

No. 63
STATE OF MICHIGAN
JOURNAL
OF THE
House of Representatives
92nd Legislature
REGULAR SESSION OF 2003

House Chamber, Lansing, Thursday, July 17, 2003.

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.

Accavitti—present	Garfield—present	Meyer—present	Sheen—present
Acciavatti—present	Gieleghem—present	Middaugh—present	Sheltrown—present
Adamini—present	Gillard—present	Milosch—present	Shulman—present
Amos—present	Gleason—present	Minore—present	Smith—present
Anderson—present	Hager—present	Moolenaar—present	Spade—present
Bieda—present	Hardman—present	Mortimer—present	Stahl—present
Bisbee—present	Hart—excused	Murphy—present	Stakoe—present
Bradstreet—present	Hood—present	Newell—present	Stallworth—present
Brandenburg—present	Hoogendyk—present	Nitz—present	Steil—present
Brown—present	Hopgood—present	Nofs—present	Stewart—present
Byrum—present	Howell—present	O’Neil—present	Tabor—present
Casperson—present	Huizenga—present	Paletko—present	Taub—present
Caswell—present	Hummel—present	Palmer—present	Tobocman—present
Caul—present	Hune—present	Palsrok—present	Vagnozzi—present
Cheeks—present	Hunter—present	Pappageorge—present	Van Regenmorter—present
Clack—present	Jamnick—present	Pastor—present	Vander Veen—excused
Condino—present	Johnson, Rick—present	Phillips—present	Voorhees—present
Daniels—present	Johnson, Ruth—present	Plakas—present	Walker—present
Dennis—present	Julian—present	Pumford—present	Ward—present
DeRoche—present	Koetje—present	Reeves—present	Waters—present
DeRossett—present	Kolb—present	Richardville—present	Wenke—present
Drolet—present	Kooiman—present	Rivet—present	Whitmer—present
Ehardt—present	LaJoy—present	Robertson—present	Williams—present
Elkins—present	LaSata—present	Rocca—present	Wojno—present
Emmons—present	Law—present	Sak—present	Woodward—present
Farhat—present	Lipsey—present	Shackleton—present	Woronchak—present
Farrah—present	McConico—present	Shaffer—present	Zelenko—present
Gaffney—present	Meisner—present		

e/d/s = entered during session

Rep. Mike Nofs, from the 62nd District, offered the following invocation:

“Our Heavenly Father, as we come into the chamber today, we recognize that serving the people of Michigan is a high calling. It is a privilege granted to us, not for our own advancement, but for the well being and the betterment of the lives of our citizens. Lord, You tell us in Your word that there is wisdom in the multitude of counselors. We have a multitude of counselors here today, but the wisdom we need is the kind far beyond what we possess. We need Your wisdom; we need Your counsel; we need Your guidance and direction, because Your way is truth and Your way leads to serving others. We ask You to give each of us the full measure of that wisdom so that at the end of this day, we can truly say God’s will was accomplished here today. Guide and bless all that is done here today. We ask these things in the name of Your son, Jesus, our Lord. Amen.”

Rep. Palmer moved that Reps. Hart and Vander Veen be excused from today’s session.
The motion prevailed.

Third Reading of Bills

Senate Bill No. 539, entitled

A bill to amend 1951 PA 51, entitled “An act to provide for the classification of all public roads, streets, and highways in this state, and for the revision of that classification and for additions to and deletions from each classification; to set up and establish the Michigan transportation fund; to provide for the deposits in the Michigan transportation fund of specific taxes on motor vehicles and motor vehicle fuels; to provide for the allocation of funds from the Michigan transportation fund and the use and administration of the fund for transportation purposes; to set up and establish the truck safety fund; to provide for the allocation of funds from the truck safety fund and administration of the fund for truck safety purposes; to set up and establish the Michigan truck safety commission; to establish certain standards for road contracts for certain businesses; to provide for the continuing review of transportation needs within the state; to authorize the state transportation commission, counties, cities, and villages to borrow money, issue bonds, and make pledges of funds for transportation purposes; to authorize counties to advance funds for the payment of deficiencies necessary for the payment of bonds issued under this act; to provide for the limitations, payment, retirement, and security of the bonds and pledges; to provide for appropriations and tax levies by counties and townships for county roads; to authorize contributions by townships for county roads; to provide for the establishment and administration of the state trunk line fund, 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 10 (MCL 247.660), as amended by 2000 PA 188.

(The bill was passed, motion made to reconsider the vote by which the House passed the bill and motion postponed for the day on July 2, see House Journal No. 59, p. 1252.)

The question being on the motion made previously by Rep. Richardville,
The motion prevailed, a majority of the members serving voting therefor.
The question being on the passage of the bill,

Rep. Shulman moved to substitute (H-3) the bill.

The motion was seconded and the substitute (H-3) was adopted, a majority of the members serving voting therefor.
The question being on the passage of the bill,

Rep. Shulman moved to amend the bill as follows:

1. Amend page 4, line 23, after “(f)” by inserting “**Except as provided in subsection (4),**”.
2. Amend page 6, following line 12, by inserting:

“(4) For the fiscal year beginning October 1, 2003 only, the apportionment of 10% of Michigan transportation fund money to the comprehensive transportation fund as provided in subsection (1)(f) shall be reduced by

\$10,000,000.00 and the \$10,000,000.00 shall be transferred to the state trunk line fund for capacity improvements to state trunk line highways.”.

The motion was seconded and the amendments were adopted, a majority of the members serving voting therefor.
The question being on the passage of the bill,

Rep. Casperson moved to amend the bill as follows:

1. Amend page 4, line 14, after “section” by striking out the balance of the line through “MCL 207.102” on line 15 and inserting **“8 of the motor fuel tax act, 2000 PA 403, MCL 207.1008”.**

2. Amend page 4, line 18, after “(d)” by striking out “Revenue” and inserting **“Before October 1, 2004, all the revenue”.**

3. Amend page 4, line 18, after “section” by striking out the balance of the line through “MCL 207.102” on line 19 and inserting **“8 of the motor fuel tax act, 2000 PA 403, MCL 207.1008”.**

4. Amend page 4, line 20, after “11.” by inserting **“On and after October 1, 2004, 1/2 the revenue from 1 cent of the tax levied under section 8 of the motor fuel tax act, 2000 PA 403, MCL 207.1008, to the state trunk line fund for repair of state bridges under section 11 and 1/2 of the revenue from 1 cent of the tax levied under section 8 of the motor fuel tax act, 2000 PA 403, MCL 207.1008, to the critical bridge fund created under section 11b.”.**

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

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. 481

Yeas—108

Accavitti	Gaffney	Meisner	Shaffer
Acciavatti	Garfield	Meyer	Sheen
Adamini	Gieleghem	Middaugh	Sheltrown
Amos	Gillard	Milosch	Shulman
Anderson	Gleason	Minore	Smith
Bieda	Hager	Moolenaar	Spade
Bisbee	Hardman	Mortimer	Stahl
Bradstreet	Hood	Murphy	Stakoe
Brandenburg	Hoogendyk	Newell	Stallworth
Brown	Hopgood	Nitz	Steil
Byrum	Howell	Nofs	Stewart
Casperson	Huizenga	O’Neil	Tabor
Caswell	Hummel	Paletko	Taub
Caul	Hune	Palmer	Tobocman
Cheeks	Hunter	Palsrok	Vagnozzi
Clack	Jamnick	Pappageorge	Van Regenmorter
Condino	Johnson, Rick	Pastor	Voorhees
Daniels	Johnson, Ruth	Phillips	Walker
Dennis	Julian	Plakas	Ward
DeRoche	Koetje	Pumford	Waters
DeRossett	Kolb	Reeves	Wenke
Drolet	Kooiman	Richardville	Whitmer
Ehardt	LaJoy	Rivet	Williams
Elkins	LaSata	Robertson	Wojno
Emmons	Law	Rocca	Woodward
Farhat	Lipsey	Sak	Woronchak
Farrah	McConico	Shackleton	Zelenko

Nays—0

In The Chair: Julian

The House agreed to the title of the bill.

Senate Bill No. 554, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending sections 217a, 217d, 307, 312e, 312h, 320e, 801, 801d, 802, 803b, 803m, 804, 806, 807, 810, 811, 811c, 811h, and 812 (MCL 257.217a, 257.217d, 257.307, 257.312e, 257.312h, 257.320e, 257.801, 257.801d, 257.802, 257.803b, 257.803m, 257.804, 257.806, 257.807, 257.810, 257.811, 257.811c, 257.811h, and 257.812), section 217a as amended by 1988 PA 419, section 217d as amended by 2000 PA 78, section 307 as amended by 2002 PA 534, section 312e as amended by 2002 PA 652, section 312h as amended by 1989 PA 299, section 320e as amended by 1998 PA 346, section 801 as amended by 2002 PA 417, section 801d as amended by 1984 PA 123, section 802 as amended by 1998 PA 396, section 803b as amended by 1996 PA 142, section 803m as amended and section 811c as added by 1994 PA 332, section 804 as amended and section 811h as added by 2000 PA 77, section 806 as amended by 2002 PA 497, section 807 as amended by 1998 PA 384, section 810 as amended by 1987 PA 238, section 811 as amended by 2000 PA 456, and section 812 as amended by 1989 PA 280, and by adding sections 803r and 810b; and to repeal acts and parts of acts.

(The bill was considered on Third Reading, amended and bill postponed temporarily on July 16, see House Journal No. 62, p. 1545.)

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. 482**Yeas—65**

Accavitti	Gielegem	Minore	Shulman
Anderson	Hager	Moolenaar	Stahl
Brown	Howell	Murphy	Stakoe
Byrum	Huizenga	Newell	Stallworth
Casperson	Hunter	Nitz	Taub
Caul	Jamnick	Nofs	Tobocman
Cheeks	Johnson, Rick	O'Neil	Van Regenmorter
Clack	Julian	Palsrok	Voorhees
Daniels	Koetje	Pappageorge	Walker
Dennis	Kolb	Phillips	Ward
DeRoche	Kooiman	Plakas	Waters
DeRossett	LaSata	Pumford	Wenke
Ehardt	Lipsey	Reeves	Whitmer
Emmons	McConico	Rivet	Williams
Farhat	Meisner	Sak	Woodward
Farrah	Meyer	Sheltrown	Zelenko
Gaffney			

Nays—43

Acciavatti	Garfield	Law	Shaffer
Adamini	Gillard	Middaugh	Sheen
Amos	Gleason	Milosch	Smith
Bieda	Hardman	Mortimer	Spade
Bisbee	Hood	Paletko	Steil
Bradstreet	Hoogendyk	Palmer	Stewart
Brandenburg	Hopgood	Pastor	Tabor
Caswell	Hummel	Richardville	Vagnozzi
Condino	Hune	Robertson	Wojno
Drolet	Johnson, Ruth	Rocca	Woronchak
Elkins	LaJoy	Shackleton	

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

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

A bill 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 impose liability upon the state or local agencies; to provide appropriations for certain purposes; 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 sections 217a, 217d, 226, 226b, 307, 310, 312e, 312h, 320e, 723, 801, 802, 803b, 803m, 804, 806, 807, 810, 811, 811c, 811h, and 812 (MCL 257.217a, 257.217d, 257.226, 257.226b, 257.307, 257.310, 257.312e, 257.312h, 257.320e, 257.723, 257.801, 257.802, 257.803b, 257.803m, 257.804, 257.806, 257.807, 257.810, 257.811, 257.811c, 257.811h, and 257.812), section 217a as amended by 1988 PA 419, section 217d as amended by 2000 PA 78, section 226 as amended by 2002 PA 642, section 226b and 312h as amended by 1989 PA 299, section 307 as amended by 2002 PA 534, sections 310 and 312e as amended by 2002 PA 652, section 320e as amended by 1998 PA 346, section 723 as amended by 1988 PA 346, section 801 as amended by 2002 PA 417, section 802 as amended by 1998 PA 396, section 803b as amended by 1996 PA 142, section 803m as amended and section 811c as added by 1994 PA 332, section 804 as amended and section 811h as added by 2000 PA 77, section 806 as amended by 2002 PA 497, section 807 as amended by 1998 PA 384, section 810 as amended by 1987 PA 238, section 811 as amended by 2000 PA 456, and section 812 as amended by 1989 PA 280, and by adding sections 803r, 810b, 819a, and 819b; and to repeal acts and parts of acts.

The motion prevailed.

The House agreed to the title as amended.

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

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

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

This bill is a \$55 to \$66 million tax increase on everyone who relies upon a motor vehicle for personal transportation.

The driver's license fee—an unavoidable cost for most of us who must function in a modern economy—will be increased by 100% for a new license and by 50% for a renewal. An extra \$3 is to be tacked onto the cost of license plates. The chauffeur license fee goes up 75%. The license to sell cars increases a whopping 750%, and the license to dispose of the old cars goes up 60%.

I would love to see Michigan's economic growth rate hit 750% right now—or even 75%, 60% or 50%. I'd even take 5%. The fact is that it isn't growing very much and nowhere close to anything that would justify fee increases in the range of 50%, let alone these other absurd numbers.

Michigan job providers—such as those car dealers who will pay 750% more for their licenses under this proposal—are laying people off and not selling their products for enough money to justify the cost of doing business. Economic growth, personal income and the cost of everything but government is flat right now.

I am tempted to say that this proposal is a massive tax increase on anything that moves, but even that understates the case. This bill includes an unprecedented new late fee of \$10 on those who do not renew their license plates in a timely fashion. Letting the registration lapse for even an extra day will cost \$10 extra—*whether or not the car was actually driven while the plates were expired!*

Just weeks ago, we added another \$10 onto speeding tickets, and that was on top of the \$10 we added to traffic violations last year. If you drive a car, drive it too fast, sell cars, dispose of old cars, or even just leave a car in your garage, then the state of Michigan wants to charge you a fee increase or maybe even a brand new fee.

The world's automotive capital is rapidly becoming the world capital of automotive taxes."

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

"Mr. Speaker and members of the House:

This statement is intended to clarify my NO vote on SB 554. I agree with the concept of creating the Transportation Administration Collection Fund (TACF) and the effort to reduce or eliminate the amount of Inter-Departmental Grants

that have historically reduced the funds available for the transportation budget, and I am also in favor of the concept of funding a trooper training school. However, due the number and the amount of fee increases that are included in this bill, I cannot support it in its current form.”

By unanimous consent the House returned to the order of
Motions and Resolutions

Rep. Richardville moved that Rule 45 be suspended.
 The motion prevailed, 3/5 of the members present voting therefor.

Rep. Richardville moved that the Committee on Government Operations be discharged from further consideration of **Senate Bill No. 561**.

The motion prevailed, a majority of the members serving voting therefor.
 The bill was placed on the order of Second Reading of Bills and laid over one day.

Rep. Richardville moved that Rule 45 be suspended.
 The motion prevailed, 3/5 of the members present voting therefor.

Rep. Richardville moved that the Committee on Government Operations be discharged from further consideration of **Senate Bill No. 567**.

The motion prevailed, a majority of the members serving voting therefor.
 The bill was placed on the order of Second Reading of Bills and laid over one day.

Rep. Richardville moved that Rule 45 be suspended.
 The motion prevailed, 3/5 of the members present voting therefor.

Rep. Richardville moved that the Committee on Government Operations be discharged from further consideration of **Senate Bill No. 596**.

The motion prevailed, a majority of the members serving voting therefor.
 The bill was placed on the order of Second Reading of Bills and laid over one day.

Rep. Richardville moved that Rule 45 be suspended.
 The motion prevailed, 3/5 of the members present voting therefor.

Rep. Richardville moved that the Committee on Appropriations be discharged from further consideration of **Senate Bill No. 265**.

The motion prevailed, a majority of the members serving voting therefor.
 The bill was placed on the order of Second Reading of Bills and laid over one day.

Reports of Select Committees

The Speaker laid before the House the conference report relative to
Senate Bill No. 285, 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, 2004; 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 conference report was received from the Senate on July 16, consideration of which, under the rules, was postponed until today.)

(For conference report, see House Journal No. 62, p. 1557.)

The question being on the adoption of the conference report,

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

Roll Call No. 483

Yeas—104

Accavitti
 Acciavatti
 Adamini
 Amos

Gielegem
 Gillard
 Gleason
 Hager

Middaugh
 Milosch
 Minore
 Moolenaar

Sheen
 Sheltroun
 Shulman
 Smith

Anderson	Hardman	Mortimer	Spade
Bieda	Hood	Murphy	Stahl
Bisbee	Hoogendyk	Newell	Stakoe
Brandenburg	Hopgood	Nitz	Stallworth
Brown	Howell	Nofs	Steil
Byrum	Huizenga	O'Neil	Stewart
Casperson	Hummel	Paletko	Tabor
Caswell	Hune	Palmer	Taub
Caul	Hunter	Palsrok	Tobocman
Cheeks	Jamnick	Pappageorge	Vagnozzi
Clack	Johnson, Ruth	Pastor	Van Regenmorter
Condino	Julian	Phillips	Voorhees
Daniels	Koetje	Plakas	Walker
Dennis	Kolb	Pumford	Ward
DeRoche	Kooiman	Reeves	Waters
DeRossett	LaJoy	Richardville	Wenke
Ehardt	LaSata	Rivet	Whitmer
Elkins	Law	Robertson	Williams
Emmons	Lipsey	Rocca	Wojno
Farhat	McConico	Sak	Woodward
Farrah	Meisner	Shackleton	Woronchak
Gaffney	Meyer	Shaffer	Zelenko

Nays—3

Bradstreet

Drolet

Garfield

In The Chair: Julian

Second Reading of Bills

Rep. Richardville moved that Rule 48 be suspended.
The motion prevailed, 3/5 of the members present voting therefor.

Senate Bill No. 596, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 12562 (MCL 333.12562), as amended by 1999 PA 41.

The bill was read a second time.

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

The motion prevailed.

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

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

Rep. Palmer moved that Rep. Rick Johnson 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. 596, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 12562 (MCL 333.12562), as amended by 1999 PA 41.

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

Roll Call No. 484**Yeas—70**

Accavitti	Gaffney	Minore	Shulman
Adamini	Gielegem	Moolenaar	Smith
Anderson	Gleason	Mortimer	Spade
Brandenburg	Hager	Murphy	Stallworth
Brown	Hood	Newell	Steil
Byrum	Hopgood	O'Neil	Stewart
Casperson	Howell	Paletko	Tabor
Caswell	Hunter	Palmer	Tobocman
Caul	Jamnick	Pappageorge	Vagnozzi
Cheeks	Koetje	Pastor	Waters
Clack	Kolb	Phillips	Wenke
Condino	Kooiman	Plakas	Whitmer
Daniels	LaSata	Pumford	Williams
Dennis	Law	Reeves	Wojno
DeRoche	Lipsey	Rocca	Woodward
DeRossett	McConico	Sak	Woronchak
Farhat	Meisner	Shackleton	Zelenko
Farrah	Meyer		

Nays—37

Acciavatti	Gillard	Middaugh	Sheen
Amos	Hardman	Milosch	Sheltrown
Bieda	Hoogendyk	Nitz	Stahl
Bisbee	Huizenga	Nofs	Stakoe
Bradstreet	Hummel	Palsrok	Taub
Drolet	Hune	Richardville	Van Regenmorter
Ehardt	Johnson, Ruth	Rivet	Voorhees
Elkins	Julian	Robertson	Walker
Emmons	LaJoy	Shaffer	Ward
Garfield			

In The Chair: Julian

Pursuant to Joint Rule 20, the full title of the act shall be inserted to 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 provide for an appropriation and supplements; 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. Richardville moved that the bill be given immediate effect.

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

Second Reading of Bills

Senate Bill No. 567, entitled

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” by amending sections 3104, 30104, 30109, 32312, and 32513 (MCL 324.3104, 324.30104, 324.30109, 324.32312, and 324.32513), as amended by 1999 PA 106.

The bill was read a second time.

Rep. Koetje moved to substitute (H-2) the bill.

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

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

The motion prevailed.

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

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



Rep. Woronchak moved that Reps. Pumford and Pappageorge be excused temporarily from today’s session.

The motion prevailed.

Rep. Zelenko moved that Rep. Daniels be excused temporarily from today’s session.

The motion prevailed.

Rep. Farrah moved that Rep. Plakas 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. 567, entitled

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” by amending sections 3104, 30104, 30109, 32312, and 32513 (MCL 324.3104, 324.30104, 324.30109, 324.32312, and 324.32513), as amended by 1999 PA 106.

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

Roll Call No. 485

Yeas—75

Accavitti	Gieleghem	McConico	Shulman
Adamini	Gillard	Meisner	Smith
Anderson	Gleason	Meyer	Spade
Bieda	Hager	Minore	Stallworth
Brandenburg	Hardman	Moolenaar	Steil
Brown	Hood	Mortimer	Tabor
Byrum	Hopgood	Murphy	Taub
Casperson	Howell	Newell	Tobocman
Caul	Hunter	O’Neil	Vagnozzi
Cheeks	Jamnick	Paletko	Walker
Clack	Johnson, Rick	Palsrok	Waters
Condino	Julian	Pastor	Wenke
Dennis	Koetje	Phillips	Whitmer
DeRossett	Kolb	Reeves	Williams
Elkins	Kooiman	Rivet	Wojno
Emmons	LaJoy	Rocca	Woodward

Farhat
Farrah
Gaffney

LaSata
Law
Lipsey

Sak
Shackleton
Sheltrown

Woronchak
Zelenko

Nays—29

Acciavatti
Amos
Bisbee
Bradstreet
Caswell
DeRoche
Drolet
Ehardt

Garfield
Hoogendyk
Huizenga
Hummel
Hune
Johnson, Ruth
Middaugh

Milosch
Nitz
Nofs
Palmer
Richardville
Robertson
Shaffer

Sheen
Stahl
Stakoe
Stewart
Van Regenmorter
Voorhees
Ward

In The Chair: Julian

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

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

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 3104, 8716, 30104, 30109, 32312, and 32513 (MCL 324.3104, 324.8716, 324.30104, 324.30109, 324.32312, and 324.32513), sections 3104, 30104, 30109, and 32312 as amended by 1999 PA 106 and section 32513 as amended by 2003 PA 14.

The motion prevailed.

The House agreed to the title as amended.

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

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

Second Reading of Bills

House Bill No. 4284, entitled

A bill to provide for joint land use planning by certain local units of government; and to provide for the establishment, powers, and duties of joint planning commissions.

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

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

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

The motion prevailed.

Rep. Richardville 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. 4284, entitled

A bill to provide for joint land use planning by certain local units of government; and to provide for the establishment, powers, and duties of joint planning commissions.

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

Roll Call No. 486

Yeas—97

Accavitti
Acciavatti

Gieleghem
Gillard

Meisner
Meyer

Shaffer
Sheen

Adamini	Gleason	Middaugh	Shulman
Amos	Hager	Milosch	Smith
Anderson	Hardman	Minore	Spade
Bieda	Hood	Moolenaar	Stahl
Bisbee	Hoogendyk	Mortimer	Stakoe
Brandenburg	Hopgood	Murphy	Stallworth
Brown	Howell	Newell	Steil
Byrum	Huizenga	Nitz	Stewart
Casperson	Hummel	Nofs	Tabor
Caswell	Hune	O'Neil	Taub
Caul	Hunter	Paletko	Tobocman
Cheeks	Jamnack	Palmer	Vagnozzi
Clack	Johnson, Ruth	Palsrok	Walker
Condino	Julian	Pastor	Ward
Daniels	Koetje	Phillips	Waters
Dennis	Kolb	Plakas	Wenke
DeRossett	Kooiman	Reeves	Whitmer
Ehardt	LaJoy	Richardville	Williams
Elkins	LaSata	Rivet	Wojno
Emmons	Law	Rocca	Woodward
Farhat	Lipsey	Sak	Woronchak
Farrah	McConico	Shackleton	Zelenko
Gaffney			

Nays—8

Bradstreet	Drolet	Robertson	Van Regenmorter
DeRoche	Garfield	Sheltrown	Voorhees

In The Chair: Julian

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

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

A bill to provide for joint land use planning and the joint exercise of certain zoning powers and duties by local units of government; and to provide for the establishment, powers, and duties of joint planning commissions.

The motion prevailed.

The House agreed to the title as amended.

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

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

Reps. Plakas, O'Neil, Zelenko, Jamnick, DeRossett, Richardville, Lipsey, Bisbee, Murphy, Meyer, Dennis, Cheeks, Hunter, Farrah, Paletko, Hopgood, Law, Brandenburg, Meisner, Vagnozzi, Stakoe, Gleason, Milosch, Hoogendyk, Nofs, Ward, Sak and Moolenaar were named co-sponsors of the bill.

Second Reading of Bills

House Bill No. 4967, entitled

A bill to amend 1965 PA 261, entitled "An act to authorize the creation and to prescribe the powers and duties of county and regional parks and recreation commissions; and to prescribe the powers and duties of county boards of commissioners with respect to county and regional parks and recreation commissions," by amending section 1 (MCL 46.351), as amended by 2000 PA 496.

The bill was read a second time.

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

The motion prevailed.

Senate Bill No. 314, entitled

A bill to allow the state to amend certain deeds.

(The bill was read a second time, amended and postponed for the day on July 16, see House Journal No. 62, page 1478.)

Rep. Rocca moved to substitute (H-2) the bill.

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

Rep. Walker moved to amend the bill as follows:

1. Amend page 4, following line 6, by inserting:

“Sec. 8. The state administrative board, on behalf of the state, shall convey to the Traverse Bay intermediate school district, for consideration of \$1.00, all interest, including the reversionary interest and without any restrictive covenants, that the state has in certain property consisting of approximately 11.38 acres in Garfield township, Michigan, which was conveyed to the Traverse Bay intermediate school district by quit-claim deed dated October 30, 1992, pursuant to section 713 of 1992 PA 167. The instruments necessary to implement this section shall be approved by the attorney general.”

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

Rep. Nofs moved to amend the bill as follows:

1. Amend page 4, following line 6, by inserting:

“Sec. 9. (1) The state administrative board may transfer from the department of management and budget to the department of military and veterans affairs, without consideration, a parcel of land in the township of Lansing, Ingham county, Michigan, more specifically described as follows:

A parcel of land in the S 1/2 of section 5, T4N, R2W, Lansing Township, Ingham County, Michigan and more particularly described as beginning at the N 1/4 corner of section 5; thence S89°59'49"E 632.45 feet, on the north line of said section 5; thence S00°00'11"W 299.96 feet; thence N90°00'00"W 633.49 feet, to a point on the N-S 1/4 line of said section 5; thence N90°00'00"W 423.88 feet; thence S00°17'04"E 791.90 feet, to the northerly right of way of the CSX Railroad; thence N53°45'56"W 812.28 feet, on said right of way; thence S89°35'40"E 220.94 feet; thence N53°47'59"W 130.49 feet; thence N00°21'08"E 542.05 feet, to the north line of said section 5; thence S89°38'52"E 950.80 feet, on the north line of said section 5 to the S 1/4 corner of section 32, T5N, R2W, Dewitt Township, Clinton County, Michigan; thence N89°27'29"E 6.45 feet on the north line of said section 5 to the point of beginning, containing 18.36 acres.

(2) For purposes of the transfer authorized under subsection (1), the property description in subsection (1) is approximate and subject to possible adjustment by a professional survey conducted by the department of management and budget.

(3) The transfer authorized by subsection (1) shall be permanent and effective when approved by a resolution of the state administrative board, at which point the department of military and veterans affairs shall assume full responsibility for the property.

(4) All documents regarding the transfer of the property described in subsection (1) shall be approved by the attorney general.

(5) The department of management and budget is responsible for coordinating and implementing the transfer authorized by subsection (1), but any survey costs or transaction closing costs incurred by the department of management and budget in doing so shall be reimbursed by the department of military and veterans affairs.”

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

Rep. Adamini moved to amend the bill as follows:

1. Amend page 1, line 8, after “board” by striking out “may” and inserting “shall”.

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

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

The motion prevailed.

Rep. Richardville 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. 314, entitled**

A bill to allow the state to amend certain deeds.

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

Roll Call No. 487**Yeas—105**

Accavitti	Garfield	Meisner	Sheen
Acciavatti	Gielegem	Meyer	Sheltrown
Adamini	Gillard	Middaugh	Shulman
Amos	Gleason	Milosch	Smith
Anderson	Hager	Minore	Spade
Bieda	Hardman	Moolenaar	Stahl
Bisbee	Hood	Mortimer	Stakoe
Bradstreet	Hoogendyk	Murphy	Stallworth
Brown	Hopgood	Newell	Steil
Byrum	Howell	Nitz	Stewart
Casperson	Huizenga	Nofs	Tabor
Caswell	Hummel	O'Neil	Taub
Caul	Hune	Paletko	Tobocman
Cheeks	Hunter	Palmer	Vagnozzi
Clack	Jamnick	Palsrok	Van Regenmorter
Condino	Johnson, Rick	Pastor	Voorhees
Daniels	Johnson, Ruth	Phillips	Walker
Dennis	Julian	Plakas	Ward
DeRoche	Koetje	Reeves	Waters
DeRossett	Kolb	Richardville	Wenke
Drolet	Kooiman	Rivet	Whitmer
Ehardt	LaJoy	Robertson	Williams
Elkins	LaSata	Rocca	Wojno
Emmons	Law	Sak	Woodward
Farhat	Lipsey	Shackleton	Woronchak
Farrah	McConico	Shaffer	Zelenko
Gaffney			

Nays—1

Brandenburg

In The Chair: Julian

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

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

A bill to allow the state to acquire and convey land in Marquette county; to allow the state to transfer certain property in Ingham county; and to allow the state to convey the state's interest in certain property in Grand Traverse county.

The motion prevailed.

The House agreed to the title as amended.

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

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

Second Reading of Bills**House Bill No. 4658, entitled**

A bill to amend 1964 PA 284, entitled "City income tax act," by amending section 3 of chapter 1 (MCL 141.503), as amended by 1998 PA 500.

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

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

Rep. Cheeks moved that the bill be placed on the order of Third Reading of Bills.
The motion prevailed.

Rep. Richardville 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. 4658, entitled

A bill to amend 1964 PA 284, entitled "City income tax act," by amending section 3 of chapter 1 (MCL 141.503), as amended by 1998 PA 500.

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

Roll Call No. 488

Yeas—69

Adamini	Gielegem	Meyer	Sheen
Bisbee	Gillard	Middaugh	Sheltrown
Brown	Gleason	Minore	Shulman
Byrum	Hager	Moolenaar	Smith
Casperson	Hardman	Mortimer	Stallworth
Caswell	Hood	Murphy	Steil
Caul	Howell	Newell	Tabor
Cheeks	Huizenga	Nitz	Tobocman
Clack	Hunter	Nofs	Van Regenmorter
Condino	Jamnick	Phillips	Walker
Daniels	Johnson, Rick	Plakas	Ward
Dennis	Julian	Pumford	Waters
DeRossett	Koetje	Reeves	Wenke
Ehardt	Kolb	Richardville	Whitmer
Elkins	Kooiman	Rivet	Williams
Emmons	Lipsey	Sak	Woodward
Farhat	McConico	Shackleton	Zelenko
Gaffney			

Nays—39

Accavitti	Garfield	Milosch	Spade
Acciavatti	Hoogendyk	O'Neil	Stahl
Amos	Hopgood	Paletko	Stakoe
Anderson	Hummel	Palmer	Stewart
Bieda	Hune	Palsrok	Taub
Bradstreet	Johnson, Ruth	Pappageorge	Vagnozzi
Brandenburg	LaJoy	Pastor	Voorhees
DeRoche	LaSata	Robertson	Wojno
Drolet	Law	Rocca	Woronchak
Farrah	Meisner	Shaffer	

In The Chair: Julian

The House agreed to the title of the bill.

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

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

Second Reading of Bills

House Bill No. 4360, entitled

A bill to amend 1978 PA 33, entitled “An act to prohibit the dissemination, exhibiting, or displaying of certain sexually explicit matter to minors; to prohibit certain misrepresentations facilitating the dissemination of sexually explicit matter to minors; to provide penalties; to provide for declaratory judgments and injunctive relief in certain instances; to impose certain duties upon prosecuting attorneys and the circuit court; to preempt local units of government from proscribing certain conduct; and to repeal certain acts and parts of acts,” by amending sections 1 and 7 (MCL 722.671 and 722.677), section 7 as amended by 1999 PA 33.

Was read a second time, and the question being on the adoption of the proposed substitute (H-5) previously recommended by the Committee on Commerce,

The substitute (H-5) was adopted, a majority of the members serving voting therefor.

Rep. Tobocman moved to amend the bill as follows:

1. Amend page 3, line 5, by striking out all of subsection (b) and inserting “(b) **Knowingly displays in any manner sexually explicit matter, which, considering its cover or packaging alone, is harmful to minors, unless the person does so in a restricted area.**”.

The motion did not prevail and the amendment was not adopted, a majority of the members serving not voting therefor.

Rep. Reeves moved to substitute (H-6) the bill.

The motion prevailed and the substitute (H-6) was adopted, a majority of the members serving voting therefor.

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

The motion prevailed.

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

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

Rep. Zelenko moved that Rep. Minore be excused temporarily from today’s session.
The motion prevailed.

Rep. Waters moved that Rep. Whitmer be excused temporarily from today’s session.
The motion prevailed.

By unanimous consent the House returned to the order of

Third Reading of Bills

House Bill No. 4360, entitled

A bill to amend 1978 PA 33, entitled “An act to prohibit the dissemination, exhibiting, or displaying of certain sexually explicit matter to minors; to prohibit certain misrepresentations facilitating the dissemination of sexually explicit matter to minors; to provide penalties; to provide for declaratory judgments and injunctive relief in certain instances; to impose certain duties upon prosecuting attorneys and the circuit court; to preempt local units of government from proscribing certain conduct; and to repeal certain acts and parts of acts,” by amending sections 1 and 7 (MCL 722.671 and 722.677), section 7 as amended by 1999 PA 33.

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

Roll Call No. 489

Yeas—105

Accavitti
Acciavatti

Gaffney
Garfield

Meisner
Meyer

Shaffer
Sheen

Adamini	Gielegem	Middaugh	Sheltrown
Amos	Gillard	Milosch	Shulman
Anderson	Gleason	Moolenaar	Smith
Bieda	Hager	Mortimer	Spade
Bisbee	Hardman	Murphy	Stahl
Bradstreet	Hood	Newell	Stakoe
Brandenburg	Hoogendyk	Nitz	Stallworth
Brown	Hopgood	Nofs	Steil
Byrum	Howell	O'Neil	Stewart
Casperson	Huizenga	Paletko	Tabor
Caswell	Hummel	Palmer	Taub
Caul	Hune	Palsrok	Tobocman
Cheeks	Hunter	Pappageorge	Vagnozzi
Clack	Jamnick	Pastor	Van Regenmorter
Condino	Johnson, Rick	Phillips	Voorhees
Daniels	Johnson, Ruth	Plakas	Walker
Dennis	Julian	Pumford	Ward
DeRoche	Koetje	Reeves	Waters
DeRossett	Kooiman	Richardville	Wenke
Drolet	LaJoy	Rivet	Williams
Ehardt	LaSata	Robertson	Wojno
Elkins	Law	Rocca	Woodward
Emmons	Lipsey	Sak	Woronchak
Farhat	McConico	Shackleton	Zelenko
Farrah			

Nays—0

In The Chair: Julian

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

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

A bill to amend 1978 PA 33, entitled "An act to prohibit the dissemination, exhibiting, or displaying of certain sexually explicit matter to minors; to prohibit certain misrepresentations facilitating the dissemination of sexually explicit matter to minors; to provide penalties; to provide for declaratory judgments and injunctive relief in certain instances; to impose certain duties upon prosecuting attorneys and the circuit court; to preempt local units of government from proscribing certain conduct; and to repeal certain acts and parts of acts," by amending sections 1, 3, 5, 6, and 7 (MCL 722.671, 722.673, 722.675, 722.676, and 722.677), sections 3, 5, 6, and 7 as amended by 1999 PA 33.

The motion prevailed.

The House agreed to the title as amended.

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

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

Reps. Hardman, McConico, Woronchak, Plakas, Anderson, Stewart, O'Neil, Rocca, Phillips, Rick Johnson, DeRossett, Richardville, Spade, Bisbee, Murphy, Kooiman, Julian, Hummel, Howell, Palmer, Hunter, Farrah, Paletko, Pastor, LaJoy, Brandenburg, Wojno, Acciavatti, Clack, DeRoche, Taub, Accavitti, Garfield, Hune, Gleason, Robertson, Milosch, Hoogendyk, Ward, Emmons, Sak, Stahl, Sheen, Huizenga, Farhat and Casperson were named co-sponsors of the bill.

Rep. Richardville moved that House Committees be given leave to meet during the balance of today's session.

The motion prevailed.

Second Reading of Bills

Senate Bill No. 365, entitled

A bill to amend 1979 PA 94, entitled "The state school aid act of 1979," by amending section 94a (MCL 388.1694a), as amended by 2002 PA 521.

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

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

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

The motion prevailed.

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

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

Rep. Richardville moved that Rep. Rocca be excused temporarily from today's session.
The motion prevailed.

Rep. Waters moved that Reps. Byrum and Hood 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. 365, entitled

A bill to amend 1979 PA 94, entitled "The state school aid act of 1979," by amending section 94a (MCL 388.1694a), as amended by 2002 PA 521.

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

Roll Call No. 490

Yeas—105

Accavitti	Garfield	Meyer	Sheen
Acciavatti	Gielegem	Middaugh	Sheltrown
Adamini	Gillard	Milosch	Shulman
Amos	Gleason	Minore	Smith
Anderson	Hager	Moolenaar	Spade
Bieda	Hardman	Mortimer	Stahl
Bisbee	Hoogendyk	Murphy	Stakoe
Bradstreet	Hopgood	Newell	Stallworth
Brandenburg	Howell	Nitz	Steil
Brown	Huizenga	Nofs	Stewart
Casperson	Hummel	O'Neil	Tabor
Caswell	Hune	Paletko	Taub
Caul	Hunter	Palmer	Tobocman
Cheeks	Jamnick	Palsrok	Vagnozzi
Clack	Johnson, Rick	Pappageorge	Van Regenmorter
Condino	Johnson, Ruth	Pastor	Voorhees
Daniels	Julian	Phillips	Walker
Dennis	Koetje	Plakas	Ward
DeRoche	Kolb	Pumford	Waters
DeRossett	Kooiman	Reeves	Wenke
Drolet	LaJoy	Richardville	Whitmer
Ehardt	LaSata	Rivet	Williams
Elkins	Law	Robertson	Wojno

Emmons
Farhat
Farrah
Gaffney

Lipsey
McConico
Meisner

Sak
Shackleton
Shaffer

Woodward
Woronchak
Zelenko

Nays—0

In The Chair: Julian

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

“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,”

The House agreed to the full title.

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

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

By unanimous consent the House returned to the order of

Reports of Standing Committees

The Speaker laid before the House

House Resolution No. 95.

A resolution to memorialize Congress to support funding for the widening and resurfacing of the M 50 to US 12 segment of US 127.

(For text of resolution, see House Journal No. 57, p. 1134.)

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

The question being on the adoption of the resolution,

The resolution was adopted.

Second Reading of Bills

Rep. Richardville moved that Rule 48 be suspended.

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

Senate Bill No. 561, entitled

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” by amending sections 11507a, 11512, 11516, 11525, 11525a, and 11550 (MCL 324.11507a, 324.11512, 324.11516, 324.11525, 324.11525a, and 324.11550), section 11507a as added by 1996 PA 359, sections 11512 and 11516 as amended and sections 11525a and 11550 as added by 1996 PA 358, and section 11525 as amended by 1996 PA 506.

The bill was read a second time.

Rep. Tobocman moved to amend the bill as follows:

1. Amend page 14, line 26, after “(b),” by striking out “7” and inserting “7.5”.

The motion did not prevail and the amendment was not adopted, a majority of the members serving not voting therefor.

Rep. Lipsey moved to amend the bill as follows:

1. Amend page 4, line 10, after “day,” by striking out “\$250.00” and inserting “\$375.00”.

2. Amend page 4, line 12, after “day,” by striking out “\$1,000.00” and inserting “\$1,500.00”.

3. Amend page 4, line 14, after “day,” by striking out “\$2,500.00” and inserting “\$3,750.00”.

4. Amend page 4, line 16, after “day,” by striking out “\$5,000.00” and inserting “\$7,500.00”.

5. Amend page 4, line 18, after “day,” by striking out “\$10,000.00” and inserting “\$15,000.00”.

6. Amend page 4, line 20, after “day,” by striking out “\$20,000.00” and inserting “\$30,000.00”.

7. Amend page 4, line 22, by striking out “\$30,000.00” and inserting “\$45,000.00”.

The motion did not prevail and the amendments were not adopted, a majority of the members serving not voting therefor.

Rep. Koetje moved to substitute (H-1) the bill.

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

Rep. Koetje moved to amend the bill as follows:

1. Amend page 16, line 5, after “**landfill**” by inserting “**or a nonhazardous industrial waste landfill that is specified in section 11525(3)**”.

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

Rep. Whitmer moved that Rep. Elkins be excused temporarily from today’s session.

The motion prevailed.

Rep. Tobocman moved that Rep. Lipsey be excused temporarily from today’s session.

The motion prevailed.

Rep. Tobocman moved to amend the bill as follows:

1. Amend page 14, line 27, after “**(b),**” by striking out “**7**” and inserting “**7.5**”.

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

Rep. Tobocman demanded the yeas and nays.

The demand was supported.

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

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

Roll Call No. 491

Yeas—45

Accavitti	Gielegem	Meisner	Smith
Adamini	Gillard	Minore	Spade
Anderson	Gleason	Murphy	Stallworth
Bieda	Hardman	O’Neil	Tobocman
Brown	Hood	Paletko	Vagnozzi
Byrum	Hopgood	Phillips	Waters
Cheeks	Hunter	Plakas	Whitmer
Clack	Jamnick	Reeves	Williams
Condino	Kolb	Rivet	Wojno
Daniels	Law	Sak	Woodward
Dennis	McConico	Sheltrown	Zelenko
Farrah			

Nays—61

Acciavatti	Hager	Milosch	Shaffer
Amos	Hoogendyk	Moolenaar	Sheen
Bisbee	Howell	Mortimer	Shulman
Bradstreet	Huizenga	Newell	Stahl
Brandenburg	Hummel	Nitz	Stakoe
Casperson	Hune	Nofs	Steil
Caswell	Johnson, Rick	Palmer	Stewart
Caul	Johnson, Ruth	Palsrok	Tabor
DeRoche	Julian	Pappageorge	Taub
DeRossett	Koetje	Pastor	Van Regenmorter

Drolet
Ehardt
Emmons
Farhat
Gaffney
Garfield

Kooiman
LaJoy
LaSata
Meyer
Middaugh

Pumford
Richardville
Robertson
Rocca
Shackleton

Voorhees
Walker
Ward
Wenke
Woronchak

In The Chair: Julian

Rep. Koetje moved to amend the bill as follows:

1. Amend page 4, line 7, after the second “the” by striking out “**3-year**” and inserting “**5-year**”.

2. Amend page 6, line 18, after “expire” by striking out “**3**” and inserting “**5**”.

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

Rep. Koetje moved to amend the bill as follows:

1. Amend page 14, line 17, after “**1**,” by striking out “**2003**” and inserting “**2004**”.

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

Rep. Lipsey moved to amend the bill as follows:

1. Amend page 4, line 10, after “day,” by striking out “\$250.00” and inserting “**\$375.00**”.

2. Amend page 4, line 12, after “day,” by striking out “\$1,000.00” and inserting “**\$1,500.00**”.

3. Amend page 4, line 14, after “day,” by striking out “\$2,500.00” and inserting “**\$3,750.00**”.

4. Amend page 4, line 16, after “day,” by striking out “\$5,000.00” and inserting “**\$7,500.00**”.

5. Amend page 4, line 18, after “day,” by striking out “\$10,000.00” and inserting “**\$15,000.00**”.

6. Amend page 4, line 20, after “day,” by striking out “\$20,000.00” and inserting “**\$30,000.00**”.

7. Amend page 4, line 22, by striking out “\$30,000.00” and inserting “**\$45,000.00**”.

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

Rep. Lipsey demanded the yeas and nays.

The demand was supported.

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

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

Roll Call No. 492

Yeas—47

Accavitti
Adamini
Anderson
Bieda
Brown
Byrum
Cheeks
Clack
Condino
Daniels
Dennis
Elkins

Farrah
Gieleghem
Gillard
Gleason
Hardman
Hood
Hopgood
Hunter
Jammnick
Kolb
Law
Lipsey

McConico
Meisner
Minore
Murphy
O’Neil
Paletko
Phillips
Plakas
Reeves
Rivet
Sak
Sheltrown

Smith
Spade
Stallworth
Tobocman
Vagnozzi
Waters
Whitmer
Williams
Wojno
Woodward
Zelenko

Nays—61

Acciavatti
Amos
Bisbee
Bradstreet
Brandenburg
Casperson

Hager
Hoogendyk
Howell
Huizenga
Hummel
Hune

Milosch
Moolenaar
Mortimer
Newell
Nitz
Nofs

Shaffer
Sheen
Shulman
Stahl
Stakoe
Steil

Caswell	Johnson, Rick	Palmer	Stewart
Caul	Johnson, Ruth	Palsrok	Tabor
DeRoche	Julian	Pappageorge	Taub
DeRossett	Koetje	Pastor	Van Regenmorter
Drolet	Kooiman	Pumford	Voorhees
Ehardt	LaJoy	Richardville	Walker
Emmons	LaSata	Robertson	Ward
Farhat	Meyer	Rocca	Wenke
Gaffney	Middaugh	Shackleton	Woronchak
Garfield			

In The Chair: Julian

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

The motion prevailed.

Rep. Richardville 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. 561, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 11507a, 11512, 11516, 11525, 11525a, and 11550 (MCL 324.11507a, 324.11512, 324.11516, 324.11525, 324.11525a, and 324.11550), section 11507a as added by 1996 PA 359, sections 11512 and 11516 as amended and sections 11525a and 11550 as added by 1996 PA 358, and section 11525 as amended by 1996 PA 506.

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

Roll Call No. 493

Yeas—70

Accavitti	Hager	Minore	Smith
Adamini	Hardman	Moolenaar	Spade
Anderson	Hood	Murphy	Stallworth
Bieda	Hopgood	Newell	Steil
Brandenburg	Howell	O'Neil	Tabor
Brown	Hunter	Paletko	Taub
Byrum	Jamnick	Pappageorge	Tobocman
Cheeks	Johnson, Rick	Pastor	Vagnozzi
Clack	Johnson, Ruth	Phillips	Walker
Condino	Koetje	Plakas	Waters
Daniels	Kolb	Pumford	Wenke
Dennis	Kooiman	Reeves	Whitmer
Elkins	LaSata	Rivet	Williams
Emmons	Law	Sak	Wojno
Farrah	Lipsey	Shackleton	Woodward
Gielegem	McConico	Sheltrown	Woronchak
Gillard	Meisner	Shulman	Zelenko
Gleason	Meyer		

Nays—38

Acciavatti	Ehardt	Middaugh	Rocca
Amos	Farhat	Milosch	Shaffer
Bisbee	Gaffney	Mortimer	Sheen

Bradstreet	Garfield	Nitz	Stahl
Casperson	Hoogendyk	Nofs	Stakoe
Caswell	Huizenga	Palmer	Stewart
Caul	Hummel	Palsrok	Van Regenmorter
DeRoche	Hune	Richardville	Voorhees
DeRossett	Julian	Robertson	Ward
Drolet	LaJoy		

In The Chair: Julian

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

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

The House agreed to the full title.

Rep. Richardville 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

Motions and Resolutions

Reps. Richardville and Waters offered the following resolution:

House Concurrent Resolution No. 26.

A concurrent resolution prescribing the legislative schedule.

Resolved by the House of Representatives (the Senate concurring), That when the House of Representatives adjourns on Thursday, July 17, 2003, it stands adjourned until Wednesday, August 13, 2003, and when the House of Representatives adjourns on Wednesday, August 13, 2003, it stands adjourned until Tuesday, September 23, 2003; and be it further

Resolved, That when the Senate adjourns on Thursday, July 17, 2003, it stands adjourned until Wednesday, August 13, 2003, and when the Senate adjourns on Wednesday, August 13, 2003, it stands adjourned until Tuesday, September 16, 2003.

Pending the reference of the concurrent resolution to a committee,

Rep. Richardville 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.

Reports of Select Committees

Senate Bill No. 575, entitled

A bill to amend 1971 PA 140, entitled "Glenn Steil state revenue sharing act of 1971," by amending sections 11 and 13 (MCL 141.911 and 141.913), as amended by 2002 PA 679.

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. 575, entitled

A bill to amend 1971 PA 140, entitled "Glenn Steil state revenue sharing act of 1971," by amending sections 11 and 13 (MCL 141.911 and 141.913), as amended by 2002 PA 679.

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, amended to read as follows:

A bill to amend 1971 PA 140, entitled "Glenn Steil state revenue sharing act of 1971," by amending sections 11 and 13 (MCL 141.911 and 141.913), as amended by 2002 PA 679.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

Sec. 11. (1) For state fiscal years before the 1996-1997 state fiscal year, the department of management and budget shall cause to be paid during each August, November, February, and May, to counties on a per capita basis the collections from the state income tax as certified by the department of treasury for the quarter periods ending the prior June 30, September 30, December 31, and March 31 that are available for distribution to and retention by counties.

(2) For state fiscal years beginning after September 30, 1992 and ending before October 1, 1996, the collections from the state income tax otherwise available for distribution to counties in November for the quarter period ending the prior September 30 shall be increased by \$35,900,000.00 and the collections from the state income tax otherwise available for distribution to counties in August for the quarter period ending the prior June 30 shall be decreased by \$35,900,000.00.

(3) For the 1996-1997 and 1997-1998 state fiscal years, the department of treasury shall cause to be paid to counties on a per capita basis an amount equal to 24.5% of the difference between 21.3% of the sales tax collections at a rate of 4% in the 12-month period ending June 30 of the state fiscal year in which the payments are made and the total distribution for the state fiscal year under section 12a. Subject to section 13d, for the 1998-1999 through 2005-2006 state fiscal years and for the period of October 1, 2006 through September 30, 2007, the department of treasury shall cause to be paid to counties ~~both~~ **all** of the following:

(a) Except as provided in subdivision (c), an amount equal to the amount the county was eligible to receive under section 12a in the 1997-1998 state fiscal year.

(b) Except as provided in subdivision (c), an amount equal to 25.06% of 21.3% of the sales tax collections at a rate of 4% in the 12-month period ending June 30 of the state fiscal year in which the payments are made minus the amount determined under subdivision (a) which shall be distributed on a per capita basis. If the amount appropriated under this section to counties is less than 25.06% of 21.3% of the sales tax rate of 4%, any reduction made necessary by this appropriation in distributions to counties shall first be applied to the distribution under this subdivision.

(c) For the 2002-2003 state fiscal year only, each county shall receive **the lesser of 96.5%, or the percentage determined under this subdivision**, of the amount that the county would have received if the total available for distribution under subdivisions (a) and (b) were \$211,549,002.00. The total amount available for distribution to all counties under this subdivision shall not exceed \$204,144,787.00. **For the 2002-2003 state fiscal year, the percentage under this subdivision shall be determined by dividing the sum of all payments under section 10 of article IX of the state constitution of 1963 and \$791,070,000.00 by \$1,515,644,218.00. For the 2003-2004 state fiscal year only, each county shall receive the lesser of 97%, or the percentage determined under this subdivision, of the amount distributed to the county under this subsection for the 2002-2003 state fiscal year. For the 2003-2004 state fiscal year, the percentage under this subdivision shall be determined by dividing the sum of all payments under section 10 of article IX of the state constitution of 1963 and \$724,800,000.00 by \$1,407,850,000.00 and then subtracting 0.03.**

(4) After September 30, 2007, 25.06% of 21.3% of the sales tax collections at a rate of 4% shall be distributed to counties as provided by law.

(5) The payments under subsection (3) shall be made from revenues collected during the state fiscal year in which the payments are made and shall be made during each October, December, February, April, June, and August. Payments shall be based on collections from the sales tax at a rate of 4% in the 2-month period ending the prior August 31, October 31, December 31, February 28, April 30, and June 30, and for the 1996-1997 and 1997-1998 state fiscal years only the payments shall be reduced by 1/6 of the total distribution for the state fiscal year under section 12a. For state fiscal years after the 1995-1996 state fiscal year, the collections from the sales tax otherwise available for distribution to counties under subsection (3) in December shall be increased by \$17,000,000.00 and the collections from the sales tax otherwise available for distribution to counties under subsection (3) in April shall be decreased by \$17,000,000.00.

Sec. 13. (1) This subsection and subsection (2) apply to distributions to cities, villages, and townships during the state fiscal years before the 1996-1997 state fiscal year of collections from the state income tax and single business tax. Except as otherwise provided in subsection (2), the department of treasury shall cause to be paid to each city, village, and township its share, computed in accordance with the tax effort formula, of the following revenues:

(a) During each August, November, February, and May, the collections from the state income tax for the quarter periods ending the prior June 30, September 30, December 31, and March 31 that are available for distribution to cities, villages, and townships under the income tax act of 1967, 1967 PA 281, MCL 206.1 to 206.532.

(b) The amount of the collections from the single business tax available for distribution to cities, villages, and townships under former section 136 of the single business tax act, 1975 PA 228.

(2) The amount of collections of the state income tax otherwise available for distribution to cities, villages, and townships in November, February, and May, computed in accordance with the tax effort formula, shall be increased by

\$22,600,000.00. The amount of collections otherwise available for distribution to cities, villages, and townships in August, computed in accordance with the tax effort formula, shall be decreased by \$67,800,000.00.

(3) This subsection applies to distributions to cities, villages, and townships for the 1996-1997 state fiscal year. The department shall cause to be paid in accordance with the tax effort formula an amount equal to 75.5% of the difference between 21.3% of the sales tax collections at a rate of 4% in the 12-month period ending June 30 of the state fiscal year in which the payments are made and the total distribution for the state fiscal year under section 12a.

(4) The department of treasury shall cause to be paid during the 1997-1998 state fiscal year an amount equal to 75.5% of the difference between 21.3% of the sales tax collections at a rate of 4% in the 12-month period ending June 30 of the state fiscal year in which the payments are made and the total distribution for the state fiscal year under section 12a, both of the following:

(a) To each city, village, and township, the amount of collections distributed under subsection (3) to cities, villages, and townships for the 1996-1997 state fiscal year or its pro rata share of the collections if the collections are less than the amount of collections distributed under subsection (3) for the 1996-1997 state fiscal year. A city's, village's, or township's share of revenues under this subdivision shall be computed using the tax effort formula.

(b) To each city, village, and township its share of the collections to the extent the total collections available for distribution under this subsection exceed the amount distributed to cities, villages, and townships under subdivision (a) for the fiscal year. A city's, village's, or township's share of revenues under this subdivision shall be computed on a per capita basis.

(5) Subject to section 13d, for the 1998-1999 through 2005-2006 state fiscal years and for the period of October 1, 2006 through September 30, 2007, the department of treasury shall cause distributions determined under subsections (6) to (13) to be paid to each city, village, and township from an amount equal to 74.94% of 21.3% of the sales tax collections at a rate of 4% in the 12-month period ending June 30 of the state fiscal year in which the payments are made. After September 30, 2007, 74.94% of 21.3% of sales tax collections at a rate of 4% shall be distributed to cities, villages, and townships as provided by law.

(6) Subject to section 13d, for the 1998-1999 through 2005-2006 state fiscal years and for the period of October 1, 2006 through September 30, 2007, except for the 2002-2003 **and 2003-2004** state fiscal ~~year~~ **years**, and except as otherwise provided in subsection (15), the department of treasury shall cause to be paid \$333,900,000.00 to a city with a population of 750,000 or more as the total combined distribution under this act and section 10 of article IX of the state constitution of 1963 as annualized for any period of less than 12 months to that city. For the 2002-2003 state fiscal year only, the total combined distribution under this subsection and section 10 of article IX of the state constitution of 1963 shall be **the lesser of \$322,213,500.00 or \$333,900,000.00 multiplied by the percentage as determined under this subsection. For the 2002-2003 state fiscal year, the percentage under this subsection shall be determined by dividing the sum of all payments under section 10 of article IX of the state constitution of 1963 and \$791,070,000.00 by \$1,515,644,218.00. For the 2003-2004 state fiscal year only, the total combined distribution under this subsection and section 10 of article IX of the state constitution of 1963 shall be the lesser of 97%, or the percentage determined under this subsection, of the total combined distribution under this subsection and section 10 of article IX of the state constitution of 1963 for the 2002-2003 state fiscal year. For the 2003-2004 state fiscal year, the percentage under this subsection shall be determined by dividing the sum of all payments under section 10 of article IX of the state constitution of 1963 and \$724,800,000.00 by \$1,407,850,000.00 and then subtracting 0.03.**

(7) Except as otherwise provided in this subsection, distributions under subsections (8) to (13) to cities, villages, and townships with populations of less than 750,000 shall be made from the amount available for distribution under this section that remains after the distribution under subsection (6) is made. For the 2002-2003 state fiscal year only, each city, village, and township with a population of less than 750,000 shall receive **the lesser of 96.5%, or the percentage determined under this subsection**, of the amount that the city, village, or township would have received if the total available for distribution under subsections (8) to (13) were \$363,069,728.00 and the total available for distribution under section 10 of article IX of the state constitution of 1963 were \$607,125,488.00. The total amount available for distribution to all cities, villages, and townships under this subsection shall not exceed \$936,238,383.00. **For the 2002-2003 state fiscal year, the percentage under this subsection shall be determined by dividing the sum of all payments under section 10 of article IX of the state constitution of 1963 and \$791,070,000.00 by \$1,515,644,218.00. For the 2003-2004 state fiscal year only, each city, village, and township with a population of less than 750,000 shall receive an amount equal to the lesser of 97%, or the percentage determined under this subsection, of the amount distributed to the city, village, or township under this subsection and section 10 of article IX of the state constitution of 1963 for the 2002-2003 state fiscal year. For the 2003-2004 state fiscal year, the percentage under this subsection shall be determined by dividing the sum of all payments under section 10 of article IX of the state constitution of 1963 and \$724,800,000.00 by \$1,407,850,000.00 and then subtracting 0.03.** The amount of the adjustment under this subsection shall be accomplished by reducing the payments under subsections (8) to (13), and payments under section 10 of article IX shall not be reduced based on any adjustments made under this subsection.

(8) Subject to section 13d, for the 1998-1999 through 2005-2006 state fiscal years and for the period of October 1, 2006 through September 30, 2007, for cities, villages, and townships with populations of less than 750,000, subject to the limitations under this section, a taxable value payment shall be made to each city, village, and township determined as follows:

(a) Determine the per capita taxable value for each city, village, and township by dividing the taxable value of that city, village, or township by the population of that city, village, or township.

(b) Determine the statewide per capita taxable value by dividing the total taxable value of all cities, villages, and townships by the total population of all cities, villages, and townships.

(c) Determine the per capita taxable value ratio for each city, village, and township by dividing the statewide per capita taxable value by the per capita taxable value for that city, village, or township.

(d) Determine the adjusted taxable value population for each city, village, and township by multiplying the per capita taxable value ratio as determined under subdivision (c) for that city, village, or township by the population of that city, village, or township.

(e) Determine the total statewide adjusted taxable value population which is the sum of all adjusted taxable value population for all cities, villages, and townships.

(f) Determine the taxable value payment rate by dividing 74.94% of 21.3% of the sales tax collections at a rate of 4% in the 12-month period ending June 30 of the state fiscal year in which the payments under this subsection are made by 3, and dividing that result by the total statewide adjusted taxable value population as determined under subdivision (e).

(g) Determine the taxable value payment for each city, village, and township by multiplying the result under subdivision (f) by the adjusted taxable value population for that city, village, or township.

(9) Subject to section 13d, for the 1998-1999 through 2005-2006 state fiscal years and for the period of October 1, 2006 through September 30, 2007, subject to the limitations under this section and except as provided in subsection (14), a unit type population payment shall be made to each city, village, and township with a population of less than 750,000 determined as follows:

(a) Determine the unit type population weight factor for each city, village, and township as follows:

(i) For a township with a population of 5,000 or less, the unit type population weight factor is 1.0.

(ii) For a township with a population of more than 5,000 but less than 10,001, the unit type population weight factor is 1.2.

(iii) For a township with a population of more than 10,000 but less than 20,001, the unit type population weight factor is 1.44.

(iv) For a township with a population of more than 20,000 but less than 40,001, the unit type population weight factor is 1.73.

(v) For a township with a population of more than 40,000 but less than 80,001, the unit type population weight factor is 2.07.

(vi) For a township with a population of more than 80,000, the unit type population weight factor is 2.49.

(vii) For a village with a population of 5,000 or less, the unit type population weight factor is 1.5.

(viii) For a village with a population of more than 5,000 but less than 10,001, the unit type population weight factor is 1.8.

(ix) For a village with a population of more than 10,000, the unit type population weight factor is 2.16.

(x) For a city with a population of 5,000 or less, the unit type population weight factor is 2.5.

(xi) For a city with a population of more than 5,000 but less than 10,001, the unit type population weight factor is 3.0.

(xii) For a city with a population of more than 10,000 but less than 20,001, the unit type population weight factor is 3.6.

(xiii) For a city with a population of more than 20,000 but less than 40,001, the unit type population weight factor is 4.32.

(xiv) For a city with a population of more than 40,000 but less than 80,001, the unit type population weight factor is 5.18.

(xv) For a city with a population of more than 80,000 but less than 160,001, the unit type population weight factor is 6.22.

(xvi) For a city with a population of more than 160,000 but less than 320,001, the unit type population weight factor is 7.46.

(xvii) For a city with a population of more than 320,000 but less than 640,001, the unit type population weight factor is 8.96.

(xviii) For a city with a population of more than 640,000, the unit type population weight factor is 10.75.

(b) Determine the adjusted unit type population for each city, village, and township by multiplying the unit type population weight factor for that city, village, or township as determined under subdivision (a) by the population of the city, village, or township.

(c) Determine the total statewide adjusted unit type population, which is the sum of the adjusted unit type population for all cities, villages, and townships.

(d) Determine the unit type population payment rate by dividing 74.94% of 21.3% of the sales tax collections at a rate of 4% in the 12-month period ending June 30 of the state fiscal year in which the payments under this subsection are made by 3, and then dividing that result by the total statewide adjusted unit type population as determined under subdivision (c).

(e) Determine the unit type population payment for each city, village, and township by multiplying the result under subdivision (d) by the adjusted unit type population for that city, village, or township.

(10) Subject to section 13d, for the 1998-1999 through 2005-2006 state fiscal years and for the period of October 1, 2006 through September 30, 2007, subject to the limitations under this section, a yield equalization payment shall be made to each city, village, and township with a population of less than 750,000 sufficient to provide the guaranteed tax base for a local tax effort not to exceed 0.02. The payment shall be determined as follows:

(a) The guaranteed tax base is the maximum combined state and local per capita taxable value that can be guaranteed in a state fiscal year to each city, village, and township for a local tax effort not to exceed 0.02 if an amount equal to 74.94% of 21.3% of the state sales tax at a rate of 4% is distributed to cities, villages, and townships whose per capita taxable value is below the guaranteed tax base.

(b) The full yield equalization payment to each city, village, and township is the product of the amounts determined under subparagraphs (i) and (ii):

(i) An amount greater than zero that is equal to the difference between the guaranteed tax base determined in subdivision (a) and the per capita taxable value of the city, village, or township.

(ii) The local tax effort of the city, village, or township, not to exceed 0.02, multiplied by the population of that city, village, or township.

(c) The yield equalization payment is the full yield equalization payment divided by 3.

(11) For state fiscal years after the 1997-1998 state fiscal year, distributions under this section for cities, villages, and townships with populations of less than 750,000 shall be determined as follows:

(a) For the 1998-1999 state fiscal year, the payment under this section for each city, village, and township shall be the sum of the following:

(i) Ninety percent of the total amount available for distribution under subsections (8), (9), and (10) for the 1998-1999 state fiscal year multiplied by the city's, village's, or township's percentage share of the distributions under this section and section 12a minus the amount of a distribution under this section and section 12a to a city that is eligible to receive a distribution under subsection (6) in the 1997-1998 state fiscal year.

(ii) Ten percent of the total amount available for distribution under subsections (8), (9), and (10) for the 1998-1999 state fiscal year multiplied by the percentage share of the distribution amounts calculated under subsections (8), (9), and (10).

(b) For the 1999-2000 state fiscal year, the payment under this section for each city, village, and township shall be the sum of the following:

(i) Eighty percent of the total amount available for distribution under subsections (8), (9), and (10) for the 1999-2000 state fiscal year multiplied by the city's, village's, or township's percentage share of the distributions under this section and section 12a minus the amount of a distribution under this section and section 12a to a city that is eligible to receive a distribution under subsection (6) in the 1997-1998 state fiscal year.

(ii) Twenty percent of the total amount available for distribution under subsections (8), (9), and (10) for the 1999-2000 state fiscal year multiplied by the city's, village's, or township's percentage share of the distribution amounts calculated under subsections (8), (9), and (10).

(c) For the 2000-2001 state fiscal year, the payment under this section for each city, village, and township shall be the sum of the following:

(i) Seventy percent of the total amount available for distribution under subsections (8), (9), and (10) for the 2000-2001 state fiscal year multiplied by the city's, village's, or township's percentage share of the distributions under this section and section 12a minus the amount of a distribution under this section and section 12a to a city that is eligible to receive a distribution under subsection (6) in the 1997-1998 state fiscal year.

(ii) Thirty percent of the total amount available for distribution under subsections (8), (9), and (10) for the 2000-2001 state fiscal year multiplied by the percentage share of the distribution amounts calculated under subsections (8), (9), and (10).

(d) For the 2001-2002 state fiscal year, the payment under this section for each city, village, and township shall be the sum of the following:

(i) Sixty percent of the total amount available for distribution under subsections (8), (9), and (10) for the 2001-2002 state fiscal year multiplied by the city's, village's, or township's percentage share of the distributions under this section and section 12a minus the amount of a distribution under this section and section 12a to a city that is eligible to receive a distribution under subsection (6) in the 1997-1998 state fiscal year.

(ii) Forty percent of the total amount available for distribution under subsections (8), (9), and (10) for the 2001-2002 state fiscal year multiplied by the percentage share of the distribution amounts calculated under subsections (8), (9), and (10).

(e) For the 2002-2003 state fiscal year, the payment under this section for each city, village, and township shall be the sum of the following:

(i) Fifty percent of the total amount available for distribution under subsections (8), (9), and (10) for the 2002-2003 state fiscal year multiplied by the city's, village's, or township's percentage share of the distributions under this section and section 12a minus the amount of a distribution under this section and section 12a to a city that is eligible to receive a distribution under subsection (6) in the 1997-1998 state fiscal year.

(ii) Fifty percent of the total amount available for distribution under subsections (8), (9), and (10) for the 2002-2003 state fiscal year multiplied by the percentage share of the distribution amounts calculated under subsections (8), (9), and (10).

(f) For the 2003-2004 state fiscal year, the payment under this section for each city, village, and township shall be the sum of the following:

(i) Forty percent of the total amount available for distribution under subsections (8), (9), and (10) for the 2003-2004 state fiscal year multiplied by the city's, village's, or township's percentage share of the distributions under this section and section 12a minus the amount of a distribution under this section and section 12a to a city that is eligible to receive a distribution under subsection (6) in the 1997-1998 state fiscal year.

(ii) Sixty percent of the total amount available for distribution under subsections (8), (9), and (10) for the 2003-2004 state fiscal year multiplied by the percentage share of the distribution amounts calculated under subsections (8), (9), and (10).

(g) For the 2004-2005 state fiscal year, the payment under this section for each city, village, and township shall be the sum of the following:

(i) Thirty percent of the total amount available for distribution under subsections (8), (9), and (10) for the 2004-2005 state fiscal year multiplied by the city's, village's, or township's percentage share of the distributions under this section and section 12a minus the amount of a distribution under this section and section 12a to a city that is eligible to receive a distribution under subsection (6) in the 1997-1998 state fiscal year.

(ii) Seventy percent of the total amount available for distribution under subsections (8), (9), and (10) for the 2004-2005 state fiscal year multiplied by the percentage share of the distribution amounts calculated under subsections (8), (9), and (10).

(h) For the 2005-2006 state fiscal year, the payment under this section for each city, village, and township shall be the sum of the following:

(i) Twenty percent of the total amount available for distribution under subsections (8), (9), and (10) for the 2005-2006 state fiscal year multiplied by the city's, village's, or township's percentage share of the distributions under this section and section 12a minus the amount of a distribution under this section and section 12a to a city that is eligible to receive a distribution under subsection (6) in the 1997-1998 state fiscal year.

(ii) Eighty percent of the total amount available for distribution under subsections (8), (9), and (10) for the 2005-2006 state fiscal year multiplied by the percentage share of the distribution amounts calculated under subsections (8), (9), and (10).

(i) For the period of October 1, 2006 through September 30, 2007, the payment under this section for each city, village, and township shall be the sum of the following:

(i) Ten percent of the total amount available for distribution under subsections (8), (9), and (10) for the 2006-2007 state fiscal year multiplied by the city's, village's, or township's percentage share of the distributions under this section and section 12a minus the amount of a distribution under this section and section 12a to a city that is eligible to receive a distribution under subsection (6) in the 1997-1998 state fiscal year.

(ii) Ninety percent of the total amount available for distribution under subsections (8), (9), and (10) for the 2006-2007 state fiscal year multiplied by the percentage share of the distribution amounts calculated under subsections (8), (9), and (10).

(12) Except as otherwise provided in this subsection, the total payment to any city, village, or township under this act and section 10 of article IX of the state constitution of 1963 shall not increase by more than 8% over the amount of the payment under this act and section 10 of article IX of the state constitution of 1963 in the immediately preceding state fiscal year. From the amount not distributed because of the limitation imposed by this subsection, the department shall distribute an amount to certain cities, villages, and townships such that the percentage increase in the total payment under this act and section 10 of article IX of the state constitution of 1963 from the immediately preceding state fiscal year to each of those cities, villages, and townships is equal to, but does not exceed, the percentage increase from the immediately preceding state fiscal year of any city, village, or township that does not receive a distribution under this subsection. This subsection does not apply for state fiscal years after the 2000 federal decennial census becomes official to a city, village, or township with a 10% or more increase in population from the official 1990 federal decennial census to the official 2000 federal decennial census.

(13) The percentage allocations to distributions under subsections (8) to (10) pursuant to subsection (11) shall be calculated as if, in any state fiscal year, the amount appropriated under this section for distribution to cities, villages, and townships is 74.94% of 21.3% of the sales tax at a rate of 4%. If the amount appropriated under this section to

cities, villages, and townships is less than 74.94% of 21.3% of the sales tax at a rate of 4%, any reduction made necessary by this appropriation in distributions to cities, villages, and townships shall first be applied to the distribution under subsections (8) to (10) and any remaining amount shall be applied to the other distributions under this section.

(14) A township that provides for or makes available fire, police on a 24-hour basis either through contracting for or directly employing personnel, water to 50% or more of its residents, and sewer services to 50% or more of its residents and has a population of 10,000 or more or a township that has a population of 20,000 or more shall use the unit type population weight factor under subsection (9)(a) for a city with the same population as the township.

(15) For a state fiscal year in which the sales tax collections decrease from the sales tax collections for the immediately preceding state fiscal year, the department shall reduce the amount to be distributed to a city with a population of 750,000 or more under subsection (6) by an amount determined by subtracting the amount the city is eligible for under section 10 of article IX of the state constitution of 1963 for the state fiscal year from \$333,900,000.00 and multiplying that result by the same percentage as the percentage decrease in sales tax collections for that state fiscal year as compared to sales tax collections for the immediately preceding state fiscal year. This subsection does not apply to the 2002-2003 **and 2003-2004** state fiscal ~~year~~ **years**.

(16) Notwithstanding any other provision of this section for the 1998-1999 state fiscal year, the total combined amount received by each city, village, and township under this section and section 10 of article IX of the state constitution of 1963 shall not be less than the combined amount received under this section, section 12a, and section 10 of article IX of the state constitution of 1963 in the 1997-1998 state fiscal year. The increase, if any, for each city, village, and township from the 1997-1998 state fiscal year, other than a city that receives a distribution under subsection (6), shall be reduced by a uniform percentage to the extent necessary to fund distributions under this subsection.

(17) The payments under subsections (3), (4), and (5) shall be made during each October, December, February, April, June, and August. Payments under subsections (3), (4), and (5) shall be based on collections from the sales tax at the rate of 4% in the 2-month period ending the prior August 31, October 31, December 31, February 28, April 30, and June 30, and for the 1996-1997 and 1997-1998 state fiscal years only, the payments shall be reduced by 1/6 of the total distribution for the state fiscal year under section 12a.

(18) Payments under this section shall be made from revenues collected during the state fiscal year in which the payments are made.

(19) Distributions provided for by this act are subject to an annual appropriation by the legislature.

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

A bill to amend 1971 PA 140, entitled "An act to provide for the distribution of certain state revenues to cities, villages, townships, and counties; to impose certain duties and confer certain powers on this state, political subdivisions of this state, and the officers of both; to create reserve funds; and to establish a revenue sharing task force and provide for its powers and duties," by amending sections 11 and 13 (MCL 141.911 and 141.913), as amended by 2002 PA 679.

Shirley Johnson
Kenneth R. Sikkema
Robert L. Emerson
Conferees for the Senate

Mike Pumford
John Pappageorge
Gretchen Whitmer
Conferees for the House

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

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

The motion prevailed.

The question being on the adoption of the conference report,

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

Roll Call No. 494

Yeas—108

Accavitti	Gaffney	Meisner	Shaffer
Acciavatti	Garfield	Meyer	Sheen
Adamini	Gielegem	Middaugh	Sheltrown
Amos	Gillard	Milosch	Shulman
Anderson	Gleason	Minore	Smith
Bieda	Hager	Moolenaar	Spade

Bisbee	Hardman	Mortimer	Stahl
Bradstreet	Hood	Murphy	Stakoe
Brandenburg	Hoogendyk	Newell	Stallworth
Brown	Hopgood	Nitz	Steil
Byrum	Howell	Nofs	Stewart
Casperson	Huizenga	O'Neil	Tabor
Caswell	Hummel	Paletko	Taub
Caul	Hune	Palmer	Tobocman
Cheeks	Hunter	Palsrok	Vagnozzi
Clack	Jamnack	Pappageorge	Van Regenmorter
Condino	Johnson, Rick	Pastor	Voorhees
Daniels	Johnson, Ruth	Phillips	Walker
Dennis	Julian	Plakas	Ward
DeRoche	Koetje	Pumford	Waters
DeRossett	Kolb	Reeves	Wenke
Drolet	Kooiman	Richardville	Whitmer
Ehardt	LaJoy	Rivet	Williams
Elkins	LaSata	Robertson	Wojno
Emmons	Law	Rocca	Woodward
Farhat	Lipsey	Sak	Woronchak
Farrah	McConico	Shackleton	Zelenko

Nays—0

In The Chair: Julian

Senate Bill No. 270, entitled

A bill to make, supplement, and adjust appropriations for the departments of attorney general, civil rights, civil service, information technology, management and budget, state, and treasury, the executive office, and the legislative branch for the fiscal year ending September 30, 2004; 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, 2003; to prescribe the powers and duties of certain principal executive departments and state agencies, officials, and employees; and to provide for the disposition of fees and other income received by the various principal executive departments and state agencies.

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

The Conference Report was read as follows:

First Conference Report

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

Senate Bill No. 270, entitled

A bill to make, supplement, and adjust appropriations for the departments of attorney general, civil rights, civil service, information technology, management and budget, state, and treasury, the executive office, and the legislative branch for the fiscal year ending September 30, 2004; 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, 2003; 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, amended to read as follows:

A bill to make, supplement, and adjust appropriations for the departments of attorney general, civil rights, civil service, information technology, management and budget, state, and treasury, the executive office, and the legislative branch for the fiscal year ending September 30, 2004; 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; 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 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 departments of attorney general, civil rights, civil service, information technology, management and budget, state, and treasury, the executive office, the legislative branch, and certain other state purposes, for the fiscal year ending September 30, 2004, from the funds indicated in this part. The following is a summary of the appropriations in this part:

TOTAL GENERAL GOVERNMENT

APPROPRIATIONS SUMMARY:

Full-time equated unclassified positions	48.0	
Full-time equated classified positions	6,825.9	
GROSS APPROPRIATION		\$ 2,856,091,300
Interdepartmental grant revenues:		
Total interdepartmental grants and intradepartmental transfers		569,647,200
ADJUSTED GROSS APPROPRIATION		\$ 2,286,444,100
Federal revenues:		
Total federal revenues		60,641,300
Special revenue funds:		
Total local revenues		2,610,800
Total private revenues		550,100
Total other state restricted revenues		1,867,448,600
State general fund/general purpose		\$ 355,193,300

Sec. 102. DEPARTMENT OF ATTORNEY GENERAL

(1) APPROPRIATION SUMMARY

Full-time equated unclassified positions	6.0	
Full-time equated classified positions	562.0	
GROSS APPROPRIATION		\$ 61,462,400
Interdepartmental grant revenues:		
Total interdepartmental grants and intradepartmental transfers		\$ 10,810,600
ADJUSTED GROSS APPROPRIATION		\$ 50,651,800
Federal revenues:		
Total federal revenues		8,971,800
Special revenue funds:		
Total local revenues		0
Total private revenues		0
Total other state restricted revenues		10,670,100
State general fund/general purpose		\$ 31,009,900

(2) ATTORNEY GENERAL OPERATIONS

Full-time equated unclassified positions	6.0	
Full-time equated classified positions	562.0	
Attorney general		\$ 124,900
Unclassified positions—5.0 FTE positions.....		476,300
Attorney general operations—522.0 FTE positions.....		56,075,400
Child support enforcement—25.0 FTE positions.....		2,132,400
Prosecuting attorneys coordinating council—15.0 FTE positions.....		1,503,800
PACC, training project		325,000
GROSS APPROPRIATION		\$ 60,637,800

Appropriated from:

Interdepartmental grant revenues:		
IDG from FIA		2,663,600
IDG from MDCIS, financial and insurance services		122,800
IDG from MDCIS, health services		1,170,400
IDG from MDCIS, public utility assessments		1,678,700

	For Fiscal Year Ending Sept. 30, 2004
IDG from MDMB, risk management revolving fund.....	1,183,000
IDG from MDOT, comprehensive transportation fund	131,500
IDG from MDOT, state aeronautics fund	125,400
IDG from MDOT, state trunkline fund.....	2,566,200
IDG from MDSP, Michigan justice training fund.....	325,000
IDG from Michigan gaming control board.....	844,000
Federal revenues:	
DAG, state administrative match grant/food stamps	978,200
DED-OPSE, student loan, federal lender allowance.....	288,600
DOL-ETA, unemployment insurance	1,372,900
DOL-OSHA, occupational safety and health.....	251,600
EPA, multiple grants	242,600
Federal funds	2,136,600
HHS, medical assistance, medigrant	556,700
HHS-OS, state Medicaid fraud control units	3,144,600
Special revenue funds:	
Antitrust enforcement collections.....	558,300
Auto repair facilities fees.....	195,000
Collections revenue.....	590,900
Corporate fees and security fees	127,600
Environmental response fund.....	657,800
Franchise fees	244,400
Game and fish protection fund.....	640,800
Liquor purchase revolving fund	857,800
Manufactured housing fees	190,200
Michigan state housing development authority fees.....	487,700
Oil and gas privilege fee revenue.....	145,000
Prisoner reimbursement.....	1,101,700
Prosecuting attorneys training fees.....	326,800
Retirement funds.....	621,100
Second injury fund.....	927,200
Self-insurers security fund	155,900
Silicosis and dust disease fund.....	464,300
State building authority revenue	82,000
State hospital authority	319,200
State lottery fund	207,300
State restricted	725,000
Tobacco settlement trust fund	351,800
Utility consumers fund.....	476,600
Waterways fund.	83,600
Worker's compensation administrative revolving fund.....	132,100
State general fund/general purpose	\$ 30,185,300
(3) INFORMATION TECHNOLOGY	
Information technology services and projects	\$ 824,600
GROSS APPROPRIATION.....	\$ 824,600
Appropriated from:	
State general fund/general purpose	\$ 824,600
Sec. 103. DEPARTMENT OF CIVIL RIGHTS	
(1) APPROPRIATION SUMMARY	
Full-time equated unclassified positions.....	5.0
Full-time equated classified positions	137.0
GROSS APPROPRIATION.....	\$ 13,117,200
Interdepartmental grant revenues:	
Total interdepartmental grants and intradepartmental transfers	\$ 0
ADJUSTED GROSS APPROPRIATION	\$ 13,117,200

	For Fiscal Year Ending Sept. 30, 2004
Federal revenues:	
Total federal revenues	934,000
Special revenue funds:	
Total local revenues	0
Total private revenues	0
Total other state restricted revenues	0
State general fund/general purpose	\$ 12,183,200
(2) CIVIL RIGHTS OPERATIONS	
Full-time equated unclassified positions	5.0
Full-time equated classified positions	137.0
Unclassified positions—5.0 FTE positions	\$ 254,100
Civil rights operations—137.0 FTE positions	12,059,100
GROSS APPROPRIATION	<u>\$ 12,313,200</u>
Appropriated from:	
Federal revenues:	
EEOC, state and local antidiscrimination agency contracts	600,000
HUD, grant	334,000
State general fund/general purpose	\$ 11,379,200
(3) INFORMATION TECHNOLOGY	
Information technology services and projects	\$ 804,000
GROSS APPROPRIATION	<u>\$ 804,000</u>
Appropriated from:	
State general fund/general purpose	\$ 804,000
Sec. 104. DEPARTMENT OF CIVIL SERVICE	
(1) APPROPRIATION SUMMARY	
Full-time equated classified positions	211.5
GROSS APPROPRIATION	\$ 31,853,900
Interdepartmental grant revenues:	
Total interdepartmental grants and intradepartmental transfers	\$ 2,300,000
ADJUSTED GROSS APPROPRIATION	\$ 29,553,900
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	14,872,200
State general fund/general purpose	\$ 8,052,600
(2) CIVIL SERVICE OPERATIONS	
Full-time equated classified positions	211.5
Agency services—74.0 FTE positions	\$ 5,549,900
Human resources/administrative support—85.0 FTE positions	15,141,900
Employee benefits—31.0 FTE positions	5,096,200
Audit and compliance—21.5 FTE positions	2,202,200
Training	1,000,000
GROSS APPROPRIATION	<u>\$ 28,990,200</u>
Appropriated from:	
Interdepartmental grant revenues:	
IDG, training charges	1,000,000
IDG, 1% special funds	1,300,000
Federal revenues:	
Federal funds 1%	3,637,100
Special revenue funds:	
Local funds 1%	1,700,000
Private funds 1%	150,000
Freedom of information fees	1,100
State restricted funds 1%	6,287,400

	For Fiscal Year Ending Sept. 30, 2004
State sponsored group insurance	2,650,000
State sponsored group insurance, flexible spending accounts and COBRA	5,096,200
State general fund/general purpose	\$ 7,168,400
(3) INFORMATION TECHNOLOGY	
Information technology services and projects	\$ 2,863,700
GROSS APPROPRIATION	\$ 2,863,700
Appropriated from:	
Federal revenues:	
Federal funds 1%	1,142,000
Special revenue funds:	
State restricted funds 1%	699,600
State sponsored group insurance, flexible spending accounts and COBRA	137,900
State general fund/general purpose	\$ 884,200
Sec. 105. EXECUTIVE OFFICE	
(1) APPROPRIATION SUMMARY	
Full-time equated unclassified positions	10.0
Full-time equated classified positions	74.2
GROSS APPROPRIATION	\$ 4,859,500
Interdepartmental grant revenues:	
Total interdepartmental grants and intradepartmental transfers	\$ 0
ADJUSTED GROSS APPROPRIATION	\$ 4,859,500
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	\$ 4,859,500
(2) EXECUTIVE OFFICE OPERATIONS	
Full-time equated unclassified positions	10.0
Full-time equated classified positions	74.2
Governor	\$ 177,000
Lieutenant governor	123,900
Executive office—74.2 FTE positions	3,708,800
Unclassified positions—8.0 FTE positions	849,800
GROSS APPROPRIATION	\$ 4,859,500
Appropriated from:	
State general fund/general purpose	\$ 4,859,500
Sec. 106. DEPARTMENT OF INFORMATION TECHNOLOGY	
(1) APPROPRIATION SUMMARY	
Full-time equated unclassified positions	6.0
Full-time equated classified positions	1,749.4
GROSS APPROPRIATION	\$ 360,239,300
Interdepartmental grant revenues:	
Total interdepartmental grants and intradepartmental transfers	\$ 360,239,300
ADJUSTED GROSS APPROPRIATION	\$ 0
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	\$ 0
(2) ADMINISTRATION	
Full-time equated unclassified positions	6.0
Full-time equated classified positions	1,749.4

	For Fiscal Year Ending Sept. 30, 2004
Unclassified positions—6.0 FTE positions.....	\$ 300,000
Enterprisewide services—77.0 FTE positions	27,119,500
Health and human services—724.8 FTE positions	197,127,900
Education services—89.7 FTE positions.....	9,785,700
Public protection—296.0 FTE positions.....	30,663,400
Resources services—171.1 FTE positions.....	16,327,300
Transportation services—107.0 FTE positions	26,116,900
General services—283.8 FTE positions	52,798,600
GROSS APPROPRIATION.....	\$ 360,239,300
Appropriated from:	
Interdepartmental grant revenues:	
IDG from department of agriculture.....	1,461,900
IDG from department of attorney general	824,600
IDG from department of career development	6,492,700
IDG from department of civil rights	804,000
IDG from department of civil service	2,863,700
IDG from department of community health	30,616,000
IDG from department of consumer and industry services	15,158,000
IDG from MDCIS, unemployment agency	10,321,700
IDG from department of corrections	12,321,200
IDG from department of education	2,514,100
IDG from department of environmental quality	6,567,500
IDG from family independence agency.....	144,348,800
IDG from Michigan gaming control board.....	762,600
IDG from department of history, arts, and libraries	1,036,600
IDG from bureau of state lottery.....	3,363,100
IDG from department of management and budget.....	25,897,600
IDG from department of military and veterans affairs	1,170,300
IDG from department of natural resources	8,866,700
IDG from department of state	24,071,600
IDG from department of state police.....	18,591,800
IDG from department of transportation.....	26,135,800
IDG from department of treasury.....	16,049,000
State general fund/general purpose	\$ 0
Sec. 107. LEGISLATURE	
(1) APPROPRIATION SUMMARY	
GROSS APPROPRIATION.....	\$ 119,880,400
Interdepartmental grant revenues:	
Total interdepartmental grants and intradepartmental transfers	\$ 1,662,900
ADJUSTED GROSS APPROPRIATION	\$ 118,217,500
Federal revenues:	
Total federal revenues	0
Special revenue funds:	
Total local revenues	0
Total private revenues	400,000
Total other state restricted revenues	2,495,100
State general fund/general purpose	\$ 115,322,400
(2) LEGISLATURE	
Senate	\$ 27,452,700
Senate automated data processing.....	2,466,700
Senate fiscal agency.....	2,945,900
House of representatives	42,421,900
House automated data processing.....	1,890,600
House fiscal agency	2,774,500
Legislative auditor general.....	14,472,900
GROSS APPROPRIATION.....	\$ 94,425,200

For Fiscal Year
Ending Sept. 30,
2004

Appropriated from:	
Interdepartmental grant revenues:	
IDG from MDCIS, liquor purchase revolving fund.....	51,600
IDG from MDCS	95,100
IDG from MDOT, comprehensive transportation fund	47,400
IDG from MDOT, Michigan transportation fund.....	181,100
IDG from MDOT, state aeronautics fund	16,600
IDG from MDOT, state trunkline fund.....	371,100
IDG, single audit act.....	900,000
Special revenue funds:	
Construction lien fund.....	12,400
Contract audit administration fees.....	52,700
Correctional industries revolving fund.....	29,600
Game and fish protection fund.....	21,400
Marine safety fund.....	1,900
Michigan economic development corporation	47,500
Michigan education trust fund.....	34,000
Michigan state fair revolving fund.....	33,000
Michigan state housing development authority fees	44,100
Michigan strategic fund	40,000
Michigan veterans trust fund.....	22,600
Motor transport revolving fund	32,500
Office services revolving fund	29,300
State services fee fund	978,700
Waterways fund	5,600
State general fund/general purpose	\$ 91,377,000
(3) LEGISLATIVE COUNCIL	
Legislative council.....	\$ 9,546,200
Legislative service bureau automated data processing	1,342,200
e-Law, legislative council technology enhancement project.....	500
Worker's compensation	135,900
National association dues	100,000
GROSS APPROPRIATION.....	\$ 11,124,800
Appropriated from:	
Special revenue funds:	
Private - gifts and bequests revenues	400,000
State general fund/general purpose	\$ 10,724,800
(4) LEGISLATIVE RETIREMENT SYSTEM	
General nonretirement expenses.....	\$ 4,057,000
GROSS APPROPRIATION.....	\$ 4,057,000
Appropriated from:	
Special revenue funds:	
Court fees	1,109,800
State general fund/general purpose	\$ 2,947,200
(5) PROPERTY MANAGEMENT	
Capitol building	\$ 2,160,000
Cora Anderson building	7,340,300
Farnum building and other properties	773,100
GROSS APPROPRIATION.....	\$ 10,273,400
Appropriated from:	
State general fund/general purpose	\$ 10,273,400
Sec. 108. DEPARTMENT OF MANAGEMENT AND BUDGET	
(1) APPROPRIATION SUMMARY	
Full-time equated unclassified positions	6.0
Full-time equated classified positions	716.0
GROSS APPROPRIATION.....	\$ 230,187,800

	For Fiscal Year Ending Sept. 30, 2004
Interdepartmental grant revenues:	
Total interdepartmental grants and intradepartmental transfers	\$ 162,216,800
ADJUSTED GROSS APPROPRIATION	\$ 67,971,000
Federal revenues:	
Total federal revenues	440,800
Special revenue funds:	
Total local revenues	0
Total private revenues	0
Total other state restricted revenues	31,201,300
State general fund/general purpose	\$ 36,328,900
(2) MANAGEMENT AND BUDGET SERVICES	
Full-time equated unclassified positions	6.0
Full-time equated classified positions	574.5
Unclassified positions—6.0 FTE positions	\$ 570,800
Executive operations—17.0 FTE positions	1,615,100
Administrative services—66.5 FTE positions	5,738,600
Budget and financial management—111.5 FTE positions	9,018,500
Office of the state employer—25.0 FTE positions	2,498,600
Design and construction services—40.0 FTE positions	4,491,200
Business support services—84.5 FTE positions	6,780,000
Building operation services—230.0 FTE positions	92,242,500
Building occupancy charges, rent, and utilities	4,304,900
Motor vehicle fleet.....	58,500,000
GROSS APPROPRIATION.....	\$ 185,760,200
Appropriated from:	
Interdepartmental grant revenues:	
IDG from MDOT, state aeronautics fund	38,300
IDG from MDOT, comprehensive transportation fund	63,700
IDG from MDOT, state trunkline fund.....	1,386,500
IDG from building occupancy and parking charges	94,958,700
IDG from department of career development	100,000
IDG from motor transport fund	58,500,000
IDG from MDCH.....	235,000
IDG from user fees	4,636,400
Federal revenues:	
Federal funds	413,200
Special revenue funds:	
Game and fish protection fund	310,700
Health management funds	1,462,700
Marine safety fund	29,900
Pension trust funds.....	1,299,000
Special revenue, internal service, and pension trust funds	4,775,500
State building authority revenue	511,200
State lottery fund	139,600
Waterways fund	67,500
State general fund/general purpose	\$ 16,832,300
(3) STATEWIDE APPROPRIATIONS	
Professional development fund - MPES	\$ 105,000
Professional development fund - UAW	900,000
Professional development fund - AFSCME.....	400,000
GROSS APPROPRIATION.....	\$ 1,405,000
Appropriated from:	
Interdepartmental grant revenues:	
IDG from employer contributions	1,405,000
State general fund/general purpose	\$ 0

For Fiscal Year
Ending Sept. 30,
2004

(4) SPECIAL PROGRAMS

Full-time equated classified positions	141.5	
Building occupancy charges-property management services for executive/legislative building occupancy		\$ 1,875,100
Retirement services—127.5 FTE positions.....		14,034,800
Office of children’s ombudsman—14.0 FTE positions.....		1,215,100
GROSS APPROPRIATION.....		\$ 17,125,000
Appropriated from:		
Special revenue funds:		
Deferred compensation		1,380,800
Pension trust funds.....		12,654,000
State general fund/general purpose		\$ 3,090,200
(5) INFORMATION TECHNOLOGY		
Information technology services and projects		\$ 25,897,600
GROSS APPROPRIATION.....		\$ 25,897,600

Appropriated from:

Interdepartmental grant revenues:

IDG from MDOT, state aeronautics fund		1,100
IDG from MDOT, comprehensive transportation fund		2,100
IDG from MDOT, state trunkline fund.....		47,500
IDG from building occupancy and parking charges		655,700
IDG from user fees		186,800
Federal revenues:		
Federal funds		27,600
Special revenue funds:		
Game and fish protection fund.....		9,800
Health management funds.....		41,700
Marine safety fund.....		900
MAIN user charges		4,042,200
Pension trust funds.....		2,052,300
Special revenue, internal service, and pension trust funds		2,404,600
State building authority revenue		9,700
State lottery fund		4,600
Waterways fund		2,000
Deferred compensation		2,600
State general fund/general purpose		\$ 16,406,400

Sec. 109. DEPARTMENT OF STATE

(1) APPROPRIATION SUMMARY

Full-time equated unclassified positions	6.0	
Full-time equated classified positions	1,849.8	
GROSS APPROPRIATION.....		\$ 181,121,500
Interdepartmental grant revenues:		
Total interdepartmental grants and intradepartmental transfers		\$ 20,000,000
ADJUSTED GROSS APPROPRIATION		\$ 161,121,500
Federal revenues:		
Total federal revenues		1,319,500
Special revenue funds:		
Total local revenues		0
Total private revenues		100
Total other state restricted revenues		143,070,200
State general fund/general purpose		\$ 16,731,700

(2) EXECUTIVE DIRECTION

Full-time equated unclassified positions	6.0	
Full-time equated classified positions	28.2	
Secretary of state		\$ 124,900
Unclassified positions—5.0 FTE positions.....		464,200

	For Fiscal Year Ending Sept. 30, 2004
Operations—28.2 FTE positions	2,093,300
GROSS APPROPRIATION	\$ 2,682,400
Appropriated from:	
Special revenue funds:	
Auto repair facilities fees	50,700
Driver fees	98,300
Expedient service fees	43,400
Look-up fees	558,400
Parking ticket court fines	6,900
Personal identification card fees	10,200
Reinstatement fees - operator licenses	110,000
Transportation administration collection fund	1,185,600
Vehicle theft prevention fees	29,800
State general fund/general purpose	\$ 589,100
(3) DEPARTMENT SERVICES	
Full-time equated classified positions	151.0
Operations—144.5 FTE positions	\$ 18,989,500
Assigned claims assessments—6.5 FTE positions	644,200
GROSS APPROPRIATION	\$ 19,633,700
Appropriated from:	
Federal revenues:	
Federal funds	50,300
Special revenue funds:	
Assigned claims assessments	644,200
Auto repair facilities fees	375,100
Child support clearance fees	31,000
Driver fees	506,200
Expedient service fees	224,300
Look-up fees	6,149,000
Marine safety fund	67,400
Off-road vehicle title fees	6,900
Parking ticket court fines	47,500
Personal identification card fees	75,000
Reinstatement fees - operator licenses	419,000
Scrap tire fund	61,900
Snowmobile registration fee revenue	15,900
Transportation administration collection fund	10,740,100
Vehicle theft prevention fees	219,900
State general fund/general purpose	\$ 0
(4) REGULATORY SERVICES	
Full-time equated classified positions	252.1
Operations—148.4 FTE positions	\$ 11,851,000
Auto regulations—101.7 FTE positions	7,332,900
Motorcycle safety education grants	875,800
Motorcycle safety education administration—2.0 FTE positions	324,200
GROSS APPROPRIATION	\$ 20,383,900
Appropriated from:	
Federal revenues:	
Federal funds	85,900
Special revenue funds:	
Auto repair facilities fees	3,892,700
Commercial driver training school fees	59,100
Driver fees	865,800
Expedient service fees	27,900
Look-up fees	3,845,300
Motorcycle safety fund	1,200,000

	For Fiscal Year Ending Sept. 30, 2004
Parking ticket court fines	7,600
Personal identification card fees	39,900
Reinstatement fees - operator licenses	1,463,700
Transportation administration collection fund	7,567,700
Vehicle theft prevention fees	1,324,900
State general fund/general purpose	\$ 3,400
(5) CUSTOMER DELIVERY SERVICES	
Full-time equated classified positions	1,390.0
Customer services administration—149.7 FTE positions	\$ 15,433,300
Branch operations—962.4 FTE positions	63,797,300
Central records—261.7 FTE positions	15,590,300
Commemorative license plates—16.2 FTE positions	2,147,300
Specialty license plates	1,922,000
Olympic center plate	75,700
Organ donor program	104,100
GROSS APPROPRIATION	\$ 99,070,000
Appropriated from:	
Interdepartmental grant revenues:	
IDG from MDOT, Michigan transportation fund	20,000,000
Federal revenues:	
Federal funds	1,183,300
Special revenue funds:	
Private funds	100
Auto repair facilities fees	79,400
Child support clearance fees	340,300
Driver fees	11,349,700
Expedient service fees	2,500,300
Look-up fees	16,881,400
Marine safety fund	980,800
Michigan state police auto theft fund	100,000
Mobile home commission fees	407,100
Olympic center training fund	75,700
Off-road vehicle title fees	104,900
Parking ticket court fines	1,393,100
Personal identification card fees	1,312,700
Reinstatement fees - operator licenses	1,027,000
Snowmobile registration fee revenue	287,300
Transportation administration collection fund	36,517,700
Vehicle theft prevention fees	180,600
State general fund/general purpose	\$ 4,348,600
(6) ELECTION REGULATION	
Full-time equated classified positions	28.5
Election administration and services—25.5 FTE positions	\$ 2,640,100
Fees to local units	69,800
Qualified voter file—3.0 FTE positions	1,334,300
GROSS APPROPRIATION	\$ 4,044,200
Appropriated from:	
State general fund/general purpose	\$ 4,044,200
(7) DEPARTMENTWIDE APPROPRIATIONS	
Building occupancy charges/rent	\$ 10,486,700
Worker's compensation	749,000
GROSS APPROPRIATION	\$ 11,235,700
Appropriated from:	
Special revenue funds:	
Auto repair facilities fees	162,100
Driver fees	498,700

	For Fiscal Year Ending Sept. 30, 2004
Expedient service fees.....	16,400
Look-up fees.....	2,159,400
Parking ticket court fines.....	537,700
Transportation administration collection fund.....	4,895,300
State general fund/general purpose.....	\$ 2,966,100
(8) INFORMATION TECHNOLOGY	
Information technology services and projects.....	\$ 24,071,600
GROSS APPROPRIATION.....	\$ 24,071,600
Appropriated from:	
Special revenue funds:	
Administrative order processing fee.....	10,500
Auto repair facilities fees.....	170,500
Child support clearance fees.....	15,400
Driver fees.....	629,900
Expedient service fees.....	462,800
Look-up fees.....	2,646,600
Parking ticket court fines.....	78,700
Personal identification card fees.....	826,100
Reinstatement fees - operator licenses.....	442,400
Transportation administration collection fund.....	13,845,900
Vehicle theft prevention fees.....	162,500
State general fund/general purpose.....	\$ 4,780,300
Sec. 110. DEPARTMENT OF TREASURY	
(1) APPROPRIATION SUMMARY	
Full-time equated unclassified positions.....	9.0
Full-time equated classified positions.....	1,526.0
GROSS APPROPRIATION.....	\$ 1,853,369,300
Interdepartmental grant revenues:	
Total interdepartmental grants and intradepartmental transfers.....	\$ 12,417,600
ADJUSTED GROSS APPROPRIATION.....	\$ 1,840,951,700
Federal revenues:	
Total federal revenues.....	44,196,100
Special revenue funds:	
Total local revenues.....	910,800
Total private revenues.....	0
Total other state restricted revenues.....	1,665,139,700
State general fund/general purpose.....	\$ 130,705,100
(2) EXECUTIVE DIRECTION	
Full-time equated unclassified positions.....	9.0
Full-time equated classified positions.....	4.0
Unclassified positions—9.0 FTE positions.....	\$ 800,900
Office of the director—4.0 FTE positions.....	543,400
GROSS APPROPRIATION.....	\$ 1,344,300
Appropriated from:	
Special revenue funds:	
State lottery fund.....	139,500
State services fee fund.....	150,800
State general fund/general purpose.....	\$ 1,054,000
(3) DEPARTMENTWIDE APPROPRIATIONS	
Travel.....	\$ 1,715,900
Rent and building occupancy charges-property management services.....	6,092,300
Worker's compensation insurance premium.....	557,000
GROSS APPROPRIATION.....	\$ 8,365,200
Appropriated from:	
Interdepartmental grant revenues:	
IDG from MDOT, state aeronautics fund.....	2,500

	For Fiscal Year Ending Sept. 30, 2004
IDG, state agency collection fees.....	16,900
Special revenue funds:	
Delinquent tax collection revenue.....	3,828,600
Municipal finance fees.....	10,600
Treasury fees.....	17,800
Waterways fund.....	2,200
State general fund/general purpose.....	\$ 4,486,600
(4) LOCAL GOVERNMENT PROGRAMS	
Full-time equated classified positions.....70.0	
Supervision of the general property tax law—51.0 FTE positions.....	\$ 8,228,000
Property tax assessor training—4.0 FTE positions.....	360,600
Local finance—15.0 FTE positions.....	1,541,800
State compliance audits.....	60,000
Pari-mutuel audits.....	240,000
GROSS APPROPRIATION.....	\$ 10,430,400
Appropriated from:	
Special revenue funds:	
Local - assessor training fees.....	360,600
Local - audit charges.....	457,200
Local - equalization study charge-backs.....	40,000
Local - revenue from local government.....	50,000
Land reutilization fund.....	3,985,700
Municipal finance fees.....	236,500
State services fee fund.....	240,000
State general fund/general purpose.....	\$ 5,060,400
(5) TAX PROGRAMS	
Full-time equated classified positions.....663.0	
Customer contact—180.0 FTE positions.....	\$ 13,770,100
Tax compliance—290.0 FTE positions.....	21,879,600
Tax policy—35.0 FTE positions.....	3,234,900
Tax processing—154.0 FTE positions.....	10,332,200
Home heating assistance.....	1,600,000
Bottle bill implementation.....	250,000
New hire reporting.....	1,545,000
Tobacco tax collection—4.0 FTE positions.....	210,600
GROSS APPROPRIATION.....	\$ 52,822,400
Appropriated from:	
Interdepartmental grant revenues:	
IDG from MDOT, Michigan transportation fund.....	6,364,000
IDG from MDOT, state aeronautics fund.....	43,100
IDG from FIA.....	1,545,000
IDG from MDCH.....	210,600
IDG, data/collection services fees.....	250,900
Federal revenues:	
HHS-SSA, low-income energy assistance.....	1,600,000
Special revenue funds:	
Bottle deposit fund.....	250,000
Delinquent tax collection revenue.....	38,132,400
Tobacco tax revenue.....	328,500
Waterways fund.....	56,200
State general fund/general purpose.....	\$ 4,041,700
(6) BANKING AND MANAGEMENT SERVICES	
Full-time equated classified positions.....295.0	
Human resources, program management, purchasing—32.0 FTE positions.....	\$ 2,826,400
Internal audit—5.5 FTE positions.....	406,900
Mail operations—20.0 FTE positions.....	1,496,800

	For Fiscal Year Ending Sept. 30, 2004
Office of revenue and tax analysis—15.5 FTE positions.....	1,111,700
Unclaimed property—19.0 FTE positions	2,972,500
Collections—131.0 FTE positions.....	11,787,200
Finance and accounting—32.0 FTE positions	1,235,000
Receipts processing—40.0 FTE positions	2,324,600
GROSS APPROPRIATION	\$ 24,161,100
Appropriated from:	
Interdepartmental grant revenues:	
IDG from MDOT, state aeronautics fund	16,900
IDG, receipt, warrant and cash processing fees.....	722,300
IDG, levy/warrant cost assessment fees	1,810,800
IDG, state agency collection fees.....	450,100
IDG from FIA, title IV-D.....	501,100
Special revenue funds:	
Delinquent tax collection revenue	10,089,100
Escheats revenue	2,972,500
Garnishment fees	419,800
Treasury fees.....	162,100
Waterways fund	18,100
State general fund/general purpose	\$ 6,998,300
(7) FINANCIAL PROGRAMS	
Full-time equated classified positions	226.0
Retirement investments—72.0 FTE positions.....	\$ 11,671,700
Michigan merit award board/MEAP administration—24.0 FTE positions.....	3,249,000
MEAP testing contracts	25,578,300
Michigan education savings program.....	1,000,000
Common cash investments and debt management—11.5 FTE positions.....	1,018,600
Student financial assistance programs—118.5 FTE positions.....	33,323,400
GROSS APPROPRIATION	\$ 75,841,000
Appropriated from:	
Interdepartmental grant revenues:	
IDG, fiscal agent service fees	147,400
Federal revenues:	
DED-OPSE, federal lenders allowance	9,509,700
DED-OPSE, grants for federal assessments	10,698,800
DED-OPSE, higher education act of 1965, insured loans.....	21,887,600
Special revenue funds:	
College work-study	46,300
Michigan merit award trust fund.....	19,497,600
Retirement funds.....	11,671,700
School bond fees.....	401,600
Treasury fees.....	230,900
State general fund/general purpose	\$ 1,749,400
(8) DEBT SERVICE	
Water pollution control bond and interest redemption.....	\$ 2,750,400
Quality of life bond	37,500,000
Clean Michigan initiative.....	33,036,000
GROSS APPROPRIATION	\$ 73,286,400
Appropriated from:	
Special revenue funds:	
Recreation bond resources	878,000
State general fund/general purpose	\$ 72,408,400
(9) GRANTS	
Grants to counties in lieu of taxes.....	\$ 10,000
Convention facility development distribution.....	48,000,000
Senior citizen cooperative housing tax exemption program	15,500,000

	For Fiscal Year Ending Sept. 30, 2004
Commercial mobile radio service payments.....	26,500,000
Health and safety fund grants.....	23,500,000
City of Benton Harbor - enterprise zone	42,700
Qualified agricultural loan payments	5,200,000
Renaissance zone reimbursement.....	1,640,000
Grants to local government for activity under MCL 211.22a	7,000,000
GROSS APPROPRIATION.....	\$ 127,392,700
Appropriated from:	
Special revenue funds:	
Commercial mobile radio service fees	26,500,000
Convention facility development fund	48,000,000
Health and safety fund	23,500,000
State general fund/general purpose	\$ 29,392,700
(10) STATE LOTTERY	
Full-time equated classified positions	166.0
Lottery operations—166.0 FTE positions.....	\$ 16,512,500
Promotion and advertising	18,622,000
Lottery information technology services and projects	3,363,100
GROSS APPROPRIATION.....	\$ 38,497,600
Appropriated from:	
Special revenue funds:	
State lottery fund	38,497,600
State general fund/general purpose	\$ 0
(11) CASINO GAMING	
Full-time equated classified positions	102.0
Michigan gaming control board	\$ 50,000
Casino gaming control administration—102.0 FTE positions	16,516,600
Information technology services and projects	762,600
GROSS APPROPRIATION.....	\$ 17,329,200
Appropriated from:	
Casino gambling agreements.....	383,500
State services fee fund	16,945,700
State general fund/general purpose	\$ 0
(12) REVENUE SHARING	
Constitutional state general revenue sharing grants.....	\$ 683,050,000
Statutory state general revenue sharing grants	724,800,000
GROSS APPROPRIATION.....	\$ 1,407,850,000
Appropriated from:	
Special revenue funds:	
Sales tax.....	1,407,850,000
State general fund/general purpose	\$ 0
(13) INFORMATION TECHNOLOGY	
Information technology services and projects	\$ 16,049,000
GROSS APPROPRIATION.....	\$ 16,049,000
Appropriated from:	
Interdepartmental grant revenues:	
IDG from MDOT, Michigan transportation fund.....	336,000
Federal revenues:	
DED-OPSE, higher education act of 1965, insured loans.....	500,000
Special revenue funds:	
Local - assessor training fees	3,000
Delinquent tax collection revenue	8,667,400
Land reutilization fund.....	20,000
Michigan merit award trust fund.....	393,000
Retirement funds.....	616,000
State general fund/general purpose	\$ 5,513,600

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 resources under part 1 for fiscal year 2003-2004 is \$2,222,641,900.00 and state spending from state resources to be paid to local units of government for fiscal year 2003-2004 is \$1,517,367,300.00. The itemized statement below identifies appropriations from which spending to units of local government will occur:

DEPARTMENT OF STATE

Table with 2 columns: Item description and Amount. Items include Fees to local units (\$69,800), Motorcycle safety education grants (\$875,800), and Subtotal (\$945,600).

DEPARTMENT OF TREASURY

Table with 2 columns: Item description and Amount. Items include Senior citizen cooperative housing tax exemption (\$15,500,000), Grants to counties in lieu of taxes (\$10,000), Health and safety fund grants (\$23,500,000), City of Benton Harbor enterprise zone (\$42,700), Constitutional state general revenue sharing grants (\$683,050,000), Statutory state general revenue sharing grants (\$724,800,000), Convention facility development fund distribution (\$48,000,000), Commercial mobile radio service payments (\$12,879,000), Grants to local government for activity under MCL 211.22a (\$7,000,000), Renaissance zone reimbursements (\$1,640,000), and Subtotal (\$1,516,421,700). Total General Government is \$1,517,367,300.

(2) Pursuant to section 30 of article IX of the state constitution of 1963, total state spending from state sources for fiscal year 2003-2004 is estimated at \$25,466,171,400.00 in the 2003-2004 appropriations acts and total state spending from state sources paid to local units of government for fiscal year 2003-2004 is estimated at \$16,096,726,058.00. The state-local proportion is estimated at 63.21% of total state spending from state resources.

(3) If payments to local units of government and state spending from state sources for fiscal year 2003-2004 are different than the amounts estimated in subsection (2), 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 2003-2004 to the senate and house of representatives standing committees on appropriations within 30 days after the final bookclosing for fiscal year 2003-2004.

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

Sec. 203. As used in this act:

- (a) "AFSCME" means American federation of state, county, and municipal employees.
(b) "COBRA" means the consolidated omnibus budget reconciliation act of 1985, Public Law 99-272, 100 Stat. 82.
(c) "CPI" means consumer price index.
(d) "DAG" means the United States department of agriculture.
(e) "DED-OESE" means the United States department of education, office of elementary and secondary education.
(f) "DED-OPSE" means the United States department of education, office of postsecondary education.
(g) "DOL-ETA" means the United States department of labor, employment and training administration.
(h) "DOL-OSHA" means the United States department of labor, occupational safety and health administration.
(i) "EEOC" means the United States equal employment opportunity commission.
(j) "EPA" means the United States environmental protection agency.
(k) "FIA" means the Michigan family independence agency.
(l) "FTE" means full-time equated.
(m) "GF/GP" means general fund/general purpose.
(n) "HHS" means the United States department of health and human services.
(o) "HHS-OS" means the HHS office of the secretary.
(p) "HHS-SSA" means the HHS social security administration.
(q) "HUD" means the United States department of housing and urban development.
(r) "IDG" means interdepartmental grant.
(s) "MAIN" means the Michigan administrative information network.
(t) "MCL" means the Michigan Compiled Laws.
(u) "MDA" means the Michigan department of agriculture.
(v) "MDCH" means the Michigan department of community health.
(w) "MDCIS" means the Michigan department of consumer and industry services.

- (x) "MDCS" means the Michigan department of civil service.
- (y) "MDMB" means the Michigan department of management and budget.
- (z) "MDOT" means the Michigan department of transportation.
- (aa) "MDSP" means the Michigan department of state police.
- (bb) "MEAP" means the Michigan educational assessment program.
- (cc) "MESA" means the Michigan employment security agency.
- (dd) "MPES" means the Michigan professional employees society.
- (ee) "PA" means public act.
- (ff) "PACC" means the prosecuting attorneys coordinating council.
- (gg) "UAW" means the united auto workers.

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

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

(2) The attorney general and secretary of state may grant exceptions to the hiring freeze for their respective departments pursuant to the same criteria that the state budget director is able to grant exceptions under this subsection. 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, cause loss of revenue to the state, result in the inability of the state to receive federal funds, or necessitate additional expenditures that exceed any savings from maintaining a vacancy. The state budget director shall report quarterly to the chairpersons of the senate and house of representatives standing committees on appropriations the number of exceptions to the hiring freeze approved during the previous quarter and the reasons to justify the exception.

Sec. 207. At least 60 days before beginning any effort to privatize, the departments and agencies receiving appropriations in part 1 shall submit a complete project plan to the senate and house of representatives standing committees on appropriations subcommittees on general government and the senate and house 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 senate and house of representatives standing committees on appropriations subcommittees on general government and the senate and house fiscal agencies within 30 months.

Sec. 208. Unless otherwise specified, departments and agencies receiving appropriations in part 1 shall use the Internet to fulfill the reporting requirements of this act. This requirement may include transmission of reports via electronic mail to the recipients identified for each reporting requirement, or it may include placement of reports on an Internet or Intranet site.

Sec. 209. Funds appropriated in part 1 shall not be used for the purchase of foreign goods or services, or both, if competitively priced and of comparable quality American goods or services, or both, are available.

Sec. 210. The director of each department receiving appropriations in part 1 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. Each director shall strongly encourage firms with which the department contracts to subcontract with certified businesses in depressed and deprived communities for services, supplies, or both.

Sec. 211. Pursuant to section 352 of the management and budget act, 1984 PA 431, MCL 18.1352, that provides for a transfer of state general funds into the countercyclical budget and economic stabilization fund, there is appropriated into the countercyclical budget and economic stabilization fund the sum of \$0.00. The calculation required by section 352 of the management and budget act, 1984 PA 431, MCL 18.1352, is determined as follows:

	2002	2003
Michigan personal income (millions).....	\$304,491	\$313,930
less: transfer payments.....	47,031	48,865
Subtotal	<u>257,460</u>	<u>265,065</u>
Divided by: Detroit CPI for 12 months		
Ending June 30 (1982=1.00)	1.729	1.781
Equals: real adjusted Michigan personal income	\$148,907	\$148,840
Percentage change		0.0%
Percentage change in excess of 2%		0.0%
Multiplied by: estimated GF/GP revenue in FY 2002-2003 (millions)..		8,083.8
Equals: countercyclical budget and economic stabilization fund calculation for the fiscal year ending September 30, 2004.....		\$0.00

Sec. 212. The departments and agencies receiving appropriations in part 1 shall receive and retain copies of all reports funded from appropriations in part 1. Federal and state guidelines for short-term and long-term retention of records shall be followed.

Sec. 213. Funds appropriated in part 1 shall not be used by this state, a department, an agency, or an authority of this state to purchase an ownership interest in a casino enterprise or a gambling operation as those terms are defined in the Michigan gaming control and revenue act, the Initiated Law of 1996, MCL 432.201 to 432.226.

Sec. 214. From the funds appropriated in part 1 for information technology, departments and agencies shall pay user fees to the department of information technology for technology-related services and projects. Such user fees shall be subject to provisions of an interagency agreement between the departments and agencies and the department of information technology.

Sec. 215. A department or state agency shall not take disciplinary action against an employee for communicating with a member of the legislature or their staff.

Sec. 216. None of the funds appropriated in part 1 of this act shall be used to fund the cost of a 2004 presidential primary.

DEPARTMENT OF ATTORNEY GENERAL

Sec. 301. (1) The attorney general shall perform all legal services, including representation before courts and administrative agencies rendering legal opinions and providing legal advice to a principal executive department or state agency. A principal executive department or state agency shall not employ or enter into a contract with any other person for services described in this section.

(2) The attorney general shall defend judges of all state courts if a claim is made or a civil action is commenced for injuries to persons or property caused by the judge through the performance of the judge's duties while acting within the scope of his or her authority as a judge.

(3) The attorney general shall perform the duties specified in 1846 RS 12, MCL 14.28 to 14.35, and 1919 PA 232, MCL 14.101 to 14.102, and as otherwise provided by law.

Sec. 302. The attorney general may sell copies of the biennial report in excess of the 350 copies that the attorney general may distribute on a gratis basis. Gratis copies shall not be provided to members of the legislature. Electronic copies of biennial reports shall be made available on the department of attorney general's website. The attorney general shall sell copies of the report at not less than the actual cost of the report and shall deposit the money received into the general fund.

Sec. 303. The department of attorney general is responsible for the legal representation for state of Michigan state employee worker's disability compensation cases. The risk management revolving fund revenue appropriation in part 1 is to be satisfied by billings from the department of attorney general for the actual costs of legal representation, including salaries and support costs.

Sec. 304. In addition to the funds appropriated in part 1, not more than \$400,000.00 shall be reimbursed per fiscal year for food stamp fraud cases heard by the third circuit court of Wayne County that were initiated by the department of attorney general pursuant to the existing contract between the family independence agency, the prosecuting attorneys association of Michigan, and the department of attorney general. The source of this funding is money earned by the department of attorney general under the agreement after the allowance for reimbursement to the department of attorney general for costs associated with the prosecution of food stamp fraud cases. It is recognized that the federal funds are earned by the department of attorney general for its documented progress on the prosecution of food stamp fraud cases according to the United States department of agriculture regulations and that once earned by this state, the funds become state funds.

Sec. 305. Any proceeds from a lawsuit initiated by or settlement agreement entered into on behalf of this state against a manufacturer of tobacco products by the attorney general are state funds and are subject to appropriation as provided by law.

Sec. 306. Any unobligated antitrust enforcement revenue, not to exceed \$250,000.00, may be carried forward and is available for appropriation in the succeeding fiscal year.

Sec. 307. (1) In addition to the funds appropriated in part 1, there is appropriated up to \$500,000.00 from litigation expense reimbursements awarded to the state.

(2) The funds may be expended for the payment of attorney fees assessed against the governor or the attorney general when acting in an official capacity as the named party in litigation against the state. The funds may also be expended for the payment of state costs incurred under section 16 of chapter X of the code of criminal procedure, 1927 PA 175, MCL 770.16.

(3) Unexpended funds at the end of the fiscal year are carried forward for expenditure in the following year, up to a maximum authorization of \$500,000.00.

Sec. 308. From the prisoner reimbursement funds appropriated in part 1, the department may spend up to \$301,700.00 on activities related to the state correctional facilities reimbursement act, 1935 PA 253, MCL 800.401 to 800.406. If the department collects in excess of \$1,131,000.00 in prisoner reimbursements, the excess, up to a maximum of \$800,000.00, may be spent on defense of litigation against the state, its departments, or employees in civil actions filed by prisoners.

Sec. 309. (1) For the purposes of providing title IV-D child support enforcement funding, the family independence agency, as the state IV-D agency, shall within 30 days after this act is enacted enter into a cooperative agreement with the attorney general for federal IV-D funding to support the child support enforcement activities within the office of the attorney general.

(2) The attorney general or his or her designee shall, to the extent allowable under federal law, have access to any information used by the state to locate parents who fail to pay court ordered child support.

DEPARTMENT OF CIVIL RIGHTS

Sec. 401. (1) In addition to the appropriations contained in part 1, the department of civil rights may receive and expend funds from local or private sources for all of the following purposes:

- (a) Developing and presenting training for employers on equal employment opportunity law and procedures.
- (b) The publication and sale of civil rights related informational material.
- (c) The provision of copy material made available under freedom of information requests.
- (d) Other copy fees, subpoena fees, and witness fees.
- (e) Developing, presenting, and participating in mediation processes for certain civil rights cases.
- (f) Workshops, seminars, and recognition or award programs consistent with the programmatic mission of the individual unit sponsoring or coordinating the programs.

(2) The department of civil rights shall annually report to the state budget director, the senate and house of representatives standing committees on appropriations, and the senate and house fiscal agencies the amount of funds received and expended for purposes authorized under this section.

Sec. 402. The department of civil rights may contract with local units of government to review equal employment opportunity compliance of potential contractors and may charge for and expend amounts received from local units of government for the purpose of developing and providing these contractual services.

DEPARTMENT OF CIVIL SERVICE

Sec. 501. (1) All restricted funds shall be assessed a sum not less than 1% of the total aggregate payroll paid from those funds for financing the department of civil service on the basis of actual 1% restricted sources total aggregate payroll of the classified service for fiscal year 2003 in accordance with section 5 of article XI of the state constitution of 1963. This includes, but is not limited to, restricted funds appropriated in part 1 of any appropriations bill. Unexpended 1% appropriated funds shall be returned to each 1% fund source at the end of the fiscal year.

(2) The 1% financing from restricted sources shall be credited to the department of civil service by the end of the second fiscal quarter.

Sec. 502. Except where specifically appropriated for this purpose, 1% of the financing from restricted sources shall be credited to the department of civil service. For restricted sources of funding within the general fund that have the legislative authority for carryover, if current spending authorization or revenues are insufficient to accept the charge, the shortage shall be taken from carryforward balances of that funding source. Restricted revenue sources that do not have carryforward authority shall be utilized to satisfy departmental operating deducts first and civil service obligations second. General fund dollars are appropriated for any shortfall, pursuant to approval by the state budget director.

Sec. 503. The appropriation in part 1 to the department of civil service, for state-sponsored group insurance, flexible spending accounts, and COBRA, represents amounts, in part, included within the various appropriations throughout state government for the current fiscal year to fund the flexible spending account program included within the department of civil service. Deposits against state-sponsored group insurance, flexible spending accounts, and COBRA for the flexible spending account program shall be made from assessments levied during the current fiscal year in a manner prescribed by the department of civil service. Unspent employee contributions to the flexible spending accounts may be used to offset administrative costs for the flexible spending account program, with any remaining balance of unspent employee contributions to be lapsed to the general fund.

Sec. 504. (1) The department shall compile the following information about human resources for all executive branch departments:

- (a) An organizational chart for each department that clearly identifies each department's human resources office and its relationship to other department offices.
- (b) A detailed job description for each person employed in each department's human resources office.
- (c) The total number of personnel employed in each department's human resources office.
- (d) The amount of funding allocated to each department's human resources operations.

(2) The department shall submit a report containing this information for the previous fiscal year to the senate and house of representatives standing committees on appropriations subcommittees on general government by November 30, 2003. The report shall include recommendations for consolidating executive branch human resources functions into 1 department, and an estimate of cost savings, if any, that would be realized from combining these operations.

INFORMATION TECHNOLOGY

Sec. 571. The appropriation in part 1 for the department of information technology shall be funded by user fees assessed against other principal executive departments and agencies. Such user fees shall be based upon services provided by the department of information technology.

Sec. 572. (1) The department of information technology may sell and accept paid advertising for placement on any state website under its jurisdiction. The department shall review and approve the content of each advertisement. The department may refuse to accept advertising from any person or organization or require modification to advertisements based upon criteria determined by the department. Revenue received under this subsection will be used for operating costs of the department and for future technology enhancements to state of Michigan e-government initiatives. Funds received under this subsection shall be limited to \$250,000.00. Any funds in excess of \$250,000.00 shall be deposited in the state general fund.

(2) The department of information technology may accept gifts, donations, contributions, bequests, and grants of money from any public or private source to assist with the underwriting or sponsorship of state web pages or services offered on those web pages. A private or public funding source may receive recognition in the web page. The department of information technology may reject any gift, donation, contribution, bequest, or grant.

(3) Funds accepted by the department of information technology under subsections (1) and (2) are appropriated and allotted when received and may be expended upon receipt.

(4) Except as excluded under subsection (1), any unexpended revenue received under this section shall not lapse to the general fund and shall be available for future appropriations.

(5) The department of information technology shall develop a search function of all state departments and agencies. This search function shall be easily accessible to visitors on the front page of the state's website.

(6) The privacy policy adopted by the department of information technology shall include the following provisions:

(a) Instruction on how visitors can set their browsers to be warned before each cookie is written to a visitor's computer.

(b) The e-Michigan office will also include instructions for visitors to inform them how to view and remove cookies on their personal computers.

(7) By April 1, the department of information technology shall report to the senate and house of representatives standing committees on appropriations and the senate and house fiscal agencies that all of the following information is available on the department's website:

(a) The amount of gifts, donations, contributions, bequests, and grants of money received by the department of information technology under this section for the immediately preceding fiscal year.

(b) A listing of the expenditures made from the amounts received by the department of information technology as reported in subdivision (a).

(c) A listing of any gift, donation, contribution, bequest, or grant of property other than funding received by the department of information technology under this section for the immediately preceding year.

(d) The total revenue received from the sale of paid advertising accepted under this section and a statement of the total number of advertising transactions.

Sec. 573. The department of information technology may enter into agreements to supply spatial information and technical services to other principal executive departments, state agencies, local units of government, and other organizations. The department of information technology may receive and expend funds in addition to those authorized in part 1 for providing information and technical services, publications, maps, and other products. The department of information technology may expend amounts received for salaries, supplies, and equipment necessary to provide informational products and technical services.

Sec. 574. The legislature shall have access to all historical and current data contained within MAIN pertaining to state departments. State departments shall have access to all historical and current data contained within MAIN.

Sec. 576. When used in this act, "information technology services" means services involving all aspects of managing and processing information including, but not limited to, all of the following:

(a) Application development and maintenance.

(b) Desktop computer support and management.

(c) Mainframe computer support and management.

(d) Server support and management.

(e) Local area network support and management.

(f) Information technology contract, project, and procurement management.

(g) Information technology planning and budget management.

(h) Telecommunication services, security, infrastructure, and support.

(i) Software and software licensing.

Sec. 577. (1) Funds appropriated in part 1 for the Michigan public safety communications system shall be expended upon approval of an expenditure plan by the state budget director.

(2) The department of information technology shall assess all subscribers of the Michigan public safety communications system reasonable access and maintenance fees.

(3) All money received by the department of information technology under this section shall be deposited to the state general fund pursuant to section 443 of the management and budget act, 1984 PA 431, MCL 18.1443.

(4) The department of information technology shall provide a report to the senate and house of representatives standing committees on appropriations, the senate and house fiscal agencies, and the state budget director on April 15 and on October 15, indicating the amount of revenue collected under this section and deposited to the state general fund for the immediately preceding 6-month period.

Sec. 578. The department of information technology shall submit a report for the immediately preceding fiscal year ending September 30 to the senate and house of representatives standing committees on appropriations subcommittees on general government and the senate and house fiscal agencies by March 1. The report shall include the following:

(a) The total amount of funding appropriated for information technology services and projects, by funding source, for all principal executive departments and agencies.

(b) A listing of the expenditures made from the amounts received by the department of information technology, as reported in subdivision (a).

Sec. 579. The department of information technology shall provide a report that analyzes and makes recommendations on the life-cycle of information technology hardware and software. The report shall be submitted to the senate and house of representatives standing committees on appropriations subcommittees on general government and the senate and house fiscal agencies by March 1.

Sec. 580. (1) From the funds appropriated in part 1 to general services, for the department of state, there is appropriated \$4,550,000.00 for the business application modernization project. Funds shall only be used for the development, implementation, and maintenance of the business application modernization project.

(2) The unexpended funds appropriated in part 1 for the business application modernization project are designated as work project appropriations and shall not lapse at the end of the fiscal year. Any unencumbered or unallotted funds are carried over into the succeeding fiscal year and shall continue to be available for expenditure until the project has been completed. The total cost is estimated at \$30,000,000.00, and the tentative completion date is September 30, 2008.

LEGISLATURE

Sec. 600. The senate, the house of representatives, or an agency within the legislative branch may receive, expend, and transfer funds in addition to those authorized in part 1.

Sec. 601. (1) Funds appropriated in part 1 to an entity within the legislative branch shall not be expended or transferred to another account without written approval of the authorized agent of the legislative entity. If the authorized agent of the legislative entity notifies the state budget director of its approval of an expenditure or transfer before the year-end book-closing date for that legislative entity, the state budget director shall immediately make the expenditure or transfer. The authorized legislative entity agency shall be designated by the speaker of the house of representatives for house entities, the senate majority leader for senate entities, and the legislative council for legislative council entities.

(2) Funds appropriated within the legislative branch, to a legislative council component, shall not be expended by any agency or other subgroup included in that component without the approval of the legislative council.

Sec. 602. The senate may charge rent and assess charges for utility costs. The amounts received for rent charges and utility assessments are appropriated to the senate for the renovation, operation, and maintenance of the Farnum building and other properties.

Sec. 603. The appropriation contained in part 1 for national association dues is to be distributed by the legislative council.

Sec. 604. (1) The appropriation in part 1 to the legislative council includes funds to operate the legislative parking facilities in the capitol area. The legislative council shall establish rules regarding the operation of the legislative parking facilities.

(2) The legislative council shall collect a fee from state employees and the general public using certain legislative parking facilities. The revenues received from the parking fees shall be allocated by the legislative council.

Sec. 605. The appropriation in part 1 to the legislative council for publication of the Michigan manual is considered a work project account. The unexpended portion remaining on September 30 shall not lapse and shall be carried forward into the subsequent fiscal year for use in paying the associated biennial costs of publication of the Michigan manual.

Sec. 606. The appropriation in part 1 to the legislative branch, for property management, is considered a work project account. The unexpended portion remaining on September 30 shall not lapse and shall be carried forward into the subsequent fiscal year for the use for which it was intended.

Sec. 607. In addition to funds appropriated in part 1, the Michigan capitol committee publications save the flags fund account may accept contributions, gifts, bequests, devises, grants, and donations. Those funds that are not expended in the fiscal year ending September 30 shall not lapse at the close of the fiscal year and shall be carried forward for expenditure in the following fiscal years.

Sec. 608. Funds appropriated in part 1 for e-Law, the legislative council's technology enhancement project, shall be used to support technology improvements for legislative functions performed by the legislative council agencies and to provide greater access to the public regarding legislative information. These funds, along with funds previously appropriated for the legislative session integration system, are designated as a work project and shall not lapse at the

end of the fiscal year, and shall continue to be available for expenditure until the project has been completed. The total cost is estimated at \$3,992,750.00, and the tentative completion date is September 30, 2005.

Sec. 609. The funds appropriated in part 1 shall not be used to pay for health insurance benefits for unmarried domestic partners of legislators or legislative employees.

Sec. 611. Pursuant to section 53 of article IV of the state constitution of 1963, the auditor general shall conduct audits of the judicial branch. The audits may include the supreme court and its administrative units, the court of appeals, and trial courts.

Sec. 612. (1) The auditor general shall take all reasonable steps to ensure that certified minority- and women-owned and operated accounting firms, and accounting firms owned and operated by persons with disabilities participate in the audits of the books, accounts, and financial affairs of each principal executive department, branch, institution, agency, and office of this state.

(2) The auditor general shall strongly encourage firms with which the auditor general contracts to perform audits of the principal executive departments and state agencies to subcontract with certified minority- and women-owned and operated accounting firms, and accounting firms owned and operated by persons with disabilities.

(3) The auditor general shall compile an annual report regarding the number of contracts entered into with certified minority- and women-owned and operated accounting firms, and accounting firms owned and operated by persons with disabilities. The auditor general shall deliver the report to the state budget director and the senate and house of representatives standing committees on appropriations subcommittees on general government by November 1 of each year.

Sec. 615. From the funds appropriated in part 1 to the legislative auditor general, the legislative auditor general's salary and the salaries of the remaining 2.0 FTE unclassified positions shall be set by the speaker of the house of representatives, the senate majority leader, the house of representatives minority leader, and the senate minority leader.

Sec. 618. Any audits, reviews, or investigations requested of the auditor general by the legislature or by legislative leadership, legislative committees, or individual legislators should include an estimate of the additional costs involved and, when those costs exceed \$50,000.00, should provide supplemental funding. The auditor general will determine whether to perform those activities in keeping with Audit Directive No. 29, which describes the office of auditor general policy on responding to legislative requests.

DEPARTMENT OF MANAGEMENT AND BUDGET

Sec. 701. Proceeds in excess of necessary costs incurred in the conduct of transfers or auctions of state surplus, salvage, or scrap property made pursuant to section 267 of the management and budget act, 1984 PA 431, MCL 18.1267, are appropriated to the department of management and budget to offset costs incurred in the acquisition and distribution of federal surplus property.

Sec. 702. The department of management and budget may receive and expend funds in addition to those authorized in part 1 for conducting training and orientation workshops and seminars that are consistent with the programmatic mission of the individual unit sponsoring or coordinating the program.

Sec. 703. (1) The department of management and budget may receive and expend funds in addition to those authorized by part 1 for maintenance and operation services provided specifically to other principal executive departments or state agencies, the legislative branch, or the judicial branch or provided in connection with facilities transferred to the operational jurisdiction of the department of management and budget.

(2) The department of management and budget may receive and expend funds in addition to those authorized by part 1 for real estate, architectural, design, and engineering services provided specifically to other principal executive departments or state agencies, the legislative branch, or the judicial branch.

(3) The department of management and budget may receive and expend funds in addition to those authorized in part 1 for mail pickup and delivery services provided specifically to other principal executive departments and state agencies, the legislative branch, or the judicial branch.

(4) The department of management and budget may receive and expend funds in addition to those authorized in part 1 for purchasing services provided specifically to other principal executive departments and state agencies, the legislative branch, or the judicial branch.

Sec. 705. (1) The appropriation in part 1 to the department of management and budget, for statewide appropriations from employer contributions, represents amounts included within the various appropriations for longevity and insurance, whether appropriated as a single line item or commingled with program line items, throughout state government for the current fiscal year for purposes of funding the child care information and referral services, severance pay funds, and professional development funds included within statewide appropriations. Deposits against the interdepartmental grant from employer contributions shall be made from assessments levied against the longevity and insurance appropriations during the current fiscal year in a manner prescribed by the department of management and budget. Any deposits made under this subsection and any unencumbered funds are restricted revenues, may be carried over into the succeeding fiscal years, and are appropriated.

(2) From the funds appropriated in part 1 to the department of management and budget for professional development funds and child care information and referral services, the department of management and budget may expend funds

for staff support associated with administration of the professional development funds and child care information and referral services in amounts as may be specified in joint labor/management agreements or through the coordinated compensation hearings process.

(3) In addition to the funds appropriated in part 1 for severance pay funds, the department of management and budget may receive and expend funds from other state agencies for staff support associated with the administration of these funds.

(4) In addition to the funds appropriated in part 1 to the department of management and budget, for statewide appropriations from employer contributions, the department of management and budget may receive and expend funds in such additional amounts as may be specified in joint labor/management agreements or through the coordinated compensation hearings process in the same manner and subject to the same conditions as prescribed in subsections (1), (2), and (3).

Sec. 706. To the extent a specific appropriation is required for a detail source of financing included in part 1 for the department of management and budget appropriations financed from special revenue and internal service and pension trust funds, or MAIN user charges, the specific amounts are appropriated within the special revenue internal service and pension trust funds in portions not to exceed the aggregate amount appropriated in part 1.

Sec. 708. In addition to the funds appropriated in part 1 to the department of management and budget, the department may receive and expend funds from other principal executive departments and state agencies to implement donated annual leave and administrative leave bank transfer provisions as may be specified in joint labor/management agreements. The amounts may also be transferred to other principal executive departments and state agencies under the joint agreement and any amounts transferred under the joint agreement are authorized for receipt and expenditure by the receiving principal executive department or state agency. Any amounts received by the department of management and budget under this section and intended, under the joint labor/management agreements, to be available for use beyond the close of the fiscal year and any unencumbered funds may be carried over into the succeeding fiscal year.

Sec. 709. The source of financing in part 1 for the Michigan administrative information network shall be funded by proportionate charges assessed against the respective state funds benefiting from this project in the amounts determined by the department.

Sec. 710. (1) Deposits against the interdepartmental grant from building occupancy and parking charges appropriated in part 1 shall be collected, in part, from state agencies, the legislative branch, and the judicial branch based on estimated costs associated with maintenance and operation of buildings managed by the department of management and budget. To the extent excess revenues are collected due to estimates of building occupancy charges exceeding actual costs, the excess revenues may be carried forward into succeeding fiscal years for the purpose of returning funds to state agencies.

(2) Appropriations in part 1 to the department of management and budget, for management and budget services from building occupancy charges and parking charges, may be increased to return excess revenue collected to state agencies.

Sec. 713. The department of management and budget shall notify the chairpersons of the senate and house of representatives standing committees on appropriations and the chairpersons of the senate and house of representatives standing committees on appropriations subcommittees on general government on any revisions exceeding \$500,000.00 to current contracts for computer software development, hardware acquisition, or quality assurance at least 14 days before the department of management and budget finalizes the revisions.

Sec. 715. 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 in less than 14 days after the notice is 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.

Sec. 716. The department of management and budget may receive and expend funds from the Vietnam veterans memorial monument fund as provided in the Michigan Vietnam veterans memorial act, 1988 PA 234, MCL 35.1051 to 35.1057. Funds are appropriated and allocated when received and may be expended upon receipt.

Sec. 717. The Michigan veterans' memorial park commission may receive and expend money from any source, public or private, including, but not limited to, gifts, grants, donations of money, and government appropriations, for the purposes described in Executive Order No. 2001-10. Funds are appropriated and allocated when received and may be expended upon receipt. Any deposits made under this section and unencumbered funds are restricted revenues and may be carried over into succeeding fiscal years.

Sec. 718. Funds collected by the department of management and budget under sections 55, 57, 58, and 59 of the administrative procedures act of 1969, 1969 PA 306, MCL 24.255, 24.257, 24.258, and 24.259, and section 203 of the legislative council act, 1986 PA 268, MCL 4.1203, are appropriated for all expenses necessary to provide for the costs of publication and distribution. The funds appropriated under this section are allotted for expenditure when they are received by the department of treasury and shall not lapse to the general fund at the end of the fiscal year.

Sec. 719. (1) Funds in part 1 for motor vehicle fleet are appropriated to the department of management and budget for administration and for the acquisition, lease, operation, maintenance, repair, replacement, and disposal of state motor vehicles.

(2) The appropriation in part 1 for motor vehicle fleet shall be funded by revenue from rates charged to principal executive departments and agencies for utilizing vehicle travel services provided by the department.

(3) It is the intent of the legislature that the department of management and budget have the authority to determine the appropriateness of vehicle assignment, to include year, make, model, size, and price of vehicle. The department shall have the authority to assign motor vehicles, permanently or temporarily, to state agencies and to institutions of higher education.

(4) It is the intent of the legislature that the department of management and budget complete a project plan which results in the reduction of expenditures related to vehicle travel services, to include a reduction in the number of state vehicles in the motor vehicle fleet. The department shall report quarterly to the senate and house of representatives standing committees on appropriations subcommittees on general government and the senate and house fiscal agencies on the status of the project plan to reduce vehicle travel service expenditures and the number of cars in the motor vehicle fleet.

DEPARTMENT OF STATE

Sec. 801. All funds made available by section 3171 of the insurance code of 1956, 1956 PA 218, MCL 500.3171, are appropriated and made available to the department of state to be expended only for the uses and purposes for which the funds are received as provided by sections 3171 to 3177 of the insurance code of 1956, 1956 PA 218, MCL 500.3171 to 500.3177.

Sec. 802. From the funds appropriated in part 1, the department of state shall sell copies of records including, but not limited to, records of motor vehicles, off-road vehicles, snowmobiles, watercraft, mobile homes, personal identification cardholders, drivers, and boat operators and shall charge \$7.00 per record sold only as authorized in section 208b of the Michigan vehicle code, 1949 PA 300, MCL 257.208b, section 7 of 1972 PA 222, MCL 28.297, and sections 80130, 80315, 81114, and 82156 of the natural resources and environmental protection act, 1994 PA 451, MCL 324.80130, 324.80315, 324.81114, and 324.82156. The department shall use the revenue received from the sale of records for necessary expenses as appropriated in part 1. The balance of the fee revenue remaining on September 30 shall revert to the general fund.

Sec. 803. From the funds appropriated in part 1, the secretary of state may enter into agreements with the department of corrections for the manufacture of vehicle registration plates 15 months before the registration year in which the registration plates will be used.

Sec. 804. (1) The department of state may accept gifts, donations, contributions, and grants of money and other property from any private or public source to underwrite, in whole or in part, the cost of a departmental publication that is prepared and disseminated under the Michigan vehicle code, 1949 PA 300, MCL 257.1 to 257.923. A private or public funding source may receive written recognition in the publication and may furnish a traffic safety message, subject to departmental approval, for inclusion in the publication. The department may reject a gift, donation, contribution, or grant. The department may furnish copies of a publication underwritten, in whole or in part, by a private source to the underwriter at no charge.

(2) The department of state may sell and accept paid advertising for placement in a departmental publication that is prepared and disseminated under the Michigan vehicle code, 1949 PA 300, MCL 257.1 to 257.923. The department may charge and receive a fee for any advertisement appearing in a departmental publication and shall review and approve the content of each advertisement. The department may refuse to accept advertising from any person or organization. The department may furnish a reasonable number of copies of a publication to an advertiser at no charge.

(3) Pending expenditure, the funds received under this section shall be deposited in the Michigan department of state publications fund created by section 211 of the Michigan vehicle code, 1949 PA 300, MCL 257.211. Funds given, donated, or contributed to the department from a private source are appropriated and allocated for the purpose for which the revenue is furnished. Funds granted to the department from a public source are allocated and may be expended upon receipt. The department shall not accept a gift, donation, contribution, or grant if receipt is conditioned upon a commitment of state funding at a future date. Revenue received from the sale of advertising is appropriated and may be expended upon receipt.

(4) Any unexpended revenues received under this section shall be carried over into subsequent fiscal years and shall be available for appropriation for the purposes described in this section.

(5) On March 1 of each year, the department of state shall file a report with the senate and house of representatives standing committees on appropriations, the senate and house fiscal agencies, and the state budget director. The report shall include all of the following information:

(a) The amount of gifts, contributions, donations, and grants of money received by the department under this section for the prior fiscal year.

(b) A listing of the expenditures made from the amounts received by the department as reported in subdivision (a).

(c) A listing of any gift, donation, contribution, or grant of property other than funding received by the department under this section for the prior year.

(d) The total revenue received from the sale of paid advertising accepted under this section and a statement of the total number of advertising transactions.

(6) In addition to copies delivered without charge as the secretary of state considers necessary, the department of state may sell copies of manuals and other publications regarding the sale, ownership, or operation or regulation of motor vehicles, with amendments, at prices to be established by the secretary of state. As used in this subsection, the term "manuals and other publications" means videos and proprietary electronic publications. All funds received from sales of these manuals and other publications shall be credited to the Michigan department of state publications fund.

Sec. 805. Funds collected by the department of state under section 211 of the Michigan vehicle code, 1949 PA 300, MCL 257.211, are appropriated for all expenses necessary to provide for the costs of the publication. Funds are allotted for expenditure when they are received by the department of treasury and shall not lapse to the general fund at the end of the fiscal year.

Sec. 806. From the funds appropriated in part 1, the department of state shall use available balances at the end of the state fiscal year to provide payment to the department of state police in the amount of \$315,900.00 for the services provided by the traffic accident records program as first appropriated in 1990 PA 196 and 1990 PA 208.

Sec. 807. From the funds appropriated in part 1, the department of state may restrict funds from miscellaneous revenue to cover cash shortages created from normal branch office operations. This amount shall not exceed \$50,000.00 of the total funds available in miscellaneous revenue.

Sec. 808. (1) Commemorative and specialty license plate fee revenue collected by the department of state and deposited into the Michigan transportation fund is authorized for expenditure up to the amount of revenue collected but not to exceed the amount appropriated to the department of state in part 1 to administer commemorative and specialty license plate programs.

(2) Commemorative and specialty license plate fee revenue collected by the department of state and deposited in the Michigan transportation fund in addition to the amount appropriated in part 1 to the department of state shall be available for other Michigan transportation fund-supported programs.

Sec. 809. Funds or revenues in the Olympic education training center fund, after deducting manufacturing and administrative costs, are appropriated for distribution to the Olympic education training center at Northern Michigan University. Distributions shall occur on a quarterly basis. Any undistributed revenue remaining at the end of the fiscal year shall be carried over into the next fiscal year.

Sec. 810. The department of state may produce and sell copies of a training video designed to inform registered automotive repair facilities of their obligations under Michigan law. The price shall not exceed the cost of production and distribution. The money received from the sale of training videos shall revert to the department of state and be placed in the auto repair facility account.

Sec. 811. (1) The department of state, in collaboration with the gift of life transplantation society or its successor federally designated organ procurement organization, may develop and administer a public information campaign concerning the Michigan organ donor program.

(2) The department may solicit funds from any private or public source to underwrite, in whole or in part, the public information campaign authorized by this section. The department may accept gifts, donations, contributions, and grants of money and other property from private and public sources for this purpose. A private or public funding source underwriting the public information campaign, in whole or in substantial part, shall receive sponsorship credit for its financial backing.

(3) Funds received under this section, including grants from state and federal agencies, shall not lapse to the general fund at the end of the fiscal year but shall remain available for expenditure for the purposes described in this section.

Sec. 812. Collector plate and fund-raising registration plate revenues collected by the department of state are appropriated and allotted for distribution to the recipient university or public or private agency overseeing a state-sponsored goal when received. Distributions shall occur on a quarterly basis or as otherwise authorized by law. Any revenues remaining at the end of the fiscal year shall not lapse to the general fund but shall remain available for distribution to the university or agency in the next fiscal year.

Sec. 813. (1) Funding appropriated in part 1 for the organ donor program shall be used for producing a pamphlet to be distributed with driver licenses and personal identification cards regarding organ donations. The funds shall be used to update and print a pamphlet that will explain the organ donor program and encourage people to become donors by marking a checkoff on driver license and personal identification card applications.

(2) The pamphlet shall include a return reply form addressed to the gift of life organization. Funding appropriated in part 1 for the organ donor program shall be used to pay for return postage costs.

Sec. 814. The department shall consult with the senate and house of representatives standing committees on appropriations subcommittees on general government regarding the projected closing or consolidation of any secretary of state branch offices.

Sec. 815. (1) Any service assessment collected by the department of state from the user of a credit or debit card under section 3 of 1995 PA 144, MCL 11.23, is appropriated to the department for necessary expenses related to that service and may be remitted to a credit or debit card company, bank, or other financial institution. Funds are allocated for expenditure when they are received by the department of treasury.

(2) The service assessment imposed by the department of state for credit and debit card services may be based either on a percentage of each individual credit or debit card transaction, or on a flat rate per transaction, or both scaled to the amount of the transaction. However, the department shall not charge any amount for a service assessment which exceeds the costs billable to the department for service assessments.

(3) If there is a balance of service assessments received from credit and debit card services remaining on September 30, the balance may be carried forward to the following fiscal year and appropriated for the same purpose.

(4) As used in this section, "service assessment" means and includes costs associated with service fees imposed by credit and debit card companies and processing fees imposed by banks and other financial institutions.

Sec. 816. In addition to the funds appropriated in part 1, funds collected by the department of state under section 248j of the Michigan vehicle code, 1949 PA 300, MCL 257.248j, may be used to defray expenses of the secretary of state in administering chapter II of the Michigan vehicle code, 1949 PA 300, MCL 257.201 to 257.259. Funds shall be available for expenditure after approval of transfers by both the senate and house of representatives standing committees on appropriations in accord with the provisions of section 393(2) of the management and budget act, 1984 PA 431, MCL 18.1393.

Sec. 817. (1) Funds in part 1 for motorcycle safety education grants and administration are appropriated to the department of state for operation of the motorcycle safety education program previously operated by the department of education under section 811a of the Michigan vehicle code, 1949 PA 300, MCL 257.811a.

(2) Funds in part 1 for motorcycle safety education grants and administration shall be derived from original and renewal motorcycle license endorsements, annual motorcycle registration fees, and motorcycle operator driving test fees.

(3) Funds in part 1 for motorcycle safety education grants and administration shall be used to provide grants to colleges, universities, intermediate school districts, local school districts, law enforcement agencies, or other governmental agencies located in the state, to help subsidize safety training courses for individuals interested in operating motorcycles.

(4) Funds in part 1 for motorcycle safety education grants and administration may be used by the department of state for administration costs of the motorcycle safety education program, to include, but not be limited to, review and approval or disapproval of grant applications, monitoring eligibility of motorcycle safety instructors, conducting program evaluation, certifying third party testers, and inspecting training sites.

DEPARTMENT OF TREASURY **OPERATIONS**

Sec. 901. (1) Amounts needed to pay for interest, fees, principal, arbitrage rebates as required by federal law, and costs associated with the payment, registration, trustee services, credit enhancements, and issuing costs in excess of the amount appropriated to the department of treasury in part 1 for debt service on notes and bonds that are issued by the state under sections 14, 15, and 16 of article IX of the state constitution of 1963 as implemented by 1967 PA 266, MCL 17.451 to 17.455, are appropriated.

(2) In addition to the amount appropriated to the department of treasury for debt service in part 1, there is appropriated an amount for fiscal year cash-flow borrowing costs to pay for interest on interfund borrowing made under 1967 PA 55, MCL 12.51 to 12.53.

Sec. 902. (1) From the funds appropriated in part 1, the department of treasury may contract with private collection agencies and law firms to collect taxes and other accounts due this state. In addition to the amounts appropriated in part 1 to the department of treasury, there are appropriated amounts necessary to fund collection costs and fees not to exceed 25% of the collections or 2.5% plus operating costs, whichever amount is prescribed by the contract. The appropriation to fund collection costs and fees for the collection of taxes or other accounts due this state are from the fund or account to which the revenues being collected are recorded or dedicated. However, if the taxes collected are constitutionally dedicated for a specific purpose, the appropriation of collection costs and fees are from the general purpose account of the general fund.

(2) From the funds appropriated in part 1, the department of treasury may contract with private collections agencies and law firms to collect defaulted student loans and other accounts due the Michigan guaranty agency. In addition to the amounts appropriated in part 1 to the department of treasury, there are appropriated amounts necessary to fund collection costs and fees not to exceed 22% of the collection or a lesser amount as prescribed by the contract. The appropriation to fund collection costs and fees for the auditing and collection of defaulted student loans due the Michigan guaranty agency is from the fund or account to which the revenues being collected are recorded or dedicated.

(3) In cases in which the department of treasury is unable to collect defaulted student loans, the department shall explore the feasibility of donated services in lieu of repayment. The department of treasury shall file a report by January 1 with the senate and house of representatives standing committees on appropriations subcommittees on general government on the implementation status of this section, along with any suggested statutory changes.

(4) The department of treasury shall submit a report for the immediately preceding fiscal year ending September 30 to the state budget director and the senate and house of representatives standing committees on appropriations not later than November 30 stating the agencies or law firms employed, the amount of collections for each, the costs of collection, and other pertinent information relating to determining whether this authority should be continued.

Sec. 903. (1) The department of treasury, through its bureau of investments, may charge an investment service fee against the applicable retirement funds. The fees may be expended for necessary salaries, wages, contractual services, supplies, materials, equipment, travel, worker's compensation insurance premiums, and grants to the civil service commission and state employees' retirement funds. Service fees shall not exceed the aggregate amount appropriated in part 1. The department of treasury shall maintain accounting records in sufficient detail to enable the retirement funds to be reimbursed periodically for fee revenue that is determined by the department of treasury to be surplus.

(2) In addition to the funds appropriated in part 1 from the retirement funds to the department of treasury, there is appropriated from retirement funds an amount sufficient to pay for the services of money managers, investment advisors, investment consultants, custodians and other outside professionals, the state treasurer considers necessary to prudently manage the retirement funds' investment portfolios. 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.

Sec. 904. The department of treasury shall sell copies of the state tax manual, uniform accounting procedures manual, general property tax law manual, and other local government assistance manuals with amendments, at a price not to exceed the cost of printing. The revenue received from the sale of preparation and local government assistance manuals shall revert to the department of treasury and be placed in the local government assistance manual revolving fund.

Sec. 905. (1) The department of treasury shall charge for audits as permitted by state or federal law or under contractual arrangements with local units of government, other principal executive departments, or state agencies. A report detailing audits performed and audit charges for the immediately preceding fiscal year shall be submitted to the state budget director and the senate and house fiscal agencies not later than November 30.

(2) The appropriation in part 1 to the department of treasury, for state compliance audits, shall be used to cover the cost of the state audits performed by independent certified public accountants or department of treasury auditors. The scope of the state audit shall be defined by the state treasurer. The state audits shall be performed by independent certified public accountants contracted with by the state treasurer or by department of treasury auditors, if the county has agreed to contract with and pay the department for their financial single audit.

(3) The state audits shall be performed for the most current county fiscal year in conjunction with the financial single audit. The state audit may be performed either by certified public accountants contracted by the state treasurer or department of treasury staff, independent of the financial single audit, if a state audit has not been performed within the last 3 years.

Sec. 906. A revolving fund known as the assessor certification and training fund is created in the department of treasury. The assessor certification and training fund shall be used to organize and operate a property assessor certification and training program. Each participant certified and trained shall pay to the department of treasury an examination fee of \$25.00, an initial certification fee of \$35.00, an annual renewal fee of \$50.00 for levels 1 and 2 and \$95.00 for levels 3 and 4 to offset the cost of administering the certification and training program. Training courses shall be offered in assessment administration. Each participant shall pay a fee to cover the expenses incurred in offering the optional programs to certified assessing personnel and other individuals interested in an assessment career opportunity. The fees collected shall be credited to the assessor certification and training fund.

Sec. 907. The amount appropriated in part 1 to the department of treasury, home heating assistance program, is to cover the costs, including data processing, of administering federal home heating credits to eligible claimants and to administer the supplemental fuel cost payment program for eligible tax credit and welfare recipients.

Sec. 908. Revenue from the airport parking tax act, 1987 PA 248, MCL 207.371 to 207.383, is appropriated and shall be distributed under section 7a of the airport parking tax act, 1987 PA 248, MCL 207.377a.

Sec. 909. The disbursement by the department of treasury from the bottle deposit fund to dealers as required by section 3c(2) of the Initiated Law of 1976, MCL 445.573c, is appropriated.

Sec. 910. (1) There is appropriated an amount sufficient to recognize and pay refundable income tax credits as provided by the management and budget act, 1984 PA 431, MCL 18.1101 to 18.1594.

(2) The appropriations under subsection (1) shall be funded by restricting income tax revenue in an amount sufficient to record these expenditures.

Sec. 911. A plaintiff in a garnishment action involving this state shall pay to the state treasurer 1 of the following:

(a) A fee of \$6.00 at the time a writ of garnishment of periodic payments is served upon the state treasurer, as provided in section 4012 of the revised judicature act of 1961, 1961 PA 236, MCL 600.4012.

(b) A fee of \$6.00 at the time any other writ of garnishment is served upon the state treasurer, except that the fee shall be reduced to \$5.00 for each writ of garnishment for individual income tax refunds or credits filed by magnetic media.

Sec. 912. (1) The department of treasury may contract with private firms to appraise and, if necessary, appeal the assessments of senior citizen cooperative housing units. Payment for this service shall be from savings resulting from the appraisal or appeal process.

(2) Of the funds appropriated in part 1 to the department of treasury for the senior citizens' cooperative housing tax exemption program, a portion is to be utilized for a program audit of the program. The department of treasury shall forward copies of the audit report to the senate and house of representatives standing committees on appropriations

subcommittees on general government and to the state budget office. The department of treasury may utilize up to 1% of the funds for program administration and auditing.

Sec. 913. The state treasurer may make loans to local units of government from the state's common cash fund to implement local government infrastructure and private facility projects that will ultimately use long-term debt to finance the costs. These loans may be made at any time and shall be repaid, in full, not later than 12 months after the date of the loan. In addition to the full repayment of the loan principal, the borrowing unit shall pay interest at the average rate earned on common cash investments during the period of the loan. The total of all outstanding loans shall not exceed \$50,000,000.00 in the aggregate and no single loan shall exceed \$7,500,000.00.

Sec. 914. The department of treasury may provide a \$200.00 annual prize from the Ehlers internship award account in the gifts, bequests, and deposit fund to the runner-up of the Rosenthal prize for interns. The Ehlers internship award account is interest bearing.

Sec. 915. Pursuant to section 61 of the Michigan campaign finance act, 1976 PA 388, MCL 169.261, there is appropriated from the general fund to the state campaign fund an amount equal to the amounts designated for tax year 2003. Except as otherwise provided in this section, the amount appropriated shall not revert to the general fund and shall remain in the state campaign fund. Any amounts remaining in the state campaign fund in excess of \$10,000,000.00 on December 31, 2006 shall revert to the general fund.

Sec. 916. The department of treasury may make available to interested entities otherwise unavailable customized unclaimed property listings of nonconfidential information in its possession. The charge for this information is as follows: 1 to 100,000 records at 2.5 cents per record and 100,001 or more records at .5 cents per record. The revenue received from this service shall be deposited to the appropriate revenue account or fund. The department shall submit an annual report on or before June 1 to the state budget director and the senate and house of representatives standing committees on appropriations that states the amount of revenue received from the sale of information.

Sec. 917. (1) There is appropriated for write-offs and advances an amount equal to total write-offs and advances for departmental programs, but not to exceed current year authorizations that would otherwise lapse to the general fund.

(2) The department of treasury shall submit a report for the immediately preceding fiscal year to the state budget director and the senate and house fiscal agencies not later than November 30, stating the amounts appropriated for write-offs and advances under subsection (1).

Sec. 918. In addition to funds appropriated in part 1, the department of treasury may receive and expend funds for conducting tax orientation workshops and seminars. Funds received may not exceed costs incurred in conducting the workshops and seminars.

Sec. 919. (1) From funds appropriated in part 1, the department of treasury may contract with private auditing firms to audit for and collect unclaimed property due this state in accordance with the Michigan uniform unclaimed property act. In addition to the amounts appropriated in part 1 to the department of treasury, there are appropriated amounts necessary to fund auditing and collection costs and fees not to exceed 12% of the collections, or a lesser amount as prescribed by the contract. The appropriation to fund collection costs and fees for the auditing and collection of unclaimed property due this state is from the fund or account to which the revenues being collected are recorded or dedicated.

(2) The department of treasury shall submit a report for the immediately preceding fiscal year ending September 30 to the state budget director and the senate and house of representatives standing committees on appropriations not later than November 30 stating the auditing firms employed, the amount of collections for each, the costs of collection, and other pertinent information relating to determining whether this authority should be continued.

Sec. 920. Payments from the appropriation in part 1 to the department of treasury for grants to counties in lieu of taxes for lands transferred to the federal government include a payment for Sleeping Bear Dunes national lakeshore under 1974 PA 359, MCL 3.901 to 3.910.

Sec. 921. All of the revenue collected under section 12(3)(a) of the tobacco products tax act, 1993 PA 327, MCL 205.432, is appropriated to the health and safety fund of this state for distribution as set forth in the health and safety fund act, 1987 PA 264, MCL 141.471 to 141.479.

Sec. 922. The state general fund/general purpose appropriation in part 1 for renaissance zone reimbursement is allocated to reimburse public libraries as provided by section 12 of the Michigan renaissance zone act, 1996 PA 376, MCL 125.2692, for property taxes levied in 2003. Reimbursements shall be made in amounts to each eligible recipient not later than 60 days after the department of treasury certifies to the department that it has received all necessary information to properly determine the amounts due each eligible recipient under section 12(4) of the Michigan renaissance zone act, 1996 PA 376, MCL 125.2692. Any excess allocations shall lapse to the general fund.

Sec. 923. The department of treasury shall submit a report for the immediately preceding fiscal year ending September 30 to the senate and house of representatives standing committees on appropriations subcommittees on general government, the senate and house fiscal agencies, and the state budget director by November 30 stating the amount of Michigan transportation fund revenue collected and the cost of collection.

Sec. 924. Notwithstanding any other provision of this act, the department of treasury shall not expend any funds on initiating a new audit of any taxpayer until the department fully and completely complies with section 4(3) of 1941 PA 122, MCL 205.4. This provision shall not require the department to disclose audit selection or processing criteria

as provided by section 28(1)(f) of 1941 PA 122, MCL 205.28. The department shall publish the required handbook which informs taxpayers and tax preparers of audit and collection procedures used by the department and procedures which govern departmental communications with taxpayers in the audit and collection process. The department may comply with this publishing requirement by making the audit information available to taxpayers and tax preparers through the department's website on the Internet.

Sec. 925. (1) In addition to the funds appropriated in part 1, the department of treasury may receive and expend homestead property tax exemption audit fund revenue for administration of homestead property tax exemption audits consistent with the provisions of Enrolled Senate Bill No. 520 of the 92nd Legislature.

(2) The department of treasury shall submit a report for the immediately preceding fiscal year to the state budget director and the senate and house fiscal agencies not later than December 31, stating the amount of revenue appropriated for homestead property tax exemption audits under subsection (1).

Sec. 926. From the amounts appropriated in part 1 for grants to local government for activity under MCL 211.22a, the department of treasury shall provide grants to cities, townships, or counties for the sole purpose of paying a portion of the costs of the activity undertaken under section 22a of the general property tax act, 1893 PA 206, MCL 211.22a, under contracts approved by the department of treasury. The total grants provided under this section shall not exceed \$7,000,000.00 for the 2003-2004 fiscal year.

Sec. 940. The department of treasury may provide receipt, warrant and cash processing, data, collection, investment, fiscal agent, levy and warrant cost assessment, writ of garnishment, and other user services on a contractual basis for other principal executive departments and state agencies. Funds for the services provided are appropriated and shall be expended for salaries and wages, fees, supplies, and equipment necessary to provide the services. Any unobligated balance of the funds received shall revert to the general fund of this state as of September 30.

Sec. 941. The department of treasury may enter into agreements to supply data or collection services to other executive principal departments or state agencies, the United States department of treasury, or local units of government within this state. The department of treasury shall charge for this tax data service and amounts received are appropriated and shall be expended for salaries and wages, fees, supplies, and equipment necessary to provide the service.

Sec. 942. (1) The department of treasury shall provide accounts receivable collections services to other principal executive departments and state agencies under 1927 PA 375, MCL 14.131 to 14.134. The department of treasury shall deduct a fee equal to the cost of collections from all receipts except unrestricted general fund collections. Fees shall be credited to a restricted revenue account and appropriated to the department of treasury to pay for the cost of collections. The department of treasury shall maintain accounting records in sufficient detail to enable the respective accounts to be reimbursed periodically for fees deducted that are determined by the department of treasury to be surplus to the actual cost of collections.

(2) The department of treasury shall submit a report for the immediately preceding fiscal year to the state budget director and the senate and house fiscal agencies not later than November 30, stating the principal executive departments and state agencies served, funds collected, and costs of collection under subsection (1).

Sec. 943. The appropriation in part 1 to the department of treasury, for treasury fees, shall be assessed against all restricted funds that contribute to the total value of state managed investments in the ratio each restricted fund contributes to the total value of state managed investments. The department of treasury shall provide a report to the state budget director, the senate and house of representatives standing committees on appropriations subcommittees on general government, and the senate and house fiscal agencies by November 30 of each year identifying the fees assessed against each restricted fund.

Sec. 950. Revenue received under the Michigan education trust act, 1986 PA 316, MCL 390.1421 to 390.1444, may be expended by the board of directors of the Michigan education trust for necessary salaries, wages, supplies, contractual services, equipment, worker's compensation insurance premiums, and grants to the civil service commission and state employees' retirement fund.

Sec. 951. (1) From the funds appropriated in part 1 for the Michigan merit award board/MEAP administration, the department shall provide tests to nonpublic schools and home-schooled students upon request. The department shall notify nonpublic schools that they are eligible to receive the tests.

(2) The department shall release test results at the same time to all private schools and public school districts taking the tests.

(3) The results of each test administered as part of the Michigan educational assessment program, including tests administered to high school students, shall include an item analysis that lists all items that are counted for individual student scores and the percentage of students choosing each possible response.

Sec. 952. (1) The \$1,000,000.00 appropriated in part 1 for the Michigan education savings program is from the Michigan merit award trust fund to fund an incentive program for the Michigan education savings program created under the Michigan education savings program act, 2000 PA 161, MCL 390.1471 to 390.1486.

(2) The funds appropriated for the Michigan education savings program shall be used to provide a state match to dollars invested on behalf of each child named as a designated beneficiary in the Michigan education savings program who is 6 years of age or less, who is a Michigan resident, and whose family's income is \$80,000.00 or less.

(3) During the current fiscal year, the state shall provide \$1.00 of matching funds for each \$3.00 of individual contributions to the educational savings accounts. The maximum state match for each designated beneficiary shall be \$200.00.

(4) The state match shall be available only in the first year the child is enrolled in the Michigan education savings program.

Sec. 960. The department of treasury may expend revenues received under the hospital finance authority act, 1969 PA 38, MCL 331.31 to 331.84, for necessary salaries, wages, supplies, contractual services, equipment, worker's compensation insurance premiums, and grants to the civil service commission and state employees' retirement fund. The department of treasury shall maintain accounting records in sufficient detail to enable the hospital clients to be reimbursed periodically for fees that are determined by the department of treasury to be surplus to needs.

Sec. 961. The department of treasury may expend revenue received under the shared credit rating act, 1985 PA 227, MCL 141.1051 to 141.1076, for necessary salaries, wages, supplies, contractual services, equipment, worker's compensation insurance premiums, and grants to the civil service commission and state employees' retirement fund.

Sec. 962. The department of treasury shall establish a separate account for the funds related to the Michigan higher education facilities authority. The department of treasury may expend revenue received under the higher education facilities authority act, 1969 PA 295, MCL 390.921 to 390.934, for necessary salaries, wages, supplies, contractual services, equipment, worker's compensation insurance premiums, and grants to the civil service commission and state employees' retirement fund. The department of treasury shall maintain accounting records in sufficient detail to enable the educational institution clients to be reimbursed periodically for fees that are determined by the department to be surplus to needs.

Sec. 963. The department of treasury may expend revenues received under the Michigan public educational facilities authority, Executive Order No. 2002-3, for necessary salaries, wages, supplies, contractual services, equipment, worker's compensation insurance premiums, and grants to the civil service commission and state employees' retirement fund.

Sec. 964. The department of treasury may expend revenues received under the Michigan broadband development authority act, 2002 PA 49, MCL 484.3201 to 484.3225, for necessary salaries, wages, supplies, contractual services, equipment, worker's compensation insurance premiums, and grants to the civil service commission and state employees' retirement fund.

REVENUE SHARING

Sec. 970. (1) Revenue collected in accordance with section 10 of article IX of the state constitution of 1963 in excess of the amount appropriated in part 1 for constitutional revenue sharing is appropriated for distribution to townships, cities, and villages on a population basis as specified by law. The appropriation in part 1 for statutory state general revenue sharing grants to townships, cities, and villages shall be reduced by an amount equal to any additional constitutional revenue sharing appropriations authorized in this section.

(2) The appropriation in part 1 for statutory state general revenue sharing grants shall be distributed according to the Glenn Steil state revenue sharing act of 1971, 1971 PA 140, MCL 141.901 to 141.921. Undistributed funds shall lapse to the general fund.

Sec. 971. County treasurers shall comply with section 151 of the state school aid act of 1979, 1979 PA 94, MCL 388.1751, to receive funds under part 1 for the statutory state general revenue sharing grant payments in excess of the constitutional state general revenue sharing grant payments. The payment of funds under part 1 for the statutory state general revenue sharing grant payments in excess of the constitutional state general revenue sharing grant payments shall not be withheld if a local unit of government or the department of treasury fails to provide a county treasurer with information necessary to comply with section 151 of the state school aid act of 1979, 1979 PA 94, MCL 388.1751.

LOTTERY

Sec. 980. In addition to the funds appropriated in part 1 to the bureau of state lottery, there is appropriated from lottery revenues the amount necessary for, and directly related to, implementing and operating lottery games. Appropriations under this section shall only be expended for contractually mandated payments for vendor commissions, contractually mandated payments for instant tickets intended for resale, the contractual costs of providing and maintaining the on-line system communications network, and incentive and bonus payments to lottery retailers.

Sec. 981. The funds appropriated in part 1 to the bureau of state lottery shall not be used for any promotional efforts directed towards individuals who are less than 18 years of age.

Sec. 982. The funds appropriated in part 1 to the bureau of state lottery shall not be used to directly or indirectly associate professional or amateur sports figures with the lottery or its products.

Sec. 983. The bureau of state lottery shall complete a project plan which includes new strategies for the bureau to use in its efforts to increase lottery ticket sales, and improvements they are going to make on how they expend funding for advertising and promotion. The bureau of state lottery shall report quarterly to the senate and house of representatives standing committees on appropriations subcommittees on general government and the senate and house fiscal agencies on the status of the project plan to increase lottery ticket sales and improve expenditure of funds.

CASINO GAMING

Sec. 990. Revenue collected by the Michigan gaming control board regarding the wagering tax imposed on adjusted gross receipts received by the licensee from gaming authorized under the Michigan gaming control and revenue act, the Initiated Law of 1996, MCL 432.201 to 432.226, at the rate of 8.15% is appropriated and shall be deposited in the state school aid fund to provide additional funds for K-12 classroom education.

Sec. 991. From the revenue collected by the Michigan gaming control board regarding the total annual assessment of each casino licensee, \$2,000,000.00 is appropriated and shall be deposited in the compulsive gaming prevention fund as described in section 12a(5) of the Michigan gaming control and revenue act, the Initiated Law of 1996, MCL 432.212a.

Sec. 992. In addition to the funds appropriated in part 1, funds distributed by the Michigan gaming control board to the department of treasury for oversight of casino gaming are appropriated upon receipt. These funds may be used to pay for costs incurred for casino gaming oversight activities.

Sec. 993. (1) Funds appropriated in part 1 for local government programs may be used to provide assistance to a local revenue sharing board referenced in an agreement authorized by the Indian gaming regulatory act, Public Law 100-497, 102 Stat. 2467.

(2) A local revenue sharing board described in subsection (1) shall comply with the open meetings act, 1976 PA 267, MCL 15.261 to 15.275, and the freedom of information act, 1976 PA 442, MCL 15.231 to 15.246.

(3) A county treasurer is authorized to receive and administer funds received for and on behalf of a local revenue sharing board. Funds appropriated in part 1 for local government programs may be used to audit local revenue sharing board funds held by a county treasurer. This section does not limit the ability of local units of government to enter into agreements with federally recognized Indian tribes to provide financial assistance to local units of government or to jointly provide public services.

(4) The director of the department of state police and the executive director of the Michigan gaming control board are authorized to assist the local revenue sharing boards in determining allocations to be made to local public safety organizations.

(5) The department of treasury shall submit a report by September 30 to the senate and house of representatives standing committees on appropriations on the receipts and distribution of revenues by local revenue sharing boards.

Sec. 994. If revenues collected in the state services fee fund are less than the amounts appropriated from the fund, available revenues shall be used to fully fund the appropriation in part 1 of this act for casino gaming regulation activities before distributions are made to other state departments and agencies. If the remaining revenue in the fund is insufficient to fully fund appropriations to other state departments or agencies, the shortfall shall be distributed proportionally among those departments and agencies.

REVENUE STATEMENT

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 2003-2004

	Fund #	Beginning Unreserved Fund Balance	Estimated Revenue	Ending Balance
OPERATING FUNDS				
General	0110	0.0	20,829.9	0.0
Special Revenue Funds:				
Countercyclical budget and economic stabilization	0111	0.0	0.0	0.0
Game and fish protection	0112	12.8	63.0	8.0
Michigan employment security act administration	0113	1.2	102.9	1.3
State aeronautics	0114	0.0	57.8	0.0
Michigan veterans' benefit trust	0115	0.0	2.5	0.0
State trunkline	0116	0.0	1,748.2	0.0
Michigan state waterways	0117	0.5	24.1	0.2
Blue Water Bridge	0118	0.0	13.2	0.0
Michigan transportation	0119	0.0	2,118.8	0.0
Comprehensive transportation	0120	0.0	297.5	0.0
School aid	0122	0.0	12,359.2	0.0
Marine safety	0123	0.0	5.0	0.0
Game and fish protection trust	0124	0.0	17.4	0.0
State park improvement	0125	3.8	31.5	3.0

Forest development	0126	4.0	22.3	0.0
Michigan civilian conservation corps endowment	0128	0.2	2.3	0.0
Michigan natural resources trust	0129	0.0	49.4	0.0
Michigan state parks endowment	0130	11.2	21.7	11.2
Safety education and training	0131	1.6	7.6	0.0
Uninsured employers' security	0135	0.0	0.0	0.0
Bottle deposit	0136	0.0	24.7	0.0
State construction code	0138	8.5	11.0	9.0
Children's trust	0139	1.0	3.2	1.1
State casino gaming	0140	2.0	28.8	3.3
Homeowner construction lien recovery	0141	1.2	4.4	4.5
Michigan nongame fish and wildlife	0143	0.4	0.9	0.3
Michigan merit award trust	0154	0.0	227.8	0.0
Tobacco settlement trust	0155	12.0	76.0	0.0
Michigan underground storage tank finance assurance	0160	0.0	0.0	0.0
TOTALS		\$60.4	\$38,151.1	\$41.9

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

A bill to make, supplement, and adjust appropriations for the departments of attorney general, civil rights, civil service, information technology, management and budget, state, and treasury, the executive office, and the legislative branch for the fiscal year ending September 30, 2004; 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; 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.

Valde Garcia
Michelle McManus
Michael Switalski
Conferees for the Senate

Shelley Goodman Taub
Judy Emmons
Carl Williams
Conferees for the House

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

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

The motion prevailed.

The question being on the adoption of the conference report,

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

Roll Call No. 495

Yeas—93

Accavitti	Gielegem	Middaugh	Sheltrown
Acciavatti	Gillard	Milosch	Shulman
Adamini	Gleason	Moolenaar	Spade
Amos	Hager	Mortimer	Stahl
Anderson	Hoogendyk	Newell	Stakoe
Bieda	Hopgood	Nitz	Stallworth
Bisbee	Howell	Nofs	Steil
Brandenburg	Huizenga	O'Neil	Stewart
Brown	Hummel	Paletko	Tabor
Byrum	Hune	Palmer	Taub
Casperson	Hunter	Palsrok	Vagnozzi
Caswell	Jamnick	Pappageorge	Van Regenmorter
Caul	Johnson, Rick	Pastor	Voorhees

Clack	Johnson, Ruth	Plakas	Walker
Condino	Julian	Pumford	Ward
DeRoche	Koetje	Richardville	Waters
DeRossett	Kolb	Rivet	Wenke
Ehardt	Kooiman	Robertson	Whitmer
Elkins	LaJoy	Rocca	Williams
Emmons	LaSata	Sak	Wojno
Farhat	Law	Shackleton	Woodward
Farrah	Lipsey	Shaffer	Woronchak
Gaffney	Meyer	Sheen	Zelenko
Garfield			

Nays—14

Bradstreet	Hardman	Minore	Reeves
Cheeks	Hood	Murphy	Smith
Daniels	McConico	Phillips	Tobocman
Drolet	Meisner		

In The Chair: Julian

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

"Mr. Speaker and members of the House:

The complete elimination of the Ombudsman's office to the Department of Corrections is an action I can not support. This office has proven critically effective in assisting the general public in contacting, locating and ensuring the humane treatment of those in our correctional facilities. The office has been a proven fighter to ensure that basic human rights are not violated, as well as providing enormous assistance to families who need to navigate the enormous bureaucracy of our criminal justice system. I fear the problems that will go unaddressed without this needed unit of government."

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

"Mr. Speaker and members of the House:

I opposed this budget because of the elimination of the office of prison ombudsman. Over time, the office of the ombudsman has uncovered abuse and many additional problems with the corrections department. This oversight is critical to individuals who are cut off from sight of their relatives and others who would protect them. While DOC personnel are overwhelmingly correct in their demeanor and actions, those few abuses that do occur need correction, and the oversight provided by the Ombudsman's office is critical. Dismantling it is a terrible step to take, because re-establishing it will be very costly and difficult. Funding reduction may have been both appropriate and necessary, but elimination is unacceptable."

Second Reading of Bills

Senate Bill No. 540, entitled

A bill to make, supplement, and adjust appropriations for capital outlay and certain state departments and agencies for the fiscal year ending September 30, 2003 and the fiscal year ending September 30, 2004; to provide for the expenditure of the appropriations; and to repeal acts and parts of acts.

The bill was read a second time.

Rep. Shulman moved to substitute (H-2) the bill.

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

Rep. Shulman moved to amend the bill as follows:

1. Amend page 21, line 5, after “(2) WATER” by striking out “MANAGEMENT”.

2. Amend page 21, line 6, by increasing the amount by “20,000” and adjusting the subtotals, totals, and section 201 accordingly.

3. Amend page 21, following line 6, by inserting:

“Groundwater discharge 100,000”.

4. Amend page 21, line 9, by increasing the amount by “120,000” and adjusting the subtotals, totals, and section 1201 accordingly.

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

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

The motion prevailed.

Rep. Richardville 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. 540, entitled

A bill to make, supplement, and adjust appropriations for capital outlay and certain state departments and agencies for the fiscal year ending September 30, 2003 and the fiscal year ending September 30, 2004; to provide for the expenditure of the appropriations; and to repeal acts and parts of acts.

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

Roll Call No. 496

Yeas—108

Accavitti	Gaffney	Meisner	Shaffer
Acciavatti	Garfield	Meyer	Sheen
Adamini	Gielegem	Middaugh	Sheltrown
Amos	Gillard	Milosch	Shulman
Anderson	Gleason	Minore	Smith
Bieda	Hager	Moolenaar	Spade
Bisbee	Hardman	Mortimer	Stahl
Bradstreet	Hood	Murphy	Stakoe
Brandenburg	Hoogendyk	Newell	Stallworth
Brown	Hopgood	Nitz	Steil
Byrum	Howell	Nofs	Stewart
Casperson	Huizenga	O'Neil	Tabor
Caswell	Hummel	Paletko	Taub
Caul	Hune	Palmer	Tobocman
Cheeks	Hunter	Palsrok	Vagnozzi
Clack	Jamnack	Pappageorge	Van Regenmorter
Condino	Johnson, Rick	Pastor	Voorhees
Daniels	Johnson, Ruth	Phillips	Walker
Dennis	Julian	Plakas	Ward
DeRoche	Koetje	Pumford	Waters
DeRossett	Kolb	Reeves	Wenke
Drolet	Kooiman	Richardville	Whitmer
Ehardt	LaJoy	Rivet	Williams
Elkins	LaSata	Robertson	Wojno
Emmons	Law	Rocca	Woodward
Farhat	Lipsey	Sak	Woronchak
Farrah	McConico	Shackleton	Zelenko

Nays—0

In The Chair: Julian

The House agreed to the title of the bill.
Rep. Richardville moved that the bill be given immediate effect.
The motion prevailed, 2/3 of the members serving voting therefor.

Second Reading of Bills**House Bill No. 4245, entitled**

A bill to amend 1954 PA 116, entitled "Michigan election law," by amending section 961a (MCL 168.961a), as amended by 1999 PA 220.

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

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

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

The motion prevailed.

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

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

Rep. Whitmer moved that Rep. Williams be excused temporarily from today's session.
The motion prevailed.

By unanimous consent the House returned to the order of

Third Reading of Bills**House Bill No. 4245, entitled**

A bill to amend 1954 PA 116, entitled "Michigan election law," by amending section 961a (MCL 168.961a), as amended by 1999 PA 220.

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

Roll Call No. 497**Yeas—107**

Accavitti	Gaffney	Meisner	Shaffer
Acciavatti	Garfield	Meyer	Sheen
Adamini	Gielegem	Middaugh	Sheltrown
Amos	Gillard	Milosch	Shulman
Anderson	Gleason	Minore	Smith
Bieda	Hager	Moolenaar	Spade
Bisbee	Hardman	Mortimer	Stahl
Bradstreet	Hood	Murphy	Stakoe
Brandenburg	Hoogendyk	Newell	Stallworth
Brown	Hopgood	Nitz	Steil
Byrum	Howell	Nofs	Stewart
Casperson	Huizenga	O'Neil	Tabor
Caswell	Hummel	Paletko	Taub
Caul	Hune	Palmer	Tobocman

Cheeks	Hunter	Palsrok	Vagnozzi
Clack	Jamnick	Pappageorge	Van Regenmorter
Condino	Johnson, Rick	Pastor	Voorhees
Daniels	Johnson, Ruth	Phillips	Walker
Dennis	Julian	Plakas	Ward
DeRoche	Koetje	Pumford	Waters
DeRossett	Kolb	Reeves	Wenke
Drolet	Kooiman	Richardville	Whitmer
Ehardt	LaJoy	Rivet	Wojno
Elkins	LaSata	Robertson	Woodward
Emmons	Law	Rocca	Woronchak
Farhat	Lipsey	Sak	Zelenko
Farrah	McConico	Shackleton	

Nays—0

In The Chair: Julian

The House agreed to the title of the bill.

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

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

Rep. Woronchak moved that Rep. LaSata be excused from the balance of today's session.

The motion prevailed.

Second Reading of Bills

Rep. Richardville moved that Rule 48 be suspended.

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

Senate Bill No. 265, entitled

A bill to make appropriations for the state transportation department and certain transportation purposes for the fiscal year ending September 30, 2004; 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 bill was read a second time.

Rep. Shackleton moved to substitute (H-2) the bill.

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

Rep. Shackleton moved to amend the bill as follows:

1. Amend page 42, following line 24, by striking out all of section 729 and inserting:

"Sec. 729. (1) From the comprehensive transportation funds appropriated in part 1, no more than \$200,000.00 shall be expended by the department to match federal funds made available to the Detroit area regional transportation authority. The state funds authorized under this subsection are only available for expenditure to the extent that they are matched equally by local sources of revenue within the Detroit regional transportation authority.

(2) From the comprehensive transportation funds appropriated in part 1, no funds shall be expended toward implementation of an initial comprehensive regional public transportation plan for the Detroit area regional transportation authority until 45 days after the plan has been presented to the senate, the house of representatives, the state budget department, and the department."

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

Rep. Hoogendyk moved to amend the bill as follows:

1. Amend page 38, line 26, after the second "Chicago" by striking out the balance of the line through "route." on page 39, line 4.

2. Amend page 39, line 5, after "exceed" by striking out "\$7,100,000.00" and inserting "\$5,700,000.00".

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

Rep. Hoogendyk demanded the yeas and nays.

The demand was supported.

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

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

Roll Call No. 498**Yeas—31**

Amos	Hoogendyk	Milosch	Shaffer
Bradstreet	Hummel	Moolenaar	Sheen
Brandenburg	Hune	Mortimer	Stakoe
Casperson	Johnson, Rick	Palmer	Van Regenmorter
Caul	Johnson, Ruth	Pastor	Voorhees
DeRoche	Koetje	Pumford	Ward
Drolet	McConico	Robertson	Wenke
Garfield	Middaugh	Rocca	

Nays—76

Accavitti	Farrah	Meisner	Shulman
Acciavatti	Gaffney	Meyer	Smith
Adamini	Gielegem	Minore	Spade
Anderson	Gillard	Murphy	Stahl
Bieda	Gleason	Newell	Stallworth
Bisbee	Hager	Nitz	Steil
Brown	Hardman	Nofs	Stewart
Byrum	Hood	O'Neil	Tabor
Caswell	Hopgood	Paletko	Taub
Cheeks	Howell	Palsrok	Tobocman
Clack	Huizenga	Pappageorge	Vagnozzi
Condino	Hunter	Phillips	Walker
Daniels	Jamnick	Plakas	Waters
Dennis	Julian	Reeves	Whitmer
DeRossett	Kolb	Richardville	Williams
Ehardt	Kooiman	Rivet	Wojno
Elkins	LaJoy	Sak	Woodward
Emmons	Law	Shackleton	Woronchak
Farhat	Lipsey	Sheltrown	Zelenko

In The Chair: Julian

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

The motion prevailed.

Rep. Richardville 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. 265, entitled

A bill to make appropriations for the state transportation department and certain transportation purposes for the fiscal year ending September 30, 2004; 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.

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

Roll Call No. 499

Yeas—107

Accavitti	Gaffney	Meyer	Sheen
Acciavatti	Garfield	Middaugh	Sheltrown
Adamini	Gielegghem	Milosch	Shulman
Amos	Gillard	Minore	Smith
Anderson	Gleason	Moolenaar	Spade
Bieda	Hager	Mortimer	Stahl
Bisbee	Hardman	Murphy	Stakoe
Bradstreet	Hood	Newell	Stallworth
Brandenburg	Hoogendyk	Nitz	Steil
Brown	Hopgood	Nofs	Stewart
Byrum	Howell	O'Neil	Tabor
Casperson	Huizenga	Paletko	Taub
Caswell	Hummel	Palmer	Tobocman
Caul	Hune	Palsrok	Vagnozzi
Cheeks	Hunter	Pappageorge	Van Regenmorter
Clack	Jamnack	Pastor	Voorhees
Condino	Johnson, Rick	Phillips	Walker
Daniels	Johnson, Ruth	Plakas	Ward
Dennis	Julian	Pumford	Waters
DeRoche	Koetje	Reeves	Wenke
DeRossett	Kolb	Richardville	Whitmer
Drolet	Kooiman	Rivet	Williams
Ehardt	LaJoy	Robertson	Wojno
Elkins	Law	Rocca	Woodward
Emmons	Lipsey	Sak	Woronchak
Farhat	McConico	Shackleton	Zelenko
Farrah	Meisner	Shaffer	

Nays—0

In The Chair: Julian

The House agreed to the title of the bill.

Rep. Richardville 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

Senate Bill No. 289, entitled

A bill to amend 1994 PA 451, entitled "An act to protect the environment and natural resources of the state; to codify, revise, consolidate, and classify laws relating to the environment and natural resources of the state; to regulate

the discharge of certain substances into the environment; to regulate the use of certain lands, waters, and other natural resources of the state; to prescribe the powers and duties of certain state and local agencies and officials; to provide for certain charges, fees, and assessments; to provide certain appropriations; to prescribe penalties and provide remedies; to repeal certain parts of this act on a specific date; and to repeal certain acts and parts of acts," by amending sections 32701, 32705, 32707, 32708, and 32714 (MCL 324.32701, 324.32705, 324.32707, 324.32708, and 324.32714), sections 32701, 32707, and 32708 as amended and section 32714 as added by 1996 PA 434 and section 32705 as added by 1995 PA 59, and by adding part 328.

The Senate has amended the House substitute (H-2) as follows:

1. Amend page 13, line 17, by striking out all of enacting section 1.

The Senate has concurred in the House substitute (H-2) as amended, ordered that the bill be given immediate effect and agreed to the full title.

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

Rep. Richardville moved that Rule 45 be suspended.

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

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

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

Roll Call No. 500

Yeas—93

Accavitti	Gielegem	Murphy	Smith
Acciavatti	Gillard	Newell	Spade
Adamini	Gleason	Nitz	Stahl
Amos	Hager	Nofs	Stakoe
Anderson	Howell	O'Neil	Stallworth
Bieda	Huizenga	Paletko	Steil
Bisbee	Hunter	Palmer	Stewart
Brandenburg	Jamnick	Palsrok	Tabor
Brown	Johnson, Rick	Pappageorge	Taub
Byrum	Johnson, Ruth	Pastor	Tobocman
Casperson	Julian	Phillips	Vagnozzi
Caul	Koetje	Plakas	Van Regenmorter
Clack	Kolb	Pumford	Voorhees
Condino	Kooiman	Richardville	Walker
Daniels	LaJoy	Rivet	Ward
Dennis	McConico	Robertson	Waters
DeRoche	Meisner	Rocca	Wenke
DeRossett	Meyer	Sak	Whitmer
Ehardt	Middaugh	Shackleton	Williams
Elkins	Milosch	Shaffer	Wojno
Emmons	Minore	Sheen	Woodward
Farhat	Moolenaar	Sheltrown	Woronchak
Farrah	Mortimer	Shulman	Zelenko
Gaffney			

Nays—14

Bradstreet	Garfield	Hopgood	Law
Caswell	Hardman	Hummel	Lipsey
Cheeks	Hood	Hune	Reeves
Drolet	Hoogendyk		

In The Chair: Julian

Second Reading of Bills

Senate Bill No. 393, entitled

A bill to amend 1976 PA 451, entitled "The revised school code," by amending the title and sections 5, 501, 502, 503, 504, 504a, 506, and 507 (MCL 380.5, 380.501, 380.502, 380.503, 380.504, 380.504a, 380.506, and 380.507), the title and sections 501, 502, 503, 504a, and 507 as amended by 1995 PA 289, section 5 as amended by 1999 PA 23, section 504 as amended by 1994 PA 416, and section 506 as added by 1993 PA 362, and by adding sections 503b and 1320 and part 6c.

The bill was read a second time.

Rep. Palmer moved to substitute (H-2) the bill.

The motion did not prevail and the substitute (H-2) was not adopted, a majority of the members serving not voting therefor.

Rep. Rick Johnson moved to substitute (H-5) the bill.

The motion prevailed and the substitute (H-5) was adopted, a majority of the members serving voting therefor.

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

The motion prevailed.

Rep. Richardville 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. 393, entitled

A bill to amend 1976 PA 451, entitled "The revised school code," by amending the title and sections 5, 501, 502, 503, 504, 504a, 506, and 507 (MCL 380.5, 380.501, 380.502, 380.503, 380.504, 380.504a, 380.506, and 380.507), the title and sections 501, 502, 503, 504a, and 507 as amended by 1995 PA 289, section 5 as amended by 1999 PA 23, section 504 as amended by 1994 PA 416, and section 506 as added by 1993 PA 362, and by adding sections 503b and 1320 and part 6c.

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

Roll Call No. 501

Yeas—57

Acciavatti	Garfield	Middaugh	Shackleton
Amos	Hager	Milosch	Shaffer
Bisbee	Hoogendyk	Moolenaar	Sheen
Bradstreet	Howell	Mortimer	Shulman
Brandenburg	Huizenga	Newell	Stahl
Casperson	Hummel	Nitz	Stakoe
Caswell	Hune	Nofs	Steil
Caul	Johnson, Rick	Palmer	Tabor
DeRoche	Johnson, Ruth	Palsrok	Taub
DeRossett	Julian	Pappageorge	Van Regenmorter
Drolet	Koetje	Pastor	Voorhees
Ehardt	Kooiman	Richardville	Walker
Emmons	LaJoy	Robertson	Ward
Farhat	Meyer	Rocca	Wenke
Gaffney			

Nays—50

Accavitti	Gielegem	Minore	Spade
Adamini	Gillard	Murphy	Stallworth

Anderson	Gleason	O'Neil	Stewart
Bieda	Hardman	Paletko	Tobocman
Brown	Hood	Phillips	Vagnozzi
Byrum	Hopgood	Plakas	Waters
Cheeks	Hunter	Pumford	Whitmer
Clack	Jamnick	Reeves	Williams
Condino	Kolb	Rivet	Wojno
Daniels	Law	Sak	Woodward
Dennis	Lipsey	Sheltrown	Woronchak
Elkins	McConico	Smith	Zelenko
Farrah	Meisner		

In The Chair: Julian

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

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

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," by amending the title and sections 5, 501, and 504a (MCL 380.5, 380.501, and 380.504a), the title and sections 501 and 504a as amended by 1995 PA 289 and section 5 as amended by 1999 PA 23, and by adding section 503b and part 6c.

The motion prevailed.

The House agreed to the title as amended.

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

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

Reps. Hopgood and Accavitti, 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 SB 393 (H-5) because it did nothing to address accountability for our current charter schools per the report by the Commission on Charter Schools. Additionally, it did not close the loophole through which the Bay Mills Tribal Community College is chartering schools. The Legislator Auditor General released a report stating that the Department of Education was not doing enough to ensure proper oversight. Superintendent Watkins has concurred that he needs additional resources for the Department. Now we are increasing the number of schools which that Department must oversee. This will mean even weaker oversight of all charter schools. This bill does not follow the recommendations of the Commission on Charter Schools in their report to the Legislature. That report laid out the additional oversight needed if the State is to increase the number of charter schools. This bill does not close the Bay Mills loophole, allowing them to continue chartering as many schools as they wish across the State. This will continue to strain the Department's oversight ability. For these reasons, I voted no on SB 393 (H-5)."

Rep. Meisner, 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 against SB 393 for the simple reason that, despite an extensive search on my part, I have been unable to find any objective evidence to suggest that charter schools in our state are yielding the superior academic outcomes that they claim. To the contrary, test scores in the charter schools are lower than those in the public schools, and the

graduation rate for Michigan's charter schools is less than 63% -- compared to 89% for the public school system. Absent hard evidence to confirm that charter schools are doing it better, as they claim, I can support, nor can our state financially afford, expanded investment in this policy which is sapping scarce resources from our public school system."

Rep. Waters moved that Rep. McConico be excused from the balance of today's session.
The motion prevailed.

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

Senate Bill No. 539, entitled

A bill to amend 1951 PA 51, entitled "An act to provide for the classification of all public roads, streets, and highways in this state, and for the revision of that classification and for additions to and deletions from each classification; to set up and establish the Michigan transportation fund; to provide for the deposits in the Michigan transportation fund of specific taxes on motor vehicles and motor vehicle fuels; to provide for the allocation of funds from the Michigan transportation fund and the use and administration of the fund for transportation purposes; to set up and establish the truck safety fund; to provide for the allocation of funds from the truck safety fund and administration of the fund for truck safety purposes; to set up and establish the Michigan truck safety commission; to establish certain standards for road contracts for certain businesses; to provide for the continuing review of transportation needs within the state; to authorize the state transportation commission, counties, cities, and villages to borrow money, issue bonds, and make pledges of funds for transportation purposes; to authorize counties to advance funds for the payment of deficiencies necessary for the payment of bonds issued under this act; to provide for the limitations, payment, retirement, and security of the bonds and pledges; to provide for appropriations and tax levies by counties and townships for county roads; to authorize contributions by townships for county roads; to provide for the establishment and administration of the state trunk line fund, 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 10 (MCL 247.660), as amended by 2000 PA 188.

The Senate has amended the House substitute (H-3) as follows:

1. Amend page 4, line 18, after "(d)" by striking out "**Before October 1, 2004, all the revenue**" and inserting "Revenue".

2. Amend page 4, line 20, after "section 11." by striking out the balance of the subdivision.

The Senate has concurred in the House substitute (H-3) as amended and ordered that the bill be given immediate effect.

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

Rep. Richardville moved that Rule 45 be suspended.

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

The question being on concurring in the amendments to the House substitute (H-3) made to the bill by the Senate,

The amendments were concurred in, a majority of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 502

Yeas—106

Accavitti	Gaffney	Middaugh	Sheen
Acciavatti	Garfield	Milosch	Sheltrown
Adamini	Gielegem	Minore	Shulman
Amos	Gillard	Moolenaar	Smith
Anderson	Gleason	Mortimer	Spade

Bieda	Hager	Murphy	Stahl
Bisbee	Hardman	Newell	Stakoe
Bradstreet	Hood	Nitz	Stallworth
Brandenburg	Hoogendyk	Nofs	Steil
Brown	Hopgood	O'Neil	Stewart
Byrum	Howell	Paletko	Tabor
Casperson	Huizenga	Palmer	Taub
Caswell	Hummel	Palsrok	Tobocman
Caul	Hune	Pappageorge	Vagnozzi
Cheeks	Hunter	Pastor	Van Regenmorter
Clack	Jamnick	Phillips	Voorhees
Condino	Johnson, Rick	Plakas	Walker
Daniels	Johnson, Ruth	Pumford	Ward
Dennis	Julian	Reeves	Waters
DeRoche	Koetje	Richardville	Wenke
DeRossett	Kolb	Rivet	Whitmer
Drolet	Kooiman	Robertson	Williams
Ehardt	LaJoy	Rocca	Wojno
Elkins	Law	Sak	Woodward
Emmons	Lipsey	Shackleton	Woronchak
Farhat	Meisner	Shaffer	Zelenko
Farrah	Meyer		

Nays—0

In The Chair: Julian

Senate Bill No. 561, entitled

A bill to amend 1994 PA 451, entitled "An act to protect the environment and natural resources of the state; to codify, revise, consolidate, and classify laws relating to the environment and natural resources of the state; to regulate the discharge of certain substances into the environment; to regulate the use of certain lands, waters, and other natural resources of the state; to prescribe the powers and duties of certain state and local agencies and officials; to provide for certain charges, fees, and assessments; to provide certain appropriations; to prescribe penalties and provide remedies; to repeal certain parts of this act on a specific date; and to repeal certain acts and parts of acts," by amending sections 11507a, 11512, 11516, 11525, 11525a, and 11550 (MCL 324.11507a, 324.11512, 324.11516, 324.11525, 324.11525a, and 324.11550), section 11507a as added by 1996 PA 359, sections 11512 and 11516 as amended and sections 11525a and 11550 as added by 1996 PA 358, and section 11525 as amended by 1996 PA 506.

The Senate has amended the House substitute (H-1) as follows:

1. Amend page 14, line 25, after "**pay**" by striking out "**an annual**" and inserting "**a**".
2. Amend page 15, line 3, after "**previous**" by inserting "**quarter of the**".
3. Amend page 15, line 5, after "**following**" by inserting "**annual**".
4. Amend page 15, line 17, after "**surcharge**" by striking out the balance of the subsection and inserting "**under subsection (6)(a) within 30 days after the end of each quarter of the state fiscal year. The owner or operator of a type III landfill that is a captive facility shall pay the surcharge under subsection (6)(b) by January 31 of each year.**".

The Senate has concurred in the House substitute (H-1) as amended, ordered that the bill be given immediate effect and agreed to the full title.

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

Rep. Richardville moved that Rule 45 be suspended.

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

The question being on concurring in the amendments to the House substitute (H-1) made to the bill by the Senate, The amendments were concurred in, a majority of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 503

Yeas—74

Accavitti	Hager	Moolenaar	Shulman
Adamini	Hardman	Murphy	Smith

Anderson	Hood	Newell	Spade
Brandenburg	Hoogendyk	O'Neil	Stallworth
Brown	Hopgood	Paletko	Steil
Byrum	Howell	Palsrok	Tabor
Cheeks	Hunter	Pappageorge	Taub
Clack	Jamnack	Pastor	Tobocman
Condino	Johnson, Rick	Phillips	Vagnozzi
Daniels	Johnson, Ruth	Plakas	Walker
Dennis	Julian	Pumford	Waters
DeRossett	Koetje	Reeves	Wenke
Ehardt	Kolb	Richardville	Whitmer
Elkins	Kooiman	Rivet	Williams
Emmons	Law	Rocca	Wojno
Farrah	Lipsey	Sak	Woodward
Gielegem	Meisner	Shackleton	Woronchak
Gillard	Meyer	Sheltrown	Zelenko
Gleason	Minore		

Nays—32

Acciavatti	DeRoche	LaJoy	Shaffer
Amos	Drolet	Middaugh	Sheen
Bieda	Farhat	Milosch	Stahl
Bisbee	Gaffney	Mortimer	Stakoe
Bradstreet	Garfield	Nitz	Stewart
Casperson	Huizenga	Nofs	Van Regenmorter
Caswell	Hummel	Palmer	Voorhees
Caul	Hune	Robertson	Ward

In The Chair: Julian

Rep. O'Neil moved that Reps. Plakas and Reeves be excused from the balance of today's session.
The motion prevailed.

By unanimous consent the House returned to the order of

Motions and Resolutions

Rep. Richardville moved to vacate the enrollment of **House Bill No. 4087**.
The motion prevailed.

Messages from the Senate

House Bill No. 4087, entitled

A bill to amend 1994 PA 451, entitled "An act to protect the environment and natural resources of the state; to codify, revise, consolidate, and classify laws relating to the environment and natural resources of the state; to regulate the discharge of certain substances into the environment; to regulate the use of certain lands, waters, and other natural resources of the state; to prescribe the powers and duties of certain state and local agencies and officials; to provide for certain charges, fees, and assessments; to provide certain appropriations; to prescribe penalties and provide

remedies; to repeal certain parts of this act on a specific date; and to repeal certain acts and parts of acts," (MCL 324.101 to 324.90106) by adding part 317.

(The bill was enrolled on July 16, see House Journal No. 62, p. 1482.)

Rep. Richardville moved to reconsider the vote by which the House concurred in the Senate substitute (S-4). The motion prevailed, a majority of the members serving voting therefor. The question being on concurring in the substitute (S-4) made to the bill by the Senate,

Rep. Moolenaar moved to amend the Senate substitute (S-4) as follows:

1. Amend page 14, line 15, by striking out all of enacting section 1.

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

The question being on concurring in the substitute (S-4) made to the bill by the Senate,

The substitute (S-4), as amended, was concurred in, a majority of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 504

Yeas—94

Accavitti	Garfield	Milosch	Sheltrown
Acciavatti	Gielegem	Moolenaar	Shulman
Adamini	Gillard	Mortimer	Spade
Amos	Gleason	Murphy	Stahl
Anderson	Hager	Newell	Stakoe
Bieda	Hood	Nitz	Stallworth
Bisbee	Hoogendyk	Nofs	Steil
Brandenburg	Howell	O'Neil	Stewart
Brown	Huizenga	Paletko	Tabor
Byrum	Hummel	Palmer	Taub
Casperson	Hune	Palsrok	Tobocman
Caswell	Hunter	Pappageorge	Vagnozzi
Caul	Jamnick	Pastor	Van Regenmorter
Cheeks	Johnson, Rick	Phillips	Voorhees
Condino	Johnson, Ruth	Pumford	Walker
DeRoche	Julian	Richardville	Ward
DeRossett	Koetje	Rivet	Wenke
Drolet	Kolb	Robertson	Whitmer
Ehardt	Kooiman	Rocca	Williams
Elkins	LaJoy	Sak	Wojno
Emmons	Lipsey	Shackleton	Woodward
Farhat	Meisner	Shaffer	Woronchak
Farrah	Meyer	Sheen	Zelenko
Gaffney	Middaugh		

Nays—8

Bradstreet	Dennis	Hopgood	Minore
Clack	Hardman	Law	Waters

In The Chair: Julian



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

"Mr. Speaker and members of the House:

Again I voted no on HB 4087 bill as the science is bad, the tools and funding are not provided, and although the concept is good and the need is great, this bill is not going to do it for us."

By unanimous consent the House returned to the order of
Motions and Resolutions

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

The motion prevailed.

Rep. Richardville moved that when the House adjourns today it stand adjourned until Wednesday, August 13, at 1:00 p.m. The motion prevailed.

Announcement by the Clerk of Printing and Enrollment

The Clerk announced that the following bills had been printed and placed upon the files of the members on Thursday, July 17:

House Bill Nos.	4961	4962	4963	4964	4965	4966	4967	4968	4969	4970	4971	4972	4973	4974
	4975	4976	4977	4978	4979	4980	4981	4982	4983	4984	4985			

The Clerk announced that the following Senate bill had been received on Thursday, July 17:

Senate Bill No. 334

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

Senate Bill No. 334, entitled

A bill to amend 1951 PA 51, entitled "An act to provide for the classification of all public roads, streets, and highways in this state, and for the revision of that classification and for additions to and deletions from each classification; to set up and establish the Michigan transportation fund; to provide for the deposits in the Michigan transportation fund of specific taxes on motor vehicles and motor vehicle fuels; to provide for the allocation of funds from the Michigan transportation fund and the use and administration of the fund for transportation purposes; to set up and establish the truck safety fund; to provide for the allocation of funds from the truck safety fund and administration of the fund for truck safety purposes; to set up and establish the Michigan truck safety commission; to establish certain standards for road contracts for certain businesses; to provide for the continuing review of transportation needs within the state; to authorize the state transportation commission, counties, cities, and villages to borrow money, issue bonds, and make pledges of funds for transportation purposes; to authorize counties to advance funds for the payment of deficiencies necessary for the payment of bonds issued under this act; to provide for the limitations, payment, retirement, and security of the bonds and pledges; to provide for appropriations and tax levies by counties and townships for county roads; to authorize contributions by townships for county roads; to provide for the establishment and administration of the state trunk line fund, 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 1999 PA 54.

The Senate has passed the bill.

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

House Concurrent Resolution No. 26.

A concurrent resolution prescribing the legislative schedule.

(For text of concurrent resolution, see today's Journal p. 1598.)

The Senate has adopted the concurrent resolution.

The concurrent resolution was referred to the Clerk for record.

Notices

Pursuant to Rule 44, the Speaker has made the following reassignment:
House Bill No. 4975 referred to the Committee on Health Policy.

Introduction of Bills

Reps. Murphy, Sak, Whitmer, Paletko, Elkins, Stallworth, Reeves, Williams, Hager, Plakas, Ehardt, Condino, Byrum, Minore, Bieda and Hardman introduced

House Bill No. 4986, entitled

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," by amending section 440 (MCL 206.440), as amended by 1996 PA 484.

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

Reps. Newell, Rocca, Hummel, Gaffney, Ruth Johnson, DeRossett, Koetje, Steil, Woronchak, Pappageorge, Hager, Meyer, Vander Veen, Shaffer, Stewart, Voorhees, Walker, Mortimer, Huizenga, Kooiman, Caul, Lipsey, Casperson, Farhat, Middaugh, Palmer, Nitz, Milosch, Garfield, Emmons, Caswell, Tabor, Stakoe, Wenke, DeRoche, LaJoy, Pastor, Acciavatti, Palsrok, Ward, Stahl, Bradstreet, Plakas, Hart, Shulman, Amos, Nofs, Hune, Julian, Pumford, Van Regenmorter, Howell, Moolenaar, Sheen, Reeves, Hardman, Stallworth, Zelenko, Gielegthem, Phillips, Jamnick, Anderson, Minore, Kolb, LaSata, Tobocman, Meisner, Sheltrown, Shackleton, Robertson, Williams, Brown, Adamini, Rivet, Bieda, Gillard, Murphy, Paletko, Cheeks, Wojno, Hoppood, McConico, Dennis, Hunter, Vagnozzi, Clack, O'Neil, Spade, Byrum, Accavitti, Condino, Law, Richardville and Daniels introduced

House Bill No. 4987, entitled

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," (MCL 500.100 to 500.8302) by adding section 3406r. The bill was read a first time by its title and referred to the Committee on Health Policy.

Reps. Hardman, Byrum, Jamnick, Tobocman, Accavitti and Bieda introduced

House Bill No. 4988, entitled

A bill to amend 1954 PA 116, entitled "Michigan election law," by amending sections 720, 758, 759, and 759b (MCL 168.720, 168.758, 168.759, and 168.759b), section 758 as amended by 1996 PA 207 and section 759 as amended by 1995 PA 261, and by adding section 720a.

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

Reps. Jamnick, Byrum, Accavitti, Bieda and Hardman introduced

House Bill No. 4989, entitled

A bill to amend 1954 PA 116, entitled "Michigan election law," by amending sections 31, 33, and 683 (MCL 168.31, 168.33, and 168.683), section 31 as amended by 1999 PA 220 and section 33 as amended by 2002 PA 91.

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

Reps. Smith, Byrum, Jamnick, Tobocman, Accavitti, Bieda and Hardman introduced

House Bill No. 4990, entitled

A bill to amend 1954 PA 116, entitled "Michigan election law," by amending section 509t (MCL 168.509t), as amended by 1998 PA 21.

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

Reps. Byrum, Jamnick, Tobocman, Accavitti, Bieda and Hardman introduced

House Bill No. 4991, entitled

A bill to require public employers to grant public employees a leave of absence to serve as precinct election inspectors without loss of pay or benefits; to impose certain duties on public employees who request a leave of absence to serve as precinct election inspectors; and to impose certain duties on certain public officials.

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

Reps. Byrum, Jamnick, Accavitti, Bieda and Hardman introduced

House Bill No. 4992, entitled

A bill to amend 1954 PA 116, entitled "Michigan election law," by amending section 871 (MCL 168.871), as amended by 2000 PA 207.

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

Reps. Hood, Byrum, Jammick, Tobocman, Accavitti, Bieda and Hardman introduced
House Bill No. 4993, entitled

A bill to amend 1954 PA 116, entitled "Michigan election law," by amending section 792a (MCL 168.792a), as amended by 1996 PA 583.

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

Reps. Stakoe, Ward, Casperson, Stahl, Caswell, LaJoy, Garfield, Gaffney, Koetje, Sheen, Drolet, Hune, Jammick, Byrum and Farhat introduced

House Bill No. 4994, entitled

A bill to amend 1954 PA 116, entitled "Michigan election law," by amending section 661 (MCL 168.661), as amended by 1982 PA 2.

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

Rep. Mortimer introduced

House Bill No. 4995, entitled

A bill to amend 1954 PA 116, entitled "Michigan election law," by amending sections 497, 499, 504, 509n, 509o, 509p, 509q, 509r, 509s, 509t, 509v, 509w, and 509y (MCL 168.497, 168.499, 168.504, 168.509n, 168.509o, 168.509p, 168.509q, 168.509r, 168.509s, 168.509t, 168.509v, 168.509w, and 168.509y), section 497 as amended by 1989 PA 142, section 499 as amended by 1995 PA 213, sections 504 and 509t as amended by 1998 PA 21, section 509n as amended by 1999 PA 216, and sections 509o, 509p, 509q, 509r, 509s, 509v, 509w, and 509y as added by 1994 PA 441.

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

Reps. Ward, Gaffney, DeRoche, Stakoe, Stahl and Nofs introduced

House Bill No. 4996, entitled

A bill to amend 1954 PA 116, entitled "Michigan election law," by amending section 31 (MCL 168.31), as amended by 1999 PA 220.

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

Reps. Tobocman, Hunter, Hood, Accavitti, Smith, Meisner and Gillard introduced

House Bill No. 4997, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 8901 (MCL 324.8901) and by adding sections 8905d and 8905e.

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

Reps. Tobocman, Hunter, Accavitti, Hood, Smith, Meisner, Gillard and Elkins introduced

House Bill No. 4998, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending section 8831 (MCL 600.8831), as added by 1995 PA 54.

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

Reps. Elkins, Lipsey, Minore, Hunter, Tobocman, Gillard, McConico, Sak, Rivet, Dennis and Plakas introduced

House Bill No. 4999, entitled

A bill to amend 1939 PA 288, entitled "Probate code of 1939," (MCL 710.21 to 712A.32) by adding section 65a to chapter X and section 18 to chapter XII.

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

Reps. Elkins, Lipsey, Minore, Hunter, Tobocman, Gillard, McConico, Sak, Rivet, Dennis and Plakas introduced

House Bill No. 5000, entitled

A bill to amend 1939 PA 288, entitled "Probate code of 1939," by amending section 21a of chapter X and sections 2 and 3 of chapter XII (MCL 710.21a, 712.2, and 712.3), section 21a of chapter X as added by 1982 PA 72, section 2 of chapter XII as added by 2000 PA 232, and section 3 of chapter XII as amended by 2002 PA 688.

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

Reps. Elkins, Lipsey, Minore, Hunter, Tobocman, Gillard, McConico, Sak, Rivet, Dennis and Plakas introduced
House Bill No. 5001, entitled

A bill to amend 1939 PA 288, entitled "Probate code of 1939," by amending sections 7, 15, and 20 of chapter XII (MCL 712.7, 712.15, and 712.20), sections 7 and 15 as added by 2000 PA 232 and section 20 as added by 2000 PA 235.

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

Reps. Gleason and Tabor introduced

House Bill No. 5002, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 43520, 43523, 43525a, 43527, 43531, and 43553 (MCL 324.43520, 324.43523, 324.43525a, 324.43527, 324.43531, and 324.43553), section 43520 as added by 1995 PA 57, sections 43523, 43527, 43531, and 43553 as amended by 1996 PA 585, and section 43525a as added by 1998 PA 291.

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

Rep. Julian introduced

House Bill No. 5003, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 14d of chapter XVII (MCL 777.14d), as added by 2002 PA 29.

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

Reps. Bieda, Plakas and Gleason introduced

House Bill No. 5004, entitled

A bill to amend 1953 PA 232, entitled "Corrections code of 1953," by amending section 34 (MCL 791.234), as amended by 2002 PA 670.

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

Reps. Hoogendyk, Moolenaar, Drolet, Voorhees, Vander Veen, Bradstreet, Ehardt and Tabor introduced

House Bill No. 5005, entitled

A bill to amend 1976 PA 451, entitled "The revised school code," (MCL 380.1 to 380.1852) by adding section 1164.

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

Reps. Richardville, Hummel, Milosch, Garfield, Vander Veen, Spade, Mortimer, Pastor, Palmer, Kooiman, Gaffney, Gleason, Bradstreet, Casperson, Pappageorge, Bisbee, Caswell, Huizenga, Rocca, Voorhees, Shaffer, Farhat, O'Neil, Paletko, Drolet, Meyer, Hoogendyk, Acciavatti, Stahl, Steil, Koetje, DeRossett, Ward, Sak, Sheen, Brandenburg, LaJoy, Robertson and Nofs introduced

House Bill No. 5006, entitled

A bill to provide standards for personnel policies to protect the right of conscience of health care providers who conscientiously object to providing or participating in certain health care services under certain circumstances; to provide for protection from certain liability; and to provide for penalties and remedies.

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

Reps. Huizenga, Kooiman, Stahl, DeRossett, Caul, Voorhees, Palmer, Ward, Sheen, Wenke, Steil, LaJoy, Ehardt, Hoogendyk, Brandenburg, Meyer, Acciavatti, Tobocman, Gleason and Elkins introduced

House Bill No. 5007, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 710e (MCL 257.710e), as amended by 1999 PA 29.

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

Reps. Huizenga, Hummel, Kooiman, Anderson, Stahl, DeRoche, Spade, Bisbee, Emmons, Woronchak, DeRossett, Caul, Pappageorge, Voorhees, Shaffer, Robertson, Palmer, Ward, Sheen, Hager, Wenke, Middaugh, Caswell, Palsrok, Ehardt, Hoogendyk, Brandenburg, Meyer, Acciavatti, Milosch, Tobocman, Gleason and Elkins introduced

House Bill No. 5008, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 226 (MCL 257.226), as amended by 2002 PA 642.

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

Reps. Hoogendyk, Lipsey and Wenke introduced

House Bill No. 5009, entitled

A bill to amend 1953 PA 192, entitled "An act to create a county department of veterans' affairs in certain counties, and to prescribe its powers and duties; and to transfer the powers and duties of the soldiers' relief commission in such counties," by amending section 1 (MCL 35.621), as amended by 1996 PA 108.

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

Rep. Murphy moved that the House adjourn.

The motion prevailed, the time being 6:30 p.m.

The Speaker Pro Tempore declared the House adjourned until Wednesday, August 13, at 1:00 p.m.

GARY L. RANDALL
Clerk of the House of Representatives