

No. 60  
STATE OF MICHIGAN  
JOURNAL  
OF THE  
**House of Representatives**  
89th Legislature  
REGULAR SESSION OF 1998

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House Chamber, Lansing, Wednesday, June 17, 1998.

10:00 a.m.

The House was called to order by Acting Speaker DeHart.

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

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

e/d/s = entered during session

Rep. Ken Sikkema, from the 74th District, offered the following invocation:

“Lord we come to You today, as we prepare to do the people’s business, with a humble and a contrite heart and spirit. We know that we have fallen short of Your expectations of us, and we ask forgiveness for that. We have in mind today our friends and neighbors who have suffered because of the recent storms in Michigan, we ask that You will help us help them. We also want to thank You for the blessings we have of living in a representative democracy. Let us always remember the freedoms we enjoy. With few exceptions we have all been born and raised in this country, and we simply are not aware or understand how important those freedoms are and how truly unique they are. Help us to always keep that in mind, and in the present and in the future strive to maintain those liberties. This we ask in Your Name, Amen.”

Rep. Hammerstrom moved that Rep. Brackenridge be excused from today’s session.  
The motion prevailed.

### Notices

June 17, 1998

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

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

Sincerely,  
Curtis Hertel  
Speaker of the House

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

The Speaker laid before the House  
**House Bill No. 4942, entitled**

A bill to amend 1933 PA 167, entitled “General sales tax act,” by amending section 6 (MCL 205.56), as amended by 1993 PA 325.

(The bill was received from the Senate on June 10, with substitute (S-1), full title inserted and immediate effect given by the Senate, consideration of which, under the rules, was postponed until June 11, see House Journal No. 57, p. 1399.)

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

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

### Roll Call No. 633

### Yeas—102

Agee	Fitzgerald	Kukuk	Prusi
Alley	Frank	LaForge	Quarles
Anthony	Freeman	Law	Rackowski
Baade	Gagliardi	Leland	Rhead
Baird	Galloway	LeTarte	Richner
Bankes	Geiger	Llewellyn	Rocca
Basham	Gernaat	London	Sanborn
Birkholz	Gilmer	Lowe	Schauer
Bodem	Gire	Mans	Schermesser

Bogardus	Godchaux	Martinez	Schroer
Brater	Goschka	Mathieu	Scott
Brewer	Green	McBryde	Scranton
Brown	Griffin	McManus	Sikkema
Byl	Gubow	McNutt	Stallworth
Callahan	Gustafson	Middaugh	Tesanovich
Cassis	Hammerstrom	Middleton	Thomas
Cherry	Hanley	Murphy	Varga
Ciaramitaro	Hood	Nye	Vaughn
Crissman	Horton	Olshove	Voorhees
Cropsey	Jansen	Owen	Walberg
Curtis	Jelinek	Palamara	Wallace
Dalman	Jellema	Parks	Wetters
DeHart	Johnson	Perricone	Whyman
DeVuyst	Kaza	Price	Willard
Dobb	Kelly	Profit	Wojno
Dobronski	Kilpatrick		

**Nays—0**

In The Chair: DeHart

The House agreed to the full title.

Reps. Baade, Basham, Callahan, Ciaramitaro, DeHart, DeVuyst, Gagliardi, Gilmer, Hood, Jansen, Kaza, Kukuk, Law, Lowe, McManus, Middaugh, Parks, Perricone, Profit, Rhead, Richner, Rocca, Scott, Vaughn, Whyman and Wojno were named co-sponsors of the bill.

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

The Speaker laid before the House

**House Bill No. 5313, entitled**

A bill to amend 1937 PA 94, entitled "Use tax act," by amending sections 4f and 6 (MCL 205.94f and 205.96), as amended by 1993 PA 326.

(The bill was received from the Senate on June 10, with substitute (S-1), full title inserted and immediate effect given by the Senate, consideration of which, under the rules, was postponed until June 11, see House Journal No. 57, p. 1399.)

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

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

**Roll Call No. 634****Yeas—105**

Agee	Fitzgerald	Kilpatrick	Prusi
Alley	Frank	Kukuk	Quarles
Anthony	Freeman	LaForge	Rackowski
Baade	Gagliardi	Law	Rhead
Baird	Galloway	Leland	Richner
Bankes	Geiger	LeTarte	Rison
Basham	Gernaat	Llewellyn	Rocca
Birkholz	Gilmer	London	Sanborn
Bobier	Gire	Lowe	Schauer
Bodem	Godchaux	Mans	Schermesser
Bogardus	Goschka	Martinez	Schroer
Brater	Green	Mathieu	Scott
Brewer	Griffin	McBryde	Scranton
Brown	Gubow	McManus	Sikkema

Byl	Gustafson	McNutt	Stallworth
Callahan	Hale	Middaugh	Tesanovich
Cassis	Hammerstrom	Middleton	Thomas
Cherry	Hanley	Murphy	Varga
Ciaramitaro	Hood	Nye	Vaughn
Crissman	Horton	Olshove	Voorhees
Cropsey	Jansen	Owen	Walberg
Curtis	Jelinek	Palamara	Wallace
Dalman	Jellema	Parks	Wetters
DeHart	Johnson	Perricone	Whyman
DeVuyst	Kaza	Price	Willard
Dobb	Kelly	Profit	Wojno
Dobronski			

**Nays—0**

In The Chair: DeHart

The House agreed to the full title.

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

**Second Reading of Bills**

**House Bill No. 5703, entitled**

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," (MCL 760.1 to 776.22) by adding sections 15c and 15e to chapter IX.

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

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

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

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

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

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

Rep. Harder entered the House Chambers.

By unanimous consent the House returned to the order of

**Third Reading of Bills**

**House Bill No. 5703, entitled**

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," (MCL 760.1 to 776.22) by adding sections 15c and 15e to chapter IX.

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

**Roll Call No. 635**

**Yeas—103**

Agee	Dobronski	Johnson	Profit
Alley	Emerson	Kaza	Prusi
Anthony	Fitzgerald	Kelly	Quarles

Baade	Frank	Kukuk	Rackowski
Baird	Freeman	LaForge	Rhead
Bankes	Gagliardi	Law	Richner
Basham	Galloway	Leland	Rison
Birkholz	Geiger	LeTarte	Rocca
Bobier	Gernaat	Llewellyn	Sanborn
Bodem	Gilmer	London	Schauer
Bogardus	Gire	Lowe	Schermesser
Brater	Godchaux	Mans	Scott
Brewer	Goschka	Martinez	Sikkema
Brown	Green	Mathieu	Stallworth
Byl	Griffin	McBryde	Tesanovich
Callahan	Gubow	McManus	Thomas
Cassis	Gustafson	McNutt	Varga
Cherry	Hale	Middaugh	Vaughn
Ciaramitaro	Hammerstrom	Middleton	Voorhees
Crissman	Hanley	Murphy	Walberg
Cropsey	Harder	Nye	Wallace
Curtis	Hood	Olshove	Wetters
Dalman	Horton	Owen	Whyman
DeHart	Jansen	Palamara	Willard
DeVuyst	Jelinek	Perricone	Wojno
Dobb	Jellema	Price	

### Nays—1

Kilpatrick

In The Chair: DeHart

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

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

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

The motion prevailed.

The House agreed to the title as amended.

Reps. Alley, Anthony, Bankes, Basham, Birkholz, Bobier, Bodem, Brown, Callahan, Cassis, DeHart, DeVuyst, Dobb, Dobronski, Gagliardi, Gilmer, Goschka, Hanley, Jansen, Jelinek, Jellema, Johnson, Kaza, LaForge, Law, Llewellyn, London, Mans, Martinez, McBryde, Middaugh, Middleton, Murphy, Olshove, Parks, Profit, Richner, Rocca, Sanborn, Schermesser, Scott, Sikkema, Thomas, Vaughn, Voorhees, Wallace and Wojno were named co-sponsors of the bill.

### Second Reading of Bills

#### House Bill No. 5699, entitled

A bill to amend 1976 PA 451, entitled "The revised school code," (MCL 380.1 to 380.1852) by adding section 1306.

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. Gire moved to amend the bill as follows:

1. Amend page 6, line 14, by striking out all of subdivision (f) and relettering the remaining subdivision.

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

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

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

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

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

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

**House Bill No. 5699, entitled**

A bill to amend 1976 PA 451, entitled "The revised school code," (MCL 380.1 to 380.1852) by adding section 1306.  
 Was read a third time and passed, a majority of the members serving voting therefor, by yeas and nays, as follows:

**Roll Call No. 636**

**Yeas—104**

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

**Nays—0**

In The Chair: DeHart

The House agreed to the title of the bill.

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

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

Reps. Alley, Anthony, Baade, Bankes, Birkholz, Bodem, Brewer, Brown, Cassis, Dalman, DeVuyst, Dobb, Dobronski, Gagliardi, Gernaat, Goschka, Hammerstrom, Jansen, Jelinek, Kilpatrick, Kukuk, Law, Llewellyn, McBryde, McManus, Middaugh, Middleton, Murphy, Prusi, Rocca, Sanborn, Schermesser, Stallworth, Tesanovich, Varga, Vaughn and Voorhees were named co-sponsors of the bill.

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Rep. Wetters asked and obtained a temporary excuse from today's session.

**Second Reading of Bills****House Bill No. 4075, entitled**

A bill to amend 1976 PA 451, entitled "The revised school code," by amending sections 1535a and 1539a (MCL 380.1535a and 380.1539a), as amended by 1995 PA 289.

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

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

Rep. Gire moved to amend the bill as follows:

1. Amend page 13, line 18, by striking out all of subdivision (e) and relettering the remaining subdivisions.

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

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

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

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

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

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Rep. Harder moved that Rep. Leland 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. 4075, entitled**

A bill to amend 1976 PA 451, entitled "The revised school code," by amending sections 1535a and 1539a (MCL 380.1535a and 380.1539a), as amended by 1995 PA 289.

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

**Roll Call No. 637****Yeas—103**

Agee	Dobronski	Kaza	Quarles
Alley	Fitzgerald	Kelly	Raczkowski
Anthony	Frank	Kilpatrick	Rhead
Baade	Freeman	Kukuk	Richner
Baird	Gagliardi	LaForge	Rison
Bankes	Galloway	Law	Rocca
Basham	Geiger	Leland	Sanborn
Birkholz	Gernaat	LeTarte	Schauer
Bobier	Gilmer	Llewellyn	Schermesser
Bodem	Gire	London	Schroer
Bogardus	Godchaux	Lowe	Scott
Brater	Goschka	Mans	Scranton
Brewer	Green	Martinez	Sikkema
Brown	Griffin	Mathieu	Stallworth
Byl	Gubow	McBryde	Tesanovich
Callahan	Gustafson	McManus	Thomas
Cassis	Hale	McNutt	Varga
Cherry	Hammerstrom	Middaugh	Vaughn
Ciaramitaro	Hanley	Middleton	Voorhees
Crissman	Harder	Murphy	Walberg
Cropsey	Hood	Nye	Wallace
Curtis	Horton	Owen	Wetters

Dalman  
DeHart  
DeVuyst  
Dobb

Jansen  
Jelinek  
Jellema  
Johnson

Parks  
Perricone  
Profit  
Prusi

Whyman  
Willard  
Wojno

### Nays—0

In The Chair: DeHart

The House agreed to the title of the bill.

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

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

Reps. Alley, Anthony, Bankes, Basham, Birkholz, Bodem, Bogardus, Brewer, Callahan, Cassis, Cherry, Crissman, Dalman, DeHart, DeVuyst, Dobb, Fitzgerald, Gilmer, Gire, Goschka, Gustafson, Hammerstrom, Horton, Jelinek, Jellema, Kaza, Kilpatrick, Kukuk, Law, McBryde, McManus, Middaugh, Prusi, Richner, Rocca, Sanborn, Schermesser, Scott, Scranton, Sikkema, Vaughn, Voorhees and Wallace were named co-sponsors of the bill.

Rep. Hertel entered the House Chambers.

### Second Reading of Bills

#### House Bill No. 5482, entitled

A bill to amend 1976 PA 451, entitled "The revised school code," by amending sections 1311 and 1596 (MCL 380.1311 and 380.1596), section 1311 as amended by 1995 PA 250, and by adding sections 1305 and 1309.

Was read a second time, and the question being on the adoption of the proposed substitute (H-4) previously recommended by the Committee on Education,

The substitute (H-4) was adopted, a majority of the members serving voting therefor.

Rep. Gire moved to amend the bill as follows:

1. Amend page 5, line 18, by striking out all of subdivision (e) and relettering the remaining subdivisions.

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

Rep. Hammerstrom moved to amend the bill as follows:

1. Amend page 2, line 2, after "SECTION" by striking out "1310(9)" and inserting "1310".

2. Amend page 4, following line 13, by inserting:

"SEC. 1310. (1) A SCHOOL BOARD SHALL MAKE AVAILABLE ALL OF THE FOLLOWING:

(A) THE CODE OF STUDENT CONDUCT REQUIRED UNDER SECTION 1312.

(B) THE SEXUAL HARASSMENT POLICY REQUIRED UNDER SECTION 1300A.

(C) THE SUSPENSION/EXPULSION POLICY REQUIRED UNDER SUBSECTION (3).

(D) THE DUE PROCESS POLICY REQUIRED UNDER SUBSECTION (4).

(2) A SCHOOL BOARD MAY COMBINE 2 OR MORE OF THE PUBLICATIONS REQUIRED UNDER SUBSECTION (1) INTO A SINGLE DOCUMENT.

(3) NOT LATER THAN JULY 1, 1999, A SCHOOL BOARD SHALL DEVELOP AND ADOPT A SUSPENSION/EXPULSION POLICY DESCRIBING THE TYPES OF DISCIPLINARY VIOLATIONS THAT MAY RESULT IN SUSPENSION OR EXPULSION FROM SCHOOL OR IN AN IN-SCHOOL SUSPENSION.

(4) NOT LATER THAN JULY 1, 1999, A SCHOOL BOARD SHALL DEVELOP AND ADOPT A DUE PROCESS POLICY DESCRIBING THE DUE PROCESS THAT WILL BE PROVIDED TO A PUPIL BEFORE A PUPIL IS SUSPENDED OR EXPELLED FROM SCHOOL OR PLACED IN AN IN-SCHOOL SUSPENSION.

(5) DURING THE TIME A PUPIL IS EXPELLED FROM SCHOOL, THE SCHOOL DISTRICT SHALL PLACE THE PUPIL IN AN APPROPRIATE DISCIPLINARY EDUCATION PLACEMENT.

(6) A SCHOOL DISTRICT'S DUE PROCESS POLICY UNDER THIS SECTION SHALL INCLUDE A DESCRIPTION OF THE PROCEDURES FOR REINSTATEMENT OF A PUPIL WHO IS EXPELLED PERMANENTLY UNDER SECTION 1311(2) OR 1311A.



(7) A DUE PROCESS POLICY DEVELOPED UNDER THIS SECTION SHALL NOT DIMINISH THE DUE PROCESS RIGHTS UNDER FEDERAL LAW OF A PUPIL WHO HAS BEEN DETERMINED TO BE ELIGIBLE FOR SPECIAL EDUCATION PROGRAMS AND SERVICES.

(8) A SCHOOL BOARD SHALL DEVELOP AND MAINTAIN A SCHOOL DISCIPLINE RECORD FOR EACH SCHOOL OPERATED BY THE SCHOOL BOARD. FOR EACH SCHOOL, THE SCHOOL DISCIPLINE RECORD SHALL CONTAIN A REPORT OF EACH OF THE FOLLOWING FOR EACH SCHOOL YEAR, WITH THE NUMBER AND PERCENTAGE OF PUPILS IDENTIFIED BY AGE AND WHETHER THEY RECEIVE SPECIAL EDUCATION SERVICES:

(A) THE NUMBER AND PERCENTAGE OF PUPILS WHO WERE SUSPENDED FROM THE SCHOOL FOR A TOTAL ACCUMULATION OF AT LEAST 10 DAYS DURING THE SCHOOL YEAR.

(B) THE NUMBER AND PERCENTAGE OF PUPILS WHO WERE EXPELLED FROM SCHOOL, THE LENGTH OF TIME OF EACH EXPULSION, WHETHER THE EXPULSION WAS PERMANENT OR LESS THAN PERMANENT, A BRIEF DESCRIPTION OF THE REASON FOR EACH EXPULSION, AND THE DISCIPLINARY EDUCATION PLACEMENT THAT WAS MADE FOR THE PUPIL.

(C) THE NUMBER AND PERCENTAGE OF PUPILS INVOLVED IN REPORTS TO LAW ENFORCEMENT AGENCIES AS REQUIRED UNDER SECTION 1308.

(9) A SCHOOL BOARD SHALL ENSURE THAT ALL INFORMATION CONTAINED IN THE SCHOOL DISCIPLINE RECORD IS AVAILABLE TO THE PUBLIC IN ACCORDANCE WITH THE FREEDOM OF INFORMATION ACT, 1976 PA 442, MCL 15.231 TO 15.246.

(10) A SCHOOL BOARD MAY COMPLY WITH SUBSECTIONS (8) AND (9) BY INCLUDING THE INFORMATION REQUIRED UNDER SUBSECTION (8) IN THE ANNUAL EDUCATIONAL REPORT PREPARED FOR EACH SCHOOL UNDER SECTION 1204A.

(11) AS USED IN THIS SECTION:

(A) "EXPULSION" MEANS THAT A PUPIL IS EXCLUDED FROM SCHOOL FOR MORE THAN 10 CONSECUTIVE SCHOOL DAYS.

(B) "IN-SCHOOL SUSPENSION" MEANS THAT A PUPIL IS EXCLUDED FROM 1 OR MORE PARTICULAR CLASSES BUT NOT FROM SCHOOL.

(C) "SCHOOL BOARD" AND "SCHOOL DISTRICT" MEAN THOSE TERMS AS DEFINED IN SECTION 1311.

(D) "SUSPENSION" MEANS THAT A PUPIL IS EXCLUDED FROM SCHOOL FOR NOT MORE THAN 10 SCHOOL DAYS, BUT DOES NOT INCLUDE SUSPENSION FROM A CLASS, SUBJECT, OR ACTIVITY UNDER SECTION 1311C."

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

Rep. Hammerstrom moved to amend the bill as follows:

1. Amend page 2, line 26, after "SECTION 1312(8)" by inserting a comma and "AND SHALL INCLUDE A MODEL SUSPENSION/EXPULSION POLICY AND A MODEL DUE PROCESS POLICY FOR THE PURPOSES OF SECTION 1310".

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

Rep. Hammerstrom moved to amend the bill as follows:

1. Amend page 4, line 15, after "PUPIL'S" by striking out "PRESENCE" and inserting "CONDUCT".

2. Amend page 4, line 16, after "ACTIVITY" by striking out the balance of the line through "MENT" on line 18 and inserting "CONDUCTED BY THE TEACHER MERITS SUSPENSION OF THE PUPIL FROM THE CLASS, SUBJECT, OR ACTIVITY ACCORDING TO THE SCHOOL DISTRICT POLICY ADOPTED UNDER SUBSECTION (2)".

3. Amend page 5, following line 8, by inserting:

"(2) THE SCHOOL BOARD OF A SCHOOL DISTRICT SHALL ADOPT A POLICY DEFINING THE CONDUCT FOR WHICH A PUPIL MAY BE SUSPENDED BY A TEACHER FROM A CLASS, SUBJECT, OR ACTIVITY UNDER THIS SECTION. AT A MINIMUM, THE POLICY SHALL ALLOW SUSPENSION BY A TEACHER UNDER THIS SECTION IF THE PUPIL'S PRESENCE IN A CLASS, SUBJECT, OR ACTIVITY POSES A CLEAR THREAT TO THE SAFETY AND WELFARE OF OTHER PUPILS OR SCHOOL PERSONNEL OR CREATES AN UNSAFE SCHOOL ENVIRONMENT. THE POLICY MAY ALLOW SUSPENSION BY A TEACHER UNDER THIS SECTION FOR OTHER UNSAFE OR DISRUPTIVE CONDUCT." and renumbering the remaining subsection.

4. Amend page 5, line 9, after "SECTION" by striking out the comma and inserting a colon and:

"(A) "SCHOOL BOARD" MEANS THE BOARD OF A SCHOOL DISTRICT OR LOCAL ACT SCHOOL DISTRICT, AN INTERMEDIATE SCHOOL BOARD, OR THE BOARD OF DIRECTORS OF A PUBLIC SCHOOL ACADEMY.

(B) "SCHOOL DISTRICT" MEANS A SCHOOL DISTRICT, LOCAL ACT SCHOOL DISTRICT, PUBLIC SCHOOL ACADEMY, OR INTERMEDIATE SCHOOL DISTRICT.

(C)".

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

Rep. Hammerstrom moved that Rep. Rhead be excused temporarily from today's session.  
The motion prevailed.

Rep. Cherry moved to amend the bill as follows:

1. Amend page 4, line 14, by striking out all of section 1311C.

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

Rep. Cherry demanded the yeas and nays.

The demand was supported.

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

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

**Roll Call No. 638****Yeas—56**

Agee	Gagliardi	Kilpatrick	Prusi
Alley	Godchaux	Kukuk	Rackowski
Baade	Green	Leland	Richner
Baird	Griffin	LeTarte	Sanborn
Basham	Gubow	Llewellyn	Schroer
Brater	Hale	Lowe	Scott
Brewer	Hanley	Mans	Stallworth
Cherry	Harder	Martinez	Tesanovich
Cropsey	Hertel	Murphy	Thomas
Curtis	Hood	Nye	Varga
DeHart	Horton	Olshove	Vaughn
Dobronski	Johnson	Palamara	Voorhees
Emerson	Kaza	Parks	Walberg
Freeman	Kelly	Profit	Wallace

**Nays—41**

Anthony	DeVuyst	Jansen	Owen
Bankes	Dobb	Jelinek	Perricone
Birkholz	Fitzgerald	Jellema	Rocca
Bobier	Galloway	Law	Schauer
Bodem	Geiger	London	Schermesser
Bogardus	Gernaat	McBryde	Scranton
Brown	Gilmer	McManus	Sikkema
Byl	Goschka	McNutt	Whyman
Cassis	Gustafson	Middaugh	Willard
Crissman	Hammerstrom	Middleton	Wojno
Dalman			

In The Chair: DeHart

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

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

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

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

By unanimous consent the House returned to the order of

**Third Reading of Bills****House Bill No. 5482, entitled**

A bill to amend 1976 PA 451, entitled "The revised school code," by amending sections 1311 and 1596 (MCL 380.1311 and 380.1596), section 1311 as amended by 1995 PA 250, and by adding sections 1305 and 1309.

The bill was read a third time.

The question being on the passage of the bill,

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

The motion prevailed.

### Second Reading of Bills

#### House Bill No. 5702, entitled

A bill to create a state anti-gang assistance program; to prescribe certain powers and duties of certain state departments and officials; to create a fund in the department of treasury; and to provide for an appropriation.

The bill was read a second time.

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

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

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

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

—

Rep. Curtis moved that Rep. Murphy 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. 5702, entitled

A bill to create a state anti-gang assistance program; to prescribe certain powers and duties of certain state departments and officials; to create a fund in the department of treasury; and to provide for an appropriation.

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

#### Roll Call No. 639

#### Yeas—101

Agee	Fitzgerald	Kaza	Price
Alley	Frank	Kelly	Profit
Anthony	Freeman	Kilpatrick	Prusi
Baird	Gagliardi	Kukuk	Quarles
Bankes	Galloway	LaForge	Raczkowski
Basham	Geiger	Law	Richner
Birkholz	Gernaat	Leland	Rison
Bobier	Gilmer	LeTarte	Rocca
Bodem	Gire	Llewellyn	Sanborn
Bogardus	Godchaux	London	Schauer
Brater	Goschka	Lowe	Schermesser
Brewer	Green	Mans	Scott
Brown	Griffin	Martinez	Scranton
Byl	Gubow	Mathieu	Sikkema
Callahan	Gustafson	McBryde	Stallworth
Cassis	Hale	McManus	Thomas
Cherry	Hammerstrom	McNutt	Varga
Ciaramitaro	Hanley	Middaugh	Vaughn
Crissman	Harder	Middleton	Voorhees
Cropsey	Hertel	Nye	Walberg
Curtis	Horton	Olshove	Wallace

Dalman	Jansen	Owen	Wetters
DeHart	Jelinek	Palamara	Whyman
DeVuyst	Jellema	Parks	Willard
Dobb	Johnson	Perricone	Wojno
Dobronski			

**Nays—0**

In The Chair: DeHart

The House agreed to the title of the bill.

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

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

Reps. Baird, Bankes, Basham, Birkholz, Callahan, Cassis, Cherry, DeHart, Fitzgerald, Goschka, Hammerstrom, Hanley, Jansen, Kelly, Kilpatrick, Mans, McBryde, McNutt, Olshove, Parks, Profit, Richner, Schermesser, Scranton, Thomas, Varga, Vaughn, Voorhees and Willard were named co-sponsors of the bill.

**Second Reading of Bills****House Bill No. 5707, entitled**

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending section 411a (MCL 750.411a), as amended by 1996 PA 303.

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

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

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

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

By unanimous consent the House returned to the order of

**Third Reading of Bills****House Bill No. 5707, entitled**

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending section 411a (MCL 750.411a), as amended by 1996 PA 303.

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

**Roll Call No. 640****Yeas—104**

Agee	Emerson	Johnson	Price
Alley	Fitzgerald	Kaza	Profit
Anthony	Frank	Kelly	Prusi
Baade	Freeman	Kilpatrick	Quarles
Baird	Gagliardi	Kukuk	Raczowski
Bankes	Galloway	LaForge	Richner
Basham	Geiger	Law	Rison
Birkholz	Gernaat	Leland	Rocca
Bobier	Gilmer	LeTarte	Sanborn
Bodem	Gire	Llewellyn	Schauer
Bogardus	Godchaux	London	Schermesser

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

**Nays—0**

In The Chair: DeHart

The House agreed to the title of the bill.

The House returned to the consideration of  
**House Bill No. 5482, entitled**

A bill to amend 1976 PA 451, entitled “The revised school code,” by amending sections 1311 and 1596 (MCL 380.1311 and 380.1596), section 1311 as amended by 1995 PA 250, and by adding sections 1305 and 1309.

(The bill was considered earlier today, see today’s Journal, p. 1482.)

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. 641****Yeas—105**

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

Curtis	Hood	Owen	Wallace
Dalman	Horton	Palamara	Wetters
DeHart	Jansen	Parks	Whyman
DeVuyst	Jelinek	Perricone	Willard
Dobb	Jellema	Price	Wojno
Dobronski			

**Nays—0**

In The Chair: DeHart

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

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

A bill to amend 1976 PA 451, entitled "The revised school code," (MCL 380.1 to 380.1852) by adding sections 1309 and 1310.

The motion prevailed.

The House agreed to the title as amended.

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

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

Reps. Anthony, Bankes, Bodem, Bogardus, Callahan, DeHart, Dobb, Geiger, Gire, Hanley, Kelly, Kukuk, Law, Martinez, Middaugh, Middleton, Profit, Prusi, Rocca, Scott, Sikkema, Varga, Vaughn and Wojno were named co-sponsors of the bill.

**Second Reading of Bills****Senate Bill No. 908, entitled**

A bill to make appropriations for the department of community health and certain state purposes related to mental health, public health, and medical services for the fiscal year ending September 30, 1999; to provide for the expenditure of such appropriations; to create funds; to provide for reports; to prescribe the powers and duties of certain local and state agencies and departments; and to provide for disposition of fees and other income received by the various state agencies.

The bill was read a second time.

The question being on the adoption of the proposed substitute (H-1) previously recommended by the Committee on Appropriations,

Rep. Gustafson demanded the yeas and nays.

The demand was supported.

The question being on the adoption of the proposed substitute (H-1) previously recommended by the Committee on Appropriations,

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

**Roll Call No. 642****Yeas—56**

Agee	DeHart	Kelly	Quarles
Alley	Dobronski	Kilpatrick	Rison
Anthony	Emerson	LaForge	Schauer
Baade	Frank	Leland	Schermesser
Baird	Freeman	Mans	Schroer
Basham	Gagliardi	Martinez	Scott
Bogardus	Gire	Mathieu	Stallworth
Brater	Griffin	Olshove	Tesanovich
Brewer	Gubow	Owen	Thomas
Brown	Hale	Palamara	Varga

Callahan	Hanley	Parks	Vaughn
Cherry	Harder	Price	Wallace
Ciaramitaro	Hertel	Profit	Willard
Curtis	Hood	Prusi	Wojno

**Nays—49**

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

In The Chair: DeHart

Reps. Palamara and Leland moved to amend the bill as follows:

1. Amend page 16, line 20, by striking out “760,127,900” and inserting “770,127,900”.
2. Amend page 17, line 12, by striking out “4,890,758,400” and inserting “4,900,758,400”.
3. Amend page 17, line 15, by striking out “2,731,620,400” and inserting “2,736,892,400”.
4. Amend page 17, line 21, by striking out “1,231,556,200” and inserting “1,236,284,200” and adjusting the subtotals, totals, and section 201 accordingly.

5. Amend page 103, following line 27, by inserting:

“Sec. 1685. From the funds appropriated in part 1 for nursing home services, \$10,000,000.00 is included for the medicaid program’s share of increased nursing home staffing costs.”.

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

Rep. Martinez moved to amend the bill as follows:

1. Amend page 90, following line 16, by inserting:

“(12) If a qualified health plan designates nurse practitioners or physician’s assistants as primary care providers, the qualified health plan shall provide for appropriate physician supervision of the nurse practitioners and the physician’s assistants pursuant to article 15 of the public health code, 1978 PA 368, MCL 333.16101 to 333.22260.”.

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

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

The question being on the adoption of the substitute (H-2) offered by Rep. Jansen,

Rep. Jansen demanded the yeas and nays.

The demand was supported.

The question being on the adoption of the substitute (H-2) offered by Rep. Jansen,

The substitute (H-2) was not adopted, a majority of the members serving not voting therefor, by yeas and nays, as follows:

**Roll Call No. 643****Yeas—49**

Bankes	Geiger	Johnson	Middleton
Birkholz	Gernaat	Kaza	Nye
Bobier	Gilmer	Kukuk	Perricone
Bodem	Godchaux	Law	Raczkowski

Byl	Goschka	LeTarte	Richner
Cassis	Green	Llewellyn	Rocca
Crissman	Gustafson	London	Sanborn
Cropsey	Hammerstrom	Lowe	Scranton
Dalman	Horton	McBryde	Sikkema
DeVuyst	Jansen	McManus	Voorhees
Dobb	Jelinek	McNutt	Walberg
Fitzgerald	Jellema	Middaugh	Whyman
Galloway			

### Nays—53

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

In The Chair: DeHart

Rep. Hale moved to amend the bill as follows:

1. Amend page 75, line 9, by striking out all of section 1602 and inserting:

“Sec. 1602. (1) Except as provided in subsection (2), for care provided to medical services recipients with other third-party sources of payment, medical services reimbursement shall not exceed, in combination with such other resources, including medicare, those amounts established for medical services-only patients. The medical services payment rate shall be accepted as payment in full. Other than an approved medical services co-payment, no portion of a provider’s charge shall be billed to the recipient or any person acting on behalf of the recipient. Nothing in this section shall be deemed to affect the level of payment from a third-party source other than the medical services program. The department shall require a nonenrolled provider to accept medical services payments as payment in full.

(2) Notwithstanding subsection (1), medical services reimbursement for hospital services provided to dual medicare/medical services recipients with medicare Part B coverage only shall equal, when combined with payments for medicare and other third-party resources, if any, those amounts established for medical services-only patients, including capital payments.”.

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

Rep. Baird moved to amend the bill as follows:

1. Amend page 53, following line 20, by inserting:

“Sec. 609. (1) Subject to subsection (2), if a patient is transferred from a closing hospital or center operated by the department to another hospital or center within 240 days before the closing, the department shall file a report with each house of the legislature by January 15 of the year following the calendar year in which the patient was transferred. The report shall contain all of the following:

- (a) The name of the facility to which the patient was transferred.
- (b) The location of the facility to which the patient was transferred.
- (c) The number of patients or residents in the facility to which the patient was transferred at the time of the transfer.
- (d) The total number of patients transferred to that facility from the closing hospital or center.
- (e) The total number of patients transferred from the closing hospital or center who received community placements, but whose placement plans noted barriers to community placement.



(2) By January 15, 1999, the department shall file a report with each house of the legislature that contains the information described in subsection (1) regarding all patients released from Clinton Valley Center, Detroit Psychiatric Institute, and the Pheasant Ridge Center within 240 days before each of those facilities closed in calendar year 1997.

(3) As used in this section, "facility" means a hospital licensed or operated by the department, a center operated by the department, or a dependent living setting."

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

Reps. Price and Ciaramitaro moved to amend the bill as follows:

1. Amend page 58, following line 9, by inserting:

"Sec. 911. The department shall not allow any money appropriated under this act to lapse into the general fund unless all valid claims for reimbursement under section 2475 of the public health code, 1978 PA 368, MCL 333.2475, are paid."

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

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

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

The following is the roll call:

**Roll Call No. 644**

**Yeas—80**

Agee	Dobb	Kaza	Price
Alley	Dobronski	Kelly	Profit
Anthony	Fitzgerald	Kukuk	Prusi
Baade	Frank	LaForge	Quarles
Baird	Gagliardi	Law	Raczkowski
Birkholz	Galloway	Llewellyn	Rison
Bodem	Geiger	London	Rocca
Bogardus	Gernaat	Lowe	Sanborn
Brater	Gilmer	Martinez	Schauer
Brown	Gire	McBryde	Schermesser
Byl	Goschka	McManus	Scott
Callahan	Green	Middaugh	Scranton
Cassis	Hale	Middleton	Sikkema
Cherry	Hammerstrom	Murphy	Tesanovich
Ciaramitaro	Harder	Nye	Thomas
Crissman	Horton	Olshove	Voorhees
Curtis	Jansen	Owen	Walberg
Dalman	Jelinek	Palamara	Whyman
DeHart	Jellema	Parks	Willard
DeVuyst	Johnson	Perricone	Wojno

In The Chair: DeHart

Rep. Ciaramitaro moved to amend the bill as follows:

1. Amend page 12, line 17, by striking out "1,117,300" and inserting "1,217,300".
2. Amend page 13, line 4, by striking out "2,762,700" and inserting "2,862,700".
3. Amend page 61, line 18, after "Sec. 1012." by inserting "(1)".
4. Amend page 61, following line 22, by inserting:

"(2) Of the funds appropriated in part 1 for the injury control intervention project, \$100,000.00 is allocated for state matching funds for federal traumatic brain injury implementation grants, for which the department may apply."

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

Rep. Martinez moved to amend the bill as follows:

1. Amend page 16, line 14, by striking out "160,992,800" and inserting "158,262,800."
2. Amend page 16, line 23, after "services" by striking out "1,290,268,000" and inserting "\$1,292,928,000" and adjusting the subtotals, totals, and section 201 accordingly.
3. Amend page 82, following line 2, by inserting:

"Sec. 1616a. From the amount appropriated for inflationary increases in health plan services in section 117, \$4,660,000.00 is allocated to the health plans for a pass through of provider rate increases to ensure access to care and adequate provider networks for consumer choice."

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

Rep. Crissman moved to amend the bill as follows:

1. Amend page 95, following line 8, by inserting:

"Sec. 1655. The department shall conduct a study to develop appropriate performance measures that would be used to evaluate the quality of well women health preventive services such as breast cancer screening."

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

Rep. Gagliardi moved that Reps. Hertel, Hood and Mathieu be excused temporarily from today's session. The motion prevailed.

Rep. Wetters asked and obtained a temporary excuse from today's session.

Rep. Bankes moved to amend the bill as follows:

1. Amend page 80, line 20, after "Sec. 1614." by inserting "(1)".
2. Amend page 80, following line 25, by inserting:

"(2) The primary responsibility of assuring a child's hearing and vision screening is with the child's primary care physician. The primary care physician will provide age appropriate screening or arrange for these tests through referrals to local health departments. Local health departments shall provide preschool hearing and vision screening services and accept referrals for these tests from physicians or from Head Start programs in order to assure all preschool children have appropriate access to hearing and vision screening. Local health departments will be reimbursed for the cost of providing these tests for Medicaid eligible children by the Medicaid program."

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

Rep. Martinez moved to reconsider the vote by which the House adopted the amendments.

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

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

The motion prevailed.

Rep. Bodem moved to amend the bill as follows:

1. Amend page 35, following line 19, by inserting:

"Sec. 311. The department shall make application for funding under the Medicare rural hospital flexibility program for planning, network development, and critical access hospital designation activities."

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

Rep. Hammerstrom moved to amend the bill as follows:

1. Amend page 103, following line 27, following section 1685, by inserting:

"Sec. 1686. The department shall prepare and make available to health care providers a pamphlet identifying patient rights and responsibilities described in section 20201 of the public health code, 1978 PA 368, MCL 333.20201."

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

Rep. Sanborn moved to amend the bill as follows:

1. Amend page 103, following line 27, following section 1686, by inserting:

"Sec. 1687. (1) The family independence agency, in conjunction with the department of community health, shall submit a report by March 1, 1999 to the house and senate appropriations subcommittees on the family independence agency budget on the AIDS insurance program. The report shall include, at a minimum, all of the following information:

- (a) The number of beneficiaries of the program per year.
- (b) Annual costs, including insurance premium payments.
- (c) Estimated payments by insurers on behalf of beneficiaries of the program.
- (d) Income and asset limitations and other eligibility criteria.
- (e) A cost/benefit analysis, if available.

(2) The report required under subsection (1) shall cover the period of time that the program has existed if that information is available."

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

Rep. Jansen moved to amend the bill as follows:

1. Amend page 95, line 18, by striking out all of section 1657 and inserting:

“Sec. 1657. The department may require beneficiaries to enroll in a long-term care plan if the following requirements are met:

(a) An eligibility screening/enrollment component is in place at community hospitals, in-home for persons who are homebound, as well as at convenient community locations.

(b) The eligibility screening/enrollment counseling service is performed by an entity(s) selected through a request for proposal.

(c) Enrollment counselor services are available to the clients and their families to ensure clients or their legally authorized representatives have the information necessary to make an informed choice of plans, to appropriately access care within the plan, to file grievances with the plan and the state, and to access care out of network if appropriate.

(d) Quality outcome measures and consumer satisfaction measures are developed based on the minimum data sets for home care and nursing home care.

(e) Services offered will include a range of home and community services including adult day care, respite care homemaker, chore, personal care, personal care supervision, personal emergency response systems, community living supports, services in nursing home settings.

(f) There will be 2 long-term care plan contractors in all areas of the state except in areas with sparse population and when the long-term care plan network includes at least 85% of the providers in the region.

(g) Long-term care plans are selected through a request for proposal process that identifies organizations capable of organizing and managing a continuum of services.

(h) The department reviews and approves provider contracts used by the plan to ensure that the plan's risk/incentive arrangements do not provide incentives to withhold appropriate medical services.

(i) The department establishes criteria for the plan's provider network that take into consideration the unique needs of the population to be enrolled and ensure that the network has adequate capacity to provide home and community-based service alternatives and is in place before enrollment begins.

(j) The department establishes requirements for encounter data collection and reporting that ensure the department has the ability to closely monitor care provided to enrollees to assure quality and appropriate access to care.

(k) The department contracts for an independent, external quality review of the services provided through the managed care plans. The protocols used in the review shall be appropriate for the specialized population enrolled in the plan and shall be at least as rigorous as those used by national committee on quality assurance.

(l) The department conducts annual patient satisfaction surveys using statistically valid sampling techniques that focus on this population and a survey tool that is appropriate to the population being surveyed.

(m) The department maintains an exception process that allows clients meeting established medical criteria to be exempt from enrollment in managed care.

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

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

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

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

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

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

Rep. Jansen demanded the yeas and nays.

The demand was supported.

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

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

**Roll Call No. 645****Yeas—48**

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

**Nays—53**

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

In The Chair: DeHart

Rep. Jansen moved to amend the bill as follows:

1. Amend page 72, line 22, by striking out all of section 1410.

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

Rep. Jansen demanded the yeas and nays.

The demand was supported.

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

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

**Roll Call No. 646****Yeas—48**

Bankes	Galloway	Johnson	Middleton
Birkholz	Geiger	Kaza	Nye
Bobier	Gernaat	Kukuk	Perricone
Bodem	Gilmer	Law	Raczkowski
Byl	Godchaux	LeTarte	Richner
Cassis	Green	Llewellyn	Rocca
Crissman	Gustafson	London	Sanborn

Cropsey	Hammerstrom	Lowe	Scranton
Dalman	Horton	McBryde	Sikkema
DeVuyst	Jansen	McManus	Voorhees
Dobb	Jelinek	McNutt	Walberg
Fitzgerald	Jellema	Middaugh	Whyman

**Nays—52**

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

In The Chair: DeHart

Rep. Jansen moved to amend the bill as follows:

1. Amend page 16, line 20, by striking out “760,127,900” and inserting “726,227,900”.
2. Amend page 16, line 21, by striking out “169,425,400” and inserting “162,975,400”.
3. Amend page 17, line 12, by striking out “4,890,758,400” and inserting “4,850,408,400”.
4. Amend page 17, line 15, by striking out “2,731,620,400” and inserting “2,710,347,900”.
5. Amend page 17, line 21, by striking out “1,231,556,200” and inserting “1,212,478,700” and adjusting the subtotals, totals, and section 201 accordingly.
6. Amend page 82, line 13, by striking out all of section 1618.

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

Rep. Jansen demanded the yeas and nays.

The demand was supported.

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

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

**Roll Call No. 647****Yeas—43**

Bankes	Geiger	Kaza	Perricone
Birkholz	Gernaat	Kukuk	Raczkowski
Byl	Gilmer	Law	Richner
Cassis	Godchaux	LeTarte	Rocca
Crissman	Green	London	Sanborn
Cropsey	Gustafson	Lowe	Scranton
Dalman	Hammerstrom	McManus	Sikkema
DeVuyst	Horton	McNutt	Voorhees
Dobb	Jansen	Middaugh	Walberg
Fitzgerald	Jelinek	Middleton	Whyman
Galloway	Jellema	Nye	

Nays—55

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

In The Chair: DeHart

Rep. Jansen moved to amend the bill as follows:

1. Amend page 43, line 1, after “Sec. 409.” by striking out “(1)”.
2. Amend page 43, line 7, by striking out all of subsections (2) through (7).

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

Rep. Jansen moved to amend the bill as follows:

1. Amend page 1, following line 7, by striking out the balance of part 1, and inserting:

“DEPARTMENT OF COMMUNITY HEALTH	
Full-time equated unclassified positions .....	6.0
Full-time equated classified positions .....	6326.3
Average population .....	1478.0
GROSS APPROPRIATION .....	7,647,975,600
Interdepartmental grant revenues:	
Total interdepartmental grants and intradepartmental transfers .....	76,718,700
ADJUSTED GROSS APPROPRIATION .....	7,571,256,900
Federal revenues:	
Total federal revenues.....	3,705,541,300
Special revenue funds:	
Total local revenues.....	902,401,800
Total private funds.....	46,284,800
Total local and private revenues .....	948,686,600
Total other state restricted revenues.....	293,291,100
State general fund/general purpose .....	2,623,737,900
Sec. 102. DEPARTMENTWIDE ADMINISTRATION	
Full-time equated unclassified positions .....	6.0
Full-time equated classified positions .....	489.7
Community health advisory council.....	28,900
Director and other unclassified FTEs—6.0 FTE positions .....	540,200
Departmental administration and management—434.4 FTE positions .....	34,391,900
Contractual services, supplies, and materials .....	2,954,800
Management information systems—42.8 FTE positions .....	7,040,700
Administrative hearings—2.5 FTE positions .....	207,500
Travel and equipment .....	520,900
Workers’ compensation program—1.0 FTE positions .....	13,277,900
Rent .....	3,234,300
Building occupancy charges .....	3,153,300
Developmental disabilities council and projects—9.0 FTE positions.....	2,259,700
GROSS APPROPRIATION .....	67,610,100

Appropriated from:	
Interdepartmental grant revenues:	
Interdepartmental grant from treasury, Michigan state hospital finance authority.....	91,200
Intradepartmental transfer-automated data processing charges.....	3,510,400
Federal revenues:	
Total federal revenues.....	13,811,200
Special revenue funds:	
Total private revenues.....	20,800
Total other state restricted revenues.....	3,270,600
State general fund/general purpose.....	46,905,900
Sec. 103. EARLY RETIREMENT	
Early retirement.....	(9,030,600)
GROSS APPROPRIATION .....	(9,030,600)
Appropriated from:	
State general fund/general purpose .....	(9,030,600)
Sec. 104. MENTAL HEALTH/SUBSTANCE ABUSE SERVICES ADMINISTRATION AND SPECIAL PROJECTS	
Full-time equated classified positions .....	173.2
Consumer involvement program .....	291,600
Protection and advocacy services support.....	818,300
Protection and advocacy services support for disabled adults in correctional facilities .....	500,000
Protection and advocacy services support for disabled children in juvenile detention facilities.....	500,000
Protection and advocacy services support for persons with substance abuse disorders in correctional facilities .....	900,000
Mental health initiatives for older persons.....	1,165,800
Mental health/substance abuse program administration—114.2 FTE positions .....	9,639,600
Gambling addiction .....	3,000,000
Southwest community partnership .....	1,997,200
Purchase of psychiatric residency training.....	3,635,100
Community residential and support services—59.0 FTE positions .....	8,450,900
Highway safety projects .....	2,337,200
Program enhancement, evaluation, and data services.....	1,137,600
Federal and other special projects.....	7,427,200
GROSS APPROPRIATION .....	41,800,500
Appropriated from:	
Federal revenues:	
Total federal revenues.....	14,787,500
Special revenue funds:	
Total private revenues.....	125,000
Total other state restricted revenues.....	3,182,300
State general fund/general purpose .....	23,705,700
Sec. 105. COMMUNITY MENTAL HEALTH/SUBSTANCE ABUSE SERVICES PROGRAMS	
Full-time equated classified positions .....	14.0
Community mental health programs .....	1,343,134,800
Respite services .....	3,000,000
CMHSP-purchase of state services contracts .....	155,122,400
Omnibus reconciliation act implementation—9.0 FTE positions .....	11,564,700
Federal mental health block grant—2.0 FTE positions .....	10,847,000
Civil service charges.....	2,606,400
Pilot projects in prevention for adults and children—2.0 FTE positions.....	1,516,200
Homelessness formula grant program—1.0 FTE positions.....	1,251,800
Chemically-dependent pregnant women and children program .....	2,100,000
State disability assistance program substance abuse services.....	6,600,000
Community substance abuse prevention, education and treatment programs .....	85,440,400
GROSS APPROPRIATION .....	1,623,183,700
Appropriated from:	
Federal revenues:	
Total federal revenues.....	546,584,100

Special revenue funds:	
Total other state restricted revenues.....	6,242,400
State general fund/general purpose.....	1,070,357,200
Sec. 106. STATE PSYCHIATRIC HOSPITALS, CENTERS FOR PERSONS WITH DEVELOPMENTAL DISABILITIES, AND FORENSIC AND PRISON MENTAL HEALTH SERVICES	
Total average population.....	1478.0
Full-time equated classified positions.....	4731.0
Caro regional mental health center-psychiatric services unit—512.0 FTE positions.....	30,038,900
Average population.....	180.0
Kalamazoo psychiatric hospital—402.0 FTE positions.....	26,325,200
Average population.....	130.0
Northville psychiatric hospital—860.0 FTE positions.....	59,815,300
Average population.....	350.0
Walter P. Reuther psychiatric hospital—460.0 FTE positions.....	31,201,000
Average population.....	210.0
Revenue recapture.....	750,000
IDEA, federal special education.....	62,000
Special maintenance.....	659,000
Equipment.....	300,000
Purchase of medical services for residents of hospitals and centers.....	2,374,000
Severance pay.....	1,896,000
Therapeutic work training program.....	345,600
Gifts and bequests for patient living and treatment environment.....	2,000,000
Maintenance of property being leased or rented.....	95,000
Hawthorn center—293.0 FTE positions.....	19,010,900
Average population.....	118.0
Mount Pleasant center—510.0 FTE positions.....	29,801,100
Average population.....	210.0
Southgate center—256.0 FTE positions.....	15,928,600
Average population.....	70.0
Center for forensic psychiatry—477.0 FTE positions.....	31,521,300
Average population.....	210.0
Center for forensic psychiatry-outpatient evaluation—40.0 FTE positions.....	3,201,500
Forensic mental health services provided to the department of corrections— 921.0 FTE positions.....	65,283,100
Substance abuse treatment services provided to the department of corrections.....	1,000
GROSS APPROPRIATION.....	320,609,500
Appropriated from:	
Interdepartmental grant revenues:	
Interdepartmental grant from the department of corrections.....	65,284,100
Federal revenues:	
Total federal revenues.....	28,923,100
Special revenue funds:	
CMHSP-Purchase of state services contracts.....	155,122,400
Total local revenues.....	15,389,000
Private funds.....	2,000,000
Total other state restricted revenues.....	15,987,800
State general fund/general purpose.....	37,903,100
Sec. 107. PUBLIC HEALTH ADMINISTRATION	
Full-time equated classified positions.....	88.3
Executive administration—12.0 FTE positions.....	915,000
Contractual services, supplies, and materials.....	39,400
Management information systems—1.0 FTE positions.....	43,500
Maternal and infant health data and evaluation—2.5 FTE positions.....	206,500
Minority health grants and contracts.....	650,000
Office of minority health—2.5 FTE positions.....	273,400
Vital records and health statistics—70.3 FTE positions.....	5,400,200
GROSS APPROPRIATION.....	7,528,000



Appropriated from:	
Interdepartmental grant revenues:	
Interdepartmental grant from the family independence agency .....	133,300
Federal revenues:	
Total federal revenue .....	2,719,300
Special revenue funds:	
Total other state restricted revenues.....	1,704,600
State general fund/general purpose .....	2,970,800
<b>Sec. 108. INFECTIOUS DISEASE CONTROL</b>	
Full-time equated classified positions .....	44.3
AIDS counseling and testing .....	4,237,600
AIDS education and outreach .....	3,013,800
AIDS/HIV risk reduction.....	1,300,000
AIDS program administration—9.8 FTE positions .....	1,045,700
AIDS referral and care network grants .....	9,962,700
Immunization local agreements .....	16,149,100
Immunization program management and field support—7.7 FTE positions.....	1,849,100
Sexually transmitted disease control local agreements.....	4,705,700
Sexually transmitted disease control management and field support—26.8 FTE positions .....	2,678,700
<b>GROSS APPROPRIATION</b> .....	<b>44,942,400</b>
Appropriated from:	
Federal revenues:	
Total federal revenues.....	30,632,400
Special revenue funds:	
Local funds.....	242,700
Private funds.....	710,000
Total other state restricted revenues.....	9,785,800
State general fund/general purpose .....	3,571,500
<b>Sec. 109. LABORATORY SERVICES</b>	
Full-time equated classified positions .....	118.2
Laboratory services administration—98.7 FTE positions.....	6,525,900
Contractual services, supplies, and materials .....	1,369,000
EPSDT blood lead screening—6.0 FTE positions.....	667,700
Newborn screening services—13.5 FTE positions .....	1,765,700
Lyme disease grant .....	75,000
<b>GROSS APPROPRIATION</b> .....	<b>10,403,300</b>
Appropriated from:	
Interdepartmental grant revenues:	
Interdepartmental grant from corrections.....	232,600
Interdepartmental grant from environmental quality .....	379,000
Federal revenues:	
Total federal revenues.....	1,139,700
Special revenue funds:	
Total other state restricted revenues.....	2,467,900
State general fund/general purpose .....	6,184,100
<b>Sec. 110. EPIDEMIOLOGY</b>	
Full-time equated classified positions .....	31.5
Epidemiology administration—21.1 FTE positions.....	3,628,000
Tuberculosis control and recalcitrant AIDS program .....	699,500
AIDS surveillance and prevention program—7.0 FTE positions.....	2,234,800
Disease surveillance—3.4 FTE positions .....	368,000
<b>GROSS APPROPRIATION</b> .....	<b>6,930,300</b>
Appropriated from:	
Interdepartmental grant revenues:	
Interdepartmental grant from the department of environmental quality .....	80,600
Total federal revenues.....	4,873,700
Special revenue funds:	
Total other state restricted revenues.....	81,000
State general fund/general purpose .....	1,895,000

## Sec. 111. LOCAL HEALTH ADMINISTRATION AND GRANTS

Full-time equated classified positions .....	3.0	
Implementation of Act 133 PA 1993.....		100,000
Indian health care .....		309,500
Refugee health program.....		142,300
Rural health grant.....		168,800
State/local cost sharing .....		44,700,000
Training and evaluation .....		320,000
Local health services .....		142,300
Lead abatement program—3.0 FTE positions .....		4,900,000
Medical services cost reimbursement to local health departments .....		1,800,000
<b>GROSS APPROPRIATION .....</b>		<b>52,582,900</b>
Appropriated from:		
Federal revenues:		
Total federal revenues.....		6,855,500
Special revenue funds:		
Total other state restricted revenues.....		243,500
State general fund/general purpose .....		45,483,900

## Sec. 112. CHRONIC DISEASE AND INJURY PREVENTION AND HEALTH PROMOTION

Full-time equated classified positions .....	33.7	
AIDS and risk reduction clearinghouse and media campaign .....		1,700,000
Alzheimer's information network .....		150,000
Cancer prevention and control program—13.6 FTE positions .....		13,393,700
Chronic disease prevention .....		1,496,800
Diabetes local agreements .....		3,609,900
Employee wellness program grants (includes \$50.00 per diem and expenses for the risk reduction and AIDS policy commission) .....		4,250,000
Health education, promotion, and research programs—11.9 FTE positions .....		2,159,400
Injury control intervention project.....		1,117,300
Physical fitness, nutrition, and health .....		1,250,000
Public health traffic safety coordination .....		152,600
School health curriculum.....		2,000,000
School health education project.....		80,000
Smoking prevention program—6.2 FTE positions .....		7,176,700
Violence prevention—2.0 FTE positions .....		2,846,600
<b>GROSS APPROPRIATION .....</b>		<b>41,383,000</b>
Appropriated from:		
Federal revenues:		
Total federal funds.....		12,029,700
Special revenue funds:		
Total other state restricted revenues.....		26,582,400
State general fund/general purpose .....		2,770,900

## Sec. 113. COMMUNITY LIVING, CHILDREN, AND FAMILIES

Full-time equated classified positions .....	119.8	
Adolescent health care services .....		2,892,300
Dental programs .....		260,400
Dental program for persons with developmental disabilities.....		151,000
Family planning local agreements .....		7,392,600
Lead paint program.....		491,800
Local MCH services .....		1,271,200
Maternity, infant, and children's health care local agreements .....		7,083,000
Migrant health care.....		166,100
Pregnancy prevention program .....		7,996,100
Prenatal care community demonstration projects.....		58,200
Prenatal care outreach and service delivery support .....		7,929,700
Sudden infant death syndrome program.....		121,300
Women, infants, and children program local agreements and food costs .....		145,679,200
Community living, children and families administration—114.3 FTE positions .....		7,531,900

Contractual services, supplies, and materials .....	1,987,400
Automated data processing .....	3,730,000
Special projects—5.5 FTE positions .....	3,471,400
Family support subsidy .....	24,014,400
Maternal and child health outreach and advocacy .....	6,200,000
Pediatric AIDS prevention and control .....	800,000
Follow-up and treatment services for newborn screening .....	1,729,400
Young children .....	2,000,000
<b>GROSS APPROPRIATION .....</b>	<b>232,957,400</b>
Appropriated from:	
Interdepartmental grant revenues:	
Interdepartmental grant from family independence agency .....	7,007,500
Federal revenues:	
Total federal revenue .....	139,650,400
Special revenue funds:	
Private funds .....	41,954,000
Total other state restricted revenues .....	7,972,200
State general fund/general purpose .....	36,373,300
<b>Sec. 114. CHILDREN'S SPECIAL HEALTH CARE SERVICES</b>	
Full-time equated classified positions .....	66.6
Program administration—66.6 FTE positions .....	4,178,800
Contractual services, supplies, and materials .....	804,400
Amputee program .....	184,600
Bequests for care and services .....	1,104,600
Case management services .....	3,923,500
Conveyor contract .....	559,100
Medical care and treatment .....	117,433,700
<b>GROSS APPROPRIATION .....</b>	<b>128,188,700</b>
Appropriated from:	
Federal revenues:	
Total federal revenue .....	57,934,300
Special revenue funds:	
Private - bequests .....	750,000
Total other state restricted revenues .....	3,898,500
State general fund/general purpose .....	65,605,900
<b>Sec. 115. OFFICE OF DRUG POLICY CONTROL</b>	
Full-time equated classified positions .....	15.0
Drug control policy—15.0 FTE positions .....	1,533,900
Anti-drug abuse grants .....	33,400,000
<b>GROSS APPROPRIATION .....</b>	<b>34,933,900</b>
Appropriated from:	
Federal revenues:	
Total federal revenue .....	34,760,200
State general fund/general purpose .....	173,700
<b>Sec. 116. MEDICAL SERVICES ADMINISTRATION</b>	
Full-time equated classified positions .....	352.5
Salaries and wages—352.5 FTE positions .....	20,224,900
Contractual services, supplies, and materials .....	19,661,600
Travel and equipment .....	193,200
Data processing contractual services .....	100
Facility inspection contract - state police .....	132,800
Michigan essential health care provider .....	1,229,100
Primary care services .....	2,240,600
MIChild Administration .....	3,327,800
<b>GROSS APPROPRIATION .....</b>	<b>47,010,100</b>
Appropriated from:	
Federal revenues:	
Total federal revenues .....	30,177,100
Special revenue funds:	
Private .....	100,000

Total other state restricted revenues.....	752,600
State general fund/general purpose.....	15,980,400
<b>Sec. 117. MEDICAL SERVICES</b>	
Hospital services and therapy.....	700,381,800
Hospital disproportionate share payments.....	45,000,000
Physician services.....	160,992,800
Medicare premium payments.....	104,372,400
Pharmaceutical services.....	206,054,400
Home health services.....	35,439,700
Transportation.....	4,358,900
Auxiliary medical services.....	56,199,700
Nursing home services.....	760,127,900
Chronic care units and county medical care facilities.....	169,425,400
Substance abuse services.....	16,829,200
Health plan services.....	1,290,268,000
Personal care services—adult foster care.....	19,324,900
Personal care services—in home services.....	5,665,000
Maternal and child health.....	9,234,500
Adult home help.....	142,633,600
Social services to the physically disabled.....	1,344,900
MIChild program.....	58,567,100
MIChild Outreach.....	3,327,800
Medicaid Outreach.....	5,000,000
Subtotal basic medical services program.....	3,794,548,000
Outpatient hospital adjustor.....	44,012,800
Indigent medical care program.....	24,048,200
Special adjustor payments.....	885,367,100
School based services.....	142,782,300
Subtotal special medical services payments.....	1,096,210,400
<b>GROSS APPROPRIATION</b> .....	<b>4,890,758,400</b>
Appropriated from:	
Federal revenues:	
Total federal revenues.....	2,731,620,400
Special revenue funds:	
Total local.....	731,647,700
Total private.....	500,000
Tobacco company litigation fund.....	50,000
Total other state restricted revenues.....	195,384,100
State general fund/general purpose.....	1,231,556,200
<b>Sec. 118. OFFICE OF SERVICES TO THE AGING</b>	
Full-time equated classified positions.....36.5	
Commission (per diem \$50.00).....	10,500
Office of services to aging administration—36.5 FTE positions.....	3,641,400
Community services.....	32,923,400
Nutrition services.....	28,185,700
Senior volunteer services.....	5,120,800
Senior citizen centers staffing and equipment.....	1,140,700
Employment assistance.....	2,632,700
DAG commodity supplement.....	6,978,800
Michigan pharmaceutical program.....	6,000,000
Respite care program.....	3,500,000
<b>GROSS APPROPRIATION</b> .....	<b>90,134,000</b>
Appropriated from:	
Federal funds	
Total federal revenues.....	39,171,400
Special revenue funds:	
Total private revenues.....	125,000
Total other state restricted revenues.....	10,000,700
State general fund/general purpose.....	40,836,900

Sec. 119. CRIME VICTIMS SERVICES COMMISSION

Full-time equated classified positions .....	9.0	
Grants administration services—9.0 FTE positions .....		775,400
Justice assistance grants .....		9,000,000
Crime victims rights services grants .....		6,274,600
<b>GROSS APPROPRIATION .....</b>		<b>16,050,000</b>
Appropriated from:		
Federal revenues:		
Total federal revenues.....		9,871,300
Special revenue funds:		
Total other state restricted revenues.....		5,684,700
State general fund/general purpose .....		494,000”.

The question being on the adoption of the amendment offered by Rep. Jansen, Rep. Jansen demanded the yeas and nays.  
 The demand was supported.  
 The question being on the adoption of the amendment offered by Rep. Jansen, The amendment was not adopted, a majority of the members serving not voting therefor, by yeas and nays, as follows:

**Roll Call No. 648**

**Yeas—44**

Bankes	Geiger	Kaza	Nye
Birkholz	Gernaat	Kukuk	Perricone
Byl	Gilmer	Law	Raczkowski
Cassis	Godchaux	LeTarte	Richner
Crissman	Green	Llewellyn	Rocca
Cropsey	Gustafson	London	Sanborn
Dalman	Hammerstrom	Lowe	Scranton
DeVuyst	Horton	McBryde	Sikkema
Dobb	Jansen	McManus	Voorhees
Fitzgerald	Jelinek	Middaugh	Walberg
Galloway	Jellema	Middleton	Whyman

**Nays—56**

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

In The Chair: DeHart

Rep. Jansen moved to amend the bill as follows:

1. Amend page 16, line 20, by striking out “760,127,900” and inserting “796,877,900”.
2. Amend page 17, line 12, by striking out “4,890,758,400” and inserting “4,927,508,400”.

3. Amend page 17, line 15, by striking out "2,731,620,400" and inserting "2,750,995,000".

4. Amend page 17, line 21, by striking out "1,231,556,200" and inserting "1,248,931,600" and adjusting the subtotals, totals, and section 201 accordingly.

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

The demand was supported.

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

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

**Roll Call No. 649****Yeas—48**

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

**Nays—52**

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

In The Chair: DeHart

Rep. Thomas moved to amend the bill as follows:

1. Amend page 58, following line 19, by inserting:

"(3) Any excess funds not authorized or allocated in the cancer prevention and control line item in part 1, shall be utilized for prostate cancer prevention programs."

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

Rep. Quarles moved to amend the bill as follows:

1. Amend page 61, line 14, after the first "program" by inserting "targeting women and high school health education".

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

Rep. Hammerstrom moved to amend the bill as follows:

1. Amend page 69, following line 8, by inserting:

“Sec. 1204. Children participating in the children’s special health care services program may choose to participate in the managed care plan for the program in fiscal year 1998-99.”.

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

Reps. Bankes and Martinez moved to amend the bill as follows:

1. Amend page 80, line 20, after “Sec. 1614.” by inserting “(1)”.

2. Amend page 80, following line 25, by inserting:

“(2) The primary responsibility of assuring a child’s hearing and vision screening is with the child’s primary care provider. The primary care provider will provide age appropriate screening or arrange for these tests through referrals to local health departments. Local health departments shall provide preschool hearing and vision screening services and accept referrals for these tests from physicians or from Head Start programs in order to assure all preschool children have appropriate access to hearing and vision screening. Local health departments will be reimbursed for the cost of providing these tests for Medicaid eligible children by the Medicaid program.”.

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

Rep. Scranton moved to amend the bill as follows:

1. Amend page 92, line 12, after “Sec. 1642.” by striking out all of subsection (1) and inserting:

“(1) The department shall require the enrollment contractor to provide beneficiary services. These services shall include:

(a) Contacting eligible Medicaid beneficiaries.

(b) Providing education on managed care.

(c) Providing information through a toll-free number regarding available health plans and their primary care providers available in the Medicaid beneficiaries area.

(d) Entering the beneficiaries health plan choice in the information system for communication to the state and the health plan, written notification to the beneficiary regarding their health plan choice and notice of their right to change plans consistent with federal guidelines.

(e) Guiding beneficiaries through both health plan and state complaint and fair hearing processes, including helping the beneficiary fill out required forms.

(f) Being available to attend a hearing with a beneficiary if requested by the beneficiary to provide objective information regarding events that have occurred pertinent to the beneficiary.”.

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

Rep. Horton moved to amend the bill as follows:

1. Amend page 96, line 10, after “management” by inserting a comma and “including neonatal and infant pain management.”.

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

—————

Rep. Wetters asked and obtained a temporary excuse from today’s session.

Rep. Voorhees moved that Rep. DeVuyst be excused temporarily from today’s session.

The motion prevailed.

Rep. Godchaux moved to amend the bill as follows:

1. Amend page 96, line 12, by striking out all of section 1662 and inserting:

“Sec. 1662. (1) The department shall include provision in the contracts with health plans for full responsibility for well child visits and maternal and infant support services as described in Medicaid policy. This responsibility will also be included in the information distributed by the health plans to the members.

(2) The department shall require reporting from the health plans on their performance in the delivery services for well child visits and referrals for maternal and infant support services.

(3) The department shall develop a method of providing budget neutral incentives for health plans that demonstrate improved performance in the delivery of immunizations, well child services, and maternal and infant support programs. The department shall communicate the state’s expectation that a continuous improvement is expected in the performance of these services.

(4) The department shall revise appropriate standards of care used for well child visits based upon recognized national authorities of care, such as the American academy of pediatrics.”.

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

The demand was supported.

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

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

**Roll Call No. 650****Yeas—80**

Agee	DeHart	Jelinek	Owen
Anthony	Dobb	Jellema	Palamara
Baade	Dobronski	Johnson	Perricone
Baird	Fitzgerald	Kaza	Price
Bankes	Frank	Kukuk	Profit
Basham	Freeman	LaForge	Prusi
Birkholz	Gagliardi	Law	Rackowski
Bobier	Galloway	LeTarte	Richner
Bodem	Geiger	Llewellyn	Rocca
Bogardus	Gernaat	London	Sanborn
Brater	Gilmer	Lowe	Schauer
Brewer	Godchaux	Mans	Schermesser
Brown	Goschka	Martinez	Schroer
Byl	Green	McBryde	Scranton
Callahan	Gustafson	McManus	Sikkema
Cassis	Hammerstrom	McNutt	Tesanovich
Crissman	Hanley	Middaugh	Voorhees
Cropsey	Harder	Middleton	Walberg
Curtis	Horton	Nye	Whyman
Dalman	Jansen	Olshove	Wojno

**Nays—19**

Alley	Hale	Parks	Thomas
Cherry	Kelly	Quarles	Varga
Ciaramitaro	Kilpatrick	Rison	Vaughn
Gire	Leland	Scott	Willard
Gubow	Murphy	Stallworth	

In The Chair: DeHart

The question being on the motion made previously by Rep. Martinez to reconsider the vote by which the House adopted the amendments offered previously by Rep. Bankes,

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

The question being on the adoption of the amendments offered previously by Rep. Bankes,  
Rep. Bankes withdrew the amendments.

Rep. London moved to amend the bill as follows:

1. Amend page 90, line 17, by striking out all of section 1638 and inserting:

“Sec. 1638. The department shall contract with external organizations for the independent review of the delivery of health plan services. Such reviews shall include the on-site sampling of medical records and other data to determine the quality of care that is provided to Medicaid beneficiaries. The review shall include a focus on well child and other preventive services.”

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

Rep. London demanded the yeas and nays.

The demand was supported.



The question being on the adoption of the amendment offered by Rep. London,  
The amendment was not adopted, a majority of the members serving not voting therefor, by yeas and nays, as follows:

**Roll Call No. 651**

**Yeas—53**

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

**Nays—46**

Agee	DeHart	Kilpatrick	Prusi
Alley	Dobronski	LaForge	Rison
Anthony	Emerson	Leland	Schauer
Baade	Frank	Mans	Schermesser
Baird	Freeman	Martinez	Scott
Basham	Gagliardi	Murphy	Stallworth
Bogardus	Gire	Owen	Tesanovich
Brater	Gubow	Palamara	Thomas
Callahan	Hale	Parks	Varga
Cherry	Hanley	Price	Vaughn
Ciaramitaro	Harder	Profit	Willard
Curtis	Kelly		

In The Chair: DeHart

Rep. Jellema moved to amend the bill as follows:

1. Amend page 54, following line 4, by inserting:

“Sec. 702. Before January 1, 1999, the department shall submit to the house and senate appropriations subcommittees on community health a report on all of the following:

- (a) The adequacy of staffing levels for both the certificate of need application review staff and the certificate of need commission administrative support staff.
- (b) The cost effectiveness of the certificate of need program.”

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

Rep. Jansen moved to amend the bill as follows:

1. Amend page 6, line 10, by striking out “4748.0” and inserting “4761.0”.
2. Amend page 7, following line 1, by inserting:

“Closed site, and transition costs—13.0 FTE positions ..... 1,555.000”.

3. Amend page 7, line 23, by striking out “318,477,900” and inserting “320,032,900”.

4. Amend page 8, line 8, by striking out “37,477,400” and inserting “39,032,400” and adjusting the subtotals, totals, and section 201 accordingly.

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

The demand was supported.

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

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

**Roll Call No. 652****Yeas—48**

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

**Nays—51**

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

In The Chair: DeHart

Rep. McNutt moved to amend the bill as follows:

1. Amend page 54, following line 4, following section 702, by inserting:

“Sec. 703. When the department and a local public health department enter into and sign a contract, a representative from both parties must be present at the negotiation of the contract.”.

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

Rep. McNutt moved to reconsider the vote by which the House did not adopt the amendment.

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

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

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

Rep. McBryde moved to reconsider the vote by which the House did not adopt the amendments offered previously by Rep. Jansen.

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

The question being on the adoption of the amendments offered previously by Rep. Jansen, Rep. McBryde demanded the yeas and nays.

The demand was supported.

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

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

**Roll Call No. 653****Yeas—38**

Birkholz	Godchaux	LeTarte	Raczkowski
Byl	Green	Llewellyn	Richner
Cassis	Gustafson	London	Rocca
Crissman	Hammerstrom	McManus	Sanborn
Cropsey	Horton	McNutt	Scranton
DeVuyst	Jansen	Middaugh	Sikkema
Fitzgerald	Jelinek	Middleton	Voorhees
Galloway	Kaza	Nye	Walberg
Geiger	Kukuk	Perricone	Whyman
Gernaat	Law		

**Nays—60**

Agee	Curtis	Kelly	Prusi
Alley	Dalman	Kilpatrick	Quarles
Anthony	DeHart	LaForge	Rison
Baade	Dobb	Leland	Schauer
Baird	Dobronski	Lowe	Schermesser
Bankes	Emerson	Mans	Schroer
Basham	Frank	Martinez	Scott
Bodem	Freeman	McBryde	Stallworth
Bogardus	Gagliardi	Murphy	Tesanovich
Brater	Gilmer	Olshove	Thomas
Brewer	Goschka	Owen	Varga
Brown	Gubow	Palamara	Vaughn
Callahan	Hale	Parks	Wetters
Cherry	Hanley	Price	Willard
Ciaramitaro	Harder	Profit	Wojno

In The Chair: DeHart

Rep. Hammerstrom moved to amend the bill as follows:

1. Amend page 103, following line 27, following section 1687, by inserting:

“Sec. 1688. To assure ongoing involvement of families in the policy development and health care services plan provided by kids care of Michigan, the managed care program for children’s special health care services, the key administrative role of “family-centered care coordinator” shall be filled by a consumer or by a parent of a child in the children’s special health care services plan who is enrolled in the kids care of Michigan health plan. In addition, 1/3 of the governing board and 50% of the member services staff for this plan shall be children’s special health care services consumers.”.

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

Rep. Richner moved to amend the bill as follows:

1. Amend page 79, line 7, after “provider.” by inserting “Beneficiaries eligible for managed care that do not elect to enroll a child may be assigned to a managed care provider. The department may require managed care eligible beneficiaries to enroll consistent with federal guidelines.”.

2. Amend page 80, following line 5, by inserting:

“(5) The enrollment contractor will provide ongoing training to enrollment counselors and field staff to assure a uniform understanding of the medical exception process for managed care.”.

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

Rep. Richner demanded the yeas and nays.

The demand was supported.

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

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

**Roll Call No. 654**

**Yeas—47**

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

**Nays—53**

Agee	Curtis	Kelly	Rison
Alley	DeHart	Kilpatrick	Schauer
Anthony	Dobronski	LaForge	Schermesser
Baade	Emerson	Leland	Schroer
Baird	Frank	Mans	Scott
Basham	Freeman	Martinez	Stallworth
Bodem	Gagliardi	Murphy	Tesanovich
Bogardus	Gire	Owen	Thomas
Brater	Goschka	Palamara	Varga
Brewer	Gubow	Parks	Vaughn
Brown	Hale	Price	Wallace
Callahan	Hanley	Prusi	Willard
Cherry	Harder	Quarles	Wojno
Ciaramitaro			

In The Chair: DeHart

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

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

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

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

By unanimous consent the House returned to the order of

**Third Reading of Bills**

Rep. Gagliardi moved that Rule 49 be suspended.

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

**Senate Bill No. 908, entitled**

A bill to make appropriations for the department of community health and certain state purposes related to mental health, public health, and medical services for the fiscal year ending September 30, 1999; to provide for the expenditure of such appropriations; to create funds; to provide for reports; to prescribe the powers and duties of certain local and state agencies and departments; and to provide for disposition of fees and other income received by the various state agencies.

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

**Roll Call No. 655****Yeas—58**

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

**Nays—47**

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

In The Chair: DeHart

The House agreed to the title of the bill.

Acting Speaker Hanley assumed the Chair.

**Second Reading of Bills****Senate Bill No. 910, entitled**

A bill to make appropriations for the department of education and certain other purposes relating to education for the fiscal year ending September 30, 1999; to provide for the expenditure of the appropriations; to prescribe the powers

and duties of certain state departments, school districts, and other governmental bodies; and to provide for the disposition of fees and other income received by certain legal entities and state agencies.

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

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

Rep. Hammerstrom moved to amend the bill as follows:

1. Amend page 21, following line 12, by inserting:

“Sec. 220. (1) From the amount appropriated in part 1, the department shall establish an office for safe schools within the department. The office for safe schools shall work with local school boards, law enforcement agencies, community leaders, and other state departments and agencies for the prevention of school violence. The office for safe schools shall develop and implement, and serve as coordinator of, a statewide clearinghouse for information, program development, model programs and policies, and technical assistance on school violence prevention.

(2) To accomplish its functions under this section, the office for safe schools shall do all of the following:

(a) Evaluate the effectiveness of, and make recommendations to local school boards concerning, public school violence prevention programs, including but not limited to programs aimed at reducing the possession of weapons and the incidence of other violent behaviors on school campuses, violence prevention curricula, conflict resolution and peer mediation training, interagency cooperative referral and treatment programs, parental involvement programs, and school safety planning.

(b) Develop and distribute to local school boards a model memorandum of understanding with local law enforcement officials and appropriate state agencies to facilitate reporting of incidents affecting school safety that should appropriately be reported to law enforcement officials and provide technical assistance as requested for implementation of the memorandum of understanding and procedures to be followed.

(c) Provide public education on, and coordinate a process for, school violence prevention and crime awareness, intervention, prevention, and treatment. The public education shall include, but is not limited to, presentations to pupils, school personnel, civic groups, and other organizations and agencies.

(d) In consultation with appropriate organizations, develop and distribute to school districts and public school academies a model code of conduct for pupils.

(e) Coordinate with the office of drug control policy in the department of community health to ensure that there is a meaningful linkage between the efforts under this act to provide safe schools and the initiatives undertaken through that office, including, but not limited to, school districts' safe and drug-free school plans, and to facilitate timely applications for and distribution of available grant money.

(f) Survey public schools around the nation to identify public schools that require or otherwise use school uniforms or strict dress codes for students, identify the best practices for school uniforms or strict dress codes, and provide information to school districts and public school academies on best practices for school uniforms and school dress codes.

(g) Identify the best practices in this state among peer mediation and other conflict resolution programs for pupils and provide information to school districts and public school academies on these best practices.

(h) Work with teacher preparation institutions to encourage training for prospective teachers in classroom management, conflict resolution, and disciplinary techniques.”

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

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Rep. Quarles moved that Rep. Rison be excused temporarily from today's session.  
The motion prevailed.

Rep. Dobb moved to amend the bill as follows:

1. Amend page 37, line 7, by striking out all of lines 7 through 9.

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

Rep. Dobb demanded the yeas and nays.

The demand was supported.

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

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

**Roll Call No. 656**

**Yeas—45**

Bankes  
Birkholz  
Bobier

Galloway  
Geiger  
Gernaat

Jellema  
Kaza  
Kukuk

Middleton  
Nye  
Perricone

Bodem	Gilmer	LeTarte	Raczkowski
Byl	Godchaux	Llewellyn	Richner
Cassis	Goschka	London	Sanborn
Crissman	Green	Lowe	Scranton
Cropsey	Gustafson	McBryde	Sikkema
Dalman	Hammerstrom	McManus	Voorhees
DeVuyst	Horton	McNutt	Walberg
Dobb	Jansen	Middaugh	Whyman
Fitzgerald			

Nays—55

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

In The Chair: Hanley

Rep. Gire moved to amend the bill as follows:

1. Amend page 24, line 14, after the first “of” by striking out “high school proficiency” and inserting “Michigan educational assessment program high school”.

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

—

Acting Speaker DeHart assumed the Chair.

Rep. LeTarte moved to amend the bill as follows:

1. Amend page 36, line 17, after “July 1,” by striking out “1998” and inserting “1999”.

2. Amend page 36, line 19, after “September 1,” by striking out “1998” and inserting “1999”.

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

Rep. Kelly moved to amend the bill as follows:

1. Amend page 21, following line 12, following section 220, by inserting:

“Sec. 221. (1) In the expenditure of funds appropriated under this act, the department shall take all reasonable steps to ensure that businesses in deprived and depressed communities are given the opportunity to compete for and perform contracts to provide services or supplies, or both, for the department.

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

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

Rep. Cropsey moved to amend the bill as follows:

1. Amend page 21, following line 12, following section 221, by inserting:

“Sec. 222. Not later than the 1999-2000 school year, the department shall require the mathematics standards contained in the Michigan curriculum framework to be replaced with standards that are identical or similar to the standards adopted by the California board of education.”

The question being on the adoption of the amendment offered by Rep. Cropsey,  
Rep. Cropsey demanded the yeas and nays.  
The demand was supported.

The question being on the adoption of the amendment offered by Rep. Cropsey,  
The amendment was not adopted, a majority of the members serving not voting therefor, by yeas and nays, as follows:

**Roll Call No. 657**

**Yeas—39**

Birkholz	Gernaat	Kukuk	Perricone
Bodem	Godchaux	Llewellyn	Raczkowski
Brewer	Goschka	London	Rocca
Byl	Green	Lowe	Sanborn
Cropsey	Gustafson	McBryde	Scranton
Dalman	Horton	McManus	Sikkema
DeVuyst	Jansen	McNutt	Voorhees
Dobb	Jellema	Middaugh	Walberg
Galloway	Johnson	Middleton	Whyman
Geiger	Kaza	Nye	

**Nays—60**

Agee	Curtis	Kilpatrick	Prusi
Alley	DeHart	LaForge	Quarles
Anthony	Dobronski	Law	Richner
Baade	Emerson	Leland	Schauer
Baird	Fitzgerald	LeTarte	Schermesser
Banks	Frank	Mans	Schroer
Basham	Gilmer	Martinez	Scott
Bogardus	Gire	Mathieu	Stallworth
Brater	Hale	Murphy	Tesanovich
Brown	Hammerstrom	Olshove	Thomas
Callahan	Hanley	Owen	Varga
Cassis	Harder	Palamara	Vaughn
Cherry	Hood	Parks	Wallace
Ciaramitaro	Jelinek	Price	Wetters
Crissman	Kelly	Profit	Wojno

In The Chair: DeHart

Rep. Emerson moved to amend the bill as follows:

1. Amend page 11, following line 19, by inserting:

“Fast track program..... 300,000”.

2. Amend page 13, line 9, by striking out “19,631,000” and inserting “19,931,000” and adjusting the subtotals, totals, and section 201 accordingly.

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

Rep. McNutt moved to amend the bill as follows:

1. Amend page 24, following line 18, by inserting:

“Sec. 503. The department shall offer the Michigan education assessment program high school test on the supplemental count day, as defined in section 6 of the state school aid act of 1979, 1979 PA 94, MCL 388.1606.”.

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

Rep. McNutt demanded the yeas and nays.

The demand was supported.

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

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



**Roll Call No. 658****Yeas—7**Byl  
CropseyDalman  
GreenKaza  
Llewellyn

McNutt

**Nays—94**Agee  
Alley  
Anthony  
Baade  
Baird  
Banks  
Basham  
Birkholz  
Bobier  
Bodem  
Bogardus  
Brater  
Brewer  
Brown  
Callahan  
Cassis  
Cherry  
Ciaramitaro  
Crissman  
Curtis  
DeHart  
DeVuyst  
Dobb  
DobronskiFitzgerald  
Frank  
Freeman  
Gagliardi  
Galloway  
Geiger  
Gernaat  
Gilmer  
Gire  
Godchaux  
Goschka  
Gustafson  
Hale  
Hammerstrom  
Hanley  
Harder  
Hood  
Horton  
Jansen  
Jelinek  
Jellema  
Johnson  
Kelly  
KilpatrickKukuk  
LaForge  
Law  
Leland  
LeTarte  
London  
Lowe  
Mans  
Martinez  
Mathieu  
McBryde  
McManus  
Middaugh  
Middleton  
Murphy  
Nye  
Owen  
Palamara  
Parks  
Perricone  
Price  
Profit  
PrusiRackowski  
Richner  
Rison  
Rocca  
Sanborn  
Schauer  
Schermesser  
Schroer  
Scott  
Scranton  
Sikkema  
Stallworth  
Tesanovich  
Thomas  
Varga  
Vaughn  
Voorhees  
Walberg  
Wallace  
Wetters  
Whyman  
Willard  
Wojno

In The Chair: DeHart

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

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

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

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

By unanimous consent the House returned to the order of

**Third Reading of Bills**

Rep. Gagliardi moved that Rule 49 be suspended.

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

**Senate Bill No. 910, entitled**

A bill to make appropriations for the department of education and certain other purposes relating to education for the fiscal year ending September 30, 1999; to provide for the expenditure of the appropriations; to prescribe the powers and duties of certain state departments, school districts, and other governmental bodies; and to provide for the disposition of fees and other income received by certain legal entities and state agencies.

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

**Roll Call No. 659****Yeas—87**

Agee	Dobb	Kilpatrick	Quarles
Alley	Dobronski	Kukuk	Raczkowski
Anthony	Frank	LaForge	Richner
Baade	Freeman	Law	Rison
Baird	Gagliardi	Leland	Rocca
Bankes	Galloway	LeTarte	Sanborn
Basham	Geiger	Mans	Schauer
Birkholz	Gernaat	Martinez	Schermesser
Bobier	Gilmer	Mathieu	Schroer
Bodem	Gire	McBryde	Scott
Bogardus	Godchaux	McManus	Scranton
Brater	Goschka	McNutt	Stallworth
Brewer	Gubow	Middaugh	Tesanovich
Brown	Gustafson	Middleton	Thomas
Byl	Hale	Murphy	Varga
Callahan	Hanley	Olshove	Vaughn
Cassis	Harder	Owen	Voorhees
Cherry	Hertel	Palamara	Wallace
Curtis	Hood	Parks	Wetters
Dalman	Jelinek	Price	Willard
DeHart	Jellema	Profit	Wojno
DeVuyst	Kelly	Prusi	

**Nays—17**

Crissman	Horton	Llewellyn	Perricone
Cropsey	Jansen	London	Sikkema
Fitzgerald	Johnson	Lowe	Walberg
Green	Kaza	Nye	Whyman
Hammerstrom			

In The Chair: DeHart

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

**Notices**

I hereby give notice that on the next legislative session day I will move to discharge the Committee on Tax Policy from further consideration of **House Bill No. 4710**.

Rep. Cassis

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

**House Bill No. 5719, entitled**

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," (MCL 324.101 to 324.90106) by adding part 716.

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

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

Rep. McNutt moved to amend the bill as follows:

1. Amend page 10, following line 25, by inserting:

“(5) IN MAKING FINAL GRANT AWARDS, IF A PROJECT IS DETERMINED TO BE ELIGIBLE FOR RECOMMENDATION AND THE NEEDS AT THE LOCATION OF THE PROJECT INCLUDE THE INSTALLATION OR UPGRADE OF DRINKING WATER SYSTEMS OR RESTROOM FACILITIES, THE GRANT AWARD FOR THE PROJECT SHALL FIRST BE USED FOR SUCH UPGRADES AT THAT PROJECT LOCATION.”.

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

Rep. McNutt moved to reconsider the vote by which the House adopted the amendment.

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

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

Rep. McNutt withdrew the amendment.

Rep. McNutt moved to amend the bill as follows:

1. Amend page 10, following line 25, by inserting:

“(5) IF A PROJECT IS DETERMINED TO BE ELIGIBLE FOR A GRANT AND THE NEEDS AT THE LOCATION OF THE PROJECT INCLUDE THE UPGRADE OF DRINKING WATER SYSTEMS OR REST ROOM FACILITIES, THE GRANT AWARD FOR THE PROJECT SHALL FIRST BE USED FOR SUCH UPGRADES AT THAT PROJECT LOCATION.”.

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

Reps. Richner and Middaugh moved to amend the bill as follows:

1. Amend page 3, line 16, after “PLAYGROUNDS,” by inserting “SKATING RINKS, TOBOGGAN RUNS, SLEDDING HILLS,”.

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

Rep. Brown moved to amend the bill as follows:

1. Amend page 8, line 18, after “USE” by striking out “3 FACTORS” and inserting “THE 3 FACTORS LISTED IN SUBSECTION (3)(A), (B), AND (C)”.

2. Amend page 8, line 21, after “FACTORS” by inserting “LISTED IN SUBDIVISIONS (A), (B), AND (C)”.

3. Amend page 9, line 2, by striking out all of line 2 and inserting “1 OF THE FOLLOWING PROGRAM PRIORITIES AS DESIGNATED BY THE APPLICANT:”.

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

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

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

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

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

By unanimous consent the House returned to the order of

### **Third Reading of Bills**

#### **House Bill No. 5719, entitled**

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” (MCL 324.101 to 324.90106) by adding part 716.

The bill was read a third time.

The question being on the passage of the bill,

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

The motion prevailed.

### **Second Reading of Bills**

#### **Senate Bill No. 902, entitled**

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” (MCL 324.101 to 324.90106) by adding part 88.

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

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

Rep. Alley moved to amend the bill as follows:

1. Amend page 1, line 7, after "GRANT" by inserting "OR A WELLHEAD PROTECTION GRANT".

2. Amend page 2, line 11, after "SEC. 8802." by striking out all of subsection (1) and inserting "(1) THE DEPARTMENT SHALL ESTABLISH A GRANTS PROGRAM TO PROVIDE GRANTS FOR NONPOINT SOURCE POLLUTION PREVENTION AND CONTROL PROJECTS AND WELLHEAD PROTECTION PROJECTS. THE GRANTS PROGRAM SHALL PROVIDE GRANTS TO LOCAL UNITS OF GOVERNMENT OR ENTITIES THAT ARE EXEMPT FROM TAXATION UNDER SECTION 501(c)(3) OF THE INTERNAL REVENUE CODE. THE TOTAL AMOUNT OF GRANTS PROVIDED UNDER THE GRANTS PROGRAM SHALL BE ALLOCATED AS FOLLOWS:

(A) TWO-THIRDS FOR NONPOINT SOURCE POLLUTION PREVENTION AND CONTROL PROJECTS THAT DO EITHER OR BOTH OF THE FOLLOWING:

(i) IMPLEMENT THE PHYSICAL IMPROVEMENT PORTION OF WATERSHED PLANS THAT ARE APPROVED BY THE DEPARTMENT.

(ii) REDUCE SPECIFIC NONPOINT SOURCE POLLUTION AS IDENTIFIED BY THE DEPARTMENT.

(B) ONE-THIRD FOR WELLHEAD PROTECTION PROJECTS THAT ARE CONSISTENT WITH A WELLHEAD PROTECTION PLAN APPROVED BY THE DEPARTMENT THAT DO ANY OF THE FOLLOWING:

(i) PLUG ABANDONED WELLS.

(ii) PROVIDE FOR THE PURCHASE OF LAND OR THE PURCHASE OF RIGHTS IN LAND FOR THE PURPOSE OF PROTECTING AQUIFER RECHARGE AREAS.

(iii) IMPLEMENT THE PHYSICAL IMPROVEMENT PORTION OF THE WELLHEAD PROTECTION PLAN.".

3. Amend page 4, following line 5, by inserting:

"(I) WHETHER THE PROJECT PROVIDES BENEFITS TO SOURCES OF DRINKING WATER." and relettering the remaining subdivision.

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

Rep. Brown moved to amend the bill as follows:

1. Amend page 3, line 6, after the second "THE" by striking out "CLEAN MICHIGAN INITIATIVE" and inserting "MICHIGAN'S ECONOMIC DEVELOPMENT AND RECREATION PLAN".

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

Rep. Middaugh demanded the yeas and nays.

The demand was supported.

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

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

### Roll Call No. 660

### Yeas—56

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

### Nays—47

Bankes	Galloway	Jellema	Middleton
Birkholz	Geiger	Johnson	Nye
Bobier	Gernaat	Kukuk	Perricone
Bodem	Gilmer	Law	Raczkowski

Byl	Godchaux	LeTarte	Richner
Cassis	Goschka	Llewellyn	Rocca
Crissman	Green	London	Sanborn
Cropsey	Gustafson	Lowe	Scranton
Dalman	Hammerstrom	McBryde	Sikkema
DeVuyst	Horton	McManus	Voorhees
Dobb	Jansen	McNutt	Whyman
Fitzgerald	Jelinek	Middaugh	

In The Chair: DeHart

Rep. Gagliardi moved that the bill be placed on the order of Third Reading of Bills.  
The motion prevailed, a majority of the members voting therefor.

**Senate Bill No. 904, entitled**

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," (MCL 324.101 to 324.90106) by adding part 196.

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

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

Rep. Alley moved to amend the bill as follows:

1. Amend page 5, line 23, after "THAN" by striking out "\$325,000,000.00" and inserting "\$309,000,000.00".
2. Amend page 6, line 3, after "(D)" by striking out "NOT MORE THAN \$50,000,000.00" and inserting "SUBJECT TO SUBSECTION (2), \$66,000,000.00".
3. Amend page 6, line 4, after "CONTROL" by inserting "AND WELLHEAD PROTECTION PROJECTS".

4. Amend page 6, following line 8, by inserting:

"(2) IN ADDITION TO THE AMOUNT SPECIFIED IN SUBSECTION (1)(D), 2% OF THE AMOUNTS SPECIFIED IN SUBSECTION (1)(A), (B), (C), AND (D) SHALL BE USED FOR THE PURPOSE OF SUBSECTION (1)(D)." and renumbering the remaining subsections.

5. Amend page 8, line 14, after "PROJECTS" by inserting "AND WELLHEAD PROTECTION PROJECTS".

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

Rep. Baade moved to amend the bill as follows:

1. Amend page 8, following line 25, by inserting:

"(3) BEFORE EXPENDING ANY FUNDS ALLOCATED UNDER SECTION 19607(1)(A), (B), (C), OR (D) AT A SITE THAT IS AN AREA OF CONCERN AS DESIGNATED BY THE PARTIES TO THE GREAT LAKES WATER QUALITY AGREEMENT, THE DEPARTMENT SHALL CONSULT WITH AND RECEIVE COMMENTS FROM THE PUBLIC ADVISORY COUNCIL ESTABLISHED TO OVERSEE THAT AREA OF CONCERN REGARDING THE DEVELOPMENT, IMPLEMENTATION, AND EVALUATION OF RESPONSE ACTIVITIES TO BE CONDUCTED WITH MONEY IN THE FUND AT THAT AREA OF CONCERN." and renumbering the remaining subsections.

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

Rep. Baade demanded the yeas and nays.

The demand was supported.

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

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

**Roll Call No. 661**

**Yeas—71**

Agee	Dobb	LaForge	Quarles
Anthony	Dobronski	Leland	Rison
Baade	Frank	LeTarte	Schauer
Baird	Freeman	Llewellyn	Schermesser
Bankes	Gagliardi	Lowe	Schroer
Basham	Gire	Mans	Scott
Bogardus	Goschka	Martinez	Stallworth

Brater	Griffin	Mathieu	Tesanovich
Brewer	Gubow	McBryde	Varga
Brown	Hale	Murphy	Vaughn
Callahan	Hammerstrom	Nye	Voorhees
Cassis	Hanley	Olshove	Walberg
Cherry	Harder	Owen	Wallace
Ciaramitaro	Hood	Palamara	Wetters
Crissman	Jansen	Parks	Whyman
Cropsey	Jellema	Price	Willard
Curtis	Kaza	Profit	Wojno
DeHart	Kelly	Prusi	

**Nays—34**

Alley	Geiger	Kilpatrick	Perricone
Birkholz	Gernaat	Kukuk	Raczkowski
Bobier	Gilmer	Law	Richner
Bodem	Godchaux	London	Rocca
Byl	Green	McManus	Sanborn
Dalman	Gustafson	McNutt	Scranton
DeVuyst	Horton	Middaugh	Sikkema
Fitzgerald	Jelinek	Middleton	Thomas
Galloway	Johnson		

In The Chair: DeHart

Rep. Callahan moved to amend the bill as follows:

1. Amend page 6, following line 8, by inserting:

“(G) NOT MORE THAN \$100,000,000.00 SHALL BE USED FOR PROJECTS FUNDED BY THE STATE DRINKING WATER REVOLVING FUND ESTABLISHED PURSUANT TO SECTION 16B OF THE SHARED CREDIT RATING ACT, 1985 PA 227, MCL 141.1066B.”.

2. Amend page 8, following line 21, by inserting:

“(G) MONEY IN THE FUND THAT IS ALLOCATED UNDER SECTION 19607(1)(G) SHALL BE TRANSFERRED TO THE STATE DRINKING WATER REVOLVING FUND ESTABLISHED PURSUANT TO SECTION 16B OF THE SHARED CREDIT RATING ACT, 1985 PA 227, MCL 141.1066B.”.

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

Rep. Middaugh demanded the yeas and nays.

The demand was supported.

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

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

**Roll Call No. 662****Yeas—57**

Agee	Dobronski	Kelly	Prusi
Anthony	Frank	Kukuk	Quarles
Baade	Freeman	LaForge	Rison
Baird	Gagliardi	Law	Rocca
Bankes	Gire	Leland	Sanborn
Basham	Goschka	London	Schauer
Bogardus	Griffin	Mans	Schroer
Brater	Gubow	Martinez	Scott
Brewer	Hale	Olshove	Stallworth
Brown	Hanley	Owen	Tesanovich

Callahan	Harder	Palamara	Vaughn
Cherry	Hood	Parks	Wallace
Ciaramitaro	Johnson	Price	Wetters
Curtis	Kaza	Profit	Wojno
DeHart			

**Nays—39**

Birkholz	Fitzgerald	Jansen	Middleton
Bobier	Galloway	Jelinek	Nye
Bodem	Geiger	Jellema	Perricone
Byl	Gernaat	LeTarte	Raczkowski
Cassis	Gilmer	Llewellyn	Richner
Crissman	Godchaux	Lowe	Scranton
Cropsey	Green	McBryde	Sikkema
Dalman	Gustafson	McManus	Voorhees
DeVuyst	Hammerstrom	McNutt	Walberg
Dobb	Horton	Middaugh	

In The Chair: DeHart

Rep. Martinez moved to amend the bill as follows:

1. Amend page 6, following line 8, following subdivision (G), by inserting:

“(H) NOT MORE THAN \$20,000,000.00 SHALL BE USED FOR LEAD ABATEMENT PROJECTS TO PROTECT CHILDREN AND SENIOR CITIZENS FROM LEAD POISONING.”.

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

Rep. Middaugh moved to reconsider the vote by which the House adopted the amendment.

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

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

Rep. Middaugh demanded the yeas and nays.

The demand was supported.

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

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

**Roll Call No. 663****Yeas—97**

Agee	Dobronski	Kelly	Profit
Alley	Fitzgerald	Kilpatrick	Prusi
Anthony	Frank	Kukuk	Quarles
Baade	Freeman	LaForge	Raczkowski
Baird	Gagliardi	Law	Richner
Bankes	Galloway	Leland	Rison
Basham	Geiger	LeTarte	Rocca
Birkholz	Gernaat	Llewellyn	Sanborn
Bodem	Gilmer	London	Schauer
Bogardus	Gire	Lowe	Schermesser
Brater	Godchaux	Mans	Schroer
Brewer	Goschka	Martinez	Scott
Brown	Green	McBryde	Scranton
Byl	Griffin	McManus	Sikkema
Callahan	Gubow	McNutt	Tesanovich
Cassis	Gustafson	Middaugh	Thomas
Cherry	Hale	Middleton	Varga

Ciaramitaro	Hammerstrom	Murphy	Vaughn
Crissman	Hanley	Olshove	Voorhees
Cropsey	Harder	Owen	Wallace
Curtis	Horton	Palamara	Wetters
Dalman	Jansen	Parks	Whyman
DeHart	Jelinek	Perricone	Willard
DeVuyst	Jellema	Price	Wojno
Dobb			

### Nays—0

In The Chair: DeHart

Rep. Anthony moved to amend the bill as follows:

1. Amend page 5, line 23, after "THAN" by striking out "\$309,000,000.00" and inserting "\$300,000,000.00".
2. Amend page 6, following line 8, following subdivision (H), by inserting:  
“(I) NOT MORE THAN \$25,000,000.00 SHALL BE USED FOR POLLUTION PREVENTION PROGRAMS.”.
3. Amend page 8, following line 21, following subdivision (G), by inserting:  
“(H) MONEY IN THE FUND THAT IS ALLOCATED UNDER SECTION 19607(1)(G) SHALL BE USED BY THE DEPARTMENT FOR PROGRAMS THAT PREVENT POLLUTION.”.

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

Rep. McNutt moved to amend the bill as follows:

1. Amend page 8, line 18, after "RESOURCES." by inserting "THE INSTALLATION OR UPGRADE OF DRINKING WATER SYSTEMS OR REST ROOM FACILITIES SHALL BE THE FIRST PRIORITY.”.

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

Rep. Mans moved to amend the bill as follows:

1. Amend page 10, line 21, after "QUALITY." by inserting "BEFORE SUBMITTING THE ANNUAL LIST OF PROJECTS RECOMMENDED TO BE FUNDED PURSUANT TO THIS SUBSECTION, THE DEPARTMENT SHALL PROVIDE A 30-DAY PERIOD DURING WHICH INTERESTED PERSONS, INCLUDING BUT NOT LIMITED TO MUNICIPALITIES, NONPROFIT CORPORATIONS AND ASSOCIATIONS, AND BUSINESSES MAY NOMINATE PROJECTS TO BE CONSIDERED FOR FUNDING PURSUANT TO THIS PART. THE DEPARTMENT SHALL PUBLISH CRITERIA IT WILL USE IN EVALUATING AND RECOMMENDING NOMINATED PROJECTS AND SHALL RESPOND, IN WRITING, TO ALL SUCH NOMINATIONS.”.

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

Rep. Oxender entered the House Chambers.

Rep. Thomas moved that Rep. Stallworth be excused temporarily from today's session.

The motion prevailed.

Rep. Gubow moved to amend the bill as follows:

1. Amend page 6, following line 8, following subdivision (I), by inserting:  
“(J) NOT MORE THAN \$100,000,000.00 SHALL BE USED FOR PROJECTS FUNDED BY THE STATE WATER POLLUTION CONTROL REVOLVING FUND ESTABLISHED PURSUANT TO SECTION 16A OF THE SHARED CREDIT RATING ACT, 1985 PA 227, MCL 141.1066A.”.
2. Amend page 8, following line 21, following subdivision (H), by inserting:  
“(I) MONEY IN THE FUND THAT IS ALLOCATED UNDER SECTION 19607(1) (G) SHALL BE TRANSFERRED TO THE STATE WATER POLLUTION CONTROL REVOLVING FUND ESTABLISHED PURSUANT TO SECTION 16A OF THE SHARED CREDIT RATING ACT, 1985 PA 227, MCL 141.1066A.”.

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

Rep. Middaugh demanded the yeas and nays.

The demand was supported.

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

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



**Roll Call No. 664****Yeas—57**

Agee	Frank	Leland	Rocca
Anthony	Freeman	London	Sanborn
Baade	Gagliardi	Mans	Schauer
Baird	Gire	Martinez	Schermesser
Basham	Goschka	Murphy	Schroer
Bogardus	Gubow	Olshove	Scott
Brater	Hale	Owen	Stallworth
Brewer	Hanley	Palamara	Tesanovich
Brown	Harder	Parks	Thomas
Callahan	Hertel	Price	Varga
Cherry	Hood	Profit	Vaughn
Ciaramitaro	Kaza	Prusi	Wallace
Curtis	Kelly	Quarles	Willard
DeHart	LaForge	Rison	Wojno
Dobronski			

**Nays—44**

Alley	Geiger	Kilpatrick	Oxender
Bankes	Gernaat	Kukuk	Perricone
Birkholz	Gilmer	Law	Raczkowski
Bobier	Godchaux	LeTarte	Rhead
Bodem	Green	Llewellyn	Richner
Byl	Gustafson	Lowe	Scranton
Cassis	Hammerstrom	McBryde	Sikkema
Cropsey	Horton	McManus	Voorhees
Dalman	Jansen	McNutt	Walberg
DeVuyst	Jelinek	Middaugh	Wetters
Fitzgerald	Jellema	Nye	Whyman

In The Chair: DeHart

Rep. Willard moved to amend the bill as follows:

1. Amend page 8, following line 25, following subsection (3), by inserting:

“(4) MONEY IN THE FUND SHALL NOT BE USED TO DEVELOP BOTTOMLANDS OF ANY BODY OF WATER.” and renumbering the remaining subsections.

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

Rep. Rhead moved to reconsider the vote by which the House adopted the amendment.

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

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

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

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

“Mr. Speaker and members of the House:

I was absent from the Chamber when the vote was taken on Roll Call Nos. 623-629 and 631. Had I been present, I would have voted ‘yes’.”

Rep. Brater moved to amend the bill as follows:

1. Amend page 8, line 22, by striking out all of subsection (2) and inserting:

“(2) OF THE MONEY ALLOCATED UNDER SECTION 19607(1)(A), NOT LESS THAN \$40,000,000.00 OR MORE THAN \$60,000,000.00 SHALL BE USED FOR FACILITIES THAT POSE AN IMMINENT AND

SUBSTANTIAL ENDANGERMENT TO THE PUBLIC HEALTH, SAFETY, OR WELFARE, OR TO THE ENVIRONMENT. FOR PURPOSES OF THIS SUBSECTION, FACILITIES THAT POSE AN IMMINENT AND SUBSTANTIAL ENDANGERMENT SHALL INCLUDE THOSE WHERE PUBLIC ACCESS POSES HAZARDS BECAUSE OF POTENTIAL EXPOSURE TO CHEMICALS OR SAFETY RISKS AND WHERE DRINKING WATER SUPPLIES ARE THREATENED BY CONTAMINATION.”.

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

Rep. Brown moved to amend the bill as follows:

1. Amend page 1, line 3, after the second “THE” by striking out “CLEAN MICHIGAN” and inserting “MICHIGAN’S ECONOMIC, ENVIRONMENT, AND RECREATION”.

2. Amend page 2, line 1, after “THE” by striking out “CLEAN MICHIGAN” and inserting “MICHIGAN’S ECONOMIC, ENVIRONMENT, AND RECREATION”.

3. Amend page 3, line 13, after “THE” by striking out “CLEAN MICHIGAN” and inserting “MICHIGAN’S ECONOMIC, ENVIRONMENT, AND RECREATION”.

4. Amend page 5, line 9, after “THE” by striking out “CLEAN MICHIGAN” and inserting “MICHIGAN’S ECONOMIC, ENVIRONMENT, AND RECREATION”.

5. Amend page 16, line 14, after the second “the” by striking out “clean Michigan” and inserting “Michigan’s economic, environment, and recreation”.

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

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

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

By unanimous consent the House returned to the order of

#### **Motions and Resolutions**

Reps. McManus, Schauer, Baade, McNutt, Jelinek, Dobb, Crissman, Voorhees, Richner, Birkholz, Galloway, Bodem, McBryde, Perricone, Jansen, Goschka and London offered the following resolution:

#### **House Resolution No. 324.**

A resolution of tribute for Elaine S. Goebel.

Whereas, It is with a strong sense of admiration for all of the sacrifices she has made on behalf of the people of Auburn Hills and the entire State of Michigan that we salute Elaine S. Goebel. Elaine was appointed to the position of deputy treasurer for the City of Auburn Hills in 1983. She was subsequently appointed to the position of treasurer for the City of Auburn Hills in 1986; and

Whereas, Elaine S. Goebel has, throughout her years of dedication, actively served the community as secretary and treasurer of the Auburn Hills Economic Development Corporation, chairperson of the Auburn Hills Safety Committee, and president of the Auburn Hills Optimist Club. Elaine also served the Avondale School Board for six years, acting as treasurer for three of those years; and

Whereas, Elaine S. Goebel also served as president of the Michigan Municipal Treasurers’ Association from 1995-1996. Elaine was installed on August 20, 1997 as president of the Municipal Treasurers’ Association of the United States and Canada, having previously served the Association in various elected positions over the past years; and

Whereas, The people of Michigan have appreciated the dedication and belief in the community’s future that have marked all elements of her work. With all that Elaine S. Goebel has given to the people of our great state, she can also take a great deal of personal pride and satisfaction in all aspects of her accomplishments; now, therefore, be it

Resolved by the House of Representatives, That we recognize Elaine S. Goebel for her dedicated service and exemplary accomplishments which have brought well deserved and international acclaim to herself, the City of Auburn Hills, and the entire State of Michigan. May health and happiness be hers in the future; and be it further

Resolved, That a copy of this resolution be transmitted to Elaine S. Goebel as evidence of our heartfelt congratulations.

Pending the reference of the resolution to a committee,

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

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

The question being on the adoption of the resolution,

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

Reps. Schauer, Freeman, Hanley, Dobronski, Baade, Baird, DeHart, McNutt, Jelinek, Dobb, Johnson, Crissman, Voorhees, Richner, Birkholz, Bodem, Perricone, Fitzgerald, Bankes, Jansen, Goschka and London offered the following resolution:

#### **House Resolution No. 325.**

A resolution honoring Phillis “Phil” Cusmano and her soup kitchen crew.

Whereas, It is a great pleasure to commend Phil Cusmano and her soup kitchen crew for providing a noontime meal at the Salvation Army Soup Kitchen; and

Whereas, It was in 1988 that Phil started working on this project, and has been its leader ever since. The Salvation Army provides a much needed service by feeding hundreds of hungry people everyday. During Phil’s noontime meal, she and her crew will feed approximately 160-180 people; and

Whereas, Phillis Cusmano and the Soup Kitchen Crew exemplifies the philanthropic spirit which is the hallmark of the Battle Creek area; and

Whereas, Phil Cusmano's "Soup Kitchen Crew" consists of: Mike Moreno, Tom Merick, Mary Cochrane, Muriel Cleary, Jane and Al Hafner, Val and Harold Tower, Georgia Colwell, Ellen McRae, Karen Westlake, Kay Flynn, Joan Bauman, Jane Prevost, Betty and Ed Wyson, Gloria Steinbrunner, and Richard and Jeanne Masten - and heed it; now, therefore, be it

Resolved by the House of Representatives, That members of this legislative body salute Phillis Cusmano and her "Soup Kitchen Crew" for their conscientious efforts in providing nutritious meals to the hungry; and be it further

Resolved, That copies of this resolution be transmitted to Phillis "Phil" Cusmano and her "Soup Kitchen Crew" as evidence of our admiration.

Pending the reference of the resolution to a committee,

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

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

The question being on the adoption of the resolution,

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

### Reports of Standing Committees

The Committee on Conservation, Environment and Recreation, by Rep. Alley, Chair, reported

#### **House Bill No. 5867, entitled**

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," (MCL 324.101 to 324.90106) by adding section 61506a.

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

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

#### Favorable Roll Call

#### **HB 5867** To Report Out:

Yeas: Reps. Alley, Anthony, Brater, Brown, Kilpatrick, LaForge, Schermesser, Wetters, Basham, Middaugh, Birkholz, Bodem, Byl, DeVuyst, McNutt, Walberg,

Nays: None.

The Committee on Conservation, Environment and Recreation, by Rep. Alley, Chair, reported

#### **House Resolution No. 311.**

A resolution to urge the Natural Resources Commission to extend the 1998 firearms deer season by starting on November 14.

(For text of resolution, see House Journal No. 53, p. 1250.)

With the recommendation that the following amendments be adopted and that the resolution then be adopted.

1. Amend the title, line 1, after the second "to" by striking out "extend" and inserting "consider extending".

2. Amend the first Resolving clause, line 2, after "to" by striking out "extend" and inserting "consider extending".

The Speaker announced that under Rule 77 the resolution would lie over one day.

#### Favorable Roll Call

#### **HR 311** To Report Out:

Yeas: Reps. Alley, Brater, Brown, Kilpatrick, LaForge, Schermesser, Basham, Middaugh, Birkholz, Bodem, Byl, DeVuyst, McNutt, Walberg,

Nays: Rep. Anthony.

The Committee on Conservation, Environment and Recreation, by Rep. Alley, Chair, reported

#### **House Concurrent Resolution No. 108.**

A concurrent resolution to urge the Natural Resources Commission to extend the 1998 firearms deer season by starting on November 14.

(For text of resolution, see House Journal No. 53, p. 1251.)

With the recommendation that the following amendments be adopted and that the concurrent resolution then be adopted.

1. Amend the title, line 2, by striking out "extend" and inserting "consider extending".
  2. Amend the first Resolving clause, line 2, after "to" by striking out "extend" and inserting "consider extending".
- The Speaker announced that under Rule 77 the concurrent resolution would lie over one day.

#### Favorable Roll Call

#### **HCR 108** To Report Out:

Yeas: Reps. Alley, Brater, Brown, Kilpatrick, Schermesser, Basham, Middaugh, Birkholz, Bodem, Byl, McNutt, Walberg,

Nays: None.

#### COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Alley, Chair of the Committee on Conservation, Environment and Recreation, was received and read:

Meeting held on: Tuesday, June 16, 1998, at 2:32 p.m.,

Present: Reps. Alley, Anthony, Brater, Brown, Kilpatrick, LaForge, Schermesser, Wetters, Basham, Middaugh, Birkholz, Bodem, Byl, DeVuyst, McNutt, Walberg,

Absent: Reps. Callahan, Mans, McManus,

Excused: Reps. Callahan, Mans, McManus.

The Committee on Tax Policy, by Rep. Profit, Chair, reported

#### **House Bill No. 4374, entitled**

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," by amending section 273 (MCL 206.273), as added by 1988 PA 516.

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

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

#### Favorable Roll Call

#### **HB 4374** To Report Out:

Yeas: Reps. Profit, Quarles, Freeman, Wojno, Perricone, Cassis, Dobb, Goschka, Middleton,

Nays: Rep. Agee.

The Committee on Tax Policy, by Rep. Profit, Chair, reported

#### **House Bill No. 4985, entitled**

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," by amending section 30 (MCL 206.30), as amended by 1996 PA 484.

With the recommendation that the substitute (H-4) be adopted and that the bill then pass.

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

#### Favorable Roll Call

#### **HB 4985** To Report Out:

Yeas: Reps. Profit, Quarles, Freeman, Wojno, Perricone, Cassis, Dobb, Goschka, Middleton,

Nays: Rep. Agee.

The Committee on Tax Policy, by Rep. Profit, Chair, reported

#### **Senate Bill No. 1158, entitled**

A bill to amend 1933 PA 167, entitled "General sales tax act," by amending section 4 (MCL 205.54), as amended by 1993 PA 325.

With the recommendation that the bill pass.

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

## Favorable Roll Call

**SB 1158** To Report Out:

Yeas: Reps. Profit, Quarles, Agee, Freeman, Wojno, Perricone, Cassis, Dobb, Goschka, Middleton,  
Nays: None.

## COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Profit, Chair of the Committee on Tax Policy, was received and read:

Meeting held on: Wednesday, June 17, 1998, at 8:00 a.m.,

Present: Reps. Profit, Quarles, Agee, Freeman, Gubow, Hanley, Palamara, Wallace, Wetters, Wojno, Perricone, Cassis, Dobb, Goschka, Middleton,

Absent: Reps. Brackenridge, Whyman,

Excused: Reps. Brackenridge, Whyman.

The Committee on Appropriations, by Rep. Hood, Chair, reported

**House Bill No. 5668, entitled**

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending section 151b (MCL 600.151b), as amended by 1996 PA 524.

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

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

## Favorable Roll Call

**HB 5668** To Report Out:

Yeas: Reps. Hood, Mathieu, Ciaramitaro, Frank, Hale, Harder, Kelly, Martinez, Owen, Parks, Price, Prusi, Rison, Schroer, Stallworth, Tesanovich, Gilmer, Bobier, Geiger, Godchaux, Jansen, Jellema, McBryde,

Nays: None.

The Committee on Appropriations, by Rep. Hood, Chair, reported

**House Bill No. 5822, 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 sections 1e and 10 (MCL 247.651e and 247.660), section 10 as amended by 1997 PA 79.

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

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

## Favorable Roll Call

**HB 5822** To Report Out:

Yeas: Reps. Hood, Mathieu, Ciaramitaro, Emerson, Frank, Hale, Harder, Kelly, Martinez, Owen, Parks, Price, Prusi, Rison, Stallworth, Tesanovich,

Nays: Reps. Gilmer, Bankes, Bobier, Godchaux, Jansen, Jellema.

## COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Hood, Chair of the Committee on Appropriations, was received and read:

Meeting held on: Wednesday, June 17, 1998, at 9:00 a.m.,

Present: Reps. Hood, Mathieu, Ciaramitaro, Emerson, Frank, Hale, Harder, Kelly, Martinez, Owen, Parks, Price, Prusi, Rison, Schroer, Stallworth, Tesanovich, Gilmer, Bankes, Bobier, Geiger, Godchaux, Jansen, Jellema, McBryde,

Absent: Reps. Johnson, Oxender.

## COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Wetters, Chair of the Committee on Agriculture, was received and read:

Meeting held on: Tuesday, June 16, 1998, at 8:00 a.m.,

Present: Reps. Wetters, Vaughn, Baade, Bogardus, Brewer, LaForge, Willard, Green, DeVuyst, Gernaat, Jelinek, Nye,

Absent: Rep. Horton,

Excused: Rep. Horton.

## COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Gagliardi, Chair of the Committee on House Oversight and Ethics, was received and read:

Meeting held on: Tuesday, June 16, 1998, at 2:15 p.m.,

Present: Reps. Gagliardi, Cherry, Brewer, DeHart, Hanley, Kilpatrick, Varga, Gustafson, DeVuyst, Fitzgerald, Goschka, Perricone, Richner, Voorhees,

Absent: Reps. Agee, Wallace, Wojno,

Excused: Reps. Agee, Wallace, Wojno.

## COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Cherry, Chair of the Committee on Colleges and Universities, was received and read:

Meeting held on: Wednesday, June 17, 1998, at 9:00 a.m.,

Present: Reps. Cherry, Brown, Brater, Quarles, LeTarte, Scranton, Walberg,

Absent: Reps. Curtis, Dalman,

Excused: Reps. Curtis, Dalman.

## Notices

I hereby give notice that on the next legislative session day I will move to discharge the Committee on Commerce from further consideration of **House Bill No. 5938**.

Rep. Middaugh

The Speaker appointed as conferees, on the part of the House of Representatives for **Senate Bill No. 907**, Reps. Price, Kelly and McBryde.

The Speaker appointed as conferees, on the part of the House of Representatives for **Senate Bill No. 909**, Reps. Owen, Rison and Geiger.

The Speaker appointed as conferees, on the part of the House of Representatives for **Senate Bill No. 911**, Reps. Hood, Martinez and Gilmer.

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

The Clerk announced that the following bills had been printed and placed upon the files of the members, Wednesday, June 17:

**House Bill Nos. 5939 5940 5941 5942 5943 5944 5945**

The Clerk announced the enrollment printing and presentation to the Governor on Wednesday, June 17, for his approval of the following bills:

**Enrolled House Bill No. 4173 at 1:10 p.m.**  
**Enrolled House Bill No. 4289 at 1:12 p.m.**  
**Enrolled House Bill No. 4363 at 1:14 p.m.**  
**Enrolled House Bill No. 4524 at 1:16 p.m.**  
**Enrolled House Bill No. 4860 at 1:18 p.m.**  
**Enrolled House Bill No. 4897 at 1:20 p.m.**  
**Enrolled House Bill No. 5043 at 1:22 p.m.**  
**Enrolled House Bill No. 5075 at 1:24 p.m.**  
**Enrolled House Bill No. 5224 at 1:26 p.m.**  
**Enrolled House Bill No. 5344 at 1:28 p.m.**  
**Enrolled House Bill No. 5487 at 1:30 p.m.**  
**Enrolled House Bill No. 5561 at 1:32 p.m.**  
**Enrolled House Bill No. 5580 at 1:34 p.m.**  
**Enrolled House Bill No. 5642 at 1:36 p.m.**

### **Messages from the Governor**

The following message from the Governor, approving and signing the following bill at the time designated below, was received and read:

Date: June 16, 1998

Time: 4:55 p.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

**Enrolled House Bill No. 5262 (Public Act No. 127, I.E.), being**

An act to amend 1994 PA 451, entitled “An act to protect the environment and natural resources of the state; to codify, revise, consolidate, and classify laws relating to the environment and natural resources of the state; to regulate the discharge of certain substances into the environment; to regulate the use of certain lands, waters, and other natural resources of the state; to prescribe the powers and duties of certain state and local agencies and officials; to provide for certain charges, fees, and assessments; to provide certain appropriations; to prescribe penalties and provide remedies; to repeal certain parts of this act on a specific date; and to repeal certain acts and parts of acts,” (MCL 324.101 to 324.90106) by adding section 61503a.

(Filed with the Secretary of State June 17, 1998, at 9:34 a.m.)

### **Introduction of Bills**

Rep. Gagliardi introduced

**House Bill No. 5946, entitled**

A bill to amend 1998 PA 58, entitled “Michigan liquor control code of 1998,” (MCL 436.1101 to 436.2303) by adding section 1016.

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

Rep. Llewellyn moved that the House adjourn.  
The motion prevailed, the time being 6:35 p.m.

Acting Speaker DeHart declared the House adjourned until Thursday, June 18, at 10:00 a.m.

MARY KAY SCULLION  
Clerk of the House of Representatives.