

No. 54
STATE OF MICHIGAN
JOURNAL
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House of Representatives
90th Legislature
REGULAR SESSION OF 1999

House Chamber, Lansing, Wednesday, June 9, 1999.

10:00 a.m.

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

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

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

e/d/s = entered during session

Reverend Isaac Clarington, Pastor of the Saunders Memorial A.M.E. Church in Detroit, offered the following invocation:

“O Thou in whose presence my soul takes delight, on whom in affliction I call my comfort by day, my song in the night, my hope, my salvation, my all and all. We stand in Thy presence with great reverence and adoration. Let us first thank Thee for the beauty of the earth and the glory of the day, for all the good things of life, for this nation and this great state of Michigan. Now, Lord, on behalf of this august body of government leaders, we invoke the divine guidance in their deliberations, that they do justly love mercy and walk humbly to the end, that we the people will have a more perfect and happy existence. Amen.”

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

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

Second Reading of Bills

Senate Bill No. 573, entitled

A bill to amend 1975 PA 228, entitled “Single business tax act,” by amending sections 4, 5, 6, 37c, 37d, and 49 (MCL 208.4, 208.5, 208.6, 208.37c, 208.37d, and 208.49), section 4 as amended by 1995 PA 285, section 5 as amended by 1987 PA 253, and sections 37c and 37d as amended by 1996 PA 470, and by adding section 19.

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

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

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. Middaugh 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. 573, entitled

A bill to amend 1975 PA 228, entitled “Single business tax act,” by amending sections 4, 5, 6, 37c, 37d, and 49 (MCL 208.4, 208.5, 208.6, 208.37c, 208.37d, and 208.49), section 4 as amended by 1995 PA 285, section 5 as amended by 1987 PA 253, and sections 37c and 37d as amended by 1996 PA 470, and by adding section 19.

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

Roll Call No. 704

Yeas—101

Allen	Faunce	Kuipers	Rivet
Baird	Frank	Kukuk	Rocca
Basham	Garcia	LaSata	Sanborn
Birkholz	Geiger	Law	Schauer
Bisbee	Gielegem	Lockwood	Schermesser
Bishop	Gilbert	Mans	Scott
Bogardus	Godchaux	Martinez	Scranton
Bovin	Gosselin	Mead	Shackleton
Bradstreet	Green	Middaugh	Sheltrown
Brater	Hager	Minore	Shulman
Brewer	Hale	Mortimer	Spade
Brown, B.	Hanley	Neumann	Stamas

Brown, C.	Hansen	O'Neil	Switalski
Byl	Hardman	Pappageorge	Tabor
Callahan	Hart	Patterson	Tesanovich
Cassis	Howell	Perricone	Thomas
Caul	Jacobs	Pestka	Toy
Cherry	Jamnack	Price	Van Woerkom
Clarke, H.	Jansen	Prusi	Vander Roest
Daniels	Jelinek	Pumford	Vaughn
DeHart	Jellema	Quarles	Vear
Dennis	Johnson, Rick	Raczkowski	Voorhees
DeRossett	Julian	Richardville	Wojno
DeVuyst	Koetje	Richner	Woodward
DeWeese	Kowall	Rison	Woronchak
Ehardt			

Nays—2

Kelly LaForge

In The Chair: Birkholz

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

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

A bill 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 sections 37c and 37d (MCL 208.37c and 208.37d), as amended by 1996 PA 470.

The motion prevailed.

The House agreed to the title as amended.

Rep. Middaugh 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. 4426, entitled

A bill to amend 1993 PA 330, entitled “State real estate transfer tax act,” by amending section 6 (MCL 207.526), as amended by 1994 PA 255.

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. DeRossett 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. Middaugh 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. 4426, entitled

A bill to amend 1993 PA 330, entitled “State real estate transfer tax act,” by amending section 6 (MCL 207.526), as amended by 1994 PA 255.

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

Roll Call No. 705**Yeas—102**

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

Nays—0

In The Chair: Birkholz

The House agreed to the title of the bill.

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

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

Reps. Allen, Baird, Basham, Bishop, Bovin, Bradstreet, Brater, Bob Brown, Caul, Clarke, Daniels, DeVuyst, Faunce, Garcia, Gosselin, Green, Hardman, Jacobs, Julian, Kelly, Koetje, Kuipers, Kukuk, LaSata, Law, Lemmons, Lockwood, Mans, Martinez, Mead, Middaugh, Minore, O'Neil, Pappageorge, Pumford, Rackowski, Rocca, Sanborn, Schauer, Schermesser, Scott, Shackleton, Sheltrown, Spade, Thomas, Van Woerkom, Vander Roest, Vaughn, Voorhees and Woodward were named co-sponsors of the bill.

By unanimous consent the House returned to the order of

Reports of Standing Committees

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

House Concurrent Resolution No. 25.

A concurrent resolution approving the conveyance of property to the State Building Authority and approving a lease among the State of Michigan, the State Building Authority, and Southwestern Michigan College relative to the Southwestern Michigan College South County Extension Center.

(For text of resolution, see House Journal No. 27, p. 493.)

With the recommendation that the concurrent resolution be adopted.

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

Favorable Roll Call

HCR 25 To Report Out:

Yeas: Reps. Geiger, Jellema, Byl, Caul, Godchaux, Jelinek, Kukuk, LaSata, Mead, Pumford, Stamas, Toy, Price, Cherry, Clarke, Frank, Kelly, Martinez, Pestka, Prusi, Tesanovich,
Nays: None.

Rep. Middaugh moved that Rule 77 be suspended and the concurrent resolution be considered at this time.
The motion prevailed, 3/5 of the members present voting therefor.
The question being on the adoption of the concurrent resolution,

The Clerk made the following statement:

“Mr. Speaker and members of the House, the lease and exhibits attached to the resolution are available for review by the membership in the Clerk’s office.”

The question being on the adoption of the concurrent resolution,

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

Roll Call No. 706**Yeas—104**

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

Nays—0

In The Chair: Birkholz

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

The Committee on Appropriations, by Rep. Geiger, Chair, reported
House Concurrent Resolution No. 40.

A concurrent resolution approving the conveyance of property to the State Building Authority and approving a lease among the State of Michigan, the State Building Authority, and Michigan Technological University relative to the Michigan Technological University Center for Ecosystem Science.

(For text of resolution, see House Journal No. 52, p. 1346.)

With the recommendation that the concurrent resolution be adopted.

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

Favorable Roll Call

HCR 40 To Report Out:

Yeas: Reps. Geiger, Jellema, Byl, Caul, Godchaux, Jelinek, Kukuk, LaSata, Mead, Pumford, Stamas, Toy, Price, Cherry, Clarke, Frank, Kelly, Martinez, Pestka, Prusi, Tesanovich,

Nays: None.

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

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

The question being on the adoption of the concurrent resolution,

The Clerk made the following statement:

“Mr. Speaker and members of the House, the lease and exhibits attached to the resolution are available for review by the membership in the Clerk’s office.”

The question being on the adoption of the concurrent resolution,

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

Roll Call No. 707

Yeas—104

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

Nays—0

In The Chair: Scranton

Rep. Clark entered the House Chambers.

The Speaker Pro Tempore resumed the Chair.

The Committee on Appropriations, by Rep. Geiger, Chair, reported
House Concurrent Resolution No. 41.

A concurrent resolution approving the conveyance of property to the State Building Authority and approving a lease among the State of Michigan, the State Building Authority, and Alpena Community College relative to the Alpena Community College Concrete Technology Center.

(For text of resolution, see House Journal No. 52, p. 1347.)

With the recommendation that the concurrent resolution be adopted.

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

Favorable Roll Call**HCR 41 To Report Out:**

Yeas: Reps. Geiger, Jellema, Byl, Caul, Godchaux, Jansen, Jelinek, Kukuk, LaSata, Mead, Pumford, Stamas, Toy, Price, Cherry, Clarke, Frank, Kelly, Martinez, Pestka, Prusi, Tesanovich,

Nays: None.

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

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

The question being on the adoption of the concurrent resolution,

The Clerk made the following statement:

“Mr. Speaker and members of the House, the lease and exhibits attached to the resolution are available for review by the membership in the Clerk’s office.”

The question being on the adoption of the concurrent resolution,

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

Roll Call No. 708**Yeas—105**

Allen	Faunce	Kuipers	Rison
Baird	Frank	Kukuk	Rivet
Basham	Garcia	LaForge	Rocca
Birkholz	Geiger	LaSata	Sanborn
Bisbee	Gielegthem	Law	Schauer
Bishop	Gilbert	Lemmons	Schermesser
Bogardus	Godchaux	Lockwood	Scott
Bovin	Gosselin	Mans	Scranton
Bradstreet	Green	Martinez	Shackleton
Brater	Hager	Mead	Sheltrown
Brewer	Hale	Middaugh	Shulman

Brown, B.	Hanley	Minore	Spade
Brown, C.	Hansen	Mortimer	Stamas
Byl	Hardman	Neumann	Switalski
Callahan	Hart	O'Neil	Tabor
Cassis	Howell	Pappageorge	Tesanovich
Caul	Jacobs	Patterson	Thomas
Cherry	Jamnick	Perricone	Toy
Clark, I.	Jansen	Pestka	Van Woerkom
Clarke, H.	Jelinek	Price	Vander Roest
Daniels	Jellema	Prusi	Vaughn
DeHart	Johnson, Rick	Pumford	Vear
Dennis	Julian	Quarles	Voorhees
DeRossett	Kelly	Rackowski	Wojno
DeVuyst	Koetje	Richardville	Woodward
DeWeese	Kowall	Richner	Woronchak
Ehardt			

Nays—0

In The Chair: Birkholz

Reps. Basham, Birkholz, Brewer, Cameron Brown, Byl, Caul, Clarke, DeHart, DeRossett, Faunce, Gilbert, Jansen, Jelinek, Kelly, Koetje, Kukuk, LaSata, Mead, Neumann, O'Neil, Patterson, Pestka, Pumford, Rackowski, Richner, Rivet, Rocca, Sanborn, Schermesser, Scott, Shackleton, Sheltroun, Toy, Vaughn, Vear, Voorhees and Woodward were named co-sponsors of the concurrent resolution.

Rep. Van Woerkom moved that Rep. Garcia 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. 357, entitled

A bill to make appropriations for the department of agriculture for the fiscal year ending September 30, 2000; to provide for the expenditure of the appropriations; to create funds; to provide for the imposition of fees; to 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.

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. 357, entitled

A bill to make appropriations for the department of agriculture for the fiscal year ending September 30, 2000; to provide for the expenditure of the appropriations; to create funds; to provide for the imposition of fees; to 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 and House agree to the Substitute of the House as passed by the House and to the following amendments:

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

“PART 1

LINE-ITEM APPROPRIATIONS

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

DEPARTMENT OF AGRICULTURE

APPROPRIATION SUMMARY:

Full-time equated unclassified positions	6.0	
Full-time equated classified positions	599.5	
GROSS APPROPRIATION		\$ 91,750,000
Interdepartmental grant revenues:		
IDG from MDCIS (LCC), liquor quality testing fees		155,300
IDG from MDCIS (LCC), nonretail liquor license fees.....		443,300
IDG from MDCH, local public health operations.....		7,888,300
IDG from MDEQ, sewage sludge		70,000
IDG from MDEQ, type II well survey		15,000
Total interdepartmental grants and intradepartmental transfers		8,571,900
ADJUSTED GROSS APPROPRIATION		\$ 83,178,100
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		1,981,200
DAG-NRCS		250,000
EPA-OECA, pesticides enforcement program grants.....		974,000
EPA-OW, water pollution control, lake restoration cooperative agreements.....		236,300
EPA-RCRA		165,000
HHS-FDA		208,000
Total federal revenues		5,249,900
Special revenue funds:		
Total local revenues		0
Private, oil company overcharge settlement		741,900
Private, slow-the-spread foundation		130,000
Total private revenues		871,900
Agriculture equine industry development fund.....		11,500,000
Civil penalties		60,000
Commodity inspection fees		991,500
Food handler licensing fees.....		1,105,400
Gasoline inspection and testing fund.....		1,969,000
Groundwater and freshwater protection fund		4,543,200
Industry support funds		270,000
Licensing and inspection fees		2,701,700
Michigan state fair revenue.....		6,439,700
Pseudorabies and swine brucellosis fund		87,100
Testing fees.....		167,100
Upper Peninsula state fair revenue.....		1,014,300
Weights and measures regulation fees		323,400
Total other state restricted revenues		31,172,400
State general fund/general purpose		\$ 45,883,900

Sec. 102. EXECUTIVE

Full-time equated unclassified positions	6.0	
Full-time equated classified positions	9.0	
Commission and boards		\$ 63,300
Unclassified positions—6.0 FTE positions.....		477,200

Executive direction—4.0 FTE positions.....	417,700
Statistical reporting service—5.0 FTE positions	450,400
Project GREEN.....	6,100,000
Environmental technology research grant	1,500,000
GROSS APPROPRIATION.....	\$ 9,008,600
Appropriated from:	
Interdepartmental grant revenues:	
IDG from MDCIS (LCC), nonretail liquor license fees.....	8,800
Special revenue funds:	
Michigan state fair revenue.....	75,600
Upper Peninsula state fair revenue.....	9,000
State general fund/general purpose	\$ 8,915,200
Sec. 103. ADMINISTRATIVE SERVICES	
Full-time equated classified positions	58.0
Management services—58.0 FTE positions.....	\$ 4,435,200
Property management charges.....	1,023,300
Rent	289,700
GROSS APPROPRIATION.....	\$ 5,748,200
Special revenue funds:	
Gasoline inspection and testing fund.....	51,000
Industry support funds	5,000
Licensing and inspection fees	62,100
State general fund/general purpose	\$ 5,630,100
Sec. 104. FOOD AND DAIRY	
Full-time equated classified positions	112.0
Food safety and quality assurance—112.0 FTE positions	\$ 8,984,300
Local public health operations	7,888,300
GROSS APPROPRIATION.....	\$ 16,872,600
Appropriated from:	
Interdepartmental grant revenues:	
IDG from MDCH, local public health operations.....	7,888,300
Federal revenues:	
DAG-AMS, cooperative agreement.....	22,500
HHS-FDA	183,600
Special revenue funds:	
Civil penalties.....	60,000
Food handler licensing fees.....	1,105,400
Licensing and inspection fees	553,200
State general fund/general purpose	\$ 7,059,600
Sec. 105. ANIMAL INDUSTRY	
Full-time equated classified positions	26.0
Animal health and welfare—26.0 FTE positions.....	\$ 2,159,600
GROSS APPROPRIATION.....	\$ 2,159,600
Appropriated from:	
Federal revenues:	
HHS-FDA	9,000
Special revenue funds:	
Licensing and inspection fees	33,400
Pseudorabies and swine brucellosis fund	87,100
State general fund/general purpose	\$ 2,030,100
Sec. 106. PESTICIDE AND PLANT PEST MANAGEMENT	
Full-time equated classified positions	131.3
Pesticide and plant pest management—131.3 FTE positions.....	\$ 11,781,000
Disease and pest intervention fund.....	341,800
Michigan State University.....	210,000
GROSS APPROPRIATION.....	\$ 12,332,800
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	1,881,200
EPA-OECA, pesticides enforcement program grants.....	974,000
HHS-FDA	15,400
Special revenue funds:	
Private, slow-the-spread foundation	130,000
Commodity inspection fees	991,500
Licensing and inspection fees	2,053,000
State general fund/general purpose	\$ 6,217,800

Sec. 107. ENVIRONMENTAL STEWARDSHIP

Full-time equated classified positions	41.0
Environmental stewardship—31.0 FTE positions.....	\$ 2,742,600
Groundwater and freshwater protection program—10.0 FTE positions	4,793,200
Energy conservation program.....	138,000
Forest stewardship program	100,000
Local soil conservation districts.....	1,400,000
Migrant labor housing	550,000
GROSS APPROPRIATION.....	\$ 9,723,800

 Appropriated from:

Interdepartmental grant revenues:	
IDG from MDEQ, sewage sludge	70,000
IDG from MDEQ, type II well survey	15,000

 Federal revenues:

DAG-FS, multiple grants	100,000
DAG-NRCS	250,000
EPA-OW, water pollution control, lake restoration cooperative agreements.....	236,300
EPA-RCRA	165,000

 Special revenue funds:

Private, oil company overcharge settlement	193,900
Groundwater and freshwater protection fund	4,543,200
Industry support funds	40,000
State general fund/general purpose	\$ 4,110,400

Sec. 108. LABORATORY PROGRAM

Full-time equated classified positions	127.0
Laboratory analysis program—71.5 FTE positions	\$ 5,498,100
Pesticide data program—11.0 FTE positions.....	1,096,500
Consumer protection program—44.5 FTE positions.....	3,304,000
GROSS APPROPRIATION.....	\$ 9,898,600

 Appropriated from:

Interdepartmental grant revenues:	
IDG from MDCIS (LCC), liquor quality testing fees	155,300

 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	548,000
Agriculture equine industry development fund.....	500,000
Gasoline inspection and testing fund.....	1,918,000
Testing fees.....	167,100
Weights and measures regulation fees	323,400
State general fund/general purpose	\$ 5,169,900

Sec. 109. MARKET DEVELOPMENT

Full-time equated classified positions	20.5
Marketing and emergency management—15.5 FTE positions	\$ 2,199,200
Agriculture development—5.0 FTE positions	1,007,900
USApple anti-dumping effort.....	20,000
Food bank	774,200
4-H Foundation of Michigan.....	285,000
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
Future farmers of America.....	60,000
GROSS APPROPRIATION.....	\$ 4,598,500
Appropriated from:	
Interdepartmental grant revenues:	
IDG from MDCIS (LCC), nonretail liquor license fees.....	434,500
Federal revenues:	
DAG-ERS-ARED.....	126,100
DAG, federal/state marketing improvement program.....	100,000
Special revenue funds:	
Industry support funds	225,000
State general fund/general purpose	\$ 3,712,900

Sec. 110. FAIRS AND EXPOSITIONS

Full-time equated classified positions	35.0
Michigan state fair operations—22.0 FTE positions	\$ 6,276,600
Fairs and racing—5.0 FTE positions.....	507,200
Upper Peninsula state fair—8.0 FTE positions.....	1,181,000
Building and track improvement-county and state fairs	753,100
Draft horse shows	78,200
Premiums-county and state fairs	1,611,200
Purses and supplements-fairs/licensed tracks	2,333,600
Standardbred Fedele Fauri futurity.....	77,400
Standardbred Michigan futurity	77,400
Quarterhorse programs.....	38,100
Licensed tracks-light horse racing.....	73,800
Standardbred breeders' awards.....	1,192,300
Standardbred purses and supplements-licensed tracks.....	256,900
Sire stakes program.....	1,939,800
Standardbred training and stabling.....	42,100
Thoroughbred program.....	1,740,400
Thoroughbred owners' awards	150,000
GROSS APPROPRIATION.....	\$ 18,329,100
Appropriated from:	
Special revenue funds:	
Agriculture equine industry development fund.....	7,921,800
Michigan state fair revenue.....	6,364,100
Upper Peninsula state fair revenue.....	1,005,300
State general fund/general purpose	\$ 3,037,900

Sec. 111. OFFICE OF RACING COMMISSIONER

Full-time equated classified positions	39.7
Office of racing commissioner—39.7 FTE positions.....	\$ 3,078,200
GROSS APPROPRIATION.....	\$ 3,078,200
Appropriated from:	
Special revenue funds:	
Agriculture equine industry development fund.....	3,078,200
State general fund/general purpose	\$ 0

2. Amend page 10, line 26, after "at" by striking out "\$77,458,600.00" and inserting "\$77,056,300.00".
3. Amend page 17, line 3, by striking out all of section 220.
4. Amend page 17, line 17, by striking out all of sections 222, 223, 224, and 226 and inserting:

"Sec. 222. The departments and state agencies receiving appropriations under this act shall receive and retain copies of all reports funded from appropriations in part 1. These departments and state agencies shall follow federal and state guidelines for short-term and long-term retention of these reports and records.

Sec. 223. The department shall implement a pilot program that places reports required by this act on the Internet, with electronic notification to legislative offices of Internet access to the reports. During fiscal year 2000, the department shall continue to distribute all of these reports to the legislature in the current printed format.

Sec. 224. The department shall provide a report prepared by the department's internal auditor on the activities of the internal auditor for the prior fiscal year. This report shall include a listing of each audit or investigation performed by the internal auditor pursuant to sections 486(4) and 487 of the management and budget act, 1984 PA 431, MCL 18.1486 and 18.1487. The report shall identify the proportion of time spent on each of the statutory responsibilities listed in

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

Sec. 226. (1) The department shall submit to the department of management and budget, the house and senate appropriations committees, the house and senate fiscal agencies, and the house and senate standing committees having jurisdiction over technology issues quarterly reports on the department's efforts to change the department's computer software and hardware as necessary to perform properly in the year 2000 and beyond. These reports shall identify actual progress in comparison to the department's approved work plan for these efforts.

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

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

5. Amend page 21, line 27, after "GREEEN," by striking out "\$6,200,000.00" and inserting "\$6,100,000.00".

6. Amend page 22, following line 21, by inserting:

“FOOD AND DAIRY

Sec. 401. The department shall monitor restaurant inspection and licensing functions carried out by local health departments to ensure uniform application and enforcement of state licensing standards. On or before September 30, 2000, the department shall report to the senate and house appropriations subcommittees on agriculture, the senate and house fiscal agencies, and the state budget director on local health department conformance with state restaurant licensing standards."

7. Amend page 22, line 23, after "Sec." by striking out "401." and inserting "450."

Second: That the Senate and the House 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, 2000; 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.

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

Mike Pumford
Ron Jelinek
Paul Tesanovich
Conferees for the House

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

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

The motion prevailed.

The question being on the adoption of the conference report,

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

Roll Call No. 709

Yeas—101

Allen	Ehardt	Kukuk	Rivet
Baird	Faunce	LaForge	Rocca
Basham	Frank	LaSata	Sanborn

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

Nays—1

Gosselin

In The Chair: Birkholz

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

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

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

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

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

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

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

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

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

This is wrong. It's not our money. We should give it back."

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

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

Quorum Call

Rep. Middaugh 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. 710

Yeas—94

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

In The Chair: Patterson

The Speaker Pro Tempore resumed the Chair.

First Conference Report

The Committee of Conference on the matters of difference between the two Houses concerning **House Bill No. 4302, 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, 2000; 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 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, amended 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 years ending September 30, 1999 and September 30, 2000; 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 PEOPLE OF THE STATE OF MICHIGAN ENACT:

PART 1

LINE-ITEM APPROPRIATIONS

HIGHER EDUCATION

APPROPRIATION SUMMARY:

Full-time equated classified positions	1.0	
GROSS APPROPRIATION.....		\$ 1,774,909,308
Interdepartmental grant revenues:		
Total interdepartmental grants and intradepartmental transfers		0
ADJUSTED GROSS APPROPRIATION		\$ 1,774,909,308
Federal revenues:		
Total federal revenues		3,900,000
Special revenue funds:		
Total local revenues		0
Total private revenues		0
Total other state restricted revenues		91,550,000
State general fund/general purpose		\$ 1,679,459,308
Sec. 102. CENTRAL MICHIGAN UNIVERSITY		
Operations.....		\$ 80,478,312
GROSS APPROPRIATION.....		\$ 80,478,312
Appropriated from:		
State general fund/general purpose		\$ 80,478,312
Sec. 103. EASTERN MICHIGAN UNIVERSITY		
Operations.....		\$ 81,903,067
GROSS APPROPRIATION.....		\$ 81,903,067
Appropriated from:		
State general fund/general purpose		\$ 81,903,067
Sec. 104. FERRIS STATE UNIVERSITY		
Operations.....		\$ 52,110,400
GROSS APPROPRIATION.....		\$ 52,110,400
Appropriated from:		
State general fund/general purpose		\$ 52,110,400
Sec. 105. GRAND VALLEY STATE UNIVERSITY		
Operations.....		\$ 53,715,559
GROSS APPROPRIATION.....		\$ 53,715,559
Appropriated from:		
State general fund/general purpose		\$ 53,715,559
Sec. 106. LAKE SUPERIOR STATE UNIVERSITY		
Operations.....		\$ 13,392,280
GROSS APPROPRIATION.....		\$ 13,392,280
Appropriated from:		
State general fund/general purpose		\$ 13,392,280

	For Fiscal Year Ending Sept. 30, 2000
Sec. 107. MICHIGAN STATE UNIVERSITY	
Operations.....	\$ 303,576,465
Kinship care program.....	250,000
GROSS APPROPRIATION.....	\$ 303,826,465
Appropriated from:	
State general fund/general purpose	\$ 303,826,465
Sec. 108. MICHIGAN TECHNOLOGICAL UNIVERSITY	
Operations.....	\$ 51,848,777
GROSS APPROPRIATION.....	\$ 51,848,777
Appropriated from:	
State general fund/general purpose	\$ 51,848,777
Sec. 109. NORTHERN MICHIGAN UNIVERSITY	
Operations.....	\$ 48,818,439
GROSS APPROPRIATION.....	\$ 48,818,439
Appropriated from:	
State general fund/general purpose	\$ 48,818,439
Sec. 110. OAKLAND UNIVERSITY	
Operations.....	\$ 47,212,698
GROSS APPROPRIATION.....	\$ 47,212,698
Appropriated from:	
State general fund/general purpose	\$ 47,212,698
Sec. 111. SAGINAW VALLEY STATE UNIVERSITY	
Operations.....	\$ 24,955,312
GROSS APPROPRIATION.....	\$ 24,955,312
Appropriated from:	
State general fund/general purpose	\$ 24,955,312
Sec. 112. UNIVERSITY OF MICHIGAN-ANN ARBOR	
Operations.....	\$ 338,861,239
GROSS APPROPRIATION.....	\$ 338,861,239
Appropriated from:	
State general fund/general purpose	\$ 338,861,239
Sec. 113. UNIVERSITY OF MICHIGAN-DEARBORN	
Operations.....	\$ 25,777,192
GROSS APPROPRIATION.....	\$ 25,777,192
Appropriated from:	
State general fund/general purpose	\$ 25,777,192
Sec. 114. UNIVERSITY OF MICHIGAN-FLINT	
Operations.....	\$ 22,175,509
GROSS APPROPRIATION.....	\$ 22,175,509
Appropriated from:	
State general fund/general purpose	\$ 22,175,509
Sec. 115. WAYNE STATE UNIVERSITY	
Operations.....	\$ 238,066,723
GROSS APPROPRIATION.....	\$ 238,066,723
Appropriated from:	
State general fund/general purpose	\$ 238,066,723
Sec. 116. WESTERN MICHIGAN UNIVERSITY	
Operations.....	\$ 116,517,837
GROSS APPROPRIATION.....	\$ 116,517,837
Appropriated from:	
State general fund/general purpose	\$ 116,517,837
Sec. 117. STATE AND REGIONAL PROGRAMS	
Full-time equated positions.....1.0	
Agricultural experiment station.....	\$ 31,647,154
Cooperative extension service.....	27,092,562
Michigan molecular institute.....	222,310

	For Fiscal Year Ending Sept. 30, 2000
Japan center for Michigan universities.....	397,210
Higher education database modernization and conversion—1.0 FTE positions	275,000
Midwestern higher education compact.....	75,000
GROSS APPROPRIATION.....	\$ 59,709,236
Appropriated from:	
Special revenue funds:	
State general fund/general purpose	\$ 59,709,236
Sec. 118. MARTIN LUTHER KING, JR.-CESAR CHAVEZ-ROSA PARKS PROGRAM	
Select student supportive services.....	\$ 2,039,950
Michigan college/university partnership program	611,985
Morris Hood, Jr. educator development program	154,950
GROSS APPROPRIATION.....	\$ 2,806,885
Appropriated from:	
State general fund/general purpose	\$ 2,806,885
Sec. 119. GRANTS AND FINANCIAL AID	
State competitive scholarships	\$ 33,398,513
Tuition grants.....	61,072,064
Michigan work study program	7,541,388
Part-time independent student program.....	2,731,203
Grant for Michigan resident dental graduates	4,753,246
Grant for general degree graduates	7,061,912
Grant for allied health graduates	879,721
Michigan education opportunity grants	2,145,331
Robert C. Byrd honors scholarship program	1,600,000
Michigan merit award program	86,300,000
Tuition incentive program.....	5,250,000
GROSS APPROPRIATION.....	\$ 212,733,378
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	1,600,000
Special revenue funds:	
Michigan merit award trust fund.....	91,550,000
State general fund/general purpose	\$ 117,283,378

PART 1A

LINE-ITEM APPROPRIATIONS FOR FISCAL YEAR 1998-99

Sec. 121. SUMMARY

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, from the funds identified in this part. The following is a summary of the appropriations in this part:

APPROPRIATION SUMMARY:

GROSS APPROPRIATION.....	\$ 300,000
Interdepartmental grant revenues:	
Total interdepartmental grants and intradepartmental transfers	0
ADJUSTED GROSS APPROPRIATION	\$ 300,000
Federal revenues:	
Total federal revenues	0
Special revenue funds:	
Total local revenues	0
Total private revenues	0
Total other state restricted revenues	0
State general fund/general purpose	\$ 300,000
Sec. 122. INFRASTRUCTURE, TECHNOLOGY, EQUIPMENT, AND MAINTENANCE	
Infrastructure, technology, equipment, and maintenance.....	\$ 300,000
GROSS APPROPRIATION.....	\$ 300,000
Appropriated from:	
State general fund/general purpose	\$ 300,000

PART 2
PROVISIONS CONCERNING APPROPRIATIONS

GENERAL SECTIONS

Sec. 201. (1) Pursuant to section 30 of article IX of the state constitution of 1963, total state spending from state resources in part 1 of this appropriation act is \$1,771,009,308.00. Of the state spending from state resources in part 1 for campus based and other financial aid programs, it is estimated that \$4,566,584.00 are local spending pursuant to section 30 of article IX of the state constitution of 1963. The distribution is as follows:

	For Fiscal Year Ending Sept. 30, 2000
GRANTS AND FINANCIAL AID	
Part-time independent student program.....	\$ 1,346,354
Michigan education opportunity grant.....	1,107,784
Michigan work-study	2,112,446
TOTAL	\$ 4,566,584

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

Sec. 202. (1) The funds appropriated in part 1 to state institutions of higher education shall be paid out of the state treasury and distributed by the state treasurer to the respective institutions in 11 equal monthly installments on the sixteenth of each month, or the next succeeding business day, beginning with October 16, 1999. Except for Wayne State University, each institution shall accrue its July and August 2000 payments to its institutional fiscal year ending June 30, 2000.

(2) The amount distributed to an institution shall not exceed the net appropriations plus additional distributions specifically authorized by this act.

(3) All universities shall submit higher education institutional data inventory (HEIDI) data and associated financial and program information requested by and in a manner prescribed by the state budget director. For universities with fiscal years ending June 30, 1999, these data shall be submitted to the department of management and budget by October 15, 1999. Universities with a fiscal year ending September 30, 1999 shall submit preliminary HEIDI data by November 15, 1999 and final data by December 15, 1999.

(4) A detailed description of procedures utilized to arrive at the amounts appropriated in part 1 shall be submitted to each institution by the senate and house fiscal agencies.

Sec. 203. Funds received by the state from the federal government or private sources for the use of a college or university is appropriated for the purpose for which it was provided. The acceptance and use of federal or private funds does not place an obligation upon the legislature to continue the purposes for which the funds are made available.

Sec. 204. The expenditures and funding sources authorized under this act are subject to the management and budget act, 1984 PA 431, MCL 18.1101 to 18.1594.

Sec. 205. A state institution of higher education that receives funds under this act shall furnish all program and financial information that is required by and in a manner prescribed by the state budget director or the house or senate appropriations committee.

Sec. 206. Funds appropriated in part 1 shall not be used for the purchase of foreign goods or services if competitively priced American goods or services of comparable quality are available. Not later than May 1, 2000, each university shall have available upon request information on efforts to comply with this section.

Sec. 207. If a state institution of higher education that receives funds under this act notifies the department of treasury regarding its tuition and fee rates in order to qualify as an eligible institution for the Michigan tuition tax credit under section 274 of the income tax act of 1967, 1967 PA 281, MCL 206.274, the institution shall also submit the notification and applicable documentation of tuition and fee changes to the house and senate fiscal agencies.

Sec. 208. All funds received under part 1 for the charter schools development and performance institute are intended to be expended on activities of that institute.

Sec. 210. It is the intent of the legislature that each public university increase its need-based student financial aid for resident undergraduates by at least the percentage increase in its resident undergraduate tuition and fee increase for the 1999-2000 academic year.

GRANTS AND FINANCIAL AID

Sec. 301. (1) Payments of the amounts included in section 119 for the state competitive scholarship program shall be distributed pursuant to 1964 PA 208, MCL 390.971 to 390.981.

(2) The Michigan higher education assistance authority shall implement a proportional competitive scholarship maximum award level for recipients enrolled less than full-time in a given semester or term.

(3) If a student who receives an award under this section has his or her tuition and fees paid under the Michigan educational trust program, pursuant to the Michigan education trust act, 1986 PA 316, MCL 390.1421 to 390.1444, and still has financial need, the funds awarded under this section may be used for educational expenses other than tuition and fees.

(4) If the Michigan higher education assistance authority increases the maximum award per eligible student from that provided in the previous fiscal year, it shall not have the effect of reducing the number of eligible students receiving awards in relation to the total number of eligible applicants. Any increase in the maximum grant shall be proportional for all eligible students receiving awards.

Sec. 302. (1) The amounts appropriated in section 119 for the state tuition grant program shall be distributed pursuant to 1966 PA 313, MCL 390.991 to 390.997a.

(2) Tuition grant awards shall be made to all eligible Michigan residents who apply before September 1, 1999 and who are qualified. Tuition grant awards shall not be made to students newly enrolled in a juris doctor law degree program after the 1995-96 academic year.

(3) The Michigan higher education assistance authority shall determine an actual maximum tuition grant award per student that ensures that the aggregate payments for the tuition grant program do not exceed the appropriation contained in section 120 for the state tuition grant program. By October 15, 1999, and again by December 15, 1999, the authority shall analyze the status of award commitments, shall make any necessary adjustments, and shall confirm that those award commitments will not exceed the appropriation contained in section 120 for the tuition grant program. The determination and actions shall be reported to the state budget director and the house and senate fiscal agencies no later than December 15, 1999. If award adjustments are necessary, the students shall be notified of the adjustment by the third Monday in January.

(4) Any unexpended and unencumbered funds remaining on September 30, 2000 from the amounts appropriated in section 119 for the tuition grant program shall not lapse on September 30, 2000, but shall continue to be available for expenditure for tuition grants provided in the 2000-2001 fiscal year. The use of these unexpended fiscal year 1999-2000 funds shall terminate at the end of the 2000-2001 fiscal year.

(5) The Michigan higher education assistance authority shall continue a proportional tuition grant maximum award level for recipients enrolled less than full-time in a given semester or term.

(6) If the Michigan higher education assistance authority increases the maximum award per eligible student from that provided in the previous fiscal year, it shall not have the effect of reducing the number of eligible students receiving awards in relation to the total number of eligible applicants. Any increase in the maximum grant shall be proportional for all eligible students receiving awards.

Sec. 303. (1) Included in the appropriation in section 119 is funding for the Michigan work-study program established under 1986 PA 288, MCL 390.1371 to 390.1382, and 1986 PA 303, MCL 390.1321 to 390.1332. An effort should be made by each institution participating in the Michigan work-study program to assure that not less than 10% of those undergraduate, graduate, and professional students eligible to participate in the program are placed with for-profit employers no later than December 31 of each year for which funding is provided under this act.

(2) The Michigan higher education assistance authority shall allocate funds to institutions eligible for work-study money based upon each institution's specific Pell grant index and each institution's utilization rate of work-study funds for the 3 most recent years for which statistics are available.

(3) The Michigan higher education assistance authority shall set aside not more than 5% of the total work-study appropriation to process requests from participating institutions for allocation adjustments. Allocation adjustments shall be based on criteria set by the authority prior to making the allocations under subsection (2).

Sec. 304. (1) Payments of the amounts included in section 119 for the general degree reimbursement program established under 1974 PA 75, MCL 390.1021 to 390.1027, shall be made for all degrees identified in section 1(1) of 1974 PA 75, MCL 390.1021, except doctor of dental surgery, doctor of dental medicine, juris doctor law, and allied health degrees.

(2) The reimbursement rate per eligible degree shall be the equally prorated amount permitted by the appropriation, except that the amount of the reimbursement for each associate degree shall be 1/2 of the rate of reimbursement for the other degrees eligible under subsection (1) for the general degree reimbursement program.

(3) From the general degree reimbursement program, \$135,300.00 shall be provided to Spring Arbor College for the southern Michigan state prison program.

(4) From the general degree reimbursement program, \$200,500.00 shall be provided to the University of Detroit - Mercy for graduate research aid.

(5) From the general degree reimbursement program, \$30,100.00 shall be provided to Marygrove College for learning clinics.

(6) From the general degree reimbursement program, \$50,000.00 shall be provided to Suomi College for career education programs.

(7) It is the intent of the legislature that a portion, not to exceed \$1,600,000.00, allocated under section 119 for the general degree reimbursement program for the fiscal year ending on September 30, 2000 be included in the base for

calculation of the section 119 appropriation for the tuition grant program for the 2000-2001 academic year. The amount transferred to the tuition grant program shall be equal to the amount received by independent colleges and universities that adopted a resident undergraduate tuition and fee increase of more than 3% in the 1999-2000 academic year. The general degree reimbursement base for the 2000-2001 fiscal year shall be reduced by an identical amount.

Sec. 305. The reimbursement rate per eligible degree under the allied health degree reimbursement program established under 1974 PA 75, MCL 390.1021 to 390.1027, shall be the equally prorated amount permitted by the appropriation included in section 119.

Sec. 306. Funds disbursed through the degree reimbursement programs shall not be used by any recipient institution for theology or divinity programs.

Sec. 307. The auditor general shall audit selected enrollments, degrees, and awards at selected independent colleges and universities receiving awards administered by the department of treasury. The audits shall be based upon definitions and requirements established by the Michigan higher education assistance authority, the state budget director, and the senate and house fiscal agencies. The auditor general shall accept the Free Application for Federal Student Aid (FAFSA) form as the standard of residency documentation. The auditor general shall submit a report of findings to the senate and house appropriations committees not later than May 1, 2000.

Sec. 308. The sums appropriated in section 119 for the student financial aid and degree reimbursement programs shall be paid out of the state treasury and shall be distributed to the respective institutions under a quarterly payment system as follows:

(a) For the state competitive scholarship, tuition incentive, and tuition grant programs, 40% shall be paid at the beginning of the state's first fiscal quarter, 40% at the beginning of the state's second fiscal quarter, 10% at the beginning of the state's third fiscal quarter, and 10% at the beginning of the state's fourth fiscal quarter.

(b) For the work-study program, payments shall be made in 11 monthly installments from October 1 to August 31 of any year.

(c) For the part-time independent student program and Michigan education opportunity grant program, 50% shall be paid at the beginning of the state's first fiscal quarter, 25% at the beginning of the state's second fiscal quarter, and 25% at the beginning of the state's third fiscal quarter.

(d) For the general degree reimbursement program, allied health degree reimbursement program, Michigan resident dental grant program, and Robert C. Byrd honors scholarship program, 50% shall be paid at the beginning of the state's first fiscal quarter and 50% at the beginning of the state's second fiscal quarter after the number of earned degrees conferred and total amounts to be paid are certified.

Sec. 309. The Michigan higher education assistance authority shall determine the needs analysis criteria for students to qualify for the competitive scholarship program and tuition grant program. To be consistent with federal requirements, student wages may be taken into consideration when determining the amount of the award.

Sec. 310. (1) The funds appropriated in section 119 for the tuition incentive program/high school completion program shall be distributed as provided in this section and pursuant to the administrative procedures for the tuition incentive program/high school completion program of the family independence agency.

(2) As used in this section:

(a) "Phase I" means the first part of the tuition incentive assistance program defined as the academic period of 80 semester or 120 term credits, or less, leading to an associate degree or certificate.

(b) "Phase II" means the second part of the tuition incentive assistance program which provides assistance in the third and fourth year of 4-year degree programs.

(c) "Department" means the family independence agency.

(3) A person shall meet the following basic criteria and financial thresholds to be eligible for tuition incentive benefits:

(a) To be eligible for phase I, a person shall meet all of the following criteria:

(i) Apply for certification to the department before graduating from high school or completing the general education development (GED) certificate.

(ii) Be less than 20 years of age at the time of high school graduation or GED completion.

(iii) Be a United States citizen and a resident of Michigan according to institutional criteria.

(iv) Be at least a half-time student, earning less than 80 semester or 120 term credits at a participating educational institution within 4 years of high school graduation or GED certificate completion.

(b) To be eligible for phase II, a person shall meet either of the following criteria in addition to the criteria in subdivision (a):

(i) Complete at least 56 transferable semester or 84 transferable term credits.

(ii) Obtain an associate degree or certificate at a participating institution.

(c) To be eligible for phase I or phase II, a person must be financially eligible as determined by the department. A person is financially eligible for the tuition incentive program if that person was Medicaid eligible for 24 months within the 36 months before application. Certification of eligibility may begin in the sixth grade and continue until the time of enrollment in a participating institution.

(4) For phase I, the department shall provide payment on behalf of a person eligible under subsection (3). The department shall reject billings that are excessive or outside the guidelines for the type of educational institution.

(5) For phase I, all of the following apply:

(a) Payments for associate degree or certificate programs shall not be made for more than 80 semester or 120 term credits for any individual student at any participating institution.

(b) For persons enrolled at a Michigan community college, the department shall pay the current in-district tuition and mandatory fees. For persons residing in an area that is not included in any community college district, the out-of-district tuition rate may be authorized.

(c) For persons enrolled at a Michigan public university, the department shall pay lower level resident tuition and mandatory fees for the current year.

(d) For persons enrolled at a Michigan independent, nonprofit degree granting college or university, or a Michigan federal tribally controlled community college, or Focus: HOPE, the department shall pay mandatory fees for the current year and a per credit payment that does not exceed the average community college in-district per credit tuition rate as reported on August 1, for the immediately preceding academic year.

(6) A person participating in phase II may be eligible for additional funds not to exceed \$500.00 per semester or \$400.00 per term up to a maximum of \$2,000.00 subject to the following conditions:

(a) Credits are earned in a 4-year program at a Michigan degree granting 4-year college or university.

(b) The tuition reimbursement is for coursework completed within 30 months of completion of the phase I requirements.

(7) Program payments shall not be used by any recipient for theology or divinity courses.

(8) The department shall work closely with participating institutions to develop an application and eligibility determination process that will provide the highest level of participation and ensure that all requirements of the program are met.

(9) Applications for the tuition incentive program may be approved at any time after the student begins the sixth grade. If a determination of financial eligibility is made, that determination is valid as long as the student meets all other program requirements and conditions.

(10) Each institution shall ensure that all known available restricted grants for tuition and fees are used prior to billing the tuition incentive program for any portion of a student's tuition and fees.

(11) The department shall ensure that the tuition incentive program is well publicized and that potentially eligible Medicaid clients are provided information on the program. The department shall provide the necessary funding and staff to fully operate the program.

(12) When statutory provisions are enacted to provide for a tuition incentive program/high school completion program, the provisions of this section are superseded.

(13) Any unexpended and unencumbered funds remaining on September 30, 2000 from the amounts appropriated in section 119 for the tuition incentive program shall not lapse on September 30, 2000, but shall continue to be available for expenditure for the tuition incentive program in the fiscal year ending September 30, 2001.

(14) If the funds appropriated in section 119 from the Michigan merit award trust fund are not available by June 30, 2000, a sum sufficient to fund the tuition incentive program shall be appropriated from the general fund.

Sec. 311. To enable the legislature to evaluate the appropriation needs of higher education, each independent college and university shall make available to the legislature, upon request, data regarding grants for the preceding, current, and ensuing fiscal years.

Sec. 313. (1) Included in section 119 is \$86,300,000.00 appropriated from the Michigan merit award trust fund to fund the Michigan merit award program pursuant to guidelines established by the Michigan merit award commission.

(2) The Michigan merit award commission shall provide by February 15, 2000 a progress report on its implementation of the Michigan merit award program to the state budget director, house and senate fiscal agencies, and members of the house and senate appropriations subcommittees on higher education. The report shall include all of the following information:

(a) The tests or assessments that will be used to determine eligibility for merit awards.

(b) Estimates of expenditures for and the number of merit awards to be made in the immediately succeeding academic year.

(c) The Michigan merit award shall not be considered when determining eligibility for other state financial aid.

(3) When statutory provisions are enacted to provide for a Michigan merit award trust fund act, the provisions of subsection (2) are superseded.

STATE UNIVERSITIES

Sec. 401. (1) Included in section 115 is \$5,965,660.00 to Wayne State University for the Joseph F. Young, Sr. psychiatric research and training program. Wayne State University shall use these funds for psychiatric laboratory and clinical research, training, and treatment services. Within the available appropriation, services shall not be denied to any patient who meets established research guidelines for treatment on the basis of personal financial circumstances, age, geographic residence, or projected/actual length of treatment as medically warranted.

(2) Wayne State University shall report the following information to the department of community health by November 1, 2000:

- (a) The number and type of psychiatric research projects funded by the appropriation described in subsection (1).
 - (b) The number and type of students trained and the location of training funded by the appropriation.
 - (c) Demographic data regarding the number and profile of patients to receive psychiatric services funded by the appropriation and a profile of the services provided.
 - (d) A summary budget outlining major expenditure categories and any first- and third-party reimbursements.
- (3) Copies of these reports shall also be provided to the house and senate fiscal agencies and the state budget director.

Sec. 402. The University of Michigan biological station at Douglas Lake in Cheboygan County is regarded as a unique resource and is designated as a special research reserve. It is the intent of the legislature to protect and preserve the unique long-term research value and capabilities of the biological station area and Douglas Lake. The legislature further intends that no state programs or policies be developed that would have a deleterious impact on the research value of Douglas Lake.

Sec. 403. (1) It is the intent of the legislature that any public university receiving funds under part 1 of this act that adopts a resident undergraduate tuition and fee increase for the 1999-2000 academic year of 3% or less shall retain in its base for calculation of its appropriation for the fiscal year ending September 30, 2001 an amount equal to 1.5% of its base appropriations for the fiscal year ending September 30, 2000.

(2) It is the further intent of the legislature that any public university receiving funds under part 1 of this act that adopts a resident undergraduate tuition and fee increase for the 1999-2000 academic year of more than 3% shall have its base for calculation of its appropriation for the fiscal year ending September 30, 2001 reduced by an amount equal to 1.5% of its base appropriations for the fiscal year ending September 30, 2000.

(3) An amount equal to the reductions to base calculations of universities for the fiscal year ending September 30, 2001, as determined under subsection (2), shall be added to the base for calculating the 2000-2001 fiscal year appropriations of those universities adopting a resident undergraduate tuition and fee increase of 3% or less for the 1999-2000 academic year. The funds added to the base for calculating the fiscal year 2000-2001 appropriations of the eligible universities under this subsection shall be allocated on a per-fiscal-year equated student basis to the state universities that have not achieved their per-student floor specified in section 409.

Sec. 404. It is the intent of the legislature that no funds, other than tuition and other revenues from law school students or private funds explicitly directed to the Detroit College of Law - Michigan State University law alliance, shall be used either directly or indirectly to support the joint law school. The auditor general or a certified public accountant appointed by the auditor general shall audit the financial and accounting systems of the Detroit College of Law - Michigan State University law alliance to determine compliance with this statement of legislative intent and report its findings to the state budget director, house and senate fiscal agencies, and members of the house and senate appropriations subcommittees on higher education.

Sec. 405. (1) There is created the higher education institutional data inventory advisory committee. The committee shall be appointed by the state budget director and shall consist of the following members:

- (a) One representative from the house fiscal agency.
- (b) One representative from the senate fiscal agency.
- (c) One representative from the state budget director's office.
- (d) Three representatives of the presidents council of state universities. The presidents council shall appoint 1 representative each from a masters, a doctoral, and a research university.

(2) The committee shall provide for the general scope and direction for implementing the conversion and modernization of the state's higher education databases, for which funding is provided in section 117.

(3) The committee shall prepare a plan for the conversion and modernization effort. The plan shall include, but is not limited to, all of the following:

- (a) The development of a data dictionary.
- (b) The integration of appropriate federal, national, regional, and state databases.
- (c) The assurance of the accuracy of the data.
- (4) The committee shall consider inclusion of data items that are currently reported under section 705.

Sec. 408. The legislature recognizes that the first and foremost obligation of the public universities is undergraduate instruction. The public universities are therefore encouraged to increase their commitment of tenured and tenure track faculty to undergraduate instruction.

Sec. 409. The amounts included in part 1 for public universities recognize 5 separate university groupings. Funding floors for the 5 groupings are established as follows:

- (a) Funding floor of \$4,500.00 per fiscal-year-equated student for Grand Valley State University, Lake Superior State University, Northern Michigan University, Saginaw Valley State University, and the University of Michigan-Flint.
- (b) Funding floor of \$4,600.00 per fiscal-year-equated student for Central Michigan University, Eastern Michigan University, and Ferris State University.

(c) Funding floor of \$4,700.00 per fiscal-year-equated student for Oakland University and the University of Michigan-Dearborn.

(d) Funding floor of \$5,700.00 per fiscal-year-equated student for Michigan Technological University and Western Michigan University.

(e) Funding floor of \$9,000.00 per fiscal-year-equated student for Michigan State University, the University of Michigan-Ann Arbor, and Wayne State University.

Sec. 412. From the funds appropriated in part 1, each state university shall establish a system to track students that graduate from the university. The system shall minimally provide information on the students' field of study and year of graduation, whether they are employed or continuing their education, the field in which they are employed or their subsequent field of academic study, their job title, their salary, and their city, town, or other place of residence.

Sec. 418. No state funds shall be used by any state university to undertake a collaborative effort with any other university that would have the effect of increasing its enrollment of first-time professional law degree seeking students.

Sec. 421. Central Michigan University shall report by September 30, 2000 to the house and senate appropriations committees and the house and senate fiscal agencies information on the activities and effectiveness of the charter schools development and performance institute for which an appropriation is provided in section 102. Included in the report shall be an accounting of all revenues and expenditures of the institute, the names of the public school academies served, and the type of assistance provided to each public school academy.

Sec. 426. It is legislative intent that private bookstores that sell textbooks to university students and student governments that provide a book swap for university students have accurate and timely access to lists of universities' required textbooks in order to provide prompt and efficient service for students. It is further legislative intent that each state university allow students who are on financial aid or are receiving tuition grants to decide where to purchase their textbooks.

Sec. 427. The presidents council of state universities shall submit a report to the respective legislative subcommittees on higher education appropriations, the respective fiscal agencies, and the state budget director by February 1, 2000, regarding appropriate guidelines for a state university's provision of academic programs in areas of the state outside the university's immediate region.

Sec. 432. Included in section 117 is \$150,000.00 appropriated to the agricultural experiment station for a Michigan-Latvian economic development project. The project shall include the following components:

(a) Michigan business development program.

(b) Internships on Michigan farms and with Michigan agribusinesses for Latvian farmers, cooperative leaders, and agribusiness representatives.

(c) Technical exchange and linkage programs.

(d) Collaborative research programs.

MARTIN LUTHER KING, JR. - CESAR CHAVEZ - ROSA PARKS PROGRAMS

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 faculty teaching careers in postsecondary education. 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 for each public university in part 1 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, 2000 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.

(3) Approved teacher education institutions may and are encouraged to use student support services funding in coordination with the Morris Hood, Jr. funding to achieve the goals of the program.

UNIVERSITY SERVICE TO K-12 EDUCATION

Sec. 601. (1) From the amount appropriated in part 1 for state universities, the state universities shall systematically inform Michigan high schools regarding the academic status of students from each high school in a manner prescribed by the presidents council, state universities of Michigan in cooperation with the Michigan association of secondary school principals.

(2) The Michigan high schools shall systematically inform the state universities about the use of information received under this section in a manner prescribed by the Michigan association of secondary school principals in cooperation with the presidents council, state universities of Michigan.

(3) The Michigan association of secondary school principals in cooperation with the presidents council, state universities of Michigan shall provide a summary report to the house and senate fiscal agencies and the state budget director about the use of the student achievement information received by Michigan high schools under this section.

GENERAL REPORTS AND AUDITS

Sec. 701. (1) The auditor general shall audit enrollments at 5 randomly selected public universities. The audits shall be based upon the definitions and requirements established by the state budget director and the senate and house fiscal agencies. The audits shall be based on uniform reporting categories and shall include higher education institutional data inventory (HEIDI) data. The auditor general shall submit a report of findings to the house and senate appropriations committees and the state budget director no later than July 1, 2000.

(2) Student credit hours reports shall not include the following:

(a) Student credit hours generated through correspondence courses, credit by examination, or inmate prison programs regardless of teaching location.

(b) Student credit hours generated in new degree programs after January 1, 1975, that have not been specifically authorized for funding by the legislature, except spin-off programs converted from existing core programs that do all of the following:

(i) Represent new options, fields, or concentrations within existing programs.

(ii) Are consistent with the current institutional role and mission.

(iii) Are accommodated within the continuing funding base of the institution.

(iv) Do not require a new degree level beyond that which the institution is currently authorized to grant within that discipline or field.

(v) Do not require funding from the state other than that provided by the student credit hours generated within the program, either before program initiation or within the first 3 years of program operation.

(3) The auditor general shall periodically audit higher education institutional data inventory (HEIDI) data as submitted by the state universities for compliance with the definitions in the HEIDI data dictionary.

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

(a) Bachelors

Central Michigan University	Health Administration Major, B.A./B.A.A./B.S.
Central Michigan University	Music Theater, B.F.S.
Ferris State University	Resort Management, B.S.
Northern Michigan University	Athletic Training Major, B.S.
Northern Michigan University	Mechanical Engineering Technology, B.S.
Northern Michigan University	Environmental Sciences, B.S.
Northern Michigan University	Diagnostic Genetics, B.S.

(b) Masters

Central Michigan University	Information Systems, M.S.
Grand Valley State University	Criminal Justice, M.S.
Northern Michigan University	Creative Writing, M.F.A.
University of Michigan-Dearborn	Accounting, M.S.
University of Michigan-Dearborn	Finance, M.S.
Wayne State University	Language Learning, M.A.
Western Michigan University	Teaching Children who are Visually Impaired and Orientation and Mobility for Children who are Visually Impaired, M.A.

(c) Doctorate

Michigan State University	Nursing, Ph.D.
Western Michigan University	Public Administration, Ph.D.

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

Sec. 702. The principal executive officer of each institution of higher education receiving an appropriation under this act shall expend a portion of the funds appropriated to that institution to make a report to the auditor general, the house and senate fiscal agencies, and the state budget director within 60 days after the auditor general issues his or her annual report on the operation of the institution. The institution's report shall specify all of the following:

(a) The recommendations of the auditor general implemented by the institution, including projected dates and resources required, if any, to achieve compliance.

(b) The recommendations of the auditor general not implemented by the institution or implemented by the institution as modified.

(c) The rationale for not implementing a recommendation of the auditor general or of implementing a recommendation as modified.

Sec. 704. (1) Each state university shall annually submit a report to the state budget director and house and senate fiscal agencies on specific programs to ensure the English language oral proficiency of teaching faculty.

(2) The next reporting date for the report under subsection (1) is November 1, 1999.

Sec. 705. (1) Each state university shall report the following information for the 1998-99 academic year to the house and senate fiscal agencies and the department of management and budget on or before October 31, 1999:

(a) Separately, the number of tenured faculty, tenure-track faculty, nontenure-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) Nontenure-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) "Nontenure-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 1998-99 academic year to the house and senate fiscal agencies and the department of management and budget on or before October 31, 1999:

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

(b) Separately, the number of tenured and nontenured 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) "Nontenured faculty" means an individual who has not earned tenure.

Sec. 708. The auditor general shall conduct not less than 3 performance audits of the state universities during the fiscal year ending September 30, 2000.

Sec. 709. (1) An institution receiving funds under this act and also subject to the student right-to-know and campus security act, Public Law 101-522, 104 Stat. 2381, shall furnish by September 1, 1999 to the Michigan department of education, a copy of all material prepared pursuant to the public information reporting requirements under the crime awareness and campus security act of 1990, title II of the student right-to-know and campus security act, Public Law 101-542, 104 Stat. 2381.

(2) Each institution shall make this information available in electronic Internet format on their websites.

Sec. 710. The reports required by this act shall be placed on the Internet under a pilot program, with electronic notification to legislative offices of Internet access to the reports. During fiscal year 2000, reports required under this act shall continue to be distributed to the legislature in the current printed format.

PART 2A

PROVISIONS CONCERNING APPROPRIATIONS FOR FISCAL YEAR 1998-99

GENERAL SECTIONS

Sec. 2101. Pursuant to section 30 of article IX of the state constitution of 1963, total state spending from state resources in part 1A of this appropriation act is \$300,000.00. There is no local spending pursuant to section 30 of article IX of the state constitution of 1963.

Sec. 2102. The funds appropriated in part 1A for infrastructure, technology, equipment, and maintenance shall be distributed as follows:

Northern Michigan University	\$	300,000
Total.....	\$	300,000

Third: That the House and Senate 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 years ending September 30, 1999 and September 30, 2000; to provide for the expenditures of those appropriations; and to prescribe the powers and duties of certain state departments, institutions, agencies, employees, and officers.

Sandra Caul
David Mead
Hubert Price, Jr.
Conferees for the House

John J.H. Schwarz, M.D.
George A. McManus, Jr.
Conferees for the Senate

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

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

The motion prevailed.

The question being on the adoption of the conference report,

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

Roll Call No. 711

Yeas—101

Allen	Faunce	Kukuk	Rivet
Baird	Frank	LaForge	Rocca
Basham	Garcia	LaSata	Sanborn
Birkholz	Geiger	Law	Schauer
Bisbee	Gielegthem	Lemmons	Schermesser
Bishop	Gilbert	Lockwood	Scott
Bogardus	Green	Mans	Scranton
Bovin	Hager	Martinez	Shackleton
Bradstreet	Hale	Mead	Sheltrown
Brater	Hanley	Middaugh	Shulman
Brown, B.	Hansen	Minore	Spade
Brown, C.	Hardman	Mortimer	Stamas

Byl	Hart	Neumann	Switalski
Callahan	Howell	O'Neil	Tabor
Cassis	Jacobs	Pappageorge	Tesanovich
Caul	Jamnack	Patterson	Thomas
Cherry	Jansen	Perricone	Toy
Clark, I.	Jelinek	Pestka	Van Woerkom
Clarke, H.	Jellema	Price	Vander Roest
Daniels	Johnson, Rick	Prusi	Vaughn
DeHart	Julian	Pumford	Vear
Dennis	Kelly	Quarles	Voorhees
DeRossett	Koetje	Rackowski	Wojno
DeVuyst	Kowall	Richardville	Woodward
DeWeese	Kuipers	Richner	Woronchak
Ehardt			

Nays—1

Gosselin

In The Chair: Birkholz

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

Announcement by the Clerk of Printing and Enrollment

The Clerk announced that the following bills had been printed and placed upon the files of the members, Thursday, June 3:

Senate Bill Nos. 626 627 628 629 630

The Clerk announced that the following bills had been printed and placed upon the files of the members, Monday, June 7:

Senate Bill Nos. 631 632

The Clerk announced that the following Senate bill had been received on Wednesday, June 9:

Senate Bill No. 592

By unanimous consent the House returned to the order of

Messages from the Senate

Senate Bill No. 592, entitled

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

The Senate has passed the bill.

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

House Bill No. 4659, entitled

A bill to amend 1986 PA 32, entitled "Emergency telephone service enabling act," (MCL 484.1101 to 484.1604) by adding chapter VII; 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. 4666, entitled

A bill to create the Michigan merit award scholarship trust fund; to create the Michigan merit award scholarship trust fund commission and prescribe the powers and duties of the commission; and to provide for the Michigan merit award scholarship program.

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

The Senate has passed the bill as substituted (S-2), ordered that it be given immediate effect and amended the title to read as follows:

A bill to create the Michigan merit award scholarship trust fund; to create the Michigan merit award scholarship board and prescribe the powers and duties of the board; and to provide for the Michigan merit award scholarship program.

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

House Bill No. 4658, entitled

A bill to amend 1986 PA 32, entitled "Emergency telephone service enabling act," by amending section 201 (MCL 484.1201), as amended by 1994 PA 29, and by adding sections 407, 408, 409, 410, 411, and 412; and to repeal acts and parts of acts.

The Senate has amended the bill as follows:

1. Amend page 5, line 11, after "PUBLIC" by inserting "SAFETY".
2. Amend page 5, line 13, after "PUBLIC" by inserting "SAFETY".
3. Amend page 5, line 14, after "PUBLIC" by inserting "SAFETY".
4. Amend page 5, line 15, after "THIS" by striking out "SECTION" and inserting "SUBDIVISION".
5. Amend page 5, line 19, after "PUBLIC" by inserting "SAFETY".
6. Amend page 5, line 22, after "PUBLIC" by inserting "SAFETY".
7. Amend page 7, line 2, after "DISTRIBUTED" by striking out the balance of the subdivision and inserting "AS PROVIDED IN THE FINAL 9-1-1 SERVICE PLAN.".
8. Amend page 7, line 23, after "SAFETY" by striking out "ENTITY" and inserting "AGENCY".

The Senate has passed the bill as amended, 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.

Rep. Middaugh moved that Rule 45 be suspended.

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

The question being on concurring in the adoption of the amendments made to the bill by the Senate,

Reps. Scranton and Thomas moved to amend the Senate amendments as follows:

1. Amend Senate Amendment No. 7, page 7, line 2, after "AS PROVIDED IN THE" by striking out the balance of the amendment and inserting "EMERGENCY TELEPHONE DISTRICTS' FINAL 9-1-1 SERVICE PLANS.".

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

The question being on concurring in the Senate amendments, as amended,

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

Roll Call No. 712

Yeas—85

Allen	DeWeese	Kelly	Richardville
Baird	Ehardt	Kowall	Rison
Basham	Faunce	Kuipers	Rivet
Birkholz	Garcia	LaForge	Schauer
Bisbee	Geiger	LaSata	Schermesser
Bogardus	Gielegem	Law	Scott
Bovin	Gilbert	Lemmons	Scranton
Brater	Godchaux	Lockwood	Shackleton
Brewer	Green	Mans	Sheltrown
Brown, B.	Hager	Martinez	Spade
Brown, C.	Hale	Mead	Stamas
Byl	Hanley	Middaugh	Switalski

Callahan	Hansen	Minore	Tabor
Caul	Hardman	Neumann	Thomas
Cherry	Howell	O'Neil	Toy
Clark, I.	Jacobs	Pappageorge	Van Woerkom
Clarke, H.	Jamnick	Perricone	Vaughn
Daniels	Jelinek	Pestka	Vear
DeHart	Jellema	Price	Wojno
Dennis	Johnson, Rick	Prusi	Woodward
DeRossett	Julian	Pumford	Woronchak
DeVuyst			

Nays—18

Bishop	Jansen	Rackowski	Shulman
Bradstreet	Koetje	Richner	Tesanovich
Cassis	Kukuk	Rocca	Vander Roest
Gosselin	Mortimer	Sanborn	Voorhees
Hart	Patterson		

In The Chair: Birkholz

The House agreed to the full title of the bill.

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

First Conference Report

The Committee of Conference on the matters of difference between the two Houses concerning
House Bill No. 4298, entitled

A bill to make appropriations for community colleges for the fiscal year ending September 30, 2000; 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 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 part 1A 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, 2000, from the funds indicated in this part. The following is a summary of the appropriations in this part:

COMMUNITY COLLEGES

GROSS APPROPRIATION.....	\$	297,228,019
Total interdepartmental grants and intradepartmental transfers	\$	0
ADJUSTED GROSS APPROPRIATION	\$	297,228,019
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	\$	297,228,019
TOTAL PAYMENTS TO LOCALS.....	\$	297,228,019

Sec. 102. OPERATIONS

Alpena Community College.....	\$	4,888,284
Bay de Noc Community College.....		4,632,634
Delta College.....		13,833,091
Glen Oaks Community College.....		2,202,658
Gogebic Community College.....		4,133,732
Grand Rapids Community College.....		17,825,016
Henry Ford Community College.....		20,840,833
Jackson Community College.....		11,976,753
Kalamazoo Valley Community College.....		11,379,143
Kellogg Community College.....		9,107,407
Kirtland Community College.....		2,921,692
Lake Michigan College.....		4,891,111
Lansing Community College.....		29,830,816
Macomb Community College.....		32,525,228
Mid Michigan Community College.....		4,121,108
Monroe County Community College.....		4,008,744
Montcalm Community College.....		3,035,945
C.S. Mott Community College.....		15,239,321
Muskegon Community College.....		8,672,227
North Central Michigan College.....		2,925,285
Northwestern Michigan College.....		8,641,489
Oakland Community College.....		20,747,107
St. Clair County Community College.....		6,804,650
Schoolcraft College.....		11,786,439
Southwestern Michigan College.....		6,028,283
Washtenaw Community College.....		11,563,090
Wayne County Community College.....		16,476,511
West Shore Community College.....		2,236,399
GROSS APPROPRIATION.....	\$	293,274,995

Appropriated from:

State general fund/general purpose.....	\$	293,274,995
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Sec. 103. GRANTS

At-risk student success program.....	\$	3,584,566
Renaissance zone tax reimbursement funding.....		368,458
GROSS APPROPRIATION.....	\$	3,953,024

Appropriated from:

State general fund/general purpose.....	\$	3,953,024”.
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2. Amend page 4, line 2, after “APPROPRIATIONS” by striking out the balance of the line.

3. Amend page 4, line 4, after “Sec. 201.” by striking out all of subsection (1) and inserting “(1) Pursuant to section 30 of article IX of the state constitution of 1963, total state spending from state sources for fiscal year 1999-2000 is estimated at \$297,228,019.00 in this bill and state spending from state sources paid to local units of government for fiscal year 1999-2000 is estimated at \$297,228,019.00.”.

4. Amend page 9, following line 14, by inserting:

“Sec. 211. (1) The department of treasury shall annually collect and compile as part of the ACS report the tax revenue losses to community colleges resulting from TIFAs and tax abatements. The department of treasury shall submit the data as described in this section to the department of education not later than November 1, 1999 for the previous fiscal year.

(2) The department of treasury shall conduct a study of revenue losses due to tax increment financing authorities and tax abatements. The department of treasury shall produce a report detailing the findings of the study. The report shall be completed and presented to the house and senate appropriations subcommittees on community colleges no later than January 7, 2000. The report shall include, but not be limited to, the following:

(a) Confirmed revenue losses for each community college for each of the previous 3 years.

(b) Projections of revenue losses for each community college for the fiscal years ending September 30, 1999, September 30, 2000, and September 30, 2001.

(c) Analysis of other states’ attempts at mitigating or compensating community colleges for tax abatement and tax increment financing authority revenue losses.

(d) Any other requirements requested by the house and senate appropriations subcommittees on community colleges.

Sec. 211a. The auditor general shall audit the 1995-1996, 1996-1997, 1997-1998, 1998-1999, and 1999-2000 fiscal years tax revenue losses to community colleges resulting from tax increment financing authorities and tax abatements. The auditor general shall submit the results of this audit to the senate and house appropriations subcommittees on community colleges and the senate and house fiscal agencies by February 18, 2000. It is the intent of the legislature to fully reimburse community colleges for tax revenue losses resulting from tax increment financing authorities and tax abatements.”.

5. Amend page 13, line 21, by striking out all of sections 229 and 230 and inserting:

“Sec. 229. The department of education shall implement a pilot program that places reports required by this act on the Internet, with electronic notification to legislative offices of Internet access to the reports. During fiscal year 2000, the department of education shall continue to distribute all of these reports to the legislature in the current printed format.

Sec. 230. The department of education shall receive and retain copies of all reports funded from appropriations in part 1. The department of education shall follow federal and state guidelines for short-term and long-term retention of these reports and records.

Sec. 231. (1) It is the intent of the legislature that any community college receiving funds under part 1 that adopts a tuition and fee increase for the 1999-2000 academic year of 3.0% or less shall retain in its base for calculation of its appropriation for the fiscal year ending September 30, 2001 an amount equal to 1.5% of its base appropriations for the fiscal year ending September 30, 2000.

(2) It is further the intent of the legislature that any community college receiving funds under part 1 that adopts a tuition and fee increase for the 1999-2000 academic year of more than 3.0% shall have its base calculation of its appropriation for the fiscal year ending September 30, 2001 reduced by an amount equal to 1.5% of its base appropriations for the fiscal year ending September 30, 2000.

Sec. 232. For the 1999-2000 academic year, tuition and fees for courses offered through the Michigan community college virtual learning collaborative pilot program are exempt from section 231. It is the intent of the legislature to study the extent to which colleges that have a tuition and fee rate below the state average are treated favorably under the Gast-Mathieu funding formula.”.

6. Amend page 18, following line 3, by inserting:

“Sec. 404. (1) Community colleges shall use a portion of the funds appropriated in part 1 for operations to implement and institute the ideas and goals embodied by the partnerships for employment program or another program with similar nature and intent as the ideas and goals embodied in the partnership for employment program. For this program, community colleges shall form identifiable links with local businesses or local business alliances to ascertain the immediate and lasting employment needs of the community. In so doing, the colleges in conjunction with the businesses shall create specific, direct certificate programs that upon completion will lead to an increased likelihood of employment by the sponsoring businesses.

(2) When creating programs under subsection (1), the community colleges shall consider the following:

(a) The likelihood of the project directly providing a discrete population of unemployed or underemployed workers with job skills that will lead to increased likelihood of desired employment with the sponsoring businesses.

(b) The use of appropriations to efficiently coordinate existing but largely unconnected resources for worker training.

(c) The use of performance outcome measures to detail a correlation between partnering with local businesses to provide specific training, and the population attaining employment upon successful completion of such training.

(3) Each community college shall report to the department of education by no later than September 30, 1999 on all of the following:

(a) The number of certificated programs created under this section.

(b) The job placement rate for graduates with sponsoring businesses under this section.

(c) The amount budgeted for the partnership for employment program.

(d) The amount expended and for what activities for the partnership for employment program.

(e) The number of employers who have agreed to hire participants who complete the partnership for employment program.

(4) The department of education shall compile the information received under subsection (3) and shall submit this compilation to the senate and house appropriations subcommittees on community colleges and the senate and house fiscal agencies by November 1, 1999.”.

7. Amend page 18, line 16, after “to” by inserting “bureau of apprenticeship training”.

8. Amend page 18, following line 20, by striking out all of part 2A and inserting:

“Sec. 407. It is the intent of the legislature that each community college do all of the following:

(a) Undertake active measures to promote equal opportunities, eliminate discrimination, and foster a diverse student body and administration among all people including but not limited to women, minorities, seniors, veterans, and people with disabilities.

(b) Review, analyze, and eradicate activities that may tend to discriminate.”.

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

A bill to make appropriations for community colleges and certain state purposes related to education for the fiscal year ending September 30, 2000; to provide for the expenditure of those appropriations; to establish or continue certain funds, programs, and categories; and to prescribe the powers and duties of certain state departments, institutions, agencies, employees, and officers.

Tony Stamas
 Patricia Godchaux
 Steve Pestka
 Conferees for the House

Harry Gast
 Mike Goschka
 Jackie Vaughn III
 Conferees for the Senate

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

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

The motion prevailed.

The question being on the adoption of the conference report,

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

Roll Call No. 713

Yeas—101

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

Nays—3

Bradstreet	Gosselin	Voorhees
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In The Chair: Birkholz

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

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

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

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

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

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

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

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

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

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

By unanimous consent the House returned to the order of

Motions and Resolutions

Reps. Sanborn, Bishop, Patterson, Faunce, Shulman, Howell, Pestka, Frank, Callahan, Gielegem, Wojno, LaSata, Kukuk, Kilpatrick, Switalski, Baird, Koetje, Richner, Rocca, Clarke, Raczkowski, LaForge, Kelly, Vear, Ehardt, Vander Roest, DeVuyst, Julian, Toy, Woodward, Pappageorge, DeHart, Birkholz, DeRossett, Garcia, Hale and Green offered the following resolution:

House Resolution No. 121.

A resolution honoring Judge Lido V. Bucci.

Whereas, It is with deep appreciation for the hard work, dedication, and professionalism that Judge Lido V. Bucci has put forth on behalf of the citizens of the 16th Judicial Circuit Court, Macomb County, that we offer this expression of our appreciation for his continued legal excellence. As the legal community of Macomb County recognizes the loyalty and devotion to public service of this conscientious individual, we add our sentiments of gratitude for a job well done; and

Whereas, In years of service to the people of Macomb County, Judge Lido V. Bucci has been working in the public arena during an era of great change. With the personal sense of duty that Judge Bucci brings to work each day, however, he has been able to meet challenges with enthusiasm and a genuine interest in efficiency in this community. This has been greatly appreciated, both by the citizens and the legal community in Macomb County that have benefited directly from Judge Lido V. Bucci’s work, as well as others in the judicial branch who have witnessed his fine example; and

Whereas, There can be little doubt that the record of Judge Lido V. Bucci in his responsibilities as Circuit Court Judge over the past several years will continue to reap rewards for the people of Macomb County. We offer our thanks to this individual’s accomplishments; now, therefore, be it

Resolved by the House of Representatives, That the members of this legislative body join with the citizens of Macomb County in saluting Judge Bucci in acknowledgment of his outstanding years in legal service; and be it further Resolved, That a copy of this resolution be transmitted to Judge Lido V. Bucci as a token of our esteem.

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

Reps. Sanborn, Bishop, Patterson, Faunce, Shulman, Howell, Pestka, Frank, Callahan, Gielegem, Wojno, LaSata, Kukuk, Kilpatrick, Switalski, Baird, Koetje, Richner, Rocca, Clarke, Raczkowski, LaForge, Kelly, Vear, Ehardt, Vander Roest, DeVuyst, Julian, Toy, Woodward, Scott, Pappageorge, DeHart, Birkholz, DeRossett, Garcia, Hale and Green offered the following resolution:

House Resolution No. 122.

A resolution honoring Chief Judge - Pro Tem Deborah A. Servitto.

Whereas, It is with deep appreciation for the hard work, dedication, and professionalism that Chief Judge - Pro Tem Deborah A. Servitto has put forth on behalf of the citizens of the 16th Judicial Circuit Court, Macomb County that we offer this expression of our appreciation for her continued legal excellence. As the legal community of Macomb County recognizes the loyalty and devotion to public service of this conscientious individual, we add our sentiments of gratitude for a job well done; and

Whereas, In the years of service to the people of the 16th Judicial Circuit Court, Macomb County, Chief Judge - Pro Tem Deborah A. Servitto has been working in the public arena during an era of great change. With the personal sense of duty that Chief Judge - Pro Tem Servitto brings to work each day, however, she has been able to meet challenges with enthusiasm and a genuine interest in efficiency in this community. This has been greatly appreciated, both by the citizens and the legal community in Macomb County that have benefited directly from Chief Judge - Pro Tem Deborah A. Servitto's work, as well as others in the judicial branch who have witnessed her fine example; and

Whereas, There can be little doubt that the record of Chief Judge - Pro Tem Deborah A. Servitto in her responsibilities as Chief Judge - Pro Tem over the past several years will continue to reap rewards for the people of Macomb County. We offer our thanks to this individual's accomplishments; now, therefore, be it

Resolved by the House of Representatives, That the members of this legislative body join with the citizens of Macomb County in saluting Chief Judge - Pro Tem Servitto in acknowledgment of her outstanding years in legal service; and be it further

Resolved, That a copy of this resolution be transmitted to Chief Judge - Pro Tem Deborah A. Servitto as a token of our esteem.

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

Reps. Sanborn, Bishop, Faunce, Shulman, Howell, Pestka, Frank, Callahan, Gielegem, Wojno, LaSata, Kukuk, Kilpatrick, Switalski, Baird, Koetje, Richner, Rocca, Clarke, Raczkowski, LaForge, Kelly, Vear, Ehardt, Vander Roest, DeVuyst, Julian, Toy, Woodward, Pappageorge, DeHart, Birkholz, DeRossett, Garcia, Hale and Green offered the following resolution:

House Resolution No. 123.

A resolution honoring Judge Antonio P. Viviano.

Whereas, It is with deep appreciation for the hard work, dedication, and professionalism that Judge Antonio P. Viviano has put forth on behalf of the citizens of Macomb County, that we offer this expression of our appreciation for his continued legal excellence. As the legal community of Macomb County recognizes the loyalty and devotion to public service of this conscientious individual, we add our sentiments of gratitude for a job well done; and

Whereas, In years of service to the people of Macomb County, Judge Antonio P. Viviano has been working in the public arena during an era of great change. With the personal sense of duty that Judge Viviano brings to work each day, however, he has been able to meet challenges with enthusiasm and a genuine interest in efficiency in this community. This has been greatly appreciated, both by the citizens and the legal community in Macomb County that have benefited directly from Judge Antonio P. Viviano's work, as well as others in the judicial branch who have witnessed his fine example; and

Whereas, There can be little doubt that the record of Judge Antonio P. Viviano in his responsibilities as Probate Judge over the past several years will continue to reap rewards for the people of Macomb County. We offer our thanks to this individual's accomplishments; now, therefore, be it

Resolved by the House of Representatives, That the members of this legislative body join with the citizens of Macomb County in saluting Judge Viviano in acknowledgment of his outstanding years in legal service; and be it further

Resolved, That a copy of this resolution be transmitted to Judge Antonio P. Viviano as a token of our esteem.

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

Reps. Sanborn, Bishop, Patterson, Faunce, Shulman, Howell, Pestka, Frank, Callahan, Gielegem, Wojno, LaSata, Kukuk, Kilpatrick, Switalski, Baird, Koetje, Richner, Rocca, Clarke, Raczkowski, LaForge, Kelly, Vear, Ehardt, Vander Roest, DeVuyst, Julian, Toy, Woodward, Pappageorge, DeHart, DeRossett, Garcia, Hale and Green offered the following resolution:

House Resolution No. 124.

A resolution honoring Chief Judge Peter J. Maceroni.

Whereas, It is with deep appreciation for the hard work, dedication, and professionalism that Chief Judge Peter J. Maceroni has put forth on behalf of the citizens of the 16th Judicial Circuit Court, Macomb County that we offer this expression of our appreciation for his continued legal excellence. As the legal community of Macomb County recognizes the loyalty and devotion to public service of this conscientious individual, we add our sentiments of gratitude for a job well done; and

Whereas, In years of service to the people of the 16th Judicial Circuit Court, Macomb County, Chief Judge Peter J. Maceroni has been working in the public arena during an era of great change. With the personal sense of duty that Chief Judge Maceroni brings to work each day, however, he has been able to meet challenges with enthusiasm and a genuine interest in efficiency in this community. This has been greatly appreciated, both by the citizens and the legal community in Macomb County that have benefited directly from Chief Judge Peter J. Maceroni's work, as well as others in the judicial branch who have witnessed his fine example; and

Whereas, There can be little doubt that the record of Chief Judge Peter J. Maceroni in his responsibilities as Chief Judge over the past several years will continue to reap rewards for the people of Macomb County. We offer our thanks to this individual's accomplishments; now, therefore, be it

Resolved by the House of Representatives, That the members of this legislative body join with the citizens of Macomb County in saluting Chief Judge Maceroni in acknowledgment of his outstanding years in legal service; and be it further

Resolved, That a copy of this resolution be transmitted to Chief Judge Peter J. Maceroni as a token of our esteem. The resolution was referred to the Committee on House Oversight and Operations.

Reps. Sanborn, Bishop, Patterson, Faunce, Shulman, Howell, Frank, Callahan, Gielegem, Wojno, LaSata, Kukuk, Kilpatrick, Switalski, Baird, Koetje, Richner, Rocca, Clarke, Raczkowski, LaForge, Kelly, Vear, Ehardt, Vander Roest, DeVuyst, Julian, Toy, Woodward, Pappageorge, DeHart, Birkholz, DeRossett, Garcia, Hale and Green offered the following resolution:

House Resolution No. 125.

A resolution honoring Frank Miracola.

Whereas, It is a pleasure to offer this resolution to Frank Miracola commemorating the years he has given to the Macomb Schools. With the record that this talented and energetic teacher has compiled over the years, this is a most fitting symbol of excellence in an endeavor of great importance to every citizen, business, and institution in this state—the education of our young people; and

Whereas, Michigan has a long tradition of belief in the value of education. In his years as an educator, Frank Miracola has followed the noble pursuit of educating young people, a tradition that always has been an important part of Michigan's heritage. In his work at Macomb Schools, he has instilled life-long skills and helped build self-confidence in thousands of youngsters who have grown to adulthood as capable and upstanding citizens. Though the tools used by modern-day teachers such as Frank Miracola are far different than the slates and one-room schools of yesteryear, Frank Miracola has much in common with teachers from our pioneer era who worked so hard to build the future of this state through its children; and

Whereas, In receiving this resolution, Frank Miracola is being singled out for his efforts in several areas. In addition to specific innovations in the classroom, study units, and programs, he is being honored for success in the most fundamental component of learning—motivating young people. We applaud the dedication he has consistently displayed and offer our thanks for the manner in which both students and other educators benefit from all of this hard work; now, therefore, be it

Resolved by the House of Representatives, That the members of this legislative body join in honoring Frank Miracola for his fine efforts in the classroom and in the educational community; and be it further

Resolved, That a copy of this resolution be transmitted to Frank Miracola as a token of our respect for his fine work.

Pending the reference of the resolution to a committee,

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

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

The question being on the adoption of the resolution,

The resolution was adopted.

Reps. Gielegem, Kukuk, LaForge, Thomas, Kelly, Vear, Ehardt, Clarke, Spade, Vander Roest, Bishop, DeVuyst, Julian, Toy, Woronchak, Hansen, Baird, Hanley, Woodward, Wojno, Schauer, Callahan, Prusi, Scott, Pappageorge, Bogardus, DeHart, Rocca, Birkholz, Dennis, Van Woerkom, Faunce, DeRossett, Switalski, Garcia, Hale, Cherry, Schermesser, Green, Jacobs, Bovin, Brater and Minore offered the following resolution:

House Resolution No. 126.

A resolution proclaiming the 175th anniversary of the naming of the Township of Clinton, Macomb County, Michigan.

Whereas, It is with great pride that we join with the good people of Clinton Township in celebrating its 175th anniversary on July 17, 1999. As the residents of this community gather to honor those who established this Township and to reaffirm their commitment for the future, we commend them and thank them for all that the Township of Clinton has meant in helping to define the character of our beloved Great Lake State; and

Whereas, First named in 1824, Clinton Township can trace its roots to as far back as 1782, when David Zeisberger founded a Moravian missionary settlement among the Chippewa Native Americans who lived in the area. Prior to becoming Clinton Township, the area was called Huron and the river that flowed through it was called the Huron River. To avoid confusion with the Huron River that flows into Lake Erie, the name Clinton was selected on July 17, 1824, by the Michigan Territorial government to honor one of the most famous Americans of his time, DeWitt Clinton of New York. DeWitt Clinton—a candidate for President, Governor of New York and Mayor of New York City—is best remembered as the promoter and developer of the Erie Canal that was instrumental in opening Michigan for settlement in the 1800's. Today, the Charter Township of Clinton is proud to be the most populated township in the State of Michigan, and one that strives to remain a quality place to live, work and raise a family. It is also proud of its wide offering of recreational, educational and cultural opportunities, summer concert programs and diverse and vibrant neighborhoods; and

Whereas, In observing an anniversary like the people of Charter Township of Clinton are, we all learn a little more about our hometown. In recalling the struggles of the founders, we gain new insights into how our neighborhoods, businesses, churches and schools developed as they did. For the children of Clinton Township, there are even greater rewards, as they discover that they are part of traditions of citizenship that will be with them all their lives. With the wonderful gifts they share, the people of the Charter Township of Clinton certainly have much reason for thanks and for optimism; now, therefore, be it

Resolved by the House of Representatives, That the members of the Michigan House of Representatives encourage all residents, business people and visitors of the Charter Township of Clinton to recognize and celebrate this historic milestone on July 17, 1999, in ways that heighten civic pride and inspire further preservation of the historical, cultural and natural characteristics that make the Charter Township of Clinton a most enchanting place; and be it further

Resolved, That a copy of this resolution be transmitted to the officials of the Charter Township of Clinton as a token of our esteem.

Pending the reference of the resolution to a committee,

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

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

The question being on the adoption of the resolution,

The resolution was adopted.

Reps. Jansen, Martinez, LaForge, Jelinek, Julian, Bisbee, Kuipers, Vander Roest, Ehardt, Van Woerkom, Faunce, Price, Schauer, Rick Johnson, Godchaux, Hager, Pumford, Baird, Jacobs, Thomas, Allen, Geiger, Mans, Richardville, Bogardus, Minore, Lockwood, Cherry, Stallworth, Quarles, Rison, Kukuk, Hart, Green, DeRossett, Tabor, Toy, Kelly, Clark, Jamnick, Jellema, Bovin, DeHart, Birkholz and Shulman offered the following resolution:

House Resolution No. 127.

A resolution to support the Ready to Learn Leadership Summit.

Whereas, Brain research demonstrates conclusively that early brain development and later capacity for learning is largely determined by quality, caring interactions with infants and young children, or lack thereof; and

Whereas, Healthy intellectual, social, and emotional development of young children requires the formation of stable, loving relationships with parents and other care givers; and

Whereas, Children are greatly prepared for school if they experience love and respect, exposure to language and opportunities to play and explore; and

Whereas, Children are harmed in their development if they experience neglect, abuse, and exposure to toxic substances; and

Whereas, Longitudinal studies have shown that children who enter kindergarten are better prepared through positive, early education and care experiences. These children have a far greater chance of improved educational outcomes, higher rates of graduation, better preparedness to enter the workforce, and the reduction in need for special education, welfare, corrections, and other remedial services; and

Whereas, All sectors of society are influenced by the quality of early childhood education and care in the state, and all sectors are able to influence the quality of children's development; and

Whereas, The goals of the state of Michigan and the Legislature include workforce development, enhancing educational outcomes, reduction of crime, and welfare reform; now, therefore, be it

Resolved by the House of Representatives, That participants of the Ready to Learn Leadership Summit are urged to commit to developing a universal, high quality system of early childhood education and care, with costs and initiative to be shared by the private and public sectors. The Summit has as its measure of success or failure the extent to which all children in Michigan enter kindergarten ready to succeed; and be it further

Resolved, That a copy of this resolution be transmitted to the organizers of the Ready to Learn Leadership Summit as a token of our support for this worthy endeavor.

Pending the reference of the resolution to a committee,

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

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

The question being on the adoption of the resolution,

The resolution was adopted.

Reps. Brater, Hansen, Jamnick, Baird, Vaughn, Schauer, Martinez, Price, Prusi, DeHart, Stallworth, Basham, Quarles, Brewer, Kelly, Rison, Cherry, Bob Brown, Bogardus, Woronchak, Middaugh, Bisbee, Law, Scott, Daniels, Neumann, Clark, Switalski, Mans, Spade, Hanley, Jacobs, Kilpatrick, Rivet, Lockwood, O'Neil, Callahan, Dennis, Woodward, Jellema, Tesanovich, Kukuk, Thomas, Raczkowski, Geiger, Caul, Bovin, Rick Johnson, Rocca, Koetje, Kowall, LaForge, Allen, Pappageorge, Richner, Howell, Cassis, Stamas, Kuipers, Voorhees, Godchaux, Clarke, Minore, Gielegem, Hardman, Julian, Green, Frank, Pestka, Vander Roest, Bishop, Gosselin, Garcia, Faunce, Van Woerkom, Jansen, Shulman, Mead, Pumford, Vear, Bradstreet, Wojno, Birkholz and DeVuyst offered the following resolution:

House Resolution No. 128.

A resolution honoring the Pioneer Symphony and Philharmonia Orchestras.

Whereas, The Pioneer Symphony and Philharmonia Orchestras participated in the National Adjudicators Invitational, sponsored by the Dixie Classics Festival, in Virginia Beach, April 23-24, 1999; and

Whereas, The National Adjudicators Invitational is an adjudicated festival with selected high school orchestras from all over the United States; and

Whereas, The Pioneer Symphony Orchestra and the Pioneer Philharmonia Orchestra both earned a superior rating, competing at Grade Six, the highest level of difficulty in musical selections; and

Whereas, The Pioneer Symphony Orchestra received the Festival Honor Award, a recognition of the best performing group at the competition, and also earned best string sectional and best soloist awards; and

Whereas, Both the Symphony and Philharmonia Orchestras received high commendations for tone, intonation, balance, technique, interpretation, and musical effect; and

Whereas, Under the leadership of their conductor, Ms. Marijean Quigley-Young, Pioneer orchestras have repeatedly received highest honors and awards for their efforts; and

Whereas, The students in the Pioneer orchestras have consistently exhibited great talent and worked hard to reach high levels of musical achievement; now, therefore, be it

Resolved by the House of Representatives, That the members of this legislative body hereby commend the Pioneer High School Symphony and Philharmonia Orchestras for their achievements and awards at the 1999 Dixie Classics Festival in Virginia Beach; and be it further

Resolved, That a copy of this resolution to transmitted to Pioneer High School as evidence of our highest esteem.

Pending the reference of the resolution to a committee,

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

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

The question being on the adoption of the resolution,

The resolution was adopted.

Reps. Kelly, LaForge, Thomas, Vear, Ehardt, Clarke, Spade, Kukuk, Vander Roest, Bishop, DeVuyst, Julian, Toy, Woronchak, Baird, Hanley, Woodward, Wojno, Schauer, Gielegem, Prusi, Martinez, Scott, Pappageorge, Allen, Bogardus, DeHart, Rocca, Birkholz, Rick Johnson, Dennis, Van Woerkom, Faunce, DeRossett, Koetje, Switalski, LaSata, Garcia, Hale, Cherry, Schermesser, Green, Bovin and Brater offered the following resolution:

House Resolution No. 129.

A resolution honoring Michigan's 1999 Junior Miss, Courtney Brooke Cagnon.

Whereas, It is with great pleasure that we join with her family, friends, peers, and the entire community in congratulating Courtney Cagnon as she receives the coveted 1999 Michigan Junior Miss title. This honor recognizes her exceptional abilities in many areas, including her strong sense of ideals and leadership within her community. The recipient of such an award portrays Michigan's Junior Miss as a young woman with great potential for prominence as an adult; and

Whereas, America's Junior Miss Scholarship Program searches for the ideal high school senior girls and rewards them with scholarships for higher education. The qualities that the applicants are judged on include: character, citizenship, high school activities, personal ambitions, poise, and demeanor; and

Whereas, America's Junior Miss program winners incorporate the message "Be Your Best Self" by stressing the importance of six elements in one's life — morality, integrity, honesty, love, respect, and hope; and

Whereas, Courtney Cagnon dedicated her time to take full advantage of the opportunities for personal growth that exist in every way. She diligently earned achievements in areas of personal significance to her and the community. This title demonstrates admirable qualities which are an indication of her talent and industriousness and skills which are of great value to our state now and in the future; and

Whereas, It is most encouraging to learn that Michigan's 1999 Junior Miss, Courtney Cagnon, has achieved these high levels of accomplishment at such a young age, especially with the challenges of the 21st century fast approaching. Her maturity, selflessness, and commitment will serve her well throughout her lifetime, and will enrich her community and state in many ways; now, therefore, be it

Resolved by the House of Representatives, That the members of this legislative body congratulate Courtney Cagnon as she has earned the title of Michigan's 1999 Junior Miss. We encourage her to continue her pursuit of excellence in all her future endeavors; and be it further

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

Pending the reference of the resolution to a committee,

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

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

The question being on the adoption of the resolution,

The resolution was adopted.

Reps. Rocca, Allen, Law, LaForge, Garcia, Richardville, Raczkowski, Thomas, Kelly, Vear, Ehardt, Clarke, Spade, Kukuk, Vander Roest, Bishop, DeVuyst, Julian, Toy, Woronchak, Baird, Woodward, Wojno, Schauer, Callahan, Gielegghem, Prusi, Scott, Pappageorge, Mortimer, Bogardus, DeHart, Birkholz, Rick Johnson, Dennis, Van Woerkom, Faunce, DeRossett, Koetje, LaSata, Hale, Cherry, Schermesser, Green, Bovin and Brater offered the following resolution:

House Resolution No. 130.

A resolution honoring the Detroit Chapter of The Military Order of The World Wars "Massing of the Colors" Memorial Ceremony.

Whereas, On June 12, 1999, the Detroit Chapter of the Military Order of the World Wars and the Clawson-Troy Elks Lodge will conduct ceremonies honoring the American Flag and the military dead at the Clawson-Troy Elks Lodge in Troy, Michigan. At that time, members of this organization, along with numerous participating units of the Armed Forces, veterans, patriotic organizations, members of various civic, fraternal and youth organizations, and citizens, will pay respect to our flag and to the memory of the valiant men and women who gave their last full measure of devotion to preserve our liberty; and

Whereas, A patriotic nonpartisan organization composed of retired and active duty commissioned and warrant officers of the armed services, the Military Order of the World Wars regularly engages in activities of a patriotic nature similar to this memorial observance. Of the 20,000 members of the Military Order of the World Wars, the Detroit membership exemplifies the organization's highest principals of promoting patriotic education and supporting traditional American values; and

Whereas, Founded in 1919, holding their first national convention in Detroit, Michigan, the Military Order is an organization which holds that it is nobler to serve than to be served. It was therefore established to promote the welfare of our nation as a whole. Because it is clearly not a self-seeking organization, The Order is widely respected and listened to throughout all branches of government and across the country; and

Whereas, The Order provides an opportunity for commissioned officers of all services to unite in a strong program for national security and good citizenship. The Order originated Army Day, now Armed Forces Day, to commemorate the services' birthday with appropriate ceremonies and open houses for the public; and

Whereas, The objectives of the Military Order are the foundation for our great nation:

To...Promote memories and associations of Military Service

To...Stimulate love of country

To...Promote Patriotic education

To...Support the maintenance of Law and Order in the United States

To...Defend the honor, integrity and supremacy of our National Government and the Constitution of the United States

To...Foster fraternal relations among all branches of the Armed Forces

To...Promote the cultivation of Military, Naval and Air Science and the adoption of a suitable policy of National Security

To...Encourage and assist in holding of commemorations and the establishment of War Memorials; now, therefore, be it

Resolved by the House of Representatives, That the members of this legislative body and the residents of Michigan commemorate the memorial celebration held by the Military Order of the World Wars; and be it further

Resolved, That copies of this resolution be transmitted to the Detroit Chapter of the Military Order of the World Wars, Detroit Chapter Commander LTC Walter F. Girardot, Department of Michigan Commander LT Petter Poppe, and Region IX Commander CPT Francis R. Spaniola, as evidence of our highest esteem.

Pending the reference of the resolution to a committee,

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

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

The question being on the adoption of the resolution,

The resolution was adopted.

Reps. Brater, LaForge, Thomas, Kelly, Vear, Ehardt, Clarke, Bishop, DeVuyst, Toy, Hansen, Baird, Hanley, Woodward, Wojno, Schauer, Gielegem, Prusi, Martinez, Scott, Bogardus, DeHart, Rocca, Birkholz, Dennis, DeRossett, Koetje, Garcia, Hale, Cherry, Schermesser, Green, Jacobs and Minore offered the following resolution:

House Resolution No. 131.

A resolution honoring Heidi Jacobus, founder and CEO of Cybernet Systems Corporation.

Whereas, Heidi Jacobus is founder and CEO of Cybernet Systems Corporation (CSC) and has brought to Michigan over \$20 million in research and development projects. CSC is also the current employer of over 50 computer scientists and professionals; and

Whereas, Heidi Jacobus serves as an outstanding example of successful entrepreneurship in a woman-owned business, surmounting considerable obstacles to establish and maintain a cutting-edge business. She has made outstanding and significant contributions to the Washtenaw County area, and provides a model for other women seeking to establish themselves in business; and

Whereas, Ms. Jacobus started CSC in 1988 in her daughter's bedroom. After completing a Master of Computer Science degree at the University of Illinois, she worked on leading-edge engineering projects at Texas Instruments and the University of Michigan. Her work in human-computer interaction attracted research contracts from NASA and the U.S. Department of Defense and Cybernet was born. The business has steadily grown and was recently recognized by *The Ann Arbor News* as Michigan's leader in Small Business Innovation Research. In addition, the State of Michigan featured Ms. Jacobus and Cybernet in its 1999 multi-million dollar worldwide TV and print advertising campaign designed to attract new companies to the state; and

Whereas, Cybernet has moved beyond government-backed research and into commercial product development and investment. Examples include the company's NetMAX network server software package based on Unix-like platforms such as Linux, and Cybernet's investment in Immersion Corporation of San Jose, where Cybernet exchanged key intellectual property and patents for a significant ownership stake in the fast-growing Silicon Valley company, where Ms. Jacobus also plays an active role through their Board of Directors; and

Whereas, Ms. Jacobus has been a significant contributor to the Small Business Association of Michigan, was a founder of the Small Business Technology Coalition, and is a speaker at the 1999 annual National Association of Women Business Owners conference. Ms. Jacobus also served as a charter member of the National Employers Leadership Council, providing industry perspective to the U.S. Secretaries of Labor and Education on workforce development and School-to-Work concept; and

Whereas, Heidi Jacobus has been married to Charles J. Jacobus, Ph.D., for nineteen years and has two children, Patrick, age 14, and Monica, age 16; now, therefore, be it

Resolved by the House of Representatives, That the members of this legislative body honor Heidi Jacobus as an outstanding woman entrepreneur; and be it further

Resolved, That a copy of this resolution be transmitted to Heidi Jacobus as evidence of our highest esteem for her and her many accomplishments.

Pending the reference of the resolution to a committee,

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

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

The question being on the adoption of the resolution,

The resolution was adopted.

Reps. Sanborn, Bishop, Patterson, Faunce, Shulman, Howell, Pestka, Frank, Callahan, Gielegem, Wojno, LaSata, Kukuk, Kilpatrick, Switalski, Baird, Koetje, Richner, Clarke, Raczkowski, LaForge, Kelly, Vear, Ehardt, Vander Roest, DeVuyst, Julian, Toy, Woodward, Pappageorge, DeHart, Birkholz, DeRossett, Garcia, Hale, Schermesser and Green offered the following resolution:

House Resolution No. 132.

A resolution honoring Judge Pat M. Donofrio.

Whereas, It is with deep appreciation for the hard work, dedication, and professionalism that Judge Pat M. Donofrio has put forth on behalf of the citizens of the 16th Judicial Circuit Court, Macomb County, that we offer this expression of our appreciation for his continued legal excellence. As the legal community of Macomb County recognizes the loyalty and devotion to public service of this conscientious individual, we add our sentiments of gratitude for a job well done; and

Whereas, In years of service to the people of the 16th Judicial Circuit Court, Macomb County, Judge Pat M. Donofrio has been working in the public arena during an era of great change. With the personal sense of duty that Judge Donofrio brings to work each day, however, he has been able to meet challenges with enthusiasm and a genuine interest in efficiency in this community. This has been greatly appreciated, both by the citizens and the legal community in Macomb County that have benefited directly from Judge Pat M. Donofrio's work, as well as others in the judicial branch who have witnessed his fine example; and

Whereas, There can be little doubt that the record of Judge Pat M. Donofrio in his responsibilities as Presiding Judge, Civil/Criminal Division will continue to reap rewards for the people of Macomb County over the years to come. We offer our thanks to this individual's accomplishments; now, therefore, be it

Resolved by the House of Representatives, That the members of this legislative body join with the citizens of Macomb County in saluting Judge Pat Donofrio in acknowledgment of his outstanding years in legal service; and be it further

Resolved, That a copy of this resolution be transmitted to Judge Pat M. Donofrio as a token of our esteem.

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

By unanimous consent the House considered **House Concurrent Resolution No. 42** out of numerical order

Reps. Richardville, Kuipers, Julian, Pappageorge, Gilbert, Jelinek, Ehardt, Toy, Patterson, Rocca, Howell, DeRossett, Shulman, Tabor, Hager, Bradstreet, Van Woerkom, Garcia, Allen, Rick Johnson, Gosselin, Bisbee, Koetje, DeWeese, Kukuk, Middaugh, Cameron Brown, LaSata, Voorhees, Jansen, Sanborn, Caul, Richner, Law, Vear, Bovin, Scranton, Birkholz, Cassis and Raczkowski offered the following concurrent resolution:

House Concurrent Resolution No. 42.

A concurrent resolution to memorialize the Congress of the United States to adopt and submit to the states for ratification an amendment to the United States Constitution to prohibit the desecration of the American flag.

Whereas, The American flag holds a unique place of respect and affection for almost all Americans. This symbol of our shared ideals and aspirations has taken on greater meaning over the years through the suffering of the men and women who have sacrificed their lives for their country; and

Whereas, In recent years, there has been considerable debate over the idea of extending constitutional protection to the flag. The debate centers on what constitutes freedom of expression and free speech. In this discussion, it is important to realize that a prohibition on flag desecration would not eliminate other avenues of expression or protest. According special status to our most cherished symbol would only accord due recognition to a unique component of our national identity; and

Whereas, The American people have strong feelings for our flag. Thoughtful citizens do not equate taking the positive step of providing protection for the flag with removal of freedom of speech any more than laws generally provide acceptable limits of behavior for the common good; now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That we memorialize the Congress of the United States to adopt and submit to the states for ratification an amendment to the United States Constitution to prohibit the desecration of the American flag; and be it further

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

The concurrent resolution was referred to the Committee on Veterans Affairs.

Introduction of Bills

Rep. Law introduced

House Bill No. 4764, entitled

A bill to amend 1996 PA 386, entitled "An act to regulate the sale and purchase of viatical settlement contracts; to prescribe the powers and duties of certain state agencies and officials; and to prescribe penalties," (MCL 550.521 to 550.528) by adding section 4a.

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

Reps. Richardville, Kuipers, Julian, Gilbert, Pappageorge, Jelinek, Ehardt, Toy, Patterson, Rocca, DeRossett, Shulman, Tabor, Hager, Bradstreet, Van Woerkom, Allen, Gosselin, Bisbee, DeWeese, LaSata, Caul, Voorhees, Richner, Cameron Brown, Jansen, Sanborn, Kukuk, Middaugh, Rick Johnson, Law, Vear, Bovin, Scranton, Birkholz, Cassis and Raczkowski introduced

House Bill No. 4765, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending section 246 (MCL 750.246).

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

Reps. Richner, Gosselin, Pappageorge, Hart, Koetje, Voorhees, Kuipers, Vander Roest, Garcia, Law and DeVuyst introduced

House Bill No. 4766, entitled

A bill to amend 1964 PA 154, entitled "Minimum wage law of 1964," by amending the title and section 3 (MCL 408.383).

The bill was read a first time by its title and referred to the Committee on Employment Relations, Training and Safety.

Reps. Richardville, Kuipers, Julian, Gilbert, Pappageorge, Jelinek, Ehardt, Toy, Patterson, Rocca, Howell, DeRossett, Shulman, Tabor, Hager, Bradstreet, Van Woerkom, Garcia, Allen, Bisbee, Koetje, DeWeese, Kukuk, Middaugh, Cameron Brown, LaSata, Richner, Voorhees, Caul, Jansen, Sanborn, Rick Johnson, Law, Vear, Bovin, Scranton, Birkholz, Cassis and Raczkowski introduced

House Joint Resolution J, entitled

A joint resolution proposing an amendment to the state constitution of 1963, by adding section 3a to article III to prohibit the desecration of the flag of the United States or this state.

The joint resolution was read a first time by its title and referred to the Committee on Constitutional Law and Ethics.

By unanimous consent the House returned to the order of

Reports of Standing Committees

The Committee on House Oversight and Operations, by Rep. Raczkowski, Chair, reported

House Resolution No. 117.

A resolution to create the Select Committee on Limiting the Importation of Waste into Michigan.

(For text of resolution, see House Journal No. 53, p. 1379.)

With the recommendation that the resolution be adopted.

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

Favorable Roll Call

HR 117 To Report Out:

Yeas: Reps. Raczkowski, Howell, Richardville, Shackleton, Rivet, DeHart,

Nays: None.

The Committee on House Oversight and Operations, by Rep. Raczkowski, Chair, reported

House Resolution No. 118.

A resolution to create the Select Committee on the Training and Development of Twenty-first Century Teachers.

(For text of resolution, see House Journal No. 53, p. 1380.)

With the recommendation that the resolution be adopted.

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

Favorable Roll Call

HR 118 To Report Out:

Yeas: Reps. Raczkowski, Howell, Richardville, Shackleton, Rivet, DeHart,

Nays: None.

The Committee on House Oversight and Operations, by Rep. Raczkowski, Chair, reported

House Resolution No. 119.

A resolution to create the Select Committee on Strategies to Reduce Teen Pregnancies.

(For text of resolution, see House Journal No. 53, p. 1380.)

With the recommendation that the resolution be adopted.

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

Favorable Roll Call

HR 119 To Report Out:

Yeas: Reps. Raczkowski, Howell, Richardville, Shackleton, Rivet, DeHart,
Nays: None.

The Committee on House Oversight and Operations, by Rep. Raczkowski, Chair, reported
House Resolution No. 120.

A resolution to create the Select Committee on Restorative Justice.

(For text of resolution, see House Journal No. 53, p. 1381.)

With the recommendation that the resolution be adopted.

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

Favorable Roll Call

HR 120 To Report Out:

Yeas: Reps. Raczkowski, Howell, Richardville, Shackleton, Rivet, DeHart,
Nays: None.

The Committee on House Oversight and Operations, by Rep. Raczkowski, Chair, reported
House Concurrent Resolution No. 43.

A concurrent resolution to create the Joint Legislative Select Committee on Wayne County Detroit Metropolitan Airport.

(For text of resolution, see House Journal No. 53, p. 1381.)

With the recommendation that the concurrent resolution be adopted.

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

Favorable Roll Call

HCR 43 To Report Out:

Yeas: Reps. Raczkowski, Howell, Richardville, Shackleton,
Nays: None.

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Wednesday, June 9, 1999, at 12:50 p.m.,

Present: Reps. Raczkowski, Howell, Richardville, Shackleton, Rivet, DeHart,

Absent: Rep. Brewer,

Excused: Rep. Brewer.

Notices

I hereby give notice that on the next legislative session day I will move to discharge the Committee on Energy and Technology from further consideration of **House Resolution No. 67.**

Rep. Schermesser

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

Senate Bill No. 396, entitled

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

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. Middaugh 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. 396, entitled

A bill to amend 1933 PA 167, entitled "General sales tax act," (MCL 205.51 to 205.78) by adding section 4s.
 The bill was read a third time.
 The question being on the passage of the bill,

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

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

Rep. Middaugh moved to vacate the enrollment of **House Bill No. 4473**.
 The motion prevailed.

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

Rep. Middaugh moved that the Committee on Conservation and Outdoor Recreation be discharged from further consideration of **House Bill No. 4633**.
 The motion prevailed, a majority of the members serving voting therefor.
 The bill was referred to the order of Second Reading of Bills.

Rep. Kilpatrick entered the House Chambers.

Reports of Select Committees

First Conference Report

The Committee of Conference on the matters of difference between the two Houses concerning
House Bill No. 4301, 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, 2000; 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 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 education for the fiscal year ending September 30, 2000, from the funds indicated in this part. The following is a summary of the appropriations in this part:

DEPARTMENT OF EDUCATION

APPROPRIATION SUMMARY:

Full-time equated unclassified positions	6.0	
Full-time equated classified positions	542.6	
GROSS APPROPRIATION.....		\$ 1,001,506,100
Interdepartmental grant revenues:		
Interdepartmental grant from consumer and industry services		404,600
Interdepartmental grant from corrections academy lease.....		478,000
Interdepartmental grant from the department of career development		101,200
Interdepartmental grant from treasury		100,900
Total interdepartmental grants and intradepartmental transfers		1,084,700
ADJUSTED GROSS APPROPRIATION		\$ 1,000,421,400
Federal revenues:		
Total federal revenues		928,508,200
Special revenue funds:		
Local cost sharing (schools for blind/deaf)		6,141,700
Local school district service fees		102,600
Total local revenues		6,244,300
Gifts, bequests, and donations.....		470,100
Private foundations		117,200
Total private revenues		587,300
Total local and private revenues.....		6,831,600
Certification fees.....		3,092,000
Commodity distribution fees		45,800
Defaulted loan collection fees		100,000
Driver fees		8,098,800
Lansing, Michigan school for the blind rent		739,000
Michigan merit award trust fund		13,000,000
Motorcycle license fees.....		1,007,500
Private occupational school license fees		268,300
Safety education fund		311,700
School loan exception fees.....		32,900
Student insurance revenue.....		205,100
Teacher testing fees.....		263,500
Training and orientation workshop fees		100,000
Total other state restricted revenues		27,264,600
State general fund/general purpose		\$ 37,817,000
Sec. 102. STATE BOARD OF EDUCATION/OFFICE OF THE SUPERINTENDENT		
Full-time equated unclassified positions	6.0	
Full-time equated classified positions	16.0	
State board of education, per diem payments		\$ 19,400
Unclassified positions—6.0 FTE positions.....		505,500
State board/superintendent operations—16.0 FTE positions.....		2,369,500
GROSS APPROPRIATION.....		\$ 2,894,400
Appropriated from:		
Federal revenues:		
Federal revenues		567,000
Special revenue funds:		
Private foundations		8,000
State general fund/general purpose		\$ 2,319,400
Sec. 103. CENTRAL SUPPORT		
Full-time equated classified positions	56.2	
Central support—47.2 FTE positions		\$ 5,369,500
Worker's compensation		76,500
Education commission of the states		92,700
Building occupancy charges - property management services		1,285,200
Training and orientation workshops		100,000
Administrative law operations—9.0 FTE positions		817,000

Terminal leave payments.....	500,000
State tenure commission, per diem.....	11,100
GROSS APPROPRIATION.....	\$ 8,252,000
Appropriated from:	
Interdepartmental grant from consumer and industry services	2,300
Interdepartmental grant from the department of career development	1,200
Interdepartmental grant from treasury	900
Federal revenues:	
Federal revenues	4,082,200
Special revenue funds:	
Certification fees.....	139,700
Commodity distribution fees	4,500
Driver fees	17,800
Local cost sharing	60,800
Motorcycle license fees.....	3,500
Private occupational school license fees	12,800
Safety education fund	2,100
School loan exception fees.....	32,900
Teacher testing fees.....	8,000
Training and orientation workshop fees	100,000
State general fund/general purpose	\$ 3,783,300
Sec. 104. SCHOOL SUPPORT SERVICES	
Full-time equated classified positions	41.4
School support operations—41.4 FTE positions.....	\$ 4,872,400
GROSS APPROPRIATION.....	\$ 4,872,400
Appropriated from:	
Federal revenues:	
Federal revenues	3,892,000
Special revenue funds:	
Commodity distribution fees	41,300
Driver fees	470,400
Motorcycle license fees.....	136,700
Safety education fund	115,300
State general fund/general purpose	\$ 216,700
Sec. 105. DATA AND TECHNOLOGY SERVICES	
Full-time equated classified positions	37.2
Data and technology operations—37.2 FTE positions.....	\$ 6,421,700
GROSS APPROPRIATION.....	\$ 6,421,700
Appropriated from:	
Interdepartmental grant revenues:	
Interdepartmental grant from consumer and industry services	402,300
Interdepartmental grant from the department of career development	100,000
Interdepartmental grant from treasury	100,000
Federal revenues:	
Federal revenues	3,198,000
Special revenue funds:	
Certification fees.....	250,900
Driver fees	10,600
State general fund/general purpose	\$ 2,359,900
Sec. 106. STANDARDS, ASSESSMENT, AND ACCREDITATION SERVICES	
Full-time equated classified positions	44.7
Standards, assessment, and accreditation operations—44.7 FTE positions.....	\$ 3,548,300
Study of teacher preparation	237,500
Test development and administration	13,000,000
GROSS APPROPRIATION.....	\$ 16,785,800
Appropriated from:	
Federal revenues:	
Federal revenues	780,800

Special revenue funds:	
Michigan merit award trust fund.....	13,000,000
State general fund/general purpose	\$ 3,005,000
Sec. 107. SPECIAL EDUCATION SERVICES	
Full-time equated classified positions.....55.6	
Special education operations—55.6 FTE positions	\$ 6,313,800
GROSS APPROPRIATION.....	\$ 6,313,800
Appropriated from:	
Federal revenues:	
Federal revenues	6,150,100
Special revenue funds:	
Certification fees.....	19,500
State general fund/general purpose	\$ 144,200
Sec. 108. LANSING, MICHIGAN SCHOOL FOR THE BLIND FORMER SITE	
General services.....	\$ 1,227,000
GROSS APPROPRIATION.....	\$ 1,227,000
Appropriated from:	
Interdepartmental grant revenues:	
Interdepartmental grant from corrections academy lease.....	478,000
Special revenue funds:	
Gifts, bequests, and donations.....	10,000
Lansing, Michigan school for the blind rent	739,000
State general fund/general purpose	\$ 0
Sec. 109. MICHIGAN SCHOOLS FOR THE DEAF AND BLIND	
Full-time equated classified positions.....120.3	
Michigan schools for the deaf and blind operations—117.0 FTE positions.....	\$ 10,876,700
Technical resource and reproduction center	1,100,000
Summer institute.....	312,100
Michigan deaf/blind center—2.3 FTE positions	306,400
Camp Tuhsmeheeta—1.0 FTE position.....	250,100
Private gifts - blind.....	90,000
Private gifts - deaf	50,000
GROSS APPROPRIATION.....	\$ 12,985,300
Appropriated from:	
Federal revenues:	
Federal revenues	2,420,800
Special revenue funds:	
Local cost sharing (schools for blind/deaf)	6,080,900
Local school district service fees	102,600
Gifts, bequests, and donations.....	460,100
Student insurance revenue.....	205,100
State general fund/general purpose	\$ 3,715,800
Sec. 110. CAREER, CURRICULUM, AND POSTSECONDARY SERVICES	
Full-time equated classified positions.....73.9	
Career, curriculum, and adult education operations—51.9 FTE positions	\$ 6,327,800
Postsecondary operations—22.0 FTE positions.....	2,204,400
GROSS APPROPRIATION.....	\$ 8,532,200
Appropriated from:	
Federal revenues:	
Federal revenues	5,999,900
Special revenue funds:	
Defaulted loan collection fees.....	100,000
Private foundations	14,400
Private occupational school license fees	255,500
State general fund/general purpose	\$ 2,162,400
Sec. 111. PROFESSIONAL PREPARATION SERVICES	
Full-time equated classified positions.....26.5	
Professional preparation operations—26.5 FTE positions	\$ 3,104,100

Teacher quality enhancement	2,500,000
Department of attorney general	50,000
GROSS APPROPRIATION	\$ 5,654,100
Appropriated from:	
Federal revenues:	
Federal revenues	2,716,700
Special revenue funds:	
Certification fees	2,681,900
Teacher testing fees	255,500
State general fund/general purpose	\$ 0
Sec. 112. FIELD SERVICES	
Full-time equated classified positions	41.0
Field services operations—41.0 FTE positions	\$ 3,922,900
GROSS APPROPRIATION	\$ 3,922,900
Appropriated from:	
Federal revenues:	
Federal revenues	3,511,500
State general fund/general purpose	\$ 411,400
Sec. 113. INNOVATION AND COMMUNITY SERVICES	
Full-time equated classified positions	29.8
Innovation and community services operations—29.8 FTE positions	\$ 3,310,000
Office for safe schools	200,000
GROSS APPROPRIATION	\$ 3,510,000
Appropriated from:	
Federal revenues:	
Federal revenues	2,642,100
State general fund/general purpose	\$ 867,900
Sec. 114. GRANTS AND DISTRIBUTIONS	
FEDERAL PROGRAMS:	
Adult basic education	\$ 10,024,100
Acquired immunodeficiency syndrome education grants	600,000
Class size reduction grants	50,275,700
Competitive child care and development	500,000
Drug-free schools grant	16,758,400
Eisenhower mathematics and science grants	12,940,000
Emergency immigrant	1,455,000
Gear-up program grants	2,000,000
Goals 2000 grants	17,082,200
Handicapped infants and toddlers	16,000,000
Homeless children and youth	1,041,000
Job training partnership act	7,952,700
Michigan charter school subgrant program	5,000,000
Migrant technology	576,300
Preschool grants (PL 94-142)	13,500,000
School-age child care grants	301,500
School lunch program-federal share	237,300,000
School-to-work	1,800,000
Serve America grants	840,000
Special education	20,089,800
Statewide systemic initiative grant	50,000
Surplus commodity	2,506,000
Technology literacy challenge grants	17,784,300
Title I, comprehensive school reform	5,889,200
Title I, disadvantaged children	346,000,000
Title I, even start	5,300,000
Title I, migrant	12,000,000
Title VI, innovative strategies	13,480,900
Vocational education act of 1963	39,500,000

STATE PROGRAMS:

Christa McAuliffe grants.....	\$	94,800
Driver education		7,600,000
Motorcycle safety education		867,300
National board certification.....		20,000
Off-road vehicle safety training grant		194,300
Reading plan for Michigan grants		34,000,000
School lunch and breakfast programs.....		6,728,000
School readiness grants		12,083,000
GROSS APPROPRIATION.....	\$	<u>920,134,500</u>

Appropriated from:

Federal revenues:

DAG-food and nutrition service, national school lunch	237,300,000
DAG-the emergency food assistance program.....	2,506,000
DED-grants and contracts service, school-to-work.....	1,800,000
DED-OBEMLA, emergency immigrant education assistance	1,455,000
DED-OESE, charter schools	5,000,000
DED-OESE, class size reduction.....	50,275,700
DED-OESE, drug-free schools and communities	16,758,400
DED-OESE, gear-up	2,000,000
DED-OESE, goals 2000	22,082,200
DED-OESE, Eisenhower mathematics and science administration.....	12,940,000
DED-OESE, migrant technology.....	576,300
DED-OESE, reading excellence act	29,000,000
DED-OESE, technology literacy challenge fund	17,784,300
DED-OESE, title I, comprehensive school reform	5,031,900
DED-OESE, title I, disadvantaged children	346,000,000
DED-OESE, title I, even start	5,300,000
DED-OESE, title I, migrant education	12,000,000
DED-OESE, title VI, innovative strategies	13,480,900
DED-OESE, title X, comprehensive school reform.....	857,300
DED-OSERS, handicapped infants and toddlers	16,000,000
DED-OSERS, handicapped preschool incentive grants	13,500,000
DED-OSERS, handicapped program, individuals with disabilities act	20,089,800
DED-OVAE, adult education, state administered program	10,024,100
DED-OVAE, basic grants to states.....	39,500,000
DED-OVAE, homeless children and youth.....	1,041,000
DOL, job training partnership act	7,952,700
HHS-ACF, at-risk child care	500,000
HHS-CDCP, AIDS education	600,000
HHS-ACF, dependent care block grant	301,500
National science foundation.....	50,000
Corporation for national and community service	840,000

Special revenue funds:

Driver fees	7,600,000
Motorcycle license fees.....	867,300
Safety education fund	194,300
Private foundations	94,800
State general fund/general purpose	\$ 18,831,000".

2. Amend page 13, line 19, after "at" by striking out "\$66,075,100.00" and inserting "\$65,081,600.00".

3. Amend page 17, line 15, by striking out all of section 209 and inserting:

"Sec. 209. (1) The department shall submit to the department of management and budget, the house and senate appropriations committees, the house and senate fiscal agencies, and the house and senate standing committees having jurisdiction over technology issues quarterly reports on the department's efforts to change the department's computer software and hardware as necessary to perform properly in the year 2000 and beyond. These reports shall identify actual progress in comparison to the department's approved work plan for these efforts.

(2) Beginning with the report on April 1, 2000, the department shall submit to the department of management and budget, the senate and house of representatives standing committees on appropriations, the senate and house fiscal agencies, and the senate and house standing committees having jurisdiction over technology issues quarterly reports

identifying for the immediately preceding quarter significant problems with information systems, occurrences of information system failure as a result of noncompliance with year 2000 standards, and previously unidentified areas of significant impact. These reports shall identify systems needing corrective action and the contractual obligations of accountable parties. These reports shall give the status of the progress made in repairing and testing applications, the status of vendor supplied solutions to problems, information on the activation of manual or contract processes used to correct problems, and an itemization of the additional costs incurred.

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

4. Amend page 18, line 11, by striking out all of section 211 and inserting:

“Sec. 211. The departments and state agencies receiving appropriations under this act shall receive and retain copies of all reports funded from appropriations in part 1. These departments and state agencies shall follow federal and state guidelines for short-term and long-term retention of these reports and records.”

5. Amend page 20, line 3, after “for” by striking out the balance of the line through “services” on line 4 and inserting “the office for safe schools”.

6. Amend page 21, line 26, by striking out all of section 220 and inserting:

“Sec. 220. The department shall implement a pilot program that places reports required by this act on the Internet, with electronic notification to legislative offices of Internet access to the reports. During fiscal year 2000, the department shall continue to distribute all of these reports to the legislature in the current printed format.”

7. Amend page 22, line 4, by striking out all of section 221.

8. Amend page 22, following line 10, by striking out all of sections 222 and 223 and inserting:

“Sec. 222. The department shall require all public school districts to maintain complete records within the personnel file of a teacher or school employee of any disciplinary actions taken by the local school board against the teacher or employee for sexual misconduct. The records shall not be destroyed or removed from the teacher’s or employee’s personnel file except as required by a court order.

Sec. 223. For fiscal year 1999-2000, the department shall contract with and provide administration for the same local sponsors that participated in the emergency food assistance program under an agreement that was agreed to by the department for fiscal year 1998-99, unless the local sponsor elects not to participate in the program.”

9. Amend page 23, following line 20, by inserting:

“(3) If an audit finds that a public school academy has significantly misrepresented its enrollment membership or financial data to the department, its funding shall be withheld and the public school academy shall be required to reimburse the state any appropriations made as a result of the misrepresentations.

(4) A public school academy found to have misrepresented its enrollment membership may utilize the same appeal process as a school district.”

10. Amend page 25, following line 6, by striking out all of section 506 and inserting:

“Sec. 506. Beginning September 1, 1999, the department shall authorize teacher preparation institutions to provide an alternative program by which up to 1/2 of the required student internship or student teaching credits may be earned through substitute teaching. The department shall require that teacher preparation institutions collaborate with school districts to ensure that the quality of instruction provided to student teachers is comparable to that required in a traditional student teaching program.”

11. Amend page 35, line 25, by striking out all of section 809.

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 education and certain other purposes relating to education for the fiscal year ending September 30, 2000; 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.

Ron Jelinek
Tony Stamas
Thomas Kelly
Conferees for the House

Loren Bennett
Mike Goschka
Jackie Vaughn, III
Conferees for the Senate

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

Reports of Standing Committees

The Committee on Economic Development, by Rep. Garcia, Chair, reported

Senate Bill No. 625, entitled

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

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

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

Favorable Roll Call

SB 625 To Report Out:

Yeas: Reps. Garcia, Kowall, Bisbee, Richardville, Van Woerkom, Bob Brown, Lockwood, Mans, Vaughn,

Nays: None.

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Garcia, Chair of the Committee on Economic Development, was received and read:

Meeting held on: Wednesday, June 9, 1999, at 1:00 p.m.,

Present: Reps. Garcia, Kowall, Bisbee, Richardville, Van Woerkom, Bob Brown, Lockwood, Mans, Vaughn.

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

Senate Bill No. 592, entitled

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

With the recommendation that the bill pass.

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

Favorable Roll Call

SB 592 To Report Out:

Yeas: Reps. Geiger, Jellema, Cameron Brown, Byl, Caul, Godchaux, Kukuk, LaSata, Mead, Pappageorge, Pumford, Scranton, Toy, Price, Cherry, Clarke, Martinez, Pestka, Prusi, Tesanovich,

Nays: None.

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Wednesday, June 9, 1999, at 9:00 a.m.,

Present: Reps. Geiger, Jellema, Cameron Brown, Byl, Caul, Godchaux, Jansen, Jelinek, Kukuk, LaSata, Mead, Mortimer, Pappageorge, Pumford, Scranton, Stamas, Toy, Price, Cherry, Clarke, Frank, Kelly, Martinez, Pestka, Prusi, Tesanovich,

Absent: Rep. Stallworth,

Excused: Rep. Stallworth.

Messages from the Senate

House Bill No. 4082, entitled

A bill to amend 1980 PA 300, entitled "The public school employees retirement act of 1979," by amending section 61 (MCL 38.1361), as amended by 1989 PA 194.

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

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

House Bill No. 4471, entitled

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

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

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

A bill to amend 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 3104, 3109a, 3119, 30101, 30104, 30105, 30109, 32312, and 32513 (MCL 324.3104, 324.3109a, 324.3119, 324.30101, 324.30104, 324.30105, 324.30109, 324.32312, and 324.32513), section 3104 as amended by 1995 PA 169, section 3109a as added by 1995 PA 70, section 30101 as added by 1995 PA 59, section 30104 as amended by 1996 PA 97, sections 30105 and 30109 as amended by 1995 PA 171, section 32312 as amended by 1995 PA 168, and section 32513 as amended by 1995 PA 170.

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

House Bill No. 4489, entitled

A bill to amend 1893 PA 206, entitled "The general property tax act," by amending the title and sections 57, 59, 60, 61, 73c, 74, 87c, 107, 108, 131, 131c, and 131e (MCL 211.57, 211.59, 211.60, 211.61, 211.73c, 211.74, 211.87c, 211.107, 211.108, 211.131, 211.131c, and 211.131e), the title and section 59 as amended by 1983 PA 254, sections 57, 60, 61, 73c, 74, 108, 131, and 131c as amended by 1993 PA 291, section 87c as amended by 1988 PA 450, section 107 as amended by 1998 PA 378, and section 131e as amended by 1996 PA 476, and by adding sections 60a, 67c, 78, 78a, 78b, 78c, 78d, 78e, 78f, 78g, 78h, 78i, 78j, 78k, 78l, 78m, 78n, 78o, and 78p; and to repeal acts and parts of acts.

The Senate has amended the bill as follows:

1. Amend page 23, line 25, after "PAID" by striking out "BEFORE THE DATE OF" and inserting "WITHIN 21 DAYS AFTER JUDGMENT IS ENTERED IN".
2. Amend page 24, line 2, after "EXPIRE" by striking out "IF" and inserting "21 DAYS AFTER".
3. Amend page 25, line 9, after "PAID" by striking out "BEFORE THE DATE OF" and inserting "WITHIN 21 DAYS AFTER JUDGMENT IS ENTERED IN".
4. Amend page 25, line 13, after "EXPIRE" by striking out "IF" and inserting "21 DAYS AFTER".
5. Amend page 25, line 20, after "ADD" by striking out the balance of the line through "78P" on line 21 and inserting "A \$15.00 FEE, AS ADJUSTED UNDER SECTION 78P".
6. Amend page 27, line 25, after "PAID" by striking out "BEFORE THE DATE OF" and inserting "WITHIN 21 DAYS AFTER JUDGMENT IS ENTERED IN".
7. Amend page 28, line 2, after "EXPIRE" by striking out "IF" and inserting "21 DAYS AFTER".
8. Amend page 29, line 10, after "UNTIL" by inserting "21 DAYS AFTER".
9. Amend page 29, line 12, after "ADD" by striking out the balance of the line through "78P" on line 13 and inserting "A \$175.00 FEE, AS ADJUSTED UNDER SECTION 78P".
10. Amend page 29, line 22, after "TREASURER" by striking out "UPON" and inserting "21 DAYS AFTER".
11. Amend page 30, line 7, after "BEFORE" by inserting "21 DAYS AFTER".
12. Amend page 32, line 14, by striking out all of subsection (3) and inserting:

"(3) THE FORECLOSING GOVERNMENTAL UNIT MAY WITHHOLD THE FOLLOWING PROPERTY FROM THE PETITION FOR FORECLOSURE FILED UNDER THIS SECTION:

(A) PROPERTY THE TITLE TO WHICH IS HELD BY MINOR HEIRS OR PERSONS WHO ARE INCOMPETENT OR WITHOUT MEANS OF SUPPORT UNTIL A GUARDIAN IS APPOINTED TO PROTECT THAT PERSON'S RIGHTS AND INTERESTS.

(B) PROPERTY THE TITLE TO WHICH IS HELD BY A PERSON UNDERGOING SUBSTANTIAL FINANCIAL HARDSHIP.

(4) IF A FORECLOSING GOVERNMENTAL UNIT WITHHOLDS PROPERTY FROM THE PETITION FOR FORECLOSURE UNDER SUBSECTION (3), A TAXING UNIT'S LIEN FOR TAXES DUE OR THE FORECLOSING GOVERNMENTAL UNIT'S RIGHT TO INCLUDE THE PROPERTY IN A SUBSEQUENT PETITION FOR FORECLOSURE IS NOT PREJUDICED." and renumbering the remaining subsection.

13. Amend page 37, line 22, after "PAID" by striking out "BEFORE" and inserting "WITHIN 21 DAYS AFTER".
14. Amend page 37, line 26, after "EXPIRE" by striking out "IF" and inserting "21 DAYS AFTER".
15. Amend page 38, line 14, after "THAN" by striking out "DECEMBER 31" and inserting "7 DAYS".
16. Amend page 40, line 19, after "CASES." by striking out the balance of the line through "FORECLOSURE," on line 21.
17. Amend page 40, line 22, after "EXPIRE" by inserting "21 DAYS AFTER THE CIRCUIT COURT ENTERS A JUDGMENT FORECLOSING THE PROPERTY AS REQUESTED IN THE PETITION FOR FORECLOSURE".
18. Amend page 41, line 2, after "JUDGMENT" by striking out "IS VESTED" and inserting "WILL VEST".
19. Amend page 41, line 3, after "REDEMPTION" by inserting a comma and "IF ALL FORFEITED DELINQUENT TAXES, INTEREST, PENALTIES, AND FEES ARE NOT PAID WITHIN 21 DAYS AFTER ENTRY OF THE JUDGMENT".
20. Amend page 41, line 8, after "EXTINGUISHED" by inserting a comma and "IF ALL FORFEITED DELINQUENT TAXES, INTEREST, PENALTIES, AND FEES ARE NOT PAID WITHIN 21 DAYS AFTER ENTRY OF THE JUDGMENT".
21. Amend page 41, line 10, after "PROPERTY" by inserting a comma and "IF ALL FORFEITED DELINQUENT TAXES, INTEREST, PENALTIES, AND FEES ARE NOT PAID WITHIN 21 DAYS AFTER ENTRY OF THE JUDGMENT".
22. Amend page 41, line 16, after "INTERESTS" by inserting a comma and "IF ALL FORFEITED DELINQUENT TAXES, INTEREST, PENALTIES, AND FEES ARE NOT PAID WITHIN 21 DAYS AFTER ENTRY OF THE JUDGMENT".
23. Amend page 41, line 21, after "PAID" by striking out "BEFORE" and inserting "WITHIN 21 DAYS AFTER".
24. Amend page 41, line 23, after "UNIT" by striking out "UPON ENTRY OF JUDGMENT".
25. Amend page 50, line 27, after "SHALL" by striking out the balance of the line and inserting "ADJUST ALL OF THE FOLLOWING FEES".
26. Amend page 51, line 4, after "SHALL" by striking out the balance of the line through "SHALL" on line 5.
27. Amend page 51, line 8, after "WHICH" by striking out the balance of the line through "VISION" on line 10.
28. Amend page 51, following line 12, by inserting:

"(2) THE STATE TREASURER SHALL NOT ADJUST THE FEES UNDER SUBSECTION (1) AFTER DECEMBER 31, 2002." and renumbering the remaining subsections.

The Senate has passed the bill as amended, 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.

House Bill No. 4499, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 40102 and 40103 (MCL 324.40102 and 324.40103), as amended by 1998 PA 86, and by adding section 40111a; and to repeal acts and parts of acts.

The Senate has amended the bill as follows:

1. Amend page 2, line 10, after "TO" by striking out "DETER" and inserting "EXCLUDE".
2. Amend page 2, line 13, after "PRACTICES" by striking out the comma.
3. Amend page 6, following line 18, by inserting:

"(4) AN ORDER UNDER THIS PART CONCERNING BAITING TO TAKE DEER OR ELK OR CONCERNING DEER OR ELK FEEDING SHALL NOT, AFTER THE DATE 3 YEARS AFTER THE EFFECTIVE DATE OF THIS SECTION, MAKE A DISTINCTION BETWEEN THE DEPOSITING OR DISTRIBUTING OF FEED BY HAND AND THE DEPOSITING OR DISTRIBUTING OF FEED BY A MECHANICAL DEVICE, WHETHER THE MECHANICAL DEVICE IS OPERATED BY HUMAN POWER OR OTHERWISE.".

4. Amend page 6, following line 18, enacting section 1, after "effective" by striking out the balance of the sentence and inserting "December 31, 2004.".

The Senate has passed the bill as amended, 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.

House Bill No. 4509, entitled

A bill to create an urban homestead program for multifamily public housing; to provide that certain local governmental units and public housing entities create and administer urban homestead programs for multifamily public housing; to prescribe the powers and duties of certain state and local governmental units and public housing entities; and to provide for the disposition of personal and real property.

The Senate has amended the bill as follows:

1. Amend page 6, following line 14, by striking out all of subdivision (h).

The Senate has passed the bill as amended and ordered that it be given immediate effect.

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

House Bill No. 4733, entitled

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

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

The Senate has passed the bill as substituted (S-2), ordered that it be given immediate effect and amended the title to read as follows:

A bill to amend 1996 PA 376, entitled "An act to create certain renaissance zones; to foster economic opportunities in this state; to facilitate economic development; to stimulate industrial, commercial, and residential improvements; to prevent physical and infrastructure deterioration of geographic areas in this state; to authorize expenditures; to provide exemptions and credits from certain taxes; to create certain obligations of this state and local governmental units; to require disclosure of certain transactions and gifts; to provide for appropriations; and to prescribe the powers and duties of certain state and local departments, agencies and officials," by amending the title and sections 3 and 5 (MCL 125.2683 and 125.2685) and by adding sections 8a and 8b.

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

Senate Bill No. 343, entitled

A bill to create an urban homestead program; to permit certain local governmental units or nonprofit community organizations to create and administer urban homestead programs; to prescribe the powers and duties of certain state entities and local governmental units; and to provide for the disposition of personal and real property.

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

1. Amend page 4, following line 11, by striking out all of subdivision (h).
2. Amend page 5, line 10, after "than" by striking out "90%" and inserting "100% or less than 80%".
3. Amend page 6, line 13, after "and" by inserting a comma and "as long as the yearly costs do not exceed 40% of the yearly rental receipts,".

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

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

Senate Bill No. 344, entitled

A bill to create an urban homestead program for single-family public housing; to provide that certain local governmental units, public housing entities, nonprofit community organizations, and certain state entities create and administer urban homestead programs for single-family public housing; to prescribe the powers and duties of certain state and local governmental units, public housing entities, and nonprofit community organizations; and to provide for the disposition of personal and real property.

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

1. Amend page 5, following line 7, by striking out all of subdivision (h).

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

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

Notices

I hereby give notice that on the next legislative session day I will move to discharge the Committee on Education from further consideration of **Senate Bill No. 183**.

Rep. Shulman

I hereby give notice that on the next legislative session day I will move to discharge the Committee on Education from further consideration of **Senate Bill No. 206**.

Rep. Shulman

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: June 9, 1999

Time: 11:45 a.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 4191 (Public Act No. 37, I.E.), being

An act to amend 1982 PA 455, entitled “An act to provide for the confidentiality of certain library records; and to provide for the selection and use of library materials,” by amending section 2 (MCL 397.602), as amended by 1998 PA 7, and by adding section 6.

(Filed with the Secretary of State June 9, 1999, at 4:04 p.m.)

Date: June 9, 1999

Time: 2:20 p.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 4020 (Public Act No. 38, I.E.), being

An act to amend 1893 PA 206, entitled “An act to provide for the assessment of rights and interests, including leasehold interests, in property and the levy and collection of taxes thereon, and for the collection of taxes levied; making such taxes a lien on the property taxed, establishing and continuing the lien, providing for the sale and conveyance of property delinquent for taxes, and for the inspection and disposition of lands bid off to the state and not redeemed or purchased; to provide for the establishment of a delinquent tax revolving fund and the borrowing of money by counties and the issuance of notes; to define and limit the jurisdiction of the courts in proceedings in connection therewith; to limit the time within which actions may be brought; to prescribe certain limitations with respect to rates of taxation; to prescribe certain powers and duties of certain officers, departments, agencies, and political subdivisions of this state; to provide for certain reimbursements of certain expenses incurred by units of local government; to provide penalties for the violation of this act; and to repeal certain acts and parts of acts in anywise contravening any of the provisions of this act,” by amending section 39 (MCL 211.39).

(Filed with the Secretary of State June 9, 1999, at 4:06 p.m.)

Date: June 9, 1999

Time: 2:22 p.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 4345 (Public Act No. 39, I.E.), being

An act to amend 1927 PA 175, entitled “An act to revise, consolidate, and codify the laws relating to criminal procedure and to define the jurisdiction, powers, and duties of courts, judges, and other officers of the court under the provisions of this act; to provide laws relative to the rights of persons accused of criminal offenses and ordinance violations; to provide for the arrest of persons charged with or suspected of criminal offenses and ordinance violations; to provide for bail of persons arrested for or accused of criminal offenses and ordinance violations; to provide for the examination of persons accused of criminal offenses; to regulate the procedure relative to grand juries, indictments, informations, and proceedings before trial; to provide for trials of persons complained of or indicted for criminal offenses and ordinance violations and to provide for the procedure in those trials; to provide for judgments and sentences of persons convicted of criminal offenses and ordinance violations; to establish a sentencing commission and to prescribe its powers and duties; to provide for procedure relating to new trials and appeals in criminal and ordinance violation cases; to provide a uniform system of probation throughout this state and the appointment of probation officers; to prescribe the powers, duties, and compensation of probation officers; to provide penalties for the violation of the duties of probation officers; to provide for procedure governing proceedings to prevent crime and proceedings for the discovery of crime; to provide for fees of officers, witnesses, and others in criminal and ordinance violation

cases; to set forth miscellaneous provisions as to criminal procedure in certain cases; to provide penalties for the violation of certain provisions of this act; and to repeal all acts and parts of acts inconsistent with or contravening any of the provisions of this act," by amending section 16g of chapter XVII (MCL 777.16g), as added by 1998 PA 317.

(Filed with the Secretary of State June 9, 1999, at 4:08 p.m.)

Date: June 9, 1999

Time: 2:25 p.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 4405 (Public Act No. 40, I.E.), being

An act to amend 1949 PA 300, entitled "An act to provide for the registration, titling, sale, transfer, and regulation of certain vehicles operated upon the public highways of this state or any other place open to the general public or generally accessible to motor vehicles and distressed vehicles; to provide for the licensing of dealers; to provide for the examination, licensing, and control of operators and chauffeurs; to provide for the giving of proof of financial responsibility and security by owners and operators of vehicles; to provide for the imposition, levy, and collection of specific taxes on vehicles, and the levy and collection of sales and use taxes, license fees, and permit fees; to provide for the regulation and use of streets and highways; to create certain funds; to provide penalties and sanctions for a violation of this act; to provide for civil liability of owners and operators of vehicles and service of process on residents and nonresidents; to provide for the levy of certain assessments; to provide for the enforcement of this act; to provide for the creation of and to prescribe the powers and duties of certain state and local agencies; to repeal all other acts or parts of acts inconsistent with this act or contrary to this act; and to repeal certain parts of this act on a specific date," by amending sections 306, 308, 310e, and 320a (MCL 257.306, 257.308, 257.310e, and 257.320a), sections 306 and 308 as amended and section 310e as added by 1996 PA 387 and section 320a as amended by 1999 PA 21.

(Filed with the Secretary of State June 9, 1999, at 4:10 p.m.)

Date: June 9, 1999

Time: 2:30 p.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 4019 (Public Act No. 42, I.E.), being

An act to amend 1978 PA 368, entitled "An act to protect and promote the public health; to codify, revise, consolidate, classify, and add to the laws relating to public health; to provide for the prevention and control of diseases and disabilities; to provide for the classification, administration, regulation, financing, and maintenance of personal, environmental, and other health services and activities; to create or continue, and prescribe the powers and duties of, departments, boards, commissions, councils, committees, task forces, and other agencies; to prescribe the powers and duties of governmental entities and officials; to regulate occupations, facilities, and agencies affecting the public health; to regulate health maintenance organizations and certain third party administrators and insurers; to provide for the imposition of a regulatory fee; to promote the efficient and economical delivery of health care services, to provide for the appropriate utilization of health care facilities and services, and to provide for the closure of hospitals or consolidation of hospitals or services; to provide for the collection and use of data and information; to provide for the transfer of property; to provide certain immunity from liability; to regulate and prohibit the sale and offering for sale of drug paraphernalia under certain circumstances; to provide for the implementation of federal law; to provide for penalties and remedies; to provide for sanctions for violations of this act and local ordinances; to repeal certain acts and parts of acts; to repeal certain parts of this act; and to repeal certain parts of this act on specific dates," by amending section 7216 (MCL 333.7216).

(Filed with the Secretary of State June 9, 1999, at 4:14 p.m.)

Date: June 9, 1999

Time: 2:32 p.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 4394 (Public Act No. 43, I.E.), being

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

remedies; to repeal certain parts of this act on a specific date; and to repeal certain acts and parts of acts,” (MCL 324.101 to 324.90106) by adding sections 81140a and 82147a.

(Filed with the Secretary of State June 9, 1999, at 4:16 p.m.)

Date: June 9, 1999

Time: 2:34 p.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 4356 (Public Act No. 44, 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 section 110a (MCL 750.110a), as added by 1994 PA 270.

(Filed with the Secretary of State June 9, 1999, at 4:18 p.m.)

Date: June 9, 1999

Time: 2:36 p.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 4355 (Public Act No. 45, I.E.), being

An act to amend 1927 PA 175, entitled “An act to revise, consolidate, and codify the laws relating to criminal procedure and to define the jurisdiction, powers, and duties of courts, judges, and other officers of the court under the provisions of this act; to provide laws relative to the rights of persons accused of criminal offenses and ordinance violations; to provide for the arrest of persons charged with or suspected of criminal offenses and ordinance violations; to provide for bail of persons arrested for or accused of criminal offenses and ordinance violations; to provide for the examination of persons accused of criminal offenses; to regulate the procedure relative to grand juries, indictments, informations, and proceedings before trial; to provide for trials of persons complained of or indicted for criminal offenses and ordinance violations and to provide for the procedure in those trials; to provide for judgments and sentences of persons convicted of criminal offenses and ordinance violations; to establish a sentencing commission and to prescribe its powers and duties; to provide for procedure relating to new trials and appeals in criminal and ordinance violation cases; to provide a uniform system of probation throughout this state and the appointment of probation officers; to prescribe the powers, duties, and compensation of probation officers; to provide penalties for the violation of the duties of probation officers; to provide for procedure governing proceedings to prevent crime and proceedings for the discovery of crime; to provide for fees of officers, witnesses, and others in criminal and ordinance violation cases; to set forth miscellaneous provisions as to criminal procedure in certain cases; to provide penalties for the violation of certain provisions of this act; and to repeal all acts and parts of acts inconsistent with or contravening any of the provisions of this act,” by amending section 16f of chapter XVII (MCL 777.16f), as added by 1998 PA 317.

(Filed with the Secretary of State June 9, 1999, at 4:20 p.m.)

Rep. Middaugh moved that when the House adjourns today it stand adjourned until Thursday, June 10, at 10:00 a.m. The motion prevailed.

Rep. Martinez moved that the House adjourn. The motion prevailed, the time being 8:30 p.m.

The Speaker Pro Tempore declared the House adjourned until Thursday, June 10, at 10:00 a.m.

GARY L. RANDALL
Clerk of the House of Representatives.

