

No. 66
STATE OF MICHIGAN
JOURNAL
OF THE
House of Representatives
89th Legislature
REGULAR SESSION OF 1998

House Chamber, Lansing, Wednesday, July 1, 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—e/d/s	Kelly—present	Profit—e/d/s
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—present	Goschka—present	Martinez—present	Schroer—present
Brater—present	Green—present	Mathieu—present	Scott—present
Brewer—present	Griffin—present	McBryde—present	Scranton—e/d/s
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—present	Nye—present	Vaughn—present
Crissman—present	Hertel—present	Olshove—present	Voorhees—present
Cropsey—present	Hood—present	Owen—present	Walberg—present
Curtis—present	Horton—present	Oxender—excused	Wallace—present
Dalman—present	Jansen—present	Palamara—e/d/s	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. Tom Alley, from the 103rd District, offered the following invocation:

“Almighty Lord, we ask You for Your guidance today as we pray for the strength to change the things we can, for the humbleness to accept the things we cannot change, and God, give us the wisdom to know the difference. In Your Name we pray, Amen.”

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

Notices

July 1, 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
Motions and Resolutions

Rep. Prusi moved that the Committee on House Oversight and Ethics be discharged from further consideration of **House Concurrent Resolution 93**.

(For first notice see House Journal No. 65, p. 1683.)

The question being on the motion by Rep. Prusi,

The motion prevailed.

House Concurrent Resolution No. 93.

A concurrent resolution to extend the K.I. Sawyer Air Force Base Conversion Authority.

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

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

The question being on the adoption of the concurrent resolution,

Rep. Gustafson moved that consideration of the concurrent resolution be postponed temporarily.

The motion prevailed.

Reports of Standing Committees

The Speaker laid before the House

House Concurrent Resolution No. 112.

A concurrent resolution to amend the Joint Rules of the Senate and the House of Representatives.

(For text of resolution, see House Journal No. 64, p. 1663.)

(The concurrent resolution was reported by the Committee on Agriculture on June 25, consideration of which was postponed until June 30 under the rules.)

The question being on the adoption of the concurrent resolution,

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

Rep. Anthony moved that Rep. Prusi be excused temporarily from today’s session.
The motion prevailed.

Messages from the Senate

The Speaker laid before the House

House Bill No. 5418, entitled

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," by amending sections 225, 8134, 8142, and 8159 (MCL 500.225, 500.8134, 500.8142, and 500.8159), section 225 as added by 1994 PA 228, section 8134 as added by 1989 PA 302, and sections 8142 and 8159 as amended by 1996 PA 429, and by adding sections 478, 479, and 480.

(The bill was received from the Senate on March 4, with substitute (S-2), title amendment and immediate effect given by the Senate, consideration of which, under the rules, was postponed until March 5, see House Journal No. 21, p. 376.)

The question being on concurring in the adoption of the substitute (S-2) made to the bill by the Senate, Rep. Gubow moved to amend the Senate substitute (S-2) as follows:

1. Amend page 1, line 1, by striking out all of section 477 and inserting:

"Sec. 225. The insurance bureau fund is created in the state treasury as a separate fund. Except as otherwise specifically provided, all fees collected pursuant to this act or under the commissioner's authority shall be deposited in the insurance bureau fund. Money in the insurance bureau fund shall not revert to the general fund at the close of the fiscal year but shall remain in the insurance bureau fund. Money in the insurance bureau fund shall be used only for regulatory purposes under the commissioner's authority. HOWEVER, MONEY IN THE INSURANCE BUREAU FUND MAY BE APPROPRIATED BY THE LEGISLATURE TO PAY FOR LEGISLATORS DESIGNATED BY THE SENATE MAJORITY LEADER AND SPEAKER OF THE HOUSE OF REPRESENTATIVES TO PARTICIPATE IN INSURANCE ACTIVITIES COORDINATED BY INSURANCE AND LEGISLATIVE ASSOCIATIONS INCLUDING THE NATIONAL ASSOCIATION OF INSURANCE COMMISSIONERS AND THE NATIONAL COUNCIL OF INSURANCE LEGISLATORS."

2. Amend page 7, line 1, after "SECTIONS" by striking out "477 TO" and inserting "478 AND".

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

The question being on concurring in the Senate substitute (S-2), as amended,

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

Roll Call No. 750**Yeas—101**

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

Nays—0

In The Chair: DeHart

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

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

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," by amending sections 225, 8134, 8142, and 8159 (MCL 500.225, 500.8134, 500.8142, and 500.8159), section 225 as added by 1994 PA 228, section 8134 as added by 1989 PA 302, and sections 8142 and 8159 as amended by 1996 PA 429, and by adding sections 478, 479, and 480.

The motion prevailed.

The House agreed to the title as amended.

Third Reading of Bills**House Bill No. 5366, entitled**

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 43553, 47332, and 48737 (MCL 324.43553, 324.47332, and 324.48737), section 43553 as amended by 1996 PA 585 and sections 47332 and 48737 as added by 1995 PA 57, and by adding section 43555a.

(The bill was read a third time and postponed temporarily on April 2, see House Journal No. 34, p. 686.)

The question being on the passage of the bill,

Rep. Tesanovich moved to amend the bill as follows:

1. Amend page 2, line 25, by striking out all of subsection (3) and renumbering the remaining subsections.

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

The question being on the passage of the bill,

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

Roll Call No. 751**Yeas—98**

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

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 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 43555 (MCL 324.43555), as amended by 1996 PA 585.

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.

House Joint Resolution CC, entitled

A joint resolution proposing an amendment to the state constitution of 1963, by amending section 13 of article V to require a special election to fill a vacancy in the office of state senator or state representative under certain circumstances.

The joint resolution was read a third time and not adopted, 2/3 of the members serving not voting therefor, by yeas and nays, as follows:

Roll Call No. 752

Yeas—55

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

Nays—48

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

In The Chair: DeHart

Rep. Schermesser moved to reconsider the vote by which the House did not adopt the joint resolution.

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

The question being on the adoption of the joint resolution,

Rep. Schermesser moved that consideration of the joint resolution be postponed temporarily.

The motion prevailed.

Rep. Emerson entered the House Chambers.

House Bill No. 5859, entitled

A bill to amend 1893 PA 206, entitled "The general property tax act," by amending section 7ff (MCL 211.7ff), as amended by 1998 PA 18.

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

Roll Call No. 753**Yeas—100**

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

House Bill No. 5044, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending section 2441 (MCL 600.2441).

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

Roll Call No. 754**Yeas—91**

Agee	Dalman	Hertel	Owen
Alley	DeHart	Hood	Parks
Anthony	DeVuyst	Jelinek	Price
Baade	Dobb	Jellema	Prusi
Baird	Dobronski	Johnson	Quarles
Bankes	Emerson	Kaza	Raczkowski
Basham	Fitzgerald	Kelly	Richner
Birkholz	Frank	Kilpatrick	Rison
Bobier	Freeman	LaForge	Schauer

Bodem	Gagliardi	Law	Schermesser
Bogardus	Galloway	Leland	Schroer
Brackenridge	Geiger	LeTarte	Scott
Brater	Gernaat	Lowe	Sikkema
Brewer	Gilmer	Mans	Stallworth
Brown	Gire	Martinez	Tesanovich
Byl	Godchaux	Mathieu	Thomas
Callahan	Griffin	McBryde	Varga
Cassis	Gubow	McManus	Vaughn
Cherry	Gustafson	McNutt	Walberg
Ciaramitaro	Hale	Middleton	Wallace
Crissman	Hammerstrom	Murphy	Wetters
Cropsey	Hanley	Nye	Wojno
Curtis	Harder	Olshove	

Nays—15

Goschka	Kukuk	Perricone	Voorhees
Green	Llewellyn	Rhead	Whyman
Horton	London	Rocca	Willard
Jansen	Middaugh	Sanborn	

In The Chair: DeHart

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

Rep. Scranton entered the House Chambers.

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

June 25, 1998

Mary Kay Scullion, Clerk
House of Representatives
State Capitol
Lansing, Michigan 48909
Dear Madam:

Pursuant to Joint Rule 12, this is to notify the House of Representatives that the Senate has found errors in Enrolled Senate Bill No. 299. Senate Bill No. 299 (S-1) should be amended as follows:

1. Amend page 30, line 3, after "SECTION" by striking out "8108(1)(A) OR (2)(B)" and inserting "8108(1) OR (2)".
2. Amend page 30, line 8, after "SECTION" by striking out "8108(1)(A) OR (2)(B)" and inserting "8108(1) OR (2)".
3. Amend page 61, line 6, after "SECTION" by striking out "8403(2)" and inserting "8403".
4. Amend page 61, line 7, after "SECTION" by striking out "8403" and inserting "8403(2)".
5. Amend page 90, line 9, after "SECTION" by striking out "8-110(D)" and inserting "8110(4)".
6. Amend page 90, line 15, after "SECTION" by striking out "8-110(E)" and inserting "8110(5)".
7. Amend page 97, line 18, after "SECTION" by striking out "8-106" and inserting "8106".
8. Amend page 100, line 21, after the first "SECTION" by striking out "9-312(5)" and inserting "9312(5)".
9. Amend page 100, line 21, after the second "SECTION" by striking out "9-312(4)" and inserting "9312(4)".

The Senate has agreed to the above amendments by a majority of the members elected and serving on June 25, 1998.

Sincerely,
Carol Morey Viventi, J.D.
Secretary of the Senate

The House approved the letter correcting the amendment, a majority of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 755**Yeas—101**

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

Nays—0

In The Chair: DeHart

By unanimous consent the House returned to the order of
Reports of Standing Committees

The Committee on Corrections, by Rep. Freeman, Chair, reported

Senate Bill No. 873, entitled

A bill to amend 1953 PA 232, entitled "An act to revise, consolidate, and codify the laws relating to probationers and probation officers, to pardons, reprieves, commutations, and paroles, to the administration of correctional institutions, correctional farms, and probation recovery camps, to prisoner labor and correctional industries, and to the supervision and inspection of local jails and houses of correction; to provide for the siting of correctional facilities; to create a state department of corrections, and to prescribe its powers and duties; to provide for the transfer to and vesting in said department of powers and duties vested by law in certain other state boards, commissions, and officers, and to abolish certain boards, commissions, and offices the powers and duties of which are transferred by this act; to allow for the operation of certain facilities by private entities; to prescribe the powers and duties of certain other state departments and agencies; to provide for the creation of a local lockup advisory board; to prescribe penalties for the violation of the provisions of this act; to make certain appropriations; to repeal certain parts of this act on specific dates; and to repeal all acts and parts of acts inconsistent with the provisions of this act," by amending sections 34 and 44 (MCL 791.234 and 791.244), section 34 as amended by 1994 PA 345 and section 44 as amended by 1992 PA 181.

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**SB 873 To Report Out:**

Yeas: Reps. Freeman, Agee, Callahan, DeHart, Galloway, Nye, Perricone, Sanborn,

Nays: None.

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Wednesday, July 1, 1998, at 9:00 a.m.,

Present: Reps. Freeman, Agee, Callahan, DeHart, Galloway, Nye, Perricone, Sanborn,

Absent: Rep. Mans,

Excused: Rep. Mans.

Second Reading of Bills**Senate Bill No. 873, entitled**

A bill to amend 1953 PA 232, entitled "An act to revise, consolidate, and codify the laws relating to probationers and probation officers, to pardons, reprieves, commutations, and paroles, to the administration of correctional institutions, correctional farms, and probation recovery camps, to prisoner labor and correctional industries, and to the supervision and inspection of local jails and houses of correction; to provide for the siting of correctional facilities; to create a state department of corrections, and to prescribe its powers and duties; to provide for the transfer to and vesting in said department of powers and duties vested by law in certain other state boards, commissions, and officers, and to abolish certain boards, commissions, and offices the powers and duties of which are transferred by this act; to allow for the operation of certain facilities by private entities; to prescribe the powers and duties of certain other state departments and agencies; to provide for the creation of a local lockup advisory board; to prescribe penalties for the violation of the provisions of this act; to make certain appropriations; to repeal certain parts of this act on specific dates; and to repeal all acts and parts of acts inconsistent with the provisions of this act," by amending sections 34 and 44 (MCL 791.234 and 791.244), section 34 as amended by 1994 PA 345 and section 44 as amended by 1992 PA 181.

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

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

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

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

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

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

Rep. Palamara entered the House Chambers.

By unanimous consent the House returned to the order of

Third Reading of Bills**Senate Bill No. 873, entitled**

A bill to amend 1953 PA 232, entitled "An act to revise, consolidate, and codify the laws relating to probationers and probation officers, to pardons, reprieves, commutations, and paroles, to the administration of correctional institutions, correctional farms, and probation recovery camps, to prisoner labor and correctional industries, and to the supervision and inspection of local jails and houses of correction; to provide for the siting of correctional facilities; to create a state department of corrections, and to prescribe its powers and duties; to provide for the transfer to and vesting in said department of powers and duties vested by law in certain other state boards, commissions, and officers, and to abolish certain boards, commissions, and offices the powers and duties of which are transferred by this act; to allow for the operation of certain facilities by private entities; to prescribe the powers and duties of certain other state departments and agencies; to provide for the creation of a local lockup advisory board; to prescribe penalties for the violation of the provisions of this act; to make certain appropriations; to repeal certain parts of this act on specific dates; and to repeal all acts and parts of acts inconsistent with the provisions of this act," by amending sections 34 and 44 (MCL 791.234 and 791.244), section 34 as amended by 1994 PA 345 and section 44 as amended by 1992 PA 181.

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

Roll Call No. 756**Yeas—84**

Agee
Alley

DeVuyst
Dobb

Jansen
Jelinek

Palamara
Perricone

Anthony	Dobronski	Jellema	Price
Baade	Fitzgerald	Johnson	Prusi
Bankes	Frank	Kaza	Raczkowski
Basham	Freeman	Kelly	Rhead
Birkholz	Gagliardi	Kukuk	Richner
Bobier	Galloway	Law	Rison
Bodem	Geiger	LeTarte	Rocca
Bogardus	Gernaat	Llewellyn	Sanborn
Brackenridge	Gilmer	London	Schauer
Brown	Gire	Lowe	Schermesser
Byl	Godchaux	Mans	Scranton
Callahan	Goschka	McBryde	Sikkema
Cassis	Green	McManus	Stallworth
Cherry	Griffin	McNutt	Tesanovich
Crissman	Gustafson	Middaugh	Voorhees
Cropsey	Hammerstrom	Middleton	Walberg
Curtis	Harder	Nye	Wetters
Dalman	Hertel	Olshove	Whyman
DeHart	Horton	Owen	Willard

Nays—20

Baird	Hale	Leland	Thomas
Brater	Hanley	Martinez	Varga
Brewer	Hood	Parks	Vaughn
Ciaramitaro	Kilpatrick	Schroer	Wallace
Gubow	LaForge	Scott	Wojno

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 1953 PA 232, entitled "An act to revise, consolidate, and codify the laws relating to probationers and probation officers, to pardons, reprieves, commutations, and paroles, to the administration of correctional institutions, correctional farms, and probation recovery camps, to prisoner labor and correctional industries, and to the supervision and inspection of local jails and houses of correction; to provide for the siting of correctional facilities; to create a state department of corrections, and to prescribe its powers and duties; to provide for the transfer to and vesting in said department of powers and duties vested by law in certain other state boards, commissions, and officers, and to abolish certain boards, commissions, and offices the powers and duties of which are transferred by this act; to allow for the operation of certain facilities by private entities; to prescribe the powers and duties of certain other state departments and agencies; to provide for the creation of a local lockup advisory board; to prescribe penalties for the violation of the provisions of this act; to make certain appropriations; to repeal certain parts of this act on specific dates; and to repeal all acts and parts of acts inconsistent with the provisions of this act," by amending section 51 (MCL 791.251), as amended by 1998 PA 204.

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.

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

The Speaker assumed the Chair.

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

The Speaker laid before the House the conference report relative to
House Bill No. 5593, entitled

A bill to make appropriations for the department of state police and certain other state purposes for the fiscal year ending September 30, 1999; to provide for the expenditure of those appropriations; to provide for certain reports and the consideration of those reports; to provide for the disposition of other income received by the various state agencies; to provide testing of certain persons; to provide for certain emergency powers; and to provide for the powers and duties of certain committees, certain state agencies, and certain employees.

(The conference report was reported by the conference committee on June 30, consideration of which, under the rules, was postponed until today.)

(For conference report, see House Journal No. 65, p. 1711.)

The question being on the adoption of the conference report,

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

Roll Call No. 757

Yeas—93

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

Nays—10

Cropsey	Kaza	Voorhees	Wetters
Galloway	Lowe	Walberg	Whyman
Horton	Nye		

In The Chair: Hertel

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

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

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

“Mr. Speaker and members of the House:

Over three months ago I and other legislators introduced 9 bills which amended Michigan’s concealed weapons laws. We have worked with both pro-gun and law enforcement groups to craft a reasonable package of bills on this controversial issue.

I had been led to believe this package would be voted upon before we left for summer recess. It is apparent now that this will not happen. It is unfair to subject legislators to three more months of lobbying when they have already been subjected to 3 months of intensive lobbying. I think it is a mistake to not vote on these bills before we leave. I think it will hurt Democrats running in marginal seats if we do not vote now.”

Reps. Cropsey, Kaza, Galloway, Horton, Lowe, Nye, Voorhees, Walberg and Whyman, having reserved the right to explain their nay vote, made the following statement:

“Mr. Speaker and members of the House:

When the appropriation for state police came before this body a couple of years ago, Rep. Cropsey offered an amendment that would have required the state police to give an explanation to a gun owner why his or her permit to carry a concealed weapon was turned down by the state. That amendment was adopted by the House at that time.

When the Democrats took power at the beginning of this session of the legislature, an agreement was made with the Speaker that the proponents of concealed carry reform would not be making pro-gun amendments to budget bills and other legislation in return for a floor vote on the concealed carry reform legislation.

When concealed carry reform legislation (HB 5551-5557) was introduced earlier this year a majority of the membership of the House co-sponsored the legislation. The majority of this body understands that individuals have the right to defend themselves and that current law is denying licenses to law-abiding citizens. Because of the arbitrary license denials, criminals are raping, maiming, robbing, and murdering law-abiding citizens.

The proponents of the legislation were told that a vote would be made in committee in April and a vote on the floor of the House would be made shortly thereafter. There was no committee vote in April. There was no committee vote in May. Finally, on June 24, 1998, the legislation was reported out of committee.

Unfortunately, this morning the Speaker of the House said that the House HB 5551-5557 would not be voted out before the summer break. The earliest that this legislation will be voted on is in September when we come back. The delays by the Democrat leadership are destroying the chances of passage.

The Republicans lost control of this body two years ago in part because the Republican leadership was responsible for not allowing this body to vote on concealed carry reform legislation. The current Democrat leadership from Detroit is now responsible for the fate of concealed carry reform. If this reform dies as a result of the Democrat leadership’s delays, they will also face the same fate as the previous Republican leadership.

We are voting ‘No’ to protest the delays on HB 5551-5557.”

The Speaker laid before the House the conference report relative to
House Bill No. 5592, entitled

A bill to make appropriations for the departments of consumer and industry services and Michigan jobs commission and certain other state purposes for the fiscal year ending September 30, 1999; to provide for the expenditure of those appropriations; to provide for the imposition of certain fees; to provide for the disposition of fees and other income received by the state agencies; to provide for reports to certain persons; and to prescribe powers and duties of certain state departments and certain state and local agencies and officers.

(The conference report was reported by the conference committee on June 30, consideration of which, under the rules, was postponed until today.)

(For conference report, see House Journal No. 65, p. 1700.)

The question being on the adoption of the conference report,

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

Roll Call No. 758

Yeas—98

Agee	Dobb	Jellema	Owen
Alley	Dobronski	Johnson	Palamara
Anthony	Fitzgerald	Kaza	Perricone
Baade	Frank	Kelly	Price
Baird	Freeman	Kilpatrick	Prusi
Bankes	Gagliardi	Kukuk	Raczowski
Basham	Galloway	LaForge	Rhead

Birkholz	Geiger	Law	Richner
Bobier	Gernaat	Leland	Rison
Bodem	Gilmer	LeTarte	Rocca
Bogardus	Gire	Llewellyn	Sanborn
Brackenridge	Godchaux	London	Schauer
Brater	Goschka	Lowe	Schermesser
Brewer	Green	Mans	Schroer
Brown	Griffin	Martinez	Scranton
Byl	Gubow	Mathieu	Sikkema
Callahan	Gustafson	McBryde	Tesanovich
Cassis	Hale	McManus	Thomas
Cherry	Hammerstrom	McNutt	Varga
Crissman	Hanley	Middaugh	Walberg
Cropsey	Harder	Middleton	Wallace
Curtis	Hertel	Murphy	Wetters
Dalman	Horton	Nye	Willard
DeHart	Jansen	Olshove	Wojno
DeVuyst	Jelinek		

Nays—6

Parks	Stallworth	Voorhees	Whyman
Scott	Vaughn		

In The Chair: Hertel

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

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

“Mr. Speaker and members of the House:

One year ago, the Members of this chamber stood together on a bi-partisan basis to reduce the level of ‘corporate welfare’ provided through Michigan Jobs Commission grants.

Republicans and Democrats alike voted to provide corporations with a demonstrated need for assistance in training costs in order to ensure new market expansion, valuable financial assistance to reduce the costs associated with training workers in new manufacturing and technology environments.

Our vote one year ago, was against political patronage and arbitrary grant awards.

Our vote was an investment in our economic future which assured grant dollars were used to improve the skill of Michigan workers, to improve Michigan’s business and industry attraction capability, and to prevent any worker from being displaced and structurally unemployed as a result of new technology.

One year ago, Republicans and Democrats voted for assurances that Jobs Commission grants would be used to enhance worker training and not corporate profits.

The U.S. Department of Labor Certification language which has been deleted in the Conference Report sought to continue that bi-partisan objective in two ways.

First, it assures that a portion of the Economic Development Job Training Grants awarded be awarded to programs that meet the occupational guidelines for training as established and revised by the U.S. Department of Labor’s Bureau of Apprenticeship Programs. Such awards assure grant dollars will be spent on class time and on the job training, rather than applied to corporate administrative costs.

Second; it assures that a sufficient investment will be made in building and construction trade training to ensure the economic expansion we all seek from the anticipated construction boom occurs.

The House and Senate fiscal agencies in their economic forecasts released this Spring both indicated that Michigan’s economy will face some difficult times in the near future if we fail to address the 5,000 plus skilled labor shortage in the State.

In the Tri-county area of Wayne, Oakland and Macomb counties above more than 16 billion dollars in construction projects will be spent in the next 3 to 5 years. In the City of Detroit alone, more than 5 billion dollars in construction projects are planned.

Fiscal analysts have indicated this poses a unique opportunity as well as a formidable challenge for Michigan's economy.

Will we take full advantage of this economic opportunity? Will the construction workers retained to complete these projects be Michigan taxpayers?

Not unless we take significant action in this session to assure Michigan workers are trained.

We could have made sure they were by supporting the U.S. Department of Labor Certification language.

Last week many of us were happy to see that the Governor concurred with the policy direction developed by House Democrats on this issue and we appreciate his recognition of the importance of this issue, and the significance of this unique window of economic opportunity.

It is a substantial policy shift for the Michigan Jobs Commission to open up the Economic Development Job Training Grants to building and construction trades. We recognize it is a first. We applaud Director Rothwell and staff; but we can still do more.

Quality training improves safety on the job and reduces insurance costs. Quality training reduces the cost of time and materials. Quality training reduces total construction program costs and expands the capability of the small contractor to hire reliable labor.

The U.S. Department of Labor Certification language assures we won't miss this unique economic window of opportunity. The bi-partisan effort we began one year ago to assure that job training dollars are spent to enhance workers and not corporate profits has come to an end.

The irony of the language version is that it comes at a time when U.S. workers are fighting for their lives to keep jobs from going overseas.

I think Michiganders should have the first opportunity to rebuild Michigan, therefore on behalf of Michigan's building and construction trades industry I vote no on this measure."

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

"Mr. Speaker and members of the House:

There are two issues for my no vote explanation. They are as follows:

1. The Conference Committee removed the prohibiting language that prevented the council from funding large art and cultural institutions such as DIA, Detroit Zoo, and Detroit Symphony Orchestra beyond a 6% cap of that organization's operating budget. Therefore, these large cultural institutions now can request 20% of the budget and if the council says Yea, they will be able to take monies from the small art and cultural operations who do not get a lot of private funding, etc. I feel the cap should not have been removed.

2. There was new boiler plate language in the government bill that prevented the CIA from granting the Michigan Council for Arts and Cultural Affairs dollars to pet projects of State officials without the organization being approved by council and it competing process. Thus allowing circumventing of the due-process that all state arts programs/organizations have to go thru. This is unfair to have a second door to use to get state grant dollars. Every organization should have one fair system to obtain funding."

The Speaker laid before the House the conference report relative to

House Bill No. 5597, entitled

A bill to make appropriations for the department of military and veterans affairs for the fiscal year ending September 30, 1999; to provide for the expenditure of the appropriations; to provide for certain powers and duties of the department of military and veterans affairs, other state agencies, and local units of government related to the appropriations; and to provide for the preparation of certain reports related to the appropriations.

(The conference report was reported by the conference committee on June 30, consideration of which, under the rules, was postponed until today.)

(For conference report, see House Journal No. 65, p. 1729.)

The question being on the adoption of the conference report,

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

Roll Call No. 759

Yeas—103

Agee
Alley
Anthony
Baade

Dobronski
Emerson
Fitzgerald
Frank

Kelly
Kukuk
LaForge
Law

Quarles
Raczkowski
Rhead
Richner

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

Nays—2

Hammerstrom Kaza

In The Chair: Hertel

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

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

Senate Bill No. 909, entitled

A bill to make appropriations for the department of corrections and certain state purposes related to corrections for the fiscal year ending September 30, 1999; to provide for the expenditure of the appropriations; to provide for reports; to provide for the creation of certain advisory committees and boards; to prescribe certain powers and duties of the department of corrections, certain other state officers and agencies, and certain advisory committees and boards; to provide for the collection of certain funds; and to provide for the disposition of fees and other income received by certain state agencies.

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

The Conference Report was read as follows:

First Conference Report

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

Senate Bill No. 909, entitled

A bill to make appropriations for the department of corrections and certain state purposes related to corrections for the fiscal year ending September 30, 1999; to provide for the expenditure of the appropriations; to provide for reports; to provide for the creation of certain advisory committees and boards; to prescribe certain powers and duties of the department of corrections, certain other state officers and agencies, and certain advisory committees and boards; to provide for the collection of certain funds; and to provide for the disposition of fees and other income received by certain state agencies.

Recommends:

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

1. Amend page 1, line 3, by striking out all of sections 101 and 102 and inserting:

“Sec. 101. Subject to the conditions set forth in this act, the amounts listed in this part are appropriated for the department of corrections for the fiscal year ending September 30, 1999, from the funds indicated in this part. The following is a summary of the appropriations in this part:

DEPARTMENT OF CORRECTIONS

APPROPRIATION SUMMARY:

Average population	44,857	
Full-time equated unclassified positions	16.0	
Full-time equated classified positions	17,371.9	
GROSS APPROPRIATION		\$ 1,441,935,000
Interdepartmental grant revenues:		
Total interdepartmental grants and intradepartmental transfers		6,599,300
ADJUSTED GROSS APPROPRIATION		\$ 1,435,335,700
Federal revenues:		
Total federal revenues		19,828,800
Special revenue funds:		
Total local revenues		401,100
Total private revenues		0
Total other state restricted revenues		46,548,700
State general fund/general purpose		\$ 1,368,557,100

Sec. 102. EXECUTIVE

Full-time equated unclassified positions	16.0	
Full-time equated classified positions	75.0	
Unclassified positions—16.0 FTE positions		\$ 1,253,300
Executive administration—11.0 FTE positions		1,384,200
Audit and internal affairs—19.0 FTE positions		1,280,400
Policy and hearings—45.0 FTE positions		4,032,300
GROSS APPROPRIATION		\$ 7,950,200
Appropriated from:		
State general fund/general purpose		\$ 7,950,200”.

2. Amend page 9, line 23, by striking out all of section 114 and inserting:

“Sec. 114. CORRECTIONAL FACILITIES-ADMINISTRATION

Full-time equated classified positions	127.0	
Conveying convicts to penal institutions.....		\$ 248,300
Federal school lunch program		565,000
Correctional facilities administration—10.0 FTE positions		773,900
Extradition services.....	120,000.0	
Housing inmates in federal institutions		394,000
Central region office—109.0 FTE positions		12,994,400
Northern region office—2.0 FTE positions		180,500
Southeastern region office—1.0 FTE position.....		129,800
Southwestern region office—2.0 FTE positions		180,700
Leased Beds		35,807,400
Food service operations		5,000,000
Surplus food program—3.0 FTE positions		312,800
GROSS APPROPRIATION		\$ 56,706,800
Appropriated from:		
Intradepartmental grant revenues:		
IDT, surplus food user fees		238,200
IDT, food factory user fees		5,000,000
Federal revenues:		
BOP, federal prisoner reimbursement.....		314,000
DOJ, office of justice programs, VOITIS.....		5,000,000
DAG-FCS, national school lunch.....		565,000
State general fund/general purpose		\$ 45,589,600”.

3. Amend page 31, line 27, after “available.” by striking out the balance of the section.

4. Amend page 33, following line 13, by inserting:

“Sec. 217. (1) In addition to the funds appropriated in part 1, there is appropriated an amount not to exceed \$20,000,000.00 for federal contingency funds. These funds are not available for expenditure until they have been transferred to another line item in this act pursuant to section 393(2) of the management and budget act, 1984 PA 431, MCL 18.1393.

(2) In addition to the funds appropriated in part 1, there is appropriated an amount not to exceed \$5,000,000.00 for state restricted contingency funds. These funds are not available for expenditure until they have been transferred to another line item in this act pursuant to section 393(2) of the management and budget act, 1984 PA 431, MCL 18.1393.

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

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

5. Amend page 37, line 4, after “group” by striking out the balance of the line through “providers” on line 5.

6. Amend page 37, following line 10, by inserting:

“(5) Any funds appropriated under section 105 for the MDOC in-prison drug treatment program and the MDOC technical violator pilot drug treatment program that remain unexpended at the end of the fiscal year shall not revert to the general fund but instead shall be placed in separate work project accounts to be spent as provided under this section and sections 220 and 221.”

7. Amend page 38, following line 14, by striking out all of section 224 and inserting:

“Sec. 224. (1) The department shall conduct, at a minimum, 3 human relations and diversity/sensitivity training sessions by December 31, 1998. The department shall also conduct follow-up training for employees who have received such training designed to provide continuity. The human relations and diversity/sensitivity programs should provide a framework for participants to examine ways in which ethnic, cultural, gender, and racial differences may affect how managers, supervisors, and staff work together as a team. The department shall develop a reliable survey instrument to objectively measure the effectiveness of human relations and diversity/sensitivity training.

(2) The equal employment opportunity administrator shall provide regular reports to the director regarding human relations and diversity/sensitivity programs and training and recommend modifications to the programs if appropriate.

Sec. 225. If a department enters into a personal services contract with any temporary service agency or similar contractor that hires or subcontracts with a person who retired from employment in the department under the early retirement program under section 19f of the state employees’ retirement act, 1943 PA 240, MCL 38.19f, the retired state employee shall be limited to 500 hours for professional, technical, or clerical services and 250 hours for management services. This limitation does not apply to computer technology services. This provision only applies during a 24-month period after the date of retirement. This section applies to each principal executive department and agency.

Sec. 226. Sixty days before beginning any effort to privatize, the department shall submit a complete project plan to the appropriate house and senate appropriations subcommittees and the house and senate fiscal agencies. The plan shall include the criteria under which the privatization initiative will be evaluated. The evaluation shall be completed and submitted to the appropriate house and senate appropriations subcommittees and the house and senate fiscal agencies within 30 months.

Sec. 227. (1) The department of management and budget and each principal executive department and agency shall provide to the senate and house of representatives standing committees on appropriations and the senate and house fiscal agencies a monthly report on all personal service contracts awarded without competitive bidding, pricing, or rate setting. The notification shall include all of the following:

- (a) The total dollar amount of the contract.
- (b) The duration of the contract.
- (c) The name of the vendor.
- (d) The type of service to be provided.

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

- (a) The total dollar amount of the contract.
- (b) The duration of the contract.
- (c) The name of the vendor.
- (d) The type of service to be provided.

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

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

8. Amend page 42, following line 14, by inserting:

“Sec. 502. A parole board member or a person on a parole board member’s direct staff shall not provide legal representation before the parole board or provide legal assistance to a prisoner or parolee until the expiration of 3 years after he or she is no longer a parole board member or on a parole board member’s direct staff.”.

9. Amend page 54, line 16, after “if” by striking out the balance of the line through “offense” on line 17 and inserting “the conviction was for a crime committed before the effective date of sentencing guidelines provided in the code of criminal procedure, 1927 PA 175, MCL 760.1 et seq.”.

10. Amend page 55, line 2, after “if” by striking out the balance of the line through “offense” on line 3 and inserting “the conviction was for a crime committed on or after the effective date of sentencing guidelines provided in the code of criminal procedure, 1927 PA 175, MCL 760.1 et seq.”.

11. Amend page 59, following line 3, by striking out all of section 903.

12. Amend page 59, following line 24, by inserting:

“(3) It is the intent of the legislature that, in the interest of providing the most efficient and cost-effective delivery of health care, local health care providers will be considered and given the opportunity to competitively bid as vendors under future managed care contracts.”.

13. Amend page 61, line 18, after “1107.” by inserting “(1)”.

14. Amend page 61, following line 23, by inserting:

“(2) The department shall study smoking cessation or healthy living programs for prison employees and report to the senate and house appropriations subcommittees on corrections the feasibility and costs of implementing that programming and the projected outcomes by April 1, 1999.”.

15. Amend page 62, following line 12, by striking out all of sections 1113, 1114, and 1115 and inserting:

“Sec. 1116. (1) It is the intent of the legislature that the department spend, on average, \$67.00 per day per prisoner incarcerated out-of-state. The average per diem will cover bed leasing, transportation, medical, and other costs arising from sending prisoners to facilities out-of-state.

(2) If average per diem increases above \$67.00, or if the department intends to enter into a contract that will increase the per diem above \$67.00, the department will notify the senate and house appropriation subcommittees on corrections, the senate and house fiscal agencies, and the state budget director. The notification will include information on the components of cost that caused the average per diem to increase.

(3) By May 15, 1999, the department will report to the senate and house appropriation subcommittees on corrections, the senate and house fiscal agencies, and the state budget director the status of all out-of-state leases including the number of prisoners housed out-of-state, plans for rotating prisoners serving out-of-state, and the actual per prisoner per day cost for all existing contracts.”.

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

A bill to make appropriations for the department of corrections and certain state purposes related to corrections for the fiscal year ending September 30, 1999; to provide for the expenditure of the appropriations; to provide for reports; to provide for the creation of certain advisory committees and boards; to prescribe certain powers and duties of the department of corrections, certain other state officers and agencies, and certain advisory committees and boards; to provide for the collection of certain funds; and to provide for the disposition of fees and other income received by certain state agencies.

Jon A. Cisky
Philip E. Hoffman
Jackie Vaughn III
Conferees for the Senate

Lynn Owen
Vera Rison
Terry Geiger
Conferees for the House

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

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

The question being on the adoption of the conference report,

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

Roll Call No. 760

Yeas—96

Agee
Alley
Anthony

Fitzgerald
Frank
Freeman

Kelly
Kilpatrick
Kukuk

Prusi
Quarles
Rhead

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

Nays—9

Brater	Dobb	Kaza	Middleton
Cassis	Galloway	LaForge	Rackowski
Crissman			

In The Chair: Hertel

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.

The Senate has adopted the report of the Committee of Conference and ordered that the bill be given immediate effect. The Conference Report was read as follows:

First Conference Report

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

Senate Bill No. 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.

Recommends:

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

1. Amend page 2, line 5, by striking out “870,451,700” and inserting “869,926,700”.
2. Amend page 2, line 15, by striking out “869,078,700” and inserting “868,553,700”.
3. Amend page 3, line 3, by striking out “40,400” and inserting “44,700”.
4. Amend page 3, line 13, by striking out “13,411,400” and inserting “13,415,700”.
5. Amend page 3, line 14, by striking out “44,918,800” and inserting “44,393,800”.
6. Amend page 3, line 21, by striking out “2,565,000” and inserting “2,540,000”.
7. Amend page 3, line 22, by striking out “3,075,200” and inserting “3,050,200”.
8. Amend page 4, line 2, by striking out “2,514,000” and inserting “2,489,000”.

9. Amend page 7, line 13, after "academy" by striking out the balance of the line through "service" on line 14 and inserting "lease".
10. Amend page 7, line 20, after "**MICHIGAN**" by striking out "**SCHOOL**" and inserting "**SCHOOLS**".
11. Amend page 7, line 22, by striking out "School for the deaf/blind" and inserting "Michigan schools for the deaf and blind".
12. Amend page 8, line 13, after "**CAREER**" by inserting a comma.
13. Amend page 8, line 13, after "**ADULT**" by inserting a comma.
14. Amend page 8, line 15, after "curriculum" by inserting a comma.
15. Amend page 10, line 17, after "subgrant" by inserting "program".
16. Amend page 11, line 10, by striking out all of line 10.
17. Amend page 11, line 20, by striking out "803,826,700" and inserting "803,326,700".
18. Amend page 12, line 7, after "DED-OESE," by striking out "title I,".
19. Amend page 12, line 24, by striking out "HHS-administration of child and family" and inserting "HHS-ACF".
20. Amend page 12, line 26, by striking out all of line 26 through "syndrome" on line 27 and inserting "HHS-CDC, AIDS".
21. Amend page 13, line 1, by striking out "HHS-OHDS" and inserting "HHS-ACF".
22. Amend page 13, line 9, by striking out "19,931,000" and inserting "19,431,000".
23. Amend page 13, line 17, after "at" by striking out "\$58,330,200.00" and inserting "\$57,809,500.00".
24. Amend page 14, line 19, by striking out all of line 19 through line 24 and inserting:
 "(a) "ACF" means administration for children and families.
 (b) "CDCP" means center for disease control and prevention.
 (c) "DAG" means the United States department of agriculture.
 (d) "DED" means the United States department of education.
 (e) "Department" means the Michigan department of education.
 (f) "District" means a local school district as defined in section 6 of the revised school code, 1976 PA 451, MCL 380.6.
 (g) "DOL" means the United States department of labor.
 (h) "ETA" means employment and training administration.
 (i) "FCS" means food and consumer service." and relettering the remaining subdivisions.
25. Amend page 18, following line 6, by inserting:
 "Sec. 212. The department shall receive and retain copies of all reports from the appropriations in part 1."
26. Amend page 18, line 20, by striking out all of sections 216 and 217 and inserting:
 "Sec. 216. (1) The department of management and budget and each principal executive department and agency shall provide to the senate and house of representatives standing committees on appropriations and the senate and house fiscal agencies a monthly report on all personal service contracts awarded without competitive bidding, pricing, or rate-setting. The notification shall include all of the following:
 (a) The total dollar amount of the contract.
 (b) The duration of the contract.
 (c) The name of the vendor.
 (d) The type of service to be provided.
 (2) For personal service contracts of \$100,000.00 or more, the department of management and budget shall provide a monthly report including all of the following:
 (a) The total dollar amount of the contract.
 (b) The duration of the contract.
 (c) The name of the vendor.
 (d) The type of service to be provided.
 (3) The department of management and budget shall provide a monthly listing of all bid requests or requests for proposal that were issued.
 (4) Each principal executive department and agency shall provide a monthly summary listing of information that identifies any authorization for personal service contracts that are provided to the department of civil service pursuant to delegated authority granted to each principal executive department and agency related to personal service contracts.
- Sec. 217. Sixty days before beginning any effort to privatize, the department shall submit a complete project plan to the appropriate house and senate appropriations subcommittees and the house and senate fiscal agencies. The plan shall include the criteria under which the privatization initiative will be evaluated. The evaluation shall be completed and submitted to the appropriate house and senate appropriations subcommittees and the house and senate fiscal agencies within 30 months."
27. Amend page 21, following line 12, following section 221, by inserting:
 "Sec. 222. If a department enters into a personal services contract with any temporary service agency or similar contractor that hires or subcontracts with a person who retired from employment in the department under the early retirement program under section 19f of the state employees' retirement act, 1943 PA 240, MCL 38.19f, the retired state employee shall be limited to 500 hours for professional, technical, or clerical services and 250 hours for management services. This limitation does not apply to computer technology services. This provision only applies during a 24-month period after the date of retirement. This section applies to each principal executive department and agency."

28. Amend page 23, line 4, by striking out all of section 304.

29. Amend page 34, line 8, after “department” by striking out the balance of the subsection and inserting “in consultation with the RPM advisory council as created by Executive Order 1998-4.”.

30. Amend page 36, line 13, by striking out all of line 13 through the balance of the bill.

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

A bill to make appropriations for the department of 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.

Dan L. DeGrow
John J. H. Schwarz, M.D.
Joe Conroy
Conferees for the Senate

Vera Rison
Patricia Godchaux
Conferees for the House

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

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

The question being on the adoption of the conference report,

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

Roll Call No. 761

Yeas—98

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

Nays—8

Cropsey	Kaza	Nye	Walberg
Horton	Lowe	Perricone	Whyman

In The Chair: Hertel

First Conference Report

The Committee of Conference on the matters of difference between the two Houses concerning **House Bill No. 5591, entitled**

A bill to make appropriations for the department of natural resources for the fiscal year ending September 30, 1999; to provide for the expenditure of those appropriations; to create funds and accounts; to require reports; to prescribe certain powers and duties of certain state agencies and officials; to authorize certain transfers by certain state agencies; and to provide for the disposition of fees and other income received by the various state agencies.

Recommends:

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

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

“PART 1

LINE-ITEM APPROPRIATIONS

Sec. 101. Subject to the conditions set forth in this act, the amounts listed in this part are appropriated for the department of natural resources for the fiscal year ending September 30, 1999, from the funds indicated in this part. The following is a summary of the appropriations in this part:

DEPARTMENT OF NATURAL RESOURCES

APPROPRIATION SUMMARY:

Full-time equated unclassified positions	6.0	
Full-time equated classified positions	2,224.5	
GROSS APPROPRIATION		\$ 228,001,500
Interdepartmental grant revenues:		
IDG-engineering services to work orders		1,004,700
IDG from MDOT-state trunkline fund		36,300
IDG-MJC, economic development job training funds		1,000,000
IDG-MacMullan conference center revenue		1,328,900
IDG-land acquisition services to work orders		819,000
IDT-interdivisional charges		2,859,700
Total interdepartmental grants and intradepartmental transfers		7,048,600
ADJUSTED GROSS APPROPRIATION		\$ 220,952,900
Federal revenues:		
DAG-federal		2,377,400
DOC-federal		42,100
DOD-federal		60,700
DOE-federal		1,000
DOI-federal		13,404,700
DOI-MMS, federal oil and gas royalty revenue		750,000
DOT-federal		2,355,800
EPA-federal		318,800
IGLFC-federal		20,100
Total federal revenues		19,330,600
Special revenue funds:		
Total local revenues		0
Private funds		1,170,600
Private gift revenues		500,000
Total private revenues		1,670,600
Air photo fees		729,000
Aircraft fees		101,800
Airport and park operation fees		40,900
Automated license system revenue		403,500
Commercial fishing fee revenue		200
Delinquent property tax administration fund		989,200
Farmland and open space withdrawal fees		557,800
Forest camping fee revenue		795,500
Forest resource revenue		20,804,100
Game and fish protection fund		50,441,000
Game and fish protection fund—deer habitat reserve		1,671,200

Game and fish protection fund—turkey permit fees	932,000
Game and fish protection fund—waterfowl fees	111,700
Game and fish - wildlife resource protection fund	995,200
Harbor development fund.....	220,300
Land exchange facilitation fund	5,322,400
Land sale revenue	4,596,500
Mackinac Island state park fund	1,329,400
Marine safety fund.....	4,822,700
Michigan civilian conservation corps endowment fund.....	1,267,000
Michigan geographic information system revenue	166,700
Michigan state parks endowment fund	4,330,200
Michigan state waterways fund.....	12,063,300
Motor fuel sales	775,000
Natural resources magazine fund	101,400
Natural resources trust fund	1,924,600
Nongame wildlife fund	844,500
Off-road vehicle trail improvement fund.....	1,629,100
Other restricted revenues	7,300
Park improvement fund.....	25,258,000
Publication revenue.....	100,000
Recreation improvement fund	1,388,500
Recreation bond fund.....	1,350,000
Shop fees	50,700
Snowmobile registration fee revenue	594,300
Snowmobile trail improvement fund	4,586,700
Total other state restricted revenues	151,301,700
State general fund/general purpose	\$ 48,650,000

Sec. 102. EXECUTIVE

Full-time equated unclassified positions	6.0	
Full-time equated classified positions	20.0	
Commission (including travel expense—per diem)		\$ 75,000
Unclassified salaries		394,200
Executive direction—9.0 FTE positions.....		1,491,000
Office of information and education—11.0 FTE positions		1,224,700
GROSS APPROPRIATION.....		\$ 3,184,900

Appropriated from:

Interdepartmental grant revenues:	
IDG-MacMullan conference center revenue	13,100
Special revenue funds:	
Delinquent property tax administration fund.....	3,400
Farmland and open space withdrawal fees	3,500
Forest resource revenue	148,700
Game and fish protection fund.....	1,021,800
Land exchange facilitation fund.....	5,400
Land sale revenue	32,200
Marine safety fund.....	27,900
Michigan geographic information system revenue	1,000
Michigan state parks endowment fund	8,200
Michigan state waterways fund.....	229,800
Natural resources magazine fund	101,400
Off-road vehicle trail improvement fund.....	2,300
Other restricted revenues	2,500
Park improvement fund.....	413,100
Snowmobile registration fee revenue	2,300
Snowmobile trail improvement fund	12,100
State general fund/general purpose	\$ 1,156,200

Sec. 103. ADMINISTRATIVE SERVICES

Full-time equated classified positions	219.0	
Budget and program support—57.0 FTE positions.....		\$ 3,834,600

Internal audit—12.0 FTE positions	806,400
Field program support—70.0 FTE positions	5,541,800
Human resources—17.0 FTE positions	1,364,200
Equal opportunity and legal services—8.0 FTE positions	774,400
Office of information systems and technology—55.0 FTE positions.....	7,999,700
GROSS APPROPRIATION.....	\$ 20,321,100
Appropriated from:	
Interdepartmental grant revenues:	
IDG-MacMullan conference center revenue	12,400
IDT-interdivisional charges	2,691,300
Federal revenues:	
DOI-federal.....	108,500
Special revenue funds:	
Aircraft fees.....	101,800
Automated license system revenue.....	403,500
Delinquent property tax administration fund.....	11,100
Farmland and open space withdrawal fees	3,900
Forest resource revenue	699,900
Game and fish protection fund.....	6,899,300
Land exchange facilitation fund.....	30,200
Land sale revenue	64,200
Marine safety fund.....	219,000
Michigan natural resources trust fund.....	567,800
Michigan state parks endowment fund.....	47,300
Michigan state waterways fund.....	717,300
Michigan civilian conservation corps endowment fund.....	5,700
Off-road vehicle trail improvement fund.....	48,400
Other restricted revenues	4,800
Park improvement fund.....	727,300
Publication revenue.....	100,000
Recreation improvement fund	5,800
Snowmobile registration fee revenue	58,900
Snowmobile trail improvement fund	72,600
State general fund/general purpose	\$ 6,720,100
Sec. 104. DEPARTMENTAL OPERATION SUPPORT	
Building occupancy charges.....	\$ 1,632,900
Rent privately owned property.....	619,300
Gifts and bequests.....	500,000
GROSS APPROPRIATION.....	\$ 2,752,200
Appropriated from:	
Special revenue funds:	
Private gift revenues	500,000
Forest resource revenue	169,900
Game and fish protection fund.....	559,100
Land sale revenue	38,600
Marine safety fund.....	36,000
Michigan state waterways fund.....	196,100
Natural resources trust fund	9,400
Snowmobile trail improvement fund	15,600
Park improvement fund.....	84,500
State general fund/general purpose	\$ 1,143,000
Sec. 105. WILDLIFE MANAGEMENT	
Full-time equated classified positions	186.0
Wildlife administration—14.5 FTE positions	\$ 1,700,000
Wildlife management—162.5 FTE positions	15,226,000
Natural resources heritage—9.0 FTE positions	1,494,900
State game and wildlife area maintenance.....	525,000
Federal lands biological inventory	50,000
GROSS APPROPRIATION.....	\$ 18,995,900

Appropriated from:

Federal revenues:

DOD-federal	50,000
DOI-federal.....	6,413,700
EPA-federal.....	51,300

Special revenue funds:

Private funds	101,800
Game and fish protection fund.....	8,658,100
Game and fish protection fund—deer habitat reserve.....	1,671,200
Game and fish protection fund—turkey permit fees.....	932,000
Game and fish protection fund—waterfowl fees	111,700
Nongame wildlife fund	544,500
State general fund/general purpose	\$ 461,600

Sec. 106. FISHERIES MANAGEMENT

Full-time equated classified positions229.0

Fisheries administration—12.5 FTE positions.....	\$ 1,245,600
Fisheries resource management—142.4 FTE positions	10,065,900
Commercial fisheries—2.7 FTE positions.....	177,400
St. Mary’s river - Little Rapids restoration project.....	250,000
Recreational fisheries—14.0 FTE positions	1,649,300
Fish production—57.4 FTE positions.....	6,779,000
Inplace river hatchery - Au Sable River.....	62,300
Treaty waters management fund work project.....	138,200
Stream habitat improvement	1,151,100
GROSS APPROPRIATION.....	\$ 21,518,800

Appropriated from:

Federal revenues:

DOE-federal.....	1,000
DOC-federal.....	42,100
DOI-federal.....	5,933,400
EPA-federal.....	130,100
IGLFC-federal.....	20,100

Special revenue funds:

Commercial fishing fee revenue.....	200
Game and fish protection fund.....	15,253,700
State general fund/general purpose	\$ 138,200

Sec. 107. PARKS AND RECREATION

Full-time equated classified positions837.0

State parks—610.2 FTE positions	\$ 36,200,500
Lake sewer projects	150,000
MacMullan conference center—7.0 FTE positions.....	1,303,400
Recreational boating—202.1 FTE positions	10,563,800
Public access site signs - aquatic nuisance control.....	15,000
Michigan civilian conservation corps—3.0 FTE positions	3,443,000
Engineering—14.7 FTE positions	1,211,500
Cost of marine fuel purchased for resale.....	775,000
GROSS APPROPRIATION.....	\$ 53,662,200

Appropriated from:

Interdepartmental grant revenues:

IDG-MJC, economic development job training funds	1,000,000
IDG-engineering services to work orders.....	1,004,700
IDG-MacMullan conference center revenue.....	1,303,400
IDT-interdivisional charges	168,400

Federal revenues:

EPA-federal.....	95,900
------------------	--------

Special revenue funds:

Harbor development fund.....	220,300
Michigan civilian conservation corps endowment fund.....	1,261,300
Michigan state parks endowment fund.....	3,919,400
Michigan state waterways fund.....	10,395,300

Motor fuel sales	775,000
Park improvement fund.....	23,968,100
Private funds	257,800
State general fund/general purpose	\$ 9,292,600

Sec. 108. MACKINAC ISLAND STATE PARK

Full-time equated classified positions	48.0
Mackinac Island park operation—23.0 FTE positions.....	\$ 1,584,400
Historical facilities system—25.0 FTE positions	1,703,300
GROSS APPROPRIATION.....	\$ 3,287,700

Appropriated from:

Interdepartmental grant revenues:	
IDG from MDOT-state trunkline fund.....	36,300
Special revenue funds:	
Airport and park operation fees.....	40,900
Mackinac Island state park fund	1,329,400
State general fund/general purpose	\$ 1,881,100

Sec. 109. FOREST RESOURCE MANAGEMENT

Full-time equated classified positions	340.0
Timber harvest—102.0 FTE positions.....	\$ 7,925,300
Forest cultivation and reforestation—23.0 FTE positions	3,924,700
Forest resource planning and land use—21.0 FTE positions	2,909,800
Private forest development—10.5 FTE positions	862,100
Forest finance authority—9.0 FTE positions.....	1,643,700
Forest fire protection—141.5 FTE positions	9,432,600
Forest recreation—15.5 FTE positions	1,775,700
Trails—17.5 FTE positions	2,231,800
Abandoned mine shaft closure	350,000
Forest management initiative	1,100,000
Forest fire equipment.....	500,000
GROSS APPROPRIATION.....	\$ 32,655,700

Appropriated from:

Federal revenues:	
DAG-federal	1,252,400
DOD-federal	10,700
EPA-federal.....	41,500
Special revenue funds:	
Private funds	761,000
Forest camping fee revenue	795,500
Forest resource revenue	18,808,500
Game and fish protection fund.....	634,700
Marine safety fund.....	125,500
Michigan state waterways fund.....	341,800
Off-road vehicle trail improvement fund.....	342,700
Recreation improvement fund	282,700
Shop fees	50,700
Snowmobile trail improvement fund	1,606,400
State general fund/general purpose	\$ 7,601,600

Sec. 110. REAL ESTATE

Full-time equated classified positions	74.0
Records and services—15.3 FTE positions	4,250,600
Minerals management—15.3 FTE positions	1,393,200
Land acquisition and exchange—16.2 FTE positions	7,291,400
Urban tax reverted residential property rehabilitation	20,000
Michigan resource inventory system—18.2 FTE positions.....	2,750,900
Farmland and open space preservation—7.0 FTE positions	550,400
Geological mapping—2.0 FTE positions.....	235,400
GROSS APPROPRIATION.....	\$ 16,491,900

Appropriated from:

Interdepartmental grant revenues:	
IDG-land acquisition services to work orders	819,000

Special revenue funds:

Air photo fees	729,000
Delinquent property tax administration fund	974,700
Farmland and open space withdrawal fees	550,400
Forest resource revenue	977,100
Game and fish protection fund	310,400
Land exchange facilitation fund	5,286,800
Land sale revenue	4,461,500
Michigan geographic information system revenue	165,700
Natural resources trust fund	817,400
Park improvement fund	65,000
Michigan state parks endowment fund	355,300
State general fund/general purpose	\$ 979,600

Sec. 111. LAW ENFORCEMENT

Full-time equated classified positions	271.5	
Wildlife resource protection—10.0 FTE positions		\$ 995,200
General law enforcement—261.5 FTE positions		23,514,100
GROSS APPROPRIATION		\$ <u>24,509,300</u>

Appropriated from:

Federal revenues:

DOI-federal	723,100
DOT-federal	1,855,800

Special revenue funds:

Game and fish - wildlife resource protection fund	995,200
Game and fish protection fund	14,953,900
Marine safety fund	1,184,300
Off-road vehicle trail improvement fund	386,200
Snowmobile registration fee revenue	328,100
State general fund/general purpose	\$ 4,082,700

Sec. 112. PAYMENTS IN LIEU OF TAXES

Swamp and tax reverted lands	\$ 7,071,500
Purchased lands/open space payments	7,974,500
Commercial forest reserve	2,691,700
GROSS APPROPRIATION	\$ <u>17,737,700</u>

Appropriated from:

Special revenue funds:

Game and fish protection fund	1,850,000
Michigan state waterways fund	183,000
Natural resources trust fund	530,000
State general fund/general purpose	\$ 15,174,700

Sec. 113. GRANTS

Grant to counties—marine safety	\$ 3,230,000
Federal - land and water conservation fund payments	1,000
Federal - forest stewardship grants	625,000
Federal - urban forestry grants	400,000
Federal - rural community fire protection/dry hydrant demonstration projects	100,000
Federal - clean vessel act grants	175,000
Community recreation infrastructure grants	1,350,000
Federal - oil and gas royalty payments	750,000
Recreation improvement fund grants	1,100,000
Snowmobile local grants program	2,880,000
Snowmobile law enforcement grants	205,000
Off-road vehicle trail improvement grants	849,500
National recreational trails	550,000
Game and nongame wildlife fund grants	400,000
Inland fisheries resources grants	200,000
Small range program grants	50,000
City of Center Line shooting range	18,600
GROSS APPROPRIATION	\$ <u>12,884,100</u>

Appropriated from:

Federal revenues:

DAG-federal	1,125,000
DOI-federal.....	226,000
DOI-MMS, federal oil and gas royalty revenue	750,000
DOT-federal	500,000
Special revenue funds:	
Private funds	50,000
Game and fish protection fund.....	300,000
Marine safety fund.....	3,230,000
Nongame wildlife fund	300,000
Off-road vehicle trail improvement fund.....	849,500
Recreation bond fund.....	1,350,000
Recreation improvement fund	1,100,000
Snowmobile registration fee revenue	205,000
Snowmobile trail improvement fund	2,880,000
State general fund/general purpose	\$ 18,600”.

2. Amend page 15, line 23, after “is” by striking out “\$199,978,100.00” and inserting “\$199,951,700.00”.

3. Amend page 15, line 24, after “at” by striking out “\$23,572,200.00” and inserting “\$23,590,800.00”.

4. Amend page 16, line 11, by striking out “45,000” and inserting “18,600”.

5. Amend page 16, line 12, by striking out “23,617,200” and inserting “23,590,800”.

6. Amend page 19, line 1, by striking out all of subsection (3).

7. Amend page 21, line 16, by striking out all of section 215 and inserting:

“Sec. 215. (1) The department of management and budget and each principal executive department and agency shall provide to the senate and house of representatives standing committees on appropriations and the senate and house fiscal agencies a monthly report on all personal service contracts awarded without competitive bidding, pricing, or rate setting. The notification shall include all of the following:

- (a) The total dollar amount of the contract.
- (b) The duration of the contract.
- (c) The name of the vendor.
- (d) The type of service to be provided.

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

- (a) The total dollar amount of the contract.
- (b) The duration of the contract.
- (c) The name of the vendor.
- (d) The type of service to be provided.

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

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

Sec. 215a. If a department enters into a personal services contract with any temporary service agency or similar contractor that hires or subcontracts with a person who retired from employment in the department under the early retirement program under section 19f of the state employees’ retirement act, 1943 PA 240, MCL 38.19f, the retired state employee shall be limited to 500 hours for professional, technical, or clerical services and 250 hours for management services. This limitation does not apply to computer technology services. This provision only applies during a 24-month period after the date of retirement. This section applies to each principal executive department and agency.”.

8. Amend page 22, following line 26, by inserting:

“Sec. 220. Sixty days before beginning any effort to privatize, the department shall submit a complete project plan to the appropriate house and senate appropriations subcommittees and the house and senate fiscal agencies. The plan shall include the criteria under which the privatization initiative will be evaluated. The evaluation shall be completed and submitted to the appropriate house and senate appropriations subcommittees and the house and senate fiscal agencies within 30 months.

Sec. 221. (1) Part 1 includes funding for departmental operations financed in whole or in part from early retirement savings generated through the early retirement program under section 19f of the state employees’ retirement act, 1943 PA 240, MCL 38.19f. The director shall provide a report that identifies all of the following:

- (a) The amount of these early retirement savings realized in the 1997-98 fiscal year.
- (b) The amount of these early retirement savings explicitly earmarked and spent for technology improvements in the 1997-98 fiscal year.

(c) The amount of these early retirement savings used for other organizational enhancements in the 1997-98 fiscal year.

(2) The report required under subsection (1) shall be provided to the house and senate appropriations committees and to the house and senate fiscal agencies on or before December 15, 1998.

Sec. 222. Within 10 working days after formal presentation of the executive budget, the state budget director shall report to the members of the senate and house appropriations committees and the senate and house fiscal agencies on the amounts and sources of all capped federal funds, special revenue funds as defined in the state of Michigan's comprehensive annual financial report, and the healthy Michigan fund, and an accounting of the state departments or agencies in which the executive budget proposed to spend the funds."

9. Amend page 26, line 16, by striking out all of section 703a and inserting:

"Sec. 704. The interdepartmental grant appropriated in section 107 for the Michigan civilian conservation corps shall be used for the operation of a civilian conservation corps camp at Alberta and to recruit program enrollees."

10. Amend page 28, line 21, by striking out all of section 908.

11. Amend page 31, line 7, after "for" by striking out "\$50,000.00" and inserting "\$40,000.00".

12. Amend page 31, line 16, after "lakes." by inserting "Local organizations shall contribute at least \$15,000.00 to this project. A report on the progress of the project shall be presented to the house and senate appropriations committees and house and senate fiscal agencies by December 31, 1999."

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

A bill to make appropriations for the department of natural resources for the fiscal year ending September 30, 1999; to provide for the expenditure of those appropriations; to create funds and accounts; to require reports; to prescribe certain powers and duties of certain state agencies and officials; to authorize certain transfers by certain state agencies; and to provide for the disposition of fees and other income received by the various state agencies.

Paul Tesanovich
Derrick Hale
William R. Bobier
Conferees for the House

George A. McManus, Jr.
Harry Gast
Don W. Koivisto
Conferees for the Senate

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

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

The question being on the adoption of the conference report,

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

Roll Call No. 762

Yeas—107

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

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

Nays—0

In The Chair: Hertel

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

Rep. Gagliardi moved that a respectful message be sent to the Senate requesting the return of **Senate Bill No. 200**. The motion prevailed.

Reports of Select Committees

Senate Bill No. 911, entitled

A bill to make appropriations for the state institutions of higher education and certain state purposes related to education for the fiscal year ending September 30, 1999; to provide for the expenditures of those appropriations; and to prescribe the powers and duties of certain state departments, institutions, agencies, employees, and officers.

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

The Conference Report was read as follows:

First Conference Report

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

Senate Bill No. 911, entitled

A bill to make appropriations for the state institutions of higher education and certain state purposes related to education for the fiscal year ending September 30, 1999; to provide for the expenditures of those appropriations; and to prescribe the powers and duties of certain state departments, institutions, agencies, employees, and officers.

Recommends:

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

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

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

“PART 1

LINE-ITEM APPROPRIATIONS

Sec. 101. The amounts listed in this part are appropriated for the state institutions of higher education and certain state purposes related to education, subject to the conditions set forth in this act, for the fiscal year ending September 30, 1999. The following is a summary of the appropriations in this part:

HIGHER EDUCATION

APPROPRIATION SUMMARY:

Full-time equated classified position.....	1.0	
GROSS APPROPRIATION.....		\$ 1,604,100,000
Interdepartmental grant revenues:		
Total interdepartmental grants and intradepartmental transfers		0
ADJUSTED GROSS APPROPRIATION		\$ 1,604,100,000

Federal revenues:	
Total federal revenues	3,600,000
Special revenue funds:	
Total local revenues	0
Total private revenues	0
Total other state restricted revenues	0
State general fund/general purpose	\$ 1,600,500,000
Sec. 102. CENTRAL MICHIGAN UNIVERSITY	
Operations.....	\$ 74,118,888
GROSS APPROPRIATION.....	\$ 74,118,888
Appropriated from:	
State general fund/general purpose	\$ 74,118,888
Sec. 103. EASTERN MICHIGAN UNIVERSITY	
Operations.....	\$ 78,301,544
GROSS APPROPRIATION.....	\$ 78,301,544
Appropriated from:	
State general fund/general purpose	\$ 78,301,544
Sec. 104. FERRIS STATE UNIVERSITY	
Operations.....	\$ 49,950,570
GROSS APPROPRIATION.....	\$ 49,950,570
Appropriated from:	
State general fund/general purpose	\$ 49,950,570
Sec. 105. GRAND VALLEY STATE UNIVERSITY	
Operations.....	\$ 49,451,256
GROSS APPROPRIATION.....	\$ 49,451,256
Appropriated from:	
State general fund/general purpose	\$ 49,451,256
Sec. 106. LAKE SUPERIOR STATE UNIVERSITY	
Operations.....	\$ 12,822,671
GROSS APPROPRIATION.....	\$ 12,822,671
Appropriated from:	
State general fund/general purpose	\$ 12,822,671
Sec. 107. MICHIGAN STATE UNIVERSITY	
Operations.....	\$ 286,848,987
GROSS APPROPRIATION.....	\$ 286,848,987
Appropriated from:	
State general fund/general purpose	\$ 286,848,987
Sec. 108. MICHIGAN TECHNOLOGICAL UNIVERSITY	
Operations.....	\$ 49,019,667
GROSS APPROPRIATION.....	\$ 49,019,667
Appropriated from:	
State general fund/general purpose	\$ 49,019,667
Sec. 109. NORTHERN MICHIGAN UNIVERSITY	
Operations.....	\$ 47,247,801
GROSS APPROPRIATION.....	\$ 47,247,801
Appropriated from:	
State general fund/general purpose	\$ 47,247,801
Sec. 110. OAKLAND UNIVERSITY	
Operations.....	\$ 43,458,336
GROSS APPROPRIATION.....	\$ 43,458,336
Appropriated from:	
State general fund/general purpose	\$ 43,458,336
Sec. 111. SAGINAW VALLEY STATE UNIVERSITY	
Operations.....	\$ 23,076,264
GROSS APPROPRIATION.....	\$ 23,076,264
Appropriated from:	
State general fund/general purpose	\$ 23,076,264
Sec. 112. UNIVERSITY OF MICHIGAN-ANN ARBOR	
Operations.....	\$ 323,484,780
GROSS APPROPRIATION.....	\$ 323,484,780

Appropriated from:	
State general fund/general purpose	\$ 323,484,780
Sec. 113. UNIVERSITY OF MICHIGAN-DEARBORN	
Operations.....	\$ 23,729,786
GROSS APPROPRIATION.....	\$ 23,729,786
Appropriated from:	
State general fund/general purpose	\$ 23,729,786
Sec. 114. UNIVERSITY OF MICHIGAN-FLINT	
Operations.....	\$ 20,642,696
GROSS APPROPRIATION.....	\$ 20,642,696
Appropriated from:	
State general fund/general purpose	\$ 20,642,696
Sec. 115. WAYNE STATE UNIVERSITY	
Operations.....	\$ 229,675,955
GROSS APPROPRIATION.....	\$ 229,675,955
Appropriated from:	
State general fund/general purpose	\$ 229,675,955
Sec. 116. WESTERN MICHIGAN UNIVERSITY	
Operations.....	\$ 111,003,267
GROSS APPROPRIATION.....	\$ 111,003,267
Appropriated from:	
State general fund/general purpose	\$ 111,003,267
Sec. 117. STATE AND REGIONAL PROGRAMS	
Full-time equated position	1.0
Agricultural experiment station.....	\$ 30,268,300
Cooperative extension service.....	26,033,458
Michigan molecular institute.....	70,000
Japan center for Michigan universities.....	359,351
Higher education database modernization and conversion—1.0 FTE position	165,000
Midwestern higher education compact	58,000
GROSS APPROPRIATION.....	\$ 56,954,109
Appropriated from:	
State general fund/general purpose	\$ 56,954,109
Sec. 118. MARTIN LUTHER KING,JR.-CESAR CHAVEZ-ROSA PARKS PROGRAM	
Select student supportive services.....	\$ 1,974,782
Michigan college/university partnership program	592,435
Morris Hood, Jr. educator development program	150,000
Visiting professors program	166,424
GROSS APPROPRIATION.....	\$ 2,883,641
Appropriated from:	
State general fund/general purpose	\$ 2,883,641
Sec. 119. GRANTS AND FINANCIAL AID	
State competitive scholarships	\$ 32,405,046
Tuition grants.....	59,121,069
Michigan work-study program	7,300,472
Part-time independent student program.....	2,643,953
Grant for Michigan resident dental graduates	4,601,400
Grant for general degree graduates	5,287,427
Grant for allied health graduates.....	851,618
Michigan education opportunity grants	2,076,797
Robert C. Byrd honors scholarship program	1,300,000
Center for advanced technologies	4,092,000
Tuition incentive program.....	1,750,000
GROSS APPROPRIATION.....	\$ 121,429,782
Appropriated from:	
Federal revenues:	
Higher education act of 1965, title IV, 20 U.S.C.....	2,300,000
Higher education act of 1965, title IV, part A	1,300,000
State general fund/general purpose	\$ 117,829,782”

2. Amend page 7, line 7, after "is" by striking out "\$1,609,469,039.00" and inserting "\$1,600,500,000.00".
3. Amend page 9, following line 16, by inserting:

"Sec. 208. All funds received under part 1 for the higher education charter school center are intended to be expended on activities of that center."
4. Amend page 18, line 13, after "is" by striking out "\$5,700,387.00" and inserting "\$5,775,082.00".
5. Amend page 20, line 17, after "federal" by inserting a comma and "national, regional,".
6. Amend page 20, following line 18, by inserting:

"(4) The committee shall consider inclusion of data items that are currently reported under section 705."
7. Amend page 20, line 23, after "universities" by striking out the balance of the line through "\$4,300.00" on line 24 and inserting "establish a per-student funding floor of \$4,296.00, which".
8. Amend page 21, following line 9, by inserting:

"Sec. 417. The legislature shall reduce the appropriations in part 1 for a state institution of higher education by the amount expended by that state institution of higher education to fulfill an outstanding obligation of athletic personnel contracts before the end of the contract term."
9. Amend page 21, line 14, by striking out all of section 419.
10. Amend page 22, following line 17, by inserting:

"Sec. 422. Funds appropriated in part 1 to a state institution of higher education are subject to this section. If a state institution of higher education serves as an authorizing body for 1 or more public school academies under the revised school code, 1976 PA 451, MCL 380.1 to 380.1852, an amount equal to the amount received by the state institution of higher education in the immediately preceding fiscal year as its total fees for considering applications for contracts, issuing contracts, and providing oversight of contracts for public school academies shall not be distributed to the state institution of higher education under this act until the auditor general certifies to the state budget director that the institution has provided to the auditor general all information requested in his or her performance of an audit of those activities."
11. Amend page 22, line 19, after "students" by inserting "and student governments that provide a book swap for university students".
12. Amend page 23, line 3, by striking out all of sections 501, 502, 503, 504, and 505 and inserting:

"Sec. 501. (1) Included in the appropriation for each public university in part 1 is funding for the Martin Luther King, Jr. - Cesar Chavez - Rosa Parks future faculty program, that is intended to increase the pool of minority candidates pursuing full-time faculty teaching careers in postsecondary education in this state. Each university shall apply the percentage increase applicable to every university in the calculation of appropriations in part 1 to the amount of funds allocated to the future faculty program.

(2) The program shall be administered by each university in a manner prescribed by the King-Chavez-Parks Initiative unit in the Michigan department of education.

Sec. 502. (1) Included in the appropriation for each public university in part 1 is funding for the Martin Luther King, Jr. - Cesar Chavez - Rosa Parks college day program that is intended to introduce school children underrepresented in postsecondary education to the potential of a college education.

(2) Individual program plans of each university shall include a budget of equal contributions from this program, the participating public university, the participating school district, and the participating independent degree granting college. College day funds shall not be expended to cover indirect costs. Not more than 20% of the university match shall be attributable to indirect costs. Each university shall apply the percentage increase applicable to every university in the calculation of appropriations in part 1 to the amount of funds allocated to the college day program.

(3) The program shall be administered by each university in a manner prescribed by the King-Chavez-Parks Initiative unit in the Michigan department of education.

Sec. 503. (1) Included in section 118 is funding for the Martin Luther King, Jr. - Cesar Chavez - Rosa Parks select student support services program for developing academically and economically disadvantaged student retention programs for 4-year public and independent educational institutions in this state.

(2) An award made under this program to any 1 institution shall not be greater than \$150,000.00, and the amount awarded shall be matched on a 70% state, 30% college or university basis.

(3) The program shall be administered by the King-Chavez-Parks Initiative unit in the Michigan department of education.

Sec. 504. (1) Included in section 118 is funding for the Martin Luther King, Jr. - Cesar Chavez - Rosa Parks college/university partnership program between 4-year universities and public community colleges, which is intended to increase the number of underrepresented minority students who transfer from community colleges into baccalaureate programs.

(2) The grants shall be made under this program to Michigan public universities. An award to any 1 institution shall not be greater than \$150,000.00, and the amount awarded shall be matched on a 70% state, 30% university basis.

(3) The program shall be administered by the King-Chavez-Parks Initiative unit in the Michigan department of education.

Sec. 505. (1) Included in the appropriation in section 118 is funding for the Martin Luther King, Jr. - Cesar Chavez - Rosa Parks visiting professors program which is intended to increase the number of minority instructors in the classroom and provide role models for underrepresented minority students.

(2) The program shall be administered by the King-Chavez-Parks Initiative unit in the Michigan department of education.

Sec. 506. Each state institution of higher education receiving funds under section 503, 504, 505, or 507 shall notify the King-Chavez-Parks Initiative unit in the Michigan department of education by April 15, 1999 as to whether it will expend by the end of its fiscal year the funds received under section 503, 504, 505, or 507. Notwithstanding the award limitations in sections 503 and 504, the amount of funding reported as not being expended will be reallocated to the institutions that intend to expend all funding received under section 503, 504, 505, or 507.

Sec. 507. (1) Included in the appropriation in section 118 is funding under the Martin Luther King, Jr. - Cesar Chavez - Rosa Parks initiative for the Morris Hood, Jr. educator development program which is intended to increase the number of minority students, especially males, who enroll in and complete K-12 teacher education programs at the baccalaureate level.

(2) The program shall be administered by each state-approved teacher education institution in a manner prescribed by the King-Chavez-Parks Initiative unit in the Michigan department of education.”.

13. Amend page 26, following line 15, by inserting:

“Sec. 701a. (1) Pursuant to section 701(2)(b), the following degree programs may be established:

(a) Bachelors

Central Michigan University	Entrepreneurship (major), B.A.A.
Eastern Michigan University	Electronic Engineering Technology, B.S.
Eastern Michigan University	Mechanical Engineering Technology, B.S.
Eastern Michigan University	Women’s Studies, B.S.
Ferris State University	Rubber Engineering Technology, B.S.
Northern Michigan University	Major in Applied Mathematics, B.S.
Northern Michigan University	Technical Communication, B.S.
University of Michigan-Dearborn	Computer Engineering, B.S.E.
University of Michigan-Dearborn	Manufacturing Engineering, B.S.E.
University of Michigan-Flint	Administration of Services to the Aged, B.S.
University of Michigan-Flint	Radiation Therapy, B.S.
Wayne State University	Business Administration with major in Business Logistics

(b) Masters

Central Michigan University	Spanish, M.A.
Grand Valley State University	Engineering, M.S.E.
Northern Michigan University	Science Education, M.S.
Oakland University	Training and Development, M.D.T.
Saginaw Valley State University	Communication & Multimedia, M.A.
Saginaw Valley State University	Technological Processes, M.S.
University of Michigan-Flint	Graduate Nurse Practitioner, M.S.N.
Wayne State University	Biomedical Engineering, M.S.
Western Michigan University	Construction Management, M.S.

(c) Doctorate

Central Michigan University	Applied Experimental Psychology, Ph.D.
Central Michigan University	Educational Leadership, Ed.D.
Michigan State University	Ecology, Evolutionary Biology & Behavior, Ph.D.
Oakland University	Education & Human Services Doctoral Program
Wayne State University	Biomedical Engineering, Ph.D.
Western Michigan University	Counselor Education, Ed.D. to Ph.D.
Western Michigan University	Environmental Chemistry, Ph.D.
Western Michigan University	Paper & Imaging Science and Engineering, Ph.D.

(2) The listing of degree programs in subsection (1) does not constitute legislative intent to provide additional dollars for those programs.”.

14. Amend page 27, line 9, by striking out all of section 705 and inserting:

“Sec. 705. (1) Each state university shall report the following information for the 1997-98 academic year to the house and senate fiscal agencies and the department of management and budget on or before October 31, 1998:

(a) Separately, the number of tenured faculty, tenure-track faculty, non-tenure-track faculty, and graduate assistants who taught an undergraduate class section.

(b) The total number of undergraduate credit hours and section credits taught by each of the following:

(i) Tenured faculty.

(ii) Tenure-track faculty.

(iii) Non-tenure-track faculty.

(iv) Graduate assistants.

(2) For the purposes of subsection (1), the following definitions apply:

(a) "Tenured faculty" means a faculty member who has earned tenure.

(b) "Tenure-track faculty" means a faculty member who has not yet earned tenure but is eligible to earn tenure.

(c) "Non-tenure-track faculty" means a faculty member who is not eligible to earn tenure.

(d) "Graduate assistant" means an individual who is a master's or doctoral degree candidate.

(3) Each state university shall report the following information for the 1997-98 academic year to the house and senate fiscal agencies and the department of management and budget on or before October 31, 1998:

(a) Separately, the number of part-time and full-time faculty.

(b) Separately, the number of tenured and non-tenured faculty.

(4) For the purposes of subsection (3), the following definitions apply:

(a) "Part-time faculty" means an individual who does not have a full-time appointment as a faculty member.

(b) "Full-time faculty" means an individual who has a full-time appointment as a faculty member.

(c) "Tenured faculty" means an individual who has earned tenure and who does not hold an administrative post.

(d) "Non-tenured faculty" means an individual who has not earned tenure.

Sec. 706. The University of Michigan - Ann Arbor recognizes its responsibility to Michigan resident students. It is the intent of the university to recruit and admit qualified Michigan resident students, and to establish financial aid programs and scholarships to achieve a resident level of undergraduate enrollment of 70%."

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

A bill to make appropriations for the state institutions of higher education and certain state purposes related to education for the fiscal year ending September 30, 1999; to provide for the expenditures of those appropriations; and to prescribe the powers and duties of certain state departments, institutions, agencies, employees, and officers.

John J. H. Schwarz, M.D.

Jon A. Cisky

Don W. Koivisto

Conferees for the Senate

Morris W. Hood, Jr.

Lynne Martinez

Conferees for the House

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

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

The question being on the adoption of the conference report,

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

Roll Call No. 763

Yeas—95

Agee	Emerson	Jelinek	Prusi
Alley	Fitzgerald	Jellema	Quarles
Baade	Frank	Kelly	Rackowski
Baird	Freeman	Kilpatrick	Richner
Banks	Gagliardi	LaForge	Rison
Basham	Galloway	Law	Rocca
Birkholz	Geiger	Leland	Sanborn
Bodem	Gernaat	LeTarte	Schauer
Bogardus	Gilmer	London	Schermesser
Brackenridge	Gire	Lowe	Schroer
Brater	Godchaux	Mans	Scott
Brewer	Goschka	Martinez	Scranton
Brown	Green	Mathieu	Sikkema
Byl	Griffin	McManus	Stallworth
Callahan	Gubow	McNutt	Tesanovich
Cassis	Gustafson	Middaugh	Thomas
Cherry	Hale	Murphy	Varga
Crissman	Hammerstrom	Nye	Vaughn

Curtis	Hanley	Olshove	Voorhees
Dalman	Harder	Owen	Walberg
DeHart	Hertel	Palamara	Wallace
DeVuyst	Hood	Parks	Willard
Dobb	Horton	Perricone	Wojno
Dobronski	Jansen	Price	

Nays—9

Bobier	Kaza	Llewellyn	Rhead
Cropsey	Kukuk	McBryde	Whyman
Johnson			

In The Chair: Hertel

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

—————

Reps. McBryde and Rhead, having reserved the right to explain their nay vote, made the following statement:
“Mr. Speaker and members of the House:

We voted ‘No’ on SB 911, the conference report on the matters of difference between the House and the Senate on the Higher Education budget, for the following reason: the House version of the bill had correctly separated \$500,000 from the operational base of Central Michigan University for the purpose of funding the Charter School Office at CMU. This Charter School Office is a resource center for all charter schools around the state—not just those that were chartered by CCU. The office also provides resources for those interested in starting a charter school and those who wish to study the charter school movement. By rolling this money into CCU’s base, Central’s funding floor which determines their funding per student, is effectively reduced by \$500,000. For this reason we voted against the report.”

—————

Rep. Profit entered the House Chambers.

—————

Quorum Call

Rep. Cherry 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. 764**Yeas—97**

Agee	Dobronski	Johnson	Perricone
Anthony	Fitzgerald	Kaza	Price
Baade	Frank	Kelly	Profit
Baird	Freeman	Kilpatrick	Prusi
Bankes	Gagliardi	Kukuk	Quarles
Basham	Galloway	LaForge	Raczkowski
Birkholz	Geiger	Law	Richner
Bobier	Gernaat	LeTarte	Rocca

Bodem	Gilmer	Llewellyn	Sanborn
Bogardus	Gire	London	Schauer
Brackenridge	Godchaux	Lowe	Schermesser
Brater	Goschka	Mans	Schroer
Brewer	Green	Martinez	Scott
Brown	Gubow	Mathieu	Scranton
Byl	Gustafson	McBryde	Sikkema
Callahan	Hale	McManus	Stallworth
Cassis	Hammerstrom	McNutt	Tesanovich
Cherry	Hanley	Middaugh	Thomas
Ciaramitaro	Harder	Middleton	Voorhees
Crissman	Hertel	Murphy	Walberg
Curtis	Horton	Nye	Wetters
Dalman	Jansen	Owen	Whyman
DeHart	Jelinek	Palamara	Willard
DeVuyst	Jellema	Parks	Wojno
Dobb			

In The Chair: Hertel

Rep. Crissman moved that Rep. Bodem be excused temporarily from today's session.
The motion prevailed.

The Speaker laid before the House the conference report relative to
House Bill No. 5595, entitled

A bill to make appropriations for the departments of attorney general, civil rights, civil service, management and budget, state, and treasury, the executive office, and the legislative branch for the fiscal year ending September 30, 1999; to provide for the expenditure of these appropriations; to provide for the funding of certain work projects; to provide for the imposition of certain fees; to establish or continue certain funds, programs, and categories; to prescribe certain requirements for bidding on state contracts; to provide for disposition of year-end balances for the fiscal year ending September 30, 1999; to prescribe the powers and duties of certain principal executive departments and state agencies, officials, and employees; and to provide for the disposition of fees and other income received by the various principal executive departments and state agencies.

(The conference report was reported by the conference committee on June 30, consideration of which, under the rules, was postponed until today.)

(For conference report, see House Journal No. 65, p. 1714.)

The question being on the adoption of the conference report,

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

Roll Call No. 765

Yeas—90

Agee	DeVuyst	Jelinek	Price
Alley	Dobb	Jellema	Prusi
Anthony	Dobronski	Kelly	Quarles
Baade	Emerson	Kilpatrick	Rackowski
Baird	Fitzgerald	Kukuk	Rhead
Bankes	Frank	LaForge	Richner
Basham	Freeman	Law	Sanborn
Birkholz	Gagliardi	Leland	Schauer
Bobier	Galloway	LeTarte	Schermesser
Bogardus	Geiger	Llewellyn	Schroer
Brackenridge	Gernaat	London	Scott
Brater	Gilmer	Mans	Scranton

Brewer	Gire	Martinez	Sikkema
Brown	Godchaux	Mathieu	Stallworth
Byl	Green	McBryde	Thomas
Callahan	Gubow	McManus	Varga
Cassis	Gustafson	McNutt	Vaughn
Cherry	Hale	Middaugh	Voorhees
Ciaramitaro	Hanley	Middleton	Wetters
Crissman	Harder	Murphy	Whyman
Curtis	Hertel	Owen	Willard
Dalman	Hood	Parks	Wojno
DeHart	Jansen		

Nays—10

Cropsey	Horton	Nye	Rocca
Goschka	Kaza	Perricone	Walberg
Hammerstrom	Low		

In The Chair: Hertel

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

Reps. Hammerstrom and Perricone, having reserved the right to explain their nay vote, made the following statement:
“Mr. Speaker and members of the House:

I voted ‘no’ on HB 5595 because I believe Local Government takes an unfair hit in the conference report. The constitutional revenue sharing increase is less than the rate of inflation with no money appropriated to the reserve fund. This report also eliminates the \$1,000,000 approved by the House to reimburse locals for work on the qualified voter file and removed the Senate language that established a reduction in revenue sharing to cities who levy reduced fines for drug use thus sending the wrong message to our young people. The conference report also significantly limits the statutory revenue sharing and does not include any funding for community policing.”

Rep. Scott moved that Rep. Wallace be excused temporarily from today’s session.
The motion prevailed.

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

First Conference Report

The Committee of Conference on the matters of difference between the two Houses concerning
House Bill No. 5589, entitled

A bill to make appropriations for the department of environmental quality for the fiscal year ending September 30, 1999; to provide for the expenditure of those appropriations; to create funds and accounts; to require reports; to prescribe certain powers and duties of certain state agencies and officials; to authorize certain transfers by certain state agencies; and to provide for the disposition of fees and other income received by the various state agencies.

Recommends:

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

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

“PART 1

LINE-ITEM APPROPRIATIONS

Sec. 101. Subject to the conditions set forth in this act, the amounts listed in this part are appropriated for the department of environmental quality for the fiscal year ending September 30, 1999, from the funds indicated in this part. The following is a summary of the appropriations in this part:

DEPARTMENT OF ENVIRONMENTAL QUALITY

APPROPRIATION SUMMARY:

Full-time equated unclassified positions	6.0	
Full-time equated classified positions	1,610.2	
GROSS APPROPRIATION		\$ 401,247,900
Interdepartmental grant revenues:		
IDG from MDOT-Michigan transportation fund.....		780,000
IDG from MSP.....		578,200
IDT-interdivisional charges		5,762,900
Total interdepartmental grants and intradepartmental transfers		7,121,100
ADJUSTED GROSS APPROPRIATION		\$ 394,126,800
Federal revenues:		
Federal revenues		85,010,100
DOC-federal.....		2,998,000
DOD-federal		935,400
DOI-federal.....		451,500
EPA-federal.....		21,892,400
EPA-GWDW		3,615,200
EPA, superfund		8,383,400
EPA-OPM, environmental protection consolidated grants		4,100
EPA, LUST trust		3,231,000
EPA, UST		262,600
FEMA-federal		237,100
Total federal revenues		127,020,800
Special revenue funds:		
Local funds		1,177,700
Total local revenues		1,177,700
Private funds		451,700
Total private revenues		451,700
Air emissions fees.....		10,855,000
Aboveground storage tank fees		686,000
CESARS service fee		23,500
Cleanup and redevelopment fund		23,013,400
Drinking water revolving fund.....		5,706,400
Emergency response fund		3,000,000
Environmental education fund		148,400
Environmental pollution prevention fund.....		1,009,600
Environmental protection fund.....		7,000,000
Environmental protection bond fund		857,100
Environmental response fund		8,867,400
Environmental training revenue		266,200
Fees and collections		696,800
Great Lakes protection fund.....		1,000,000
Hazardous waste facility closure revenue.....		1,000,000
Land and water permit fees		2,495,100
Landfill maintenance trust fund		44,700
Metallic mining surveillance fee revenue.....		62,800
Medical waste fees.....		382,100
Michigan underground storage tank financial assurance fund		62,087,100
Mineral well regulatory fee revenue		400,000
Oil and gas surveillance fee revenue.....		8,834,100
Orphan well fund		1,307,800
Publication revenue.....		100,000
Public utility assessments		880,000

Public water supply fees	4,619,500
Sand extraction fee revenue	176,300
Scrap tire regulatory fund	3,918,600
Septage waste license fees	200,000
Settlement funds	4,286,300
Sewage sludge land application fees	650,000
Solid waste facility closure revenue	1,000,000
Solid waste program fees	1,095,400
Storm water permit fees	1,231,900
State water pollution control revolving fund	3,023,700
Underground storage tank fees	6,324,600
Waste reduction fee revenue	3,774,000
Wastewater operator training fees	72,500
Water analysis fees	1,764,900
Water use reporting fees	54,100
Total other state restricted revenues	172,915,300
State general fund/general purpose	\$ 92,561,300

Sec. 102. EXECUTIVE

Full-time equated unclassified positions	6.0
Full-time equated classified positions	13.0
Unclassified salaries	\$ 441,000
Equal employment opportunity office—1.0 FTE position	75,100
Executive direction—8.0 FTE positions	1,007,400
Office of the Great Lakes—4.0 FTE positions	747,100
GROSS APPROPRIATION	\$ 2,270,600

Appropriated from:

Federal revenues:

DOI-federal	50,000
EPA-federal	217,400
Special revenue funds:	
Environmental education fund	148,400
Environmental response fund	44,500
Oil and gas surveillance fee revenue	93,000
Settlement funds	315,000
State general fund/general purpose	\$ 1,402,300

Sec. 103. PROGRAM SUPPORT SERVICES

Full-time equated classified positions	67.5
Financial support services—24.5 FTE positions	\$ 1,361,200
Field operations support—20.0 FTE positions	1,325,100
Automated data processing—2.0 FTE positions	5,913,800
Office of special environmental projects—6.0 FTE positions	554,600
Personnel—11.0 FTE positions	652,100
Administrative hearings—4.0 FTE positions	357,100
GROSS APPROPRIATION	\$ 10,163,900

Appropriated from:

Interdepartmental grant revenues:

IDT-interdivisional charges	5,762,900
Federal revenues:	
EPA, LUST trust	22,000
EPA, superfund	68,600
Special revenue funds:	
Environmental protection bond fund	17,000
Environmental response fund	734,600
Land and water permit fees	30,500
Michigan underground storage tank financial assurance fund	157,200
Public water supply fees	150,400
Oil and gas surveillance fee revenue	366,900
Scrap tire regulatory fund	30,400
Settlement funds	192,900
State general fund/general purpose	\$ 2,630,500

Sec. 104. DEPARTMENTAL OPERATION SUPPORT

Building occupancy charges.....	\$	2,073,100
Rent-privately owned property.....		4,580,200
Publications		100,000
GROSS APPROPRIATION.....	\$	6,753,300
Appropriated from:		
Special revenue funds:		
Air emissions fees.....		303,000
Environmental pollution prevention fund.....		36,200
Environmental response fund.....		415,000
Fees and collections.....		49,800
Land and water permit fees.....		62,100
Medical waste fees.....		17,400
Michigan underground storage tank financial assurance fund		131,300
Oil and gas surveillance fee revenue.....		268,900
Publication revenue.....		100,000
Public utility assessments		11,300
Public water supply fees		156,700
Scrap tire regulatory fund		33,700
Solid waste program fees		40,100
Storm water permit fees		43,100
Waste reduction fee revenue		52,000
State water pollution control revolving fund.....		79,200
Water analysis fees.....		87,100
Water use reporting fees.....		3,900
Underground storage tank fees.....		176,100
State general fund/general purpose	\$	4,686,400

Sec. 105. GEOLOGICAL SURVEY

Full-time equated classified positions	89.5	
Services to oil and gas programs—80.0 FTE positions		\$ 8,173,100
Well plugging-orphan wells—2.5 FTE positions.....		1,307,800
Coal and sand dune management—3.0 FTE positions.....		577,800
Mineral wells management—3.0 FTE positions		400,000
Metallic mining reclamation program—1.0 FTE position		62,800
GROSS APPROPRIATION.....	\$	10,521,500
Appropriated from:		
Federal revenues:		
DOI-federal.....		401,500
Special revenue funds:		
Environmental response fund.....		69,100
Metallic mining surveillance fee revenue.....		62,800
Mineral well regulatory fee revenue		400,000
Oil and gas surveillance fee revenue.....		7,982,100
Orphan well fund		1,307,800
Sand extraction fee revenue		176,300
State general fund/general purpose	\$	121,900

Sec. 106. LAND AND WATER MANAGEMENT

Full-time equated classified positions	145.0	
Land and water administration—15.5 FTE positions.....		\$ 1,190,800
Field permitting and project assistance—74.5 FTE positions.....		5,781,500
Dam safety, erosion control and clean lakes—25.0 FTE positions.....		1,977,600
Looking Glass River watershed.....		60,000
Great Lakes shorelands—30.0 FTE positions.....		3,015,700
GROSS APPROPRIATION.....	\$	12,025,600
Appropriated from:		
Interdepartmental grant revenues:		
IDG from MDOT-Michigan transportation fund.....		780,000
Federal revenues:		
EPA-federal.....		657,800

DOC-federal.....	1,398,000
FEMA-federal	237,100
Special revenue funds:	
Local funds	144,000
Land and water permit fees.....	2,402,500
State general fund/general purpose	\$ 6,406,200
Sec. 107. AIR QUALITY	
Full-time equated classified positions	221.5
Air quality programs—57.0 FTE positions	\$ 4,718,500
Clean air act implementation—164.5 FTE positions	12,738,400
GROSS APPROPRIATION	\$ 17,456,900
Appropriated from:	
Federal revenues:	
EPA-federal.....	3,135,300
Special revenue funds:	
Environmental response fund	79,300
Air emissions fees.....	8,294,900
State general fund/general purpose	\$ 5,947,400
Sec. 108. SURFACE WATER QUALITY	
Full-time equated classified positions	207.5
Surface water compliance program—81.0 FTE positions.....	\$ 5,666,300
Surface water permits program—32.0 FTE positions	3,347,000
Surface water surveillance program—70.5 FTE positions.....	6,942,900
State and local water quality management planning—9.5 FTE positions	1,620,900
Volunteer river, stream, and creek cleanup program.....	50,000
Storm water discharge program—12.5 FTE positions	1,117,300
Sewage sludge land application program—2.0 FTE positions.....	650,000
Fish contaminant monitoring contracts	321,000
GROSS APPROPRIATION	\$ 19,715,400
Appropriated from:	
Federal revenues:	
EPA-federal.....	6,993,500
Special revenue funds:	
Local funds	1,033,700
CESARS service fee	23,500
Environmental response fund.....	132,200
Sewage sludge land application fees	650,000
State water pollution control revolving fund.....	536,100
Storm water permit fees.....	1,111,100
State general fund/general purpose	\$ 9,235,300
Sec. 109. DRINKING WATER PROTECTION AND RADIOLOGICAL HEALTH	
Full-time equated classified positions	199.7
Drinking water—81.2 FTE positions.....	\$ 12,216,100
Environmental health—31.0 FTE positions.....	3,375,200
Laboratory services—69.0 FTE positions	5,582,300
Radiological protection—18.5 FTE positions.....	1,491,100
Center for applied environmental research and outreach.....	170,000
GROSS APPROPRIATION	\$ 22,834,700
Appropriated from:	
Interdepartmental grant revenues:	
IDG-MSP	578,200
Federal revenues:	
Federal revenues	10,100
DOD-federal	111,500
EPA-federal.....	949,500
EPA-GWDW	3,508,700
Special revenue funds:	
Private funds.....	123,100
Drinking water revolving fund.....	3,191,000

Medical waste fees.....	364,700
Public water supply fees	2,898,800
Settlement funds	324,600
Water analysis fees.....	1,677,800
Water use reporting fees.....	50,200
Fees and collections	647,000
State general fund/general purpose	\$ 8,399,500

Sec. 110. LOW LEVEL RADIOACTIVE WASTE AUTHORITY

Full-time equated classified positions	3.0
Low level radioactive waste authority—3.0 FTE positions	\$ 868,700
GROSS APPROPRIATION	\$ 868,700

Appropriated from:

Special revenue funds:

Public utility assessments	868,700
State general fund/general purpose	\$ 0

Sec. 111. ENVIRONMENTAL RESPONSE

Full-time equated classified positions	263.0
Environmental cleanup and redevelopment program	\$ 26,232,000
Federal cleanup project management—52.0 FTE positions	4,951,600
Superfund cleanup	7,250,000
Contaminated site investigations, cleanup and revitalization—211.0 FTE positions	14,933,400
Emergency cleanup action.....	2,000,000
State cleanup (Part 201 of Public Act 451 of 1994).....	3,397,700
Revitalization revolving loan fund	7,000,000
GROSS APPROPRIATION	\$ 65,764,700

Appropriated from:

Federal revenues:

DOD-federal	823,900
EPA-federal.....	1,366,700
EPA, superfund	8,314,800

Special revenue funds:

Private funds	128,600
Cleanup and redevelopment fund	15,113,400
Environmental protection fund.....	7,000,000
Environmental response fund	6,360,900
Landfill maintenance trust fund	44,700
Settlement funds	2,438,100
State general fund/general purpose	\$ 24,173,600

Sec. 112. STORAGE TANKS

Full-time equated classified positions	120.5
Michigan underground storage tank financial assurance program—36.5 FTE positions	\$ 61,698,700
MUSTFA emergency response fund	3,000,000
Underground storage tank program—45.0 FTE positions.....	6,413,100
Aboveground storage tank program—9.0 FTE positions.....	686,000
Leaking underground storage tank cleanup program	8,900,000
Emergency cleanup action.....	2,000,000
Leaking underground storage tank program—30.0 FTE positions.....	4,240,800
GROSS APPROPRIATION	\$ 86,938,600

Appropriated from:

Federal revenues:

EPA, LUST trust	3,209,000
EPA, UST	262,600

Special revenue funds:

Aboveground storage tank fees	686,000
Cleanup and redevelopment fund	5,900,000
Emergency response fund	3,000,000
Environmental response fund	1,031,800
Michigan underground storage tank financial assurance fund	61,698,700
Underground storage tank fees.....	6,148,500
State general fund/general purpose	\$ 5,002,000

Sec. 113. WASTE MANAGEMENT

Full-time equated classified positions	149.0	
Administration and technical support—20.0 FTE positions		\$ 1,436,700
Compliance and enforcement—76.0 FTE positions		4,357,500
Hazardous waste permits—25.0 FTE positions		1,795,100
Hazardous waste disposal facility closures		1,000,000
Groundwater permits—17.0 FTE positions		1,256,000
Solid waste program—11.0 FTE positions		1,225,200
Special federal grants		892,300
Solid waste disposal facility closures		1,000,000
GROSS APPROPRIATION		\$ 12,962,800

Appropriated from:

Federal revenues:		
EPA-federal		3,101,900
Special revenue funds:		
Hazardous waste facility closure revenue		1,000,000
Solid waste facility closure revenue		1,000,000
Solid waste program fees		1,055,300
Environmental pollution prevention fund		973,400
Scrap tire regulatory fund		852,700
Settlement funds		233,900
State general fund/general purpose		\$ 4,745,600

Sec. 114. ENVIRONMENTAL ASSISTANCE DIVISION

Full-time equated classified positions	100.0	
Environmental services—20.0 FTE positions		\$ 2,767,100
Pollution prevention outreach programs		200,000
Municipal assistance—39.5 FTE positions		3,093,200
Pollution prevention—25.0 FTE positions		2,068,100
Community right-to-know		150,000
Technical assistance—15.5 FTE positions		1,823,600
GROSS APPROPRIATION		\$ 10,102,000

Appropriated from:

Federal revenues:		
EPA-federal		761,200
EPA-GWDW		106,500
Special revenue funds:		
Private funds		200,000
Air emissions fees		592,300
Drinking water revolving fund		1,185,400
Environmental training revenue		266,200
Public water supply fees		13,600
Settlement revenue		76,900
State water pollution control revolving fund		2,408,400
Storm water permit fees		77,700
Waste reduction fee revenue		3,722,000
Wastewater operator training fees		72,500
State general fund/general purpose		\$ 619,300

Sec. 115. CRIMINAL INVESTIGATIONS

Full-time equated classified positions	20.0	
Environmental investigations—20.0 FTE positions		\$ 1,605,700
GROSS APPROPRIATION		\$ 1,605,700

Appropriated from:

Federal revenues:		
EPA-federal		119,100
EPA-OPM, environmental protection consolidated grants		4,100
Special revenue funds:		
Michigan underground storage tank financial assurance fund		99,900
Oil and gas surveillance fee revenue		123,200
Scrap tire regulatory fund		51,800
Settlement funds		704,900
State general fund/general purpose		\$ 502,700

Sec. 116. GRANTS

Water pollution control and drinking water revolving funds	\$	102,353,500
Noncommunity water grants		1,400,000
Grants to counties—air pollution		2,854,900
Land resource program grants		1,900,000
Federal - Nonpoint source water pollution grants		3,500,000
Big Rapids dam removal.....		100,000
Federal - Great Lakes remedial action plan grants		700,000
NPL-municipal landfill match grants		2,000,000
Great Lakes research and protection grants.....		1,000,000
Radon grants		135,000
Drinking water revolving fund implementation.....		1,330,000
Septage waste compliance grants		200,000
Scrap tire grants.....		2,950,000
GROSS APPROPRIATION.....	\$	120,423,400

Appropriated from:

Federal revenues:

Federal revenues	85,000,000
DOC-federal.....	1,600,000
EPA-federal.....	4,590,000

Special revenue funds:

Air emissions fees.....	1,664,800
Cleanup and redevelopment fund.....	2,000,000
Drinking water revolving fund.....	1,330,000
Great Lakes protection fund.....	1,000,000
Public water supply fees	1,400,000
Scrap tire regulatory fund	2,950,000
Septage waste license fees	200,000
State general fund/general purpose	\$ 18,688,600

Sec. 118. BOND ADMINISTRATIVE SERVICES

Full-time equated classified positions	1.5	
Field administration environmental protection bond—0.5 FTE position	\$	28,800
Internal audit staff—1.0 FTE position.....		87,700
GROSS APPROPRIATION.....	\$	116,500

Appropriated from:

Environmental protection bond fund	116,500
State general fund/general purpose	\$ 0

Sec. 119. BOND WASTE MANAGEMENT

Full-time equated classified positions	8.0	
Solid waste implementation staff—8.0 FTE positions.....	\$	723,600
GROSS APPROPRIATION.....	\$	723,600

Appropriated from:

Environmental protection bond fund	723,600
State general fund/general purpose	\$ 0".

2. Amend page 18, line 20, after "is" by striking out "\$266,256,800.00" and inserting "\$265,476,600.00".

3. Amend page 18, line 22, after "at" by striking out "\$8,869,900.00" and inserting "\$8,969,900.00".

4. Amend page 19, following line 5, by inserting:

"Big Rapids dam removal

	\$	100,000".
--	----	-----------

5. Amend page 19, line 6, by striking out "\$8,869,900" and inserting "\$8,969,000".

6. Amend page 26, following line 11, by striking out all of section 230 and inserting:

"Sec. 231. Sixty days before beginning any effort to privatize, the department shall submit a complete project plan to the appropriate house and senate appropriations subcommittees and the house and senate fiscal agencies. The plan shall include the criteria under which the privatization initiative will be evaluated. The evaluation shall be completed and submitted to the appropriate house and senate appropriations subcommittees and the house and senate fiscal agencies within 30 months.

Sec. 232. (1) This act includes funding for departmental operations financed in whole or in part from early retirement savings generated through the early retirement program under section 19f of the state employees' retirement act, 1943 PA 240, MCL 38.19f. The director shall provide a report that identifies all of the following:

(a) The amount of these early retirement savings realized in the 1997-98 fiscal year.

(b) The amount of these early retirement savings explicitly earmarked and spent for technology improvements in the 1997-98 fiscal year.

(c) The amount of these early retirement savings used for other organizational enhancements in the 1997-98 fiscal year.

(2) The report required under subsection (1) shall be provided to the house and senate appropriations committees and to the house and senate fiscal agencies on or before December 15, 1998.

Sec. 233. Within 10 working days after formal presentation of the executive budget, the state budget director shall report to the members of the senate and house appropriations committees and the senate and house fiscal agencies on the amounts and sources of all capped federal funds, special revenue funds as defined in the state of Michigan's comprehensive annual financial report, and the healthy Michigan fund, and an accounting of the state departments or agencies in which the executive budget proposes to spend the funds.

Sec. 234. (1) The department of management and budget and each principal executive department and agency shall provide to the senate and house of representatives standing committees on appropriations and the senate and house fiscal agencies a monthly report on all personal service contracts awarded without competitive bidding, pricing, or rate setting. The notification shall include all of the following:

(a) The total dollar amount of the contract.

(b) The duration of the contract.

(c) The name of the vendor.

(d) The type of service to be provided.

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

(a) The total dollar amount of the contract.

(b) The duration of the contract.

(c) The name of the vendor.

(d) The type of service to be provided.

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

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

Sec. 235. If a department enters into a personal services contract with any temporary service agency or similar contractor that hires or subcontracts with a person who retired from employment in the department under the early retirement program under section 19f of the state employees' retirement act, 1943 PA 240, MCL 38.19f, the retired state employee shall be limited to 500 hours for professional, technical, or clerical services and 250 hours for management services. This limitation does not apply to computer technology services. This provision only applies during a 24-month period after the date of retirement. This section applies to each principal executive department and agency."

7. Amend page 27, following line 11, by inserting:

"Sec. 403. From the increase in oil and gas surveillance fees, as a result of enactment of House Bill Nos. 5294 and 5399 of the 89th Legislature, the department shall provide the necessary technology and assistance to the public service commission, the department of natural resources, and the department of treasury to implement the uniform reporting requirements relating to oil and gas volumes and values pursuant to recommendations of the state auditor general's performance audit of oil and natural gas production reporting."

8. Amend page 40, line 9, by striking out all of section 1407 and inserting:

"Sec. 1408. Of the funds appropriated in section 116 for Great Lakes research and protection fund grants, the department shall designate \$100,000.00 for research on the adequacy of department standards to protect children's health. The department shall recommend changes in air, water, and waste standards in a report to the legislature to promote the protection of Michigan children from environmental pollution. This report shall be provided to the house and senate appropriations subcommittees on environmental quality and the house and senate fiscal agencies by September 30, 1999."

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

A bill to make appropriations for the department of environmental quality for the fiscal year ending September 30, 1999; to provide for the expenditure of those appropriations; to create funds and accounts; to require reports; to prescribe certain powers and duties of certain state agencies and officials; to authorize certain transfers by certain state agencies; and to provide for the disposition of fees and other income received by the various state agencies.

Paul Tesanovich
Michael A. Prusi
William R. Bobier
Conferees for the House

George A. McManus, Jr.
Harry Gast
Alma Wheeler Smith
Conferees for the Senate

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

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

The question being on the adoption of the conference report,

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

Roll Call No. 766**Yeas—94**

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

Nays—9

Cropsey	Nye	Scott	Vaughn
Horton	Profit	Stallworth	Walberg
Kaza			

In The Chair: Hertel

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

“Mr. Speaker and members of the House:

I voted no on HB 5589 because my two amendments were removed to allow \$60,000 for hiring an Engineer to determine accurate water rates for the residents of Highland Park.

\$118,000,000 was removed for an Educational Project for the Rouge River to Educate Highland Park Students on Environmental issues.”

First Conference Report

The Committee of Conference on the matters of difference between the two Houses concerning
House Bill No. 5590, entitled

A bill to make appropriations for the family independence agency and certain state purposes related to public welfare services for the fiscal year ending September 30, 1999; to provide for the expenditure of the appropriations; to create funds; to provide for the imposition of fees; to provide for reports; to provide for the disposition of fees and other

income received by the state agency; and to provide for the powers and duties of certain individuals, local governments, and state departments, agencies, and officers.

Recommends:

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

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

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

“PART 1

LINE-ITEM APPROPRIATIONS

Sec. 101. Subject to the conditions set forth in this act, the amounts listed in this part are appropriated for the family independence agency for the fiscal year ending September 30, 1999, from the funds indicated in this part. The following is a summary of the appropriations in this part:

FAMILY INDEPENDENCE AGENCY

Full-time equated classified positions	13,465.3	
Full-time equated unclassified positions	6.0	
Total full-time equated positions	13,471.3	
GROSS APPROPRIATION		\$ 2,925,798,400
Interdepartmental grant revenues:		
Total interdepartmental grants and intradepartmental transfers		\$ 150,000
ADJUSTED GROSS APPROPRIATION		\$ 2,925,648,400
Federal revenues:		
Total federal revenues		1,714,487,600
Special revenue funds:		
Total private revenues		7,731,100
Total local revenues		67,897,200
Total other state restricted revenues		92,532,500
State general fund/general purpose		\$ 1,043,000,000

Sec. 102. EXECUTIVE OPERATIONS

Total full-time equated positions	936.3	
Full-time equated unclassified positions	6.0	
Full-time equated classified positions	930.3	
Other unclassified salaries—6.0 FTE positions		\$ 478,000
Salaries and wages—727.3 FTE positions		32,965,300
Contractual services, supplies, and materials		10,330,300
Demonstration projects—11.0 FTE positions		10,605,700
End user support		4,916,000
Computer service fees		12,931,700
ASSIST project—25.0 FTE positions		33,846,500
Data system enhancement—26.0 FTE positions		12,620,300
Child support automation—25.0 FTE positions		26,461,100
Child support distribution computer system		625,000
Commission on disability concerns—8.0 FTE positions		759,600
Commission for the blind—108.0 FTE positions		17,060,200
GROSS APPROPRIATION		\$ 163,599,700

Appropriated from:

Interdepartmental grant revenues:		
IDG-ADP user fees		150,000
Federal revenues:		
Total federal revenues		92,521,800
Special revenue funds:		
Total private revenues		1,840,000
Total local revenues		475,000
Total other state restricted revenues		477,300
State general fund/general purpose		\$ 68,135,600

Sec. 103. FAMILY SERVICES ADMINISTRATION

Full-time equated classified positions	397.0	
Salaries and wages—320.0 FTE positions		\$ 14,810,500
Contractual services, supplies, and materials		6,896,500
Child support incentive payments		32,409,600
Legal support contracts		87,853,700

Supplemental security income advocates, salaries and wages—17.0 FTE positions	1,044,100
State incentive payments.....	4,449,000
Employment and training support services.....	24,926,700
Food stamp issuance	5,374,400
High school completion project—5.0 FTE positions	358,400
Wage employment verification reporting—2.0 FTE positions	5,030,000
Urban and rural empowerment/enterprise zones.....	100
Training and staff development—53.0 FTE positions	9,513,100
Community services block grants	18,100,000
GROSS APPROPRIATION.....	\$ 210,766,100

Appropriated from:

Federal revenues:

Total federal revenues.....	182,141,000
-----------------------------	-------------

Special revenue funds:

Total local revenues	340,000
----------------------------	---------

State general fund/general purpose	\$ 28,285,100
--	---------------

Sec. 104. CHILD AND FAMILY SERVICES

Full-time equated classified positions104.3

Salaries and wages—53.3 FTE positions.....	\$ 2,667,200
Contractual services, supplies, and materials	1,782,000
Refugee assistance program—9.0 FTE positions.....	7,377,100
County juvenile officers.....	3,742,700
Foster care payments.....	255,924,100
Adoption subsidies.....	122,871,200
Youth in transition—20.0 FTE positions	10,256,900
Interstate compact.....	300,000
Child care fund	70,217,600
Children’s benefit fund donations	21,000
Domestic violence prevention and treatment—1.0 FTE position.....	5,662,200
Teenage parent counseling—3.0 FTE positions.....	3,405,200
Family preservation and prevention services—13.0 FTE positions	73,715,500
Black child and family institute	100,000
Rape prevention and services.....	1,100,000
Children’s trust fund administration—4.0 FTE positions	330,300
Children’s trust fund grants.....	3,615,000
Attorney general contract.....	1,708,700
Guardian contract.....	600,000
County shelters	200,000
Prosecuting attorney contracts—1.0 FTE position	1,061,700
GROSS APPROPRIATION.....	\$ 566,658,400

Appropriated from:

Federal revenues:

Total federal revenues.....	275,841,100
-----------------------------	-------------

Special revenue funds:

Private-children’s benefit fund donations.....	21,000
--	--------

Private-collections.....	4,101,300
--------------------------	-----------

Local funds - county payback	27,643,200
------------------------------------	------------

Children’s trust fund	2,070,300
-----------------------------	-----------

State general fund/general purpose	\$ 256,981,500
--	----------------

Sec. 105. DELINQUENCY SERVICES

Full-time equated classified positions1,211.1

Personnel payroll costs—916.2 FTE positions	\$ 47,390,400
Delinquency services operations	14,528,500
Residential care centers—45.0 FTE positions	2,518,100
Genesee valley and Detroit detention centers—210.2 FTE positions	14,389,900
Federally funded activities—26.1 FTE positions.....	1,813,800
W.J. Maxey memorial fund	45,000
Regional detention services—10.6 FTE positions	1,207,300
Juvenile accountability incentive block grant.....	6,128,200
Juvenile boot camp program	2,300,000

Committee on juvenile justice administration—3.0 FTE positions	269,300
Committee on juvenile justice grants	7,000,000
Alternative delinquency services	100
GROSS APPROPRIATION	\$ 97,590,600
Appropriated from:	
Federal revenues:	
Total federal revenues	25,043,700
Special revenue funds:	
Total private revenues	45,000
Local funds - county payback	38,941,500
State general fund/general purpose	\$ 33,560,400
Sec. 106. LOCAL OFFICE STAFF AND OPERATIONS	
Full-time equated classified positions	10,196.9
Field staff, salaries and wages—7,278.5 FTE positions	\$ 278,246,100
Children and adult services, salaries and wages—2,797.9 FTE positions	111,465,700
Contractual services, supplies, and materials	24,167,900
Outstationed eligibility workers—30.0 FTE positions	3,497,800
Volunteer services and reimbursement—90.5 FTE positions	6,925,200
GROSS APPROPRIATION	\$ 424,302,700
Appropriated from:	
Federal revenues:	
Total federal revenues	263,281,700
Special revenue funds:	
Local funds - donated funds	193,100
Private funds - hospital contributions	1,723,800
State general fund/general purpose	\$ 159,104,100
Sec. 107. DISABILITY DETERMINATION SERVICES	
Full-time equated classified positions	602.0
Disability determination operations—602.0 FTE positions	\$ 66,616,000
GROSS APPROPRIATION	\$ 66,616,000
Appropriated from:	
Federal revenues:	
Total federal revenues	66,616,000
State general fund/general purpose	\$ 0
Sec. 108. CENTRAL SUPPORT ACCOUNTS	
Rent	\$ 49,521,100
Occupancy charge	5,308,500
Travel	7,982,400
Equipment	3,022,900
Worker's compensation	5,166,900
Advisory commissions	17,900
Payroll taxes and fringe benefits	148,928,100
GROSS APPROPRIATION	\$ 219,947,800
Appropriated from:	
Federal revenues:	
Total federal revenues	123,963,700
Special revenue funds:	
Departmentwide lapse revenue	8,024,200
Local funds - county payback	304,400
State general fund/general purpose	\$ 87,655,500
Sec. 109. PUBLIC ASSISTANCE	
Full-time equated classified positions	23.7
Family independence program	\$ 538,731,800
State disability assistance payments	23,738,100
Food stamp program benefits	132,000,000
State supplementation	57,653,600
State supplementation administration	2,502,000
Low-income energy assistance program—21.7 FTE positions	72,000,000
State emergency relief—2.0 FTE positions	38,700,000
Weatherization assistance	10,900,000

Day care services	300,091,600
GROSS APPROPRIATION.....	\$ 1,176,317,100
Appropriated from:	
Federal revenues:	
Total federal revenues	685,078,600
Special revenue funds:	
Child support collections	70,160,600
Supplemental security income recoveries.....	5,800,000
Public assistance recoupment revenue.....	6,000,100
State general fund/general purpose	\$ 409,277,800".

2. Amend page 9, line 24, after "at" by striking out "\$1,161,981,700.00" and inserting "\$1,135,532,500.00".
 3. Amend page 10, line 2, after "at" by striking out "\$135,510,900.00" and inserting "\$136,418,400.00".
 4. Amend page 10, line 9, by striking out "61,096,500" and inserting "62,004,000".
 5. Amend page 10, line 12, by striking out "135,510,900" and inserting "136,418,400".
 6. Amend page 12, following line 6, by inserting:
 "(b) "ASSIST" means automated social services information system." and relettering the remaining subdivisions.
 7. Amend page 12, line 10, after "families" by inserting "(TANF)".
 8. Amend page 13, line 1, by striking out all of section 210 and inserting:
 "Sec. 210. Funds appropriated in part 1 shall not be used for the purchase of foreign goods and/or services if competitively priced American goods and/or services of comparable quality are available."
 9. Amend page 14, line 6, by striking out all of section 214 and inserting:
 "Sec. 214. The director shall take all reasonable steps to ensure businesses in deprived and depressed communities compete for and perform contracts to provide services or supplies, or both, for the department. The director shall strongly encourage firms with which the department contracts to subcontract with certified businesses in depressed and deprived communities for services or supplies, or both."
 10. Amend page 14, line 25, by striking out all of section 217.
 11. Amend page 16, line 26, by striking out all of section 222 and inserting:
 "Sec. 222. Within 10 working days after formal presentation of the executive budget, the state budget director shall report to the members of the senate and house appropriations committees and the senate and house fiscal agencies on the amounts and sources of all capped federal funds, special revenue funds as defined in the state of Michigan's comprehensive annual financial report, and the healthy Michigan fund, and an accounting of the state departments or agencies in which the executive budget proposed to spend the funds."
 12. Amend page 17, line 16, by striking out all of sections 225, 226, and 227 and inserting:
 "Sec. 225. Sixty days before beginning any effort to privatize, the department shall submit a complete project plan to the appropriate house and senate appropriations subcommittees and the house and senate fiscal agencies. The plan shall include the criteria under which the privatization initiative will be evaluated. The evaluation shall be completed and submitted to the appropriate house and senate appropriations subcommittees and the house and senate fiscal agencies within 30 months.
- Sec. 226. (1) The department of management and budget and each principal executive department and agency shall provide to the senate and house of representatives standing committees on appropriations and the senate and house fiscal agencies a monthly report on all personal service contracts awarded without competitive bidding, pricing, or rate setting. The notification shall include all of the following:
- (a) The total dollar amount of the contract.
 - (b) The duration of the contract.
 - (c) The name of the vendor.
 - (d) The type of service to be provided.
- (2) For personal service contracts of \$100,000.00 or more, the department of management and budget shall provide a monthly report on all of the following:
- (a) The total dollar amount of the contract.
 - (b) The duration of the contract.
 - (c) The name of the vendor.
 - (d) The type of service to be provided.
- (3) The department of management and budget shall provide a monthly listing of all bid requests or requests for proposal that were issued.
- (4) Each principal executive department and agency shall provide a monthly summary listing of information that identifies any authorizations for personal service contracts that are provided to the department of civil service pursuant to delegated authority granted to each principal executive department and agency related to personal service contracts.

Sec. 227. If a department enters into a personal services contract with any temporary service agency or similar contractor that hires or subcontracts with a person who retired from employment in the department under the early retirement program under section 19f of the state employees' retirement act, 1943 PA 240, MCL 38.19f, the retired

state employee shall be limited to 500 hours for professional, technical, or clerical services and 250 hours for management services. This limitation does not apply to computer technology services. This provision only applies during a 24-month period after the date of retirement. This section applies to each principal executive department and agency.

Sec. 228. (1) In addition to the funds appropriated in part 1, there is appropriated an amount not to exceed \$200,000,000.00 for federal contingency funds. These funds are not available for expenditure until they have been transferred to another line item in this act in accordance with section 393(2) of the management and budget act, 1984 PA 431, MCL 18.1393.

(2) In addition to the funds appropriated in part 1, there is appropriated an amount not to exceed \$5,000,000.00 for state restricted contingency funds. These funds are not available for expenditure until they have been transferred to another line item in this act in accordance with section 393(2) of the management and budget act, 1984 PA 431, MCL 18.1393.

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

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

13. Amend page 21, line 11, after “data” by striking out “systems” and inserting “system”.

14. Amend page 21, line 23, after the second “the” by striking out “assist” and inserting “ASSIST”.

15. Amend page 22, line 2, by striking out all of section 401 and inserting:

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

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

(3) A local friend of the court office shall not be required to pay any penalty due to the state’s failure to meet federal child support requirements.”.

16. Amend page 24, line 26, after “410.” by inserting “(1)”.

17. Amend page 24, line 27, after the first “agency” by striking out “as lead agency”.

18. Amend page 25, following line 14, by inserting:

“(2) The 2 departments may retain a third party to conduct the study under this section.”.

19. Amend page 25, line 19, after “requirements.” by inserting “Funds under this section shall be spent to develop project zero services in Genesee County.”.

20. Amend page 25, line 23, by striking out all of section 413 and inserting:

“Sec. 413. (1) The family independence agency together with the Michigan jobs commission or the designee of the Michigan jobs commission shall ensure that each individual’s job readiness and any barriers to work of the individual including, but not limited to, household members’ child care needs, health status, work and school schedules, domestic violence issues, education deficits or learning disabilities, lack of job skills, lack of transportation, and any other factors are assessed.

(2) A work first client must be informed of his or her right to request a face-to-face meeting with both his or her work first and family independence agency caseworkers if the client meets either of the following criteria:

(a) The client has been negatively terminated from work first at least once, has at least 1 child who has a severe physical or mental disability, and is likely to need publicly supported child care in order to maintain employment.

(b) The client has been negatively terminated from work first employment more than 3 times.

Sec. 414. From the funds appropriated in section 103 for employment and training support services, the department shall contract with Created for Caring for \$100,000.00 to provide employment skills and opportunities support services.”.

21. Amend page 29, line 14, after “against” by striking out “the” and inserting “a”.

22. Amend page 29, line 18, after “against” by striking out “the” and inserting “a”.

23. Amend page 31, line 21, after “515.” by inserting “(1)”.

24. Amend page 31, following line 25, by inserting:

“(2) In order to maintain this level of funding, the department may use up to \$7,400,000.00 in TANF funds provided that the local multipurpose collaborative bodies submit data to the department that will enable the department to document potential federal claimable expenditures.

(3) No later than March 1, 1999, each local multipurpose collaborative body shall submit a report to the department that includes the number of people receiving strong families/safe children services, the local goals for this program, and a measure of the effectiveness in meeting these goals.”.

25. Amend page 33, line 16, after the first "parents" by striking out the balance of the section and inserting a comma and "parents receiving adoption subsidies, and agencies' administrative rate by 3%. This increase takes effect on April 1, 1999."

26. Amend page 33, line 20, after "industry" by striking out the balance of the section and inserting a period and "The foster care training plan shall be submitted to the house and senate appropriations subcommittees on the family independence agency within 6 months after the training under this section begins."

27. Amend page 33, following line 22, following section 522, by inserting:

"Sec. 523. From the funds appropriated in part 1 for foster care payments and related administrative costs, the department may implement the federally approved title IV-E child welfare waiver managed care demonstration project."

28. Amend page 40, line 13, after "618." by inserting "(1)".

29. Amend page 40, line 13, after the first "agency" by striking out "as the lead agency".

30. Amend page 41, following line 3, by inserting:

"(2) The 2 departments may retain a third party to conduct the study under this section."

31. Amend page 46, line 5, after "by" by striking out the balance of the section and inserting "56 FTEs."

32. Amend page 46, line 12, after "by" by striking out "75" and inserting "50".

33. Amend page 46, line 20, after "that" by striking out "38" and inserting "25".

34. Amend page 46, line 21, after "and" by striking out "37" and inserting "25".

35. Amend page 48, line 25, by striking out all of sections 637 and 638 and inserting:

"Sec. 637. The department, in collaboration with the food bank council of Michigan and other private, nonprofit emergency food service providers, shall review recent studies on hunger and the need for emergency food as it pertains to Michigan. The review shall include estimates of the demand statewide for emergency food from food banks and sites where individuals receive prepared meals and other findings and recommendations on how the department can facilitate improvements in the statewide response to hunger. The department shall submit an action plan on how it will act to address these recommendations to the house and senate appropriations subcommittees on the family independence agency by December 31, 1998."

36. Amend page 54, following line 26, by striking out all of sections 648, 649, and 650.

37. Amend page 54, following line 26, following section 651, by inserting:

"Sec. 655. Funds appropriated under this act shall not be used to pay for the purchase, installation, repair, or maintenance of any air-conditioning unit or equipment unless either of the following conditions is met:

(a) The recipient requesting the payment provides to the department a certificate from a physician stating that the air conditioning is medically required.

(b) The recipient is 55 years of age or older."

38. Amend page 55, following line 25, by inserting:

"Sec. 703. Facilities funded under section 105 for delinquency services shall not be located within 1,500 feet of property in use for a K-12 educational program.

Sec. 704. Expansion of facilities funded under section 105 for delinquency services shall not be authorized by the joint capital outlay subcommittee of the appropriations committees until the department has held a public hearing in the community where the facility proposed to be expanded is located.

Sec. 705. A juvenile adjudicated and placed in a state operated maximum security program funded under section 105 for delinquency services shall not be allowed to leave the property of the maximum security facility at which the program is located except when required to leave the property for medical treatment, court appearances, or other good cause approved by the facility director. For purposes of this section, "juvenile" means that term as defined in section 115n of the social welfare act, 1939 PA 280, MCL 400.115n."

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

A bill to make appropriations for the family independence agency and certain state purposes related to public welfare services for the fiscal year ending September 30, 1999; to provide for the expenditure of the appropriations; to create funds; to provide for the imposition of fees; to provide for reports; to provide for the disposition of fees and other income received by the state agency; and to provide for the powers and duties of certain individuals, local governments, and state departments, agencies, and officers.

Hubert Price, Jr.
Bob Emerson
Mark Jansen
Conferees for the House

R. Robert Geake
Glenn Steil
Joe Conroy
Conferees for the Senate

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

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

The question being on the adoption of the conference report,

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

Roll Call No. 767**Yeas—93**

Agee	Dobb	Jelinek	Perricone
Alley	Dobronski	Jellema	Price
Anthony	Emerson	Johnson	Prusi
Baade	Fitzgerald	Kelly	Quarles
Baird	Frank	Kilpatrick	Rackowski
Banks	Gagliardi	LaForge	Rhead
Basham	Galloway	Leland	Richner
Birkholz	Geiger	LeTarte	Rison
Bobier	Gernaat	Llewellyn	Schauer
Bogardus	Gilmer	London	Schermesser
Brackenridge	Gire	Mans	Schroer
Brater	Godchaux	Martinez	Scott
Brewer	Green	Mathieu	Scranton
Brown	Griffin	McBryde	Sikkema
Byl	Gubow	McManus	Stallworth
Callahan	Gustafson	McNutt	Tesanovich
Cassis	Hale	Middaugh	Thomas
Cherry	Hammerstrom	Middleton	Varga
Ciaramitaro	Hanley	Murphy	Vaughn
Crissman	Harder	Olshove	Voorhees
Curtis	Hertel	Owen	Wetters
Dalman	Horton	Palamara	Willard
DeHart	Jansen	Parks	Wojno
DeVuyst			

Nays—12

Cropsey	Kukuk	Nye	Sanborn
Goschka	Law	Profit	Walberg
Kaza	Lowe	Rocca	Whyman

In The Chair: Hertel

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

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

First Conference Report

The Committee of Conference on the matters of difference between the two Houses concerning
House Bill No. 5588, entitled

A bill to make appropriations for the department of agriculture for the fiscal year ending September 30, 1999; to provide for the expenditure of the appropriations; to create funds; to provide for the imposition of fees; to require reports, audits, and plans; to authorize certain transfers by certain state agencies; and to provide for the disposition of fees and other income received by certain state agencies.

Recommends:

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

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

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

“PART 1

LINE-ITEM APPROPRIATIONS

Sec. 101. Subject to the conditions set forth in this act, the amounts listed in this part are appropriated for the department of agriculture for the fiscal year ending September 30, 1999, from the funds indicated in this part. The following is a summary of the appropriations in this part:

DEPARTMENT OF AGRICULTURE

APPROPRIATION SUMMARY:

Full-time equated unclassified positions	6.0	
Full-time equated classified positions	598.5	
GROSS APPROPRIATION		\$ 79,150,700
Interdepartmental grant revenues:		
IDG from MDCIS (LCC), liquor quality testing fees		150,300
IDG from MDCIS (LCC), nonretail liquor license fees.....		434,000
IDG from MDEQ, meter calibrations		180,000
IDG from MDEQ, sewer sludge fund.....		65,000
IDG from MDEQ, type II well survey		15,000
Total interdepartmental grants and intradepartmental transfers		844,300
ADJUSTED GROSS APPROPRIATION		\$ 78,306,400
Federal revenues:		
DAG-AMS, cooperative agreement.....		1,154,300
DAG-APHIS, plant and animal disease and pest control.....		55,000
DAG-ERS-ARED.....		126,100
DAG, federal/state marketing improvement program		100,000
DAG-FS, multiple grants		2,111,200
EPA-OECA, pesticides enforcement program grants.....		974,000
EPA-OW, water pollution control, lake restoration cooperative agreements.....		236,300
EPA-RCRA		148,200
HHS-FDA		208,500
Total federal revenues.....		5,113,600
Special revenue funds:		
Total local revenues		0
Private - oil company overcharge settlement.....		711,000
Total private revenues		711,000
Agriculture equine industry development fund.....		14,303,900
Civil penalties.....		25,700
Commodity inspection fees		963,600
Food handler licensing fees.....		1,105,400
Gasoline inspection and testing fund.....		1,969,000
Groundwater and freshwater protection fund		4,506,300
Industry support funds		175,800
Licensing and inspection fees		2,679,600
Pseudorabies and swine brucellosis fund		87,100
Michigan state fair revenue.....		6,265,700
Testing fees.....		167,100
Upper Peninsula state fair revenue.....		927,200
Weights and measures regulation fees.....		305,400
Total other state restricted revenues		33,481,800
State general fund/general purpose		\$ 39,000,000

Sec. 102. EXECUTIVE

Full-time equated unclassified positions	6.0	
Full-time equated classified positions	10.0	
Commission and boards		\$ 48,500
Unclassified positions		463,300
Executive direction—5.0 FTE positions.....		488,500
Statistical reporting service—5.0 FTE positions		466,400

Project GREENE.....	4,000,000
Environmental technology research grant	1,400,000
GROSS APPROPRIATION.....	\$ 6,866,700
Appropriated from:	
Special revenue funds:	
Industry support funds	25,800
Michigan state fair revenue.....	159,500
State general fund/general purpose	\$ 6,681,400
Sec. 103. ADMINISTRATIVE SERVICES	
Full-time equated classified positions	75.0
Management services—62.0 FTE positions.....	\$ 4,669,000
Agriculture development—5.0 FTE positions	828,100
Property management charges.....	578,300
Rent	285,700
Upper Peninsula state fair—8.0 FTE positions.....	1,093,900
Future farmers of America	40,000
Building and track improvement - county and state fairs	753,100
Premiums - county and state fairs	1,611,200
Purses and supplements - fairs/licensed tracks.....	2,351,200
Standardbred Fedele Fauri futurity.....	78,000
Standardbred Michigan futurity	78,000
GROSS APPROPRIATION.....	\$ 12,366,500
Appropriated from:	
Federal revenues:	
DAG-ERS-ARED.....	126,100
Special revenue funds:	
Agriculture equine industry development fund.....	4,871,500
Gasoline inspection and testing fund.....	51,000
Licensing and inspection fees	62,100
Upper Peninsula state fair revenue.....	927,200
State general fund/general purpose	\$ 6,328,600
Sec. 104. PESTICIDE AND PLANT PEST MANAGEMENT	
Full-time equated classified positions	131.3
Pesticide and plant pest management—131.3 FTE positions.....	\$ 11,566,900
Disease and pesticide intervention fund.....	341,800
Michigan State University.....	210,000
GROSS APPROPRIATION.....	\$ 12,118,700
Appropriated from:	
Federal revenues:	
DAG-AMS, cooperative agreement.....	35,300
DAG-APHIS, plant and animal disease and pest control.....	34,600
DAG-FS, multiple grants	2,011,200
EPA-OECA, pesticides enforcement program grants.....	974,000
HHS-FDA	15,400
Special revenue funds:	
Commodity inspection fees	963,600
Licensing and inspection fees	2,053,000
State general fund/general purpose	\$ 6,031,600
Sec. 105. ANIMAL INDUSTRY	
Full-time equated classified positions	26.0
Animal health and welfare—26.0 FTE positions.....	\$ 2,084,100
GROSS APPROPRIATION.....	\$ 2,084,100
Appropriated from:	
Federal revenues:	
HHS-FDA	9,500
Special revenue funds:	
Licensing and inspection fees	32,200
Pseudorabies and swine brucellosis fund	87,100
State general fund/general purpose	\$ 1,955,300

Sec. 106. FOOD AND DAIRY

Full-time equated classified positions	112.0	
Food safety and quality assurance—112.0 FTE positions		\$ 8,371,300
GROSS APPROPRIATION		\$ <u>8,371,300</u>

Appropriated from:

Federal revenues:

DAG-AMS, cooperative agreement.....		22,500
HHS-FDA		183,600

Special revenue funds:

Civil penalties.....		25,700
Food handler licensing fees.....		1,105,400
Licensing and inspection fees		532,300
State general fund/general purpose	\$	6,501,800

Sec. 107. LABORATORY PROGRAM

Full-time equated classified positions	127.0	
Laboratory analysis program—71.5 FTE positions		\$ 5,438,800
Pesticide data program—11.0 FTE positions.....		1,096,500
Consumer protection program—44.5 FTE positions.....		3,166,400
GROSS APPROPRIATION		\$ <u>9,701,700</u>

Appropriated from:

Interdepartmental grant revenues:

IDG from MDCIS (LCC), liquor quality testing fees.....		150,300
IDG from MDEQ, meter calibrations		180,000

Federal revenues:

DAG-AMS, cooperative agreement.....		1,096,500
DAG-APHIS, plant and animal disease and pest control.....		20,400

Special revenue funds:

Private - oil company overcharge settlement.....		295,900
Agriculture equine industry development fund.....		572,800
Gasoline inspection and testing fund.....		1,918,000
Testing fees		167,100
Weights and measures regulation fees.....		305,400
State general fund/general purpose	\$	4,995,300

Sec. 108. ENVIRONMENTAL STEWARDSHIP

Full-time equated classified positions	40.0	
Environmental stewardship—30.0 FTE positions.....		\$ 2,550,500
Groundwater and freshwater protection program—10.0 FTE positions		4,506,300
Energy conservation program.....		363,100
Forest stewardship program		100,000
Local soil conservation districts.....		1,400,000
Migrant labor housing.....		315,000
GROSS APPROPRIATION		\$ <u>9,234,900</u>

Appropriated from:

Interdepartmental grant revenues:

IDG from MDEQ, sewer sludge fund.....		65,000
IDG from MDEQ, type II well survey		15,000

Federal revenues:

DAG-FS, multiple grants		100,000
EPA-OW, water pollution control, lake restoration cooperative agreements.....		236,300
EPA-RCRA		148,200

Special revenue funds:

Private - oil company overcharge settlement.....		415,100
Groundwater and freshwater protection fund		4,506,300
State general fund/general purpose	\$	3,749,000

Sec. 109. MARKET DEVELOPMENT

Full-time equated classified positions	15.5	
Marketing and emergency management—15.5 FTE positions		\$ 2,160,700
Food bank		725,000
Grown in Michigan		100,000
Michigan festivals.....		50,000
Northwest Michigan horticultural research station		41,800

Southwestern Michigan tourist council - taste of Michigan	60,400
GROSS APPROPRIATION.....	\$ 3,137,900
Appropriated from:	
Interdepartmental grant revenues:	
IDG from MDCIS (LCC), nonretail liquor license fees.....	434,000
Federal revenues:	
DAG, federal/state marketing improvement program	100,000
Special revenue funds:	
Industry support funds	150,000
State general fund/general purpose	\$ 2,453,900

Sec. 110. AGRICULTURE EQUINE INDUSTRY DEVELOPMENT

Full-time equated classified positions	39.7
Office of racing commissioner—39.7 FTE positions.....	\$ 3,609,400
Quarter horse programs.....	38,400
Licensed tracks-light horse racing.....	74,400
Standardbred breeders' awards.....	1,201,300
Standardbred purses and supplements-licensed tracks.....	258,800
Sire stakes program.....	1,954,500
Standardbred training and stabling	42,400
Thoroughbred program.....	1,753,600
Thoroughbred owners' awards	151,100
Can-Am draft horse show	78,800
GROSS APPROPRIATION.....	\$ 9,162,700

Appropriated from:	
Special revenue funds:	
Agriculture equine industry development fund.....	8,859,600
State general fund/general purpose	\$ 303,100

Sec. 111. MICHIGAN STATE FAIR

Full-time equated classified positions	22.0
Michigan state fair operations—22.0 FTE positions	\$ 6,106,200
GROSS APPROPRIATION.....	\$ 6,106,200

Appropriated from:	
Special revenue funds:	
Michigan state fair revenue.....	6,106,200
State general fund/general purpose	\$ 0".

2. Amend page 10, line 16, after "at" by striking out "\$73,865,700.00" and inserting "\$72,481,800.00".
3. Amend page 11, following line 12, by inserting:

"Sec. 203. (1) In addition to the funds appropriated in part 1, there is appropriated an amount not to exceed \$4,000,000.00 for federal contingency funds. These funds are not available for expenditure until they have been transferred to another line item in this act pursuant to section 393(2) of the management and budget act, 1984 PA 431, MCL 18.1393.

(2) In addition to the funds appropriated in part 1, there is appropriated an amount not to exceed \$6,000,000.00 for state restricted contingency funds. These funds are not available for expenditure until they have been transferred to another line item in this act pursuant to section 393(2) of the management and budget act, 1984 PA 431, MCL 18.1393.

(3) In addition to the funds appropriated in part 1, there is appropriated an amount not to exceed \$100,000.00 for local contingency funds. These funds are not available for expenditure until they have been transferred to another line item in this act pursuant to section 393(2) of the management and budget act, 1984 PA 431, MCL 18.1393.

(4) In addition to the funds appropriated in part 1, there is appropriated an amount not to exceed \$100,000.00 for private contingency funds. These funds are not available for expenditure until they have been transferred to another line item in this act pursuant to section 393(2) of the management and budget act, 1984 PA 431, MCL 18.1393."

4. Amend page 16, line 4, by striking out all of sections 217, 218, 219, and 220 and inserting:

"Sec. 217. (1) The department of management and budget and each principal executive department and agency shall provide to the senate and house of representatives standing committees on appropriations and the senate and house fiscal agencies a monthly report on all personal service contracts awarded without competitive bidding, pricing, or rate setting. The notification shall include all of the following:

- (a) The total dollar amount of the contract.
- (b) The duration of the contract.
- (c) The name of the vendor.
- (d) The type of service to be provided.

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

- (a) The total dollar amount of the contract.
- (b) The duration of the contract.

- (c) The name of the vendor.
- (d) The type of service to be provided.

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

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

Sec. 218. If a department enters into a personal services contract with any temporary service agency or similar contractor that hires or subcontracts with a person who retired from employment in the department under the early retirement program under section 19f of the state employees' retirement act, 1943 PA 240, MCL 38.19f, the retired state employee shall be limited to 500 hours for professional, technical, or clerical services and 250 hours for management services. This limitation does not apply to computer technology services. This provision only applies during a 24-month period after the date of retirement. This section applies to each principal executive department and agency.

Sec. 219. Sixty days before beginning any effort to privatize, the department shall submit a complete project plan to the appropriate house and senate appropriations subcommittees and the house and senate fiscal agencies. The plan shall include the criteria under which the privatization initiative will be evaluated. The evaluation shall be completed and submitted to the appropriate house and senate appropriations subcommittees and the house and senate fiscal agencies within 30 months.

Sec. 220. Within 10 working days after formal presentation of the executive budget, the state budget director shall report to the members of the senate and house appropriations committees, and the senate and house fiscal agencies, on the amounts and sources of all capped federal funds, special revenue funds as defined in the state of Michigan's comprehensive annual financial report, and the healthy Michigan fund, and an accounting of the state departments or agencies in which the executive budget proposes to spend the funds."

5. Amend page 19, following line 10, by inserting:

"Sec. 221. By December 1, 1998, the department shall provide the house and senate appropriations subcommittees on agriculture and the house and senate fiscal agencies a report that outlines programs funded under this act. The report shall provide explanation of the activities and personnel funded with each line item, consistent with the format of this act."

6. Amend page 21, line 12, by striking out all of section 305 and inserting:

"Sec. 305. (1) From the appropriation in section 102 for project GREEN, \$4,000,000.00 is allocated for a grant to an institution of higher education for the purpose of research and/or extension programs designed to address critical regulatory, food safety, economic, and environmental problems faced by Michigan's plant-based agriculture, forestry, and processing industries.

(2) A consortium of interested parties consisting of, but not limited to, representatives from the department, institutions of higher education, and agricultural commodity groups shall develop the research and/or extension program priorities described in subsection (1).

(3) Any unexpended balance of the money allocated in subsection (1) is considered a work project and shall be carried forward into the succeeding fiscal year.

(4) Not later than November 1, 1999, the grantee under subsection (1) shall submit to the house and senate appropriations subcommittees on agriculture and to the house and senate fiscal agencies a report for the immediately preceding fiscal year regarding project GREEN projects. The report shall include, but is not limited to, the dollar amount of each project and a review of each project's performance and accomplishments.

(5) Indirect costs shall not be charged by an administering agency against a grant funded under the allocation in subsection (1)."

7. Amend page 22, line 17, by striking out all of section 306.

8. Amend page 30, line 10, after "of" by striking out "\$246,800.00" and inserting "\$258,800.00".

9. Amend page 30, line 19, by striking out all of lines 19 and 20 and inserting:

"Arabian and Appaloosa horse racing	\$	18,600.00
Quarter horse racing.....	\$	55,800.00".

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

A bill to make appropriations for the department of agriculture for the fiscal year ending September 30, 1999; to provide for the expenditure of the appropriations; to create funds; to provide for the imposition of fees; to require reports, audits, and plans; to authorize certain transfers by certain state agencies; and to provide for the disposition of fees and other income received by certain state agencies.

Paul Tesanovich
A. T. Frank
Mark Jansen
Conferees for the House

George A. McManus, Jr.
Harry Gast
Don W. Koivisto
Conferees for the Senate

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

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

The question being on the adoption of the conference report,

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

Roll Call No. 768**Yeas—87**

Agee	DeVuyst	Hood	Palamara
Alley	Dobb	Jelinek	Price
Anthony	Dobronski	Kelly	Prusi
Baade	Emerson	Kilpatrick	Quarles
Baird	Fitzgerald	Kukuk	Rhead
Banks	Frank	LaForge	Rison
Basham	Freeman	Law	Rocca
Birkholz	Gagliardi	Leland	Schauer
Bogardus	Galloway	LeTarte	Schermesser
Brackenridge	Geiger	Llewellyn	Schroer
Brater	Gernaat	London	Scott
Brewer	Gilmer	Lowe	Scranton
Brown	Gire	Mans	Stallworth
Callahan	Goschka	Martinez	Tesanovich
Cassis	Green	Mathieu	Thomas
Cherry	Griffin	McBryde	Varga
Ciaramitaro	Gubow	McManus	Vaughn
Crissman	Gustafson	Middaugh	Walberg
Cropsey	Hale	Middleton	Wallace
Curtis	Hanley	Murphy	Wetters
Dalman	Harder	Nye	Wojno
DeHart	Hertel	Olshove	

Nays—20

Bobier	Jansen	Owen	Sanborn
Byl	Jellema	Perricone	Sikkema
Godchaux	Johnson	Profit	Voorhees
Hammerstrom	Kaza	Raczkowski	Whyman
Horton	McNutt	Richner	Willard

In The Chair: Hertel

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

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

Third Reading of Bills**House Bill No. 5880, entitled**

A bill to amend 1976 PA 451, entitled "The revised school code," (MCL 380.1 to 380.1852) by adding section 1137a. Was read a third time and passed, a majority of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 769**Yeas—103**

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

Nays—0

In The Chair: Gire

The House agreed to the title of the bill.

House Bill No. 5881, entitled

A bill to amend 1974 PA 258, entitled "Mental health code," by amending section 746 (MCL 330.1746) and by adding section 747.

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

Roll Call No. 770**Yeas—103**

Agee	Fitzgerald	Kelly	Prusi
Alley	Frank	Kilpatrick	Quarles
Anthony	Freeman	Kukuk	Raczkowski
Baade	Gagliardi	LaForge	Rhead
Baird	Galloway	Law	Richner
Bankes	Geiger	Leland	Rison
Basham	Gernaat	LeTarte	Rocca
Birkholz	Gilmer	Llewellyn	Sanborn
Bobier	Gire	London	Schauer
Bogardus	Godchaux	Lowe	Schermesser
Brackenridge	Goschka	Mans	Schroer
Brater	Green	Martinez	Scott

Brewer	Griffin	Mathieu	Scranton
Brown	Gubow	McBryde	Sikkema
Byl	Gustafson	McManus	Stallworth
Cassis	Hale	Middaugh	Tesanovich
Cherry	Hammerstrom	Middleton	Thomas
Crissman	Hanley	Murphy	Varga
Cropsey	Harder	Nye	Vaughn
Curtis	Hood	Olshove	Voorhees
Dalman	Horton	Owen	Walberg
DeHart	Jansen	Palamara	Wallace
DeVuyst	Jelinek	Parks	Wetters
Dobb	Jellema	Perricone	Willard
Dobronski	Johnson	Price	Wojno
Emerson	Kaza	Profit	

Nays—0

In The Chair: Gire

The House agreed to the title of the bill.

—

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

House Bill No. 5884, entitled

A bill to amend 1978 PA 368, entitled "Public health code," (MCL 333.1101 to 333.25211) by adding sections 16290 and 20175a.

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

Roll Call No. 771**Yeas—102**

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

DeHart	Jansen	Palamara	Walberg
DeVuyst	Jelinek	Parks	Wallace
Dobb	Jellema	Perricone	Willard
Dobronski	Johnson	Price	Wojno
Emerson	Kaza		

Nays—0

In The Chair: Gire

The House agreed to the title of the bill.

House Bill No. 5248, entitled

A bill to amend 1913 PA 271, entitled “An act to create the Michigan historical commission; to provide for the appointment of members of the commission; to fix their terms of office, prescribe their powers and duties; to prescribe the powers and duties of certain state agencies and officers; to make an appropriation to carry out the provisions of this act; to provide for the distribution of certain revenue; to provide for the listing and destruction of useless documents, books and papers; and to repeal all acts and parts of acts inconsistent herewith,” by amending section 4 (MCL 399.4), as amended by 1992 PA 190, and by adding section 4b.

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

Roll Call No. 772**Yeas—103**

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

Nays—0

In The Chair: Gire

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, Baird, Birkholz, Brackenridge, Cassis, Crissman, DeHart, DeVuyst, Gagliardi, Gire, Goschka, Gubow, Gustafson, Jansen, Jelinek, Kukuk, Law, London, Mans, Martinez, McBryde, Middaugh, Rocca, Schauer, Scott, Thomas, Vaughn, Voorhees and Willard were named co-sponsors of the bill.

Rep. McManus moved that Rep. Whyman be excused temporarily from today's session.

The motion prevailed.

House Bill No. 5820, entitled

A bill to amend 1975 PA 228, entitled "Single business tax act," (MCL 208.1 to 208.145) by adding section 39c.

The bill was read a third time.

The question being on the passage of the bill,

Rep. Gire moved to amend the bill as follows:

1. Amend page 1, line 5, after "IMMUNIZATIONS" by inserting a comma and "OR OTHER CENTERS FOR DISEASE CONTROL AND PREVENTION RECOMMENDED VACCINES,".

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

The question being on the passage of the bill,

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

Roll Call No. 773

Yeas—99

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

Nays—0

In The Chair: Gire

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

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

House Bill No. 5875, entitled

A bill to amend 1893 PA 206, entitled "The general property tax act," by amending section 56a (MCL 211.56a).
Was read a third time and passed, a majority of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 774

Yeas—102

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

Nays—0

In The Chair: Gire

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.

House Bill No. 5871, entitled

A bill to provide for the sale of real and personal property for less than its market value by a local governmental unit to a nonprofit charitable organization under certain circumstances.

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

Roll Call No. 775**Yeas—102**

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

Nays—0

In The Chair: Gire

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.

House Bill No. 5801, entitled

A bill to amend 1893 PA 206, entitled "The general property tax act," by amending section 39 (MCL 211.39).

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

Roll Call No. 776**Yeas—99**

Agee	Fitzgerald	Kaza	Price
Alley	Frank	Kelly	Profit
Anthony	Freeman	Kilpatrick	Prusi
Baade	Gagliardi	Kukuk	Quarles
Baird	Galloway	LaForge	Raczkowski
Bankes	Geiger	Law	Rhead
Basham	Gernaat	Leland	Richner
Birkholz	Gilmer	Llewellyn	Rison
Bobier	Gire	London	Rocca
Bogardus	Godchaux	Lowe	Sanborn
Brackenridge	Goschka	Mans	Schauer
Brater	Green	Martinez	Schermesser

Brewer	Griffin	Mathieu	Scott
Brown	Gubow	McBryde	Scranton
Byl	Gustafson	McManus	Sikkema
Cassis	Hale	McNutt	Stallworth
Cherry	Hammerstrom	Middaugh	Tesanovich
Crissman	Hanley	Middleton	Thomas
Cropsey	Harder	Murphy	Varga
Curtis	Hertel	Nye	Vaughn
Dalman	Horton	Olshove	Voorhees
DeHart	Jansen	Owen	Walberg
DeVuyst	Jelinek	Palamara	Willard
Dobb	Jellema	Parks	Wojno
Dobronski	Johnson	Perricone	

Nays—0

In The Chair: Gire

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. Anthony, Baade, Basham, Cassis, Cherry, Crissman, DeHart, DeVuyst, Gagliardi, Gernaat, Gilmer, Gire, Goschka, Hammerstrom, Horton, Jelinek, Jellema, Kaza, Law, Llewellyn, London, Lowe, McBryde, McNutt, Middleton, Nye, Perricone, Raczkowski, Rhead, Scranton, Sikkema, Varga, Vaughn and Voorhees were named co-sponsors of the bill.

House Bill No. 5892, entitled

A bill to amend 1975 PA 228, entitled "Single business tax act," by amending section 6 (MCL 208.6) and by adding section 21b.

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

Roll Call No. 777**Yeas—101**

Agee	Frank	Kelly	Price
Alley	Freeman	Kilpatrick	Profit
Anthony	Gagliardi	Kukuk	Prusi
Baade	Galloway	LaForge	Quarles
Baird	Geiger	Law	Raczkowski
Bankes	Gernaat	Leland	Rhead
Basham	Gilmer	LeTarte	Richner
Birkholz	Gire	Llewellyn	Rison
Bobier	Godchaux	London	Rocca
Bogardus	Goschka	Lowe	Sanborn
Brackenridge	Green	Mans	Schauer
Brater	Griffin	Martinez	Schermesser
Brewer	Gubow	Mathieu	Schroer
Brown	Gustafson	McBryde	Scott
Byl	Hale	McManus	Scranton
Cassis	Hammerstrom	McNutt	Sikkema
Cherry	Hanley	Middaugh	Stallworth
Crissman	Harder	Middleton	Tesanovich
Cropsey	Hertel	Murphy	Thomas
Curtis	Horton	Nye	Varga
Dalman	Jansen	Olshove	Vaughn
DeHart	Jelinek	Owen	Voorhees
DeVuyst	Jellema	Palamara	Walberg

Dobb
Dobronski
Fitzgerald

Johnson
Kaza

Parks
Perricone

Willard
Wojno

Nays—0

In The Chair: Gire

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.

House Bill No. 5909, entitled

A bill to amend 1941 PA 122, entitled "An act to establish a revenue division of the department of treasury; to prescribe its powers and duties as the revenue collection agency of the state; to prescribe certain powers and duties of the state treasurer; to create the position and to define the powers and duties of the state commissioner of revenue; to provide for the transfer of powers and duties now vested in certain other state boards, commissions, departments and offices; to prescribe certain duties of and require certain reports from the department of treasury; to provide procedures for the payment, administration, audit, assessment, levy of interests or penalties on, and appeals of taxes and tax liability; to prescribe its powers and duties if an agreement to act as agent for a city to administer, collect, and enforce the city income tax act on behalf of a city is entered into with any city; to provide an appropriation; to abolish the state board of tax administration; and to declare the effect of this act," by amending section 27a (MCL 205.27a), as amended by 1993 PA 14.

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

Roll Call No. 778

Yeas—95

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

Nays—0

In The Chair: Gire

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.

By unanimous consent the House returned to the order of

Messages from the Senate

The Senate requested the return of

Senate Bill No. 273, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 82113 (MCL 324.82113), as amended by 1997 PA 102.

Rep. Gagliardi moved that the request of the Senate be granted.

The motion prevailed.

The Speaker laid before the House

House Bill No. 4163, entitled

A bill to amend 1933 PA 167, entitled "General sales tax act," (MCL 205.51 to 205.78) by adding section 4p.

(The bill was received from the Senate on June 30, with substitute (S-2), full title inserted and immediate effect given by the Senate, consideration of which, under the rules, was postponed until today, see House Journal No. 65, p. 1683.)

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

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

Roll Call No. 779

Yeas—93

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

Nays—8

Agee	Freeman	Gubow	Martinez
Brewer	Godchaux	Kilpatrick	Scranton

In The Chair: Gire

The House agreed to the full title.

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

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

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

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

“Mr. Speaker and members of the House:

I voted No on HB 4163 because I do not believe religious organizations should be forcibly supported by all the taxpayers of the State of Michigan. Michigan citizens must be able to freely support those religious organizations they want and not be forced by legislative action.”

The Speaker laid before the House

House Bill No. 4743, entitled

A bill to amend 1937 PA 94, entitled “Use tax act,” (MCL 205.91 to 205.111) by adding section 4m.

(The bill was received from the Senate on June 30, with substitute (S-1), full title inserted and immediate effect given by the Senate, consideration of which, under the rules, was postponed until today, see House Journal No. 65, p. 1683.)

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. 780

Yeas—91

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

Nays—10

Agee	Freeman	Kilpatrick	Scranton
Brewer	Godchaux	Martinez	Varga
Ciaramitaro	Gubow		

In The Chair: Gire

The House agreed to the full title.

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

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

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

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

“Mr. Speaker and members of the House:

I voted No on HB 4743 because I do not believe religious organizations should be forcibly supported by all the taxpayers of the State of Michigan. Michigan citizens must be able to freely support those religious organizations they want and not be forced to by legislative action.”

Second Reading of Bills

House Bill No. 5956, entitled

A bill to amend 1949 PA 300, entitled “Michigan vehicle code,” (MCL 257.1 to 257.923) by adding sections 904c, 904d, 904e, and 904f.

(The bill was read a second time, substitute (H-1) adopted, amended, amendment offered and bill postponed for the day on June 30, see House Journal No. 65, pp. 1676, 1680.)

The question being on the adoption of the amendment offered previously by Rep. Voorhees, Rep. Voorhees withdrew the demand for yeas and nays.

The question being on the adoption of the amendment offered previously by Rep. Voorhees, The amendment was adopted, a majority of the members serving voting therefor.

Rep. Bogardus 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. 5956, entitled

A bill to amend 1949 PA 300, entitled “Michigan vehicle code,” (MCL 257.1 to 257.923) by adding sections 904c, 904d, 904e, and 904f.

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

Roll Call No. 781

Yeas—98

Agee	Frank	Kukuk	Prusi
Alley	Freeman	LaForge	Quarles
Anthony	Gagliardi	Law	Rackowski
Baade	Galloway	Leland	Rhead
Baird	Geiger	LeTarte	Richner
Bankes	Gernaat	Llewellyn	Rison
Basham	Gilmer	London	Rocca
Birkholz	Gire	Lowe	Sanborn
Bogardus	Godchaux	Mans	Schauer
Brackenridge	Goschka	Martinez	Schermesser
Brater	Green	Mathieu	Schroer
Brewer	Gubow	McBryde	Scott
Brown	Gustafson	McManus	Scranton
Byl	Hale	McNutt	Sikkema
Cherry	Hammerstrom	Middaugh	Stallworth

Crissman	Hanley	Middleton	Tesanovich
Cropsey	Harder	Nye	Thomas
Curtis	Horton	Olshove	Varga
Dalman	Jansen	Owen	Vaughn
DeHart	Jelinek	Palamara	Voorhees
DeVuyst	Jellema	Parks	Walberg
Dobb	Johnson	Perricone	Wallace
Dobronski	Kaza	Price	Willard
Emerson	Kelly	Profit	Wojno
Fitzgerald	Kilpatrick		

Nays—0

In The Chair: Gire

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 1949 PA 300, entitled "Michigan vehicle code," by amending sections 625, 625i, and 625m (MCL 257.625, 257.625i, and 257.625m), sections 625 and 625m as amended by 1996 PA 491 and section 625i as amended by 1996 PA 493.

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, Banks, Basham, Birkholz, Brackenridge, Byl, Cassis, Cherry, DeHart, DeVuyst, Dobb, Fitzgerald, Freeman, Gagliardi, Gire, Goschka, Gubow, Hale, Hanley, Horton, Jansen, Jelinek, Jellema, Kaza, Kelly, Kukuk, Law, London, Mans, Mathieu, Middleton, Owen, Profit, Richner, Rocca, Schauer, Schermesser, Scott, Scranton, Sikkema, Vaughn, Voorhees and Willard were named co-sponsors of the bill.

Second Reading of Bills

House Bill No. 4961, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending sections 217, 219, 233, 732, and 904 (MCL 257.217, 257.219, 257.233, 257.732, and 257.904), section 217 as amended by 1996 PA 59, section 219 as amended by 1985 PA 67, section 233 as amended by 1980 PA 398, section 732 as amended by 1996 PA 493, and section 904 as amended by 1994 PA 450; and to repeal acts and parts of acts.

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

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

Rep. Godchaux 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. 4961, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending sections 217, 219, 233, 732, and 904 (MCL 257.217, 257.219, 257.233, 257.732, and 257.904), section 217 as amended by 1996 PA 59, section 219 as amended by 1985 PA 67, section 233 as amended by 1980 PA 398, section 732 as amended by 1996 PA 493, and section 904 as amended by 1994 PA 450; and to repeal acts and parts of acts.

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

Roll Call No. 782**Yeas—96**

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

Nays—0

In The Chair: Gire

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 1949 PA 300, entitled "Michigan vehicle code," by amending section 904 (MCL 257.904), as amended by 1994 PA 450, and by adding section 904f.

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. Bankes, Birkholz, Bogardus, Brackenridge, Brewer, Byl, Cassis, Crissman, Dobb, Freeman, Gernaat, Gilmer, Gire, Goschka, Gubow, Hale, Hanley, Jansen, Jelinek, Jellema, Mans, Martinez, McBryde, Middaugh, Richner, Rocca, Sanborn, Schauer and Voorhees were named co-sponsors of the bill.

House Bill No. 4576, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 303 (MCL 257.303), as amended by 1996 PA 587.

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

Roll Call No. 783**Yeas—100**

Agee	Emerson	Kilpatrick	Profit
Alley	Fitzgerald	Kukuk	Prusi
Anthony	Frank	LaForge	Quarles
Baade	Freeman	Law	Raczkowski

Baird	Gagliardi	Leland	Rhead
Bankes	Galloway	LeTarte	Richner
Basham	Geiger	Llewellyn	Rison
Birkholz	Gernaat	London	Rocca
Bobier	Gilmer	Lowe	Sanborn
Bogardus	Gire	Mans	Schauer
Brackenridge	Godchaux	Martinez	Schermesser
Brater	Goschka	Mathieu	Schroer
Brewer	Green	McBryde	Scott
Brown	Gubow	McManus	Scranton
Byl	Gustafson	McNutt	Sikkema
Cassis	Hale	Middaugh	Stallworth
Cherry	Hammerstrom	Middleton	Tesanovich
Crissman	Hanley	Murphy	Thomas
Cropsey	Harder	Nye	Varga
Curtis	Horton	Olshove	Vaughn
Dalman	Jansen	Owen	Voorhees
DeHart	Jelinek	Palamara	Walberg
DeVuyst	Jellema	Parks	Wallace
Dobb	Johnson	Perricone	Willard
Dobronski	Kaza	Price	Wojno

Nays—0

In The Chair: Gire

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 1949 PA 300, entitled "Michigan vehicle code," by amending sections 8a, 44a, 625b, and 732 (MCL 257.8a, 257.44a, 257.625b, and 257.732), section 8a as amended by 1994 PA 449, section 44a as added by 1993 PA 359, section 625b as amended by 1994 PA 450, and section 732 as amended by 1996 PA 493, and by adding section 23b.

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. Agee, Alley, Anthony, Birkholz, Bogardus, Brackenridge, Byl, Cassis, Crissman, Dalman, DeHart, DeVuyst, Dobb, Fitzgerald, Freeman, Gernaat, Gire, Gubow, Hammerstrom, Jansen, Jelinek, Jellema, Kukuk, LaForge, Law, Llewellyn, London, Mans, Martinez, McBryde, Middaugh, Rhead, Sanborn, Sikkema, Varga, Vaughn, Voorhees and Willard were named co-sponsors of the bill.

House Bill No. 4959, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending sections 5a, 8a, 44a, 258, 319, 319b, 625, 625b, and 625m (MCL 257.5a, 257.8a, 257.44a, 257.258, 257.319, 257.319b, 257.625, 257.625b, and 257.625m), section 8a as amended by 1994 PA 449, section 44a as added by 1993 PA 359, section 319 as amended by 1996 PA 587, section 319b as amended by 1996 PA 404, sections 625 and 625m as amended by 1996 PA 491, and section 625b as amended by 1994 PA 450, and by adding sections 23b and 204b.

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

Roll Call No. 784**Yeas—99**

Agee	Fitzgerald	Kelly	Prusi
Alley	Frank	Kilpatrick	Quarles
Anthony	Freeman	Kukuk	Raczkowski
Baade	Gagliardi	LaForge	Rhead

Baird	Galloway	Law	Richner
Bankes	Geiger	Leland	Rison
Basham	Gernaat	LeTarte	Rocca
Birkholz	Gilmer	London	Sanborn
Bobier	Gire	Lowe	Schauer
Bogardus	Godchaux	Mans	Schermesser
Brackenridge	Goschka	Martinez	Schroer
Brater	Green	Mathieu	Scott
Brewer	Gubow	McBryde	Scranton
Brown	Gustafson	McManus	Sikkema
Byl	Hale	McNutt	Stallworth
Cassis	Hammerstrom	Middaugh	Tesanovich
Cherry	Hanley	Middleton	Thomas
Crissman	Harder	Murphy	Varga
Cropsey	Hood	Nye	Vaughn
Curtis	Horton	Owen	Voorhees
Dalman	Jansen	Palamara	Walberg
DeHart	Jelinek	Parks	Wallace
DeVuyst	Jellema	Perricone	Willard
Dobb	Johnson	Price	Wojno
Dobronski	Kaza	Profit	

Nays—0

In The Chair: Gire

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 1949 PA 300, entitled "Michigan vehicle code," by amending sections 303, 322, 323, 602a, 624a, 624b, and 625n (MCL 257.303, 257.322, 257.323, 257.602a, 257.624a, 257.624b, and 257.625n), sections 303 and 602a as amended by 1996 PA 587, section 323 as amended by 1994 PA 449, section 624a as amended and section 624b as added by 1996 PA 493, and section 625n as added by 1996 PA 491; and to repeal acts and parts of acts.

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, Baird, Basham, Birkholz, Cassis, DeHart, Freeman, Gernaat, Gilmer, Gire, Godchaux, Goschka, Gubow, Gustafson, Hammerstrom, Hanley, Horton, Jansen, Jelinek, Jellema, Johnson, Kelly, Law, London, Lowe, Mans, Martinez, McBryde, Middaugh, Middleton, Nye, Profit, Prusi, Rocca, Scott, Sikkema, Varga, Vaughn, Voorhees and Willard were named co-sponsors of the bill.

House Bill No. 4960, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending sections 303, 321a, 625a, 625i, and 625n (MCL 257.303, 257.321a, 257.625a, 257.625i, and 257.625n), section 303 as amended by 1996 PA 587, sections 321a and 625i as amended by 1996 PA 493, and section 625a as amended and section 625n as added by 1996 PA 491, and by adding sections 904c, 904d, 904e, 904f, 904g, and 915.

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

Roll Call No. 785**Yeas—102**

Agee	Emerson	Kelly	Profit
Alley	Fitzgerald	Kilpatrick	Prusi
Anthony	Frank	Kukuk	Quarles
Baade	Freeman	LaForge	Raczkowski
Baird	Gagliardi	Law	Rhead

Bankes	Galloway	Leland	Richner
Basham	Geiger	LeTarte	Rison
Birkholz	Gernaat	Llewellyn	Rocca
Bobier	Gilmer	London	Sanborn
Bogardus	Gire	Lowe	Schauer
Brackenridge	Godchaux	Mans	Schermesser
Brater	Goschka	Martinez	Schroer
Brewer	Green	Mathieu	Scott
Brown	Gubow	McBryde	Scranton
Byl	Gustafson	McManus	Sikkema
Cassis	Hale	McNutt	Stallworth
Cherry	Hammerstrom	Middaugh	Tesanovich
Ciaramitaro	Hanley	Middleton	Thomas
Crissman	Harder	Murphy	Varga
Cropsey	Hood	Nye	Vaughn
Curtis	Horton	Olshove	Voorhees
Dalman	Jansen	Owen	Walberg
DeHart	Jelinek	Palamara	Wallace
DeVuyst	Jellema	Perricone	Willard
Dobb	Johnson	Price	Wojno
Dobronski	Kaza		

Nays—0

In The Chair: Gire

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 1949 PA 300, entitled "Michigan vehicle code," by amending sections 219 and 233 (MCL 257.219 and 257.233), section 219 as amended by 1985 PA 67 and section 233 as amended by 1980 PA 398, and by adding section 904c.

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, Baird, Basham, Birkholz, Bogardus, Brackenridge, Byl, Cassis, Crissman, Dalman, DeHart, DeVuyst, Dobb, Freeman, Gagliardi, Gernaat, Gilmer, Gire, Godchaux, Goschka, Gubow, Hale, Hammerstrom, Hanley, Harder, Horton, Jansen, Jelinek, Jellema, Johnson, Kelly, Law, Llewellyn, Mans, McBryde, Middaugh, Middleton, Nye, Profit, Rhead, Rocca, Scott, Scranton, Sikkema, Varga, Vaughn, Voorhees and Willard were named co-sponsors of the bill.

House Bill No. 5951, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending sections 8a, 44a, 303, 625, 625a, 625c, 625g, and 625m (MCL 257.8a, 257.44a, 257.303, 257.625, 257.625a, 257.625c, 257.625g, and 257.625m), section 8a as amended by 1994 PA 449, section 44a as added by 1993 PA 359, section 303 as amended by 1996 PA 587, sections 625, 625a, and 625m as amended by 1996 PA 491, and sections 625c and 625g as amended by 1994 PA 450, and by adding section 23b.

The bill was read a third time.

The question being on the passage of the bill,

Reps. Hanley and Fitzgerald moved to amend the bill as follows:

1. Amend page 3, line 18, after "a" by striking out "motor".

2. Amend page 3, line 27, after "VIOLATION" by striking out "OF" and inserting "DESCRIBED IN".

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

The question being on the passage of the bill,

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

Roll Call No. 786**Yeas—102**

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

Nays—0

In The Chair: Gire

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 1949 PA 300, entitled "Michigan vehicle code," by amending sections 319 and 319b (MCL 257.319 and 257.319b), section 319 as amended by 1996 PA 587 and section 319b as amended by 1996 PA 404.

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, Baird, Bankes, Birkholz, Brackenridge, Byl, Cassis, Dalman, DeHart, DeVuyst, Dobb, Freeman, Gernaat, Gilmer, Gire, Goschka, Gubow, Hammerstrom, Hanley, Harder, Horton, Jansen, Jelinek, Jellema, Johnson, Kelly, Law, McBryde, Middleton, Palamara, Rackowski, Schauer, Schermesser, Scott, Varga, Voorhees and Willard were named co-sponsors of the bill.

House Bill No. 5952, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," (MCL 257.1 to 257.923) by adding sections 904c, 904d, 904e, and 904f.

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

Roll Call No. 787**Yeas—96**

Agee	Dobronski	Kaza	Price
Alley	Fitzgerald	Kelly	Profit
Anthony	Frank	Kilpatrick	Prusi

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

Nays—0

In The Chair: Gire

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 1949 PA 300, entitled "Michigan vehicle code," by amending section 321a (MCL 257.321a), as amended by 1998 PA 68, and by adding sections 904d and 904e.

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. Baird, Bankes, Basham, Birkholz, Bogardus, Brackenridge, Byl, Cassis, Crissman, Dalman, DeHart, DeVuyst, Dobb, Fitzgerald, Freeman, Gagliardi, Gernaat, Gire, Goschka, Gubow, Gustafson, Hammerstrom, Horton, Jansen, Jelinek, Jellema, Kelly, Law, Llewellyn, McBryde, Middaugh, Middleton, Richner, Rocca, Sanborn, Scranton, Sikkema, Thomas, Varga, Vaughn, Voorhees and Willard were named co-sponsors of the bill.

House Bill No. 5953, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending sections 367c, 382, and 479a (MCL 750.367c, 750.382, and 750.479a), section 367c as added by 1982 PA 63, section 382 as amended by 1980 PA 159, and section 479a as amended by 1996 PA 586.

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

Roll Call No. 788**Yeas—102**

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

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

Nays—0

In The Chair: Gire

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, Baird, Basham, Birkholz, Bogardus, Brackenridge, Byl, Callahan, Cassis, Crissman, Dalman, DeHart, Dobb, Fitzgerald, Freeman, Gernaat, Gire, Goschka, Gustafson, Hanley, Horton, Jansen, Jelinek, Jellema, Kelly, Law, London, Mans, McBryde, Middaugh, Olshove, Profit, Richner, Rocca, Sanborn, Schauer, Scott, Scranton, Varga, Vaughn, Voorhees and Willard were named co-sponsors of the bill.

House Bill No. 5954, entitled

A bill to amend 1931 PA 214, entitled "An act to enact a law to define the offense of felonious driving, when committed by the operation of a vehicle and to prescribe penalties therefor," by amending section 2 (MCL 752.192).

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

Roll Call No. 789**Yeas—102**

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
Bogardus	Godchaux	Mans	Schermesser
Brackenridge	Goschka	Martinez	Schroer
Brater	Green	Mathieu	Scott
Brewer	Gubow	McBryde	Scranton
Brown	Gustafson	McManus	Sikkema
Byl	Hale	McNutt	Stallworth
Callahan	Hammerstrom	Middaugh	Tesanovich
Cassis	Hanley	Middleton	Thomas
Cherry	Harder	Murphy	Varga
Crissman	Hood	Nye	Vaughn

Cropsey	Horton	Olshove	Voorhees
Curtis	Jansen	Owen	Walberg
Dalman	Jelinek	Parks	Wallace
DeHart	Jellema	Perricone	Wetters
DeVuyst	Johnson	Price	Willard
Dobb	Kaza	Profit	Wojno
Dobronski	Kelly		

Nays—0

In The Chair: Gire

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, Baird, Basham, Birkholz, Bogardus, Brackenridge, Byl, Callahan, Cassis, Crissman, Dalman, DeHart, Dobb, Dobronski, Fitzgerald, Gagliardi, Gernaat, Gilmer, Gire, Goschka, Gubow, Hammerstrom, Hanley, Harder, Horton, Jansen, Jellema, Kaza, Kelly, Law, Mans, McBryde, Middaugh, Middleton, Nye, Olshove, Richner, Rocca, Sanborn, Schauer, Scott, Scranton, Varga and Vaughn were named co-sponsors of the bill.

House Bill No. 5955, entitled

A bill to amend 1998 PA 58, entitled "Michigan liquor control code of 1998," by amending section 703 (MCL 436.1703).

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

Roll Call No. 790**Yeas—103**

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

Nays—0

In The Chair: Gire

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. Anthony, Baird, Bankes, Basham, Birkholz, Bogardus, Brackenridge, Brown, Cassis, Crissman, Dalman, DeHart, Dobb, Freeman, Gire, Goschka, Gubow, Gustafson, Hammerstrom, Hanley, Harder, Jansen, Jellema, Johnson, Kelly, Law, Llewellyn, Mans, Martinez, McBryde, Middleton, Olshove, Profit, Rocca, Sanborn, Schauer, Scott, Scranton, Sikkema, Varga, Vaughn, Voorhees and Willard were named co-sponsors of the bill.



Rep. Callahan, 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. 769-778 and 781-783. Had I been present, I would have voted ‘yes’.”



Rep. Hale moved that Rep. Murphy be excused temporarily from today’s session.

The motion prevailed.

By unanimous consent the House returned to the order of

Reports of Select Committees

Senate Bill No. 907, entitled

A bill to make appropriations for community colleges for the fiscal year ending September 30, 1999; to provide for the expenditure of the appropriations; to establish or continue certain funds, programs, and categories; and to prescribe the powers and duties of certain state departments, officers, and employees.

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

The Conference Report was read as follows:

First Conference Report

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

Senate Bill No. 907, entitled

A bill to make appropriations for community colleges for the fiscal year ending September 30, 1999; to provide for the expenditure of the appropriations; to establish or continue certain funds, programs, and categories; and to prescribe the powers and duties of certain state departments, officers, and employees.

Recommends:

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

- 1. Amend page 1, line 1, by striking out all of part 1 and inserting:

“PART 1

LINE-ITEM APPROPRIATIONS

Sec. 101. Subject to the conditions set forth in this act, the amounts listed in this part are appropriated for community colleges and certain other state purposes relating to education for the fiscal year ending September 30, 1999, from the funds indicated in this part. The following is a summary of the appropriations in this part:

COMMUNITY COLLEGES

GROSS APPROPRIATION	\$	282,000,000
Total interdepartmental grants and intradepartmental transfers	\$	0
ADJUSTED GROSS APPROPRIATION	\$	282,000,000
Total federal revenues		0
Total local revenues		0
Total private revenues		0
Total local and private revenues.....		0
Total other state restricted revenues		0
State general fund/general purpose	\$	282,000,000

Sec. 102. OPERATIONS

Alpena Community College	\$	4,557,252
Bay de Noc Community College.....		4,220,690
Delta College		13,199,307
Glen Oaks Community College.....		2,010,948
Gogebic Community College		3,991,939
Grand Rapids Community College.....		17,381,780
Henry Ford Community College		19,643,681
Jackson Community College		11,563,803
Kalamazoo Valley Community College.....		10,108,380
Kellogg Community College.....		8,387,943
Kirtland Community College		2,848,415
Lake Michigan College.....		4,589,230
Lansing Community College.....		28,517,734
Macomb Community College.....		31,109,093
Mid Michigan Community College.....		3,735,994
Monroe County Community College.....		3,664,952
Montcalm Community College		2,955,481
C.S. Mott Community College.....		14,602,384
Muskegon Community College.....		8,211,204
North Central Michigan College.....		2,738,746
Northwestern Michigan College.....		8,050,662
Oakland Community College		20,231,211
St. Clair County Community College.....		6,465,131
Schoolcraft College.....		10,982,897
Southwestern Michigan College.....		5,355,807
Washtenaw Community College.....		10,554,270
Wayne County Community College		16,066,808
West Shore Community College		2,116,692
GROSS APPROPRIATION.....	\$	<u>277,862,434</u>
Appropriated from:		
State general fund/general purpose	\$	277,862,434

Sec. 103. GRANTS

At-risk student success program.....	\$	3,584,566
Renaissance zone tax reimbursement funding		553,000
GROSS APPROPRIATION.....	\$	<u>4,137,566</u>
Appropriated from:		
State general fund/general purpose	\$	4,137,566".

2. Amend page 4, line 6, after "at" by striking out "\$287,954,975.00" and inserting "\$282,000,000.00".
3. Amend page 4, line 8, after "at" by striking out "\$287,954,975.00" and inserting "\$282,000,000.00".
4. Amend page 4, line 19, by striking out all of section 203 and inserting:

"Sec. 203. (1) The sums appropriated in this act are appropriated for community colleges with fiscal years ending June 30, 1999 and shall be paid out of the state treasury and distributed by the state treasurer to the respective community colleges in 11 monthly installments on the sixteenth of each month, or the next succeeding business day, beginning with October 16, 1998. Each community college shall accrue its July and August 1999 payments to its institutional fiscal year ending June 30, 1999. However, if a community college fails to submit all verified Michigan community colleges activities classification structure data for school year 1997-98 to the department of education by November 1, 1998, the monthly installments shall be withheld from that community college until those data are submitted. The department of education shall publish the activities classification structure manual for Michigan community colleges on or before March 1, 1999 for use by the legislature during budget development for the fiscal year ending September 30, 2000. The amount from the funds appropriated in part 1 that is allocated under section 401 to address the special needs of at-risk students shall be paid in full by the state treasurer by November 1, 1998. The amount distributed to a community college or department shall not exceed the net state allocation authorized by this act.

(2) Except as otherwise provided by law, each of the amounts appropriated shall be used solely for the respective purposes stated in this act. The funds appropriated by this act may be used to match the cost of any available programs under the Carl D. Perkins vocational and applied technology education act, Public Law 88-210, 98 Stat. 2435, including local administration."

5. Amend page 8, line 26, by striking out all of section 210 and inserting:

“Sec. 210. The department of education shall ensure that a statistical report for minorities and women employees for the most recent school year as submitted to the federal government on the EEO-6 form be included in the Michigan Community Colleges Enrollment Profile published by the department of education. Also included in this profile shall be a statistical report for the most recent school year that includes enrollment statistics for minorities and women as submitted to the department of education. The department of education shall distribute a copy of this report to members of the house and senate appropriations subcommittees on community colleges and the house and senate fiscal agencies no later than March 1, 1999.”.

6. Amend page 11, line 15, after “reimburse” by striking out “over 4 fiscal years”.

7. Amend page 13, line 3, by striking out all of section 222.

8. Amend page 13, line 15, after “issues” by striking out “quarterly” and inserting “biannual”.

9. Amend page 13, following line 21, section 224, after “to” by striking out “establish a per student funding floor from all sources of \$7,421.00” and inserting “achieve full funding of the Gast-Mathieu fairness in funding formula and to establish a per student funding floor from all sources”.

10. Amend page 13, following line 21, following section 227, by striking out all of section 228.

11. Amend page 14, line 24, after “gram,” by striking out “\$1,260,000.00” and inserting “\$1,120,000.00”.

12. Amend page 14, line 24, after “of” by striking out “\$45,000.00” and inserting “\$40,000.00”.

13. Amend page 15, line 11, after “follows:” by striking out the balance of the subsection and inserting:

“Alpena Community College.....	\$	126,215
Bay de Noc Community College		122,239
Delta College		104,543
Glen Oaks Community College		126,914
Gogebic Community College		73,459
Grand Rapids Community College		73,167
Henry Ford Community College		164,082
Jackson Community College		109,669
Kalamazoo Valley Community College		117,532
Kellogg Community College		143,437
Kirtland Community College.....		138,127
Lake Michigan College		174,317
Lansing Community College		106,828
Macomb Community College.....		85,344
Mid-Michigan Community College		124,193
Monroe Community College		100,926
Montcalm Community College.....		71,215
Mott Community College		110,568
Muskegon Community College		199,964
North Central Michigan College		118,681
Northwestern Michigan College		134,817
Oakland Community College		161,743
St. Clair Community College		76,110
Schoolcraft College		157,115
Southwestern Michigan College		187,371
Washtenaw Community College.....		135,213
Wayne County Community College.....		207,316
West Shore Community College.....		133,461”.

14. Amend page 19, line 15, by striking out “8%” and inserting “a portion”.

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

A bill to make appropriations for community colleges for the fiscal year ending September 30, 1999; to provide for the expenditure of the appropriations; to establish or continue certain funds, programs, and categories; and to prescribe the powers and duties of certain state departments, officers, and employees.

Harry Gast
 Dan L. DeGrow
 Jackie Vaughn III
 Conferees for the Senate

Hubert Price, Jr.
 Thomas C. Mathieu
 Conferees for the House

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

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

The question being on the adoption of the conference report,

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

Roll Call No. 791**Yeas—99**

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

Nays—3

Kilpatrick	Scott	Vaughn
------------	-------	--------

In The Chair: Gire

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

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

—

The Speaker resumed the Chair.

Second Reading of Bills**House Bill No. 5407, entitled**

A bill to amend 1909 PA 279, entitled "The home rule city act," (MCL 117.1 to 117.38) by adding section 4n.

The bill was read a second time.

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

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

The Speaker called Acting Speaker Hanley to the Chair.

Senate Bill No. 880, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by repealing section 2163 (MCL 600.2163). The bill was read a second time.

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

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

Senate Bill No. 882, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending section 2163a (MCL 600.2163a), as amended by 1989 PA 253.

Was read a second time, and the question being on the adoption of the proposed amendment previously recommended by the Committee on Judiciary (for amendment, see House Journal No. 44, p. 982),

The amendment was 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.

Senate Bill No. 883, entitled

A bill to amend 1939 PA 288, entitled "An act to revise and consolidate the statutes relating to certain aspects of the organization and jurisdiction of the probate court of this state, the powers and duties of such court and the judges and other officers thereof, certain aspects of the statutes of descent and distribution of property, and the statutes governing the change of name of adults and children, the adoption of adults and children, and the jurisdiction of the juvenile division of the probate court; to prescribe the powers and duties of the juvenile division of the probate court, and the judges and other officers thereof; to prescribe the manner and time within which actions and proceedings may be brought in the juvenile division of the probate court; to prescribe pleading, evidence, practice, and procedure in actions and proceedings in the juvenile division of the probate court; to provide for appeals from the juvenile division of the probate court; to prescribe the powers and duties of certain state departments, agencies, and officers; and to provide remedies and penalties for the violation of this act," by amending sections 17 and 17b of chapter XIIA (MCL 712A.17 and 712A.17b), section 17 as amended by 1997 PA 169 and section 17b as amended by 1989 PA 254.

Was read a second time, and the question being on the adoption of the proposed amendment previously recommended by the Committee on Judiciary (for amendment, see House Journal No. 44, p. 983),

The amendment was 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.

Senate Bill No. 884, entitled

A bill to amend 1937 (Ex Sess) PA 4, entitled "An act relative to continuing tenure of office of certificated teachers in public educational institutions; to provide for probationary periods; to regulate discharges or demotions; to provide for resignations and leaves of absence; to create a state tenure commission and to prescribe the powers and duties thereof; and to prescribe penalties for violation of the provisions of this act," by amending section 4a (MCL 38.104a), as added by 1987 PA 47.

Was read a second time, and the question being on the adoption of the proposed amendment previously recommended by the Committee on Judiciary (for amendment, see House Journal No. 44, p. 983),

The amendment was 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.

Senate Bill No. 885, entitled

A bill to amend 1969 PA 306, entitled "Administrative procedures act of 1969," by amending section 75a (MCL 24.275a), as added by 1987 PA 46.

Was read a second time, and the question being on the adoption of the proposed amendment previously recommended by the Committee on Judiciary (for amendment, see House Journal No. 44, p. 984),

The amendment was 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.

House Bill No. 5057, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending section 50 (MCL 750.50), as amended by 1996 PA 458.

Was read a second time, and the question being on the adoption of the proposed amendments previously recommended by the Committee on Judiciary (for amendments, see House Journal No. 47, p. 1072),

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

Rep. Gubow moved to amend the bill as follows:

1. Amend page 3, line 1, subparagraph (ii), after "DOG" by striking out the balance of the subdivision and inserting a period and "THE DOGHOUSE SHALL HAVE DRY BEDDING WHEN THE OUTDOOR TEMPERATURE IS OR IS PREDICTED TO DROP BELOW FREEZING.

(iii) A STRUCTURE, INCLUDING, BUT NOT LIMITED TO, A GARAGE, BARN, OR SHED THAT IS SUFFICIENTLY INSULATED AND VENTILATED TO PROTECT THE DOG FROM EXPOSURE TO EXTREME TEMPERATURES OR, IF NOT SUFFICIENTLY INSULATED AND VENTILATED, CONTAINS A DOGHOUSE AS PROVIDED UNDER SUBPARAGRAPH (ii) THAT IS ACCESSIBLE TO THE DOG."

2. Amend page 3, following line 8, subdivision (l), after "THE" by striking out "TEMPORARY".

3. Amend page 4, following line 15, subdivision (G), after "LEAST" by striking out the balance of the subdivision and inserting "3 TIMES THE LENGTH OF THE DOG AS MEASURED FROM THE TIP OF ITS NOSE TO THE BASE OF ITS TAIL AND IS ATTACHED TO A HARNESS OR NONCHOKE COLLAR DESIGNED FOR TETHERING."

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

Rep. Jellema 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. 329, entitled

A bill to amend 1984 PA 192, entitled "Forbes mechanical contractors act," by amending section 7 (MCL 338.977), as amended by 1985 PA 168.

Was read a second time, and the question being on the adoption of the proposed amendments previously recommended by the Committee on Judiciary (for amendments, see House Journal No. 47, p. 1073),

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

Rep. Vaughn moved to amend the bill as follows:

1. Amend page 2, line 20, after "1-" by striking out "OR 2-FAMILY" and inserting "TO 4-FAMILY".

The motion prevailed and the amendment was 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.

Senate Bill No. 330, entitled

A bill to amend 1929 PA 266, entitled "An act to protect the health, and promote the safety and welfare of the people, by regulating the installation, alteration, maintenance, improvement and inspection of plumbing; to define plumbing and the classification of plumbers; to provide for the issuing of licenses and permits pertaining thereto and the disposition of moneys derived therefrom; to create a plumbing board, and to prescribe its powers and duties; to authorize cities, villages and townships to adopt and enforce certain standards; to establish remedies and fix penalties for violation of the provisions of this act," (MCL 338.901 to 338.917) by adding section 4a.

Was read a second time, and the question being on the adoption of the proposed amendment previously recommended by the Committee on Judiciary (for amendment, see House Journal No. 47, p. 1074),

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

Rep. Vaughn moved to amend the bill as follows:

1. Amend page 2, line 14, after "1-" by striking out "OR 2-FAMILY" and inserting "TO 4-FAMILY".

The motion prevailed and the amendment was 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.

Senate Bill No. 331, entitled

A bill to amend 1956 PA 217, entitled "Electrical administrative act," by amending section 5 (MCL 338.885), as amended by 1992 PA 130.

Was read a second time, and the question being on the adoption of the proposed amendment previously recommended by the Committee on Judiciary (for amendment, see House Journal No. 47, p. 1074),

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

Rep. Vaughn moved to amend the bill as follows:

1. Amend page 2, line 17, after "1-" by striking out "OR 2-FAMILY" and inserting "TO 4-FAMILY".

The motion prevailed and the amendment was 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.

Senate Bill No. 808, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending section 1011 (MCL 600.1011), as added by 1996 PA 388; and to repeal acts and parts of acts.

The bill was read a second time.

Rep. Nye moved to amend the bill as follows:

1. Amend page 3, following line 24, by inserting:

"Enacting section 2. Section 222 of the revised judicature act of 1961, 1961 PA 236, MCL 600.222, is repealed effective January 1, 1999."

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

Rep. Nye moved to amend the bill as follows:

1. Amend page 1, following "THE PEOPLE OF THE STATE OF MICHIGAN ENACT:" by inserting:

"Sec. 821. (1) The following probate judges shall not engage in the practice of law other than as a judge and shall receive, subject to subsection (7), an annual salary provided in this section:

(a) A probate judge of a county that is not part of a proposed probate court district described in section 807.

(b) The probate judge in each probate court district in which a majority of the electors voting on the question in each county of probate court district has approved or approves creation of the district.

(c) A probate judge in a county having a population of 15,000 or more ACCORDING TO THE 1990 FEDERAL DECENNIAL CENSUS, if the county is not part of a probate court district created pursuant to law.

(2) Until the salary of a justice of the supreme court exceeds \$128,538.00, each probate judge shall receive an annual salary of \$109,257.00 determined as follows:

(a) A minimum annual salary of \$63,533.00.

(b) An additional salary of \$45,724.00 paid by the county or by the counties comprising a probate court district. If a probate judge receives a total additional salary of \$45,724.00 from the county, or from the counties comprising a probate court district, and does not receive less than or more than \$45,724.00, including any cost-of-living allowance, the state shall reimburse the county or counties the amount that the county or counties have paid to the judge.

(3) If the salary of a justice of the supreme court exceeds \$128,538.00, each probate judge shall receive an annual salary determined as follows:

(a) A minimum annual salary of the difference between 85% of the salary of a justice of the supreme court and \$45,724.00.

(b) An additional salary of \$45,724.00 paid by the county or by the counties comprising a probate court district. If a probate judge receives a total additional salary of \$45,724.00 from the county, or from the counties comprising a probate court district, and does not receive less than or more than \$45,724.00, including any cost-of-living allowance, the state shall reimburse the county or counties the amount that the county or counties have paid to the judge.

(4) Six thousand dollars of the minimum annual salary provided in subsection (2), (3), or (4) shall be paid by the county, or by the counties comprising a probate court district, and the balance of that minimum annual salary shall be paid by the state as a grant to the county or the counties comprising the probate court district. The county, or the counties comprising the probate court district, shall in turn pay that amount to the probate judge. Beginning January 1, 1997, the state shall annually reimburse the county or counties \$6,000.00 for each probate judge to offset the cost of the county or counties required by this section.

(5) The salary provided in this section shall be IS full compensation for all services performed by a probate judge, except as otherwise provided by law. In a probate court district, each county of the district shall contribute to the salary in the same proportion as the population of the county bears to the population of the district.

(6) An additional salary determined by the county board of commissioners may be increased during a term of office but shall not be decreased except to the extent of a general salary reduction in all other branches of government in the county. In a county where an additional salary is granted, it shall be paid at the same rate to all probate judges regularly holding court in the county.

(7) An increase in the amount of salary payable to a judge under subsection (1) caused by an increase in the salary payable to a justice of the supreme court resulting from the operation of Act No. 357 of the Public Acts of 1968, being sections 15.211 to 15.218 of the Michigan Compiled Laws, shall 1968 PA 357, MCL 15.211 TO 15.218, IS not be effective until February 1 of the year in which the increase in the salary of a justice of the supreme court becomes effective. If an increase in salary becomes effective on February 1 of a year in which an increase in the salary of a justice of the supreme court becomes effective, the increase shall be IS retroactive to January 1 of that year.

Sec. 822. (1) The probate judge of a county having a population of less than 15,000 ACCORDING TO THE 1990 FEDERAL DECENNIAL CENSUS and comprising part of a proposed probate court district in which the electors of 1 or more counties ~~thereof~~ OF THE PROBATE COURT DISTRICT did not approve the ~~same~~ PROBATE COURT DISTRICT shall receive an annual salary of \$20,000.00. Six thousand dollars of the minimum annual salary provided

by this subsection shall be paid by the county and the balance of the minimum annual salary shall be paid by the state as a grant to the county. The county shall, in turn, pay that amount to the probate judge.

(2) The annual salary provided in subsection (1) may be increased but shall not be decreased during the term for which the probate judge has been elected or appointed. This salary ~~shall be~~ IS in full compensation for all services performed by the person as probate judge, except as otherwise provided by law. A probate judge whose annual salary is provided in subsection (1) shall not represent a party in a contested proceeding in the probate court of this state.

(3) In addition to the salary provided in subsection (1), a probate judge may receive from the county in which he or she regularly holds court an additional salary of not more than \$43,000.00, as determined by the county board of commissioners. The additional salary may be increased during a term of office but shall not be decreased except to the extent of a general salary reduction in all other branches of government in the county.

(4) The total annual salary of a probate judge, including the salary provided in subsection (1) and any additional salary granted by the county under subsection (3), shall not exceed \$63,000.00.

(5) From funds appropriated to the judiciary, the state shall pay to a county described in subsection (1) a state salary standardization payment of \$5,750.00 for each probate judge and an additional payment of \$6,000.00 for each probate judge to offset the portion of minimum annual salary paid by the county.”

The motion prevailed and the amendment was 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.

House Bill No. 5887, entitled

A bill to amend 1982 PA 528, entitled “An act to authorize the department of natural resources to convey certain state owned property in Sanilac county; and to prescribe conditions for the conveyance,” by adding section 2a.

The bill was read a second time.

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

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

Rep. Rhead 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. 5887, entitled

A bill to amend 1982 PA 528, entitled “An act to authorize the department of natural resources to convey certain state owned property in Sanilac county; and to prescribe conditions for the conveyance,” by adding section 2a.

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

Roll Call No. 792

Yeas—103

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

Cherry	Harder	Nye	Vaughn
Crissman	Hood	Olshove	Voorhees
Cropsey	Horton	Owen	Walberg
Curtis	Jansen	Palamara	Wallace
Dalman	Jelinek	Parks	Wetters
DeHart	Jellema	Perricone	Willard
DeVuyst	Johnson	Price	Wojno
Dobb	Kaza	Profit	

Nays—0

In The Chair: Hanley

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 1982 PA 528, entitled "An act to authorize the department of natural resources to convey certain state owned property in Sanilac county; and to prescribe conditions for the conveyance," by amending the title and sections 2 and 3 and by adding sections 2a and 2b.

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.

—

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

Second Reading of Bills

Senate Bill No. 684, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 208b (MCL 257.208b), as added by 1997 PA 100.

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

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

Rep. Middaugh moved to amend the bill as follows:

1. Amend page 2, line 15, after "public" by inserting "THROUGH A WRITTEN PUBLICATION OR THROUGH ANY ELECTRONIC OR COMPUTERIZED MEDIA".

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

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

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

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

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

—

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

The motion prevailed.

By unanimous consent the House returned to the order of

Third Reading of Bills

Senate Bill No. 684, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 208b (MCL 257.208b), as added by 1997 PA 100.

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

Roll Call No. 793**Yeas—102**

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

Nays—0

In The Chair: Hanley

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 1949 PA 300, entitled "An act to provide for the registration, titling, sale, transfer, and regulation of certain vehicles operated upon the public highways of this state or any other place open to the general public or generally accessible to motor vehicles and distressed vehicles; to provide for the licensing of dealers; to provide for the examination, licensing, and control of operators and chauffeurs; to provide for the giving of proof of financial responsibility and security by owners and operators of vehicles; to provide for the imposition, levy, and collection of specific taxes on vehicles, and the levy and collection of sales and use taxes, license fees, and permit fees; to provide for the regulation and use of streets and highways; to create certain funds; to provide penalties and sanctions for a violation of this act; to provide for civil liability of owners and operators of vehicles and service of process on residents and nonresidents; to provide for the levy of certain assessments; to provide for the enforcement of this act; to provide for the creation of and to prescribe the powers and duties of certain state and local agencies; to repeal all other acts or parts of acts inconsistent with this act or contrary to this act; and to repeal certain parts of this act on a specific date," by amending section 208b (MCL 257.208b), as amended by 1998 PA 12.

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.

Second Reading of Bills**House Bill No. 5938, entitled**

A bill to amend 1980 PA 299, entitled "Occupational code," by amending section 2518 (MCL 339.2518), as amended by 1998 PA 90.

The bill was read a second time.

Rep. Middaugh 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. Wojno moved that Rep. Hale be excused temporarily from today's session.
The motion prevailed.

Rep. Curtis moved that Rep. Harder 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. 5938, entitled

A bill to amend 1980 PA 299, entitled "Occupational code," by amending section 2518 (MCL 339.2518), as amended by 1998 PA 90.

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

Roll Call No. 794

Yeas—95

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

Nays—1

Gustafson

In The Chair: Hanley

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

Second Reading of Bills

Senate Bill No. 37, entitled

A bill to amend 1957 PA 261, entitled "Michigan legislative retirement system act," (MCL 38.1001 to 38.1080) by adding section 23f.

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

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

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

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

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

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

Rep. Jansen moved that Rep. Jellema be excused temporarily from today's session.
The motion prevailed.

By unanimous consent the House returned to the order of

Third Reading of Bills

Senate Bill No. 37, entitled

A bill to amend 1957 PA 261, entitled "Michigan legislative retirement system act," (MCL 38.1001 to 38.1080) by adding section 23f.

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

Roll Call No. 795

Yeas—101

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

Nays—0

In The Chair: Hanley

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 1957 PA 261, entitled "An act for the creation, maintenance, and administration of a legislative members' and presiding officers' retirement system within the legislature; to provide retirement allowances to the participants of the retirement system, and survivors' allowances and other benefits to their beneficiaries upon death; to exempt those allowances and benefits from certain taxes and legal processes; to authorize and make appropriations for the retirement system; to prescribe the powers and duties of certain state departments, agencies, officials, and employees; and to prescribe penalties and provide remedies," by amending section 62 (MCL 38.1062), as added by 1996 PA 486.

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.

Second Reading of Bills

Senate Bill No. 1093, entitled

A bill to amend 1982 PA 239, entitled "An act to license and regulate animal food manufacturing plants, transfer stations, dead animal dealers, rendering plants, and certain vehicles; to regulate the disposal of dead animals and to provide for poultry composting; to prescribe the powers and duties of certain state departments; to impose fees; to prescribe penalties; and to repeal certain acts and parts of acts," by amending the title and sections 3, 15, 19, 21, 23, and 29 (MCL 287.653, 287.665, 287.669, 287.671, 287.673, and 287.679), the title and sections 3, 15, 19, 23, and 29 as amended by 1993 PA 228 and section 21 as amended by 1996 PA 65, and by adding section 28.

The bill was read a second time.

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

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

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

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

By unanimous consent the House returned to the order of

Third Reading of Bills

Senate Bill No. 1093, entitled

A bill to amend 1982 PA 239, entitled "An act to license and regulate animal food manufacturing plants, transfer stations, dead animal dealers, rendering plants, and certain vehicles; to regulate the disposal of dead animals and to provide for poultry composting; to prescribe the powers and duties of certain state departments; to impose fees; to prescribe penalties; and to repeal certain acts and parts of acts," by amending the title and sections 3, 15, 19, 21, 23, and 29 (MCL 287.653, 287.665, 287.669, 287.671, 287.673, and 287.679), the title and sections 3, 15, 19, 23, and 29 as amended by 1993 PA 228 and section 21 as amended by 1996 PA 65, and by adding section 28.

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

Roll Call No. 796

Yeas—93

Agee	Fitzgerald	Kelly	Profit
Alley	Frank	Kilpatrick	Prusi
Anthony	Freeman	Kukuk	Quarles
Baird	Gagliardi	LaForge	Raczkowski
Bankes	Galloway	Law	Rhead
Basham	Geiger	Leland	Richner
Birkholz	Gernaat	LeTarte	Rison
Bobier	Gilmer	Llewellyn	Rocca
Bodem	Gire	London	Sanborn
Bogardus	Godchaux	Lowe	Schauer
Brackenridge	Goschka	Mans	Scott
Brown	Green	McBryde	Scranton
Byl	Gubow	McManus	Sikkema
Callahan	Gustafson	McNutt	Stallworth
Cassis	Hammerstrom	Middaugh	Tesanovich
Cherry	Hanley	Middleton	Thomas

Crissman	Hertel	Murphy	Varga
Cropsey	Hood	Nye	Vaughn
Curtis	Horton	Olshove	Voorhees
Dalman	Jansen	Owen	Walberg
DeHart	Jelinek	Parks	Wetters
DeVuyst	Johnson	Perricone	Willard
Dobb	Kaza	Price	Wojno
Dobronski			

Nays—6

Brater	Mathieu	Schermesser	Schroer
Martinez	Palamara		

In The Chair: Hanley

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.

By unanimous consent the House returned to the order of

Messages from the Senate

The Senate returned, in accordance with the request of the House

House Bill No. 5627, 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.

Rep. Gagliardi moved that Rule 67 be suspended.

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

Rep. Gagliardi moved to reconsider the vote by which the House passed the bill.

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

Third Reading of Bills**House Bill No. 5627, 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.

The question being on the passage bill,

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

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

Rep. Middleton moved to amend the bill as follows:

1. Amend page 10, line 11, by striking out “TRACT” and inserting “POOL”.

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

The question being on the passage of the bill,

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

Roll Call No. 797**Yeas—99**

Agee	Dobronski	Kukuk	Prusi
Alley	Fitzgerald	LaForge	Quarles
Anthony	Frank	Law	Rackowski
Baade	Freeman	Leland	Rhead
Baird	Gagliardi	LeTarte	Richner
Bankes	Galloway	Llewellyn	Rison
Basham	Geiger	London	Rocca

Birkholz	Gernaat	Lowe	Sanborn
Bobier	Gilmer	Mans	Schauer
Bodem	Gire	Martinez	Schermesser
Bogardus	Godchaux	Mathieu	Schroer
Brackenridge	Goschka	McBryde	Scott
Brater	Green	McManus	Scranton
Brown	Gubow	McNutt	Sikkema
Byl	Gustafson	Middaugh	Stallworth
Callahan	Hammerstrom	Middleton	Tesanovich
Cassis	Hanley	Murphy	Thomas
Cherry	Hood	Nye	Varga
Crissman	Horton	Olshove	Vaughn
Cropsey	Jansen	Owen	Voorhees
Curtis	Jelinek	Palamara	Walberg
Dalman	Johnson	Parks	Wetters
DeHart	Kaza	Perricone	Willard
DeVuyst	Kelly	Price	Wojno
Dobb	Kilpatrick	Profit	

Nays—0

In The Chair: Hanley

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 1994 PA 451, entitled “Natural resources and environmental protection act,” by amending sections 61501, 61506, and 61525 (MCL 324.61501, 324.61506, and 324.61525), section 61501 as amended by 1998 PA 115 and sections 61506 and 61525 as added by 1995 PA 57, and by adding sections 61506b and 61513a.

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.

Second Reading of Bills

House Bill No. 4565, entitled

A bill to amend 1893 PA 206, entitled “The general property tax act,” (MCL 211.1 to 211.157) by adding section 9f.

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

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

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

House Bill No. 5581, entitled

A bill to amend 1937 PA 94, entitled “Use tax act,” by amending section 2 (MCL 205.92), as amended by 1995 PA 208.

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

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

Rep. Lowe moved to amend the bill as follows:

1. Amend page 6, line 27, after “THAN” by striking out “8” and inserting “5”.

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

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

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

House Bill No. 5945, entitled

A bill to amend 1937 PA 94, entitled "Use tax act," by amending section 3a (MCL 205.93a), as amended by 1993 PA 326. Was read a second time, and the question being on the adoption of the proposed substitute (H-1) previously recommended by the Committee on Tax Policy,

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

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

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

House Bill No. 5967, entitled

A bill to amend 1933 PA 167, entitled "General sales tax act," by amending section 4a (MCL 205.54a), as amended by 1996 PA 435.

The bill was read a second time.

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

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

House Bill No. 5968, entitled

A bill to amend 1937 PA 94, entitled "Use tax act," by amending section 4 (MCL 205.94), as amended by 1997 PA 194. The bill was read a second time.

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

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

House Bill No. 4090, entitled

A bill to amend 1893 PA 206, entitled "The general property tax act," by amending section 65 (MCL 211.65) and by adding section 70d.

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

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

Rep. Varga 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

Third Reading of Bills**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.

The bill was read a third time.

The question being on the passage of the bill,

Rep. Raczkowski moved to amend the bill as follows:

1. Amend page 1, line 1, after "SEC." by striking out "61506B." and inserting "61506C.".

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

The question being on the passage of the bill,

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

Roll Call No. 798**Yeas—98**

Agee	Fitzgerald	Kukuk	Profit
Alley	Frank	LaForge	Prusi
Anthony	Freeman	Law	Raczkowski
Baade	Gagliardi	Leland	Rhead
Baird	Galloway	LeTarte	Richner
Banks	Geiger	Llewellyn	Rison
Basham	Gernaat	London	Rocca
Birkholz	Gilmer	Lowe	Sanborn
Bobier	Gire	Mans	Schauer
Bodem	Godchaux	Martinez	Schermesser
Bogardus	Goschka	Mathieu	Schroer
Brackenridge	Green	McBryde	Scott

Brater	Gubow	McManus	Scranton
Brown	Gustafson	McNutt	Sikkema
Byl	Hale	Middaugh	Stallworth
Callahan	Hammerstrom	Middleton	Tesanovich
Cassis	Hanley	Murphy	Thomas
Cherry	Hood	Nye	Varga
Crissman	Horton	Olshove	Vaughn
Cropsey	Jansen	Owen	Voorhees
Curtis	Jelinek	Palamara	Walberg
Dalman	Jellema	Parks	Wetters
DeVuyst	Kaza	Perricone	Willard
Dobb	Kelly	Price	Wojno
Dobronski	Kilpatrick		

Nays—0

In The Chair: Hanley

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 1994 PA 451, entitled “Natural resources and environmental protection act,” (MCL 324.101 to 324.90106) by adding section 61506c.

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.

Rep. Hale, 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. 794-797. Had I been present, I would have voted ‘yes’.”

Rep. Walberg moved that Rep. Nye be excused temporarily from today’s session.

The motion prevailed.

Rep. Gagliardi moved that the **House Bill No. 4090** be placed on its immediate passage.

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

House Bill No. 4090, entitled

A bill to amend 1893 PA 206, entitled “The general property tax act,” by amending section 65 (MCL 211.65) and by adding section 70d.

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

Roll Call No. 799**Yeas—97**

Agee	Fitzgerald	Kelly	Prusi
Alley	Frank	Kilpatrick	Quarles
Anthony	Freeman	Kukuk	Raczkowski
Baade	Gagliardi	LaForge	Rhead
Baird	Galloway	Law	Richner
Bankes	Geiger	Leland	Rison
Basham	Gernaat	LeTarte	Rocca
Birkholz	Gilmer	Llewellyn	Sanborn
Bobier	Godchaux	London	Schauer
Bodem	Goschka	Lowe	Schermesser

Bogardus	Green	Mans	Schroer
Brackenridge	Gubow	Martinez	Scott
Brater	Gustafson	Mathieu	Scranton
Brown	Hale	McBryde	Sikkema
Byl	Hammerstrom	McManus	Stallworth
Callahan	Hanley	McNutt	Tesanovich
Cassis	Harder	Middaugh	Thomas
Cherry	Hood	Middleton	Varga
Crissman	Horton	Olshove	Vaughn
Cropsey	Jansen	Owen	Voorhees
Curtis	Jelinek	Parks	Walberg
Dalman	Jellema	Perricone	Wetters
DeVuyst	Johnson	Price	Willard
Dobb	Kaza	Profit	Wojno
Dobronski			

Nays—0

In The Chair: Hanley

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. Anthony, Baade, Basham, Birkholz, Bodem, Bogardus, Brackenridge, Brater, Brown, Byl, Callahan, Cassis, Crissman, Dobb, Dobronski, Freeman, Gagliardi, Gilmer, Goschka, Jansen, Jelinek, Jellema, Kaza, Kelly, Kukuk, Law, Llewellyn, London, Lowe, Mans, Martinez, McBryde, Middaugh, Middleton, Murphy, Olshove, Parks, Perricone, Profit, Prusi, Quarles, Raczkowski, Richner, Rison, Rocca, Sanborn, Schauer, Schermesser, Scott, Scranton, Tesanovich, Thomas, Voorhees, Willard and Wojno were named co-sponsors of the bill.

—

Rep. Bodem, 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. 766-790. Had I been present, I would have voted ‘yes’.”

The Speaker resumed the Chair.

By unanimous consent the House returned to the order of

Reports of Select Committees

Rep. Gagliardi moved that **House Bill No. 5594** bill be re-referred to the conference committee.

The motion prevailed.

—

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

By unanimous consent the House returned to the order of

Motions and Resolutions

Reps. Wojno, Freeman, Kukuk, Dobronski, Baird, Kelly, Prusi, Cherry, LaForge, Lowe, Richner, Voorhees, Rocca, Galloway, London, Bodem, Goschka, McNutt, Birkholz and Scott offered the following resolution:

House Resolution No. 346.

A resolution of tribute honoring Lieutenant Kenneth T. Arthurs.

Whereas, It is with gratitude and admiration that we salute Lieutenant Kenneth T. Arthurs of the Center Line Department of Public Safety upon the occasion of his retirement. As someone who has taken on one of society’s most

difficult tasks each day throughout his career, Kenneth T. Arthurs has earned the respect of the entire city of Center Line and all of Michigan; and

Whereas, In his nearly 12 years in law enforcement, Kenneth T. Arthurs has been a key contributor to the order and justice that distinguish our country from most of the world. With a personal respect for the law and a strong personal sense of duty, this dedicated professional has faced dangers and risks most of us cannot imagine facing. Over the years, Kenneth T. Arthurs has met the unique challenges of police work with conscientiousness and diligence, even when confronted with sides of life most people would hope never to see; and

Whereas, Lieutenant Arthurs began his law enforcement career on October 13, 1986, when he joined the Detroit Police Department. He joined the Center Line Department of Public Safety on April 14, 1989, as a Public Safety Officer. On July 11, 1994, Officer Arthurs was promoted to Sergeant and was given command of the Detective Bureau. He served with distinction in this assignment, investigating and closing several major criminal cases; and

Whereas, Lieutenant Arthurs has distinguished himself as a true public safety professional. During his tenure with the Center Line Department of Public Safety he served as the Commanding Officer of the Detective Bureau, Commanding Officer of the Special Operations Group, Commanding Officer of Fire Services, Hostage Negotiator, Arson Investigator, Firearms Instructor, Fire Service Instructor, Fire Code Inspector, and President of the Center Line Public Safety Officers/Dispatchers Association; and

Whereas, Lieutenant Arthurs' devotion to the highest standard of excellence is exhibited through his numerous awards and citations. Lieutenant Arthurs is the recipient of five Letters of Commendation, five Director's Merit Awards, one Special Operations Group Award, one Barricaded Gunman Entry Award, three Meritorious Service Citations, and one Director's Distinguished Service Award, a total of 16 awards and citations; and

Whereas, On December 8, 1994, Sergeant Arthurs was promoted to the rank of Lieutenant and was assigned to Fire Services. He served as the Lieutenant of Fire Services until October 21, 1997 when he suffered a serious back injury in the line of duty. Tragically, a very successful career was cut short; now, therefore, be it

Resolved by the House of Representatives, That members of this legislative body salute Kenneth T. Arthurs as he retires following 9 years of outstanding service as a member of the Center Line Department of Public Safety. Center Line and the entire Great Lakes State can be thankful for Lieutenant Kenneth T. Arthurs, truly one of Center Line and Michigan's finest. We offer our best wishes to Lieutenant Arthurs and his family for the health and happiness he has truly earned; and be it further

Resolved, That a copy of this resolution be transmitted to Lieutenant Arthurs as a symbol of our appreciation for his fine service to the people of the State of Michigan.

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. Martinez, Freeman, Dobronski, Baird, Harder, Wojno, Kelly, Schroer, Prusi, Cherry, LaForge, Voorhees, London, Bodem, Goschka and Scott offered the following resolution:

House Resolution No. 347.

A resolution honoring Richard Christmas for his tireless efforts in support of the space program and proclaiming July 20, 1998, as "Richard Christmas Day" in Michigan.

Whereas, A citizen of the United States of America, Richard Christmas has been interested in the success of our space program since October 1, 1958. This year, 1998, marks the 40th year Richard Christmas has actively continued to promote and support that interest. As with so many Americans, Richard Christmas' imagination was stirred by the limitless possibilities of space travel. Indeed, this subject has excited people the world over for generations. Countless authors have found in space exploration a subject of monumental proportions and have written engrossing tales under the heading "science fiction". Fiction and facts were merging together during the 1960's until, finally, on June 20, 1969, an astounding event took place. The words "the Eagle has landed" were heard the world over and people from every land learned that the United States of America had landed a man on the moon; and

Whereas, Since October of 1971, Richard Christmas has written to various government officials in support of space exploration, and in 1976, President Gerald R. Ford proclaimed July 20, 1976, Space Exploration Day. Indeed, we have just cause to be proud of Mr. Richard Christmas and his support of the space program. All the citizens of this great state benefit from the patriotism of a man like Richard Christmas; and

Whereas, We commend Richard Christmas for his enthusiasm and dedication to the Space Program upon the 22nd anniversary that President Gerald Ford proclaimed July 20, 1976, as Space Exploration Day; now, therefore, be it

Resolved by the House of Representatives, That July 20, 1998, be proclaimed as "Richard Christmas Day" in Michigan; and be it further

Resolved, That a copy of this resolution be transmitted to Richard as a token of our esteem.

Pending the reference of the resolution to a committee,

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

The motion prevailed, 3/5 of the members present voting therefor.
 The question being on the adoption of the resolution,
 The resolution was adopted, a majority of the members serving voting therefor.

Reps. Profit, Freeman, Dobronski, Harder, Gernaat, Wojno, Kelly, Prusi, Kaza, Cherry, LaForge, Richner, Voorhees, Rocca, London, Bodem, Goschka, McNutt, Birkholz, Hammerstrom and Scott offered the following resolution:

House Resolution No. 348.

A resolution honoring Judge Milton L. Mack, Jr. for his many years of public service.

Whereas, Milton L. Mack, Jr. is a citizen of the State of Michigan who is worthy of our highest praise and esteem for the extraordinary contributions he has made to the betterment of the lives of many people in our state. A Wayne County Probate Judge since 1990, Judge Mack has found time to offer his expertise and knowledge to a number of organizations thereby enhancing their ability to offer service; and

Whereas, Judge Mack, a 1975 graduate of Wayne State University where he obtained his law degree, is well known throughout Wayne County. For many years, he served as Councilman for the City of Wayne and as a Wayne County Commissioner. In addition, Judge Mack served on the Southeast Michigan Council of Governments in various capacities, including chairperson. He is a founding member of the Wayne State University Library Advisory Board, a member of the NCAA Divisional Affiliation Review Committee of Wayne State University, Chairman of the Board of Trustees of the Oakwood Healthcare System, and a member of the Board of Editors of The Regionalist; and

Whereas, A sagacious public official, Judge Mack has also been a most active member of the community. He is associated with many other entities including the National Association of Regional Councils, the Barbara Ann Karmanos Cancer Institute, United Care, Inc., Peoples Community Hospital Authority, Metropolitan Affairs Coalition, Greater Detroit/Southeast Michigan Chamber of Commerce, and the Metropolitan Growth & Development Corporation. For the past eight years, however, he has been a champion of justice from the court bench, utilizing decisiveness and compassion as he has served as Judge of Probate for Wayne County; and

Whereas, Judge Mack's contributions to public service have been recognized through various awards including the 1996 Golden Gavel Award from the Wayne County Probate Bar Association, the 1995 Taubman Company Fellowship for Executive Excellence, the 1995 Regional Ambassador Award from the Southeast Michigan Council of Governments, the 1990 Outstanding Elected Public Official of the Year from the Detroit Metropolitan Chapter of the American Society for Public Administration, the 1983 Distinguished Alumni Award from Wayne Memorial High School, the 1982 Outstanding Young Man Award from the City of Wayne Jaycees, and the 1972 Top Ten Student Award from Eastern Michigan University; now therefore be it

Resolved by the Michigan House of Representatives, That we hereby commend Judge Milton L. Mack, Jr. on his distinguished service not only with the bench, but also through his tireless commitment to many worthy endeavors; and be it further

Resolved, That a copy of this resolution is transmitted to Judge Milton L. Mack, Jr. as evidence of our highest esteem and appreciation of his efforts.

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. London, Freeman, Kukuk, Dobronski, Harder, Brackenridge, Gernaat, Cropsey, Jellema, Walberg, Wojno, Kelly, Schroer, Prusi, Kaza, Cherry, LaForge, Lowe, Richner, Cassis, Voorhees, Rocca, Galloway, Bodem, Goschka, McNutt, Birkholz, Hammerstrom, Sanborn, Scott and Scranton offered the following resolution:

House Resolution No. 349.

A resolution recognizing the 75th Anniversary of the Michigan Dental Hygienists' Association.

Whereas, The Michigan Dental Hygienists' Association was established in 1923, and is now celebrating its 75th Anniversary; and

Whereas, The organization began with nine members and now is the largest professional dental hygiene organization in Michigan, where over 7,000 dental Hygienists are licensed; and

Whereas, The Michigan Dental Hygienists' Association is dedicated to the public's total health through the practice of the highest standards of dental hygiene education; and

Whereas, Dr. Alfred Fones is known as the "Father of Dental Hygiene". He practiced dentistry in Bridgeport, Connecticut and in 1906 began teaching his office assistant, Irene Newman, to perform preventative oral hygiene services; and

Whereas, By 1913, Dr. Fones had launched his training program in practical labs based in his home. Twenty-seven dental hygienists graduated from the first program on June 6, 1914; and

Whereas, Russell W. Bunting, DDS, Dean of the School of Dentistry at the University of Michigan, initiated dental hygiene education at that institution in 1921. For his staunch support, he became known as the "Father of the Michigan Dental Hygiene Movement". Michigan now boasts 12 accredited dental hygiene programs; and

Whereas, The first licensure act for dental hygiene education was passed in 1923, with enforcement and administrative rules determined by the Board of Dentistry, consisting of all dentist members; and

Whereas, Following a court ruling which established dental hygiene as a profession, the membership of the Board of Dentistry was expanded in 1978 to include two dental hygiene representatives, Sally Deck, RDH and Carol Short, RDH; and

Whereas, The Michigan Dental Hygienists' Association continues to seek a more fair regulatory structure over the practice of dental hygiene as a means of ensuring the safety and welfare of the public; and

Whereas, Michigan Dental Hygienists' Association has supported changes in public policy to improve access to, and the quality of, preventative oral health care services. These have included: Public Act 58 of 1991, which permits alternative practice arrangements to facilitate the provision of dental hygiene services in public health settings; passage of administrative rules in 1991, requiring continuing education for dental hygiene relicensure and MI CHILD - a new insurance program for uninsured, low-income children, which includes oral health care services; now, therefore, be it

Resolved by the House of Representatives, That we congratulate the members of the Michigan Dental Hygienists' Association on their 75th Anniversary and commend them for their valuable contribution to accessible, high quality oral health care for the people of Michigan; and be it further

Resolved, That a copy of this resolution be transmitted to the members of the association as a reflection of our esteem.

Pending the reference of the resolution to a committee,

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

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

The question being on the adoption of the resolution,

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

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

House Resolution No. 350.

A resolution recognizing the Sesquicentennial Anniversary of the founding of the Charter Township of Marquette.

Whereas, During the week of July 27-August 2, 1998, the people who reside in the township of Marquette will join with a number of visitors and friends in celebrating the founding of their township 150 years ago. The citizens of Marquette Township will look back with pride upon the history of their community which stands today as it has for 150 years—strengthened by family unity, old-fashioned American values, and hope for the future; and

Whereas, The Charter Township of Marquette, in Marquette County, was established by the state legislature on February 15, 1848. The township had 19 people voting out of a population of 136 people. Amos Harlow was elected township supervisor and Robert J. Graveraet was elected township clerk and treasurer. They would surely be amazed at the generations of change that have visited their township; and

Whereas, The first settlers came to Marquette Township because of the discovery of iron ore and gold. The railroads were built to move the iron ore. Blast furnaces were built to produce pig iron. One of the first and finest blast furnaces in the whole Upper Peninsula was built by the Bancroft Iron Company located in Marquette Township. Farmers and miners were among the majority of the early residents of the area, and they offer quite a contrast to today's professionals and employees in technical and service industries. However, the quiet, welcoming appeal of this enjoyable township community has remained unchanged and the citizens of Marquette Township can count themselves especially fortunate, for its future also looks bright; and

Whereas, The 150th anniversary of the founding of Marquette Township promises to be filled with wonderful events in an effort to celebrate one of Michigan's outstanding hometowns. The gala Sesquicentennial Celebration in Marquette Township will involve nature hikes, tours of historical sites, dinners, picnics, an antique car show, and a parade. This will be an especially enjoyable celebration with fun and wholesome good times for everyone; now, therefore, be it

Resolved by the House of Representatives, That township officials and citizens of Marquette Township know of our congratulations on this notable milestone in the rich history of their community and of our best wishes for many more such happy events; and be it further

Resolved, That copies of this resolution be forwarded to the Marquette Township Sesquicentennial Committee as a token of our esteem.

Pending the reference of the resolution to a committee,

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

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

The question being on the adoption of the resolution,

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

Reps. Kaza and Cropsey offered the following resolution:

House Resolution No. 351.

A resolution to memorialize Congress to remove the prohibition on the manufacture and importation of certain semi-automatic firearms that have been inaccurately labeled as "assault weapons".

Whereas, An "assault weapon" is a military firearm capable of firing in a fully automatic mode, wherein the weapon will fire continuously as long as the trigger is held down, until the magazine or ammunition storage device is empty, at a rate of fire from 450 to 1,200 rounds per minute; and

Whereas, Such weapons have been strictly controlled at the federal level since 1934. An individual who wishes to acquire such a weapon must undergo an FBI background check, receive written authorization from the local chief of police or sheriff, and pay a \$200 tax per weapon; and

Whereas, In Michigan, notwithstanding these onerous federal requirements, ownership of such weapons has been absolutely prohibited since 1927; and

Whereas, Semi-automatic firearms, which fire just one round when the trigger is depressed, have been available and in use among civilians since the late 19th century; and

Whereas, The rate of fire achievable by semi-automatic firearms is not significantly different from other repeating firearms, such as lever-action and pump-action rifles and shotguns which have been in general use since the time of the Civil War, and is a fraction of the rate of fire of prohibited fully automatic firearms; and

Whereas, Most semi-automatic so-called "assault weapons" fire cartridges which are significantly less powerful than those fired by common deer-hunting rifles, leading to the possibility that a so-called "assault weapon" ban could actually result in a higher proportion of shooting deaths, as criminals continue to use more traditional firearms which typically fire more powerful cartridges and more lethal bullets; and

Whereas, The manufacture of certain semi-automatic firearms inaccurately labeled "assault weapons" was prohibited by the Congress in 1994, and the importation of certain semi-automatic firearms inaccurately labeled "assault weapons" was banned by President Bush in 1989, the criteria for prohibition being based on purely cosmetic features such as the existence of a flash hider, a bayonet lug, or a pistol grip which have no effect whatsoever on a firearm's functionality; and

Whereas, After some manufacturers of imported semi-automatic firearms which were banned from importation in 1989 removed those cosmetic features which caused their prohibition, making them comply with the arbitrary appearance factors deemed acceptable by those who favored the ban, the firearms were again prohibited from importation by an executive fiat of President Clinton, who has claimed that these firearms "are not particularly suitable for sporting purposes;" and

Whereas, Semi-automatic firearms can be particularly suitable for self-defense, a use which is far more important than "sporting purpose." In fact, these weapons have played a role in protecting the lives of innocent citizens from lawless gangs and hoodlums in numerous incidents, such as the Los Angeles riots of 1991, when many Korean citizens targeted by mobs were able to save themselves from death or injury because they possessed semi-automatic firearms, in most cases not needing to discharge the weapon, its presence alone being sufficient to deter law breakers; and

Whereas, There is no evidence that semi-automatic firearms which have been banned as so-called "assault weapons" are involved to any significant extent in criminal activity, as indicated by police records from around the nation which show that the percentage of firearms seized after being used in crimes that are semi-automatic so-called "assault weapons" is less than two percent; and

Whereas, Further evidence that semi-automatic so-called "assault weapons" are not involved to any significant extent in criminal activity is found in police statistics on incidents in which shots are traded between police and criminals, which show that the average number of shots fired by criminals in such incidents is only three per incident, indicating that firearms capable of discharging a large number of rounds are not a major problem; now, therefore, be it

Resolved by the House of Representatives, That we hereby memorialize Congress to repeal the ban on the manufacture of certain semi-automatic firearms that have been inaccurately labeled as "assault weapons," a ban based on purely irrational and arbitrary cosmetic factors which have nothing to do with the function and operation of these firearms; and be it further

Resolved, That we hereby memorialize Congress to remove from the United States Department of Treasury the authority to ban the importation of certain semi-automatic firearms inaccurately labeled as "assault weapons," authority which is based on the vague and arbitrary standard of "not being considered particularly suitable for sporting purposes;" and be it further

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

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

Reports of Standing Committees

The Committee on Transportation, by Rep. Leland, Chair, reported

Senate Bill No. 941, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending sections 41a, 226a, 248, 251, 801, and 807 (MCL 257.41a, 257.226a, 257.248, 257.251, 257.801, and 257.807), sections 41a, 248, 251, and 807 as amended by 1993 PA 300, section 226a as amended by 1996 PA 59, and section 801 as amended by 1997 PA 80.

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

1. Amend page 35, line 24, after "FEE" by striking out "SHALL INCREASE" and inserting "OF \$148.00 SHALL BE INCREASED".

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

Favorable Roll Call

SB 941 To Report Out:

Yeas: Reps. Leland, Baade, Scott, Wojno, London, Birkholz, Byl, Gernaat, Green,

Nays: None.

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Leland, Chair of the Committee on Transportation, was received and read:
Meeting held on: Wednesday, July 1, 1998, at 9:00 a.m.,

Present: Reps. Leland, Baade, Scott, Wojno, London, Birkholz, Byl, Gernaat, Green,

Absent: Reps. Schermesser, Brown, Curtis, Mans, Olshove, Schauer, Galloway, Middleton,

Excused: Reps. Schermesser, Brown, Curtis, Mans, Olshove, Schauer, Galloway, Middleton.

Messages from the Senate

House Bill No. 4332, entitled

A bill to amend 1933 (Ex Sess) PA 8, entitled "An act to create a commission for the control of the alcoholic beverage traffic within this state, and to prescribe its powers, duties, and limitations; to provide for powers and duties for certain state departments and agencies; to impose certain taxes for certain purposes; to provide for the control of the alcoholic liquor traffic within this state and to provide for the power to establish state liquor stores; to provide for the care and treatment of alcoholics; to provide for the incorporation of farmer cooperative wineries and the granting of certain rights and privileges to those cooperatives; to provide for the licensing and taxation of activities regulated under this act and the disposition of the money received under this act; to prescribe liability for retail licensees under certain circumstances and to require security for that liability; to provide procedures, defenses, and remedies regarding violations of this act; to provide for the enforcement and to prescribe penalties for violations of this act; to provide for allocation of certain funds for certain purposes; to provide for the confiscation and disposition of property seized under this act; to provide referenda under certain circumstances; and to repeal acts and parts of acts," by amending section 19c (MCL 436.19c), as amended by 1996 PA 440.

The Senate has concurred in the House amendments to the Senate substitute (S-1).

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

House Bill No. 5418, entitled

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," by amending sections 225, 8134, 8142, and 8159 (MCL 500.225, 500.8134, 500.8142, and 500.8159), section 225 as added by 1994 PA 228, section 8134 as added by 1989 PA 302, and sections 8142 and 8159 as amended by 1996 PA 429, and by adding sections 478, 479, and 480.

The Senate has concurred in the House amendments to the Senate substitute (S-2), agreed to the title as amended and pursuant to Joint Rule 20 inserted the full title.

The House agreed to the full title.

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

House Bill No. 5588, entitled

A bill to make appropriations for the department of agriculture for the fiscal year ending September 30, 1999; to provide for the expenditure of the appropriations; to create funds; to provide for the imposition of fees; to require reports, audits, and plans; to authorize certain transfers by certain state agencies; and to provide for the disposition of fees and other income received by certain state agencies.

(For text of conference report, see House Journal No. 66, p. 1790.)

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

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

House Bill No. 5589, entitled

A bill to make appropriations for the department of environmental quality for the fiscal year ending September 30, 1999; to provide for the expenditure of those appropriations; to create funds and accounts; to require reports; to

prescribe certain powers and duties of certain state agencies and officials; to authorize certain transfers by certain state agencies; and to provide for the disposition of fees and other income received by the various state agencies.

(For text of conference report, see House Journal No. 66, p. 1774.)

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

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

House Bill No. 5590, entitled

A bill to make appropriations for the family independence agency and certain state purposes related to public welfare services for the fiscal year ending September 30, 1999; to provide for the expenditure of the appropriations; to create funds; to provide for the imposition of fees; to provide for reports; to provide for the disposition of fees and other income received by the state agency; and to provide for the powers and duties of certain individuals, local governments, and state departments, agencies, and officers.

(For text of conference report, see House Journal No. 66, p. 1783.)

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

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

House Bill No. 5591, entitled

A bill to make appropriations for the department of natural resources for the fiscal year ending September 30, 1999; to provide for the expenditure of those appropriations; to create funds and accounts; to require reports; to prescribe certain powers and duties of certain state agencies and officials; to authorize certain transfers by certain state agencies; and to provide for the disposition of fees and other income received by the various state agencies.

(For text of conference report, see House Journal No. 66, p. 1758.)

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

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

House Bill No. 5592, entitled

A bill to make appropriations for the departments of consumer and industry services and Michigan jobs commission and certain other state purposes for the fiscal year ending September 30, 1999; to provide for the expenditure of those appropriations; to provide for the imposition of certain fees; to provide for the disposition of fees and other income received by the state agencies; to provide for reports to certain persons; and to prescribe powers and duties of certain state departments and certain state and local agencies and officers.

(For text of conference report, see House Journal No. 65, p. 1700.)

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

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

House Bill No. 5593, entitled

A bill to make appropriations for the department of state police and certain other state purposes for the fiscal year ending September 30, 1999; to provide for the expenditure of those appropriations; to provide for certain reports and the consideration of those reports; to provide for the disposition of other income received by the various state agencies; to provide for the testing of certain persons; to provide for certain emergency powers; and to provide for the powers and duties of certain committees, certain state agencies, and certain employees.

(For text of conference report, see House Journal No. 65, p. 1711.)

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

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

House Bill No. 5595, entitled

A bill to make appropriations for the departments of attorney general, civil rights, civil service, management and budget, state, and treasury, the executive office, and the legislative branch for the fiscal year ending September 30, 1999; to provide for the expenditure of these appropriations; to provide for the funding of certain work projects; to provide for the imposition of certain fees; to establish or continue certain funds, programs, and categories; to prescribe certain requirements for bidding on state contracts; to provide for disposition of year-end balances for the fiscal year ending September 30, 1999; to prescribe the powers and duties of certain principal executive departments and state agencies, officials, and employees; and to provide for the disposition of fees and other income received by the various principal executive departments and state agencies.

(For text of conference report, see House Journal No. 65, p. 1714.)

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

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

House Bill No. 5597, entitled

A bill to make appropriations for the department of military and veterans affairs for the fiscal year ending September 30, 1999; to provide for the expenditure of the appropriations; to provide for certain powers and duties of the department of military and veterans affairs, other state agencies, and local units of government related to the appropriations; and to provide for the preparation of certain reports related to the appropriations.

(For text of conference report, see House Journal No. 65, p. 1729.)

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

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

House Bill No. 5888, entitled

A bill to amend 1945 PA 327, entitled "Aeronautics code of the state of Michigan," by amending sections 20c and 24a (MCL 259.20c and 259.24a), as added by 1996 PA 370, and by adding chapter IA and section 20d; and to repeal acts and parts of acts.

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

The House agreed to the full title.

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

House Bill No. 5866, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 8501 and 8511 (MCL 324.8501 and 324.8511), as added by 1995 PA 60, and by adding section 8517.

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

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

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

The Senate returned, in accordance with the request of the House

Senate Bill No. 200, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," (MCL 750.1 to 750.568) by adding section 329a.

The Speaker announced that the bill was laid over one day.

Senate Bill No. 273, entitled

A bill to amend 1994 PA 451, entitled "An act to protect the environment and natural resources of the state; to codify, revise, consolidate, and classify laws relating to the environment and natural resources of the state; to regulate the discharge of certain substances into the environment; to regulate the use of certain lands, waters, and other natural resources of the state; to prescribe the powers and duties of certain state and local agencies and officials; to provide for certain charges, fees, and assessments; to provide certain appropriations; to prescribe penalties and provide remedies; to repeal certain parts of this act on a specific date; and to repeal certain acts and parts of acts," by amending section 82113 (MCL 324.82113), as amended by 1997 PA 102.

The Senate has amended the House substitute (H-5) as follows:

1. Amend page 5, line 9, after "BE" by striking out the balance of the line through "1998," on line 10 and inserting "AS PRESCRIBED BY THE DEPARTMENT. BEGINNING JULY 1, 1999,".

2. Amend page 6, line 1, by striking out all of enacting section 1.

The Senate has concurred in the House substitute (H-5) as amended.

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

Senate Bill No. 1209, entitled

A bill to amend 1975 PA 238, entitled "Child protection law," by amending section 18 (MCL 722.638), as added by 1997 PA 168.

The Senate has passed the bill.

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

Senate Bill No. 1210, entitled

A bill to amend 1978 PA 642, entitled "Revised probate code," by amending section 424 (MCL 700.424), as amended by 1996 PA 8.

The Senate has passed the bill.

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

Senate Bill No. 1211, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending sections 2637, 2640, 16648, 18117, and 18237 (MCL 333.2637, 333.2640, 333.16648, 333.18117, and 333.18237), section 2640 as added by 1996 PA 307 and sections 16648, 18117, and 18237 as amended by 1993 PA 79, and by adding section 16281.

The Senate has passed the bill.

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

Senate Bill No. 1212, entitled

A bill to amend 1994 PA 203, entitled "Foster care and adoption services act," by amending section 6 (MCL 722.956).

The Senate has passed the bill.

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

Senate Bill No. 1213, entitled

A bill to amend 1982 PA 294, entitled "Friend of the court act," (MCL 552.501 to 552.535) by adding section 20a.

The Senate has passed the bill.

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

Senate Bill No. 1214, entitled

A bill to amend 1975 PA 238, entitled "Child protection law," (MCL 722.621 to 722.638) by adding section 626a.

The Senate has passed the bill.

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

Notices

Public Hearing

Subcommittee on Explore the Environmental Sensitivity of the Michigan Tax Code

Date: Monday, August 17, 1998

Time: 2:00 p.m.

Place: Eagle Crest Club House, 1275 Huron Street, Ypsilanti, Michigan

Rep. Profit
Chair

Agenda: Final report of the environmental sensitivity subcommittee
and any/or all business properly before the subcommittee

Announcement by the Clerk of Printing and Enrollment

The Clerk announced that the following bill had been printed and placed upon the files of the members, Friday, June 26:

Senate Bill No. 1225

The Clerk announced that the following bills had been printed and placed upon the files of the members, Monday, June 29:

Senate Bill Nos. 1215 1216 1217 1218 1219 1220 1221 1222 1223 1224

The Clerk announced that the following bill had been printed and placed upon the files of the members, Wednesday, July 1:

House Bill No. 5978

The Clerk announced that the following Senate bill had been received on Wednesday, July 1:

Senate Bill No. 1225

The Clerk announced that the following Senate bills had been approved and signed by the Governor:

Enrolled Senate Bill No. 554 - Public Act No. 138

Enrolled Senate Bill No. 729 - Public Act No. 139

Enrolled Senate Bill No. 730 - Public Act No. 140

Enrolled Senate Bill No. 731 - Public Act No. 141

Messages from the Governor

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

Date: July 1, 1998

Time: 8:55 a.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 4173 (Public Act No. 205, I.E.), being

An act to amend 1943 PA 240, entitled “An act to provide for a state employees’ retirement system; to create a state employees’ retirement board and prescribe its powers and duties; to establish certain funds in connection with the retirement system; to require contributions to the retirement system by and on behalf of members and participants of the retirement system; to create certain accounts and provide for expenditures from those accounts; to prescribe the powers and duties of certain state and local officers and employees and certain state departments and agencies; and to prescribe penalties and provide remedies,” by amending sections 1a, 17j, 19, and 31 (MCL 38.1a, 38.17j, 38.19, and 38.31), section 1a as amended by 1995 PA 176, section 17j as amended by 1989 PA 9, section 19 as amended by 1996 PA 521, and section 31 as amended by 1991 PA 48, and by adding section 17m; and to repeal acts and parts of acts.

(Filed with the Secretary of State July 1, 1998, at 1:00 p.m.)

Date: July 1, 1998

Time: 9:30 a.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 4289 (Public Act No. 206, I.E.), being

An act to amend 1931 PA 328, entitled “An act to revise, consolidate, codify and add to the statutes relating to crimes; to define crimes and prescribe the penalties therefor; to provide for restitution under certain circumstances; to provide for the competency of evidence at the trial of persons accused of crime; to provide immunity from prosecution for certain witnesses appearing at such trials; and to repeal certain acts and parts of acts inconsistent with or contravening any of the provisions of this act,” by amending sections 200, 201, 204, and 211a (MCL 750.200, 750.201, 750.204, and 750.211a) and by adding section 209a.

(Filed with the Secretary of State July 1, 1998, at 1:02 p.m.)

Date: July 1, 1998

Time: 11:06 a.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 4363 (Public Act No. 210, I.E.), being

An act to amend 1994 PA 451, entitled “An act to protect the environment and natural resources of the state; to codify, revise, consolidate, and classify laws relating to the environment and natural resources of the state; to regulate the discharge of certain substances into the environment; to regulate the use of certain lands, waters, and other natural resources of the state; to prescribe the powers and duties of certain state and local agencies and officials; to provide for certain charges, fees, and assessments; to provide certain appropriations; to prescribe penalties and provide remedies; to repeal certain parts of this act on a specific date; and to repeal certain acts and parts of acts,” by amending sections 78101 and 78110 (MCL 324.78101 and 324.78110), as added by 1995 PA 58, and by adding sections 78113, 78114, 78115, and 78116.

(Filed with the Secretary of State July 1, 1998, at 1:10 p.m.)

Date: July 1, 1998

Time: 9:10 a.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 4524 (Public Act No. 211, I.E.), being

An act to amend 1961 PA 236, entitled “An act to revise and consolidate the statutes relating to the organization and jurisdiction of the courts of this state; the powers and duties of such courts, and of the judges and other officers thereof; the forms and attributes of civil claims and actions; the time within which civil actions and proceedings may be brought in said courts; pleading, evidence, practice and procedure in civil and criminal actions and proceedings in said courts; to provide remedies and penalties for the violation of certain provisions of this act; and to repeal all acts and parts of acts inconsistent with, or contravening any of the provisions of this act,” (MCL 600.101 to 600.9948) by adding section 2922a.

(Filed with the Secretary of State July 1, 1998, at 1:12 p.m.)

Date: July 1, 1998

Time: 8:45 a.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 4860 (Public Act No. 212, I.E.), being

An act to amend 1967 PA 150, entitled “An act to provide for the militia of this state and its organization, command, personnel, administration, training, supply, discipline, employment and retirement, and to repeal certain acts and parts of acts,” by amending the title and sections 105, 159, and 179 (MCL 32.505, 32.559, and 32.579).

(Filed with the Secretary of State July 1, 1998, at 1:14 p.m.)

Date: July 1, 1998

Time: 9:15 a.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 4897 (Public Act No. 213), being

An act to amend 1980 PA 300, entitled “An act to provide a retirement system for the public school employees of this state; to create certain funds for this retirement system; to provide for the creation of a retirement board within the department of management and budget; to prescribe the powers and duties of the retirement board; to prescribe the powers and duties of certain state departments, agencies, officials, and employees; to prescribe penalties and provide remedies; and to repeal acts and parts of acts,” by amending sections 43c, 85, 104a, and 108 (MCL 38.1343c, 38.1385, 38.1404a, and 38.1408), sections 43c and 104a as amended by 1989 PA 194, section 85 as amended by 1991 PA 47, and section 108 as amended by 1995 PA 177.

(Filed with the Secretary of State July 1, 1998, at 1:16 p.m.)

Date: July 1, 1998

Time: 8:47 a.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 5043 (Public Act No. 214, I.E.), being

An act to amend 1970 PA 73, entitled “An act to provide for the creation of airport authorities; to provide for certain counties and cities within certain limitations of state-owned airports to create an airport authority; to provide for the membership of authorities; to provide for the powers and duties of the authorities; to provide for the transfer of employees of state airports to the employment of an authority; to provide for the transferring of state-owned lands to the authority; to provide for the retention of certain rights, powers and privileges by the state in state-owned airport facilities; to provide for a referendum; and to repeal acts and parts of acts,” by amending section 2 (MCL 259.802), as amended by 1982 PA 271.

(Filed with the Secretary of State July 1, 1998, at 1:18 p.m.)

Date: July 1, 1998

Time: 8:40 a.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 5075 (Public Act No. 215, I.E.), being

An act to amend 1954 PA 116, entitled “An act to reorganize, consolidate, and add to the election laws; to provide for election officials and prescribe their powers and duties; to prescribe the powers and duties of certain state departments, state agencies, and state and local officials and employees; to provide for the nomination and election of candidates for public office; to provide for the resignation, removal, and recall of certain public officers; to provide for the filling of vacancies in public office; to provide for and regulate primaries and elections; to provide for the purity of elections; to guard against the abuse of the elective franchise; to define violations of this act; to provide appropriations; to prescribe penalties and provide remedies; and to repeal certain acts and all other acts inconsistent with this act,” by amending sections 31, 795a, and 796a (MCL 168.31, 168.795a, and 168.796a), as amended by 1996 PA 583.

(Filed with the Secretary of State July 1, 1998, at 1:20 p.m.)

Date: July 1, 1998

Time: 9:40 a.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 5224 (Public Act No. 216, I.E.), being

An act to amend 1956 PA 218, entitled “An act to revise, consolidate, and classify the laws relating to the insurance and surety business; to regulate the incorporation or formation of domestic insurance and surety companies and associations and the admission of foreign and alien companies and associations; to provide their rights, powers, and

immunities and to prescribe the conditions on which companies and associations organized, existing, or authorized under this act may exercise their powers; to provide the rights, powers, and immunities and to prescribe the conditions on which other persons, firms, corporations, associations, risk retention groups, and purchasing groups engaged in an insurance or surety business may exercise their powers; to provide for the imposition of a privilege fee on domestic insurance companies and associations and the state accident fund; to provide for the imposition of a tax on the business of foreign and alien companies and associations; to provide for the imposition of a tax on risk retention groups and purchasing groups; to provide for the imposition of a tax on the business of surplus line agents; to provide for the imposition of regulatory fees on certain insurers; to modify tort liability arising out of certain accidents; to provide for limited actions with respect to that modified tort liability and to prescribe certain procedures for maintaining those actions; to require security for losses arising out of certain accidents; to provide for the continued availability and affordability of automobile insurance and homeowners insurance in this state and to facilitate the purchase of that insurance by all residents of this state at fair and reasonable rates; to provide for certain reporting with respect to insurance and with respect to certain claims against uninsured or self-insured persons; to prescribe duties for certain state departments and officers with respect to that reporting; to provide for certain assessments; to establish and continue certain state insurance funds; to modify and clarify the status, rights, powers, duties, and operations of the nonprofit malpractice insurance fund; to provide for the departmental supervision and regulation of the insurance and surety business within this state; to provide for the conservation, rehabilitation, or liquidation of unsound or insolvent insurers; to provide for the protection of policyholders, claimants, and creditors of unsound or insolvent insurers; to provide for associations of insurers to protect policyholders and claimants in the event of insurer insolvencies; to prescribe educational requirements for insurance agents and solicitors; to provide for the regulation of multiple employer welfare arrangements; to create an automobile theft prevention authority to reduce the number of automobile thefts in this state; to prescribe the powers and duties of the automobile theft prevention authority; to provide certain powers and duties upon certain officials, departments, and authorities of this state; to repeal certain acts and parts of acts; to repeal certain acts and parts of acts on specific dates; to repeal certain parts of this act on specific dates; and to provide penalties for the violation of this act," by amending section 2845 (MCL 500.2845), as amended by 1990 PA 305.

(Filed with the Secretary of State July 1, 1998, at 1:22 p.m.)

Date: July 1, 1998

Time: 9:42 a.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 5344 (Public Act No. 217, I.E.), being

An act to amend 1956 PA 218, entitled "An act to revise, consolidate, and classify the laws relating to the insurance and surety business; to regulate the incorporation or formation of domestic insurance and surety companies and associations and the admission of foreign and alien companies and associations; to provide their rights, powers, and immunities and to prescribe the conditions on which companies and associations organized, existing, or authorized under this act may exercise their powers; to provide the rights, powers, and immunities and to prescribe the conditions on which other persons, firms, corporations, associations, risk retention groups, and purchasing groups engaged in an insurance or surety business may exercise their powers; to provide for the imposition of a privilege fee on domestic insurance companies and associations and the state accident fund; to provide for the imposition of a tax on the business of foreign and alien companies and associations; to provide for the imposition of a tax on risk retention groups and purchasing groups; to provide for the imposition of a tax on the business of surplus line agents; to provide for the imposition of regulatory fees on certain insurers; to modify tort liability arising out of certain accidents; to provide for limited actions with respect to that modified tort liability and to prescribe certain procedures for maintaining those actions; to require security for losses arising out of certain accidents; to provide for the continued availability and affordability of automobile insurance and homeowners insurance in this state and to facilitate the purchase of that insurance by all residents of this state at fair and reasonable rates; to provide for certain reporting with respect to insurance and with respect to certain claims against uninsured or self-insured persons; to prescribe duties for certain state departments and officers with respect to that reporting; to provide for certain assessments; to establish and continue certain state insurance funds; to modify and clarify the status, rights, powers, duties, and operations of the nonprofit malpractice insurance fund; to provide for the departmental supervision and regulation of the insurance and surety business within this state; to provide for the conservation, rehabilitation, or liquidation of unsound or insolvent insurers; to provide for the protection of policyholders, claimants, and creditors of unsound or insolvent insurers; to provide for associations of insurers to protect policyholders and claimants in the event of insurer insolvencies; to prescribe educational requirements for insurance agents and solicitors; to provide for the regulation of multiple employer welfare arrangements; to create an automobile theft prevention authority to reduce the number of automobile thefts in this state; to prescribe the powers and duties of the automobile theft prevention authority; to provide certain powers and duties upon certain officials, departments, and authorities of this state; to repeal certain acts and parts of acts; to repeal certain acts and parts of acts on specific dates; to repeal certain parts of this act on specific dates; and to provide penalties for the violation of this act," (MCL 500.100 to 500.8302) by adding section 2227.

(Filed with the Secretary of State July 1, 1998, at 1:24 p.m.)

Date: July 1, 1998
Time: 8:42 a.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 5487 (Public Act No. 218, I.E.), being

An act to amend 1980 PA 299, entitled “An act to revise, consolidate, and classify the laws of this state regarding the regulation of certain occupations; to create a board for each of those occupations; to establish the powers and duties of certain departments and agencies and the boards of each occupation; to provide for the promulgation of rules; to provide for certain fees; to provide for penalties and civil fines; to establish rights, relationships, and remedies of certain persons under certain circumstances; to repeal certain parts of this act on a specific date; and to repeal certain acts and parts of acts,” by amending section 2001 (MCL 339.2001), as amended by 1997 PA 122.

(Filed with the Secretary of State July 1, 1998, at 1:26 p.m.)

Date: July 1, 1998
Time: 11:02 a.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 5561 (Public Act No. 219, I.E.), being

An act to amend 1978 PA 368, entitled “An act to protect and promote the public health; to codify, revise, consolidate, classify, and add to the laws relating to public health; to provide for the prevention and control of diseases and disabilities; to provide for the classification, administration, regulation, financing, and maintenance of personal, environmental, and other health services and activities; to create or continue, and prescribe the powers and duties of, departments, boards, commissions, councils, committees, task forces, and other agencies; to prescribe the powers and duties of governmental entities and officials; to regulate occupations, facilities, and agencies affecting the public health; to regulate health maintenance organizations and certain third party administrators and insurers; to provide for the imposition of a regulatory fee; to promote the efficient and economical delivery of health care services, to provide for the appropriate utilization of health care facilities and services, and to provide for the closure of hospitals or consolidation of hospitals or services; to provide for the collection and use of data and information; to provide for the transfer of property; to provide certain immunity from liability; to regulate and prohibit the sale and offering for sale of drug paraphernalia under certain circumstances; to provide for penalties and remedies; to provide for sanctions for violations of this act and local ordinances; to repeal certain acts and parts of acts; to repeal certain parts of this act; and to repeal certain parts of this act on specific dates,” (MCL 333.1101 to 333.25211) by adding sections 5451, 5457, 5458, 5459, 5460, 5460a, 5461, 5468, 5469, 5470, 5472, 5473a, 5474, 5475, and 5477.

(Filed with the Secretary of State July 1, 1998, at 1:28 p.m.)

Date: July 1, 1998
Time: 9:22 a.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 5580 (Public Act No. 221, I.E.), being

An act to amend 1941 PA 122, entitled “An act to establish a revenue division of the department of treasury; to prescribe its powers and duties as the revenue collection agency of the state; to prescribe certain powers and duties of the state treasurer; to create the position and to define the powers and duties of the state commissioner of revenue; to provide for the transfer of powers and duties now vested in certain other state boards, commissions, departments and offices; to prescribe certain duties of and require certain reports from the department of treasury; to provide procedures for the payment, administration, audit, assessment, levy of interests or penalties on, and appeals of taxes and tax liability; to prescribe its powers and duties if an agreement to act as agent for a city to administer, collect, and enforce the city income tax act on behalf of a city is entered into with any city; to provide an appropriation; to abolish the state board of tax administration; and to declare the effect of this act,” by amending section 28 (MCL 205.28), as amended by 1993 PA 13, and by adding section 30c.

(Filed with the Secretary of State July 1, 1998, at 1:32 p.m.)

Date: July 1, 1998
Time: 8:50 a.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 5642 (Public Act No. 222, I.E.), being

An act to amend 1956 PA 218, entitled “An act to revise, consolidate, and classify the laws relating to the insurance and surety business; to regulate the incorporation or formation of domestic insurance and surety companies and associations and the admission of foreign and alien companies and associations; to provide their rights, powers, and immunities and to prescribe the conditions on which companies and associations organized, existing, or authorized under this act may exercise their powers; to provide the rights, powers, and immunities and to prescribe the conditions on which other persons, firms, corporations, associations, risk retention groups, and purchasing groups engaged in an insurance or surety business may exercise their powers; to provide for the imposition of a privilege fee on domestic

insurance companies and associations and the state accident fund; to provide for the imposition of a tax on the business of foreign and alien companies and associations; to provide for the imposition of a tax on risk retention groups and purchasing groups; to provide for the imposition of a tax on the business of surplus line agents; to provide for the imposition of regulatory fees on certain insurers; to modify tort liability arising out of certain accidents; to provide for limited actions with respect to that modified tort liability and to prescribe certain procedures for maintaining those actions; to require security for losses arising out of certain accidents; to provide for the continued availability and affordability of automobile insurance and homeowners insurance in this state and to facilitate the purchase of that insurance by all residents of this state at fair and reasonable rates; to provide for certain reporting with respect to insurance and with respect to certain claims against uninsured or self-insured persons; to prescribe duties for certain state departments and officers with respect to that reporting; to provide for certain assessments; to establish and continue certain state insurance funds; to modify and clarify the status, rights, powers, duties, and operations of the nonprofit malpractice insurance fund; to provide for the departmental supervision and regulation of the insurance and surety business within this state; to provide for the conservation, rehabilitation, or liquidation of unsound or insolvent insurers; to provide for the protection of policyholders, claimants, and creditors of unsound or insolvent insurers; to provide for associations of insurers to protect policyholders and claimants in the event of insurer insolvencies; to prescribe educational requirements for insurance agents and solicitors; to provide for the regulation of multiple employer welfare arrangements; to create an automobile theft prevention authority to reduce the number of automobile thefts in this state; to prescribe the powers and duties of the automobile theft prevention authority; to provide certain powers and duties upon certain officials, departments, and authorities of this state; to repeal certain acts and parts of acts; to repeal certain acts and parts of acts on specific dates; to repeal certain parts of this act on specific dates; and to provide penalties for the violation of this act," by amending section 2210 (MCL 500.2210), as amended by 1994 PA 227. (Filed with the Secretary of State July 1, 1998, at 1:34 p.m.)

Date: July 1, 1998

Time: 9:20 a.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 4910 (Public Act No. 225, I.E.), being

An act to amend 1975 PA 228, entitled "An act to provide for the imposition, levy, computation, collection, assessment and enforcement, by lien or otherwise, of taxes on certain commercial, business, and financial activities; to prescribe the manner and times of making certain reports and paying taxes; to prescribe the powers and duties of public officers and state departments; to permit the inspection of records of taxpayers; to provide for interest and penalties on unpaid taxes; to provide exemptions, credits, and refunds; to provide penalties; to provide for the disposition of funds; to provide for the interrelation of this act with other acts; and to provide an appropriation," by amending section 52 (MCL 208.52).

(Filed with the Secretary of State July 1, 1998, at 1:40 p.m.)

Communications from State Officers

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

Notice of Filing
Administrative Rules

June 12, 1998

In accordance with the provisions of Section 46(1) of Act 306, Public Acts of 1969, as amended, and Executive Order 1995-6 this is to advise you that the Office of Regulatory Reform, Legal Division filed at 9:00 A.M. this date, administrative rule (98-06-2) for the Department of Transportation, Aeronautics Commission, entitled "*Michigan Aeronautics Commission - General Rules*", effective 15 days hereafter.

Sincerely,
Candice S. Miller
Secretary of State
Helen Kruger, Supervisor
Office of the Great Seal

The communication was referred to the Clerk.

Introduction of Bills

Rep. Middaugh introduced

House Bill No. 5981, entitled

A bill to amend 1931 PA 285, entitled "An act to provide for city, village and municipal planning; the creation, organization, powers and duties of planning commissions; the regulation and subdivision of land; and to provide penalties for violation of the provisions of this act," by amending section 8 (MCL 125.38).

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

Reps. Cassis, Goschka, Jelinek, Whyman, Cropsey, Sanborn, Green, Scott, Horton, Dobb, Hammerstrom, Jansen, Birkholz, Scranton, Dalman, Jellema, Voorhees and Raczkowski introduced

House Bill No. 5982, entitled

A bill to amend 1982 PA 455, entitled "The library privacy act," by amending section 2 (MCL 397.602), as amended by 1998 PA 7, and by adding section 6.

The bill was read a first time by its title and referred to the Committee on Advanced Technology and Computer Development.

Reps. Lowe, Hammerstrom, Goschka, Cropsey, Horton, Bodem, Raczkowski and Voorhees introduced

House Bill No. 5983, entitled

A bill to amend 1929 PA 48, entitled "An act levying a specific tax to be known as the severance tax upon all producers engaged in the business of severing oil and gas from the soil; prescribing the method of collecting the tax; requiring all producers of such products or purchasers thereof to make reports; to provide penalties; to provide exemptions and refunds; to prescribe the disposition of the funds so collected; and to exempt those paying such specific tax from certain other taxes," by amending section 14 (MCL 205.314), as amended by 1994 PA 307.

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

Reps. Quarles, Kelly, Lowe, Bodem, Bogardus, Tesanovich, Griffin and Bobier introduced

House Bill No. 5984, entitled

A bill to amend 1929 PA 48, entitled "An act levying a specific tax to be known as the severance tax upon all producers engaged in the business of severing oil and gas from the soil; prescribing the method of collecting the tax; requiring all producers of such products or purchasers thereof to make reports; to provide penalties; to provide exemptions and refunds; to prescribe the disposition of the funds so collected; and to exempt those paying such specific tax from certain other taxes," (MCL 205.301 to 205.317) by adding section 14b.

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

Reps. Bobier, Hammerstrom, Goschka, Cropsey, Horton, Lowe, Bodem, Brackenridge, Quarles, Raczkowski and Voorhees introduced

House Bill No. 5985, entitled

A bill to amend 1929 PA 48, entitled "An act levying a specific tax to be known as the severance tax upon all producers engaged in the business of severing oil and gas from the soil; prescribing the method of collecting the tax; requiring all producers of such products or purchasers thereof to make reports; to provide penalties; to provide exemptions and refunds; to prescribe the disposition of the funds so collected; and to exempt those paying such specific tax from certain other taxes," (MCL 205.301 to 205.317) by adding section 14a.

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

Reps. Law, Griffin, Hammerstrom, Gubow, Gire, Leland, Raczkowski, Richner, Murphy, Palamara and Profit introduced

House Bill No. 5986, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending sections 16131 and 16263 (MCL 333.16131 and 333.16263), as amended by 1995 PA 126, and by adding section 16338 and part 179.

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

Rep. Gire introduced

House Bill No. 5987, entitled

A bill to amend 1974 PA 163, entitled "L.E.I.N. policy council act of 1974," by amending section 4 (MCL 28.214), as amended by 1998 PA 82.

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

Rep. Voorhees moved that the House adjourn.

The motion prevailed, the time being 7:05 p.m.

The Speaker declared the House adjourned until Thursday, July 2, at 10:00 a.m.

MARY KAY SCULLION
Clerk of the House of Representatives.