 487 of the management and budget act, 1984 PA 431, MCL 18.1486 and 18.1487. The report shall identify the proportion of time spent on each of the statutory responsibilities listed in sections 485(4), 486(4), and 487 of the management and budget act, 1984 PA 431, MCL 18.1485, 18.1486, and 18.1487, and the time spent on all other activities performed in the internal audit function. The report is due first on March 1, 2000, and is due biennially thereafter beginning on May 1, 2002, and shall be submitted to the governor, auditor general, the senate and house appropriations committees, the senate and house fiscal agencies, and the chief justice.

#### **JUDICIAL BRANCH**

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 part 1 shall be submitted to the state budget director and to the house and senate appropriations subcommittees on judiciary 30 days before expenditure by the direct trial court automation support program.

(2) From funds appropriated in part 1, the direct trial court automation support program of the state court administrative office shall provide to the state budget director, 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.

Sec. 302. Funds appropriated within the judicial branch shall not be expended by any component within the judicial branch without the approval of the supreme court.

Sec. 303. Of the amount appropriated in part 1 for the judicial branch, \$325,000.00 is allocated for circuit court reimbursement under section 3 of 1978 PA 16, MCL 800.453, and \$186,900.00 is allocated for court of claims reimbursement under section 6413 of the revised judicature act of 1961, 1961 PA 236, MCL 600.6413.

Sec. 304. The judicial branch shall cooperate with the auditor general regarding audits of the judicial branch conducted pursuant to section 53 of article IV of the state constitution of 1963.

Sec. 305. To avoid the overexpenditure of funds appropriated under this act, the supreme court shall report quarterly to the state budget director and to the judiciary subcommittees of the house and senate appropriations committees regarding the status of the accounts set forth in part 1.

Sec. 306. From funds appropriated under part 1, forms required to be developed by the state court administrative office pursuant to section 2950b of the revised judicature act of 1961, 1961 PA 236, MCL 600.2950b, shall be provided in the quantity requested by each county clerk.

Sec. 307. The supreme court shall continue to implement and enforce an appropriate 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. 308. Funds appropriated in part 1 shall not be used to pay directly or by reimbursement the annual dues for membership in the state bar of Michigan of a judge, justice, or other employee of the judicial branch.

Sec. 309. (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, 2000 audited accounts of all money due and owing the court as of September 30, 1999. 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) The state treasurer shall report to the legislature a compilation of the estimated accounts receivable of all courts and cumulative totals by March 1, 2000. This report is a public record.

Sec. 310. The state court administrative office, from funds appropriated in part 1, shall assist the court of appeals and trial courts to meet American bar association model standards on case processing.

Sec. 311. If sufficient funds are not available from the court fee fund to pay judges' compensation, the difference between the appropriated amount from that fund for judges' compensation and the actual amount available after the amount appropriated for trial court reimbursement is made shall be appropriated from the state general fund for judges' compensation.

Sec. 312. Funds appropriated in part 1 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.

Sec. 315. The additional state general fund appropriation for community dispute resolution contained in part 1 shall be used to supplement funding for community dispute resolution centers. The supplemental funding shall be disbursed to bring each center funded through the community dispute resolution act, 1988 PA 260, MCL 691.1551 to 691.1564, to a minimum funding level of \$15,000.00.

Sec. 317. (1) The judicial branch shall submit to the department of management and budget, the house and senate appropriations committees, the house and senate fiscal agencies, and the house and senate standing committees having jurisdiction over technology issues quarterly reports on the judicial branch's efforts to change the judicial branch's computer software and hardware as necessary to perform properly in the year 2000 and beyond. These reports shall identify actual progress in comparison to the judicial branch's approved work plan for these efforts.

(2) Beginning with the report on April 1, 2000, the judicial branch shall submit to the department of management and budget, the senate and house of representatives standing committees on appropriations, the senate and house fiscal agencies, and the senate and house standing committees having jurisdiction over technology issues quarterly reports identifying for the immediately preceding quarter significant problems with information systems, occurrences of information system failure as a result of noncompliance with year 2000 standards, and previously unidentified areas of impact. These reports shall identify systems needing corrective action and the contractual obligations of accountable parties. These reports shall give the status of the progress made in repairing and testing applications, the status of vendor-supplied solutions to problems, information on the activation of manual or contract processes used to correct problems, and an itemization of the additional costs incurred.

(3) The judicial branch may present progress billings to the department of management and budget for the costs incurred in changing computer software and hardware as necessary to perform properly in the year 2000 and beyond and for costs incurred as a result of initiating corrective actions. At the time progress billings are presented for reimbursement, the judicial branch shall identify the funding sources that should support the work performed, and the department of management and budget shall forward the appropriate funding.

Sec. 319. (1) The state auditor general shall perform an audit of the state appellate defender office to ensure program effectiveness, efficiencies, and compliance with state law.

(2) As a part of the audit, the legislative auditor general shall include an analysis of the state appellate defender office salary schedule for attorneys and supervisors. The analysis shall compare salaries with those in the public and private sectors.

Sec. 321. The legislature urges the supreme court to examine court rules and consider changes which would:

(a) Allow candidates for judge to express opinions on political issues.

(b) Allow judges to preside over cases even though they have publicly expressed political opinions in issues generally related to the case.

Second: 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, 2000; 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.

Walter North  
Glenn Steil  
Conferees for the Senate

Mickey Mortimer  
Cameron Brown  
Conferees for the House

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

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

The motion prevailed.

The question being on the adoption of the second conference report,

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

### Roll Call No. 795

### Yeas—65

Allen	Geiger	Koetje	Rocca
Basham	Gielegem	Kowall	Sanborn
Birkholz	Gilbert	Kuipers	Scranton
Bisbee	Godchaux	Kukuk	Shackleton
Bishop	Green	LaSata	Shulman
Bradstreet	Hager	Law	Spade
Brown, B.	Hanley	Mead	Stamas
Brown, C.	Hansen	Middaugh	Switalski
Byl	Hart	Mortimer	Tabor
Callahan	Howell	Pappageorge	Toy
Caul	Jansen	Patterson	Van Woerkom
DeRossett	Jelinek	Perricone	Vander Roest
DeVuyst	Jellema	Pumford	Vear
DeWeese	Johnson, Rick	Raczkowski	Voorhees
Ehardt	Julian	Richardville	Wojno
Faunce	Kilpatrick	Richner	Woronchak
Garcia			

### Nays—42

Baird	Frank	Mans	Rivet
Bogardus	Garza	Martinez	Schauer
Bovin	Gosselin	Minore	Schermesser



Brater	Hale	Neumann	Scott
Brewer	Hardman	O'Neil	Sheltrown
Cherry	Jacobs	Pestka	Stallworth
Clark, I.	Jamnack	Price	Tesanovich
Clarke, H.	Kelly	Prusi	Thomas
Daniels	LaForge	Reeves	Vaughn
DeHart	Lemmons	Rison	Woodward
Dennis	Lockwood		

In The Chair: Scranton

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

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

“Mr. Speaker and members of the House:  
\$92.69

That is how much every man, woman and child in the state of Michigan will pay in the coming months to cover the growth of state government. The figure includes a \$422 million increase in next year's spending, and \$488 million of this year's tax overcharge (a.k.a. 'surplus') spent by this legislature right away.

I represent a wealthy district. Most citizens in the 42nd district probably won't be harmed much by the state taking an additional \$92.69 from their hard earned income. But I know how most will answer if I ask, 'Would you rather have \$92.69 for each member of your family, or instead grow state government 4.7% next year, and spend an extra \$488 million of taxpayer overcharges this year?' They already answered that question by sending me to the House, based on my promise not to grow government.

That is the view of a wealthy district. What answer would my House colleagues from less affluent districts get?

\$92.69, or bigger government? With this and the other budgets passed by this House, we've answered the question for them.

Bigger government.”

Rep. Jacob moved that Rep. Lemmons be excused temporarily from today's session.  
The motion prevailed.

### Second Reading of Bills

#### Senate Bill No. 53, entitled

A bill to amend 1976 PA 451, entitled “The revised school code,” (MCL 380.1 to 380.1852) by adding section 1284b.

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

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

Reps. Rivet and Woodward moved to amend the bill as follows:

1. Amend page 2, line 4, after “LOWING” by striking out “7” and inserting “9”.
2. Amend page 2, following line 24, by inserting:

“(H) ONE MEMBER REPRESENTING THE MICHIGAN PARENT-TEACHER ASSOCIATION, APPOINTED FROM AMONG NOMINATIONS SUBMITTED BY THE MICHIGAN CONGRESS OF PARENTS, TEACHERS, AND STUDENTS.

(I) ONE MEMBER WHO IS A PUPIL ENROLLED IN A PUBLIC HIGH SCHOOL IN THIS STATE.”.

The question being on the adoption of the amendments offered by Reps. Rivet and Woodward,

Rep. Woodward demanded the yeas and nays.

The demand was supported.

The question being on the adoption of the amendments offered by Reps. Rivet and Woodward,

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

**Roll Call No. 796****Yeas—53**

Allen	Dennis	LaForge	Rivet
Baird	Frank	Lockwood	Schauer
Basham	Garza	Mans	Schermesser
Bogardus	Gielegem	Martinez	Scott
Bovin	Hale	Minore	Sheltrown
Brater	Hanley	Neumann	Spade
Brewer	Hansen	O'Neil	Stallworth
Brown, B.	Hardman	Pestka	Switalski
Callahan	Jacobs	Price	Tesanovich
Cherry	Jamnick	Prusi	Thomas
Clark, I.	Johnson, Rick	Quarles	Vaughn
Clarke, H.	Kelly	Reeves	Wojno
Daniels	Kilpatrick	Rison	Woodward
DeHart			

**Nays—54**

Birkholz	Gilbert	Kukuk	Rocca
Bisbee	Godchaux	LaSata	Sanborn
Bishop	Gosselin	Law	Scranton
Bradstreet	Green	Mead	Shackleton
Brown, C.	Hager	Middaugh	Shulman
Byl	Hart	Mortimer	Stamas
Caul	Howell	Pappageorge	Tabor
DeRossett	Jansen	Patterson	Toy
DeVuyst	Jelinek	Perricone	Van Woerkom
DeWeese	Jellema	Pumford	Vander Roest
Ehardt	Julian	Raczkowski	Vear
Faunce	Koetje	Richardville	Voorhees
Garcia	Kowall	Richner	Woronchak
Geiger	Kuipers		

In The Chair: Scranton

Rep. Woodward moved to amend the bill as follows:

1. Amend page 3, line 17, after "FORCE." by striking out "A MAJORITY OF THE MEMBERS PRESENT AND SERVING ARE" and inserting "AN AFFIRMATIVE VOTE OF 5 OF THE MEMBERS APPOINTED AND SERVING IS".

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

Rep. Woodward demanded the yeas and nays.

The demand was supported.

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

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

**Roll Call No. 797****Yeas—50**

Baird	Dennis	Mans	Schauer
Basham	Garza	Martinez	Schermesser
Bogardus	Gielegem	Minore	Scott
Bovin	Hale	Neumann	Sheltrown
Brater	Hanley	O'Neil	Spade
Brewer	Hansen	Pestka	Stallworth

Brown, B.	Hardman	Price	Switalski
Callahan	Jacobs	Prusi	Tesanovich
Cherry	Jamnick	Quarles	Thomas
Clark, I.	Kelly	Reeves	Vaughn
Clarke, H.	Kilpatrick	Rison	Wojno
Daniels	LaForge	Rivet	Woodward
DeHart	Lockwood		

**Nays—55**

Allen	Gilbert	Kuipers	Rocca
Birkholz	Godchaux	Kukuk	Sanborn
Bisbee	Gosselin	LaSata	Scranton
Bishop	Green	Law	Shackleton
Bradstreet	Hager	Mead	Shulman
Brown, C.	Hart	Middaugh	Stamas
Byl	Howell	Mortimer	Tabor
Caul	Jansen	Pappageorge	Toy
DeRossett	Jelinek	Patterson	Van Woerkom
DeVuyst	Jellema	Perricone	Vander Roest
DeWeese	Johnson, Rick	Pumford	Vear
Ehardt	Julian	Raczkowski	Voorhees
Faunce	Koetje	Richardville	Woronchak
Garcia	Kowall	Richner	

In The Chair: Scranton

Rep. Kelly moved that Rep. LaForge be excused temporarily from today's session.  
The motion prevailed.

Rep. Hale moved to amend the bill as follows:

1. Amend page 1, line 9, after "IMPACT" by inserting "BY COUNTY".

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

Rep. Hale demanded the yeas and nays.

The demand was supported.

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

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

**Roll Call No. 798****Yeas—47**

Baird	DeHart	Lockwood	Schermesser
Basham	Dennis	Mans	Scott
Bogardus	Garza	Martinez	Sheltrown
Bovin	Gielegem	Minore	Spade
Brater	Hale	Neumann	Stallworth
Brewer	Hanley	O'Neil	Switalski
Brown, B.	Hansen	Pestka	Tesanovich
Callahan	Hardman	Price	Thomas
Cherry	Jacobs	Prusi	Vaughn
Clark, I.	Jamnick	Reeves	Wojno
Clarke, H.	Kelly	Rison	Woodward
Daniels	Kilpatrick	Rivet	

**Nays—55**

Allen	Gilbert	Kukuk	Rocca
Birkholz	Godchaux	LaSata	Sanborn
Bisbee	Gosselin	Law	Scranton
Bishop	Hager	Mead	Shackleton
Bradstreet	Hart	Middaugh	Shulman
Brown, C.	Howell	Mortimer	Stamas
Byl	Jansen	Pappageorge	Tabor
Caul	Jelinek	Patterson	Toy
DeRossett	Jellema	Perricone	Van Woerkom
DeVuyst	Johnson, Rick	Pumford	Vander Roest
DeWeese	Julian	Quarles	Vear
Ehardt	Koetje	Raczkowski	Voorhees
Faunce	Kowall	Richardville	Woronchak
Garcia	Kuipers	Richner	

In The Chair: Scranton

Rep. Vander Roest moved to amend the bill as follows:

1. Amend page 4, line 8, by striking out all of enacting section 1.

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

Rep. Raczkowski 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. Raczkowski 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. 53, entitled**

A bill to amend 1976 PA 451, entitled "The revised school code," (MCL 380.1 to 380.1852) by adding section 1284b.

Was read a third time and not passed, a majority of the members serving not voting therefor, by yeas and nays, as follows:

**Roll Call No. 799****Yeas—20**

Allen	Geiger	Lockwood	Shackleton
Birkholz	Green	Neumann	Sheltrown
Bradstreet	Johnson, Rick	Raczkowski	Stamas
Caul	Koetje	Rivet	Toy
Ehardt	Law	Rocca	Woronchak

**Nays—87**

Baird	Frank	Kowall	Richner
Basham	Garcia	Kuipers	Rison
Bisbee	Garza	Kukuk	Sanborn
Bishop	Gielegem	LaForge	Schauer
Bogardus	Gilbert	LaSata	Schermesser
Bovin	Godchaux	Mans	Scott
Brater	Gosselin	Martinez	Scranton
Brewer	Hager	Mead	Shulman
Brown, B.	Hale	Middaugh	Spade
Brown, C.	Hanley	Minore	Stallworth

Byl	Hansen	Mortimer	Switalski
Callahan	Hardman	O'Neil	Tabor
Cherry	Hart	Pappageorge	Tesanovich
Clark, I.	Howell	Patterson	Thomas
Clarke, H.	Jacobs	Perricone	Van Woerkom
Daniels	Jamnack	Pestka	Vander Roest
DeHart	Jansen	Price	Vaughn
Dennis	Jelinek	Prusi	Vear
DeRossett	Jellema	Pumford	Voorhees
DeVuyst	Julian	Quarles	Wojno
DeWeese	Kelly	Reeves	Woodward
Faunce	Kilpatrick	Richardville	

In The Chair: Scranton

Rep. Raczkowski moved to reconsider the vote by which the House did not pass the bill.  
The motion prevailed, a majority of the members serving voting therefor.

The question being on the passage of the bill,

Rep. Raczkowski moved that consideration of the bill be postponed for the day.  
The motion prevailed.

**House Bill No. 4099, entitled**

A bill to amend 1976 PA 451, entitled "The revised school code," (MCL 380.1 to 380.1852) by adding section 1284b. (The bill was read a third time and postponed for the day on May 6, see House Journal No. 40, p. 760.)  
The question being on the passage of the bill,

Rep. Raczkowski moved to reconsider the vote by which the House placed the bill on the order of Third Reading of Bills.

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

**Second Reading of Bills**

**House Bill No. 4099, entitled**

A bill to amend 1976 PA 451, entitled "The revised school code," (MCL 380.1 to 380.1852) by adding section 1284b.

Rep. Quarles moved to amend the bill as follows:

1. Amend page 1, line 6, after "DAY." by inserting "THIS REQUIREMENT DOES NOT APPLY TO A SCHOOL OR PROGRAM THAT IS SCHEDULED TO PROVIDE 195 OR MORE DAYS OF PUPIL INSTRUCTION IN THE SCHOOL YEAR."

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

Rep. Quarles demanded the yeas and nays.

The demand was supported.

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

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

**Roll Call No. 800**

**Yeas—49**

Baird	Frank	Martinez	Schermesser
Basham	Garza	Minore	Scott
Bogardus	Gielegem	Neumann	Sheltrown
Bovin	Green	O'Neil	Spade
Brater	Hanley	Pestka	Stallworth
Brewer	Hansen	Price	Switalski
Brown, B.	Hardman	Prusi	Tesanovich
Cherry	Jacobs	Quarles	Thomas

Clark, I.	Kelly	Reeves	Vaughn
Clarke, H.	Kilpatrick	Rison	Wojno
Daniels	Lockwood	Rivet	Woodward
DeHart	Mans	Schauer	Woronchak
Dennis			

**Nays—55**

Allen	Garcia	Kowall	Richner
Birkholz	Gilbert	Kuipers	Rocca
Bisbee	Gosselin	Kukuk	Sanborn
Bishop	Hager	LaSata	Scranton
Bradstreet	Hale	Law	Shackleton
Brown, C.	Hart	Mead	Shulman
Byl	Howell	Middaugh	Stamas
Callahan	Jamnick	Mortimer	Tabor
Caul	Jansen	Pappageorge	Toy
DeRossett	Jelinek	Patterson	Van Woerkom
DeVuyst	Jellema	Perricone	Vander Roest
DeWeese	Johnson, Rick	Pumford	Vear
Ehardt	Julian	Raczkowski	Voorhees
Faunce	Koetje	Richardville	

In The Chair: Scranton

Rep. Vander Roest moved to amend the bill as follows:

1. Amend page 2, line 6, by striking out all of enacting section 1.

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

Rep. Shackleton 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. Raczkowski 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. 4099, entitled**

A bill to amend 1976 PA 451, entitled "The revised school code," (MCL 380.1 to 380.1852) by adding section 1284b.

Was read a third time and not passed, a majority of the members serving not voting therefor, by yeas and nays, as follows:

**Roll Call No. 801****Yeas—47**

Allen	Gilbert	Law	Sanborn
Birkholz	Gosselin	Lockwood	Shackleton
Bisbee	Green	Mead	Sheltrown
Bradstreet	Hager	Middaugh	Shulman
Caul	Jansen	Mortimer	Stamas
DeRossett	Jelinek	Neumann	Tabor
DeVuyst	Johnson, Rick	Pappageorge	Toy
DeWeese	Julian	Patterson	Van Woerkom
Ehardt	Koetje	Perricone	Vander Roest
Faunce	Kowall	Raczkowski	Vear
Garcia	Kukuk	Richner	Voorhees
Geiger	LaSata	Rocca	

**Nays—60**

Baird	DeHart	Kelly	Rison
Basham	Dennis	Kilpatrick	Rivet
Bishop	Frank	Kuipers	Schauer
Bogardus	Garza	LaForge	Schermesser
Bovin	Gielegem	Mans	Scott
Brater	Godchaux	Martinez	Scranton
Brewer	Hale	Minore	Spade
Brown, B.	Hanley	O'Neil	Stallworth
Brown, C.	Hansen	Pestka	Switalski
Byl	Hardman	Price	Tesanovich
Callahan	Hart	Prusi	Thomas
Cherry	Howell	Pumford	Vaughn
Clark, I.	Jacobs	Quarles	Wojno
Clarke, H.	Jamnick	Reeves	Woodward
Daniels	Jellema	Richardville	Woronchak

In The Chair: Scranton

Rep. Raczkowski moved to reconsider the vote by which the House did not pass the bill.  
The motion prevailed, a majority of the members serving voting therefor.

The question being on the passage of the bill,

Rep. Raczkowski moved that consideration of the bill be postponed for the day.  
The motion prevailed.

The Speaker assumed the Chair.

By unanimous consent the House returned to the order of  
**Motions and Resolutions**

Rep. Raczkowski moved that part of Rule 45 be suspended.

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

Rep. Raczkowski moved that the Committee on House Oversight and Operations be discharged from further consideration of **House Resolution No. 121**.

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

The Speaker laid before the House

**House Resolution No. 121.**

A resolution honoring Judge Lido V. Bucci.

(For text of resolution, see House Journal No. 54, p. 1416.)

The question being on the adoption of the resolution,

The resolution was adopted.

Rep. Raczkowski moved to suspend Rule 44.

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

**Messages from the Senate****Senate Concurrent Resolution No. 17.**

A concurrent resolution prescribing the legislative schedule.

Resolved by the Senate (the House of Representatives concurring), That when the Legislature adjourns on Thursday, June 17, 1999, it stands adjourned until Tuesday, September 21, 1999, at 10:00 a.m. for the Senate and 2:00 p.m. for the House of Representatives.

The Senate has adopted the concurrent resolution.

Pending the reference of the concurrent resolution to a committee,  
Rep. Raczkowski moved that Rule 77 be suspended and the concurrent 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 concurrent resolution,  
The concurrent resolution was adopted.

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Rep. Raczkowski moved that when the House adjourns today it stand adjourned until Tuesday, September 21, at 2:00 p.m.  
The motion prevailed.

By unanimous consent the House returned to the order of  
**Motions and Resolutions**

Reps. Neumann, Birkholz, Tesanovich, DeHart, Baird, Howell, Woodward, Callahan, Vaughn, Vear, Mead, Garcia, Koetje, Toy, Green, Julian, Bradstreet, Van Woerkom, LaForge, Scott, LaSata, Thomas Wojno, Bob Brown, Tabor, DeVuyst, Martinez, Gielegem, Hale, Caul, Kowall, Cherry, Kilpatrick, Hansen, Prusi, Ehardt, DeWeese, Bovin, Dennis, Bogardus and Jamnick offered the following resolution:

**House Resolution No. 138.**

A resolution to commemorate the 25th anniversary of the Michigan Brown Trout Festival, Inc.

Whereas, Alpena's non-profit Michigan Brown Trout Festival, Incorporated began years ago as the dream of Lannie Kingsbury, Chuck Scheifele, Jim Boldrey, Don Bartosh, and Jack McCoy; and

Whereas, These dedicated Alpena citizens began with their own money an event that has grown to be a \$100,000 annual tournament. The citizens of the Alpena area volunteer more than 3,500 hours annually during the festival plus many more hours throughout the rest of the year; and

Whereas, The event is one of the premier tournaments on the Great Lakes, weighing in almost 4,000 fish annually with prizes for salmon, lake trout, steelhead, and brown trout, including the elusive "Big Brownie," a tagged fish worth a \$50,000 bond if caught; and

Whereas, It is a full family festival drawing from 10 other states and 2 countries with more than 100 Michigan communities represented; and

Whereas, The receipts of the event are split between twelve Alpena area service clubs for their own community advancement projects and have benefited from over \$200,000 in payouts over the life of the tourney; and

Whereas, The Alpena area economy is boosted by up to \$7 million during the 10-day festival; and

Whereas, Festival members work closely with Michigan DNR officials to help enhance the fishery, including the establishment of an 18 inch minimum keeper size; now, therefore, be it

Resolved by the House of Representatives, That we commemorate the Michigan Brown Trout Festival, Inc., on the occasion of its twenty-fifth anniversary of uninterrupted contributions to the citizens of the Alpena area, the state of Michigan, and beyond; and be it further

Resolved, That copies of this resolution be transmitted to organizers of this event as evidence of our esteem.

Pending the reference of the resolution to a committee,

Rep. Raczkowski 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.

Reps. Julian, Green, Tabor, Sanborn, Voorhees, Gosselin, Kukuk, LaSata, Richardville, Richner, Hart, Faunce, Van Woerkom, Garcia, Cameron Brown, Vander Roest, Mead, Pumford, Bradstreet, Jellema, Lockwood, Byl, Stamas, Pappageorge, Rick Johnson, Allen, Birkholz, Jamnick, DeHart, Scott, Martinez, Tesanovich, Shackleton, Frank, Howell, Rocca, Sheltroun, Gielegem, Jacobs, Bovin, Gilbert, Koetje, Baird, Woodward, Callahan, Vaughn, Vear, Jansen, Shulman, Woronchak, Toy, LaForge, Wojno, Bob Brown, DeVuyst, Hale, Caul, Kowall, Cherry, Kilpatrick, Neumann, Hansen, Prusi, Ehardt, DeWeese, Dennis and Bogardus offered the following resolution:

**House Resolution No. 139.**

A resolution to commemorate the 50th anniversary of the Michigan Fire Inspectors Society and to express appreciation for their valuable contributions in the state of Michigan.

Whereas, We are proud to join with the members, officers, and friends of the Michigan Fire Inspectors Society as they gather to mark the 50th anniversary of this outstanding group. This milestone is a reflection of unselfishness and commitment to the common good that is most commendable. Known as the Fire Department Inspectors Institute until



1955, the members of this distinguished organization celebrate 50 years of service. We offer our thanks for the gifts they have shared throughout Michigan; and

Whereas, The Michigan Fire Inspectors Society can trace its origins to 1949 and the aspirations of its founders. The first official meeting of the Michigan Fire Inspectors Society was held in the Quonset huts on the campus of the Michigan State College in 1950. In the years that have followed since they first came together, this organization has adapted to changes in society, membership, and expectations. This ability to grow and change has shown the belief that members have maintained in their mission of service, "to aid in the preservation of life and property through the exchange of ideas in fire prevention, education, and suppression and to encourage cooperation of state and local agencies in solving Michigan's fire problem"; and

Whereas, A long forerunner in fire safety and prevention education, fire safety organizations across the United States and throughout the world have modeled their programs after the Michigan Fire Inspectors Society. Members of the state government, municipal governments, industry, insurance, and the private sector unite to form the Michigan Fire Inspectors Society. Through the sharing of experience and ideas, as well as dedication to education, fire prevention, and inspection, thousands of lives have been saved and countless others have been spared the tragedy of pain, disfigurement, and loss; and

Whereas, With ceremonies to celebrate its history, the members and officers of the Michigan Fire Inspectors Society will remember the vision of many people and the hours and years of commitment that have brought the group to this point. Fittingly, as they look to the past, they will also be casting an eye to the future and to the many ways in which the Michigan Fire Inspectors Society will continue to reach out in our state; now, therefore, be it

Resolved by the House of Representatives, That a unanimous accolade of tribute be hereby accorded to commemorate the 50th anniversary of the Michigan Fire Inspectors Society and to express appreciation for their valuable contributions in the state of Michigan; and be it further

Resolved, That a copy of this resolution be transmitted to the Michigan Fire Inspectors Society as evidence of our esteem.

Pending the reference of the resolution to a committee,

Rep. Raczkowski 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.

Reps. Julian, Birkholz, Tesanovich, DeHart, Baird, Howell, Woodward, Vaughn, Vear, Jansen, Kukuk, Mead, Bishop, Garcia, Shulman, Koetje, Toy, Green, Bradstreet, Van Woerkom, LaForge, Scott, LaSata, Wojno, Bob Brown, Tabor, DeVuyst, Gosselin, Faunce, Hale, Caul, Kowall, Cherry, Kilpatrick, Hansen, Prusi, Ehardt, DeWeese, Bovin, Dennis, Pappageorge, Bogardus, Jammick, Allen and Rich Johnson offered the following resolution:

**House Resolution No. 140.**

A resolution proclaiming the 175th anniversary of the founding of the Village of Byron, Michigan.

Whereas, It is with great pride that we join with the good people of Byron in celebrating its 175th anniversary. As the residents of this community gather to pay their respects to the memory of those who established this village and to reaffirm their commitment for the future, we commend them and thank them for all that Byron has meant in helping to define the character of our beloved Great Lake State; and

Whereas, Founded in 1824 by Judge Samuel Dexter, Byron can trace its roots to the pioneer spirit of the men and women who first cleared the land and built the institutions and homes that make this community what we know and celebrate today. While those early pioneers would likely not recognize many of the things we take for granted now, they would recognize the pride that makes this community a home for individuals and families seeking a secure and prosperous tomorrow; and

Whereas, In observing an anniversary like the people of Byron, we all learn a little more about our hometowns. Often, in recalling the struggles of the founders, we gain new insights into how our neighborhoods, businesses, churches, and schools developed as they did. For the children of Byron, there are even greater rewards, as they discover that they are part of traditions of citizenship that will be with them all their lives. With the wonderful gifts they share, the people of Byron certainly have much reason for thanks and for optimism; now, therefore, be it

Resolved by the House of Representatives, That the members of this legislative body encourage all residents, business people, and visitors of the Village of Byron to recognize and celebrate this milestone in ways that heighten civic pride and inspire further preservation of the historical, cultural, and natural characteristics that make Byron one of the most enchanting places on the face of the earth; and be it further

Resolved, That a copy of this resolution be transmitted to the officials of the Village of Byron as a token of our esteem.

Pending the reference of the resolution to a committee,

Rep. Raczkowski 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.

Reps. Scott, Hardman, Birkholz, Tesanovich, DeHart, Baird, Howell, Woodward, Vaughn, Vear, Jansen, Garcia, Toy, Green, LaForge, Thomas, Wojno, Bob Brown, Hale, Kowall, Cherry, Kilpatrick, Hansen, Prusi, Ehardt, DeWeese, Dennis, Bogardus and Jamnick offered the following resolution:

**House Resolution No. 141.**

A resolution honoring LeRoi Ray, Jr.

Whereas, It is a pleasure and a privilege to honor Mr. LeRoi Ray, Jr., Professor of Black Americana Studies at Western Michigan University. Throughout his many years as an educator, Mr. Ray has touched many young minds and cultivated them into realizing their dreams; and

Whereas, LeRoi Ray, Jr., was born in Temple, Texas. He received his Bachelor of Science in Biology from Southern Methodist University where he completed post-baccalaureate studies in radiation biophysics, aerosol microbiology, and animal and plant physiology at Howard University, Arizona State University, and the University of Western California. He received his Ph.D. from the University of Massachusetts. He also taught biology and assisted in university relations at Johnson C. Smith University; and

Whereas, Mr. Ray joined the faculty at Western Michigan University in 1971 as the Director of the Black Americana Studies Program which is highly regarded as one of the best minority courses at any university. This is true because of LeRoi's vision to ensure that minorities become interested in science, and to realize that if you work hard and put your mind to it, science is exciting and challenging, but not as difficult as it may appear. LeRoi was in on the ground floor and a key person in organizing different programs, including the Alliance of Minority Science Students and the Hands-On Science Program. In working with the Kalamazoo Public Schools, Muskegon Community College, and Roosevelt University of Chicago, Mr. Ray received grants from Upjohn Corporation, Asgrow Seed Company, The American Chemical Society, the Nutritional Education Training Project, and the Michigan Department of Natural Resources. We feel extremely fortunate to learn of all the positive ideals, programs, grants, organizations, etc. which Mr. Ray has spent his life being involved with. May God continue to bless him and his efforts; and

Whereas, LeRoi Ray, Jr., also worked as a consultant and program developer for elementary and middle schools in Chicago and as consultant to the 31st and 32nd annual Chicago High School Science Fairs. He was asked by the president of Grambling University to evaluate and develop a plan to revise Louisiana's science education instructional programs and was keynote speaker at the Governor's Conference on Science Education in 1990. He also served as science consultant to the Hart Brothers' Farm in Holmes County, Mississippi; and

Whereas, LeRoi has become involved with the life and history of black cowboys in America. For more than eight years, he has been involved with setting up a cowboy museum at his farm. He has helped sponsor an annual regional rodeo in which elementary students go to Simpson Resort in Grand Junction, Michigan. The children have a fun-filled day of watching steer wrestling, bareback riding, and bull riding, and are involved in hands-on science workshops. Mr. Ray is so committed to the education of our minority young in the field of science, that whatever task he is involved in, science is always a part of the process; now, therefore, be it

Resolved by the House of Representatives, That we are indeed grateful to honor LeRoi Ray, Jr., for his great insight, wisdom, and genuine concern about our minority youth experiencing, learning, and enjoying the study of science; and be it further

Resolved, That a copy of this resolution be transmitted to Mr. Ray as evidence of our highest esteem.

Pending the reference of the resolution to a committee,

Rep. Raczkowski 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.

Reps. Wojno, Birkholz, Tesanovich, DeHart, Baird, Howell, Woodward, Callahan, Vaughn, Vear, Jansen, Kukuk, Mead, Garcia, Koetje, Toy, Green, Julian, Bradstreet, LaForge, Scott, LaSata, Thomas, Bob Brown, DeVuyst, Gosselin, Faunce, Martinez, Gielegem, Hale, Caul, Kowall, Cherry, Kilpatrick, Hansen, Prusi, Ehardt, DeWeese, Dennis, Pappageorge, Bogardus and Jamnick offered the following resolution:

**House Resolution No. 142.**

A resolution recognizing the Dodge City-Warren Truck Assembly Plant upon being distinguished by J.D. Powers and Associates for producing the Dodge Dakota as "BEST IN CLASS" in the compact pickup segment and the Dodge Ram Second "BEST IN CLASS" in the full-size pickup segment.

Whereas, The Dodge City-Warren Truck Assembly Plant has been located in the city of Warren for approximately 61 years and for the entire time has been producing high-quality vehicles to meet the many needs of people living and working both here in the United States and around the world. The Dodge City-Warren Truck Assembly Plant has provided a wide range of occupational opportunities for generations of area families; and

Whereas, The automotive industry is America's most vital industry, employing 2.3 million Americans in more than 4,000 facilities and 18,000 dealerships. Michigan, with its abundant raw materials, skilled work force, waterways to eastern markets, and engineering pioneers, was the birthplace of automobile industry; and

Whereas, The Dodge City-Warren Truck Assembly Plant employees 3,859 employees and is a major employer in the state of Michigan. The pride of winning this prestigious award is shared by the residents of the city of Warren and the entire state of Michigan; now, therefore, be it

Resolved by the House of Representatives, That the members of this legislative body recognize the employees of Daimler-Chrysler's Dodge City-Warren Truck Assembly Plant; and be it further

Resolved, That a copy of this resolution be transmitted to DaimlerChrysler's Dodge City-Warren Truck Assembly Plant as evidence of our highest esteem.

Pending the reference of the resolution to a committee,

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

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

The question being on the adoption of the resolution,

The resolution was adopted.

Rep. Richner offered the following resolution:

**House Resolution No. 143.**

A resolution to support efforts to advance peace and demilitarization in the Republic of Cyprus.

Whereas, This year marks the twenty-fifth anniversary of the Turkish invasion and occupation of Cyprus; and

Whereas, Since that time, the Republic of Cyprus has been divided and occupied by foreign forces in violation of Cypriot sovereignty. The United Nations has brought some stability to this tense situation since 1974, through diplomatic initiatives and the United Nations Peacekeeping Force in Cyprus; and

Whereas, There are internationally acceptable means to resolve the situation in Cyprus, including the demilitarization of Cyprus and the establishment of a multi-national force to ensure the security of both communities in Cyprus; and

Whereas, A peaceful, just, and lasting solution to the Cyprus problem would greatly enhance the security and political, economic, and social well-being of all Cypriots, as well as contribute to improved relations between Greece and Turkey; and

Whereas, The United Nations has continually stated the parameters for such a solution, most recently in United Nations Security Council Resolution 1217, which was adopted on December 22, 1998, with the support of the United States; and

Whereas, United Nations Security Council Resolution 1218 calls for the reduction of tensions on the island, through a staged process aimed at limiting and substantially reducing the level of all troops and armaments in Cyprus. Ultimately, this will lead to the demilitarization of the Republic of Cyprus; now, therefore, be it

Resolved by the House of Representatives, That we wholeheartedly endorse efforts to advance peace and demilitarization in the Republic of Cyprus; and be it further

Resolved, That copies of this resolution be transmitted to the United States Department of State for forwarding to the United Nations and the Republic of Cyprus.

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

Reps. Schauer, Jacobs, Dennis, Martinez, Switalski, Basham, Sheltroun, Spade, Hansen, Bovin, Cherry, Bogardus, Jamnick, Clarke, Bob Brown, O'Neil, Mans, Neumann, Sanborn, Hager, Tabor, Howell, Julian, Byl, Cameron Brown and Raczkowski offered the following resolution:

**House Resolution No. 144.**

A resolution to recognize Institutes for Learning in Retirement.

Whereas, The community of retired and semi-retired persons in Michigan is constantly increasing in numbers, and a great number of those persons are active, curious, thoughtful, knowledgeable, and in good health; and

Whereas, A substantial portion of this retired community consists of persons with lifelong experiences and educational backgrounds in the professions and the arts, as well as business and industry; and

Whereas, Many of these retired persons are active in the responsibilities of concerned citizenship and volunteering as well as contributing to their local communities; and

Whereas, This segment of the retired community has the will and experience to manage their affairs and, accordingly, desires the pursuit of educational programs and explores higher learning at their own pace, without the need for degrees, grades or examinations, but simply because they want to continue learning; and

Whereas, These institutes draw on the accumulated lifetime experience of their members; the members themselves develop and design their own studies, participate in the necessary work of inquiry and reading, stimulate meaningful discussion, set achievable educational objectives and carry out the planning and governing of their own activities within, and in support of their sponsoring institutions; and

Whereas, The multifaceted missions of Michigan's two- and four-year institutions of higher education may incorporate opportunities for these membership organizations through the use of campus facilities, benefiting not only retirees but local communities as well; and

Whereas, Kellogg Community College has sponsored an Institute for Learning in Retirement since 1993. There are currently 384 members that reside in Calhoun, Barry, Branch and Kalamazoo counties; and

Whereas, In addition to Kellogg Community College's Institute for Learning in Retirement, there are institutes at Bay de Noc College in Escanaba, Calvin College in Grand Rapids, Eastern Michigan University in Ann Arbor, Hope College in Holland, Lake Superior State College in Sault Ste. Marie, Oakland Community College in Farmington Hills, Spring Arbor College in Spring Arbor, University of Michigan in Ann Arbor, Northern Michigan University in Marquette and Alpena Community College in Alpena; now, therefore, be it

Resolved by the House of Representatives, That the state of Michigan recognizes and encourages the establishment of Institutes for Learning in Retirement for our seniors; and be it further

Resolved, That a copy of this resolution be transmitted to the Kellogg Community College Institute for Learning in Retirement as evidence of our esteem.

Pending the reference of the resolution to a committee,

Rep. Raczkowski 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.

Reps. Sanborn, Patterson, Toy, Law, Stamas, Bishop, LaSata, Howell, Frank, Pestka, Gielegem, Switalski, Baird, Callahan, Rocca, Clarke, Kukuk, Jansen, Wojno, Richner and Faunce offered the following resolution:

**House Resolution No. 145.**

A resolution honoring Judge John B. Bruff.

Whereas, It is with deep appreciation for the hard work, dedication, and professionalism that Judge John B. Bruff has put forth on behalf of the citizens of the 16th Judicial Circuit Court, Macomb County that we offer this expression of our appreciation for his continued legal excellence. As the legal community of Macomb County recognizes the loyalty and devotion to public service of this conscientious individual, we add our sentiments of gratitude for a job well done; and

Whereas, In his years of service to the people of Macomb County, Judge John B. Bruff has been working in the public arena during an era of great change. With the personal sense of duty that Judge John B. Bruff brings to work each day, however, he has been able to meet challenges with enthusiasm and a genuine interest in efficiency in this community. This has been greatly appreciated, both by the citizens and the legal community in Macomb County that have benefited directly from Judge John B. Bruff's work, as well as others in the judicial branch who have witnessed this fine example; and

Whereas, There can be little doubt that the record of Judge John B. Bruff in his responsibilities as Circuit Court Judge over the past several years will continue to reap rewards for the people of Macomb County. We offer our thanks to this individual's accomplishments; now, therefore, be it

Resolved by the House of Representatives, That the members of this legislative body join with the citizens of Macomb County in saluting Judge John B. Bruff in acknowledgment of his outstanding years in legal service; and be it further

Resolved, That a copy of this resolution be transmitted to Judge John B. Bruff as a token of our esteem.

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

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

The Clerk announced that the following bills and joint resolution had been printed and placed upon the files of the members, Friday, June 11:

<b>House Bill Nos.</b>	<b>4760</b>	<b>4761</b>	<b>4762</b>	<b>4763</b>	<b>4764</b>	<b>4765</b>	<b>4766</b>		
<b>House Joint Resolution</b>	<b>J</b>								
<b>Senate Bill Nos.</b>	<b>633</b>	<b>634</b>	<b>635</b>	<b>636</b>	<b>637</b>	<b>638</b>	<b>639</b>	<b>640</b>	<b>641</b>

The Clerk announced the enrollment printing and presentation to the Governor on Tuesday, June 15, for his approval of the following bills:

**Enrolled House Bill No. 4473 at 9:56 a.m.**

**Enrolled House Bill No. 4669 at 9:58 a.m.**

The Clerk announced the enrollment printing and presentation to the Governor on Wednesday, June 16, for his approval of the following bills:

**Enrolled House Bill No. 4082 at 4:29 p.m.**

**Enrolled House Bill No. 4499 at 4:31 p.m.**

**Enrolled House Bill No. 4509 at 4:33 p.m.**

**Enrolled House Bill No. 4586 at 4:35 p.m.**  
**Enrolled House Bill No. 4658 at 4:37 p.m.**  
**Enrolled House Bill No. 4659 at 4:39 p.m.**  
**Enrolled House Bill No. 4666 at 4:41 p.m.**

The Clerk announced that the following bills had been printed and placed upon the files of the members, Wednesday, June 16:

**House Bill Nos. 4767 4768 4769 4770 4771 4772 4773 4774 4775 4776 4777 4778 4779 4780**  
**4781 4782 4783 4784 4785 4786 4787 4788 4789 4790 4791 4792 4793 4794**  
**4795**

The Clerk announced that the following Senate bill had been received on Thursday, June 17:

**Senate Bill No. 405**

By unanimous consent the House returned to the order of

**Messages from the Senate**

**House Bill No. 4240, entitled**

A bill 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," (MCL 380.1 to 380.1852) by adding sections 1308, 1310, and 1310a.

The Senate has concurred in the House substitute (H-3) to the Senate substitute (S-3).

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

**House Bill No. 4386, entitled**

A bill to amend 1986 PA 268, entitled "Legislative council act," by amending section 601 (MCL 4.1601), as amended by 1993 PA 24.

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

The House agreed to the full title.

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

**House Bill No. 4498, entitled**

A bill to amend 1979 PA 94, entitled "An act to make appropriations to aid in the support of the public schools and the intermediate school districts of the state; to make appropriations for certain other purposes relating to education; to provide for the disbursement of the appropriations; to supplement the school aid fund by the levy and collection of certain taxes; to authorize the issuance of certain bonds and provide for the security of those bonds; to prescribe the powers and duties of certain state departments, the state board of education, and certain other boards and officials; to prescribe penalties; and to repeal acts and parts of acts," by amending sections 6, 11, 11f, 11g, 13, 17b, 18, 20, 20b, 24, 26a, 31a, 31c, 36, 36a, 41, 51a, 53a, 54, 56, 57, 61a, 62, 63, 67, 68, 74, 81, 91b, 94, 99, 101, 104a, 105, 107, 147, and 166b (MCL 388.1606, 388.1611, 388.1611f, 388.1611g, 388.1613, 388.1617b, 388.1618, 388.1620, 388.1620b, 388.1624, 388.1626a, 388.1631a, 388.1631c, 388.1636, 388.1636a, 388.1641, 388.1651a, 388.1653a, 388.1654, 388.1656, 388.1657, 388.1661a, 388.1662, 388.1663, 388.1667, 388.1668, 388.1674, 388.1681, 388.1691b, 388.1694, 388.1699, 388.1701, 388.1704a, 388.1705, 388.1707, 388.1747, and 388.1766b), sections 6, 11, 11g, 17b, 20, 20b, 26a, 31a, 51a, 63, 81, and 105 as amended by 1998 PA 553, sections 11f, 24, 31c, 36, 36a, 41, 53a, 54, 56, 57, 61a, 62, 68, 74, 94, 99, 101, 107, 147, and 166b as amended by 1998 PA 339, sections 13 and 18 as amended by 1996 PA 300, section 67 as amended by 1997 PA 142, section 91b as added by 1995 PA 130, and section 104a as amended by 1997 PA 176, and by adding sections 20j, 20k, 31d, 32, 33, 34, and 105c; and to repeal acts and parts of acts.

The Senate has concurred in the House amendments to the Senate substitute (S-1).

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

**House Bill No. 4691, entitled**

A bill to amend 1937 PA 94, entitled "Use tax act," (MCL 205.91 to 205.111) by adding section 4t.

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

The House agreed to the full title.

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

**House Concurrent Resolution No. 43.**

A concurrent resolution to create the Joint Legislative Select Committee on Wayne County Detroit Metropolitan Airport. (For text of resolution, see House Journal No. 53, p. 1381.)

The Senate has adopted the concurrent resolution.

The concurrent resolution was referred to the Clerk for record.

**Senate Bill No. 405, entitled**

A bill to amend 1975 PA 228, entitled "Single business tax act," (MCL 208.1 to 208.145) by adding section 39d.

The Senate has passed the bill.

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

**Senate Concurrent Resolution No. 18.**

A concurrent resolution prescribing the legislative schedule.

Resolved by the Senate (the House of Representatives concurring), That when the Senate adjourns on Thursday, June 17, 1999, it stands adjourned until Tuesday, September 21, 1999, at 10:00 a.m.; and be it further

Resolved, That when the House of Representatives adjourns on Friday, June 18, 1999, it stands adjourned until Tuesday, September 21, 1999, at 2:00 p.m.

The Senate has adopted the concurrent resolution.

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

**Notices**

June 16, 1999

Dear Mr. Randall:

As you know, House Concurrent Resolution 43 was adopted on June 10, 1999, with the Senate concurring on June 16, 1999, which creates a Joint Legislative Select Committee on Wayne County Detroit Metropolitan Airport.

I hereby appoint the following House members to serve on this committee: Representative James Koetje, Chairman, Representative Mickey Mortimer, and Representative Raymond Basham.

Thank you for your attention to this matter.

Sincerely,  
Charles R. Perricone  
Speaker of the House

**Messages from the Governor**

The following message from the Governor was received June 14, 1999 and read:

**EXECUTIVE ORDER**

No. 1999 - 4

**Michigan Commission on End of Life Care  
Michigan Department of Community Health**

WHEREAS, the citizens of Michigan endorse humane and dignified treatment during life and at the end of life. Ninety percent of all citizens will experience a terminal phase of disease prior to death; and

WHEREAS, physician-assisted suicide raises moral and ethical questions for physicians, policy-makers, patients and their families; and

WHEREAS, last November, Michigan voters were offered the choice of whether or not the state should decriminalize the practice of physician-assisted suicide and voted overwhelmingly to reject such a plan; and

WHEREAS, although many laws to address end of life issues exist and ensure individual autonomy in health care decisions, the individuals are often unaware of their right to make decisions to receive, continue, discontinue or refuse medical treatment; and

WHEREAS, the subject of appropriate pain management practices has long been a concern of patients, medical practitioners, regulatory boards and state legislators. The whole spectacle of assisted suicide has made treatment of intractable pain a significant societal issue; and

WHEREAS, research indicates that barriers exist to adequate and appropriate use of prescription drugs for pain management and for the provision of end of life care; and

WHEREAS, the quality of end of life care is dependent in part upon the quality of the education and training of present and future physicians, nurses, and other health care professionals. The undergraduate, graduate and continuing education, including residency training, for physicians, nurses, and other health professionals plays a critical role in preparing care providers to deliver high quality end of life care; and

WHEREAS, the public and many private organizations including, but not limited to, health professional organizations, religious organizations, and trade associations have established committees and working groups to study and recommend actions to improve the quality of end of life care. The opinions and recommendations of these organizations and the public are considered of great value.

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:

**A. Establishment of the Michigan Commission on End of Life Care**

1. The Michigan Commission on End of Life Care (“Commission”) is established by this Executive Order in the Michigan Department of Community Health (“Department”).

2. The Commission shall consist of 17 members to be appointed by the Governor. The Commission shall serve at the pleasure of the Governor. The Governor shall designate one (1) member of the Commission to serve as its chair and who shall serve as chair at the pleasure of the Governor. Members of the Commission shall attend Commission meetings in person, and shall not delegate their responsibilities to other persons.

**B. Charge to the Commission:**

1. The Commission shall, by whatever means the Commission deems appropriate, identify, compile and consider recommendations for improving end of life care from the public and private organizations throughout Michigan.

2. The Commission shall recommend model state and institutional policies with respect to end of life care, including an examination and compilation of the best ideas of multiple groups currently engaged in examining end of life issues and shall consider these in the development of the Commission’s final report.

3. The Commission shall coordinate their efforts with other groups actively engaged in addressing end of life issues, including but not limited to, the Circle of Life Committee in the Department of Community Health and the Advisory Committee on Pain and Symptom Management in the Michigan Department of Consumer and Industry Services.

4. The Commission shall identify and evaluate any existing barriers that result in inadequate end of life care in Michigan and, where appropriate, make recommendations for elimination or mitigation of such barriers.

5. The Commission shall evaluate the adequacy of education associated with end of life care being provided in Michigan schools of medicine, Michigan schools of nursing and in other health professional education programs and, where appropriate, make recommendations to improve such education.

6. The Commission shall evaluate the adequacy of the level and degree of graduate medical education being provided in Michigan residency programs associated with end of life care and, where appropriate, make recommendations for changes to improve such graduate medical education training.

7. The Commission shall survey availability and cost of public and private insurance coverage for hospice, pain management, and palliative care.

8. The Commission shall recommend, where appropriate, state policies concerning end of life care related to continuing medical education for health professionals licensed in Michigan.

9. The Commission shall inventory existing resources available to citizens for end of life planning and produce a guide of these resources for the general public.

**C. Work Products**

The Commission shall produce the following work products:

1. No later than Fifteen (15) months after the effective date of this Executive Order, the Commission shall issue a final report to the Governor and the legislature containing its recommended model state and institutional policies and the rationale of the Commission supporting their adoption.

2. The results of the Commission’s survey on the availability and cost of public and private insurance coverage for hospice, pain management, and palliative care.

3. An inventory of existing resources available to Michigan citizens for end of life planning, published in the form of a Resource Guide for distribution to the general public.

**D. Operations of the Commission:**

1. Members of the Commission shall serve without compensation. Members of the Commission may receive reimbursement for necessary travel and expenses according to relevant procedures of the Civil Service Commission and the Department of Management and Budget.

2. The Commission may adopt rules of procedure, not inconsistent with Michigan law and with this Executive Order, governing its organization and operations. A majority of the serving members constitutes a quorum for the transaction of business at a meeting, notwithstanding the existence of one (1) or more vacancies. Voting upon actions taken by the Commission shall be conducted by a majority vote of the members present in person at a meeting of the Commission.

3. The Commission shall meet at the call of the chair and as may be provided in the rules of procedure of the Commission. Meetings of the Commission may be held anywhere within the state of Michigan.

4. The Commission shall establish one or more work groups to investigate and analyze specific issues, consistent with the charge of the Commission, concerning end of life care. The chair of the Commission, or a member of the Commission designated by the chair, shall be an ex officio member of each work group established by the Commission. Work groups shall recommend proposed state statutory, institutional or administrative policies to the Commission, consistent with the Commission's charge. The Commission may adopt, reject, or modify policies proposed by work groups for inclusion in its final report to the Governor and the legislature.

5. The Commission may apply for, receive, and expend monies from any source, public or private, including but not limited to gifts, grants, donations of monies and government appropriations. The Commission may also accept donations of labor, services, or other things of value from any public or private agency or person. The Commission may expend monies for its operations and contract for the services of such staff, agents, and consultants as it deems necessary to fulfill its responsibilities.

6. Prior to the first meeting of the Commission, the chair of the Commission shall notify members of the time and location of the first meeting of the Commission, establish the agenda for the first meeting, provide members of the Commission with any preparatory materials for the first meeting and make any other arrangements necessary for the start-up of the Commission.

7. The Department, or a non-profit corporation established by the Department pursuant to Act No. 264 of the Public Acts of 1989, shall provide management-related functions to the Commission including, but not limited to, contract management, personnel, accounting, and procurement services.

8. The Chairperson of the Commission shall regularly report on the Commission's progress to the Governor or his designee.

#### **E. Miscellaneous Provisions**

1. All departments, boards, commissions or officers of the state or of any political subdivision of the state shall give to the Commission, or to any member or agent thereof, any necessary assistance required by the Commission, or any agent of the Commission, in the performance of the duties of the Commission so far as is compatible with its, his or her duties; free access shall also be given to any books, records or documents in its, his or her custody, relating to matters within the scope of the inquiry, study or investigation of the Commission.

2. The Chairperson of the Commission, or his or her designee, including but not limited to, a work group established by the Commission, and any staff, agents, or consultants to the Commission, shall make themselves available to testify before the legislature, as necessary, to effect the enactment of the Commission's recommended policies into law.

3. Members of the Commission shall refer all legislative and media contacts to the Department.

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 14th day of June, in the Year of our Lord, One Thousand Nine Hundred Ninety-Nine.

John Engler  
Governor  
By the Governor:  
Candice S. Miller  
Secretary of State

The message was referred to the Clerk.

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

Date: June 14, 1999

Time: 3:08 p.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

**Enrolled House Bill No. 4605 (Public Act No. 46, I.E.), being**

An act to amend 1949 PA 300, entitled "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," by amending section 676a (MCL 257.676a), as amended by 1998 PA 224.

(Filed with the Secretary of State June 15, 1999, at 2:40 p.m.)

Date: June 14, 1999

Time: 3:10 p.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

**Enrolled House Bill No. 4606 (Public Act No. 47, I.E.), being**

An act to amend 1941 PA 205, entitled "An act to provide for the construction, establishment, opening, use, discontinuing, vacating, closing, altering, improvement, and maintenance of limited access highways and facilities ancillary to those highways; to permit the acquiring of property and property rights and the closing or other treatment of intersecting roads for these purposes; to provide for the borrowing of money and for the issuing of bonds or notes payable from special funds for the acquisition, construction or improvement of such highways; and to provide for the receipt and expenditure of funds generated from the facilities," by amending section 2 (MCL 252.52), as amended by 1998 PA 223.

(Filed with the Secretary of State June 15, 1999, at 2:42 p.m.)

Date: June 14, 1999

Time: 3:15 p.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

**Enrolled House Bill No. 4018 (Public Act No. 48, I.E.), being**

An act to amend 1917 PA 138, entitled "An act to authorize the creation of county libraries; to authorize the contracting by the board of supervisors of any county for library service; to authorize the contracting by the board of supervisors of any county or the board of trustees of any regional library with any other municipality for the furnishing of such service; and to provide for a tax for the purposes of this act," by amending section 2 (MCL 397.302), as amended by 1994 PA 77.

(Filed with the Secretary of State June 15, 1999, at 2:44 p.m.)

Date: June 15, 1999

Time: 11:50 a.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

**Enrolled House Bill No. 4168 (Public Act No. 50, I.E.), being**

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

provide for submission of annual legislative requests and reports; to provide for the establishment and functions of certain advisory entities; to provide for conditions for grants; to provide for the issuance of bonds and notes for transportation purposes; to provide for the powers and duties of certain state and local agencies and officials; to provide for the making of loans for transportation purposes by the state transportation department and for the receipt and repayment by local units and agencies of those loans from certain specified sources; and to repeal acts and parts of acts," by amending section 15 (MCL 247.665), as amended by 1982 PA 438.

(Filed with the Secretary of State June 15, 1999, at 2:48 p.m.)

Date: June 15, 1999

Time: 11:52 a.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

**Enrolled House Bill No. 4648 (Public Act No. 51, I.E.), being**

An act to amend 1949 PA 300, entitled "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," by amending section 904d (MCL 257.904d), as added by 1998 PA 358.

(Filed with the Secretary of State June 15, 1999, at 2:50 p.m.)

Date: June 15, 1999

Time: 11:54 a.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

**Enrolled House Bill No. 4358 (Public Act No. 52), being**

An act to amend 1998 PA 386, entitled "An act to codify, revise, consolidate, and classify aspects of the law relating to wills and intestacy, relating to the administration and distribution of estates of certain individuals, relating to trusts, and relating to the affairs of certain individuals under legal incapacity; to provide for the powers and procedures of the court that has jurisdiction over these matters; to provide for the validity and effect of certain transfers, contracts, and deposits that relate to death; to provide procedures to facilitate enforcement of certain trusts; and to repeal acts and parts of acts," by amending section 5509 (MCL 700.5509).

(Filed with the Secretary of State June 15, 1999, at 2:52 p.m.)

Date: June 15, 1999

Time: 11:58 a.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

**Enrolled House Bill No. 4585 (Public Act No. 53, I.E.), being**

An act to amend 1998 PA 58, entitled "An act to create a commission for the control of the alcoholic beverage traffic within this state, and to prescribe its powers, duties, and limitations; to provide for powers and duties for certain state departments and agencies; to impose certain taxes for certain purposes; to provide for the control of the alcoholic liquor traffic within this state and to provide for the power to establish state liquor stores; to provide for the care and treatment of alcoholics; to provide for the incorporation of farmer cooperative wineries and the granting of certain rights and privileges to those cooperatives; to provide for the licensing and taxation of activities regulated under this act and the disposition of the money received under this act; to prescribe liability for retail licensees under certain circumstances and to require security for that liability; to provide procedures, defenses, and remedies regarding violations of this act; to provide for the enforcement and to prescribe penalties for violations of this act; to provide for allocation of certain funds for certain purposes; to provide for the confiscation and disposition of property seized under this act; to provide referenda under certain circumstances; and to repeal acts and parts of acts," by amending section 703 (MCL 436.1703), as amended by 1998 PA 353.

(Filed with the Secretary of State June 15, 1999, at 2:54 p.m.)

Date: June 15, 1999  
Time: 12:00 p.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

**Enrolled House Bill No. 4182 (Public Act No. 54, I.E.), being**

An act to amend 1951 PA 51, entitled “An act to provide for the classification of all public roads, streets, and highways in this state, and for the revision of that classification and for additions to and deletions from each classification; to set up and establish the Michigan transportation fund; to provide for the deposits in the Michigan transportation fund of specific taxes on motor vehicles and motor vehicle fuels; to provide for the allocation of funds from the Michigan transportation fund and the use and administration of the fund for transportation purposes; to set up and establish the truck safety fund; to provide for the allocation of funds from the truck safety fund and administration of the fund for truck safety purposes; to set up and establish the Michigan truck safety commission; to establish certain standards for road contracts for certain businesses; to provide for the continuing review of transportation needs within the state; to authorize the state transportation commission, counties, cities, and villages to borrow money, issue bonds, and make pledges of funds for transportation purposes; to authorize counties to advance funds for the payment of deficiencies necessary for the payment of bonds issued under this act; to provide for the limitations, payment, retirement, and security of the bonds and pledges; to provide for appropriations and tax levies by counties and townships for county roads; to authorize contributions by townships for county roads; to provide for the establishment and administration of the state trunk line fund, critical bridge fund, comprehensive transportation fund, and certain other funds; to provide for the deposits in the state trunk line fund, critical bridge fund, comprehensive transportation fund, and certain other funds of money raised by specific taxes and fees; to provide for definitions of public transportation functions and criteria; to define the purposes for which Michigan transportation funds may be allocated; to provide for Michigan transportation fund grants; to provide for review and approval of transportation programs; to provide for submission of annual legislative requests and reports; to provide for the establishment and functions of certain advisory entities; to provide for conditions for grants; to provide for the issuance of bonds and notes for transportation purposes; to provide for the powers and duties of certain state and local agencies and officials; to provide for the making of loans for transportation purposes by the state transportation department and for the receipt and repayment by local units and agencies of those loans from certain specified sources; and to repeal acts and parts of acts,” by amending section 13 (MCL 247.663), as amended by 1997 PA 79.

(Filed with the Secretary of State June 15, 1999, at 2:56 p.m.)

Date: June 15, 1999  
Time: 12:02 p.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

**Enrolled House Bill No. 4580 (Public Act No. 55, I.E.), being**

An act to amend 1909 PA 279, entitled “An act to provide for the incorporation of cities and for revising and amending their charters; to provide for certain powers and duties; to provide for the levy and collection of taxes by cities, borrowing of money, and issuance of bonds or other evidences of indebtedness; to validate actions taken, bonds issued, and obligations heretofore incurred; to prescribe penalties and provide remedies; and to repeal acts and parts of acts on specific dates,” by amending section 4i (MCL 117.4i), as amended by 1996 PA 179.

(Filed with the Secretary of State June 15, 1999, at 2:58 p.m.)

Date: June 15, 1999  
Time: 12:04 p.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

**Enrolled House Bill No. 4581 (Public Act No. 56, I.E.), being**

An act to amend 1909 PA 278, entitled “An act to provide for the incorporation of villages and for revising and amending their charters; to provide for the levy and collection of taxes, borrowing of money, and issuance of bonds and other evidences of indebtedness; to validate bonds issued and obligations previously incurred; and to prescribe penalties and provide remedies,” by amending section 24 (MCL 78.24), as amended by 1994 PA 15.

(Filed with the Secretary of State June 15, 1999, at 3:00 p.m.)

Date: June 15, 1999  
Time: 12:06 p.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

**Enrolled House Bill No. 4582 (Public Act No. 57, I.E.), being**

An act to amend 1895 PA 3, entitled “An act to provide for the government of certain villages; to define their powers and duties; to provide for the levy and collection of taxes, borrowing of money, and issuance of bonds and other evidences of indebtedness by villages subject to this act; to define the powers and duties of certain state and local

officers and entities; to define the application of this act and provide for its amendment by villages subject to this act; to validate prior amendments and certain prior actions taken and bonds issued by villages subject to this act; to provide for the disincorporation of villages; and to prescribe penalties and provide remedies," by amending section 2 of chapter VI (MCL 66.2), as amended by 1996 PA 41.

(Filed with the Secretary of State June 15, 1999, at 3:02 p.m.)

Date: June 15, 1999

Time: 12:08 p.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

**Enrolled House Bill No. 4583 (Public Act No. 58, I.E.), being**

An act to amend 1947 PA 359, entitled "An act to authorize the incorporation of charter townships; to provide a municipal charter therefor; to prescribe the powers and functions thereof; and to prescribe penalties and provide remedies," by amending section 21 (MCL 42.21), as amended by 1996 PA 36.

(Filed with the Secretary of State June 15, 1999, at 3:04 p.m.)

Date: June 15, 1999

Time: 12:10 p.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

**Enrolled House Bill No. 4584 (Public Act No. 59, I.E.), being**

An act to amend 1945 PA 246, entitled "An act to authorize township boards to adopt ordinances and regulations to secure the public health, safety and general welfare; to provide for the establishment of a township police department; to provide for policing of townships by certain law enforcement officers and agencies; to provide for the publication of ordinances; to prescribe powers and duties of township boards and certain local and state officers and agencies; to provide sanctions; and to repeal all acts and parts of acts in conflict with the act," by amending section 3 (MCL 41.183), as amended by 1996 PA 34.

(Filed with the Secretary of State June 15, 1999, at 3:06 p.m.)

Date: June 17, 1999

Time: 3:35 p.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

**Enrolled House Bill No. 4025 (Public Act No. 60, 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 the implementation of federal law; 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 10204 and 16215 (MCL 333.10204 and 333.16215), section 10204 as amended by 1988 PA 63 and section 16215 as amended by 1990 PA 279.

(Filed with the Secretary of State June 17, 1999, at 4:09 p.m.)

Date: June 17, 1999

Time: 3:37 p.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

**Enrolled House Bill No. 4466 (Public Act No. 61, I.E.), being**

An act to amend 1927 PA 175, entitled "An act to revise, consolidate, and codify the laws relating to criminal procedure and to define the jurisdiction, powers, and duties of courts, judges, and other officers of the court under the provisions of this act; to provide laws relative to the rights of persons accused of criminal offenses and ordinance violations; to provide for the arrest of persons charged with or suspected of criminal offenses and ordinance violations;

to provide for bail of persons arrested for or accused of criminal offenses and ordinance violations; to provide for the examination of persons accused of criminal offenses; to regulate the procedure relative to grand juries, indictments, informations, and proceedings before trial; to provide for trials of persons complained of or indicted for criminal offenses and ordinance violations and to provide for the procedure in those trials; to provide for judgments and sentences of persons convicted of criminal offenses and ordinance violations; to establish a sentencing commission and to prescribe its powers and duties; to provide for procedure relating to new trials and appeals in criminal and ordinance violation cases; to provide a uniform system of probation throughout this state and the appointment of probation officers; to prescribe the powers, duties, and compensation of probation officers; to provide penalties for the violation of the duties of probation officers; to provide for procedure governing proceedings to prevent crime and proceedings for the discovery of crime; to provide for fees of officers, witnesses, and others in criminal and ordinance violation cases; to set forth miscellaneous provisions as to criminal procedure in certain cases; to provide penalties for the violation of certain provisions of this act; and to repeal all acts and parts of acts inconsistent with or contravening any of the provisions of this act," by amending section 13 of chapter XVII (MCL 777.13), as added by 1998 PA 317.

(Filed with the Secretary of State June 17, 1999, at 4:11 p.m.)

Date: June 17, 1999

Time: 3:41 p.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

**Enrolled House Bill No. 4464 (Public Act No. 63, I.E.), being**

An act to amend 1949 PA 300, entitled "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," by amending section 717 (MCL 257.717), as amended by 1992 PA 257.

(Filed with the Secretary of State June 17, 1999, at 4:15 p.m.)

**Communications from State Officers**

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

Notice of Filing  
Administrative Rules

April 28, 1999

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 1:30 P.M. this date, administrative rule (99-04-12) for the Department of Consumer and Industry Services, Director's Office, entitled "*Part 12. Scaffolds and Scaffold Platforms*", 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.

June 1, 1999

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

We are pleased to be able to provide you a copy of the 1998 Michigan Annual Drunk Driving Audit as required by MCL 257.625i. This report is a detailed examination of crashes and arrests that occurred in 1998 by county. Data was assembled in cooperation with the Michigan Departments of State and Transportation.

If you have any questions regarding this report, please call Ms. Theresa Page of my staff at 322-1424. Thank you.

Sincerely,  
Rosemarie Pifer  
Central Records Division

The communication was referred to the Clerk.

The following communication from the Job Force Board was received and read:

June 1, 1999

In accordance with 20 CFR 628.425, which delegated to the Governor authority to establish procedures for the approval of job training plans developed in accordance with the Job Training Partnership Act, the Six County Employment Alliance is submitting summaries of the following for review:

1. JTPA Title IIA (Adult, Economically Disadvantaged)
2. JTPA Title IIA 5% (Older Worker, Economically Disadvantaged)
3. JTPA Title IIC (Youth, Economically Disadvantaged)
4. JTPA Title IIB (Summer Youth Employment and Training Program)
5. JTPA Title III (EDWAAA)

If you have any questions regarding these plan summaries or need additional information, please contact Jonelle Thibault at (906) 789-0558.

Sincerely,  
Orrin E. Bailey  
CEO

The communication was referred to the Clerk.

The following communication from the Kalamazoo-St. Joseph Workforce Development Board was received and read:

June 8, 1999

The Kalamazoo-St. Joseph Workforce Development Board is pleased to present to you a copy of the *Executive Summary of Workforce Development Strategies for PY 1999* for programs funded under the Job Training Partnership Act (JTPA). These plans represent the final year of JTPA. On July 1, 2000 the Workforce Investment Act's services will be implemented in the Kalamazoo-St. Joseph Michigan Works! Area.

Respectfully,  
Craig Schreuder  
Deputy Director, MWA

The communication was referred to the Clerk.

The following communication from the Macomb/St. Clair Michigan Works! was received and read:

June 11, 1999

Enclosed are synopses of Program Year 1999 Job Training Partnership Act (JTPA) plans for the Macomb/St. Clair Michigan Works Area.

Complete plans for all programs are available for review and comment at the administrative offices of the Macomb/St. Clair Workforce Development Board, VerKuilen Building, 21885 Dunham Road, Suite 11, Clinton Township, MI 48036-1030. A copy of a complete plan can also be provided by calling (810) 469-5220.

Sincerely,  
John H. Bierbusse  
Executive Director

The communication was referred to the Clerk.

The following communications from the Auditor General were received and read:

June 11, 1999

Enclosed is a copy of the following audit report and/or executive digest:

Financial Audit, Including the  
Provisions of the Single Audit Act, of the  
Department of Consumer and Industry Services  
October 1, 1995 through September 30, 1997

June 11, 1999

Enclosed is a copy of the following audit report and/or executive digest:

Performance Audit of the  
Washtenaw County Community Mental Health Board  
an Agency Under Contract with the  
Department of Community Health  
June 1999

June 15, 1999

Enclosed is a copy of the following audit report and/or executive digest:

Performance Audit of the  
Mid-Michigan Correctional Facility  
Department of Corrections  
June 1999

June 15, 1999

Enclosed is a copy of the following audit report and/or executive digest:

Performance Audit of the  
Michigan Commission on Law Enforcement  
Standards Division and the Training Division  
Office of Organizational Development  
Michigan Department of State Police  
June 1999

Sincerely,  
Thomas H. McTavish, C.P.A.  
Auditor General

The communications were referred to the Clerk and the accompanying reports referred to the Committee on House Oversight and Operations.

### Introduction of Bills

Reps. Shulman, Pestka, Kowall, Woodward, Gosselin, Jacobs, Hart, LaForge, Mortimer, Wojno, DeHart, Allen, Rick Johnson, LaSata, Patterson, Richner, Caul, DeRossett, Hansen, DeWeese, Bogardus, Brater, Garcia, Stamas, Jellema, Bishop, Vear, Godchaux, Kukuk, Toy, Thomas, Hager, Cameron Brown, Vander Roest, Faunce, Ehardt, Bradstreet, Jamnick, Quarles, Sheltroun, Frank, Birkholz, Cassis, Raczkowski and Scranton introduced

**House Bill No. 4796, entitled**

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," by amending section 30 (MCL 206.30), as amended by 1997 PA 86.

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

Reps. Baird, LaSata, Mans, Woodward, LaForge, Gielegem, Dennis, Jacobs, Hale, Schermesser, DeHart, Martinez, Scott, Bovin, Switalski, Daniels, Lemmons, Quarles, Kelly and Scranton introduced

**House Bill No. 4797, entitled**

A bill to amend 1978 PA 368, entitled "Public health code," (MCL 333.1101 to 333.25211) by adding section 16241a.

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

Reps. Brater, Bogardus, Martinez, Woodward, Schauer, Gielegem, Minore, Jacobs, DeHart, Vaughn, Prusi, Kowall, Baird, Hale, Brewer, Stallworth, Scott, Clark, Callahan, Hardman, Basham, Kelly, Daniels, LaForge and Thomas introduced

**House Bill No. 4798, entitled**

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 11514 and 11545 (MCL 324.11514 and 324.11545).

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

Reps. Hale, Stallworth, Price, Thomas, Scott, Schermesser, Brewer, Bob Brown, Rison, Cherry, Kelly, Gielegem, Schauer, Bogardus, Garcia, Vaughn, Godchaux, Law, Toy, Kowall, Minore, LaForge, Hanley, Baird, Brater, Clarke, Lockwood, Frank, LaSata, Daniels, Pestka, Quarles, Dennis, Rivet, Sheltroun, Hardman, Clark, Wojno, Hansen, Woodward, Callahan, O'Neil, Spade, Switalski, Tesanovich, Neumann, Jamnick, Bovin, DeHart, Prusi, Jacobs, Martinez, Kilpatrick and Lemmons introduced

**House Bill No. 4799, entitled**

A bill to amend 1978 PA 368, entitled "Public health code," by amending sections 16131 and 16263 (MCL 333.16131 and 333.16263), as amended by 1995 PA 126, and by adding section 16351 and part 187A.

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

Reps. LaSata, Kuipers, Faunce, Toy, Cameron Brown, Rick Johnson, Mortimer, Jansen and Birkholz introduced  
**House Bill No. 4800, entitled**

A bill to amend 1954 PA 116, entitled "Michigan election law," by amending sections 867 and 881 (MCL 168.867 and 168.881), section 867 as amended by 1980 PA 200 and section 881 as amended by 1995 PA 261.

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

Rep. DeWeese introduced

**House Bill No. 4801, entitled**

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 901 (MCL 324.8901).

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

Rep. Mead introduced

**House Bill No. 4802, entitled**

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," (MCL 206.1 to 206.532) by adding section 267.

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

Rep. Green introduced

**House Bill No. 4803, entitled**

A bill to amend 1956 PA 40, entitled "The drain code of 1956," by amending sections 1, 2, 3, 6, 8, 10, 12, 21, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 51, 52, 53, 54, 101, 102, 103, 104, 105, 106, 151, 152, 153, 154, 155, 156, 157, 158, 161, 191, 192, 199, 200, 221, 222, 223, 241, 242, 243, 244, 245, 247, 261, 262, 263, 265, 266, 267, 269, 270, 273, 274, 275, 276, 277, 278, 279, 280, 282, 283, 301, 302, 303, 304, 306, 307, 322, 322b, 323, 324, 326, 327, 328, 391, 392, 393, 395, 421, 422, 423, 425, 429, 430, 431, 433, 463, 464, 465, 466, 467, 468, 469, 472, 473, 474, 476, 478, 483, 490, 491, 499, 513, 515, 517, 518, 519, 520, 521, 524, 525, 532, 540, 541, 601, 602, 626, and 627 (MCL 280.1, 280.2, 280.3, 280.6, 280.8, 280.10, 280.12, 280.21, 280.23, 280.24, 280.25, 280.26, 280.27, 280.28, 280.29, 280.30, 280.31, 280.32, 280.33, 280.51, 280.52, 280.53, 280.54, 280.101, 280.102, 280.103, 280.104, 280.105, 280.106, 280.151, 280.152, 280.153, 280.154, 280.155, 280.156, 280.157, 280.158, 280.161, 280.191, 280.192, 280.199, 280.200, 280.221, 280.222, 280.223, 280.241, 280.242, 280.243, 280.244, 280.245, 280.247, 280.261, 280.262, 280.263, 280.265, 280.266, 280.267, 280.269, 280.270, 280.273, 280.274, 280.275, 280.276, 280.277, 280.278, 280.279, 280.280, 280.282, 280.283, 280.301, 280.302, 280.303, 280.304, 280.306, 280.307, 280.322, 280.322b, 280.323, 280.324, 280.326, 280.327, 280.328, 280.391, 280.392, 280.393, 280.395, 280.421, 280.422, 280.423, 280.425, 280.429, 280.430, 280.431, 280.433, 280.463, 280.464, 280.465, 280.466, 280.467, 280.468, 280.469, 280.472, 280.473, 280.474, 280.476, 280.478, 280.483, 280.490, 280.491, 280.499, 280.513, 280.515, 280.517, 280.518, 280.519, 280.520, 280.521, 280.524, 280.525, 280.532, 280.540, 280.541, 280.601, 280.602, 280.626, and 280.627), sections 21 and 464 as amended by 1989 PA 134, section 33 as amended by 1982 PA 356, section 223 as amended by 1989 PA 61, section 280 as amended by 1983 PA 176, section 282 as amended by 1984 PA 80, sections 283 and 499 as amended by 1989 PA 149, section 423 as amended by 1996 PA 552, and section 433 as amended by 1982 PA 449, and by adding sections 7, 7a, 7b, 7c, 13, 14, 34, 35, 55, 56, 57, 58, 59, 107, 108, 109, 110, 111, 112, 113, 201, 275a, 277a, 329, 330, 467a, 467b, 474a, 500, 519a, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 603, 604, 605, 606, 607, 615, 616, and 617; and to repeal acts and parts of acts.

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

Rep. Shulman introduced

**House Bill No. 4804, entitled**

A bill to amend 1991 PA 179, entitled "Michigan telecommunications act," by amending sections 101, 102, 103, 201, 202, 203, 208, 213, 251, 252, 253, 303, 304, 304a, 304b, 305, 306, 308, 309b, 310, 312a, 317, 352, 353, 354, 355, 356, 357, 358, 362, 401, 402, 502, 601, and 604 (MCL 484.2101, 484.2102, 484.2103, 484.2201, 484.2202, 484.2203, 484.2208, 484.2213, 484.2251, 484.2252, 484.2253, 484.2303, 484.2304, 484.2304a, 484.2304b, 484.2305, 484.2306, 484.2308, 484.2309b, 484.2310, 484.2312a, 484.2317, 484.2352, 484.2353, 484.2354, 484.2355, 484.2356, 484.2357, 484.2358, 484.2362, 484.2401, 484.2402, 484.2502, 484.2601, and 484.2604), sections 101, 202, 203, 208, 213, 303, 304, 305, 306, 308, 310, 401, 601, and 604 as amended and sections 251, 252, 253, 304a, 309b, 312a, 317, 352, 353, 354, 355, 356, 357, 358, 362, and 502 as added by 1995 PA 216, and sections 102 and 304b as amended by 1998 PA 41, and by adding sections 214, 316a, 502a, and 507; and to repeal acts and parts of acts.

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



Reps. Rick Johnson, Vander Roest, Kowall, Vear, Allen and Hager introduced

**House Bill No. 4805, entitled**

A bill to amend 1984 PA 44, entitled "Motor fuels quality act," by amending section 4 (MCL 290.644), as amended by 1986 PA 127.

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

Rep. Rick Johnson introduced

**House Bill No. 4806, entitled**

A bill to designate a comfort station located adjacent to northbound I-275 between Ford road and Ann Arbor road in Canton township as the "Edward Howard McNamara Comfort Station"; and to prescribe the duties of the state transportation department.

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

Reps. Law, Richner, Koetje, Rocca, Shulman and Woronchak introduced

**House Bill No. 4807, entitled**

A bill to amend 1978 PA 368, entitled "Public health code," (MCL 333.1101 to 333.25211) by adding sections 18826 and 18827.

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

Rep. Green introduced

**House Bill No. 4808, entitled**

A bill to regulate the offering of deferred presentment services for issued checks; to prescribe the powers and duties of certain state agencies; and to provide for remedies and penalties.

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

Rep. Kowall introduced

**House Bill No. 4809, entitled**

A bill to amend 1846 RS 14, entitled "Of county officers," by amending section 107 (MCL 55.107), as amended by 1997 PA 60.

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

Rep. Kuipers introduced

**House Bill No. 4810, entitled**

A bill to amend 1936 (Ex Sess) PA 1, entitled "Michigan employment security act," by amending section 34 (MCL 421.34), as amended by 1983 PA 164.

The bill was read a first time by its title and referred to the Committee on Employment Relations, Training and Safety.

Reps. Switalski, Hale, Callahan, Dennis, Quarles, Gielegem and Wojno introduced

**House Bill No. 4811, entitled**

A bill to amend 1969 PA 312, entitled "An act to provide for compulsory arbitration of labor disputes in municipal police and fire departments; to define such public departments; to provide for the selection of members of arbitration panels; to prescribe the procedures and authority thereof; and to provide for the enforcement and review of awards thereof," by amending section 2 (MCL 432.232).

The bill was read a first time by its title and referred to the Committee on Employment Relations, Training and Safety.

Reps. Switalski, Thomas, Hale, Dennis, Quarles, Lemmons, Hart, Minore, Martinez, Sanborn, O'Neil, Lockwood, Vaughn, Mans, Jacobs, Schauer, Wojno, Hansen, Clarke, Gielegem, Garza, Neumann, Richner, Hardman, Clark, Rivet, Pestka, Frank, Sheltrown, Rison, Basham, Bogardus, Bovin, Brater, Price, Prusi, Kilpatrick, Tesanovich, Daniels, Schermesser, Jamnick, Reeves, Cameron Brown, DeHart, Scott, LaForge, Allen, Rick Johnson, Jellema, Jelinek, Godchaux, Middaugh, Pappageorge, Howell, Law, Green, Woronchak, Stamas, Kuipers, DeWeese, Shackleton, Gilbert, Kowall, Woodward, Hager, Voorhees, Faunce, LaSata, Garcia, Vander Roest, Bishop, Vear, Pumford, Julian, Jansen, Bradstreet, Van Woerkom, DeVuyst, Ehardt, Richardville, DeRossett, Patterson, Bisbee and Scranton introduced

**House Bill No. 4812, entitled**

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," (MCL 206.1 to 206.532) by adding section 267.

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

Reps. Richardville, Dennis, Toy, Caul, Gilbert, Vander Roest, Garcia, Green, Kuipers, Kowall, Bishop, Van Woerkom, Allen, Patterson, Middaugh, Shackleton, DeRossett, Jelinek, Pumford, Faunce, Bovin, Pappageorge, Ehardt, Hale, DeVuyst, Hager, Woronchak, Mead, Julian, Bisbee, Vaughn, Lockwood, Stallworth, Woodward, Gielegem, Sheltroun, LaForge, Jamnick, Rivet, Jacobs, Bob Brown, Quarles, Jellema, Birkholz, Spade, Mans, O'Neil, Switalski, Tabor, Pestka, Howell, Minore, Schermesser, Neumann, Brewer, Reeves, Rison, Clark, Basham, Clarke and Lemmons introduced

**House Bill No. 4813, entitled**

A bill to protect and promote children's health; and to establish certain eligibility criteria for the MICHild funds. The bill was read a first time by its title and referred to the Committee on Family and Children Services.

Rep. Birkholz introduced

**House Bill No. 4814, entitled**

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by repealing section 5534 (MCL 324.5534).

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

Reps. Gielegem, Dennis, Wojno, Minore and Jamnick introduced

**House Bill No. 4815, entitled**

A bill to regulate political activity; to regulate certain candidates and state officials; to require certain financial statements and reports; to regulate acceptance of certain payments and other items; to prescribe the powers and duties of certain state departments and state and local officials and employees; and to prescribe penalties and provide remedies.

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

Reps. DeRossett and Hart introduced

**House Bill No. 4816, entitled**

A bill to amend 1971 PA 174, entitled "Office of child support act," by amending sections 1, 3, and 3a (MCL 400.231, 400.233, and 400.233a), as amended by 1998 PA 112, and by adding sections 6 and 7.

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

Reps. Mead and Hart introduced

**House Bill No. 4817, entitled**

A bill to amend 1982 PA 294, entitled "Friend of the court act," by amending sections 2a and 9 (MCL 552.502a and 552.509), section 2a as added by 1996 PA 366 and section 9 as amended by 1996 PA 63.

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

Reps. Woronchak and Hart introduced

**House Bill No. 4818, entitled**

A bill to amend 1982 PA 295, entitled "Support and parenting time enforcement act," by amending sections 2, 9, 11a, 32, and 37 (MCL 552.602, 552.609, 552.611a, 552.632, and 552.637), sections 2, 9, and 11a as amended by 1998 PA 334 and section 32 as amended by 1996 PA 301.

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

Reps. Pumford and Hart introduced

**House Bill No. 4819, entitled**

A bill to amend 1846 RS 84, entitled "Of divorce," by amending section 23 (MCL 552.23), as amended by 1983 PA 193.

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

Reps. Voorhees and Hart introduced

**House Bill No. 4820, entitled**

A bill to amend 1966 PA 138, entitled "The family support act," by amending sections 2, 4, 7, and 9 (MCL 552.452, 552.454, 552.457, and 552.459), section 2 as amended by 1996 PA 5, section 4 as amended by 1990 PA 292, and section 7 as amended by 1983 PA 195.

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

Reps. Law and Hart introduced  
**House Bill No. 4821, entitled**

A bill to amend 1956 PA 205, entitled "The paternity act," by amending sections 1, 8, and 19 (MCL 722.711, 722.718, and 722.729), section 1 as amended by 1998 PA 113 and section 19 as amended by 1983 PA 194.

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

Reps. Toy and Hart introduced  
**House Bill No. 4822, entitled**

A bill to amend 1970 PA 91, entitled "Child custody act of 1970," by amending sections 2 and 7 (MCL 722.22 and 722.27), as amended by 1998 PA 482.

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

Reps. Shulman and Hart introduced  
**House Bill No. 4823, entitled**

A bill to amend 1952 PA 8, entitled "Revised uniform reciprocal enforcement of support act," by amending sections 3b, 14, 18, 23, and 31a (MCL 780.153b, 780.164, 780.168, 780.173, and 780.181a), section 3b as added and section 18 as amended by 1985 PA 172, section 14 as amended and section 31a as added by 1990 PA 241, and section 23 as amended by 1983 PA 192.

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

Reps. Jansen and Hart introduced  
**House Bill No. 4824, entitled**

A bill to amend 1985 PA 216, entitled "Interstate income withholding act," by amending sections 3, 5, and 10 (MCL 552.673, 552.675, and 552.680), section 3 as amended by 1996 PA 11 and section 5 as amended by 1990 PA 354.

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

Rep. Hart introduced  
**House Bill No. 4825, entitled**

A bill to amend 1913 PA 379, entitled "An act to facilitate the collection of alimony and support and maintenance for minor children or for children who are 18 years of age or older ordered to be paid in suits for divorce or separate maintenance," by amending section 2 (MCL 552.152).

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

Rep. Hart introduced  
**House Bill No. 4826, entitled**

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending section 165 (MCL 750.165).

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

Reps. Hager and Hart introduced  
**House Bill No. 4827, entitled**

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending section 2538 (MCL 600.2538), as added by 1993 PA 189.

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

Reps. Hager, Green, Vear, Voorhees, Garcia, Bishop, Tabor, Sanborn, Richardville, DeWeese, Kuipers, Bradstreet, Gilbert, Hart, Julian, Patterson and Birkholz introduced

**House Bill No. 4828, entitled**

A bill to amend 1980 PA 350, entitled "The nonprofit health care corporation reform act," (MCL 550.1101 to 550.1704) by adding section 402c.

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

Reps. Jansen, Gosselin, Green, Vear, Sanborn, Voorhees, Garcia, Bishop, Kuipers, Tabor, DeWeese, Pestka, Bradstreet, Koetje, Hart, Julian and Birkholz introduced

**House Bill No. 4829, entitled**

A bill to amend 1978 PA 368, entitled "Public health code," (MCL 333.1101 to 333.25211) by adding section 21053f.

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

Reps. Gosselin, Green, Vear, Pappageorge, Voorhees, Garcia, Bishop, Kuipers, Tabor, Sanborn, DeWeese, Pestka, Bradstreet, Hart, Julian, Jansen and Birkholz introduced

**House Bill No. 4830, entitled**

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," (MCL 500.100 to 500.8302) by adding section 3407b.

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

Reps. Neumann, Frank, Rivet, Pestka, Brewer, Basham, Schauer and Bogardus introduced

**House Bill No. 4831, entitled**

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," by amending section 30 (MCL 206.30), as amended by 1997 PA 86; and to repeal acts and parts of acts.

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

Reps. Neumann, Pestka, Frank, Brewer, Basham, Schauer and Bogardus introduced

**House Bill No. 4832, entitled**

A bill to amend 1976 PA 451, entitled "The revised school code," (MCL 380.1 to 380.1852) by adding section 1531d.

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

Reps. Neumann, Pestka, Frank, Brewer, Schauer, Basham and Bogardus introduced

**House Bill No. 4833, entitled**

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," (MCL 324.101 to 324.90106) by adding section 32704a.

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

Reps. Koetje, Richner, Toy, Patterson, Bishop, Green, Voorhees, Mortimer, Tabor, Julian, Switalski, DeRossett, Kuipers, Hart, DeVuyst, Jansen, Gilbert, Raczkowski and Cassis introduced

**House Joint Resolution K, entitled**

A joint resolution proposing an amendment to the state constitution of 1963, by amending section 7 of article IV and section 26 of article V and adding section 8 to article XI, to provide that persons convicted of a felony are ineligible for certain statewide offices.

The joint resolution was read a first time by its title and referred to the Committee on Constitutional Law and Ethics.

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Rep. Lockwood moved that the House adjourn.  
The motion prevailed, the time being 7:40 p.m.

The Speaker declared the House adjourned until Tuesday, September 21, at 2:00 p.m.

GARY L. RANDALL  
Clerk of the House of Representatives.