

**No. 56**  
**JOURNAL OF THE SENATE**

---

Senate Chamber, Lansing, Wednesday, June 16, 1999.

10:00 a.m.

The Senate was called to order by the President, Lieutenant Governor Dick Posthumus.

The roll was called by the Secretary of the Senate, who announced that a quorum was not present.

Bennett—present  
Bullard—present  
Byrum—present  
Cherry—present  
DeBeaussaert—present  
DeGrow—present  
Dingell—present  
Dunaskiss—present  
Emerson—present  
Emmons—present  
Gast—present  
Goschka—present  
Gougeon—present

Hammerstrom—present  
Hart—present  
Hoffman—present  
Jaye—present  
Johnson—present  
Koivisto—present  
Leland—present  
McCotter—present  
McManus—present  
Miller—present  
Murphy—present  
North—present  
Peters—present

Rogers—present  
Schuette—present  
Schwarz—present  
Shugars—present  
Sikkema—present  
A. Smith—present  
V. Smith—present  
Steil—present  
Stille—present  
Van Regenmorter—present  
Vaughn—present  
Young—present

Senator Mike Rogers of the 26th District offered the following invocation:

Father in heaven, before we become involved in the routine of the day, we pause to seek Your help.

Experienced in the ways of men and women, we know too little of the ways of God. We want to do right, and we want to be right. So start us in the right direction.

I pray You will bless these men and women chosen by the people of this state for You know them, their needs, their motives, their hopes and their fears. Put Your arm around them and give them strength and speak to them to give them wisdom greater than their own. Grant that all questions immediately before us be made so plain that we shall have no forebodings as we make our decisions nor vain regrets after they are made. May we hear Your voice and seek Your guidance. In Jesus' name. Amen.

### Recess

Senator Rogers moved that the Senate recess subject to the call of the President.  
The motion prevailed, the time being 10:03 a.m.

11:01 a.m.

The Senate was called to order by the President pro tempore, Senator Schwarz.

During the recess, Senators Bullard, Miller, Hoffman, Cherry, Stille, Murphy, Van Regenmorter, V. Smith, McCotter, Schwarz, Hammerstrom, Byrum, Gast, Gougeon, Emmons, DeGrow, Bennett, Sikkema, North, McManus, Dunaskiss, Schuette, Goschka, Jaye, Steil and Johnson entered the Senate Chamber.

A quorum of the Senate was present.

### Motions and Communications

Senator Rogers moved that rule 2.106 be suspended to allow the conference committees to meet during Senate session.

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

The Secretary announced that the following House bills were received in the Senate and filed on Thursday, June 10:  
**House Bill Nos. 4010 4081 4630**

The Secretary announced the enrollment printing and presentation to the Governor on Friday, June 11, for his approval the following bill:

**Enrolled Senate Bill No. 155 at 9:35 a.m.**

The Secretary announced the printing and placement in the members' files on Friday, June 11 of:

**Senate Bill Nos. 633 634 635 636 637 638 639 640 641**

**House Bill Nos. 4760 4761 4762 4763 4764 4765 4766**

**House Joint Resolution J**

### Recess

Senator Rogers moved that the Senate recess subject to the call of the President.  
The motion prevailed, the time being 11:02 a.m.

11:17 a.m.

The Senate was called to order by the President, Lieutenant Governor Posthumus.

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

By unanimous consent the Senate proceeded to consideration of the following bill:

**House Bill No. 4498, entitled**

A bill to amend 1979 PA 94, entitled "An act to make appropriations to aid in the support of the public schools and the intermediate school districts of the state; to make appropriations for certain other purposes relating to education;

to provide for the disbursement of the appropriations; to supplement the school aid fund by the levy and collection of certain taxes; to authorize the issuance of certain bonds and provide for the security of those bonds; to prescribe the powers and duties of certain state departments, the state board of education, and certain other boards and officials; to prescribe penalties; and to repeal acts and parts of acts.” by amending sections 6, 11, 11f, 11g, 13, 17b, 18, 20, 20b, 24, 26a, 31a, 31c, 36, 36a, 41, 51a, 53a, 54, 56, 57, 61a, 62, 63, 67, 68, 74, 81, 91b, 94, 99, 101, 104a, 105, 107, 147, and 166b (MCL 388.1606, 388.1611, 388.1611f, 388.1611g, 388.1613, 388.1617b, 388.1618, 388.1620, 388.1620b, 388.1624, 388.1626a, 388.1631a, 388.1631c, 388.1636, 388.1636a, 388.1641, 388.1651a, 388.1653a, 388.1654, 388.1656, 388.1657, 388.1661a, 388.1662, 388.1663, 388.1667, 388.1668, 388.1674, 388.1681, 388.1691b, 388.1694, 388.1699, 388.1701, 388.1704a, 388.1705, 388.1707, 388.1747, and 388.1766b), sections 6, 11, 11g, 17b, 20, 20b, 26a, 31a, 51a, 63, 81, and 105 as amended by 1998 PA 553, sections 11f, 24, 31c, 36, 36a, 41, 53a, 54, 56, 57, 61a, 62, 68, 74, 94, 99, 101, 107, 147, and 166b as amended by 1998 PA 339, sections 13 and 18 as amended by 1996 PA 300, section 67 as amended by 1997 PA 142, section 91b as added by 1995 PA 130, and section 104a as amended by 1997 PA 176, and by adding sections 20j, 20k, 31d, 32, 33, 34, 43, and 105c; and to repeal acts and parts of acts.

The House of Representatives has amended the Senate substitute (S-1) as follows:

1. Amend page 76, line 18, by striking out “NONPROFIT EDUCATIONAL AGENCIES,”.
2. Amend page 77, line 2, after “LOCAL” by striking out “OR OTHER NONSTATE”.

The House of Representatives has concurred in the Senate substitute (S-1) as amended, ordered that it be given immediate effect and agreed to the title.

Pending the order that, under rule 3.202, the bill be laid over one day,

Senator Rogers moved that the rule be suspended.

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

The question being on concurring in the House amendments made to the Senate substitute,

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

**Roll Call No. 408**

**Yeas—37**

Bennett	Gast	McCotter	Shugars
Bullard	Goschka	McManus	Sikkema
Byrum	Gougeon	Miller	Smith, A.
Cherry	Hammerstrom	Murphy	Smith, V.
DeBeaussaert	Hart	North	Steil
DeGrow	Hoffman	Peters	Stille
Dingell	Johnson	Rogers	Van Regenmorter
Dunaskiss	Koivisto	Schuette	Vaughn
Emerson	Leland	Schwarz	Young
Emmons			

**Nays—1**

Jaye

**Excused—0**

**Not Voting—0**

In The Chair: President

By unanimous consent the Senate proceeded to the order of

**Conference Reports**

Senator Rogers moved that Joint Rule 9 be suspended to permit immediate consideration of the conference reports relative to the following bills:

- Senate Bill No. 79**
- Senate Bill No. 364**

Senate Bill No. 365  
Senate Bill No. 368  
The motion prevailed.

Senator Steil submitted the following:

FIRST CONFERENCE REPORT

The Committee of Conference on the matters of difference between the two Houses concerning  
**Senate Bill No. 79, entitled**

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

Recommends:

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

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

1. Amend page 1, line 1, by striking out all of sections 101, 102, and 103 and inserting:

“PART 1

LINE-ITEM APPROPRIATIONS

Sec. 101. There is appropriated for the department of career development and the Michigan strategic fund for the fiscal year ending September 30, 2000, from the funds indicated in this part, the following:

**TOTAL APPROPRIATIONS**

Full-time equated unclassified positions .....	6.0	
Full-time equated classified positions .....	1,307.0	
<b>GROSS APPROPRIATION</b> .....		\$ 684,821,800
Total interdepartmental grants and intradepartmental transfers .....		\$ 1,147,000
<b>ADJUSTED GROSS APPROPRIATION</b> .....		\$ 683,674,800
Federal revenues:		
Total federal revenues .....		453,526,500
Special revenue funds:		
Total local revenues .....		10,867,900
Total private revenues .....		3,263,700
Total other state restricted revenues .....		129,970,300
State general fund/general purpose .....		\$ 86,046,400

**Sec. 102. DEPARTMENT OF CAREER DEVELOPMENT**

**(1) APPROPRIATION SUMMARY:**

Full-time equated unclassified positions .....	6.0	
Full-time equated classified positions .....	1,066.0	
<b>GROSS APPROPRIATION</b> .....		\$ 515,904,700
Interdepartmental grant revenues:		
Total interdepartmental grants and intradepartmental transfers .....		1,047,000
<b>ADJUSTED GROSS APPROPRIATION</b> .....		\$ 514,857,700
Federal revenues:		
Total federal revenues .....		400,323,300
Special revenue funds:		
Total local revenues .....		10,867,900
Total private revenues .....		2,607,000
Total other state restricted revenues .....		79,920,300
State general fund/general purpose .....		\$ 21,139,200

**(2) DEPARTMENTAL ADMINISTRATION**

Full-time equated unclassified positions .....	6.0	
Full-time equated classified positions .....	11.0	
Unclassified salaries .....		\$ 536,200
Executive direction—11.0 FTE positions .....		1,001,700
<b>GROSS APPROPRIATION</b> .....		\$ 1,537,900
Appropriated from:		
State general fund/general purpose .....		\$ 1,537,900

**(3) DEPARTMENT OPERATIONS**

Full-time equated classified positions .....	86.0	
Administrative services—86.0 FTE positions.....		\$ 9,602,300
Building occupancy charges - property development services.....		432,600
Special project advances .....		200,000
Worker’s compensation .....		196,400
<b>GROSS APPROPRIATION .....</b>		<b>\$ 10,431,300</b>

Appropriated from:

Federal revenues:

CNS .....		50,000
DED-OSERS, rehabilitation services, vocational rehabilitation of state grants .....		1,957,300
DED, cooperative demonstration, school-to-work .....		57,700
DOL-ETA .....		408,000
DOL-ETA, bureau of labor statistics.....		990,800
DOL-ETA, employment services.....		2,007,400
DOL-ETA, job training partnership grants .....		434,200
DOL-ETA, miscellaneous funds.....		38,900
DOL-ETA, veterans’ employment and training administration.....		2,240,600
HHS, temporary assistance for needy families .....		565,700

Special revenue funds:

Private - special project advances .....		200,000
Contingent fund, penalty and interest.....		790,000
State general fund/general purpose .....		\$ 690,700

**(5) WORKFORCE DEVELOPMENT**

Full-time equated classified positions .....	666.0	
Employment training services—571.0 FTE positions.....		\$ 59,258,600
Michigan career and technical institute—95.0 FTE positions .....		9,675,800
<b>GROSS APPROPRIATION .....</b>		<b>\$ 68,934,400</b>

Appropriated from:

Interdepartmental grant revenues:

IDG-MDOC .....		31,400
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Federal revenues:

CNS .....		516,500
DAG, employment and training.....		250,600
DED, cooperative demonstration, school-to-work .....		1,017,900
DED-OPSE, multiple grants.....		599,500
DED-OSERS, centers for independent living .....		56,500
DED-OSERS, rehabilitation long-term training .....		350,200
DED-OSERS, rehabilitation services, vocational rehabilitation of state grants .....		40,117,700
DED-OSERS, state grants for technical related assistance.....		54,000
DOL-ETA, job training partnership act .....		3,077,700
DOL-ETA, multiple grants.....		578,500
DOL-NOICC.....		166,800
HHS, temporary assistance for needy families .....		3,567,500
HHS-SSA, supplemental security income .....		4,061,700

Special revenue funds:

Private - gifts, bequests, and donations .....		1,357,000
Local vocational rehabilitation match .....		3,152,200
Rehabilitation services fees.....		1,908,000
Risk management internal service fund.....		99,700
Second injury fund.....		50,000
Student fees .....		80,000
Training material fees .....		249,600
State general fund/general purpose .....		\$ 7,591,400

**(6) DEPARTMENT GRANTS**

Displaced homemakers.....		\$ 470,000
Job training programs subgrantees .....		102,095,600
Michigan community service commission subgrantees .....		5,900,000
Personal assistance services .....		412,000

Pre-college programs in engineering and the sciences .....	1,044,700
School-to-work subgrantees .....	3,000,000
Supported employment grants .....	1,308,600
Technology assistance grants .....	1,086,600
Vocational rehabilitation client services/facilities .....	50,104,000
Vocational rehabilitation independent living .....	2,365,700
Welfare-to-work programs .....	140,279,000
Michigan technical education centers.....	75,000,000
Focus: HOPE .....	5,494,300
GROSS APPROPRIATION .....	\$ 388,560,500
Appropriated from:	
Interdepartmental grant revenues:	
IDG-MDOC .....	1,015,600
Federal revenues:	
CNS .....	4,500,000
DAG, employment and training.....	13,000,000
DED, cooperative demonstration, school to work .....	3,000,000
DED-OSERS, centers for independent living .....	525,000
DED-OSERS, client assistance for individuals with disabilities.....	360,600
DED-OSERS, rehabilitation services, vocational rehabilitation of state grants .....	34,935,200
DED-OSERS, rehabilitation services facilities .....	2,272,500
DED-OSERS, supported employment .....	1,308,600
DED-OSERS, state grants for technical related assistance .....	1,086,600
DOL-ETA, job training partnership act .....	96,650,000
DOL-ETA, multiple grants .....	4,430,000
HHS, temporary assistance for needy families .....	127,029,000
HHS-SSA, supplemental security income .....	2,362,500
Special revenue funds:	
Private - gifts, bequests, and donations .....	800,000
Private - oil overcharge .....	250,000
Contingent fund, penalty and interest account .....	1,000,000
Local vocational rehabilitation match .....	6,437,400
Local vocational rehabilitation facilities match .....	1,278,300
Tobacco settlement revenue.....	75,000,000
State general fund/general purpose .....	\$ 11,319,200
<b>(7) EMPLOYMENT SERVICE AGENCY</b>	
Full-time equated classified positions .....	303.0
Building occupancy charges - property development service .....	\$ 230,100
Rent .....	458,300
Worker's compensation .....	141,300
Employment services—256.0 FTE positions .....	42,636,600
Labor market information—47.0 FTE positions .....	2,974,300
GROSS APPROPRIATION .....	\$ 46,440,600
Appropriated from:	
Federal revenues:	
DOL-ETA .....	1,312,700
DOL-ETA, bureau of labor statistics .....	1,651,700
DOL-ETA, employment service .....	26,968,400
DOL-ETA, miscellaneous funds .....	11,368,300
DOL-ETA, veterans' employment and training administration .....	4,396,500
Special revenue funds:	
Contingent fund, penalty and interest account .....	743,000
State general fund/general purpose .....	\$ 0
<b>Sec. 103. MICHIGAN STRATEGIC FUND</b>	
<b>(1) APPROPRIATION SUMMARY:</b>	
Full-time equated classified positions .....	241.0
GROSS APPROPRIATION .....	\$ 168,917,100
Interdepartmental grant revenues:	
Total interdepartmental grants and intradepartmental transfers .....	100,000
ADJUSTED GROSS APPROPRIATION .....	\$ 168,817,100

Federal revenues:	
Total federal revenues .....	53,203,200
Special revenue funds:	
Total private revenues .....	656,700
Total other state restricted revenues .....	50,050,000
State general fund/general purpose .....	\$ 64,907,200
<b>(2) MICHIGAN STRATEGIC FUND</b>	
Full-time equated classified positions .....	241.0
Administration—40.0 FTE positions .....	\$ 5,337,100
Job creation services—201.0 FTE positions .....	24,537,500
Michigan promotion program .....	8,042,500
Economic development job training grants .....	31,000,000
Community development block grants .....	50,000,000
Health and aging research and development initiative .....	50,000,000
GROSS APPROPRIATION .....	\$ 168,917,100
Appropriated from:	
Interdepartmental grant revenues:	
IDG-MDEQ, air quality fees .....	100,000
Federal revenues:	
DOL-ETA, employment service .....	1,300,000
HUD-CPD, community development block grant .....	51,903,200
Special revenue funds:	
Private-Michigan certified development corporations fees .....	156,700
Private-special project advances .....	500,000
Industry support fees .....	50,000
Tobacco settlement revenue .....	50,000,000
State general fund/general purpose .....	\$ 64,907,200”.

2. Amend page 9, line 17, by striking out all of sections 201, 202, 203, and 204 and inserting:

“Sec. 201. (1) Pursuant to section 30 of article IX of the state constitution of 1963, total state spending from state sources for fiscal year 1999-2000 is estimated at \$216,016,700.00 in this act and state spending from state sources paid to local units of government for fiscal year 1999-2000 is estimated at \$106,000,000.00. The itemized statement below identifies appropriations from which spending to units of local government will occur:

**DEPARTMENT OF CAREER DEVELOPMENT**

Michigan technical education centers .....	\$ 75,000,000
Total department of career development .....	\$ 75,000,000

**MICHIGAN STRATEGIC FUND**

Economic development job training grants .....	\$ 31,000,000
Total Michigan strategic fund .....	\$ 31,000,000

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

Sec. 202. As used in this appropriation act:

- (a) “CDBG” means community development block grant.
- (b) “CNS” means the corporation for national services.
- (c) “DAG” means the United States department of agriculture.
- (d) “DED” means the United States department of education.
- (e) “DED-OPSE” means the DED office of postsecondary education.
- (f) “DED-OSERS” means the DED office of special education rehabilitation services.
- (g) “Department” means the department of career development.
- (h) “Director” means the director of the department of career development.
- (i) “DOL” means the United States department of labor.
- (j) “DOL-ETA” means the DOL employment and training act.
- (k) “DOL-NOICC” means the DOL national occupational information coordinating committee.
- (l) “Fiscal agencies” means the Michigan house fiscal agency and the Michigan senate fiscal agency.
- (m) “FTE” means full-time equated.
- (n) “Fund” means the Michigan strategic fund.
- (o) “HHS” means the United States department of health and human services.
- (p) “HHS-SSA” means HHS social security administration.

- (q) "HUD-CPD" means HUD community planning and development.
- (r) "IDG" means interdepartmental grant.
- (s) "JTPA" means job training partnership act, Public Law 97-300, 96 Stat. 1322.
- (t) "MDEQ" means the Michigan department of environmental quality.
- (u) "MDOC" means the Michigan department of corrections.
- (v) "President" means the president of the Michigan strategic fund.

Sec. 203. The appropriations made and the expenditures authorized under this act and the departments, agencies, commissions, boards, offices, and programs for which an appropriation is made under this act are subject to the management and budget act, 1984 PA 431, MCL 18.1101 to 18.1594.

Sec. 204. A department or agency billed by the department of civil service for the 1% charge authorized by section 5 of article XI of the state constitution of 1963 by the end of the first fiscal quarter shall pay the total amount of the billing by the end of the second fiscal quarter."

- 3. Amend page 11, line 17, after "unit," by striking out "a department" and inserting "the department and the fund".
- 4. Amend page 11, line 19, after "department" by inserting "or the fund".
- 5. Amend page 12, line 3, by striking out all of sections 207, 208, and 209 and inserting:

"Sec. 207. (1) Beginning October 1, 1999, a hiring freeze is imposed on the state classified civil service. State departments and agencies are prohibited from hiring any new full-time state classified civil service employees and prohibited from filling any vacant state classified civil service positions. This hiring freeze does not apply to internal transfers of classified employees from 1 position to another within a department or to positions that are funded with 80% or more federal or restricted funds.

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

Sec. 208. The departments and state agencies receiving appropriations under this act shall receive and retain copies of all reports funded from appropriations in part 1. These departments and state agencies shall follow federal and state guidelines for short-term and long-term retention of these reports and records.

Sec. 209. (1) The director and the president shall take all reasonable steps to ensure businesses in deprived and depressed communities compete for and perform contracts to provide services or supplies, or both, for the department or the fund.

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

- 6. Amend page 13, line 4, by striking out all of section 211.
- 7. Amend page 14, line 8, by striking out all of section 213 and inserting:

"Sec. 213. The department and the fund shall implement a pilot program that places reports required by this act on the Internet, with electronic notification to legislative offices of Internet access to the reports. During fiscal year 2000, the department and the fund shall continue to distribute all of these reports to the legislature in the current printed format.

Sec. 214. (1) The department and the fund shall submit to the department of management and budget, the house and senate appropriations committees, the fiscal agencies, and the house and senate standing committees having jurisdiction over technology issues quarterly reports on the department's and the fund's efforts to change the department's and the fund's computer software and hardware as necessary to perform properly in the year 2000 and beyond. These reports shall identify actual progress in comparison to the department's and the fund's approved work plan for these efforts.

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

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



Sec. 215. The department and the fund shall provide a report prepared by the department's and the fund's internal auditor on the activities of the internal auditor for the prior fiscal year. This report shall include a listing of each audit or investigation performed by the internal auditor pursuant to sections 486(4) and 487 of the management and budget act, 1984 PA 431, MCL 18.1486 and 18.1487. The report shall identify the proportion of time spent on each of the statutory responsibilities listed in sections 485(4), 486(4), and 487 of the management and budget act, 1984 PA 431, MCL 18.1485, 18.1486, and 18.1487, and the time spent on all other activities performed in the internal audit function. The first report shall be due March 1, 2000, and biennially thereafter beginning on May 1 and shall be submitted to the governor, auditor general, the senate and house appropriations committees, the fiscal agencies, and the director and the president."

8. Amend page 15, line 3, by striking out all of sections 303 and 304 and inserting:

"Sec. 303. (1) The appropriation in part 1 to the department for the work first program shall be expended for grants which provide employment and training services to family independence program applicants and recipients and may be expended for grants which provide employment and training services to former family independence program recipients, as well as to recipients of noncash public assistance, specifically child day care, medicaid, or food stamp benefits.

(2) An applicant may be a district, intermediate district, community college, public or private nonprofit college or university, nonprofit organization that provides school-to-work transition programs or that provides employment and training services or vocational rehabilitation programs or state licensed accredited vocational or technical education programs, proprietary school licensed by the state board of education, local workforce development board, or a consortium consisting of any combination of districts, intermediate districts, community colleges, nonprofit organizations described in this subsection, licensed proprietary schools, or public or private nonprofit colleges or universities described in this subsection.

(3) When the work first job search requirements have been completed, if the participant has not found employment, the work first site shall identify the barriers which may have prevented the participant from obtaining employment and assist the client in removing those barriers. The work first site shall also identify appropriate education and job training programs which would be available to the participant.

(4) Work first program participants shall include applicants and recipients of the family independence program established under section 57a of the social welfare act, 1939 PA 280, MCL 400.57a, and such individuals referred to a job club program by a county family independence agency board or a county friend of the court as long as the participation in the job club is part of an application made under this section. Additionally, the department and the family independence agency shall work together to develop a program to provide employment services to former family independence program recipients and to recipients of noncash public assistance benefits such as child day care, medicaid, or food stamp benefits. This program shall not be construed to be an entitlement to services.

(5) Participants in the work first program shall not be enrolled and counted in membership in a school district or intermediate school district.

(6) The department will work with the family independence agency to coordinate support services to work first participants relating to special/emergency needs.

(7) Work first program participants must receive or be provided an explanation of the program including their benefits and responsibilities before the job interview phase of the program. This explanation shall include clear guidelines with regard to an individual's eligibility for postemployment training support and for applying hours in training toward federal work requirements.

(8) The department shall make every effort to place a minimum of 25% of clients who participate in the work first program in positions that provide wages of \$6.00 per hour or more.

(9) The department shall submit to the fiscal agencies and the state budget director by March 15, 2000 a report on the work first program, including the number of participants served under this section, the number of persons who located employment through work first, the average wage of participants who found employment, the number of persons who retained jobs for 90 days, the number of participants placed in employment training and education programs, the number of clients referred to work first who failed to report, a compilation of barriers to employment by incidence and type experienced by participants, and the number of participants referred back to the family independence agency with sanctions recommended by the family independence agency.

(10) A grant awarded under this section may extend beyond the end of the fiscal year in which the grant is awarded and the funds awarded for the grant may be available in the subsequent fiscal year for payment the next fiscal year.

(11) The department shall provide to the state budget director and the fiscal agencies by May 15 and November 15 of each year a report on the work first grants. The report due by May 15 shall provide the information described in this subsection for each grant or contract awarded during the preceding 2 quarters of the state fiscal year. The report due by November 15 shall provide this information for each grant or contract awarded during the preceding full fiscal year. The report shall contain both of the following:

(a) The amount and recipient of each grant or contract.

(b) The number of participants in each service delivery area and the number of clients placed in employment in each service delivery area.

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

(13) Work first participants may meet the work participation requirement by combining a minimum of 10 hours per week of work with training/education. Training/education may last up to 12 months and the calculated hours may include actual classroom seat time up to 10 hours per week plus up to 1 hour of study time for each hour of classroom seat time. The combined work and training/education hours must equal the minimum number of hours required to meet the federal work participation requirements, 30 hours per week for a single parent, 35 hours per week for 2-parent families, 55 hours if utilizing federally funded day care, and 20 hours per week for single parents with a child under the age of 6. Work first participants may enroll in additional hours of classroom seat time beyond 10 hours. However, these hours and the related study time will not count toward the work participation requirement. The training may be no longer than a 1-year program, or the final year of a 2- or 4-year undergraduate program which is designed to lead to immediate labor force attachment.

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

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

Sec. 304. (1) Of the funds appropriated in part 1 for precollege programs in engineering and the sciences, \$620,000.00 shall be provided in the form of a grant to the Detroit precollege engineering program, incorporated and \$424,700.00 shall be provided in the form of a grant to the Grand Rapids area precollege engineering program.

(2) The department shall submit a report to the appropriate house and senate appropriations subcommittees and the fiscal agencies by February 1, 2000, evaluating the effectiveness of the precollege programs in engineering and sciences funded through part 1 appropriations and making recommendations on whether state support to expand such programs to other areas of the state is warranted in future fiscal years.”

9. Amend page 18, line 5, after “exceed” by striking out “\$4,000,000.00” and inserting “\$8,000,000.00”.

10. Amend page 19, line 1, by striking out all of section 309.

11. Amend page 19, line 5, after “Sec. 310.” by inserting “(1)”.

12. Amend page 19, line 6, after “than” by striking out “\$1,250,000.00” and inserting “\$1,288,000.00”.

13. Amend page 19, line 16, after “living.” by inserting “The department is directed to work with the Michigan association of centers for independent living and the local workforce development boards to identify other competitive sources of funding.”

14. Amend page 19, following line 16, by inserting:

“(2) The statewide independent living council, the Michigan association of centers for independent living, and Michigan rehabilitation services shall jointly produce a report providing the information listed in subdivisions (a), (b), (c), (d), and (e). Of the general fund/general purpose revenue appropriated in part 1 for vocational rehabilitation independent living, \$288,000.00 is restricted and shall not be made available for distribution and expenditure prior to the submission and approval by the relevant subcommittees of this report. The report shall include all of the following:

(a) A detailed spending plan, including the specific entities, projects, and activities for each center for independent living that will be funded with the general fund/general purpose appropriation being restricted by this subsection.

(b) Anticipated results in terms of enhanced statewide access to independent living services to individuals who do not have access to such services through other existing public agencies, including measures by which these results can be monitored over time.

(c) Information from each center for independent living receiving funding through appropriations in part 1 detailing their total budget for their 3 most recently completed fiscal years as well as the amount within each of those budgets funded through the vocational rehabilitation independent living grant program referenced in part 1, the total amount funded through other state agencies, the amount funded through federal sources, and the amount funded through local and private sources.

(d) Savings to state taxpayers in other specific areas that can be shown to be the direct result of activities funded from the vocational rehabilitation independent living grant program during the most recently completed state fiscal year as well as additional anticipated savings that would directly result from the expenditure of the funds restricted by this subsection.

(e) Other information deemed relevant by the 3 reporting entities.

(3) The report required in subsection (2) shall be submitted for approval to the appropriations subcommittees for the department, the fiscal agencies, and the state budget director on or before January 15, 2000.”.

15. Amend page 20, following line 11, by inserting:

“Sec. 312. (1) From the funds appropriated in part 1 for welfare-to-work programs, the department shall compile the data listed in the subsections below on participants in the enhanced technical vocational training (ETVT) program and work first in an effort to develop long-term data on the program’s effectiveness.

(2) Using all relevant state data resources, the department shall acquire data on participants 90 days, 1 year, and 3 years following their completion of the program that show whether the participant is employed and the wages earned by the participant. Using survey data, the department shall acquire data on participants at the same time intervals that show the degree to which participants are receiving health care and other benefits from their employers and the degree to which the participants are receiving public assistance and type of assistance received.

(3) The department shall file a report with the appropriate house and senate appropriations subcommittees and the fiscal agencies by February 1, 2000 summarizing the above data acquired during the previous 12-month period. The summary shall include all of the following:

(a) The percentage of participants employed at each interval.

(b) The average wage earned, the range of wages earned, and a measure of the variability of wages earned for participants at each interval.

(c) The percentage of participants receiving health care benefits and other benefits at each interval.

(d) The percentage of participants receiving some form of public assistance at each interval.

(4) The department shall cooperate with the family independence agency in formulating and acquiring any similar data for the work first program as may be required in the family independence agency appropriations act or other law.

Sec. 313. Interest earnings on the portion of the tobacco settlement revenue received by the state from the national tobacco master settlement agreement incorporated into a consent decree and final judgment in Kelley Ex Rel. Michigan v Philip Morris Incorporated, et al., which is not deposited in the Michigan merit award trust fund, are hereby appropriated to the department. These funds shall be distributed to the council of Michigan foundations as a grant to support local community efforts to address youth and senior health needs. The council may distribute the funds according to formula determined by the council or may invest these funds. Any investment earnings from this appropriation shall be used for the same purpose as the original appropriation.

Sec. 314. (1) In developing school-to-work programs, the department shall cooperate with the Michigan department of education in emphasizing the importance of apprenticeship opportunities for students who may choose to participate including, but not limited to, low-income students and students with disabilities.

(2) The school-to-work apprenticeship programs shall link employers, organized labor, educators, and community organizations for the purpose of providing necessary knowledge, skills, and labor market information to students.

(3) As participants in school-to-work apprenticeship programs, students will be expected to obtain any of the following:

(a) High school diploma, or its equivalent.

(b) Skill certificate.

(c) Possible further training, including a registered apprenticeship.

(d) Certificate or associate degree recognizing successful completion of 1 or 2 years of postsecondary education.

(e) Admission to a college or university, or a first job on a career pathway.

(4) In order for a public school to receive and spend school-to-work funds, it must receive approval of its implementation plan from its governing board or its intermediate school board and forward such approval to its local workforce development board. As used in this subsection, “public school” and “intermediate school board” mean those terms as defined in the revised school code, 1976 PA 451, MCL 380.1 to 380.1852.

Sec. 315. The department shall work cooperatively with the department of civil service to identify state employees who will lose their jobs as a result of an agency or program being reorganized, modified, or eliminated and shall develop training programs and provide training to these individuals that will provide them an opportunity and skills necessary to secure new employment within state government or the private sector.

Sec. 316. State and federal funds allocated to local workforce development boards for disbursement shall not be appropriated unless the local workforce development boards maintain a partnership with governmental agencies, public school districts, and public colleges located within the local service delivery area.

Sec. 317. From the funds appropriated in part 1 for vocational rehabilitation independent living, a portion of the funds shall be distributed to the superior alliance for independent living in Marquette County.”.

16. Amend page 20, line 22, after “the” by striking out the balance of the line through “commission” on line 23 and inserting “fund”.

17. Amend page 21, line 1, by striking out all of subsection (4) and inserting:

“(4) Seventy percent of the economic development job training grant funds, except for any amount up to \$6,000,000.00 which is utilized for the development of web-based or other distance learning training which has the substantial potential for lowering training costs and improving access, shall be awarded to community colleges or a consortium of community colleges and other eligible applicants pursuant to the requirements of this section.”.

18. Amend page 21, line 7, by striking out all of subsection (6) and renumbering the remaining subsections.

19. Amend page 25, following line 26, by striking out all of subdivisions (d) and (e) and inserting:

“(d) The names and addresses of any companies and training providers utilizing web-based or other distance learning training formats along with a current estimate of the number of individuals to be involved in this training.

(e) The cost savings or other benefits due to utilizing any web-based or other distance learning training formats as opposed to delivering a comparable training program delivered face-to-face.”.

20. Amend page 26, following line 7, by inserting:

“(18) Of the funds appropriated in part 1 for economic development job training grants, the fund shall not use these funds to finance the startup or in any way subsidize any private distributor of liquor products in Michigan.

(19) As a condition of receiving funds under part 1 of this act, the fund shall not expend any of the economic development job training grant funds to train any employee who is an officer of a corporation in a corporation employing more than 250 employees.”.

21. Amend page 27, line 13, by striking out all of sections 406 and 407.

22. Amend page 28, line 17, by striking out all of section 410.

23. Amend page 29, line 10, after “allocated.” by inserting “At least 25% of all program funds shall be used to promote cultural tourism opportunities in Michigan.”.

24. Amend page 29, line 20, after the first “the” by striking out “senate and house full appropriations committees” and inserting “relevant senate and house appropriation subcommittees”.

25. Amend page 30, following line 8, by inserting:

“(l) Health and aging research and development initiative.

(m) Any other programs of the fund.”.

26. Amend page 30, line 9, by striking out all of subsection (2) and inserting:

“(2) The reports in subsection (1) shall be submitted by January 1, 2000. The report for each program in subsection (1)(a) through (m) shall include details on the actual spending and number of FTEs for that program.”.

27. Amend page 30, line 24, after “Michigan” by striking out “first corporation” and inserting “economic development foundation”.

28. Amend page 31, line 3, by striking out all of section 416 and inserting:

“Sec. 417. (1) Of the funds appropriated to the fund or through grants to the Michigan economic development corporation, no funds shall be expended for the purchase of options on land or the purchase of land unless at least 1 of the following conditions applies:

(a) The land is located in an economically distressed area.

(b) The land is obtained through a purchase or exercise of an option at the invitation of the local unit of government and local economic development agency.

(2) It is the intent of the legislature that consideration be given to purchases where the proposed use of the land is consistent with a regional land use plan, will result in the redevelopment of an economically distressed area, can be supported by existing infrastructure, and will not cause shifts in population away from the area’s population centers.

(3) As used in this section, “economically distressed area” means an area in a city, village, or township that has been designated as blighted; a city, village, or township that shows negative population change from 1970 and a poverty rate and unemployment rate greater than the statewide average; or an area certified as a neighborhood enterprise zone.

Sec. 418. (1) From the funds appropriated in part 1 for the fund, \$50,000,000.00 is appropriated for a health and aging research and development initiative to support basic and applied research in health-related areas, with emphasis on issues related to aging.

(2) A health and aging steering committee, appointed by the governor, shall consist of 14 members including the CEO of the Michigan economic development corporation, a member from Michigan State University, the University of Michigan, Wayne State University, the VanAndel Institute, and 2 members from the private sector. The remaining members shall be appointed at large and may include members from the private sector, public sector, or other Michigan universities. The purpose of the steering committee is to provide advice and oversight of the initiative, including the development of criteria for the award of contracts or grants to qualifying universities, institutions, or individuals. The steering committee will make decisions regarding distribution of these grant funds.

(3) Of the funds appropriated, 40% is allocated for a basic research fund, to be distributed on a competitive basis to Michigan universities for basic research in health-related areas. Not less than \$5,000,000.00 is allocated to research related to aging diseases and health problems. Fifty percent of the appropriated funds are earmarked for a collaborative research fund to support peer-reviewed collaborative grants among Michigan universities and/or private research facilities, with emphasis on testing or developing emerging discoveries. The VanAndel Institute and other private

research facilities may participate in collaboration with the universities on research fund grants. Up to 10% of the appropriated funds may be used to support a commercial development fund to support commercialization opportunities for life science research in Michigan. Appropriated funds must be matched with other university, private, or federal funding. Not more than 1% of the appropriated funds may be used for administrative costs of administering the initiative.

Sec. 419. The fund shall provide to the appropriate house and senate appropriations subcommittees and the fiscal agencies by December 1, 1999 a report on the status of the development finance agency grant and loan program including, but not limited to:

- (a) The balance of the revolving fund.
- (b) Projects funded from the revolving fund.
- (c) A proposal on whether the program should continue and the proposed use of any unobligated balance.”.

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

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

Glenn Steil  
Joel Gougeon  
Conferees for the Senate

Patricia Godchaux  
Janet Kukuk  
Conferees for the House

The question being on the adoption of the conference report,  
The first conference report was adopted, a majority of the members serving voting therefor, as follows:

**Roll Call No. 409**

**Yeas—24**

Bennett	Goschka	McCotter	Schwarz
Bullard	Gougeon	McManus	Shugars
DeGrow	Hammerstrom	Miller	Sikkema
Dunaskiss	Hoffman	North	Steil
Emmons	Johnson	Rogers	Stille
Gast	Koivisto	Schuette	Van Regenmorter

**Nays—14**

Byrum	Emerson	Murphy	Smith, V.
Cherry	Hart	Peters	Vaughn
DeBeaussaert	Jaye	Smith, A.	Young
Dingell	Leland		

**Excused—0**

**Not Voting—0**

In The Chair: President

The question being on concurring in the committee recommendation to give the bill immediate effect,  
The recommendation was not concurred in, 2/3 of the members serving not voting therefor.  
Senator Stille requested the yeas and nays.  
The yeas and nays were ordered, 1/5 of the members present voting therefor.  
The recommendation was not concurred in, 2/3 of the members serving not voting therefor.

**Roll Call No. 410**

**Yeas—22**

Bennett	Goschka	McManus	Shugars
Bullard	Gougeon	North	Sikkema
DeGrow	Hammerstrom	Rogers	Steil
Dunaskiss	Hoffman	Schuette	Stille
Emmons	Johnson	Schwarz	Van Regenmorter
Gast	McCotter		

**Nays—16**

Byrum	Emerson	Leland	Smith, A.
Cherry	Hart	Miller	Smith, V.
DeBeaussaert	Jaye	Murphy	Vaughn
Dingell	Koivisto	Peters	Young

**Excused—0**

**Not Voting—0**

In The Chair: President

Senator Bennett submitted the following:

**FIRST CONFERENCE REPORT**

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

**Senate Bill No. 364, entitled**

A bill to make appropriations for the department of environmental quality for the fiscal year ending September 30, 2000; to provide for the expenditure of those appropriations; to create funds and accounts; to require reports; to prescribe certain powers and duties of certain state agencies and officials; to authorize certain transfers by certain state agencies; and to provide for the disposition of fees and other income received by the various state agencies.

Recommends:

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

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

“PART 1

**LINE-ITEM APPROPRIATIONS**

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

**DEPARTMENT OF ENVIRONMENTAL QUALITY**

Full-time equated classified positions .....	1,609.7	
<b>GROSS APPROPRIATION</b> .....		\$ 393,988,600
Interdepartmental grant revenues:		
Total interdepartmental grants and intradepartmental transfers .....		16,778,700
<b>ADJUSTED GROSS APPROPRIATION</b> .....		\$ 377,209,900
Federal revenues:		
Total federal revenues .....		126,831,500
Special revenue funds:		
Total local revenues .....		1,195,600
Total private revenues .....		333,700
Total other state restricted revenues .....		152,602,700
State general fund/general purpose .....		\$ 96,246,400

OPERATIONS APPROPRIATIONS SUMMARY:

Full-time equated unclassified positions .....	6.0	
Full-time equated classified positions .....	1,607.7	
GROSS APPROPRIATION .....		\$ 393,848,000
Interdepartmental grant revenues:		
IDG from MDOT, Michigan transportation fund .....		813,000
IDG-MSP .....		609,400
IDG-MDCH .....		9,590,500
IDT, interdivisional charges .....		5,765,800
Total interdepartmental grants and intradepartmental transfers .....		16,778,700
ADJUSTED GROSS APPROPRIATION .....		\$ 377,069,300
Federal revenues:		
DOC, federal .....		3,047,700
DOD, federal .....		850,600
DOI, federal .....		456,300
EPA, federal .....		22,140,600
EPA-GWDW .....		3,715,600
EPA, superfund .....		8,428,800
EPA, UST .....		267,600
EPA, LUST trust .....		2,467,400
FEMA, federal .....		456,900
Federal revenues .....		85,000,000
Total federal revenues .....		126,831,500
Special revenue funds:		
Local funds .....		1,195,600
Total local revenues .....		1,195,600
Private funds .....		333,700
Total private revenues .....		333,700
Aboveground storage tank fees .....		687,500
Act 64 revenues .....		1,000,000
Act 641 forfeited revenues (solid waste revenue) .....		1,000,000
Air emissions fees .....		11,181,300
CESARS service fee .....		24,200
Cleanup and redevelopment fund .....		8,200,000
Drinking water revolving fund .....		5,829,400
Environmental response fund .....		9,089,200
Environmental education fund .....		172,100
Environmental pollution prevention fund .....		1,019,700
Environmental protection fund .....		6,000,000
Environmental training revenue .....		273,900
Fees and collections .....		723,600
Great Lakes protection fund .....		1,000,000
Hazardous materials transportation permit fund .....		114,300
Land and water permit fees .....		2,822,900
Landfill maintenance trust fund .....		46,500
Medical waste fees .....		397,000
Metallic mining surveillance fee revenue .....		62,900
Mineral well regulatory fee revenue .....		400,200
Michigan underground storage tank financial assurance fund .....		62,194,900
Oil and gas regulatory fund .....		9,115,000
Orphan well fund .....		1,308,000
Publication revenue .....		100,000
Public utility assessments .....		761,300
Public water supply fees .....		3,998,100
Revitalization revolving loan fund .....		1,000,000
Settlement funds .....		3,383,200
Sand extraction fee revenue .....		177,800
Scrap tire regulatory fund .....		1,607,000
Septage waste license fees .....		200,000
Sewage sludge land application fee .....		682,300

Solid waste program fees .....	1,165,200
Stormwater permit fees .....	1,269,800
Underground storage tank fees .....	6,441,900
Water analysis fees.....	2,268,700
Waste reduction fee revenue.....	3,565,200
Water pollution control revolving fund .....	3,108,000
Wastewater operator training fees .....	155,800
Water use reporting fees.....	55,800
Total other state restricted revenues .....	152,602,700
State general fund/general purpose .....	\$ 96,105,800
<b>Sec. 102. EXECUTIVE</b>	
Full-time equated unclassified positions .....	6.0
Full-time equated classified positions .....	11.0
Unclassified salaries.....	\$ 454,200
Executive direction—7.0 FTE positions .....	1,033,300
Office of the Great Lakes—4.0 FTE positions .....	767,000
GROSS APPROPRIATION .....	\$ 2,254,500
Appropriated from:	
Federal revenues:	
EPA, federal .....	223,200
DOI, federal .....	51,300
Special revenue funds:	
Environmental response fund .....	40,600
Environmental education fund.....	172,100
Oil and gas regulatory fund.....	84,300
Settlement funds .....	208,400
State general fund/general purpose .....	\$ 1,474,600
<b>Sec. 103. FINANCIAL AND BUSINESS SERVICES</b>	
Full-time equated classified positions .....	77.0
Financial support services—27.0 FTE positions .....	\$ 1,497,400
Field operations support—20.0 FTE positions .....	1,380,900
Automated data processing—8.0 FTE positions .....	5,916,800
Office of special environmental projects—6.0 FTE positions.....	571,800
Personnel—12.0 FTE positions .....	756,100
Administrative hearings—4.0 FTE positions .....	386,200
GROSS APPROPRIATION .....	\$ 10,509,200
Appropriated from:	
IDT, interdivisional charges .....	5,765,800
Federal revenues:	
DOD, federal .....	15,000
EPA, superfund .....	56,400
Special revenue funds:	
Aboveground storage tank fee revenue.....	22,900
Environmental response fund .....	766,800
Land and water permit fees.....	31,800
Michigan underground storage tank financial assurance fund .....	164,200
Oil and gas regulatory fund.....	413,900
Public water supply fees .....	156,500
Scrap tire regulatory fund .....	31,700
Settlement funds .....	183,900
State general fund/general purpose .....	\$ 2,900,300
<b>Sec. 104. DEPARTMENTAL OPERATION SUPPORT</b>	
Building occupancy charges.....	\$ 2,210,600
Rent-privately owned property .....	4,691,700
Publications .....	100,000
GROSS APPROPRIATION .....	\$ 7,002,300
Appropriated from:	
Special revenue funds:	
Air emissions fees.....	341,200
Environmental pollution prevention fund .....	37,900



Environmental response fund .....	417,400
Fees and collections .....	52,700
Land and water permit fees .....	62,600
Medical waste fees .....	18,600
Michigan underground storage tank financial assurance fund .....	132,300
Oil and gas regulatory fund .....	269,300
Publication revenue .....	100,000
Public utility assessments .....	11,300
Public water supply fees .....	167,000
Stormwater permit fees .....	43,300
Solid waste program fees .....	41,900
Scrap tire regulatory fund .....	35,000
Waste reduction revenue .....	52,000
Water analysis fees .....	92,900
Water pollution control revolving fund .....	79,400
Water use reporting fees .....	4,200
Underground storage tank fees .....	177,400
State general fund/general purpose .....	\$ 4,865,900

**Sec. 105. GEOLOGICAL SURVEY**

Full-time equated classified positions .....	89.5
Services to oil and gas programs—80.0 FTE positions .....	\$ 8,415,800
Well plugging - orphan wells—2.5 FTE positions .....	1,308,000
Coal and sand dune management—3.0 FTE positions .....	582,800
Mineral wells management—3.0 FTE positions .....	400,200
Metallic mining reclamation program—1.0 FTE position .....	62,900
GROSS APPROPRIATION .....	\$ 10,769,700

Appropriated from:

Federal revenues:

DOI, federal .....	405,000
Special revenue funds:	
Environmental response fund .....	71,200
Metallic mining surveillance fee revenue .....	62,900
Mineral well regulatory fee revenue .....	400,200
Orphan well fund .....	1,308,000
Oil and gas regulatory fund .....	8,219,100
Sand extraction fee revenue .....	177,800
State general fund/general purpose .....	\$ 125,500

**Sec. 106. LAND AND WATER MANAGEMENT**

Full-time equated classified positions .....	147.0
Land and water administration—14.0 FTE positions .....	\$ 1,229,800
Field permitting and project assistance—77.0 FTE positions .....	6,276,700
Dam safety, erosion control, and clean lakes—26.0 FTE positions .....	2,284,500
Great Lakes shorelands—30.0 FTE positions .....	3,162,900
GROSS APPROPRIATION .....	\$ 12,953,900

Appropriated from:

Interdepartmental grant revenues:

IDG, Michigan transportation fund .....	813,000
Federal revenues:	
EPA, federal .....	681,800
DOC, federal .....	1,547,700
FEMA, federal .....	246,900
Special revenue funds:	
Local funds .....	148,700
Land and water permit fees .....	2,728,500
State general fund/general purpose .....	\$ 6,787,300

**Sec. 107. AIR QUALITY**

Full-time equated classified positions .....	221.5
Air quality programs—57.0 FTE positions .....	\$ 4,893,800
Clean air act implementation—164.5 FTE positions .....	13,149,100
GROSS APPROPRIATION .....	\$ 18,042,900

Appropriated from:	
Federal revenues:	
EPA, federal.....	3,243,900
Special revenue funds:	
Air emissions fees.....	8,562,400
Environmental response fund.....	82,200
State general fund/general purpose.....	\$ 6,154,400
<b>Sec. 108. SURFACE WATER QUALITY</b>	
Full-time equated classified positions.....	207.5
Surface water compliance program—75.0 FTE positions.....	\$ 6,156,500
Surface water permits program—35.0 FTE positions.....	3,177,100
Surface water surveillance program—65.5 FTE positions.....	7,115,500
State and local water quality management planning—8.0 FTE positions.....	1,641,500
Fish contaminant monitoring contracts.....	321,000
Sewage sludge land application program—9.5 FTE positions.....	682,300
Stormwater discharge program—14.5 FTE positions.....	1,152,900
GROSS APPROPRIATION.....	\$ 20,246,800
Appropriated from:	
Federal revenues:	
EPA, federal.....	7,172,300
Special revenue funds:	
Local funds.....	1,046,900
CESARS service fee.....	24,200
Environmental response fund.....	136,000
State water pollution control revolving fund.....	554,100
Stormwater permit fees.....	1,146,500
Sewage sludge land application fee.....	682,300
State general fund/general purpose.....	\$ 9,484,500
<b>Sec. 109. DRINKING WATER PROTECTION AND RADIOLOGICAL HEALTH</b>	
Full-time equated classified positions.....	199.7
Environmental health—31.0 FTE positions.....	\$ 3,502,300
Laboratory services administration—69.0 FTE positions.....	5,951,700
Drinking water—81.2 FTE positions.....	11,713,800
Radiological protection—18.5 FTE positions.....	1,544,500
GROSS APPROPRIATION.....	\$ 22,712,300
Appropriated from:	
Interdepartmental grant revenues	
IDG-MSP.....	609,400
Federal revenues:	
EPA, federal.....	1,003,700
EPA-GWDW.....	3,556,000
Special revenue funds:	
Drinking water revolving fund.....	3,280,700
Medical waste fees.....	378,400
Public water supply fees.....	2,274,600
Settlement funds.....	283,100
Water analysis fees.....	2,175,800
Water use reporting fees.....	51,600
Fees and collections.....	670,900
State general fund/general purpose.....	\$ 8,428,100
<b>Sec. 110. LOW-LEVEL RADIOACTIVE WASTE AUTHORITY</b>	
Full-time equated classified positions.....	2.0
Low-level radioactive waste authority—2.0 FTE positions.....	\$ 750,000
GROSS APPROPRIATION.....	\$ 750,000
Appropriated from:	
Special revenue funds:	
Public utility assessments.....	750,000
State general fund/general purpose.....	\$ 0
<b>Sec. 111. ENVIRONMENTAL RESPONSE</b>	
Full-time equated classified positions.....	263.0
Environmental cleanup and redevelopment program.....	\$ 16,352,600

Contaminated site investigations, cleanup, and revitalization—211.0 FTE positions.....	15,527,100
State cleanup (Part 201 of 1994 PA 451) .....	3,397,700
Emergency cleanup actions .....	2,000,000
Federal cleanup project management—52.0 FTE positions .....	5,112,100
Revitalization revolving loan program .....	7,000,000
Superfund cleanup .....	7,250,000
<b>GROSS APPROPRIATION</b> .....	<b>\$ 56,639,500</b>

Appropriated from:

Federal revenues:

DOD, federal .....	835,600
EPA, federal .....	1,411,000
EPA, superfund .....	8,372,400

Special revenue funds:

Private funds .....	133,700
Cleanup and redevelopment fund .....	5,234,000
Environmental response fund .....	6,531,600
Environmental protection fund .....	6,000,000
Landfill maintenance trust fund .....	46,500
Revitalization revolving loan fund .....	1,000,000
Settlement funds .....	2,640,700
State general fund/general purpose .....	<b>\$ 24,434,000</b>

**Sec. 112. STORAGE TANKS**

Full-time equated classified positions .....	120.5
MI underground storage tank financial assurance program—36.5 FTE positions .....	<b>\$ 61,794,300</b>
Underground storage tank program—45.0 FTE positions.....	6,534,100
Aboveground storage tank program—9.0 FTE positions .....	664,600
Leaking underground storage tank cleanup program .....	5,966,000
Emergency cleanup actions .....	2,000,000
Leaking underground storage tank program—30.0 FTE positions.....	4,310,800
<b>GROSS APPROPRIATION</b> .....	<b>\$ 81,269,800</b>

Appropriated from:

Federal revenues:

EPA, LUST trust .....	2,467,400
EPA, UST .....	267,600

Special revenue funds:

Aboveground storage tank fees .....	664,600
Cleanup and redevelopment fund .....	2,966,000
Environmental response fund .....	1,043,400
Michigan underground storage tank financial assurance fund .....	61,794,300
Underground storage tank fees .....	6,264,500
State general fund/general purpose .....	<b>\$ 5,802,000</b>

**Sec. 113. WASTE MANAGEMENT**

Full-time equated classified positions .....	148.0
Administration and technical support—20.0 FTE positions .....	<b>\$ 1,488,900</b>
Compliance and enforcement—75.0 FTE positions.....	4,548,300
Hazardous waste permits—25.0 FTE positions .....	1,936,700
Groundwater permits—17.0 FTE positions .....	1,307,900
Solid waste program—11.0 FTE positions .....	1,263,700
Hazardous waste program support.....	605,000
Hazardous waste disposal facility closures.....	1,000,000
Solid waste disposal facility closures.....	1,000,000
<b>GROSS APPROPRIATION</b> .....	<b>\$ 13,150,500</b>

Appropriated from:

Federal revenues:

EPA, federal .....	2,903,000
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Special revenue funds:

Hazardous waste facility closure revenue.....	1,000,000
Hazardous materials transportation permit fund.....	114,300
Solid waste facility closure revenue .....	1,000,000

Environmental pollution prevention fund .....	981,800
Scrap tire regulatory fund .....	886,300
Solid waste program fees .....	1,123,300
State general fund/general purpose .....	\$ 5,141,800

**Sec. 114. ENVIRONMENTAL ASSISTANCE DIVISION**

Full-time equated classified positions .....	101.0
Municipal assistance—39.5 FTE positions .....	\$ 3,192,400
Pollution prevention—29.0 FTE positions .....	2,562,600
Low-income community wastewater assistance .....	90,000
Environmental services—12.0 FTE positions .....	1,559,500
Pollution prevention outreach .....	200,000
Technical assistance—20.5 FTE positions .....	2,519,500
<b>GROSS APPROPRIATION</b> .....	\$ <u>10,124,000</u>

Appropriated from:

Federal revenues:

EPA, federal .....	783,300
EPA-GWDW .....	159,600

Special revenue funds:

Private funds .....	200,000
Air emissions fees .....	612,900
Settlement funds .....	67,100
Drinking water revolving fund .....	1,218,700
Environmental training revenue .....	273,900
State water pollution control revolving fund .....	2,474,500
Stormwater permit fees .....	80,000
Waste reduction fee revenue .....	3,513,200
Wastewater operator training fees .....	155,800
State general fund/general purpose .....	\$ 585,000

**Sec. 115. CRIMINAL INVESTIGATIONS**

Full-time equated classified positions .....	21.0
Environmental investigations—21.0 FTE positions .....	\$ 1,748,700
<b>GROSS APPROPRIATION</b> .....	\$ <u>1,748,700</u>

Appropriated from:

Federal revenues:

EPA, federal .....	128,400
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Special revenue funds:

MUSTFA fund .....	104,100
Oil and gas regulatory fund .....	128,400
Scrap tire regulatory fund .....	54,000
State general fund/general purpose .....	\$ 1,333,800

**Sec. 116. GRANTS**

Grants to counties—air pollution .....	\$ 2,854,900
Water pollution control and drinking water revolving fund .....	102,353,500
Noncommunity water grants .....	1,400,000
Land resource program grants .....	1,800,000
Federal - nonpoint source water pollution grants .....	3,500,000
Federal - Great Lakes remedial action plan grants .....	700,000
Great Lakes research and protection grants .....	1,000,000
Radon grants .....	135,000
Septage waste compliance grants .....	200,000
Scrap tire grants .....	600,000
Drinking water revolving fund implementation .....	1,330,000
Local health department operations .....	9,590,500
GIS floodplain mapping .....	210,000
<b>GROSS APPROPRIATION</b> .....	\$ <u>125,673,900</u>

Appropriated from:

IDG-MDCH, local public health operations .....	9,590,500
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Federal revenues:

DOC, federal .....	1,500,000
EPA, federal .....	4,590,000

FEMA, federal .....	210,000
Federal revenues .....	85,000,000
Special revenue funds:	
Air emissions fees .....	1,664,800
Drinking water revolving fund .....	1,330,000
Great Lakes protection fund .....	1,000,000
Public water supply fees .....	1,400,000
Scrap tire regulatory fund .....	600,000
Septage waste license fees .....	200,000
State general fund/general purpose .....	\$ 18,588,600

**Sec. 117. BOND ADMINISTRATION SUMMARY**

Full-time equated classified positions .....	2.0
GROSS APPROPRIATION .....	\$ 140,600
ADJUSTED GROSS APPROPRIATION .....	\$ 140,600
Special revenue funds:	
State general fund/general purpose .....	\$ 140,600

**Sec. 118. BOND WASTE MANAGEMENT**

Full-time equated classified positions .....	2.0
Solid waste implementation staff—2.0 FTE positions .....	\$ 140,600
GROSS APPROPRIATION .....	\$ 140,600
Appropriated from:	
Special revenue funds:	
State general fund/general purpose .....	\$ 140,600”.

2. Amend page 17, line 19, by striking out all of section 201 and inserting:

“Sec. 201. (1) In accordance with the provisions of section 30 of article IX of the state constitution of 1963, total state spending in this appropriation act is \$248,849,100.00 and state appropriations to be paid to local units of government for fiscal year 1999-2000 are estimated at \$6,619,900.00. The itemized statement below identifies appropriations from which spending to units of local government will occur:

DEPARTMENT OF ENVIRONMENTAL QUALITY

GRANTS

Grants to counties - air pollution .....	\$ 2,854,900
Septage waste compliance program .....	200,000
Scrap tire grants .....	600,000
Noncommunity water grants .....	1,400,000
Radon grants .....	135,000
Dam safety, erosion control, clean lakes .....	100,000
Drinking water grants .....	1,330,000
TOTAL .....	\$ 6,619,900

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

3. Amend page 23, line 16, after “appropriations.” by striking out the balance of the section.

4. Amend page 24, line 7, by striking out all of section 212 and inserting:

“Sec. 212. The department shall implement a pilot program that places reports required by this act on the Internet, with electronic notification to legislative offices of Internet access to the reports. During fiscal year 2000, the department shall continue to distribute all of these reports to the legislature in the current printed format.”.

5. Amend page 25, line 9, after “agencies” by striking out the balance of the section and inserting “within 30 months.”.

6. Amend page 25, line 10, by striking out all of section 216.

7. Amend page 26, line 22, by striking out all of section 220 and inserting:

“Sec. 220. The department shall provide a report prepared by the department’s internal auditor on the activities of the internal auditor for the prior fiscal year. This report shall include a listing of each audit or investigation performed by the internal auditor pursuant to sections 486(4) and 487 of the management and budget act, 1984 PA 431, MCL 18.1486 and 18.1487. The report shall identify the proportion of time spent on each of the statutory responsibilities listed in sections 485(4), 486(4), and 487 of the management and budget act, 1984 PA 431, MCL 18.1485, 18.1486, and 18.1487, and the time spent on all other activities performed in the internal audit function. The first report shall be due March 1, 2000, and biennially thereafter beginning on May 1 and shall be submitted to the governor, auditor general, the senate and house appropriations committees, the senate and house fiscal agencies, and the director.”.

8. Amend page 27, line 9, by striking out all of section 221 and inserting:

“Sec. 221. The departments and state agencies receiving appropriations under this act shall receive and retain copies of all reports funded from appropriations in part 1. These departments and state agencies shall follow federal and state guidelines for short-term and long-term retention of these reports and records.”

9. Amend page 27, line 19, by striking out all of section 224.

10. Amend page 28, line 14, after “shall” by striking out “prepare,” and inserting “cooperate”.

11. Amend page 28, line 15, after “resources” by striking out the comma and inserting “in developing”.

12. Amend page 28, line 23, by striking out all of section 227 and inserting:

“Sec. 227. (1) The department shall submit to the department of management and budget, the house and senate appropriations committees, the house and senate fiscal agencies, and the house and senate standing committees having jurisdiction over technology issues quarterly reports on the department’s efforts to change the department’s computer software and hardware as necessary to perform properly in the year 2000 and beyond. These reports shall identify actual progress in comparison to the department’s approved work plan for these efforts.

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

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

13. Amend page 29, line 18, by striking out all of section 402.

14. Amend page 39, following line 5, by striking out all of section 804.

15. Amend page 39, line 12, by striking out all of section 902 and inserting:

“Sec. 902. Of the funds appropriated in section 115 for criminal investigations, 1.0 FTE and \$75,000.00 are designated primarily for inspections of incoming out-of-state waste, but can also be made available for other criminal investigation activities.”

16. Amend page 40, following line 17, by striking out all of section 1005.

17. Amend page 40, line 19, by striking out all of section 1101 and inserting:

“Sec. 1101. (1) The department shall prepare a plan to collect Great Lakes bottomland permit fees uniformly and fairly from commercial and noncommercial users of the Great Lakes bottomlands. The plan prepared by the department shall be presented to the house and senate appropriations committees by May 1, 2000.

(2) If this plan is not presented by May 1, 2000, commercial and noncommercial users are exempt from the Great Lakes bottomland permit fees.

Sec. 1102. Of the funds appropriated in section 106 for dam safety, erosion control, and clean lakes, \$100,000.00 shall be used for removal of the dam at Big Rapids.”

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

A bill to make appropriations for the department of environmental quality for the fiscal year ending September 30, 2000; to provide for the expenditure of those appropriations; to create funds and accounts; to require reports; to prescribe certain powers and duties of certain state agencies and officials; to authorize certain transfers by certain state agencies; and to provide for the disposition of fees and other income received by the various state agencies.

Loren Bennett  
Walter North  
Alma Wheeler Smith  
Conferees for the Senate

William Byl  
David Mead  
Deborah Cherry  
Conferees for the House

The question being on the adoption of the conference report,

The first conference report was adopted, a majority of the members serving voting therefor, as follows:

**Roll Call No. 411**

**Yeas—36**

Bennett	Gast	McCotter	Shugars
Bullard	Goschka	McManus	Sikkema
Byrum	Gougeon	Miller	Smith, A.
Cherry	Hammerstrom	Murphy	Smith, V.
DeBeaussaert	Hart	North	Steil
DeGrow	Hoffman	Peters	Stille
Dunaskiss	Johnson	Rogers	Van Regenmorter
Emerson	Koivisto	Schuette	Vaughn
Emmons	Leland	Schwarz	Young

**Nays—2**

Dingell	Jaye
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**Excused—0**

**Not Voting—0**

In The Chair: President

The question being on concurring in the committee recommendation to give the bill immediate effect, The recommendation was concurred in, 2/3 of the members serving voting therefor.

Senator Schwarz submitted the following:

**SECOND CONFERENCE REPORT**

The Committee of Conference on the matters of difference between the two Houses concerning **Senate Bill No. 366, entitled**

A bill to make appropriations for the departments of attorney general, civil rights, civil service, management and budget, state, and treasury, the executive office, and the legislative branch for the fiscal year ending September 30, 2000; to provide for the expenditure of these appropriations; to provide for the funding of certain work projects; to provide for the imposition of certain fees; to establish or continue certain funds, programs, and categories; to transfer certain funds; to prescribe certain requirements for bidding on state contracts; to provide for disposition of year-end balances for the fiscal year ending September 30, 2000; to prescribe the powers and duties of certain principal executive departments and state agencies, officials, and employees; and to provide for the disposition of fees and other income received by the various principal executive departments and state agencies.

Recommends:

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

1. Amend page 2, line 1, by striking out all of part 1 and inserting:

**“PART 1**

**LINE-ITEM APPROPRIATIONS**

Sec. 101. Subject to the conditions set forth in this act, the amounts listed in this part are appropriated for the departments of attorney general, civil rights, civil service, management and budget, state, and treasury, the executive office, the legislative branch, and certain other state purposes, for the fiscal year ending September 30, 2000, from the funds indicated in this part. The following is a summary of the appropriations in this part:

**TOTAL GENERAL GOVERNMENT**

Full-time equated unclassified positions .....	42.0
Full-time equated classified positions .....	5,962.0
<b>GROSS APPROPRIATION .....</b>	<b>\$ 2,444,872,200</b>

Interdepartmental grant revenues:	
Total interdepartmental grants and intradepartmental transfers .....	\$ 130,631,500
ADJUSTED GROSS APPROPRIATION .....	\$ 2,314,240,700
Federal revenues:	
Total federal revenues .....	60,820,700
Special revenue funds:	
Total local revenues .....	4,647,200
Total private revenues .....	2,231,900
Total other state restricted revenues .....	1,768,644,100
State general fund/general purpose .....	\$ 477,896,800
<b>Sec. 102. DEPARTMENT OF ATTORNEY GENERAL</b>	
<b>(1) APPROPRIATION SUMMARY:</b>	
Full-time equated unclassified positions .....	6.0
Full-time equated classified positions .....	569.0
GROSS APPROPRIATION .....	\$ 55,132,300
Interdepartmental grant revenues:	
Total interdepartmental grants and intradepartmental transfers .....	8,686,800
ADJUSTED GROSS APPROPRIATION .....	\$ 46,445,500
Federal revenues:	
Total federal revenues .....	6,401,700
Special revenue funds:	
Total local revenues .....	0
Total private revenues .....	1,106,800
Total other state restricted revenues .....	6,858,200
State general fund/general purpose .....	\$ 32,078,800
<b>(2) ATTORNEY GENERAL OPERATIONS</b>	
Full-time equated unclassified positions .....	6.0
Full-time equated classified positions .....	569.0
Attorney general .....	\$ 124,900
Unclassified positions—5.0 FTE positions .....	444,500
Attorney general operations—550.5 FTE positions .....	52,712,000
Prosecuting attorneys coordinating council—18.5 FTE positions .....	1,550,900
PACC, training project .....	300,000
GROSS APPROPRIATION .....	\$ 55,132,300
Appropriated from:	
Interdepartmental grant revenues:	
IDG from FIA .....	1,691,500
IDG from MDCIS, financial and insurance services .....	94,100
IDG from MDCIS, health services .....	907,700
IDG from MDCIS, liquor purchase revolving fund .....	805,400
IDG from MDCIS, public utility assessments .....	1,531,000
IDG from MDSP, Michigan justice training fund .....	300,000
IDG from MDOT, Michigan transportation fund .....	2,475,200
IDG from MDOT, state aeronautics fund .....	114,900
IDG from Michigan gaming control board .....	767,000
Federal revenues:	
DAG, state administrative match grant/food stamps .....	992,400
DED-OPSE, student loan, federal lender allowance .....	268,300
DOL-ETA, unemployment insurance .....	1,274,600
DOL-OSHA, occupational safety and health .....	249,400
EPA, multiple grants .....	343,500
Federal funds .....	419,600
HHS-OS, state Medicaid fraud control units .....	2,343,800
HHS, medical assistance, medigant .....	510,100
Special revenue funds:	
Private - accident fund company revenue .....	1,106,800
Antitrust enforcement collections .....	285,800
Auto repair facilities fees .....	178,400
Collections revenue .....	550,400
Corporate fees .....	58,500



Franchise fees .....	223,100
Game and fish protection fund .....	630,800
Low level radioactive waste management fund .....	230,500
Michigan state housing development authority fees .....	447,300
Michigan underground storage tank financial assurance fund .....	147,900
Mobile home commission fees .....	173,100
Oil and gas privilege fee revenue .....	131,900
Prisoner reimbursement.....	277,600
Prosecuting attorneys training fees.....	236,800
Retirement funds.....	570,900
Second injury fund.....	865,800
Securities fees.....	58,600
Self-insurers security fund .....	148,400
Silicosis and dust disease fund.....	442,100
State building authority revenue.....	74,800
State hospital authority .....	291,200
State lottery fund .....	190,100
Utility consumers fund.....	446,300
Waterways fund .....	76,600
Worker's compensation administrative revolving fund .....	121,300
State general fund/general purpose .....	\$ 32,078,800
<b>Sec. 103. DEPARTMENT OF CIVIL RIGHTS</b>	
Full-time equated unclassified positions .....	5.0
Full-time equated classified positions .....	166.5
GROSS APPROPRIATION .....	\$ 14,623,300
Interdepartmental grant revenues:	
Total interdepartmental grants and intradepartmental transfers .....	0
ADJUSTED GROSS APPROPRIATION.....	\$ 14,623,300
Federal revenues:	
Total federal revenues .....	1,634,000
Special revenue funds:	
Total local revenues .....	0
Total private revenues .....	0
Total other state restricted revenues .....	0
State general fund/general purpose .....	\$ 12,989,300
<b>(2) CIVIL RIGHTS OPERATIONS</b>	
Full-time equated unclassified positions .....	5.0
Full-time equated classified positions .....	166.5
Commission (per diem \$75.00) .....	\$ 16,200
Unclassified positions—5.0 FTE positions.....	333,100
Civil rights operations—166.5 FTE positions .....	14,274,000
GROSS APPROPRIATION .....	\$ 14,623,300
Appropriated from:	
Federal revenues:	
EEOC, state and local antidiscrimination agency contracts.....	1,500,000
HUD, grant .....	134,000
State general fund/general purpose .....	\$ 12,989,300
<b>Sec. 104. DEPARTMENT OF CIVIL SERVICE</b>	
<b>(1) APPROPRIATION SUMMARY:</b>	
Full-time equated classified positions .....	230.5
GROSS APPROPRIATION .....	\$ 28,585,500
Interdepartmental grant revenues:	
Total interdepartmental grants and intradepartmental transfers .....	2,300,000
ADJUSTED GROSS APPROPRIATION.....	\$ 26,285,500
Federal revenues:	
Total federal revenues .....	4,779,100
Special revenue funds:	
Total local revenues .....	1,700,000
Total private revenues .....	150,000
Total other state restricted revenues .....	8,859,200
State general fund/general purpose .....	\$ 10,797,200

**(2) CIVIL SERVICE OPERATIONS**

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

**Sec. 105. EXECUTIVE OFFICE****(1) APPROPRIATION SUMMARY:**

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

**(2) EXECUTIVE OFFICE OPERATIONS**

Full-time equated unclassified positions .....	10.0	
Full-time equated classified positions .....	75.0	
Governor .....		\$ 149,000
Lieutenant governor .....		100,300
Executive office—75.0 FTE positions .....		4,367,000
Unclassified positions—8.0 FTE positions .....		808,800
<b>GROSS APPROPRIATION</b> .....		<u>\$ 5,425,100</u>

Appropriated from:

State general fund/general purpose .....		<u>\$ 5,425,100</u>
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**Sec. 106. LEGISLATIVE AUDITOR GENERAL****(1) APPROPRIATION SUMMARY:**

<b>GROSS APPROPRIATION</b> .....		<u>\$ 14,343,400</u>
Interdepartmental grant revenues:		
Total interdepartmental grants and intradepartmental transfers .....		1,527,100
<b>ADJUSTED GROSS APPROPRIATION</b> .....		<u>\$ 12,816,300</u>
Federal revenues:		
Total federal revenues .....		0
Special revenue funds:		
Total local revenues .....		0
Total private revenues .....		0
Total other state restricted revenues .....		293,800
State general fund/general purpose .....		<u>\$ 12,522,500</u>

**(2) OFFICE OF THE AUDITOR GENERAL**

Legislative auditor general .....		\$ 118,000
Unclassified positions .....		128,200
Field operations .....		14,097,200
<b>GROSS APPROPRIATION</b> .....		<u>\$ 14,343,400</u>

Appropriated from:

Interdepartmental grant revenues:

IDG from MDCIS, liquor purchase revolving fund .....	79,300
IDG from MDCS .....	67,100
IDG from MDOT, comprehensive transportation fund .....	38,900
IDG from MDOT, Michigan transportation fund .....	101,800
IDG from MDOT, state aeronautics fund .....	15,400
IDG from MDOT, state trunkline fund .....	381,100
IDG, single audit act .....	843,500

Special revenue funds:

Construction lien fund .....	5,000
Contract audit administration fees .....	46,000
Correctional industries revolving fund .....	31,800
Game and fish protection fund .....	17,100
Marine safety fund .....	1,500
Michigan state housing development authority fees .....	40,000
Michigan veterans trust fund .....	14,100
Motor transport revolving fund .....	24,800
Office services revolving fund .....	33,200
Retirement funds .....	49,600
State employees' group insurance .....	26,200
Waterways fund .....	4,500
State general fund/general purpose .....	\$ 12,522,500

**Sec. 107. LEGISLATURE**

**(1) APPROPRIATION SUMMARY:**

GROSS APPROPRIATION .....	\$ 103,153,500
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Interdepartmental grant revenues:

Total interdepartmental grants and intradepartmental transfers .....	0
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ADJUSTED GROSS APPROPRIATION .....	\$ 103,153,500
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Federal revenues:

Total federal revenues .....	0
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Special revenue funds:

Total local revenues .....	0
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Total private revenues .....	400,000
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Total other state restricted revenues .....	1,041,800
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State general fund/general purpose .....	\$ 101,711,700
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**(2) LEGISLATURE**

Senate .....	\$ 27,538,300
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Senate automated data processing .....	2,221,500
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Senate fiscal agency .....	3,252,800
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House of representatives .....	38,247,700
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House automated data processing .....	1,979,500
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House fiscal agency .....	3,073,800
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GROSS APPROPRIATION .....	\$ 76,313,600
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Appropriated from:

State general fund/general purpose .....	\$ 76,313,600
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**(3) LEGISLATIVE COUNCIL**

Legislative council .....	\$ 10,827,200
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Legislative service bureau automated data processing .....	1,548,900
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Legislative session integration system .....	900
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Legislative corrections ombudsman .....	563,300
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Worker's compensation .....	154,800
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National association dues .....	396,100
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GROSS APPROPRIATION .....	\$ 13,491,200
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Appropriated from:

Special revenue funds:

Private - gifts and bequests revenues .....	400,000
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State general fund/general purpose .....	\$ 13,091,200
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**(4) LEGISLATIVE RETIREMENT SYSTEM**

General nonretirement expenses.....	\$ 4,298,900
<b>GROSS APPROPRIATION</b> .....	<b>\$ 4,298,900</b>
Appropriated from:	
Special revenue funds:	
Court fees .....	1,041,800
State general fund/general purpose .....	\$ 3,257,100

**(5) PROPERTY MANAGEMENT**

Capitol building .....	\$ 1,885,100
House of representatives office building .....	6,500,000
Farnum building .....	664,700
<b>GROSS APPROPRIATION</b> .....	<b>\$ 9,049,800</b>
Appropriated from:	
State general fund/general purpose .....	\$ 9,049,800

**Sec. 108. LIBRARY OF MICHIGAN**

**(1) APPROPRIATION SUMMARY:**

<b>GROSS APPROPRIATION</b> .....	<b>\$ 38,977,400</b>
Interdepartmental grant revenues:	
Total interdepartmental grants and intradepartmental transfers .....	0
<b>ADJUSTED GROSS APPROPRIATION</b> .....	<b>\$ 38,977,400</b>
Federal revenues:	
Total federal revenues .....	4,557,400
Special revenue funds:	
Total local revenues .....	0
Total private revenues .....	75,000
Total other state restricted revenues .....	86,900
State general fund/general purpose .....	\$ 34,258,100

**(2) LIBRARY OF MICHIGAN**

Operations.....	\$ 8,117,600
Michigan library and historical center operations .....	2,787,600
Library automation.....	728,400
Statewide database access .....	650,000
Collected gifts and fees.....	161,900
State aid to libraries .....	14,350,700
Grant to the Detroit public library .....	5,871,600
Grand Rapids public library .....	406,400
Subregional state aid.....	554,300
Wayne county library for the blind & physically handicapped .....	49,200
Book distribution centers .....	313,500
Library services and technology act.....	4,557,400
Renaissance zone reimbursement .....	428,800
<b>GROSS APPROPRIATION</b> .....	<b>\$ 38,977,400</b>

Appropriated from:

Federal revenues:	
Library services and technology act.....	4,557,400
Special revenue funds:	
Private - gifts and bequests revenues.....	75,000
User fees .....	86,900
State general fund/general purpose .....	\$ 34,258,100

**Sec. 109. DEPARTMENT OF MANAGEMENT AND BUDGET**

**(1) APPROPRIATION SUMMARY:**

Full-time equated unclassified positions .....	6.0
Full-time equated classified positions .....	944.0
<b>GROSS APPROPRIATION</b> .....	<b>\$ 137,400,800</b>
Interdepartmental grant revenues:	
Total interdepartmental grants and intradepartmental transfers .....	52,476,200
<b>ADJUSTED GROSS APPROPRIATION</b> .....	<b>\$ 84,924,600</b>
Federal revenues:	
Total federal revenues .....	536,400

Special revenue funds:	
Total local revenues .....	0
Total private revenues .....	0
Total other state restricted revenues .....	39,579,000
State general fund/general purpose .....	\$ 44,809,200
<b>(2) MANAGEMENT AND BUDGET SERVICES</b>	
Full-time equated unclassified positions .....	6.0
Full-time equated classified positions .....	782.0
Unclassified positions—6.0 FTE positions.....	\$ 515,700
Departmentwide services—62.0 FTE positions .....	14,590,300
Statewide administrative services—253.0 FTE positions .....	24,414,500
Statewide support services—356.0 FTE positions .....	47,906,400
Michigan administrative information network—111.0 FTE positions.....	24,762,400
<b>GROSS APPROPRIATION .....</b>	<b>\$ 112,189,300</b>
Appropriated from:	
Interdepartmental grant revenues:	
IDG from building occupancy and parking charges .....	46,500,300
IDG from MDCH.....	235,000
IDG from MDOT, comprehensive transportation fund .....	38,600
IDG from MDOT, state aeronautics fund .....	18,200
IDG from MDOT, state trunkline fund.....	768,100
IDG from department of career development .....	100,000
IDG from user fees .....	3,561,000
Federal revenues:	
Federal - MESA, administration fund .....	536,400
Special revenue funds:	
Game and fish protection fund .....	190,800
Health management funds .....	1,195,400
Marine safety fund.....	14,100
MAIN user charges .....	5,142,200
Special revenue, internal service, and pension trust funds.....	6,501,400
State building authority revenue.....	435,200
State lottery fund .....	103,300
State sponsored group insurance, flexible spending accounts and COBRA .....	4,672,100
Waterways fund .....	46,200
State general fund/general purpose .....	\$ 42,131,000
<b>(3) STATEWIDE APPROPRIATIONS</b>	
Professional development fund - MPES .....	\$ 105,000
Professional development fund - MSC .....	150,000
Professional development fund - UAW .....	900,000
Professional development fund - local 31-M.....	50,000
Professional development fund - nonexclusively represented employees .....	50,000
<b>GROSS APPROPRIATION .....</b>	<b>\$ 1,255,000</b>
Appropriated from:	
Interdepartmental grant revenues:	
IDG from employer contributions .....	1,255,000
State general fund/general purpose .....	\$ 0
<b>(4) SPECIAL PROGRAMS</b>	
Full-time equated classified positions .....	162.0
Building occupancy charges - property management services for executive/legislative building occupancy .....	1,514,300
Retirement services—148.0 FTE positions.....	21,278,300
Office of children's ombudsman—14.0 FTE positions .....	1,163,900
<b>GROSS APPROPRIATION .....</b>	<b>\$ 23,956,500</b>
Appropriated from:	
Special revenue funds:	
Pension trust funds.....	21,278,300
State general fund/general purpose .....	\$ 2,678,200

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

Full-time equated unclassified positions .....	6.0	
Full-time equated classified positions .....	2,044.0	
<b>GROSS APPROPRIATION .....</b>		<b>\$ 181,515,300</b>
Interdepartmental grant revenues:		
Total interdepartmental grants and intradepartmental transfers .....		56,830,800
<b>ADJUSTED GROSS APPROPRIATION .....</b>		<b>\$ 124,684,500</b>
Federal revenues:		
Total federal revenues .....		3,112,100
Special revenue funds:		
Total local revenues .....		0
Total private revenues .....		500,100
Total other state restricted revenues .....		60,983,300
State general fund/general purpose .....		\$ 60,089,000

**(2) EXECUTIVE DIRECTION**

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

## Appropriated from:

Interdepartmental grant revenues:		
IDG from MDOT, Michigan transportation fund .....		483,700
Special revenue funds:		
Auto repair facilities fees .....		48,600
Driver fees .....		78,800
Expedient service fees .....		40,500
Look-up fees .....		353,600
Parking ticket court fines .....		6,300
Personal identification card fees .....		9,600
Reinstatement fees - operator licenses .....		84,200
Vehicle theft prevention fees .....		27,800
State general fund/general purpose .....		\$ 1,173,900

**(3) DEPARTMENT SERVICES**

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

## Appropriated from:

Interdepartmental grant revenues:		
IDG from MDOT, Michigan transportation fund .....		15,686,500
Federal revenues:		
Temporary assistance for needy families .....		1,345,900
Special revenue funds:		
Administrative order processing fees .....		10,400
Assigned claims assessments .....		600,600
Auto repair facilities fees .....		4,251,700
Child support clearance fees .....		45,700
Driver fees .....		1,076,500
Expedient service fees .....		664,400
Look-up fees .....		9,058,200
Marine safety fund .....		64,500
Off-road vehicle title fees .....		6,900
Parking ticket court fines .....		122,000
Personal identification card fees .....		97,000

Reinstatement fees - operator licenses .....	860,200
Scrap tire fund .....	59,200
Snowmobile registration fee revenue.....	15,500
Vehicle theft prevention fees .....	1,518,000
State general fund/general purpose .....	\$ 13,889,800

**(4) REGULATORY SERVICES**

Full-time equated classified positions .....	95.8
Operations—95.8 FTE positions .....	\$ 7,295,800
<b>GROSS APPROPRIATION .....</b>	<b>\$ 7,295,800</b>

Appropriated from:

Interdepartmental grant revenues:

IDG from MDOT, Michigan transportation fund.....	2,004,800
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Special revenue funds:

Auto repair facilities fees .....	57,400
Driver fees .....	520,100
Expedient service fees.....	25,900
Look-up fees .....	2,173,100
Parking ticket court fines .....	7,100
Personal identification card fees .....	35,400
Reinstatement fees - operator licenses .....	456,800
Vehicle theft prevention fees .....	95,400
State general fund/general purpose .....	\$ 1,919,800

**(5) CUSTOMER DELIVERY SERVICES**

Full-time equated classified positions .....	1,444.8
Branch operations—1,020.0 FTE positions .....	\$ 63,892,100
Central records—408.6 FTE positions .....	27,537,300
Commemorative license plates—16.2 FTE positions.....	9,353,300
Specialty license plates .....	2,215,000
Olympic center plate .....	75,700
Organ donor program.....	104,100
<b>GROSS APPROPRIATION .....</b>	<b>\$ 103,177,500</b>

Appropriated from:

Interdepartmental grant revenues:

IDG from MDOT, Michigan transportation fund.....	35,936,600
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Federal revenues:

Temporary assistance for needy families.....	366,300
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Special revenue funds:

Private funds .....	100
Auto repair facilities fees .....	75,700
Child support clearance fees .....	331,500
Commercial driver training school fees.....	57,200
Driver fees .....	10,887,100
Expedient service fees.....	1,549,900
Look-up fees .....	15,259,800
Marine safety fund.....	907,400
Mobile home commission fees .....	376,600
Motorcycle safety fund .....	119,700
Off-road vehicle title fees .....	97,100
Olympic center training fund .....	75,700
Parking ticket court fines .....	1,312,800
Personal identification card fees .....	1,217,700
Reinstatement fees - operator licenses .....	1,846,800
Snowmobile registration fee revenue.....	265,600
Vehicle theft prevention fees .....	168,900
State general fund/general purpose .....	\$ 32,325,000

**(6) ELECTION REGULATION**

Full-time equated classified positions .....	28.5
Election administration and services—28.5 FTE positions.....	\$ 2,118,200
Fees to local units .....	69,800

Qualified voter file.....	1,154,300
GROSS APPROPRIATION .....	\$ 3,342,300
Appropriated from:	
State general fund/general purpose .....	\$ 3,342,300
<b>(7) HISTORICAL PROGRAM</b>	
Full-time equated classified positions .....	74.7
Historical administration and services—63.3 FTE positions .....	\$ 4,326,100
Federal programs—8.9 FTE positions .....	1,399,900
Mann house—0.5 FTE position.....	100,000
Lighthouse program—1.0 FTE position .....	150,000
Tax credit program—1.0 FTE position.....	70,000
Heritage publications .....	700,000
Private grants and gifts .....	400,000
GROSS APPROPRIATION .....	\$ 7,146,000
Appropriated from:	
Federal revenues:	
DOC-NOAA, coastal zone management administration .....	75,000
DOI-NHPRC .....	250,000
DOI-NPS, historic preservation grants-in-aid.....	924,900
Federal institute of museum and library services .....	150,000
Special revenue funds:	
Private - grants and gifts .....	400,000
Private - Mann house trust fund .....	100,000
Heritage publication fund.....	700,000
State general fund/general purpose .....	\$ 4,546,100
<b>(8) DEPARTMENTWIDE APPROPRIATIONS</b>	
Building occupancy charges - property management services .....	\$ 1,493,700
Private rent.....	6,570,400
Worker's compensation .....	809,600
GROSS APPROPRIATION .....	\$ 8,873,700
Appropriated from:	
Interdepartmental grant revenues:	
IDG from MDOT, Michigan transportation fund.....	2,719,200
Special revenue funds:	
Auto repair facilities fees .....	174,300
Driver fees .....	536,200
Expedient service fees.....	16,000
Look-up fees .....	1,957,800
Parking ticket court fines .....	578,100
State general fund/general purpose .....	\$ 2,892,100
<b>Sec. 111. DEPARTMENT OF TREASURY</b>	
<b>(1) APPROPRIATION SUMMARY:</b>	
Full-time equated unclassified positions .....	9.0
Full-time equated classified positions .....	1,933.0
GROSS APPROPRIATION .....	\$ 1,865,715,600
Interdepartmental grant revenues:	
Total interdepartmental grants and intradepartmental transfers .....	8,810,600
ADJUSTED GROSS APPROPRIATION .....	\$ 1,856,905,000
Federal revenues:	
Total federal revenues .....	39,800,000
Special revenue funds:	
Total local revenues .....	2,947,200
Total private revenues .....	0
Total other state restricted revenues .....	1,650,941,900
State general fund/general purpose .....	\$ 163,215,900
<b>(2) EXECUTIVE DIRECTION</b>	
Full-time equated unclassified positions .....	9.0
Full-time equated classified positions .....	4.0
Unclassified positions—9.0 FTE positions.....	\$ 748,600



Multistate tax commission dues .....	111,700
Office of the director—4.0 FTE positions .....	426,800
GROSS APPROPRIATION .....	\$ 1,287,100
Appropriated from:	
Special revenue funds:	
State lottery fund .....	109,700
State services fee fund .....	117,600
State general fund/general purpose .....	\$ 1,059,800
<b>(3) DEPARTMENTWIDE APPROPRIATIONS</b>	
Rent .....	\$ 570,400
Travel.....	1,815,900
Building occupancy charges - property management services.....	2,398,300
Worker's compensation insurance premium .....	486,800
GROSS APPROPRIATION .....	\$ 5,271,400
Appropriated from:	
Interdepartmental grant revenues:	
IDG from MDOT, state aeronautics fund .....	2,700
IDG, state agency collection fees.....	17,900
Special revenue funds:	
Local - audit charges.....	80,600
Local - equalization study charge-backs.....	16,300
Delinquent property tax administration fund.....	127,000
Delinquent tax collection revenue .....	2,833,300
Municipal finance fees .....	11,200
Treasury fees.....	18,900
Waterways fund .....	2,300
State general fund/general purpose .....	\$ 2,161,200
<b>(4) LOCAL GOVERNMENT PROGRAMS</b>	
Full-time equated classified positions .....	98.0
Supervision of the general property tax law—49.0 FTE positions .....	\$ 4,147,700
Property tax assessor training—4.0 FTE positions .....	346,400
Local property tax services—16.5 FTE positions.....	1,739,800
Local finance—28.5 FTE positions .....	2,215,400
State audits of counties .....	60,000
Pari-mutuel audits .....	240,000
GROSS APPROPRIATION .....	\$ 8,749,300
Appropriated from:	
Special revenue funds:	
Local - assessor training fees .....	346,400
Local - audit charges.....	988,300
Local - equalization study charge-backs.....	200,500
Local - revenue from local government.....	615,100
Delinquent property tax administration fund.....	4,739,800
Municipal finance fees.....	243,300
State general fund/general purpose .....	\$ 1,615,900
<b>(5) TAX PROGRAMS</b>	
Full-time equated classified positions .....	761.5
Administration—229.0 FTE positions .....	\$ 17,347,000
Enforcement—524.5 FTE positions .....	32,758,100
Technology investment plan.....	5,000,000
Home heating assistance .....	1,600,000
Senior prescription drug credit processing .....	182,500
Michigan underground storage tank assurance fund—4.0 FTE positions .....	199,000
Tobacco tax collection—4.0 FTE positions.....	200,000
Joint federal/state motor fuel compliance project.....	100,000
Bottle bill implementation .....	250,000
New hire reporting .....	1,545,000
FARSTAR tax audit system.....	4,242,400
GROSS APPROPRIATION .....	\$ 63,424,000

Appropriated from:	
Interdepartmental grant revenues:	
IDG, data/collection services fees .....	250,900
IDG from FIA .....	1,545,000
IDG from MDCH .....	200,000
IDG from MDOT, state aeronautics fund .....	38,000
Federal revenues:	
DOT-FHA, intermodal surface transportation efficiency act .....	410,000
HHS-SSA, low income energy assistance .....	1,600,000
Special revenue funds:	
Bottle deposit fund .....	250,000
Delinquent tax collection revenue .....	36,400,500
Escheats revenue .....	298,200
Michigan pharmaceutical .....	182,500
Michigan underground storage tank financial assurance revenue .....	199,000
Tobacco tax revenue .....	325,000
Waterways fund .....	49,400
State general fund/general purpose .....	\$ 21,675,500
<b>(6) MANAGEMENT PROGRAMS</b>	
Full-time equated classified positions .....	520.5
Department services—338.5 FTE positions .....	\$ 21,215,800
Information technology services—171.0 FTE positions .....	11,999,400
Receipt, warrant and cash processing .....	3,736,300
Fiscal agent—3.0 FTE positions .....	136,700
Child support order offsets—8.0 FTE positions .....	501,300
GROSS APPROPRIATION .....	\$ 37,589,500
Appropriated from:	
Interdepartmental grant revenues:	
IDG, fiscal agent service fees .....	136,700
IDG from FIA, title IV D .....	471,700
IDG from MDOT, state aeronautics fund .....	16,200
IDG, levy/warrant cost assessment fees .....	1,481,200
IDG, receipt, warrant and cash processing fees .....	3,736,300
IDG, state agency collection fees .....	421,500
IDG, user services .....	492,500
Special revenue funds:	
Children's trust fund .....	6,400
Delinquent property tax administration fund .....	17,300
Delinquent tax collection revenue .....	13,637,100
Garnishment fees .....	391,100
Treasury fees .....	150,800
Waterways fund .....	17,100
State general fund/general purpose .....	\$ 16,613,600
<b>(7) FINANCIAL PROGRAMS</b>	
Full-time equated classified positions .....	289.0
Retirement investments—86.5 FTE positions .....	\$ 8,803,800
Common cash investments and debt management—10.5 FTE positions .....	780,900
Student financial assistance programs—174.5 FTE positions .....	39,441,400
Deferred compensation/defined contribution—17.5 FTE positions .....	2,972,100
Health insurance reserve fund payment .....	573,600
Michigan merit award commission .....	2,000,000
GROSS APPROPRIATION .....	\$ 54,571,800
Appropriated from:	
Federal revenues:	
DED-OPSE, federal lenders allowance .....	11,487,900
DED-OPSE, higher education act of 1965, insured loans .....	26,302,100
Special revenue funds:	
College work study .....	46,300
Deferred compensation .....	2,774,800

Michigan merit award trust fund .....	2,000,000
MI-CASHE fees .....	357,400
Retirement funds .....	8,803,800
School bond fees .....	330,200
Treasury fees .....	270,800
State general fund/general purpose .....	\$ 2,198,500

**(8) DEBT SERVICE**

Water pollution control bond and interest redemption .....	\$ 4,065,000
School bond loan .....	23,615,000
Quality of life bond .....	66,437,500
<b>GROSS APPROPRIATION</b> .....	\$ <u>94,117,500</u>

Appropriated from:

Special revenue funds:

Local - school bond loan repayments by school districts .....	700,000
State general fund/general purpose .....	\$ 93,417,500

**(9) GRANTS**

Grants to counties in lieu of taxes .....	\$ 10,000
Convention facility development distribution .....	40,000,000
Michigan education trust fund challenge grants .....	50,000
Senior citizen cooperative housing tax exemption program .....	13,700,600
Constitutional state general revenue sharing grants .....	607,230,000
Statutory state general revenue sharing grants .....	855,270,000
Special census revenue sharing payments .....	6,500,000
Health and safety fund grants .....	23,175,000
City of Benton Harbor - enterprise zone .....	213,200
Tax increment finance authority payments .....	4,000,100
<b>GROSS APPROPRIATION</b> .....	\$ <u>1,550,148,900</u>

Appropriated from:

Special revenue funds:

Convention facility development fund .....	40,000,000
Sales tax .....	1,462,500,000
Health and safety fund .....	23,175,000
State general fund/general purpose .....	\$ 24,473,900

**(10) STATE LOTTERY**

Full-time equated classified positions .....	202.0
Lottery operations—164.0 FTE positions .....	\$ 12,917,300
Promotion and advertising .....	18,372,000
Lottery data processing—38.0 FTE positions .....	4,862,800
<b>GROSS APPROPRIATION</b> .....	\$ <u>36,152,100</u>

Appropriated from:

Special revenue funds:

State lottery fund .....	36,152,100
State general fund/general purpose .....	\$ 0

**(11) CASINO GAMING**

Full-time equated classified positions .....	58.0
Michigan gaming control board .....	\$ 500,000
Casino gaming control administration—58.0 FTE positions .....	13,904,000
<b>GROSS APPROPRIATION</b> .....	\$ <u>14,404,000</u>

Appropriated from:

Special revenue funds:

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

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

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

**LEGISLATIVE BRANCH - LIBRARY OF MICHIGAN**

State aid to libraries .....	\$ 14,350,700
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Detroit public library .....	5,871,600
Grand Rapids public library .....	406,400
Subregional state aid .....	554,300
Wayne County library for the blind and physically handicapped .....	49,200
Renaissance zone reimbursement .....	428,800
Subtotal.....	\$ 21,661,000
DEPARTMENT OF STATE	
Fees to local units .....	\$ 69,800
Subtotal.....	\$ 69,800
DEPARTMENT OF TREASURY	
Senior citizen cooperative housing tax exemption.....	\$ 13,700,600
Grants to counties in lieu of taxes.....	10,000
Health and safety fund grants.....	23,175,000
City of Benton Harbor enterprise zone.....	213,200
Constitutional state general revenue sharing grants.....	607,230,000
Statutory state general revenue sharing grants .....	855,270,000
Special census revenue sharing payments .....	6,500,000
Convention facility development fund distribution.....	40,000,000
Tax increment finance authority payments .....	4,000,100
Subtotal.....	\$ 1,550,098,900
TOTAL GENERAL GOVERNMENT.....	\$ 1,571,829,700

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

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

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

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

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

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

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

4. Amend page 39, line 21, after “agencies” by striking out the balance of the section and inserting “within 30 months.”

5. Amend page 39, line 22, by striking out all of section 212 and inserting:  
 “Sec. 212. Pursuant to section 352 of the management and budget act, 1984 PA 431, MCL 18.1352, that provides for a transfer of state general fund into the countercyclical budget and economic stabilization fund, there is appropriated into the countercyclical budget and economic stabilization fund the sum of \$37,100,000.00 determined as follows:

	<u>1998</u>	<u>1999</u>
Michigan personal income (millions)	\$253,841	\$264,908
less: transfer payments	39,655	40,805
Subtotal	214,186	224,103
Divided by: Detroit CPI for 12 months		
Ending June 30 (1982=1.00)	1,582	1,616
Equals: Real adjusted Michigan personal income	\$135,389	\$138,686
Percentage change		2.4%
Percentage change in excess of 2%		0.4%
Multiplied by: estimated GF/GP revenue in FY 1998-99 (millions)		9,266.9
Equals: countercyclical budget and economic stabilization fund requirements for the fiscal year ending September 30, 2000.		\$37.1”.

6. Amend page 41, line 12, by striking out all of section 216.

7. Amend page 53, line 4, by striking out all of section 631.

8. Amend page 61, line 5, by striking out all of sections 716 and 717 and inserting:

“Sec. 716. The department of management and budget shall maintain an Internet website that contains notice of all invitations for bids and requests for proposals over \$50,000.00 issued by the department or by any state agency operating under delegated authority. The department shall not accept an invitation for bid or request for proposal less than 14 days after the notice was made available on the Internet website, except in situations where it would be in the best interest of the state and documented by the department. In addition to the requirements of this section, the department may advertise the invitations for bids and requests for proposals in any manner the department determines appropriate, in order to give the greatest number of individuals and businesses the opportunity to make bids or requests for proposals.”.

9. Amend page 70, line 25, by striking out all of sections 821 and 822.

10. Amend page 73, line 26, after “funds” by striking out “international”.

11. Amend page 73, line 27, after “portfolios.” by inserting “The state treasurer shall report annually to the senate and house of representatives standing committees on appropriations concerning the performance of each portfolio by investment advisor.”.

12. Amend page 87, line 6, by striking out all of section 935.

13. Amend page 90, line 14, by striking out all of section 1101 and inserting:

“Sec. 1101. Pursuant to section 18 of article V of the state constitution of 1963, fund balances and estimates are presented in the following statement:

**BUDGET RECOMMENDATIONS BY OPERATING FUNDS**

(Amounts in millions)

Fiscal Year 1999-2000

	Fund #	Beginning Unreserved Fund Balance	Estimated Revenue	Ending Balance
Operating Fund				
General	0110	0.0	20,076.4	0.0
Special Revenue Funds:				
Counter-cyclical budget and economic stabilization	0111	1,040.1	96.3	1,104.4
Game and fish protection	0112	9.2	47.1	8.2
Michigan employment security act administration	0113	0.0	149.7	0.0
State aeronautics	0114	3.7	90.1	0.0
Michigan veterans’ benefit trust	0115	0.0	0.4	0.0
State trunkline	0116	5.0	1,581.6	0.0
Michigan state waterways	0117	16.1	22.1	6.4
Blue water bridge	0118	1.4	11.0	0.0
Michigan transportation	0119	0.0	1,844.6	0.0
Comprehensive transportation	0120	0.0	247.4	0.0
School aid	0122	433.8	10,549.8	495.5
Marine safety	0123	3.4	4.8	2.2

Game and fish protection trust	0124	0.0	9.2	0.0
State park improvement	0125	10.1	28.2	13.9
Forest development	0126	3.4	20.8	0.0
Michigan civilian conservation corps endowment	0128	1.9	1.2	1.8
Michigan natural resources trust	0129	0.0	37.7	0.0
Michigan state parks endowment	0130	0.0	15.5	5.4
Safety education and training	0131	2.9	5.5	2.2
Uninsured employers' security	0135	0.0	1.4	0.0
Bottle deposit	0136	20.0	16.1	5.0
School bond loan	0137	46.0	130.0	109.3
State construction code	0138	6.2	9.0	4.8
Children's trust	0139	0.3	4.7	0.1
Homeowner construction lien recovery	0141	1.6	0.3	0.5
Michigan nongame fish and wildlife	0143	0.7	0.9	0.9
Michigan underground storage tank finance assurance	0160	0.0	65.8	0.0
State building authority	0165	0.0	0.4	0.0
Total		\$1,605.8	\$35,068.0	\$1,760.6".

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

A bill to make appropriations for the departments of attorney general, civil rights, civil service, management and budget, state, and treasury, the executive office, and the legislative branch for the fiscal year ending September 30, 2000; to provide for the expenditure of these appropriations; to provide for the funding of certain work projects; to provide for the imposition of certain fees; to establish or continue certain funds, programs, and categories; to transfer certain funds; to prescribe certain requirements for bidding on state contracts; to provide for disposition of year-end balances for the fiscal year ending September 30, 2000; to prescribe the powers and duties of certain principal executive departments and state agencies, officials, and employees; and to provide for the disposition of fees and other income received by the various principal executive departments and state agencies.

John J.H. Schwarz  
Glenn Steil  
Joe Young, Jr.  
Conferees for the Senate

John Pappageorge  
Lynne Martinez  
Conferees for the House

Pending the order that, under joint rule 9, the conference report be laid over one day,

Senator Rogers moved that the rule be suspended.

The motion prevailed.

The question being on the adoption of the conference report,

The second conference report was adopted, a majority of the members serving voting therefor, as follows:

#### Roll Call No. 412

#### Yeas—37

Bennett	Gast	McCotter	Shugars
Bullard	Goschka	McManus	Sikkema
Byrum	Gougeon	Miller	Smith, A.
Cherry	Hammerstrom	Murphy	Smith, V.
DeBeaussaert	Hart	North	Steil
DeGrow	Hoffman	Peters	Stille
Dingell	Johnson	Rogers	Van Regenmorter
Dunaskiss	Koivisto	Schuette	Vaughn
Emerson	Leland	Schwarz	Young
Emmons			

#### Nays—1

Jaye

**Excused—0**

**Not Voting—0**

In The Chair: President

Senator Goschka submitted the following:

**FIRST CONFERENCE REPORT**

The Committee of Conference on the matters of difference between the two Houses concerning **Senate Bill No. 365, entitled**

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

Recommends:

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

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

**THE PEOPLE OF THE STATE OF MICHIGAN ENACT:**

**PART 1**

**LINE-ITEM APPROPRIATIONS**

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

**FAMILY INDEPENDENCE AGENCY**

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

**Sec. 102. EXECUTIVE OPERATIONS**

Total full-time equated positions .....	953.3	
Full-time equated unclassified positions .....	6.0	
Full-time equated classified positions .....	947.3	
Other unclassified salaries—6.0 FTE positions .....		\$ 492,300
Salaries and wages—728.3 FTE positions.....		33,990,000
Contractual services, supplies, and materials .....		10,330,300
Demonstration projects—11.0 FTE positions .....		10,634,600
End user support .....		7,614,500
Computer service fees.....		20,076,300

	For Fiscal Year Ending Sept. 30, 2000
Automated social services information system project—25.0 FTE positions .....	\$ 16,963,800
Data system enhancement—26.0 FTE positions .....	20,948,500
Child support automation—25.0 FTE positions .....	36,042,000
Child support distribution computer system .....	7,164,100
Supplemental security income advocates, salaries and wages—16.0 FTE positions .....	980,000
Commission on disability concerns—8.0 FTE positions .....	759,600
Commission for the blind—108.0 FTE positions .....	17,309,700
<b>GROSS APPROPRIATION</b> .....	<b>\$ 183,305,700</b>
Appropriated from:	
Interdepartmental grant revenues:	
IDG-ADP user fees .....	150,000
<b>ADJUSTED GROSS APPROPRIATION</b> .....	<b>\$ 183,155,700</b>
Appropriated from:	
Federal revenues:	
Total federal revenues .....	119,518,500
Special revenue funds:	
Total private revenues .....	1,840,000
Total local revenues .....	475,000
Total other state restricted revenue .....	477,300
State general fund/general purpose .....	\$ 60,844,900
<b>Sec. 103. FAMILY INDEPENDENCE SERVICES ADMINISTRATION</b>	
Full-time equated classified positions .....	359.0
Salaries and wages—299.0 FTE positions .....	\$ 14,268,100
Contractual services, supplies, and materials .....	5,776,500
Child support incentive payments .....	32,409,600
Legal support contracts .....	97,496,400
State incentive payments .....	4,449,000
Employment and training support services .....	28,051,700
Food stamp issuance .....	5,374,400
High school completion project—5.0 FTE positions .....	363,400
Wage employment verification reporting—2.0 FTE positions .....	5,171,000
Urban and rural empowerment/enterprise zones .....	100
Training and staff development—53.0 FTE positions .....	9,587,300
Community services block grant .....	18,100,000
<b>GROSS APPROPRIATION</b> .....	<b>\$ 221,047,500</b>
Appropriated from:	
Federal revenues:	
Total federal revenues .....	193,759,500
Special revenue funds:	
Total local revenues - donated .....	340,000
State general fund/general purpose .....	\$ 26,948,000
<b>Sec. 104. CHILD AND FAMILY SERVICES</b>	
Full-time equated classified positions .....	104.3
Salaries and wages—53.3 FTE positions .....	\$ 2,747,200
Contractual services, supplies, and materials .....	1,782,000
Refugee assistance program—9.0 FTE positions .....	7,377,100
Foster care payments .....	289,596,500
Adoption subsidies .....	140,149,900
Youth in transition—20.0 FTE positions .....	9,896,900
Interstate compact .....	300,000
Children's benefit fund donations .....	21,000
Domestic violence prevention and treatment—1.0 FTE positions .....	8,662,200
Teenage parent counseling—3.0 FTE positions .....	3,405,200
Family preservation and prevention services—13.0 FTE positions .....	68,114,000
Black child and family institute .....	100,000
Rape prevention and services .....	1,100,000



	For Fiscal Year Ending Sept. 30, 2000
Children’s trust fund administration—4.0 FTE positions .....	\$ 330,300
Children’s trust fund grants.....	3,615,000
Attorney general contracts .....	1,708,700
Guardian contract.....	600,000
County shelters .....	200,000
Prosecuting attorney contracts—1.0 FTE positions .....	1,061,700
<b>GROSS APPROPRIATION</b> .....	<b>\$ 540,767,700</b>
Appropriated from:	
Federal revenues:	
Total federal revenues .....	303,516,600
Special revenue funds:	
Private-children’s benefit fund donations .....	21,000
Private-collections.....	4,101,300
Local funds - county payback .....	32,676,100
Children’s trust fund .....	2,070,300
State general fund/general purpose .....	\$ 198,382,400
<b>Sec. 105. JUVENILE JUSTICE SERVICES</b>	
Full-time equated classified positions .....	1,081.4
Personnel payroll costs—863.0 FTE positions .....	\$ 45,063,100
County juvenile officers .....	3,551,000
Child care fund .....	56,752,900
Delinquency services operations .....	15,901,000
Residential care centers—45.0 FTE positions .....	2,623,600
Genesee valley and Detroit detention centers—133.7 FTE positions.....	8,876,800
Federally funded activities—26.1 FTE positions.....	1,802,200
W.J. Maxey memorial fund .....	45,000
Regional detention services—10.6 FTE positions .....	1,207,300
Juvenile accountability incentive block grant.....	6,482,000
Juvenile boot camp program .....	2,300,000
Committee on juvenile justice administration—3.0 FTE positions.....	269,300
Committee on juvenile justice grants .....	7,000,000
Wayne county block grant.....	64,516,900
<b>GROSS APPROPRIATION</b> .....	<b>\$ 216,391,100</b>
Appropriated from:	
Federal revenues:	
Total federal revenues .....	36,205,200
Special revenue funds:	
Total private revenues .....	45,000
Wayne county block grant revenue.....	38,610,200
Local funds - county payback .....	14,550,900
State general fund/general purpose .....	\$ 126,979,800
<b>Sec. 106. LOCAL OFFICE STAFF AND OPERATIONS</b>	
Full-time equated classified positions.....	10,083.6
Field staff, salaries and wages—7,258.6 FTE positions .....	\$ 285,944,200
Children and adult services, salaries and wages—2,704.5 FTE positions.....	111,170,000
Contractual services, supplies, and materials .....	25,042,900
Outstationed eligibility workers—30.0 FTE positions.....	3,552,900
Wayne county gifts and bequests .....	100,000
Volunteer services and reimbursement—90.5 FTE positions.....	7,065,500
<b>GROSS APPROPRIATION</b> .....	<b>\$ 432,875,500</b>
Appropriated from:	
Federal revenues:	
Total federal revenues .....	266,173,300
Special revenue funds:	
Local funds - donated funds.....	193,100
Private funds - hospital contributions.....	1,750,800

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

PART 2

PROVISIONS CONCERNING APPROPRIATIONS

**GENERAL SECTIONS**

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

**FAMILY INDEPENDENCE AGENCY**

**CHILD AND FAMILY SERVICES**

Adoption subsidies.....	\$ 57,946,400
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JUVENILE JUSTICE SERVICES

Child care fund.....	51,352,900
County juvenile officers.....	2,452,300
Wayne County block grant.....	59,244,200

PUBLIC ASSISTANCE

State disability program.....	1,158,700
TOTAL.....	\$ 172,154,500

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

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

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

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

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

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

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

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

Sec. 208. As used in this act:

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

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

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

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

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

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

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

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

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

Sec. 214. (1) The director shall take all reasonable steps to ensure businesses in deprived and depressed communities compete for and perform contracts to provide services or supplies, or both, for the department.

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

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

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

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

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

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

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

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

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

(2) If an individual requests the service and has an objection to the religious character of the institution or organization from which the individual receives or would receive services or assistance, the department shall provide the individual within a reasonable time after the date of the objection with assistance or services and which are substantially the same as the service the individual would have received from the organization.

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

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

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

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

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

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

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

Sec. 225. The department shall implement a pilot program that places reports required by this act on the Internet, with electronic notification to legislative offices of Internet access to the reports. During fiscal year 2000, the department shall continue to distribute all of these reports to the legislature in the current printed format.

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

#### **EXECUTIVE OPERATIONS**

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

- (i) Child day care, including evening or nighttime care if appropriate.
  - (ii) Transportation.
  - (iii) Transitional Medicaid.
- (2) Eligible family independence program recipients, work first clients, and child day care recipients that commence training will be allowed to complete training, as long as all enhanced technical vocational training program participation requirements are being met.

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

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

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

**CHILD AND FAMILY SERVICES**

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

- (a) Be awarded through a joint request for proposal process established by the department in conjunction with the children's trust fund and the state human services directors.

(b) Be secondary prevention initiatives. Funds are not intended to be expended in cases in which neglect or abuse has been substantiated.

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

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

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



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

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

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

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

#### **PUBLIC ASSISTANCE**

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

- (a) Meet the same asset test as is applied to applicants for the family independence program.
- (b) Have a monthly budgetable income that is less than the payment standards.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

- (a) Development and testing of training and technical assistance initiatives and related materials, and other capacity building services to Michigan CDCUs.
- (b) Funding for a 2-year VISTA volunteer program to staff each of 20 sites.
- (c) Other related supports to assist CDCUs to become self-supporting institutions to assist impoverished Michigan residents to become economically independent.

(2) Eligible participants shall meet 1 of the following criteria:

- (a) Make less than 80% of the average for all wage earners as established by the bureau of labor statistics.
- (b) Have annual household income that falls at or below 80% of the median household income for the nation as established by the census bureau.
- (c) Meet the definition of low-income members as determined by order of the national credit union association (NCUA) board.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

- (a) The program shall be implemented as a pilot program.
  - (b) The program shall be developed through community partnerships with businesses that shall agree to provide jobs related to the training at the end of the training period.
  - (c) Eligible participants shall include family independence program recipients and work first clients referred by the family independence agency.
  - (d) Training shall be limited to not longer than 6 months in duration.
  - (e) Training shall be directed to achieving or gaining skills that will lead to significant skilled employment for the participants such as a certification as a nurse's aide.
  - (f) Training shall be reasonably calculated to lead to full-time skilled employment.
  - (g) Participants shall receive any additional support needed to facilitate participation in the training program within reasonable parameters established by the department of career development including, but not limited to, both of the following:
    - (i) Child day care, including evening or nighttime care if appropriate.
    - (ii) Transportation.
  - (h) Eligible family independence program recipients and work first clients who commence training will be allowed to complete training, as long as all program participation requirements are being met.
- (2) It is the intent of this section that all program participants satisfy the state work requirements.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(i) Financial support for child day care.

(ii) On-site child day care.

(iii) Referral services for child day care.

(iv) Flexible scheduling.

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

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

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

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

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

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

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

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

(a) The number of participants served.

(b) The family size of participants served.

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

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

(e) Parenting skills training outcomes.

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

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

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

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

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

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

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

### **JUVENILE JUSTICE SERVICES**

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

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

(b) For training, equipment, and technology.

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

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

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



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

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

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

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

(a) Implementation plan.

(b) Service goals for fiscal year 2000.

(c) An outline of measures for effectiveness.

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

(a) Implementation status.

(b) Service outcomes.

(c) Program effectiveness based upon measures described in this section.

(d) How the Wayne County block grant was expended.

(e) Any other information required to meet federal requirements.

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

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

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

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

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

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

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

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

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

The question being on the adoption of the conference report,

The first conference report was adopted, a majority of the members serving voting therefor, as follows:

**Roll Call No. 413****Yeas—37**

Bennett	Gast	McCotter	Shugars
Bullard	Goschka	McManus	Sikkema
Byrum	Gougeon	Miller	Smith, A.
Cherry	Hammerstrom	Murphy	Smith, V.
DeBeaussaert	Hart	North	Steil
DeGrow	Hoffman	Peters	Stille
Dingell	Johnson	Rogers	Van Regenmorter
Dunaskiss	Koivisto	Schuetz	Vaughn
Emerson	Leland	Schwarz	Young
Emmons			

**Nays—1**

Jaye

**Excused—0****Not Voting—0**

In The Chair: President

The question being on concurring in the committee recommendation to give the bill immediate effect, The recommendation was concurred in, 2/3 of the members serving voting therefor.

Senators Bennett, Emmons, Gougeon, Van Regenmorter and Shugars asked and were granted unanimous consent to make statements and moved that the statements be printed in the Journal.

The motion prevailed.

Senator Bennett's statement is as follows:

As some of the members may know, Lisa is leaving the Senate staff and joining the Governor's staff, and I just want to take a moment to thank Lisa for all of her tremendous work in this body.

I just want to read one of the paragraphs of the resolution here, "Miss Gigliotti's service in the Senate has taken many forms. She's attended committee meetings, Senate sessions and assisted staff with constituent concerns. Lisa has also dealt daily with some of the most personal and controversial issues facing our state and society today, such as abortion, assisted suicide and cloning. Lisa played a vital and intricate role in the development of legislation that banned human cloning in the state of Michigan."

I am extremely proud and honored because I know some of the hardships Lisa has gone through to be able to present this to her, thank her and wish her tremendous success in her new endeavors.

Lisa, thank you.

Senator Emmons' statement is as follows:

Lisa has been the most enthusiastic, hard-working staffer whom I have dealt with from central office on the issues that she's dealt with. She's always there, always helping, and has always gone the distance to go into my district when I needed somebody to talk about tough issues that Lisa dealt with, and she did that with charm and grace.

The Governor wins again!

Senator Gougeon's statement is as follows:

I rise for the same purpose and that is to echo the sentiments spoken earlier. I've had the opportunity of working with Lisa in the families committee for a number of years, and most recently, we had the opportunity to work together to put the partial-birth abortion bill together.

I can't say enough about Lisa—what a joy to work with!  
Lisa, we'll miss you, and as Joanne Emmons just said, "The Governor wins again!" A great gal.

Senator Van Regenmorter's statement is as follows:

Well, I certainly join with my colleagues in lamenting the loss of Lisa and the gain to the Governor's office, but I want to say that my colleagues have been mispronouncing her name. So if we're going to give her full respect, it seems to me we ought to pronounce it properly. It is "Gigliotti, Lisa Gigliotti, a prima bella" (spoken in Italian) to give some honor to her Italian heritage.

Lisa worked with the Senate Judiciary Committee as well as with Senator Gougeon's committee and other committees, and I know, as committee chairs, we have appreciated her diligence, her hard work and her brilliance. In particular, I don't want to go over the same ground covered by my colleague except to fully agree with him. She is just wonderful.

But very specifically, as the Senate Judiciary Committee was holding hearings around the state on the very controversial bill that would ban assisted suicide, we would have people in the audience who would look at us in front—the committee members, that is—and say, "You have no idea. You have no idea what this is like."

Lisa has been diagnosed with two terminal illnesses, and as she sat to my immediate right, I was able to respond to those people by saying, "Well, sadly, we have someone sitting up in front who has more than a little experience in these terminal illness issues." And, of course, it was Lisa.

I can't say enough about her fine work. It has been just outstanding, and she leaves a legacy in this body that will be difficult to match.

Senator Shugars' statement is as follows:

To Lisa, as chair of Health Policy, we've over the last five years worked together on a number of issues, and I really respect you for your knowledge but also your compassion and your heart to issues not only the legal aspects of the issues and the facts, but also as a person who's very caring. To me, I think that combination will take you anywhere you want to go, and we wish you the best, and obviously, we'll work with you.

Thank you for helping me out for all the years.

Senator North submitted the following:

SECOND CONFERENCE REPORT

The Committee of Conference on the matters of difference between the two Houses concerning  
**Senate Bill No. 368, entitled**

A bill to make appropriations for the judicial branch for the fiscal year ending September 30, 2000; to provide for the expenditure of these appropriations; to place certain restrictions on the expenditure of these appropriations; to prescribe the powers and duties of certain officials and employees; to require certain reports; and to provide for the disposition of fees and other income received by the judicial branch.

Recommends:

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

A bill to make appropriations for the judicial branch for the fiscal year ending September 30, 2000; to provide for the expenditure of these appropriations; to place certain restrictions on the expenditure of these appropriations; to prescribe the powers and duties of certain officials and employees; to require certain reports; and to provide for the disposition of fees and other income received by the judicial branch.

**THE PEOPLE OF THE STATE OF MICHIGAN ENACT:**

PART 1

LINE-ITEM APPROPRIATIONS

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

**JUDICIARY**

APPROPRIATION SUMMARY:

Full-time equated exempted positions .....	583.0		
GROSS APPROPRIATION .....		\$	227,130,300
Interdepartmental grant revenues:			
Total interdepartmental grants and intradepartmental transfers .....			2,287,400
ADJUSTED GROSS APPROPRIATION .....		\$	224,842,900

	For Fiscal Year Ending Sept. 30, 2000
Federal revenues:	
Total federal revenues .....	\$ 3,077,800
Special revenue funds:	
Total local revenues .....	2,496,600
Total private revenues .....	1,702,400
Total other state restricted revenues .....	56,074,900
State general fund/general purpose .....	\$ 161,491,200
<b>Sec. 102. SUPREME COURT</b>	
Full-time equated exempted positions .....283.0	
Supreme court administration—118.0 FTE positions .....	\$ 13,973,900
Judicial institute—18.0 FTE positions .....	2,809,700
State court administrative office—80.0 FTE positions .....	8,675,600
Judicial information systems—21.0 FTE positions .....	4,182,900
Direct trial court automation support—30.0 FTE positions .....	2,496,600
Foster care review board—12.0 FTE positions .....	1,198,700
Community dispute resolution—4.0 FTE positions .....	2,444,300
GROSS APPROPRIATION .....	\$ 35,781,700
Appropriated from:	
Interdepartmental grant revenues:	
IDG from department of career development .....	120,000
IDG from state police - criminal justice improvement .....	1,443,900
IDG from state police - Michigan justice training fund .....	300,000
Federal revenues:	
DAG, agriculture mediation grant .....	469,900
DOE, special education grant .....	130,000
DOJ, victims assistance programs .....	50,000
DOT, national highway safety traffic administration .....	215,300
HHS, access and visitation grant .....	387,000
HHS, court improvement project .....	629,800
HHS, title IV-D child support program .....	419,100
HHS, title IV-E foster care program .....	276,700
HHS, TANF .....	500,000
Special revenue funds:	
Local - user fees .....	2,496,600
Private .....	419,000
Private - interest on lawyers trust accounts .....	712,600
Private - state justice institute .....	500,800
Community dispute resolution fees .....	1,642,300
Law exam fees .....	477,200
Miscellaneous revenue .....	227,900
State court fund .....	319,000
State general fund/general purpose .....	\$ 24,044,600
<b>Sec. 103. COURT OF APPEALS</b>	
Full-time equated exempted positions .....235.5	
Court of appeals operations—223.5 FTE positions .....	\$ 18,754,800
Delay reduction—12.0 FTE positions .....	950,000
GROSS APPROPRIATION .....	\$ 19,704,800
Appropriated from:	
Special revenue funds:	
Court filing/motion fees .....	1,571,000
Miscellaneous revenue .....	77,800
State general fund/general purpose .....	\$ 18,056,000
<b>Sec. 104. JUSTICES' AND JUDGES' COMPENSATION</b>	
Full-time judges positions .....610.0	
Supreme court justices' salaries—7.0 judges .....	\$ 975,100
Court of appeals judges' salaries—28.0 judges .....	3,588,400

	For Fiscal Year Ending Sept. 30, 2000
District court judges' state base salaries—259.0 judges.....	\$ 18,463,700
District court judicial salary standardization.....	11,842,500
Probate court judges' state base salaries—106.0 judges.....	7,029,100
Probate court judicial salary standardization.....	4,332,800
Circuit court judges' state base salaries—210.0 judges.....	15,637,000
Circuit court judicial salary standardization.....	9,228,000
Judges' retirement system defined contributions.....	2,204,900
OASI, social security.....	4,002,600
<b>GROSS APPROPRIATION</b> .....	<b>\$ 77,304,100</b>
Appropriated from:	
Special revenue funds:	
Court fee fund.....	6,065,600
State general fund/general purpose.....	\$ 71,238,500
<b>Sec. 105. JUDICIAL AGENCIES</b>	
Full-time equated exempted positions.....10.0	
Judicial tenure commission—10.0 FTE positions.....	\$ 953,700
<b>GROSS APPROPRIATION</b> .....	<b>\$ 953,700</b>
Appropriated from:	
State general fund/general purpose.....	\$ 953,700
<b>Sec. 106. INDIGENT DEFENSE - CRIMINAL</b>	
Full-time equated exempted positions.....54.5	
Appellate public defender program—46.5 FTE positions.....	\$ 4,618,400
State appellate defender office.....	508,300
Appellate assigned counsel administration—8.0 FTE positions.....	881,900
<b>GROSS APPROPRIATION</b> .....	<b>\$ 6,008,600</b>
Appropriated from:	
Interdepartmental grant revenues:	
IDG from state police - Michigan justice training fund.....	423,500
Special revenue funds:	
Private - interest on lawyers trust accounts.....	70,000
Miscellaneous revenue.....	113,100
State general fund/general purpose.....	\$ 5,402,000
<b>Sec. 107. INDIGENT CIVIL LEGAL ASSISTANCE</b>	
Indigent civil legal assistance.....	\$ 7,337,000
<b>GROSS APPROPRIATION</b> .....	<b>\$ 7,337,000</b>
Appropriated from:	
Special revenue funds:	
State court fund.....	7,337,000
State general fund/general purpose.....	\$ 0
<b>Sec. 108. TRIAL COURT OPERATIONS</b>	
Court equity fund reimbursements.....	\$ 69,840,400
Hold harmless fund reimbursements.....	8,000,000
<b>GROSS APPROPRIATION</b> .....	<b>\$ 77,840,400</b>
Appropriated from:	
Special revenue funds:	
Court equity fund.....	36,044,000
State general fund/general purpose.....	\$ 41,796,400
<b>Sec. 109. GRANTS AND REIMBURSEMENTS TO LOCAL GOVERNMENT</b>	
Drunk driving caseflow program.....	\$ 2,000,000
Drug caseflow program.....	200,000
<b>GROSS APPROPRIATION</b> .....	<b>\$ 2,200,000</b>
Appropriated from:	
Special revenue funds:	
Drug fund.....	200,000
Drunk driving fund.....	2,000,000
State general fund/general purpose.....	\$ 0

PART 2  
PROVISIONS CONCERNING APPROPRIATIONS

**GENERAL SECTIONS**

Sec. 201. (1) Pursuant to section 30 of article IX of the state constitution of 1963, total state spending from state sources for fiscal year 1999-2000 is estimated at \$218,566,100.00 in this act and state spending from state sources paid to local units of government for fiscal year 1999-2000 is estimated at \$112,984,700.00. The itemized statement below identifies appropriations from which spending to units of local government will occur:

**SUPREME COURT**

State court administrative office - administration.....	\$	511,900
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**TRIAL COURT OPERATIONS**

Court equity fund reimbursements .....	\$	69,840,400
Hold harmless fund reimbursement.....		8,000,000

**JUSTICES' AND JUDGES' COMPENSATION**

District court judicial salary standardization .....	\$	11,842,500
Probate court judges' state base salaries .....		7,029,100
Probate court judicial salary standardization.....		4,332,800
Circuit court judicial salary standardization.....		9,228,000

**GRANTS AND REIMBURSEMENTS TO LOCAL GOVERNMENT**

Drunk driving caseflow program.....	\$	2,000,000
Drug caseflow program.....		200,000
<b>TOTAL.....</b>	<b>\$</b>	<b>112,984,700</b>

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

Sec. 202. (1) The expenditures and funding sources authorized under this act are subject to the management and budget act, 1984 PA 431, MCL 18.1101 to 18.1594.

(2) Funds appropriated in part 1 to an entity within the judicial branch shall not be expended or transferred to another account without written approval of the authorized agent of the judicial entity. If the authorized agent of the judicial entity notifies the state budget director of its approval of an expenditure or transfer, the state budget director shall immediately make the expenditure or transfer. The authorized judicial entity agent shall be designated by the chief justice of the supreme court.

Sec. 203. As used in this act:

- (a) "DAG" means the United States department of agriculture.
- (b) "DOE" means the United States department of education.
- (c) "DOJ" means the United States department of justice.
- (d) "DOT" means the United States department of transportation.
- (e) "FTE" means full-time equated.
- (f) "HHS" means the United States department of health and human services.
- (g) "IDG" means interdepartmental grant.
- (h) "MDSP" means the department of state police.
- (i) "OASI" means old age survivor's insurance.
- (j) "TANF" means temporary assistance for needy families.

Sec. 204. Funds appropriated in this act shall not be used for the purchase of foreign goods or services when competitively priced American goods and services are available.

Sec. 205. (1) The chief justice of the supreme court shall take all reasonable steps to ensure businesses in deprived and depressed communities compete for and perform contracts to provide services or supplies, or both, for the judicial branch.

(2) The chief justice shall strongly encourage firms with which the courts of this state contract to subcontract with certified businesses in depressed and deprived communities for services or supplies, or both.

Sec. 206. (1) In addition to the funds appropriated in part 1, there is appropriated an amount not to exceed \$500,000.00 for federal contingency funds.

(2) In addition to the funds appropriated in part 1, there is appropriated an amount not to exceed \$500,000.00 for state restricted contingency funds.

(3) In addition to the funds appropriated in part 1, there is appropriated an amount not to exceed \$100,000.00 for local contingency funds.

(4) In addition to the funds appropriated in part 1, there is appropriated an amount not to exceed \$100,000.00 for private contingency funds.

(5) A transfer of contingency funds within the judicial branch shall not be made by the authorized agent of the judicial entity unless approved by both appropriations committees. If the state budget director does not approve contingency fund transfers adopted by both appropriations committees under this section, the state budget director shall notify the appropriations committees of his or her action within 15 days.

Sec. 207. (1) The judicial branch shall provide to the senate and house of representatives standing committees on appropriations and the senate and house fiscal agencies a monthly report on all personal service contracts awarded without competitive bidding, pricing, or rate setting. The notification shall include all of the following:

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

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

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

Sec. 208. Sixty days prior to beginning any effort to privatize, the judicial branch shall submit a complete project plan to the appropriate house and senate appropriations subcommittees and the house and senate fiscal agencies. The plan shall include the criteria under which the privatization initiative will be evaluated. The evaluation shall be completed and submitted to the appropriate house and senate appropriations subcommittees and the house and senate fiscal agencies within 30 months.

Sec. 209. All reports required by this act shall be made available to the public primarily through Internet access, unless a printed version is requested. The judiciary shall provide electronic notification to all legislative offices for specific reports requested by the legislature.

Sec. 209a. The judicial branch shall receive and retain copies of all reports funded from appropriations in part 1, and shall follow federal and state guidelines for short-term and long-term retention of these reports and records.

Sec. 210. The judicial branch shall provide a report prepared by the judicial branch's internal auditor for the prior fiscal year. This report shall include a listing of each audit or investigation performed by the internal auditor pursuant to sections 486(4) and 487 of the management and budget act, 1984 PA 431, MCL 18.1486 and 18.1487. The report shall identify the proportion of time spent on each of the statutory responsibilities listed in sections 485(4), 486(4), and 487 of the management and budget act, 1984 PA 431, MCL 18.1485, 18.1486, and 18.1487, and the time spent on all other activities performed in the internal audit function. The report is due first on March 1, 2000, and is due biennially thereafter beginning on May 1, 2002, and shall be submitted to the governor, auditor general, the senate and house appropriations committees, the senate and house fiscal agencies, and the chief justice.

#### **JUDICIAL BRANCH**

Sec. 301. (1) The direct trial court automation support program of the state court administrative office shall recover direct and overhead costs from trial courts by charging for services rendered. The fee shall cover the actual costs incurred to the direct trial court automation support program in providing the service. A report of amounts collected in excess of funds identified as user service charges in part 1 shall be submitted to the state budget director and to the house and senate appropriations subcommittees on judiciary 30 days before expenditure by the direct trial court automation support program.

(2) From funds appropriated in part 1, the direct trial court automation support program of the state court administrative office shall provide to the state budget director, the senate and house appropriations committees, and the senate and house fiscal agencies before January 1 of each year, a detailed list of user service charges collected during the immediately preceding state fiscal year.

Sec. 302. Funds appropriated within the judicial branch shall not be expended by any component within the judicial branch without the approval of the supreme court.

Sec. 303. Of the amount appropriated in part 1 for the judicial branch, \$325,000.00 is allocated for circuit court reimbursement under section 3 of 1978 PA 16, MCL 800.453, and \$186,900.00 is allocated for court of claims reimbursement under section 6413 of the revised judicature act of 1961, 1961 PA 236, MCL 600.6413.

Sec. 304. The judicial branch shall cooperate with the auditor general regarding audits of the judicial branch conducted pursuant to section 53 of article IV of the state constitution of 1963.

Sec. 305. To avoid the overexpenditure of funds appropriated under this act, the supreme court shall report quarterly to the state budget director and to the judiciary subcommittees of the house and senate appropriations committees regarding the status of the accounts set forth in part 1.

Sec. 306. From funds appropriated under part 1, forms required to be developed by the state court administrative office pursuant to section 2950b of the revised judicature act of 1961, 1961 PA 236, MCL 600.2950b, shall be provided in the quantity requested by each county clerk.

Sec. 307. The supreme court shall continue to implement and enforce an appropriate antinepotism policy, which shall include provisions that prohibit a judge from hiring or employing a member of his or her immediate family as a court employee or in any judicial support related capacity.

Sec. 308. Funds appropriated in part 1 shall not be used to pay directly or by reimbursement the annual dues for membership in the state bar of Michigan of a judge, justice, or other employee of the judicial branch.

Sec. 309. (1) The chief financial officer of a funding unit for a court, in cooperation with the local court, shall provide to the state treasurer and state court administrative office by January 1, 2000 audited accounts of all money due and owing the court as of September 30, 1999. Where audited accounts are not available, the chief financial officer of a funding unit for a court may provide estimates as long as they are clearly marked as "estimated".

(2) The state treasurer shall report to the legislature a compilation of the estimated accounts receivable of all courts and cumulative totals by March 1, 2000. This report is a public record.

Sec. 310. The state court administrative office, from funds appropriated in part 1, shall assist the court of appeals and trial courts to meet American bar association model standards on case processing.

Sec. 311. If sufficient funds are not available from the court fee fund to pay judges' compensation, the difference between the appropriated amount from that fund for judges' compensation and the actual amount available after the amount appropriated for trial court reimbursement is made shall be appropriated from the state general fund for judges' compensation.

Sec. 312. Funds appropriated in part 1 for indigent defense shall be used in accordance with terms and conditions of section 1485(11)(b) of the revised judicature act of 1961, 1961 PA 236, MCL 600.1485, including reference to federal prohibitions against providing legal assistance with respect to any proceeding or litigation which seeks to procure an abortion.

Sec. 315. The additional state general fund appropriation for community dispute resolution contained in part 1 shall be used to supplement funding for community dispute resolution centers. The supplemental funding shall be disbursed to bring each center funded through the community dispute resolution act, 1988 PA 260, MCL 691.1551 to 691.1564, to a minimum funding level of \$15,000.00.

Sec. 317. (1) The judicial branch shall submit to the department of management and budget, the house and senate appropriations committees, the house and senate fiscal agencies, and the house and senate standing committees having jurisdiction over technology issues quarterly reports on the judicial branch's efforts to change the judicial branch's computer software and hardware as necessary to perform properly in the year 2000 and beyond. These reports shall identify actual progress in comparison to the judicial branch's approved work plan for these efforts.

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

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

Sec. 319. (1) The state auditor general shall perform an audit of the state appellate defender office to ensure program effectiveness, efficiencies, and compliance with state law.

(2) As a part of the audit, the legislative auditor general shall include an analysis of the state appellate defender office salary schedule for attorneys and supervisors. The analysis shall compare salaries with those in the public and private sectors.

Sec. 321. The legislature urges the supreme court to examine court rules and consider changes which would:

(a) Allow candidates for judge to express opinions on political issues.

(b) Allow judges to preside over cases even though they have publicly expressed political opinions in issues generally related to the case.

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

A bill to make appropriations for the judicial branch for the fiscal year ending September 30, 2000; to provide for the expenditure of these appropriations; to place certain restrictions on the expenditure of these appropriations; to



prescribe the powers and duties of certain officials and employees; to require certain reports; and to provide for the disposition of fees and other income received by the judicial branch.

Walter North  
Glenn Steil  
Conferees for the Senate

Mickey Mortimer  
Cameron Brown  
Conferees for the House

The question being on the adoption of the conference report,

The second conference report was adopted, a majority of the members serving voting therefor, as follows:

**Roll Call No. 414**

**Yeas—30**

Bennett	Emmons	Johnson	Schuette
Bullard	Gast	Koivisto	Schwarz
Byrum	Goschka	McCotter	Shugars
Cherry	Gougeon	McManus	Sikkema
DeBeaussaert	Hammerstrom	Miller	Steil
DeGrow	Hart	North	Stille
Dingell	Hoffman	Rogers	Van Regenmorter
Dunaskiss	Jaye		

**Nays—7**

Leland	Peters	Smith, V.	Young
Murphy	Smith, A.	Vaughn	

**Excused—0**

**Not Voting—1**

Emerson

In The Chair: President

Senator Hoffman submitted the following:

**FIRST CONFERENCE REPORT**

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

**Senate Bill No. 372, entitled**

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

Recommends:

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

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

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

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

**STATE TRANSPORTATION DEPARTMENT**

**APPROPRIATION SUMMARY:**

Full-time equated unclassified positions .....	6.0	
Full-time equated classified positions .....	3,176.3	
<b>GROSS APPROPRIATION .....</b>		<b>\$ 2,829,895,700</b>
Interdepartmental grant revenues:		
IDT, intradepartmental charges .....		10,459,500
Total interdepartmental grants and intradepartmental transfers .....		10,459,500
<b>ADJUSTED GROSS APPROPRIATION .....</b>		<b>\$ 2,819,436,200</b>
Federal revenues:		
DOT, federal transit act.....		26,146,000
DOT-FHWA, highway research, planning, and construction.....		800,525,000
DOT-FRA, local rail service assistance.....		2,000,000
DOT-FRA, rail passenger/HSGT.....		3,000,000
Total federal revenues .....		831,671,000
Special revenue funds:		
Local funds .....		5,300,000
Total local revenues .....		5,300,000
Total private revenues .....		0
Total local and private revenues .....		5,300,000
Michigan transportation fund.....		1,024,787,200
General fund restricted purpose .....		12,999,800
Blue Water Bridge fund .....		12,395,400
State trunkline fund.....		696,404,000
State aeronautics fund.....		9,056,000
Comprehensive transportation fund.....		224,322,800
Intercity bus equipment fund.....		500,000
Rail preservation fund.....		2,000,000
Total other state restricted revenues .....		1,982,465,200
State general fund/general purpose .....		\$ 0
<b>TOTAL PAYMENTS TO LOCALS .....</b>		<b>\$ 1,105,317,700</b>

**Sec. 102. DEBT SERVICE**

State trunkline.....	\$ 35,904,600
Trunkline bonds, series 1989A-EDF (\$100,000,000) .....	6,608,300
Critical bridge.....	3,000,000
Blue Water Bridge.....	2,311,900
Comprehensive transportation .....	21,209,300
<b>GROSS APPROPRIATION .....</b>	<b>\$ 69,034,100</b>

Appropriated from:

Special revenue funds:

Comprehensive transportation fund.....	21,209,300
Michigan transportation fund .....	9,608,300
State trunkline fund.....	35,904,600
Blue Water Bridge fund .....	2,311,900
State general fund/general purpose .....	\$ 0

**Sec. 103. INTERDEPARTMENT & STATUTORY CONTRACTS**

Michigan transportation fund (MTF)

MTF grant to department of environmental quality.....	\$ 813,000
MTF grant to department of state.....	56,830,800
MTF grant to legislative auditor general .....	101,800
MTF grant to attorney general .....	2,475,200

State trunkline fund (STF)

STF grant to department of civil service .....	1,320,000
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STF grant to department of management and budget .....	768,100
STF grant to department of natural resources .....	37,500
STF grant to department of state police .....	6,305,700
STF grant to department of treasury .....	24,300
STF grant to legislative auditor general .....	381,100
State aeronautics fund (SAF)	
SAF grant to department of attorney general .....	114,900
SAF grant to department of civil service.....	50,000
SAF grant to department of management and budget.....	18,200
SAF grant to department of treasury .....	61,500
SAF grant to legislative auditor general.....	15,400
Comprehensive transportation fund (CTF)	
CTF grant to department of civil service.....	95,000
CTF grant to department of management and budget.....	38,600
CTF grant to department of treasury .....	8,900
CTF grant to legislative auditor general.....	38,900
GROSS APPROPRIATION .....	\$ 69,498,900
Appropriated from:	
Special revenue funds:	
Comprehensive transportation fund.....	181,400
Michigan transportation fund .....	60,220,800
State aeronautics fund.....	260,000
State trunkline fund.....	8,836,700
State general fund/general purpose .....	\$ 0
<b>Sec. 104. EXECUTIVE DIRECTION</b>	
Full-time equated unclassified positions .....	6.0
Full-time equated classified positions .....	33.3
Unclassified salaries.....	\$ 476,500
State transportation commission (per diem payments) .....	7,200
Commission audit—33.3 FTE positions .....	2,911,900
GROSS APPROPRIATION .....	\$ 3,395,600
Appropriated from:	
Special revenue funds:	
State trunkline fund.....	3,395,600
State general fund/general purpose .....	\$ 0
<b>Sec. 105. ADMINISTRATIVE SERVICES</b>	
Full-time equated classified positions .....	138.7
Administration and data center—103.7 FTE positions .....	\$ 31,227,400
Building occupancy charges-property management.....	4,582,400
Human resources—30.0 FTE positions .....	2,402,200
Economic development administration—5.0 FTE positions .....	500,700
Rent .....	1,940,000
Worker's compensation .....	2,528,600
GROSS APPROPRIATION .....	\$ 43,181,300
Appropriated from:	
Federal revenues:	
DOT-FHWA, highway research, planning, and construction.....	1,000,000
Special revenue funds:	
General fund restricted purpose .....	129,800
State aeronautics fund.....	631,900
Comprehensive transportation fund.....	1,086,200
Michigan transportation fund .....	435,600
State trunkline fund.....	39,897,800
State general fund/general purpose .....	\$ 0
<b>Sec. 106. BUREAU OF FINANCE AND ADMINISTRATION</b>	
Full-time equated classified positions .....	255.5
Administration—255.5 FTE positions .....	\$ 20,355,500
GROSS APPROPRIATION .....	\$ 20,355,500

Appropriated from:	
Special revenue funds:	
Michigan transportation fund .....	1,048,100
State trunkline fund.....	19,307,400
State general fund/general purpose .....	\$ 0
<b>Sec. 107. BUREAU OF TRANSPORTATION PLANNING</b>	
Full-time equated classified positions .....	185.1
Administration—185.1 FTE positions .....	\$ 20,674,700
Grants to regional planning councils.....	488,800
GROSS APPROPRIATION .....	\$ 21,163,500
Appropriated from:	
Federal revenues:	
DOT-FHWA, highway research, planning, and construction.....	11,041,000
Special revenue funds:	
State aeronautics fund .....	267,000
Comprehensive transportation fund .....	1,679,500
Michigan transportation fund .....	5,755,200
State trunkline fund.....	2,420,800
State general fund/general purpose .....	\$ 0
<b>Sec. 108. BUREAU OF HIGHWAYS</b>	
Full-time equated classified positions .....	1,658.1
Engineering operations—826.3 FTE positions .....	\$ 23,250,900
Maintenance operations—78.0 FTE positions .....	6,904,700
Program services—753.8 FTE positions .....	35,431,100
GROSS APPROPRIATION .....	\$ 65,586,700
Appropriated from:	
Interdepartmental grant revenues:	
IDT, intradepartmental charges .....	207,500
Federal revenues:	
DOT-FHWA, highway research, planning, and construction.....	3,035,000
Special revenue funds:	
Michigan transportation fund .....	2,182,200
State trunkline fund.....	60,162,000
State general fund/general purpose .....	\$ 0
<b>Sec. 109. HIGHWAY MAINTENANCE</b>	
Full-time equated classified positions .....	707.1
State trunkline operations—707.1 FTE positions .....	\$ 102,271,100
Contract operations .....	126,628,300
GROSS APPROPRIATION .....	\$ 228,899,400
Appropriated from:	
Interdepartmental grant revenues:	
IDT, intradepartmental charges .....	10,252,000
Special revenue funds:	
State trunkline fund.....	218,647,400
State general fund/general purpose .....	\$ 0
<b>Sec. 110. ROAD AND BRIDGE PROGRAMS</b>	
State trunkline federal aid and road and bridge construction.....	\$ 896,203,700
Local federal aid and road and bridge construction.....	195,827,000
Grants to local programs .....	33,000,000
AAA intersection improvement program.....	2,000,000
Rail grade crossing .....	3,000,000
Critical bridge program.....	5,250,000
County road commissions .....	558,320,300
Cities and villages.....	311,288,600
GROSS APPROPRIATION .....	\$ 2,004,889,600
Appropriated from:	
Federal revenues:	
DOT-FHWA, highway research, planning, and construction.....	785,449,000

Special revenue funds:	
Local funds .....	5,000,000
Michigan transportation fund .....	910,608,900
State trunkline fund.....	303,831,700
State general fund/general purpose .....	\$ 0
<b>Sec. 111. BLUE WATER BRIDGE</b>	
Full-time equated classified positions .....	33.0
Blue Water Bridge fund operations—33.0 FTE positions.....	\$ 10,083,500
GROSS APPROPRIATION .....	\$ 10,083,500
Appropriated from:	
Special revenue funds:	
Blue Water Bridge fund .....	10,083,500
State general fund/general purpose .....	\$ 0
<b>Sec. 112. TRANSPORTATION ECONOMIC DEVELOPMENT FUND</b>	
Forest roads .....	\$ 5,040,000
Rural county urban system.....	2,500,000
Target industries/economic redevelopment.....	23,064,500
Urban county congestion.....	9,782,200
Rural county primary .....	9,782,200
GROSS APPROPRIATION .....	\$ 50,168,900
Appropriated from:	
Special revenue funds:	
General fund restricted purpose .....	12,870,000
Michigan transportation fund .....	33,298,900
State trunkline fund.....	4,000,000
State general fund/general purpose .....	\$ 0
<b>Sec. 113. BUREAU OF AERONAUTICS</b>	
Full-time equated classified positions .....	56.0
Administration—56.0 FTE positions.....	\$ 6,732,100
Air service program .....	1,000,000
Airport management program .....	165,000
GROSS APPROPRIATION .....	\$ 7,897,100
Appropriated from:	
Special revenue funds:	
State aeronautics fund .....	7,897,100
State general fund/general purpose .....	\$ 0
<b>Sec. 114. BUREAU OF URBAN &amp; PUBLIC TRANSPORTATION</b>	
Full-time equated classified positions .....	109.5
Administration—109.5 FTE positions.....	\$ 8,649,700
GROSS APPROPRIATION .....	\$ 8,649,700
Appropriated from:	
Special revenue funds:	
Comprehensive transportation fund.....	7,020,500
Michigan transportation fund .....	1,629,200
State general fund/general purpose .....	\$ 0
<b>Sec. 115. BUS TRANSIT DIVISION: STATUTORY OPERATING</b>	
Local bus operating.....	\$ 144,576,300
Local bus operating: unreserved CTF fund balance.....	6,000,000
Nonurban operating/capital .....	6,646,000
GROSS APPROPRIATION .....	\$ 157,222,300
Appropriated from:	
Federal revenues:	
DOT, federal transit act.....	6,546,000
Special revenue funds:	
Local funds .....	100,000
Comprehensive transportation fund.....	150,576,300
State general fund/general purpose .....	\$ 0
<b>Sec. 116. INTERCITY PASSENGER AND FREIGHT</b>	
Freight property management.....	\$ 1,893,300

Detroit/Wayne County port authority .....	408,500
Intercity bus equipment.....	2,824,500
Rail passenger service.....	8,812,800
Freight preservation and development.....	7,500,000
Rail infrastructure loan program .....	2,000,000
Intercity bus service development .....	2,025,500
Marine passenger services.....	800,000
Terminal development.....	1,000,000
<b>GROSS APPROPRIATION</b> .....	<b>\$ 27,264,600</b>

Appropriated from:

Federal revenues:

DOT, federal transit act.....	1,000,000
DOT-FRA, local rail service assistance.....	2,000,000
DOT-FRA, rail passenger/HSGT .....	3,000,000

Special revenue funds:

Local funds .....	50,000
Rail preservation fund.....	2,000,000
Intercity bus equipment fund.....	500,000
Comprehensive transportation fund.....	18,714,600
State general fund/general purpose .....	\$ 0

**Sec. 117. PUBLIC TRANSPORTATION DEVELOPMENT**

Specialized services .....	\$ 3,600,100
Municipal credit program.....	2,000,000
Bus capital .....	29,400,000
Ride sharing.....	330,700
Van pooling.....	145,000
Bus property management.....	125,000
Service development and new technology .....	1,675,000
Planning grants .....	150,000
Audit settlements .....	200,000
Region service coordination.....	1,000,000
Work first initiative.....	3,979,200
<b>GROSS APPROPRIATION</b> .....	<b>\$ 42,605,000</b>

Appropriated from:

Federal revenues:

DOT, federal transit act.....	18,600,000
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Special revenue funds:

Local funds .....	150,000
Comprehensive transportation fund.....	23,855,000
State general fund/general purpose .....	\$ 0".

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

**DEPARTMENT OF TRANSPORTATION**

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

“(2)”.

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

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

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

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

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

“Sec. 314. (1) The director shall take all reasonable steps to ensure businesses in deprived and depressed communities compete for and perform contracts to provide services or supplies, or both, for the department.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(ii) Establishing a park and go program.



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

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

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

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

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

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

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

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

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

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

“Sec. 510. It is the intent of the legislature that as the appropriation of Michigan transportation fund funds for administration for certain state agencies is phased out, as provided for in section 10(1) of 1951 PA 51, MCL 247.660, those funds shall be distributed pursuant to section 10 of 1951 PA 51, MCL 247.660, and shall not be distributed to any state agency that remains eligible to receive Michigan transportation fund funds for administration.”

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

“Sec. 717. (1) It is the intent of the legislature to achieve coordinated services between DDOT and SMART by October 1, 1999. Prior to October 1, 1999, the RTCC shall meet to develop a report on all progress made in the coordination of services between DDOT and SMART. On or before October 1, 1999, the RTCC shall submit the report to the house and senate appropriations subcommittees on transportation and the house and senate fiscal agencies. At a minimum, the RTCC shall coordinate dispatching, scheduling, ticketing, and fare boxes. Compliance shall require the RTCC to coordinate intersystem monthly reimbursement to ensure fare box neutrality. If the RTCC fails to meet and submit the report to the legislature on or before October 1, 1999, reimbursement of the monthly eligible operating expenses and bus capital to the RTCC for the month of October 1999 shall not exceed 1/12 of the amount of the distribution received from the CTF for eligible operating expenses and bus capital for the fiscal year ending September 30, 1997.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Judith Scranton  
 Jon Jellema  
 Keith Stallworth  
 Conferees for the House

Pending the order that, under joint rule 9, the conference report be laid over one day,  
 Senator Rogers moved that the rule be suspended.  
 The motion prevailed.

The President pro tempore, Senator Schwarz, assumed the Chair.

The question being on the adoption of the conference report,  
 The first conference report was adopted, a majority of the members serving voting therefor, as follows:

**Roll Call No. 415**

**Yeas—28**

Bennett	Emmons	McManus	Smith, A.
Bullard	Gast	Miller	Smith, V.

Byrum	Hammerstrom	Murphy	Steil
Cherry	Hart	Peters	Stille
DeBeaussaert	Hoffman	Rogers	Van Regenmorter
DeGrow	Leland	Schwarz	Vaughn
Emerson	McCotter	Shugars	Young

**Nays—10**

Dingell	Gougeon	Koivisto	Schuette
Dunaskiss	Jaye	North	Sikkema
Goschka	Johnson		

**Excused—0****Not Voting—0**

In The Chair: Schwarz

The question being on concurring in the committee recommendation to give the bill immediate effect, The recommendation was concurred in, 2/3 of the members serving voting therefor.

**Protest**

Senator Goschka, under his constitutional right of protest (Art. 4, Sec. 18), protested against the adoption of the conference report for Senate Bill No. 372.

Senator Goschka's statement is as follows:

I voted "no" on Senate Bill No. 372 today for the purpose that I had heard from my own Saginaw and Gratiot County Road Commissions that they were very opposed to this bill.

I looked at what their concerns were, and I came out on the side that they were right. This bill, in particular, took \$10.3 million from the Michigan transportation fund and sent \$7.9 million from that amount to the Secretary of State's office and \$2.4 million to the Attorney General's office. This is money that, I believe—and I concur with my road commissions—really ought to be going to roads. Unfortunately, that's \$10.3 million that won't be.

You may know that of that \$10.3 million, 40 percent of that normally will go to the state, 40 percent to the counties, and 20 percent to cities and villages. Hence, 60 percent of that money will not go to roads as it ought to. So, in concurrence with the Saginaw County and Gratiot County Road Commissions, I voted "no" on Senate Bill No. 372.

By unanimous consent the Senate proceeded to the order of

**Resolutions****House Concurrent Resolution No. 43.**

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

Whereas, The quality and reliability of air transportation services are fundamentally important to the economic strength of a region. With the increased impact of the global marketplace, any community or state hoping to compete effectively must offer air travelers efficiency, safety, cost-effectiveness, and responsiveness to adverse conditions and situations; and

Whereas, Air travel service is an increasingly vital component of the resources a community offers to individuals and businesses. This service must center on convenience for the consumer, innovation in seeking better ways to handle the movement of people and goods, and a genuine commitment to making the facility as easy and pleasant to visit as possible; and

Whereas, For many years, observers, especially veteran air travelers, have remarked on problems at Wayne County Detroit Metropolitan Airport. There have been many accounts of frustrating experiences of congestion, lack of

fundamental services, and inadequate response to customers. Recently, a major winter snowstorm served to amplify the seriousness of the problems at the state’s most important air transportation center. In this instance, there were well-publicized accounts of deplorable conditions and treatment of stranded travelers, far beyond acceptable standards even in the worst weather crisis; and

Whereas, If Michigan is to continue its growth, Detroit Metro must operate at the highest possible level of excellence and responsiveness; now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That there be created the Joint Legislative Select Committee on Wayne County Detroit Metropolitan Airport. The House membership of the joint select committee shall be appointed by the Speaker of the House in the same manner as standing committees of the House of Representatives are appointed, and the Senate membership shall be appointed by the Senate Majority Leader in the same manner as standing committees of the Senate are appointed. The select committee will function during the 1999 and 2000 Regular Sessions of the Legislature, the interim between the 1999 and 2000 Regular Sessions of the Legislature, and until December 31, 2000, and shall report its findings and recommendations to the Legislature by December 31, 2000; and be it further

Resolved, That the select committee is hereby authorized to expend a maximum amount of \$10,000 in carrying out its duties and such additional expenditures deemed necessary by the chair of the committee and approved by the Speaker of the House and the Senate Majority Leader. Payments for contractual services may be authorized by the committee chair, the Speaker of the House, and the Senate Majority Leader.

The House of Representatives has adopted the concurrent resolution.

Pending the order that, under rule 3.204, the concurrent resolution be referred to the Committee on Government Operations,

Senator Rogers moved that the rule be suspended.

On which motion Senator V. Smith requested the yeas and nays.

The yeas and nays were ordered, 1/5 of the members present voting therefor.

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

**Roll Call No. 416**

**Yeas—24**

Bennett	Goschka	Johnson	Schwarz
Bullard	Gougeon	McCotter	Shugars
DeGrow	Hammerstrom	McManus	Sikkema
Dunaskiss	Hart	North	Steil
Emmons	Hoffman	Rogers	Stille
Gast	Jaye	Schuette	Van Regenmorter

**Nays—14**

Byrum	Emerson	Murphy	Smith, V.
Cherry	Koivisto	Peters	Vaughn
DeBeaussaert	Leland	Smith, A.	Young
Dingell	Miller		

**Excused—0**

**Not Voting—0**

In The Chair: Schwarz

The question being on the adoption of the concurrent resolution, Senator Dingell offered the following amendment:

1. Amend the first Resolving clause, line 12, after “2000” by inserting a period and “The joint select committee shall also examine the use of state aircraft by elected officials, including number of passengers, departmental usage, destination, and frequency of use”.

The question being on the adoption of the amendment,  
Senator V. Smith requested the yeas and nays.

The yeas and nays were ordered, 1/5 of the members present voting therefor.

The amendment was not adopted, a majority of the members not voting therefor, as follows:

**Roll Call No. 417****Yeas—15**

Byrum	Emerson	Miller	Smith, V.
Cherry	Jaye	Murphy	Vaughn
DeBeaussaert	Koivisto	Peters	Young
Dingell	Leland	Smith, A.	

**Nays—23**

Bennett	Goschka	McCotter	Shugars
Bullard	Gougeon	McManus	Sikkema
DeGrow	Hammerstrom	North	Steil
Dunaskiss	Hart	Rogers	Stille
Emmons	Hoffman	Schuette	Van Regenmorter
Gast	Johnson	Schwarz	

**Excused—0****Not Voting—0**

In The Chair: Schwarz

Senator Dingell offered the following amendment:

1. Amend the first Resolving clause, line 12, after “2000” by inserting a period and “The joint select committee shall also examine the role of private airlines in problems experienced at the airport, including the role of Northwest Airlines”.

The amendment was not adopted.

The question being on the adoption of the concurrent resolution,

Senator V. Smith requested the yeas and nays.

The yeas and nays were ordered, 1/5 of the members present voting therefor.

The concurrent resolution was adopted, a majority of the members voting therefor, as follows:

**Roll Call No. 418****Yeas—24**

Bennett	Goschka	Johnson	Schwarz
Bullard	Gougeon	McCotter	Shugars
DeGrow	Hammerstrom	McManus	Sikkema
Dunaskiss	Hart	North	Steil
Emmons	Hoffman	Rogers	Stille
Gast	Jaye	Schuette	Van Regenmorter

**Nays—13**

Byrum	Emerson	Miller	Smith, A.
Cherry	Koivisto	Murphy	Vaughn

DeBeussaert  
Dingell

Leland

Peters

Young

**Excused—0**

**Not Voting—1**

Smith, V.

In The Chair: Schwarz

### **Protests**

Senators Miller and Cherry, under their constitutional right of protest (Art. 4, Sec. 18), protested against the adoption of House Concurrent Resolution No. 43 and moved that the statements they made during the discussion of the resolution be printed as their reasons for voting “no.”

The motion prevailed.

Senator Miller’s statement is as follows:

Mr. President, this is kind of alarming to me because, you know, I’ve been here a little longer than most of the other members here, and I respect the members’ views no matter what side of the aisle you come on. But I remember when I first came to this body—I want to refresh some memories of people—we had this humongous Zilwaukee Bridge project that was running in the hundreds of millions of dollars. There was the fear factor that the bridge was going to collapse, and there was a lot of money being misspent. Mr. President, we didn’t go out and appoint a special committee. We had the standing committee of the Senate overview that particular project.

I think that the people of Michigan elect the 38 members here, whether you’re Republican or Democrat. We have the responsibility here to overlook this. That’s why so many people refer to this as the upper chamber. This is the chamber that settles a lot of the petty disputes that come from the other side of the Capitol. We are respected men and women in this body who are supposed to review problems with a little of rationale and a little bit of common sense. I hate to see this ugly head of partisanship pop up on a project like this.

Just recently, I’ve seen TV ads, Mr. President, that showed our great Governor and our mayor of Detroit promoting Michigan and the way you can extend your travel in Michigan and the continental United States. All of a sudden, there are all these different Asian flights for people from around this country to come to Detroit and to come to Michigan. You can fly out of the metropolitan Detroit area to any place in the world nonstop where a lot of airports don’t have that facility and don’t have that expertise.

The executive went out and realized the problems that the good Senator from Wayne County in the 8th District mentioned that there were some problems that we were unhappy about. If you’re unhappy, talk about it.

Mr. President, I’m unhappy with some of the delays and some of the lost luggage, but we have a new executive running that airport who’s been getting rave reviews. We have a committee that’s already at the airport, Mr. President, consisting of 35 to 40 business leaders of this region of this state. Listen to these people. Give them the opportunity.

I wish that the Senators from Wayne County would let this resolution be discussed in a standing committee here in the Senate. We don’t need to appoint any special committee. We are the upper body. We are the body that’s always found direct solutions to problems. Just go back into that committee room there and look at that Senator’s picture on the wall there. Senator, I believe his name is Larkin Brown from 1841. He was here and resolved this. This is a body that does not deal with partisanship problems. We deal with problems that affect Michigan. I urge all my colleagues—let the new director of the airport throw all these political, partisan problems out the window, and let’s move ahead for Michigan and follow the mayor of Detroit and follow our Governor who says Metropolitan Detroit Airport is on the road to world success.

Vote “no” on this resolution.

Senator Cherry’s first statement is as follows:

I rise in opposition to House Concurrent Resolution No. 43. I do so, Mr. President, because I think the resolution itself is misdirected and inappropriate, and on that basis, I would urge a “no” vote.

I can't help but ask the question, Mr. President, as I read this if this is as important as the good Senator from the 8th District suggests. I can't understand why our standing committee on transportation has not examined this issue or the House Committee on Transportation has not examined this issue. If it's this important, I can't understand why our Senate Appropriations Subcommittee on Transportation hasn't looked into this issue. If it's so important, I can't understand why the House Subcommittee on Transportation hasn't looked into this issue.

Why is it now all of a sudden that we're creating a special committee to examine this? Is this some commentary on the work of our respective committees that they've ignored an issue as important as the one outlined by the Senator from the 8th District? No, I think not. I think they were focused on what they needed to do and that this isn't nearly the issue that the Senator from the 8th District makes out.

I also have to ask the question, Mr. President, where is Northwest Airlines in this resolution? I think perhaps we're a bit focused on Metropolitan Detroit Airport, but interestingly enough, every other place you go in this state—and I understand the nation—where Northwest is part of the mix, you have these customer and consumer problems repeated from airport to airport. In fact, I would suggest that perhaps maybe Northwest is, if there are problems at Detroit Metro, as big a contributor to those problems as is the airport itself. Where is Northwest Airlines in this examination?

I also have to ask the question, Mr. President—I see this one “whereas” clause. It says, “If Michigan is to continue its growth, Detroit Metro must operate at the highest possible level of excellence and responsiveness.” As I read that, I have to ask the question, Mr. President, what about Michigan's other airports? This is a statewide economy, and I agree that air traffic and the ability to transport goods and people by air is very important to the state's economy. We have more than one airport in this state and have more than one airport that is making contributions to this economy. If that's the issue that concerns us, why are we limiting ourselves to the Metropolitan Detroit Airport?

I think there's a good answer, Mr. President, why we're limiting our examination to this one airport, and I think it was said best by the Senator from the 8th District. It's got a lot of contracts. My gosh, we've got a major entity in the state where the contracts flow through somebody else other than the Governor. That's just not right. That's what this is all about. It's about contracts and who controls contracts.

It seems to me, Mr. President, that if that is the issue and that's what's important to this body, then why are we limiting our resolutions to just the airport? What about all these other entities that issue big contracts, whether it be state or local? I think there's a reason. It's because some people associated Wayne County government had the gall, even though I was on the other side of the question, to stand up and question what we were doing on guns, so this is a little bit of punishment there. I think that's a major issue.

I think that there are people running for office associated with the airport, and that's a question. Ultimately, as I see it, this resolution is plain straight-out politics. I think we have better things to do with our time. If, in fact, this had been a major issue, we would have seen one of our other committees struggle with it, and we haven't. That tells the whole story.

I would urge a “no” vote.

Senator Cherry's second statement is as follows:

I know the good Senator from the 8th District views the breadth of this investigation as a positive. I tend to think of that as a negative. I mean, this is what Ken Starr was all about—let's just investigate everything.

I think what we need to do, when we engage in an investigation, it ought to be narrow. I think that if what the Senator tells me is that this is a broad playing field, then what that gives me is even greater concern than what I got when I read the resolution.

I don't think breadth is an asset. I don't think it is a virtue with an investigation. I would have thought that if it would have been important enough, our standing committees or our appropriations subcommittees would have looked into this matter, and they haven't.

Again, I tend to think it's political, and when it's political and the scope is broad as the Senator from the 8th District suggests, that is a danger signal to me. I would urge a “no” vote.

Senators Hart, Bennett and Shugars asked and were granted unanimous consent to make statements and moved that the statements be printed in the Journal.

The motion prevailed.

Senator Hart's statement is as follows:

I rise in support of this resolution. This panel will answer two very important questions. Is the airport meeting the legitimate needs of the public? Are public funds being used appropriately?

The information this panel finds will help ensure efficient service for the multitude of individuals who utilize this airport, the tenth largest airport in the nation, which for many people is the first impression they get of this state when they get off that plane. This information will also help improve services at other airports around the state, as was alluded to by one of the previous speakers.



It's important to remember that this is not a criminal investigation but a legitimate look at the problems which currently exist at this airport which truly need addressing. After all, this is not an in-house investigation or an example of the foxes guarding the chicken coop. This is an outside and important, impartial investigative group.

The state, ultimately, has the responsibility to oversee Detroit Metropolitan Airport, which aids in bringing tremendous dollars through tourism into this state. We do have that responsibility.

Senator Bennett's first statement is as follows:

I urge a "yes" vote on this resolution. It is simply a resolution to study the operations of Metropolitan Airport in Wayne County.

For all of the people here in the chamber who have used the airport and believe that it is a wonderfully operated airport and there is no room for improvement, then I would say vote "no" on this.

But if you have used the airport, experienced difficulties, or if you have listened to any of your constituents at all over the last few years and think that there is room for improvement, that there is reason to look at the operations and try to improve it for the flying public. Then I would urge a "yes" vote on this resolution.

Senator Bennett's second statement is as follows:

I rise to urge a "no" vote on the amendment. We have already addressed this issue in Senate Bill No. 372, the transportation budget.

We can try to deflect the real issue as much as they would like to. This issue is about studying the operations of the airport, and the previous speaker spoke of needing to possibly add one, two, or three different airlines to the study. I would point out that there is absolutely nothing in this bill that would prohibit the committee from studying the airlines, the operations of the airport, the contracts for services at the airport, and how those contracts are let. It is a very broad resolution. Nothing in here prohibits it. We could sit here all day and list a hundred such organizations that should be included. It is certainly much cleaner, much better just simply to say the "operations of the airport." That is all inclusive. I believe that is what the public is demanding, and I believe this body should deliver it.

Senator Bennett's third statement is as follows:

I apologize to the body for needing to read this paragraph, but with all the paper on the desk, it might be very difficult for the members to find it.

It is in Senate Bill No. 372, Transportation Department, page 44, line 15: "The department and the departments of state police, natural resources and military affairs shall develop plans for the maintenance, scheduling, and use of all state-owned noncombat aircraft. It is the intent of the legislature that these plans maximize the cost-efficient use of these state transportation air fleet. The department shall prepare a joint report, coordinated by the department, on the development and implementation of these plans."

It is addressed. It may not be to the degree that my fine colleague would wish it to be, but it is there. I just read it.

Senator Bennett's fourth statement is as follows:

I urge a "no" vote on the amendment. Once again, I'm not sure how I can make it any clearer, but I'll try.

The resolution does not limit the scope of the investigation in any way. There's absolutely no need to try to limit that scope by naming specific entities. I get the impression some people are trying to lay guilt somewhere instead of studying the issue; let's lay guilt and then try to justify that laying of guilt through the study. I will not participate in that. This must be a fair and open study of the airport. I urge a "no" vote. Let's keep it as broad an investigation as we possibly can.

Senator Bennett's fifth statement is as follows:

It's time for this body to stand up and be counted. We need to tell the public where we stand. For those of us in the chamber who believe that this is a world-class operation, that we are serving the public extremely well, and that there is no room for improvement at the airport, then I would urge those individuals to vote "no" on this resolution.

For those individuals in this chamber who believe that we can do better, that the need is there to do better, and that the flying public is demanding that we do better, I urge those individuals to stand up also and be counted and vote "yes" on this resolution.

Senator Shugars' statement is as follows:

I rise to complement Senator Hart with his points of economic importance to the state of Michigan. The city of Kalamazoo and the Kalamazoo area dealt with the airport when the pharmacy Upjohn made a decision to change their headquarters to New Jersey. One of the major elements of that decision that they looked at was the airport and its connections directly to Washington, D.C., New York and New Jersey. And I believe that Detroit Metro Airport is so significant in the future economics of Michigan that we have to make sure it is the best airport in the nation, and that's why I support this particular resolution.

I applaud Speaker Perricone for having the courage to step forward to do this because this is not a politically popular thing in Wayne County, I'm sure. But in my district, I can tell you right now, he may end up running for governor because they're going to love him to try to resolve this problem. There isn't one person in Kalamazoo who is happy about going to Wayne County and going to Detroit Metro Airport and getting the service that they're getting. From the time they park their car to the time they fly, there isn't one person who is happy with the services that they're getting now. Something needs to be done, and this is the first step towards it. I applaud Senator Bennett for moving toward it. I urge my colleagues to vote for this.

Senator Stille offered the following resolution:

**Senate Resolution No. 68.**

A resolution to memorialize the Congress of the United States to end tobacco subsidies and to redirect this support to food-producing agricultural activities.

Whereas, For many years, even as our country has wrestled with the costly and harmful effects of tobacco use, Americans have provided financial support for tobacco farming through federal tobacco subsidies. These subsidies include money spent for tobacco crop insurance and price support, in addition to inspection and grading services. While changes in federal agricultural programs and law have significantly reduced money going to tobacco farming and related activities, federal dollars continue to be spent on an endeavor that is harmful to our citizens; and

Whereas, One of the greatest challenges facing humanity in any age is the production of food of sufficient quantity and quality to meet ever-rising needs. Investments in the process of raising crops are among the most important commitments we can make to future generations. Subsidies for food production, research, and marketing hold the potential to touch every citizen in a positive fashion; and

Whereas, With the recent settlement among the states and the tobacco industry, the enormity of the cost tobacco exacts on our society is clear. Any money going to support any aspect of this activity would be far better spent elsewhere; now, therefore, be it

Resolved by the Senate, That we memorialize the Congress of the United States to end tobacco subsidies and to redirect this support to food-producing agricultural activities; 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.

Pending the order that, under rule 3.204, the resolution be referred to the Committee on Government Operations, Senator Rogers moved that the rule be suspended.

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

The question being on the adoption of the resolution,

Senator Rogers moved that the resolution be referred to the Committee on Farming, Agribusiness and Food Systems.

The motion prevailed.

Senators Goschka and Hoffman were named co-sponsors of the resolution.

Senator DeGrow offered the following resolution:

**Senate Resolution No. 71.**

A resolution to amend the Standing Rules of the Senate.

Resolved by the Senate, That Rule 2.103 of the Standing Rules of the Senate be hereby amended to read as follows:  
 "2.103 STANDING COMMITTEES

The standing committees of the Senate shall be:

Appropriations (16 members)

BANKING AND FINANCIAL INSTITUTIONS (7 MEMBERS)

Economic Development, International Trade and Regulatory Affairs (5 members)

Education (5 members)

Families, Mental Health and Human Services (7 members)

Farming, Agribusiness and Food Systems (5 members)

Finance (5 members)

Financial Services (7 members)

Gaming and Casino Oversight (5 members)

Government Operations (5 members)

Health Policy (5 members)

Human Resources, Labor, Senior Citizens and Veterans Affairs (5 members)

Hunting, Fishing and Forestry (5 members)

Judiciary (7 members)

Local, Urban and State Affairs (5 members)

Natural Resources and Environmental Affairs (5 members)

Reapportionment (9 members)

Technology and Energy (7 members)

Transportation and Tourism (5 members)

Statutory standing committees:

Administrative Rules (5 members) (see MCL 24.235)

Legislative Council (6 members and 3 alternates) (see MCL 4.1103)

Legislative Retirement Board of Trustees (2 members) (see MCL 38.1026)

Michigan Capitol Committee (4 members) (see MCL 4.1701)".

Pending the order that, under rule 3.204, the resolution be referred to the Committee on Government Operations, Senator Rogers moved that the rule be suspended.

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

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

Senator DeGrow offered the following resolution:

**Senate Resolution No. 72.**

A resolution to reassign bills between standing committees of the Michigan Senate.

Whereas, The standing committee structure of the Michigan Senate has recently been modified; now, therefore, be it Resolved by the Senate, That the following bills previously assigned to the Committee on Financial Services be reassigned to the Committee on Banking and Financial Institutions:

HB 4413

HB 4598

HB 4670

SB 596

SB 640

Pending the order that, under rule 3.204, the resolution be referred to the Committee on Government Operations, Senator Rogers moved that the rule be suspended.

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

The resolution was adopted.

The question was placed on the adoption of the following resolution consent calendar:

**Senate Resolution No. 70**

The resolution consent calendar was adopted.

Senators Sikkema, Bennett, Johnson and Hammerstrom offered the following resolution:

**Senate Resolution No. 70.**

A resolution observing September 20-26, 1999, as Pollution Prevention Week.

Whereas, Pollution prevention is being promoted as a priority in achieving environmental quality in the state of Michigan in a week of observance, education, and outreach; and

Whereas, The people of Michigan are proud of our state's beauty, natural resources, and environment; and

Whereas, The presence of pollutants may pose a threat to our environment, public health, and safety; and

Whereas, Pollution prevention is a fundamental approach to protect the environment and maintain the health and safety of workers in the workplace by stopping pollution before it occurs; and

Whereas, Pollution prevention can benefit businesses by increasing industrial efficiency through process and material waste reduction, thereby saving businesses time and money; and

Whereas, By using a proactive approach to pollution prevention, Michigan can meet the challenges of having both a sustainable environment and healthy economy for its citizens and businesses; and

Whereas, The passage of the Clean Michigan Initiative bond fund has provided valuable new funding for pollution prevention activities and will result in a greater citizen awareness and support for pollution prevention throughout the state; and

Whereas, Pollution Prevention Week is an opportunity for the people of Michigan to join together for a clean and vibrant Michigan by taking action in promoting the reduction of waste at its source of generation and identifying where this is not feasible on reuse and recycling; now, therefore, be it

Resolved by the Senate, That we observe September 20-26, 1999, as Pollution Prevention Week in Michigan, and we encourage all businesses and community members to participate in local and regional celebratory and educational activities; and be it further

Resolved, That a copy of this resolution be transmitted to the organizers of this event as evidence of our respect and esteem.

Senators Young and Goschka were named co-sponsors of the concurrent resolution.

By unanimous consent the Senate returned to the order of  
**General Orders**

Senator Rogers moved that the Senate resolve itself into the Committee of the Whole for consideration of the General Orders calendar.

The motion prevailed, and the President pro tempore, Senator Schwarz, designated Senator Bennett as Chairperson.

After some time spent therein, the Committee arose; and, the President pro tempore, Senator Schwarz, having resumed the Chair, the Committee reported back to the Senate, favorably and without amendment, the following bill:

**House Bill No. 4386, entitled**

A bill to amend 1986 PA 268, entitled "Legislative council act," by amending section 601 (MCL 4.1601), as amended by 1993 PA 24.

The bill was placed on the order of Third Reading of Bills.

The Committee of the Whole reported back to the Senate, favorably and with a substitute therefor, the following bill:

**House Bill No. 4472, entitled**

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

Substitute (S-2).

The following is the amendment to the substitute recommended by the Committee of the Whole:

1. Amend page 19, line 21, after "The" by striking out the balance of the line through "for" on line 22 and inserting "QUALIFIED ORGANIZATION SHALL RETAIN 60% AND THE BUREAU SHALL RETAIN 40% OF THE MONEY OBTAINED FROM".

The Senate agreed to the substitute, as amended, recommended by the Committee of the Whole and the bill as substituted was placed on the order of Third Reading of Bills.

By unanimous consent the Senate returned to the order of  
**Motions and Communications**

Senator Rogers moved that the rules be suspended and that the following bills, now on the order of Third Reading of Bills, be placed on their immediate passage:

**House Bill No. 4386**

**House Bill No. 4472**

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

Senator Rogers moved that the following bills be placed at the head of the Third Reading of Bills calendar:

**House Bill No. 4691**

**Senate Bill No. 158**

**House Bill No. 4408**

The motion prevailed.

**Third Reading of Bills**

The following bill was read a third time:

**House Bill No. 4691, entitled**

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

The question being on the passage of the bill,

The bill was passed, a majority of the members serving voting therefor, as follows:

**Roll Call No. 419****Yeas—38**

Bennett	Gast	McCotter	Shugars
Bullard	Goschka	McManus	Sikkema
Byrum	Gougeon	Miller	Smith, A.
Cherry	Hammerstrom	Murphy	Smith, V.
DeBeaussaert	Hart	North	Steil
DeGrow	Hoffman	Peters	Stille
Dingell	Jaye	Rogers	Van Regenmorter
Dunaskiss	Johnson	Schuette	Vaughn
Emerson	Koivisto	Schwarz	Young
Emmons	Leland		

**Nays—0****Excused—0****Not Voting—0**

In The Chair: Schwarz

Senator Rogers moved that the bill be given immediate effect.

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

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

“An act to provide for the levy, assessment and collection of a specific excise tax on the storage, use or consumption in this state of tangible personal property and certain services; to appropriate the proceeds thereof; and to prescribe penalties for violations of the provisions of this act.”.

The Senate agreed to the full title.

The following bill was read a third time:

**Senate Bill No. 158, entitled**

A bill to amend 1969 PA 317, entitled “Worker’s disability compensation act of 1969,” (MCL 418.101 to 418.941) by adding section 306.

The question being on the passage of the bill,

Senator Dingell offered the following amendments:

1. Amend page 2, line 8, after “OR” by striking out the balance of the line through “PHYSICIAN” on line 12 and inserting “AN ILLEGALLY OBTAINED CONTROLLED SUBSTANCE”.

2. Amend page 2, line 11, after “OR” by striking out the balance of the line through “PHYSICIAN” on line 12 and inserting “AN ILLEGALLY OBTAINED CONTROLLED SUBSTANCE”.

3. Amend page 2, line 15, after “OR” by striking out “A” and inserting “ILLEGALLY OBTAINED”.

4. Amend page 2, line 18, after “OR” by striking out the balance of the line through “PHYSICIAN” on line 19 and inserting “AN ILLEGALLY OBTAINED CONTROLLED SUBSTANCE”.

The amendments were not adopted, a majority of the members serving not voting therefor.

Senator V. Smith requested the yeas and nays.

The yeas and nays were ordered, 1/5 of the members present voting therefor.

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

**Roll Call No. 420****Yeas—16**

Byrum	Dunaskiss	Leland	Smith, A.
Cherry	Emerson	Miller	Smith, V.

DeBeaussaert  
Dingell

Hart  
Koivisto

Murphy  
Peters

Vaughn  
Young

**Nays—22**

Bennett  
Bullard  
DeGrow  
Emmons  
Gast  
Goschka

Gougeon  
Hammerstrom  
Hoffman  
Jaye  
Johnson  
McCotter

McManus  
North  
Rogers  
Schuette  
Schwarz

Shugars  
Sikkema  
Steil  
Stille  
Van Regenmorter

**Excused—0**

**Not Voting—0**

In The Chair: Schwarz

Senator Dingell offered the following amendment:

1. Amend page 1, line 1, after "BENEFITS" by striking out "ARE NOT PAYABLE" and inserting "MAY BE DENIED".

The question being on the adoption of the amendment,

Senator V. Smith requested the yeas and nays.

The yeas and nays were ordered, 1/5 of the members present voting therefor.

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

**Roll Call No. 421**

**Yeas—15**

Byrum  
Cherry  
DeBeaussaert  
Dingell

Emerson  
Hart  
Koivisto  
Leland

Miller  
Murphy  
Peters  
Smith, A.

Smith, V.  
Vaughn  
Young

**Nays—23**

Bennett  
Bullard  
DeGrow  
Dunaskiss  
Emmons  
Gast

Goschka  
Gougeon  
Hammerstrom  
Hoffman  
Jaye  
Johnson

McCotter  
McManus  
North  
Rogers  
Schuette  
Schwarz

Shugars  
Sikkema  
Steil  
Stille  
Van Regenmorter

**Excused—0**

**Not Voting—0**

In The Chair: Schwarz

Senator Dingell offered the following amendment:

1. Amend page 1, line 6, after “AND” by striking out the line through “PHYSICIAN” on line 7 and inserting “AN ILLEGALLY OBTAINED CONTROLLED SUBSTANCE IF THE VOLUNTARY CONSUMPTION OF INTOXICATING LIQUOR OR ILLEGALLY OBTAINED CONTROLLED SUBSTANCE OR THE COMBINATION OF THE INTOXICATING LIQUOR AND ILLEGALLY OBTAINED CONTROLLED SUBSTANCE WAS THE PROXIMATE CAUSE OF THE INJURY”.

The question being on the adoption of the amendment,

Senator V. Smith requested the yeas and nays.

The yeas and nays were ordered, 1/5 of the members present voting therefor.

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

**Roll Call No. 422**

**Yeas—18**

Byrum	Emerson	McManus	Smith, A.
Cherry	Hart	Miller	Smith, V.
DeBeaussaert	Hoffman	Murphy	Vaughn
Dingell	Koivisto	Peters	Young
Dunaskiss	Leland		

**Nays—20**

Bennett	Goschka	McCotter	Shugars
Bullard	Gougeon	North	Sikkema
DeGrow	Hammerstrom	Rogers	Steil
Emmons	Jaye	Schuette	Stille
Gast	Johnson	Schwarz	Van Regenmorter

**Excused—0**

**Not Voting—0**

In The Chair: Schwarz

Senator Dingell offered the following amendment:

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

“(3) IF AN EMPLOYEE IS INJURED BY AN EMPLOYER OR HIS OR HER REPRESENTATIVE WHILE THE EMPLOYER OR HIS OR HER REPRESENTATIVE IS INTOXICATED OR UNDER THE INFLUENCE OF AN ILLEGALLY OBTAINED CONTROLLED SUBSTANCE, THE EMPLOYEE’S RIGHT TO SUE THE EMPLOYER OR HIS OR HER REPRESENTATIVE IS NOT BARRED BY SECTION 131(1). NOTWITHSTANDING SECTION 131(1), IF AN EMPLOYEE IS INJURED UNDER THE CONDITIONS DESCRIBED IN THIS SUBSECTION, THE EMPLOYEE’S RIGHT TO RECOVERY OF WORKER’S COMPENSATION BENEFITS AS PROVIDED IN THIS ACT SHALL NOT BE THE EMPLOYEE’S EXCLUSIVE REMEDY AGAINST THE EMPLOYER OR HIS OR HER PERSONAL REPRESENTATIVE.” and renumbering the remaining subsection.

The question being on the adoption of the amendment,

Senator Dingell requested the yeas and nays.

The yeas and nays were ordered, 1/5 of the members present voting therefor.

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

**Roll Call No. 423**

**Yeas—24**

Bennett	Emerson	Johnson	Peters
Byrum	Goschka	Koivisto	Schwarz

Cherry  
DeBeaussaert  
Dingell  
Dunaskiss

Hammerstrom  
Hart  
Hoffman  
Jaye

Leland  
McCotter  
Miller  
Murphy

Smith, A.  
Smith, V.  
Vaughn  
Young

**Nays—14**

Bullard  
DeGrow  
Emmons  
Gast

Gougeon  
McManus  
North  
Rogers

Schuette  
Shugars  
Sikkema

Steil  
Stille  
Van Regenmorter

**Excused—0**

**Not Voting—0**

In The Chair: Schwarz

Senator Rogers moved to reconsider the vote by which the amendment offered by Senator Dingell was adopted. The question being on the motion to reconsider, Senator Rogers moved that further consideration of the amendment be postponed temporarily. The motion prevailed.

Senator Dingell offered the following amendment:

1. Amend page 1, line 1, after “(1)” by inserting “WEEKLY”.

The amendment was not adopted, a majority of the members serving not voting therefor.

Senator Rogers moved that further consideration of the bill be postponed temporarily.

The motion prevailed.

By unanimous consent the Senate proceeded to consideration of the following bill:

**House Bill No. 4472, entitled**

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

The above bill was read a third time.

The question being on the passage of the bill,

The bill was passed, a majority of the members serving voting therefor, as follows:

**Roll Call No. 424**

**Yeas—34**

Bennett  
Bullard  
Byrum  
Cherry  
DeBeaussaert  
DeGrow  
Dingell  
Dunaskiss  
Emerson

Emmons  
Gast  
Gougeon  
Hammerstrom  
Hart  
Hoffman  
Jaye  
Johnson  
Koivisto

Leland  
McCotter  
McManus  
Miller  
Murphy  
North  
Peters  
Rogers

Schwarz  
Sikkema  
Smith, A.  
Smith, V.  
Steil  
Stille  
Vaughn  
Young



**Nays—4**

Goschka

Schuette

Shugars

Van Regenmorter

**Excused—0****Not Voting—0**

In The Chair: Schwarz

The question being on concurring in the committee recommendation to give the bill immediate effect,

The recommendation was not concurred in, 2/3 of the members serving not voting therefor.

Senator Bullard offered to amend the title to read as follows:

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

The amendment to the title was adopted.

The Senate agreed to the title as amended.

Senator Emmons asked and was granted unanimous consent to make a statement and moved that the statement be printed in the Journal.

The motion prevailed.

Senator Emmons' statement is as follows:

I have at my desk today Captain Robbie Robertson, who has been an intern at my office while he's gone to Cooley, and he's been an outstanding person in my office. But the most important thing that I'd ask my colleagues to pray for is he's in the Georgia National Guard. We'd sure like Robbie to be able to finish at Cooley Law School before he might have to go to Kosovo. So if you're of the praying persuasion, why, we hope Robbie continues here, gets through Cooley Law School and then goes back and have a really successful career down in Savannah, Georgia.

And maybe you'd want his address because he can show you neat things in Savannah. He's a great guy.

We're going to miss you, Robbie.

By unanimous consent the Senate returned to consideration of the following bill:

**House Bill No. 4408, entitled**

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

The above bill was read a third time.

The question being on the passage of the bill,

The bill was passed, a majority of the members serving voting therefor, as follows:

**Roll Call No. 425****Yeas—38**

Bennett

Gast

McCotter

Shugars

Bullard

Goschka

McManus

Sikkema

Byrum

Gougeon

Miller

Smith, A.

Cherry

Hammerstrom

Murphy

Smith, V.

DeBeaussaert

Hart

North

Steil

DeGrow

Hoffman

Peters

Stille

Dingell  
Dunaskiss  
Emerson  
Emmons

Jaye  
Johnson  
Koivisto  
Leland

Rogers  
Schuette  
Schwarz

Van Regenmorter  
Vaughn  
Young

**Nays—0**

**Excused—0**

**Not Voting—0**

In The Chair: Schwarz

The question being on concurring in the committee recommendation to give the bill immediate effect,

The recommendation was concurred in, 2/3 of the members serving voting therefor.

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

“An act to reorganize, consolidate, and add to the election laws; to provide for election officials and prescribe their powers and duties; to prescribe the powers and duties of certain state departments, state agencies, and state and local officials and employees; to provide for the nomination and election of candidates for public office; to provide for the resignation, removal, and recall of certain public officers; to provide for the filling of vacancies in public office; to provide for and regulate primaries and elections; to provide for the purity of elections; to guard against the abuse of the elective franchise; to define violations of this act; to provide appropriations; to prescribe penalties and provide remedies; and to repeal certain acts and all other acts inconsistent with this act.”.

The Senate agreed to the full title.

By unanimous consent the Senate proceeded to consideration of the following bill:

**House Bill No. 4386, entitled**

A bill to amend 1986 PA 268, entitled “Legislative council act,” by amending section 601 (MCL 4.1601), as amended by 1993 PA 24.

The above bill was read a third time.

The question being on the passage of the bill,

The bill was passed, a majority of the members serving voting therefor, as follows:

**Roll Call No. 426**

**Yeas—38**

Bennett  
Bullard  
Byrum  
Cherry  
DeBeaussaert  
DeGrow  
Dingell  
Dunaskiss  
Emerson  
Emmons

Gast  
Goschka  
Gougeon  
Hammerstrom  
Hart  
Hoffman  
Jaye  
Johnson  
Koivisto  
Leland

McCotter  
McManus  
Miller  
Murphy  
North  
Peters  
Rogers  
Schuette  
Schwarz

Shugars  
Sikkema  
Smith, A.  
Smith, V.  
Steil  
Stille  
Van Regenmorter  
Vaughn  
Young

**Nays—0**

**Excused—0**

**Not Voting—0**

In The Chair: Schwarz

Senator Rogers moved that the bill be given immediate effect.

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

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

“An act to create the legislative council; to prescribe its membership, powers, and duties; to create a legislative service bureau to provide staff services to the legislature and the council; to provide for operation of legislative parking facilities; to create funds; to provide for the expenditure of appropriated funds by legislative council agencies; to authorize the sale of access to certain computerized data bases; to establish fees; to create the Michigan commission on uniform state laws; to create a law revision commission; to create a senate fiscal agency and a house fiscal agency; to create a Michigan capitol committee; to create a commission on intergovernmental relations; to prescribe the powers and duties of certain state agencies and departments; to repeal certain acts and parts of acts; and to repeal certain parts of this act on specific dates;”.

The Senate agreed to the full title.

By unanimous consent the Senate returned to consideration of the following bill:

**House Bill No. 4075, entitled**

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

The above bill was read a third time.

The question being on the passage of the bill,

The Assistant President pro tempore, Senator Hoffman, assumed the Chair.

Senator Jaye offered the following amendments:

1. Amend page 5, line 13, by striking out “62,000,000” and inserting “14,000,000”.
2. Amend page 5, line 19 by striking “24,750,000” and inserting “12,750,000”.
3. Amend page 6, line 2, by striking out “202,825,000” and inserting “141,075,000”.
4. Amend page 8, following line 18, by inserting:

**“DEPARTMENT OF EDUCATION**

**APPROPRIATION SUMMARY:**

GROSS APPROPRIATION .....	\$ 60,000,000
Interdepartmental grant revenues:	
Total interdepartmental grants and intradepartmental transfers .....	0
ADJUSTED GROSS APPROPRIATION.....	\$ 60,000,000
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 .....	\$ 60,000,000

**GRANTS AND DISTRIBUTIONS**

**STATE PROGRAMS**

Computers for classrooms.....	\$ 60,000,000
GROSS APPROPRIATION.....	\$ 60,000,000
Appropriated from:	
State general fund/general purpose .....	\$ 60,000,000”

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

The amendments were not adopted, a majority of the members serving not voting therefor.

Senator Jaye offered the following amendments:

1. Amend page 3, following line 19, by inserting:  
“Computers for public K-12 schools ..... \$ 60,000,000”.

2. Amend page 5, line 13, by striking out “62,000,000” and inserting “2,000,000” and adjusting the subtotals, totals, and section 201 accordingly.

3. Amend page 21, line 14, by striking out all of section 301.

The question being on the adoption of the amendments, Senator Jaye requested the yeas and nays.

The yeas and nays were not ordered, 1/5 of the members present not voting therefor.

The amendments were not adopted, a majority of the members serving not voting therefor.

Senator Schwarz offered the following amendments:

1. Amend page 16, following line 13, by inserting:

“Full-time equated classified positions .....2.0”.

2. Amend page 17, following line 10, by inserting:

“(4) TAX PROGRAMS

Full-time equated classified positions.....2.0

Enforcement ..... \$ 1,400,000

GROSS APPROPRIATION ..... \$ 1,400,000

Appropriated from:

State general fund/general purpose..... \$ 1,400,000”

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

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

“(n) Department of treasury, enforcement (estimated amount \$1,400,000.00).” and relettering the remaining subdivisions.

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

Senator Peters offered the following amendments:

1. Amend page 5, following line 23, by inserting:

“Grant to Detroit zoo for arctic ring of life ..... 5,000,000”.

2. Amend page 5, following line 24, by striking out “202,055,000” and inserting “207,055,000”.

3. Amend page 6, line 2, by striking out “202,825,000” and inserting “206,825,000” and adjusting the subtotals, totals, and section 201 accordingly.

The question being on the adoption of the amendments,

Senator V. Smith requested the yeas and nays.

The yeas and nays were ordered, 1/5 of the members present voting therefor.

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

**Roll Call No. 427**

**Yeas—19**

Byrum	Hart	Miller	Smith, A.
Cherry	Johnson	Murphy	Smith, V.
DeBeaussaert	Koivisto	Peters	Vaughn
Dingell	Leland	Schwarz	Young
Emerson	McCotter	Sikkema	

**Nays—19**

Bennett	Gast	Jaye	Shugars
Bullard	Goschka	McManus	Steil
DeGrow	Gougeon	North	Stille
Dunaskiss	Hammerstrom	Rogers	Van Regenmorter
Emmons	Hoffman	Schuette	

**Excused—0**

**Not Voting—0**

Senator Koivisto offered the following amendment:

1. Amend page 24, line 16, after "287.747." by inserting "Under no circumstances shall the indemnification payments made from this appropriation exceed \$250.00 per white tail deer ordered destroyed. This amendment shall be limited to claims made after the effective date of this act."

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

Senators V. Smith and Young offered the following amendments:

1. Amend page 5, following line 23, by inserting:

"Museum of African-American history ..... 2,500,000".

2. Amend page 6, line 2, by striking out "202,825,000" and inserting "204,325,000" and adjusting the subtotals, totals, and section 201 accordingly.

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

"Sec. 310. The funds appropriated in section 103 for the museum of African-American history shall be expended for renovations by the museum that are necessary to comply with the Americans with disabilities act, parking lot expansion, and renovation of galleries."

The amendments were not adopted, a majority of the members serving not voting therefor.

Senator V. Smith requested the yeas and nays.

The yeas and nays were ordered, 1/5 of the members present voting therefor.

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

**Roll Call No. 428**

**Yeas—17**

Byrum	Hart	Leland	Smith, A.
Cherry	Hoffman	Miller	Smith, V.
DeBeaussaert	Johnson	Murphy	Vaughn
Dingell	Koivisto	Peters	Young
Emerson			

**Nays—20**

Bennett	Gast	McCotter	Schwarz
Bullard	Goschka	McManus	Shugars
DeGrow	Gougeon	North	Steil
Dunaskiss	Hammerstrom	Rogers	Stille
Emmons	Jaye	Schuette	Van Regenmorter

**Excused—0**

**Not Voting—1**

Sikkema

In The Chair: Hoffman

Senators V. Smith and Young offered the following amendments:

1. Amend page 5, following line 23, by inserting:

"Museum of African-American history ..... 1,000,000".

2. Amend page 23 following line 20 by inserting:

"Sec. 310. The funds appropriated in section 103 for the museum of African-American history funds shall be expended for renovations by the museum that are necessary to comply with the Americans with disabilities act and parking lot expansion."

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

Senators Gast and Bennett offered the following amendments:

1. Amend page 33, following line 24, by inserting:

“Sec. 1307. Funds left unspent or unencumbered from appropriations from the environmental bond fund, cleanup and redevelopment fund, unclaimed bottle deposit fund, or the clean Michigan initiative fund shall not be spent for any site not included in 1989 PA 180, 1990 PA 55, 1990 PA 194, 1991 PA 31, 1991 PA 160, 1993 PA 74, 1993 PA 353, 1994 PA 442, 1996 PA 319, 1996 PA 353, 1997 PA 113, 1997 PA 114, 1998 PA 292, or House Bill No. 4065 of the 90th Legislature. After site evaluation is complete, no site shall receive in excess of \$2,000,000.00 from unspent and unencumbered appropriations without specific project authorization by the legislature. Prior to a specific project authorization by the legislature, the department shall provide the legislature with cost estimates for cleanup and rehabilitation of such sites.

Sec. 1308. (1) The department shall report all of the following information relative to allocations made in part 1 of House Bill No. 4065 of the 90th Legislature for the environmental cleanup and redevelopment program, state cleanup, emergency actions, superfund cleanup, and revitalization revolving loan fund, the brownfield grants and loans program, the NPL-municipal landfill match grants program, the waterfront redevelopment grant program, the leaking underground storage tank cleanup program, the contaminated lake and river sediments cleanup program, the nonpoint source pollution prevention and control projects program, and the environmental projects under section 19508(7) of the natural resources and environmental protection act, 1994 PA 451, MCL 324.19508, to the state budget director, the senate and house of representatives appropriations subcommittees on environmental quality, and the senate and house fiscal agencies:

- (a) The name and location of the site for which an allocation is made.
- (b) The nature of the problem encountered at the site.
- (c) The estimated time necessary to prepare plans or complete any necessary study if the allocation is for plans or a study.
- (d) A brief description of how the problem will be resolved if the allocation is for a response activity.
- (e) The estimated time to complete the response activity if the allocation is for a response activity.
- (f) The amount of the allocation, or the anticipated financing for the site.
- (g) A summary of the sites and the total amount of funds expended at the sites at the conclusion of the fiscal year.
- (h) The number of sites that would qualify as brownfields that were redeveloped.

(2) The report prepared shall also include the status of all state-owned facilities that are on the list compiled under part 201 of the natural resources and environmental protection act, 1994 PA 451, MCL 324.20101 to 324.20142.

(3) The report prepared shall be made available by March of each year.”.

2. Amend page 34, following line 4, by inserting:

“Enacting section 3. Sections 401 and 402 of Enrolled House Bill No. 4065 of the 90th Legislature are repealed.”.

The question being on the adoption of the amendments,

Senator Gast moved that further consideration of the amendments be postponed temporarily.

The motion prevailed.

The President pro tempore, Senator Schwarz, resumed the Chair.

Senator Byrum offered the following amendments:

- 1. Amend page 5, line 13, by striking out “62,000,000” and inserting “7,000,000”.
- 2. Amend page 6, line 2, by striking out “202,825,000” and inserting “146,825,000”.
- 3. Amend page 8, following line 18, by inserting:

**“DEPARTMENT OF EDUCATION**

**APPROPRIATION SUMMARY:**

GROSS APPROPRIATION .....	\$ 50,275,700
Interdepartmental grant revenues:	
Total interdepartmental grants and intradepartmental transfers .....	0
ADJUSTED GROSS APPROPRIATION.....	\$ 50,275,700
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 .....	\$ 50,275,700
<b>GRANTS AND DISTRIBUTIONS</b>	
<b>STATE PROGRAMS</b>	
Class size reduction initiative .....	\$ 50,275,700
GROSS APPROPRIATION.....	\$ 50,275,700

Appropriated from:

State general fund/general purpose ..... \$ 50,275,700”  
and adjusting the subtotals, totals, and section 201 accordingly.

The question being on the adoption of the amendments,

Senator Shugars offered the following amendments to the amendments:

1. Amend Senator Byrum’s amendment No. 1, page 5, line 13, by striking out “62,000,000” and inserting “37,000,000”.

2. Amend Senator Byrum’s amendment No. 2, page 6, line 2, by striking out “146,825,000” and inserting “151,825,000”.

3. Amend Senator Byrum’s amendment, following amendment No. 1, by inserting:

“2. Amend page 5, line 17, by striking out “35,000,000” and inserting “10,000,000” and renumbering the remaining amendments.

The amendments to the amendments were adopted.

The question being on the adoption of the amendments, as amended,

Senator Byrum withdrew the amendments.

Senator Peters offered the following amendment:

1. Amend page 5, following line 23, by inserting:

“Grant to Detroit zoo for arctic ring of life .....1,000,000”.

2. Amend page 5, following line 24, by striking out “202,055,000” and inserting “203,055,000” and adjusting the subtotals, totals, and section 201 accordingly.

The amendments were not adopted, a majority of the members serving not voting therefor.

Senators Gast and Bennett offered the following amendments:

1. Amend page 33, following line 24, by inserting:

“Sec. 1307. Funds left unspent or unencumbered from appropriations from the environmental bond fund, cleanup and redevelopment fund, unclaimed bottle deposit fund, or the clean Michigan initiative fund shall only be spent for sites included in 1989 PA 180, 1990 PA 55, 1990 PA 194, 1991 PA 31, 1991 PA 160, 1993 PA 74, 1993 PA 353, 1994 PA 442, 1996 PA 319, 1996 PA 353, 1997 PA 113, 1997 PA 114, 1998 PA 292, or House Bill No. 4065 of the 90th Legislature. After site evaluation is complete, no site shall receive in excess of \$2,000,000.00 from unspent and unencumbered appropriations without specific project authorization by the legislature. Prior to a specific project authorization by the legislature, the department shall provide the legislature with cost estimates for cleanup and rehabilitation of such sites.

Sec. 1308. (1) The department shall report all of the following information relative to allocations made in part 1 of House Bill No. 4065 of the 90th Legislature for the environmental cleanup and redevelopment program, state cleanup, emergency actions, superfund cleanup, and revitalization revolving loan fund, the brownfield grants and loans program, the NPL-municipal landfill match grants program, the waterfront redevelopment grant program, the leaking underground storage tank cleanup program, the contaminated lake and river sediments cleanup program, the nonpoint source pollution prevention and control projects program, and the environmental projects under section 19508(7) of the natural resources and environmental protection act, 1994 PA 451, MCL 324.19508, to the state budget director, the senate and house of representatives appropriations subcommittees on environmental quality, and the senate and house fiscal agencies:

- (a) The name and location of the site for which an allocation is made.
- (b) The nature of the problem encountered at the site.
- (c) The estimated time necessary to prepare plans or complete any necessary study if the allocation is for plans or a study.
- (d) A brief description of how the problem will be resolved if the allocation is for a response activity.
- (e) The estimated time to complete the response activity if the allocation is for a response activity.
- (f) The amount of the allocation, or the anticipated financing for the site.
- (g) A summary of the sites and the total amount of funds expended at the sites at the conclusion of the fiscal year.
- (h) The number of sites that would qualify as brownfields that were redeveloped.

(2) The report prepared shall also include the status of all sites for which the state is a responsible party that are on the list compiled under part 201 of the natural resources and environmental protection act, 1994 PA 451, MCL 324.20101 to 324.20142.

(3) The report prepared shall be made available by March of each year.”.

2. Amend page 34, following line 4, by inserting:

“Enacting section 3. Section 402 of Enrolled House Bill No. 4065 of the 90th Legislature is repealed.”.

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

By unanimous consent the Senate returned to consideration of the first set of amendments offered by Senators Gast and Bennett.

The question being on the adoption of the amendments,

Senator Gast withdrew the amendments.

The question being on the passage of the bill,  
The bill was passed, a majority of the members serving voting therefor, as follows:

**Roll Call No. 429****Yeas—31**

Bennett	Goschka	McManus	Smith, A.
Bullard	Gougeon	Murphy	Smith, V.
Cherry	Hammerstrom	North	Steil
DeGrow	Hart	Peters	Stille
Dunaskiss	Johnson	Rogers	Van Regenmorter
Emerson	Koivisto	Schuette	Vaughn
Emmons	Leland	Schwarz	Young
Gast	McCotter	Sikkema	

**Nays—7**

Byrum	Dingell	Jaye	Shugars
DeBeaussaert	Hoffman	Miller	

**Excused—0****Not Voting—0**

In The Chair: Schwarz

The question being on concurring in the committee recommendation to give the bill immediate effect,  
The recommendation was concurred in, 2/3 of the members serving voting therefor.  
The Senate agreed to the title of the bill.

**Protests**

Senators Byrum and Jaye, under their constitutional right of protest (Art. 4, Sec. 18), protested against the passage of House Bill No. 4075.

Senator Byrum's statement is as follows:

Regrettably, I voted "no" on House Bill No. 4075. I thought it was a very bad precedent when we appropriated general fund/general purpose dollars to build a convention center in Port Huron and Grand Rapids. It's the wrong thing to do. It's opened the floodgates for every municipality in this state to approach the Legislature to have us help them build their local convention center. I urge the Governor to veto this item, and therefore, I voted "no."

Senator Jaye moved that the statements he made during the discussion of the amendments he offered be printed as his reasons for voting "no."

The motion prevailed.

Senator Jaye's first statement is as follows:

Mr. President and Senate colleagues, setting a state budget should be similar to the way families set their budgets and businesses set theirs. There are essentials, and then there are luxuries.

What I believe is a luxury, in fact, really an excess, is \$60 million for a convention center in Grand Rapids. I remember in the early 1980s when Cobo Hall expansion was first proposed, the taxpayers of Macomb, Oakland and Wayne Counties were forced to pay higher hotel accommodations tax, higher restaurant taxes and taxi cab fees in order to pay for the Cobo Hall expansion. We were forced to pay for that in Macomb and Oakland Counties even though we knew conventioners rarely, if ever, would drive the 12 or farther miles out to Macomb or Oakland County. Conventioners usually stay in the downtown area.



What we have here now is instead of having the local units of government pay through higher taxes for the benefit of a convention center, we're going to have the entire state of Michigan pay \$60 million—\$60 million—for a convention center in Grand Rapids.

What my amendment proposes instead is to cut half of the arts grants for southeast Michigan—from my area—and also cut approximately \$48 million of the state grants to Grand Rapids and to use the money instead for computers for local schools. I believe by putting an additional computer in every classroom in the state of Michigan, we would better serve the economic competitiveness of our employers. We would better serve the wage-earning power of our employees as opposed to spending \$60 million for the comfort, entertainment and distractions of conventioners, most of whom aren't even Michigan residents.

So I request your support for us to set some priorities in our spending to have this money not go for a convention center, but rather to go for a computer in each of the classrooms in the state of Michigan. This is a shared sacrifice both from southeast Michigan for the arts grants, which are also a luxury, and for a convention center in Grand Rapids. So it's a balanced amendment. It sets priorities, and I believe it makes a statement to the taxpayers that we're going to make the children, the future workers, a priority over conventioners and leisure activity. I request your support.

Senator Jaye's second statement is as follows:

Mr. President and Senate colleagues, in my first amendment I tried to share the sacrifice between Grand Rapids and southeast Michigan. That didn't succeed. So this amendment is a surgically focused and targeted amendment. It says, "What are your priorities?" Do we spend \$60 million from the state general fund statewide from the Upper Peninsula, from northern Michigan, from the suburban area, from mid-Michigan? Do we spend it in one location, one city—\$60 million—or do we instead take that \$60 million and put a new computer in every classroom in every public school throughout the 83 counties in the state of Michigan?

If the city of Grand Rapids wants to have additional taxing authority to tax themselves, and if they have the courage to present to the voters for approval for a new tax to pay for a convention center, let them! I'll help them! But to force the entire state of Michigan—the UP, northern Michigan, southeast Michigan, mid-Michigan, west Michigan—to pay for a convention center to benefit people who aren't even mostly Michigan residents compared to my proposal to spend the \$60 million to put a new computer in each of the classrooms, I believe that the choice is clear. Let's vote not for conventioners but for children, another word that begins with a "c" but has more of a daily and long-term societal, educational and economic impact and benefit and multiplier effect both for the employers and for the parents and for the neighbors and the future of the state of Michigan.

I hope you'll vote for the future. I hope you vote for schoolchildren. I hope you'll vote for this amendment to spend the \$60 million to deliver a brand-new computer in each of the school classrooms in the state of Michigan.

By unanimous consent the Senate returned to the order of

### **Messages from the House**

By unanimous consent the Senate proceeded to consideration of the following bill:

#### **Senate Bill No. 51, entitled**

A bill to amend 1954 PA 116, entitled "Michigan election law," by amending section 613a (MCL 168.613a), as amended by 1995 PA 87.

(The recommendation for immediate effect was not concurred in on June 9 and the motion to reconsider the vote postponed. See Senate Journal No. 54, p. 945.)

The question being on the motion to reconsider the vote by which the recommendation for immediate effect was not concurred in,

The motion prevailed.

The question being on concurring in the committee recommendation to give the bill immediate effect,

The recommendation was concurred in, 2/3 of the members serving voting therefor.

The Senate agreed to the full title.

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

#### **Senate Bill No. 466, entitled**

A bill to amend 1933 PA 167, entitled "General sales tax act," (MCL 205.51 to 205.78) by adding section 4r. Substitute (H-1).

The question being on concurring in the substitute made to the bill by the House,

The substitute was concurred in, a majority of the members serving voting therefor, as follows:

**Roll Call No. 430****Yeas—38**

Bennett	Gast	McCotter	Shugars
Bullard	Goschka	McManus	Sikkema
Byrum	Gougeon	Miller	Smith, A.
Cherry	Hammerstrom	Murphy	Smith, V.
DeBeaussaert	Hart	North	Steil
DeGrow	Hoffman	Peters	Stille
Dingell	Jaye	Rogers	Van Regenmorter
Dunaskiss	Johnson	Schuette	Vaughn
Emerson	Koivisto	Schwarz	Young
Emmons	Leland		

**Nays—0****Excused—0****Not Voting—0**

In The Chair: Schwarz

The question being on concurring in the committee recommendation to give the bill immediate effect,  
 The recommendation was concurred in, 2/3 of the members serving voting therefor.  
 The Senate agreed to the title as amended.  
 The bill was referred to the Secretary for enrollment printing and presentation to the Governor.

**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 House of Representatives has passed the bill, ordered that it be given immediate effect and pursuant to Joint Rule 20, inserted the full title.

The question being on concurring in the committee recommendation to give the bill immediate effect,  
 The recommendation was concurred in, 2/3 of the members serving voting therefor.  
 The Senate agreed to the full title.  
 The bill was referred to the Secretary for enrollment printing and presentation to the Governor.

**House Bill No. 4240, entitled**

A bill to amend 1976 PA 451, entitled "An act to provide a system of public instruction and elementary and secondary schools; to revise, consolidate, and clarify the laws relating to elementary and secondary education; to provide for the organization, regulation, and maintenance of schools, school districts, public school academies, and intermediate school districts; to prescribe rights, powers, duties, and privileges of schools, school districts, public school academies, and intermediate school districts; to provide for the regulation of school teachers and certain other school employees; to provide for school elections and to prescribe powers and duties with respect thereto; to provide for the levy and collection of taxes; to provide for the borrowing of money and issuance of bonds and other evidences of indebtedness; to establish a fund and provide for expenditures from that fund; to provide for and prescribe the powers and duties of certain state departments, the state board of education, and certain other boards and officials; to provide for licensure of boarding schools; to prescribe penalties; and to repeal acts and parts of acts," (MCL 380.1 to 380.1852) by adding sections 1308, 1310, and 1310a.

The House of Representatives has substituted (H-3) the Senate substitute (S-3).

The House of Representatives has concurred in the Senate substitute (S-3) as substituted (H-3) and agreed to the title.

Pending the order that, under rule 3.202, the bill be laid over one day, Senator Rogers moved that the rule be suspended.

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

The question being on concurring in the House substitute made to the Senate substitute, Senator A. Smith offered the following amendment to the substitute:

1. Amend page 8, line 7, after “EXPULSION.” by inserting “THE REPORT SHALL ALSO INCLUDE:

(A) THE DATE AND REASON FOR THE EXPULSION.

(B) THE EDUCATIONAL PLACEMENT OF THE EXPELLED INDIVIDUAL DURING THE EXPULSION.

(C) THE DISPOSITION OF ANY REINSTATEMENT PROCEEDINGS.

(D) THE AGE, SEX, RACE, AND ETHNICITY OF THE EXPELLED INDIVIDUAL.

(2) AT LEAST ANNUALLY, THE SUPERINTENDENT SHALL SUBMIT TO THE LEGISLATURE A REPORT ON EXPULSIONS, EDUCATIONAL PLACEMENTS, AND REINSTATEMENTS, WITH DATA DESEGREGATED BY AGE, SEX, RACE, AND ETHNICITY.” and renumbering the remaining subsections.

The amendment to the substitute was not adopted.

Senator A. Smith requested the yeas and nays.

The yeas and nays were ordered, 1/5 of the members present voting therefor.

The amendment to the substitute was not adopted, a majority of the members not voting therefor, as follows:

**Roll Call No. 431**

**Yeas—18**

Byrum	Goschka	Leland	Smith, A.
Cherry	Hammerstrom	Miller	Smith, V.
DeBeaussaert	Hart	Murphy	Vaughn
Dingell	Johnson	Peters	Young
Emerson	Koivisto		

**Nays—20**

Bennett	Gast	McManus	Shugars
Bullard	Gougeon	North	Sikkema
DeGrow	Hoffman	Rogers	Steil
Dunaskiss	Jaye	Schuette	Stille
Emmons	McCotter	Schwarz	Van Regenmorter

**Excused—0**

**Not Voting—0**

In The Chair: Schwarz

**Protests**

Senators Bennett, Gougeon, North and McManus, under their constitutional right of protest (Art. 4, Sec. 18), protested against the amendment offered by Senator A. Smith to House Bill No. 4240.

Senator Bennett moved that the statements he made during the discussion of the amendment be printed as his reasons for voting “no.”

The motion prevailed.

Senator Bennett's first statement, in which Senators Gougeon, North and McManus concurred, is as follows:  
I would urge a "no" vote on this amendment, though not all of it is bad.

The Senator from the 18th District, the Ann Arbor district area, would like the report coming here to the Legislature. That's a great idea. The bill, in fact, directs the report to the state school superintendent. I believe we'd get it, but it would be great to have it coming to the Legislature. But I believe we already have sufficient reporting requirements that are in the bill.

This is about school safety. This is about making sure that we have a handle on the violence that may occur in the schools. It is having the local districts, in fact, report to us the number of occurrences and the reasons for the occurrences. There's a lot of information in here that I believe simply is not needed. We need to know when and where it is occurring and the frequency. So I would urge a "no" vote on this, but if the maker of the amendment would like to make an amendment that would bring the report here to the Legislature, I'd be more than happy to support that.

Senator Bennett's second statement, in which Senators Gougeon, North and McManus concurred, is as follows:

I rise to, first of all, offer an apology. In my remarks before, I said that I'd be happy to accept number 2, as far as a report coming back to the Legislature. Well, I absolutely would be happy to have that happen, but we have a procedural problem that was just brought to my attention. I should have been aware of that, but I didn't stop to think about it—and that is that we are at the end of session. We may or may not be in tomorrow, and if we make a change on this, it goes back to the House. And if they should then make a change, we may not be here to be able to react to that change.

We need to do this as a clean bill so we can be assured that, in fact, we have a bill in place for this fall so that we can address student violence in the state of Michigan. I am concerned that if we do not pass this here now as a clean bill, we could get caught up in the end of session problem. So I would urge a "no" vote on this amendment.

Senator A. Smith offered the following amendment to the substitute:

1. Amend page 8, following line 7, by inserting:

"(2) AT LEAST ANNUALLY, THE SUPERINTENDENT SHALL SUBMIT TO THE LEGISLATURE A REPORT ON EXPULSIONS, EDUCATIONAL PLACEMENTS, AND REINSTATEMENTS, WITH DATA DESEGREGATED BY AGE, SEX, RACE, AND ETHNICITY." and renumbering the remaining subsections.

The amendment to the substitute was not adopted.

Senator A. Smith requested the yeas and nays.

The yeas and nays were ordered, 1/5 of the members present voting therefor.

The amendment to the substitute was not adopted, a majority of the members not voting therefor, as follows:

**Roll Call No. 432**

**Yeas—19**

Byrum	Goschka	Leland	Smith, A.
Cherry	Hammerstrom	Miller	Smith, V.
DeBeaussaert	Hart	Murphy	Vaughn
Dingell	Johnson	Peters	Young
Emerson	Koivisto	Schwarz	

**Nays—19**

Bennett	Gast	McManus	Sikkema
Bullard	Gougeon	North	Steil
DeGrow	Hoffman	Rogers	Stille
Dunaskiss	Jaye	Schuette	Van Regenmorter
Emmons	McCotter	Shugars	

**Excused—0**

**Not Voting—0**

### Protests

Senators Bennett, Gougeon, and North, under their constitutional right of protest (Art. 4, Sec. 18), protested against the adoption of the amendment offered by Senator A. Smith to House Bill No. 4240.

Senator Bennett moved that the statements he made during the discussion of the amendment be printed as his reasons for voting “no.”

The motion prevailed.

Senator Bennett’s statement, in which Senators Gougeon and North concurred, is as follows:

I rise to request a “no” vote on the Smith amendment. I agree with the policy. It is certainly not a bad policy. But I am concerned about the timing and that we might inadvertently get caught up in just the timing and the hours left before recess. We might not be able to pass a bill that would then be in effect for this fall. For that reason and that reason only, I ask for a “no” vote.

The question being on concurring in the House substitute made to the Senate substitute,

The substitute was concurred in, a majority of the members serving voting therefor, as follows:

### Roll Call No. 433

**Yeas—38**

Bennett	Gast	McCotter	Shugars
Bullard	Goschka	McManus	Sikkema
Byrum	Gougeon	Miller	Smith, A.
Cherry	Hammerstrom	Murphy	Smith, V.
DeBeaussaert	Hart	North	Steil
DeGrow	Hoffman	Peters	Stille
Dingell	Jaye	Rogers	Van Regenmorter
Dunaskiss	Johnson	Schuetz	Vaughn
Emerson	Koivisto	Schwarz	Young
Emmons	Leland		

**Nays—0**

**Excused—0**

**Not Voting—0**

In The Chair: Schwarz

Senator Schwarz asked and was granted unanimous consent to make a statement and moved that the statement be printed in the Journal.

The motion prevailed.

Senator Schwarz’s statement is as follows:

I would like to take a point of personal privilege as other members have introduced office interns who are leaving this time of year. I have an intern leaving my office, a graduate of Okemos High School, who will be attending the University of Michigan in the honors college this fall.

What a serendipitous choice you’ve made, Kate!

She’s been an intern in my office for almost two years, has a great deal of insight and persistence, is an excellent writer and has an excellent attendance record. I know she will be a tremendous student and a great success at the University of Michigan.

I would like my colleagues to join me in wishing Kate Madigan well as she transits from Okemos High School through the Legislature to Ann Arbor.

**Senate Bill No. 183, entitled**

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

The House of Representatives has passed the bill, ordered that it be given immediate effect and pursuant to Joint Rule 20, inserted the full title.

The question being on concurring in the committee recommendation to give the bill immediate effect,

The recommendation was concurred in, 2/3 of the members serving voting therefor.

The Senate agreed to the full title.

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

**Senate Bill No. 206, entitled**

A bill to amend 1976 PA 451, entitled "The revised school code," (MCL 380.1 to 380.1852) by adding section 1311a.

The House of Representatives has passed the bill, ordered that it be given immediate effect and pursuant to Joint Rule 20, inserted the full title.

The question being on concurring in the committee recommendation to give the bill immediate effect,

The recommendation was concurred in, 2/3 of the members serving voting therefor.

The Senate agreed to the full title.

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

**Senate Bill No. 303, entitled**

A bill to amend 1986 PA 268, entitled "Legislative council act," by amending section 203 (MCL 4.1203).

The House of Representatives has passed the bill, ordered that it be given immediate effect and pursuant to Joint Rule 20, inserted the full title.

Senator Rogers moved that the bill be given immediate effect.

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

The Senate agreed to the full title.

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

**Senate Bill No. 496, entitled**

A bill to authorize the department of natural resources to convey certain state owned property in Macomb county; to prescribe conditions for the conveyance; and to provide for disposition of the revenue from the conveyance.

The House of Representatives has passed the bill and ordered that the bill be given immediate effect.

The question being on concurring in the committee recommendation to give the bill immediate effect,

The recommendation was concurred in, 2/3 of the members serving voting therefor.

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

By unanimous consent the Senate returned to the order of

**Conference Reports**

Senator Rogers moved that the following bill be given immediate effect:

**Senate Bill No. 79,**

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

By unanimous consent the Senate returned to the order of

**Messages from the Governor**

The following message from the Governor was received:

Date: June 14, 1999

Time: 3:18 p.m.

To the President of the Senate:

Sir—I have this day approved and signed

**Enrolled Senate Bill No. 484 (Public Act No. 49), being**

An act to amend 1961 PA 120, entitled "An act to authorize the development or redevelopment of principal shopping districts of certain cities; to permit the creation of certain boards; and to authorize the collection of revenue and the

bonding of certain cities for the development or redevelopment projects,” by amending the title and sections 1, 2, 3, 4, and 5 (MCL 125.981, 125.982, 125.983, 125.984, and 125.985), as amended by 1992 PA 146.

(Filed with the Secretary of State on June 15, 1999, at 2:46 p.m.)

Respectfully,  
John Engler  
Governor

The following message from the Governor was received on June 11, 1999, and read:

EXECUTIVE ORDER  
No. 1999 - 4

**Michigan Commission on End of Life Care  
Michigan Department of Community Health**

Whereas, the citizens of Michigan endorse humane and dignified treatment during life and at the end of life. Ninety percent of all citizens will experience a terminal phase of disease prior to death; and

Whereas, physician-assisted suicide raises moral and ethical questions for physicians, policy-makers, patients and their families; and

Whereas, last November, Michigan voters were offered the choice of whether or not the state should decriminalize the practice of physician-assisted suicide and voted overwhelmingly to reject such a plan; and

Whereas, although many laws to address end of life issues exist and ensure individual autonomy in health care decisions, the individuals are often unaware of their right to make decisions to receive, continue, discontinue or refuse medical treatment; and

Whereas, the subject of appropriate pain management practices has long been a concern of patients, medical practitioners, regulatory boards and state legislators. The whole spectacle of assisted suicide has made treatment of intractable pain a significant societal issue; and

Whereas, research indicates that barriers exist to adequate and appropriate use of prescription drugs for pain management and for the provision of end of life care; and

Whereas, the quality of end of life care is dependent in part upon the quality of the education and training of present and future physicians, nurses, and other health care professionals. The undergraduate, graduate and continuing education, including residency training, for physicians, nurses, and other health professionals plays a critical role in preparing care providers to deliver high quality end of life care; and

Whereas, the public and many private organizations including, but not limited to, health professional organizations, religious organizations, and trade associations have established committees and working groups to study and recommend actions to improve the quality of end of life care. The opinions and recommendations of these organizations and the public are considered of great value.

Now, Therefore, I, John Engler, Governor of the state of Michigan, pursuant to the powers vested in me by the Constitution of the state of Michigan of 1963 and the laws of the state of Michigan, do hereby order the following:

A. Establishment of the Michigan Commission on End of Life Care

1. The Michigan Commission on End of Life Care (“Commission”) is established by this Executive Order in the Michigan Department of Community Health (“Department”).

2. The Commission shall consist of 17 members to be appointed by the Governor. The Commission shall serve at the pleasure of the Governor. The Governor shall designate one (1) member of the Commission to serve as its chair and who shall serve as chair at the pleasure of the Governor. Members of the Commission shall attend Commission meetings in person, and shall not delegate their responsibilities to other persons.

B. Charge to the Commission:

1. The Commission shall, by whatever means the Commission deems appropriate, identify, compile and consider recommendations for improving end of life care from the public and private organizations throughout Michigan.

2. The Commission shall recommend model state and institutional policies with respect to end of life care, including an examination and compilation of the best ideas of multiple groups currently engaged in examining end of life issues and shall consider these in the development of the Commission’s final report.

3. The Commission shall coordinate their efforts with other groups actively engaged in addressing end of life issues, including but not limited to, the Circle of Life Committee in the Department of Community Health and the Advisory Committee on Pain and Symptom Management in the Michigan Department of Consumer and Industry Services.

4. The Commission shall identify and evaluate any existing barriers that result in inadequate end of life care in Michigan and, where appropriate, make recommendations for elimination or mitigation of such barriers.

5. The Commission shall evaluate the adequacy of education associated with end of life care being provided in Michigan schools of medicine, Michigan schools of nursing and in other health professional education programs and, where appropriate, make recommendations to improve such education.

6. The Commission shall evaluate the adequacy of the level and degree of graduate medical education being provided in Michigan residency programs associated with end of life care and, where appropriate, make recommendations for changes to improve such graduate medical education training.

7. The Commission shall survey availability and cost of public and private insurance coverage for hospice, pain management, and palliative care.

8. The Commission shall recommend, where appropriate, state policies concerning end of life care related to continuing medical education for health professionals licensed in Michigan.

9. The Commission shall inventory existing resources available to citizens for end of life planning and produce a guide of these resources for the general public.

#### C. Work Products

The Commission shall produce the following work products:

1. No later than fifteen (15) months after the effective date of this Executive Order, the Commission shall issue a final report to the Governor and the legislature containing its recommended model state and institutional policies and the rationale of the Commission supporting their adoption.

2. The results of the Commission's survey on the availability and cost of public and private insurance coverage for hospice, pain management, and palliative care.

3. An inventory of existing resources available to Michigan citizens for end of life planning, published in the form of a Resource Guide for distribution to the general public.

#### D. Operations of the Commission:

1. Members of the Commission shall serve without compensation. Members of the Commission may receive reimbursement for necessary travel and expenses according to relevant procedures of the Civil Service Commission and the Department of Management and Budget.

2. The Commission may adopt rules of procedure, not inconsistent with Michigan law and with this Executive Order, governing its organization and operations. A majority of the serving members constitutes a quorum for the transaction of business at a meeting, notwithstanding the existence of one (1) or more vacancies. Voting upon actions taken by the Commission shall be conducted by a majority vote of the members present in person at a meeting of the Commission.

3. The Commission shall meet at the call of the chair and as may be provided in the rules of procedure of the Commission. Meetings of the Commission may be held anywhere within the state of Michigan.

4. The Commission shall establish one or more work groups to investigate and analyze specific issues, consistent with the charge of the Commission, concerning end of life care. The chair of the Commission, or a member of the Commission designated by the chair, shall be an ex officio member of each work group established by the Commission. Work groups shall recommend proposed state statutory, institutional or administrative policies to the Commission, consistent with the Commission's charge. The Commission may adopt, reject, or modify policies proposed by work groups for inclusion in its final report to the Governor and the legislature.

5. The Commission may apply for, receive, and expend monies from any source, public or private, including but not limited to gifts, grants, donations of monies and government appropriations. The Commission may also accept donations of labor, services, or other things of value from any public or private agency or person. The Commission may expend monies for its operations and contract for the services of such staff, agents, and consultants as it deems necessary to fulfill its responsibilities.

6. Prior to the first meeting of the Commission, the chair of the Commission shall notify members of the time and location of the first meeting of the Commission, establish the agenda for the first meeting, provide members of the Commission with any preparatory materials for the first meeting and make any other arrangements necessary for the start-up of the Commission.

7. The Department, or a non-profit corporation established by the Department pursuant to Act No. 264 of the Public Acts of 1989, shall provide management-related functions to the Commission including, but not limited to, contract management, personnel, accounting, and procurement services.

8. The Chairperson of the Commission shall regularly report on the Commission's progress to the Governor or his designee.

#### E. Miscellaneous Provisions

1. All departments, boards, commissions or officers of the state or of any political subdivision of the state shall give to the Commission, or to any member or agent thereof, any necessary assistance required by the Commission, or any agent of the Commission, in the performance of the duties of the Commission so far as is compatible with its, his or her duties; free access shall also be given to any books, records or documents in its, his or her custody, relating to matters within the scope of the inquiry, study or investigation of the Commission.

2. The Chairperson of the Commission, or his or her designee, including but not limited to, a work group established by the Commission, and any staff, agents, or consultants to the Commission, shall make themselves available to testify before the legislature, as necessary, to effect the enactment of the Commission's recommended policies into law.

3. Members of the Commission shall refer all legislative and media contacts to the Department.



The provisions of this Executive Order shall become effective upon filing.

[SEAL]

Given under my hand and the Great Seal of the State of Michigan this 11th day of June, in the Year of our Lord, One Thousand Nine Hundred Ninety-nine.

John Engler  
Governor

By the Governor:  
Candice S. Miller  
Secretary of State

The Executive Order was referred to the Secretary for record.

By unanimous consent the Senate returned to the order of  
**Motions and Communications**

The following communication was received:  
Six County Employment Alliance Michigan Works!

June 1, 1999

In accordance with 20 CFR 628.425, which delegated to the Governor authority to establish procedures for the approval of job training plans developed in accordance with the Job Training Partnership Act, the Six County Employment Alliance is submitting summaries of the following for review:

1. JTPA Title IIA (Adult, Economically Disadvantaged)
2. JTPA Title IIA 5% (Older Worker, Economically Disadvantaged)
3. JTPA Title IIC (Youth, Economically Disadvantaged)
4. JTPA Title IIB (Summer Youth Employment and Training Program)
5. JTPA Title III (EDWAAA)

If you have any questions regarding these plan summaries or need additional information, please contact Jonelle Thibault at (906) 789-0558.

Sincerely,  
Orrin E. Bailey  
CEO

The communication was referred to the Secretary for record.

The following communication was received:  
Kalamazoo-St. Joseph Workforce Development Board Michigan Works!

June 8, 1999

The Kalamazoo-St. Joseph Workforce Development Board is pleased to present to you a copy of the *Executive Summary of Workforce Development Strategies for PY1999* for programs funded under the Job Training Partnership Act (JTPA). These plans represent the final year of JTPA. On July 1, 2000, the Workforce Investment Act's services will be implemented in the Kalamazoo-St. Joseph Michigan Works! Area.

We trust that you will have an opportunity to review this summary. Except for minor variations, activities planned for PY 1999 are the same as which were available in program year 1998.

Should you desire a copy of the full plan for any or all of these programs, please feel free to contact me. As well, any questions you may have on these activities should be directed to the undersigned.

Respectfully,  
Craig Schreuder  
Deputy Director, MWA

The communication was referred to the Secretary for record.

The following communication was received:  
Macomb/St. Clair Workforce Development Board Michigan Works!

June 11, 1999

Enclosed are synopses of Program Year 1999 Job Training Partnership Act (JTPA) plans for the Macomb/St. Clair Michigan Works Area. The JTPA Title IIA program provides employment and training opportunities to economically disadvantaged adults; the Title IIA 5% program provides employment and training opportunities to older workers 55 years of age and older; the Title IIB program provides employment and training opportunities to economically disadvantaged youth ages 14 through 21 during the summer; the Title IIC program provides employment and training opportunities for economically disadvantaged youth ages 16 through 21 throughout the school year; and the Title III EDWAAA program provides services for those individuals who are dislocated from employment.

Complete plans for all programs are available for review and comment at the administrative offices of the Macomb/St. Clair Workforce Development Board, VerKuilen Building, 21885 Dunham Road, Suite 11, Clinton Township, MI 48036-1030. A copy of a complete plan can also be provided by calling (810) 469-5220. If requested, large print can also be provided.

Sincerely,  
John H. Bierbusse  
Executive Director

The communication was referred to the Secretary for record.

The following communications were received:  
Office of the Auditor General

June 11, 1999

Enclosed is a copy of the following audit report and/or executive digest:  
Financial Audit, Including the Provisions of the Single Audit Act, of the Department of Consumer and Industry Services, October 1, 1995, through September 30, 1997.

June 11, 1999

Enclosed is a copy of the following audit report and/or executive digest:  
Performance Audit of the Washtenaw County Community Mental Health Board, an Agency Under Contract with the Department of Community Health, June 1999.

Sincerely,  
Thomas H. McTavish, C.P.A.  
Auditor General

The communications were referred to the Secretary for record.

The Secretary announced that the Majority Leader has made the appointment of the following standing committees:  
**Appropriations** - Senator Johnson replacing Senator Steil.

**Banking and Financial Institutions** - Senators Steil (C), Emmons (VC), Rogers, Shugars, Miller (MVC), Cherry and V. Smith.

**Financial Services** - Senator Bullard replacing Senator Johnson as a member and replacing Senator Emmons as Chairperson.

**Gaming and Casino Oversight** - Senator Steil replacing Senator McCotter.

**Government Operations** - Senator McCotter replacing Senator Bullard.

**Human Resources, Labor, Senior Citizens and Veterans Affairs** - Senator Steil replacing Senator McCotter as a member; Senator Schuette as Vice Chairperson.

**Transportation and Tourism** - Senator Steil replacing Senator Johnson.

The standing committee appointments were approved, a majority of the members serving voting therefor.

The Secretary announced that the Majority Leader has made the appointment of the following select committee:

**Wayne County Detroit Metropolitan Airport (HCR 43)** - Senators Steil, Hoffman and Leland.

The select committee appointments were approved, a majority of the members serving voting therefor.

By unanimous consent the Senate proceeded to the order of

### Statements

Senators Schuette and Miller asked and were granted unanimous consent to make statements and moved that the statements be printed in the Journal.

The motion prevailed.

Senator Schuette's statement is as follows:

I rise for this statement to speak for a few minutes about the Michigan urban homestead act, which was a major legislative accomplishment of this soon-to-be first session of 1999.

As you may remember and as my colleagues do and those listening in offices throughout this city, we put together the first in the nation, a framework to provide families who live in public housing the opportunity to own their home. This was a three-year project that involved so many people across Michigan and certainly in this state Capitol. It was a bipartisan initiative, I'm proud to say, and I certainly appreciate the efforts of my Republican colleagues and friends, Senators Sikkema, Steil and Hammerstrom and all the members of my Republican team who moved this forward and who were patient with me and certainly the efforts of my Democratic friends and colleagues, Senators Virgil Smith, Gary Peters, Bob Emerson and also some Democratic colleagues in the House, Pat Lockwood, Jack Minore and Triette Reeves. Suffice it to say, we had a broad number of people working together on this.

With respect to the House Chamber, Representative Birkholz was a stand-out. She did a tremendous job, and certainly Representative Birkholz and I worked together to exemplify House-Senate cooperation in terms of public policy accomplishments. I thank her and Sally Durfee and Bill Anderson, as well.

The Hudson Institute was a policy group based in Indianapolis who was instrumental and met on the ground with so many mayors and city council officials and county treasurers—local officials throughout Michigan. I certainly want to thank John Weicher and Pat Anderson and Jeff Reno, the Hudson trio, who did such a remarkable job in putting this together and helping form a coalition.

Now we did have a broad coalition of interested parties, whether it's the Municipal League with Scott Schragger, Steve Leidel with the County Treasurers and Dianne Hardy. It was just tremendous, representing county treasurers across the state of Michigan.

The Treasury Department, Mark Murray and Fred Hadden and Mike Green were tremendously receptive to this new initiative, and I thank them.

Bret Marr from the Administration toiled on this even when he worked for me as a staff member of the economic development committee.

To the Democratic staff members, Marty Gibbs and Mike Griffith, I say, "Thank you."

Our Republican policy team was stand-out, A-No.1. I really want to thank Bob Zambiasi, who was the economic development staff member, and the superb and just magnificent talents of Richard Barclay—I thank him as well.

The bill drafters never get thanked. Jon Bassett and Fred Doherty, we appreciate how patient you were in this whole effort.

And certainly my own staff, Melanie Meengs and Phil Ginotti and my whole 605 Farnum team, I appreciate all that you did.

And whether it's Kathy DeGrow or Judy Allen, all of Senator DeGrow's office were just with me side by side, and I certainly appreciate the efforts of our Majority Leader, my friend, Senator DeGrow, making this one of the hallmarks and pillars of the Senate's legislative initiatives when we started calendar 1999 off. He helped see it through completion. I appreciate the work of Senator DeGrow and all his team on making the Michigan urban homestead a reality and making sure that Michigan makes its mark as the first state in America that modernizes the Homestead Act of 1862, and says if you're on the job, out of jail, your kids are in school, you're off drugs and you're paying rent, in five years you can move from paying rent to the government towards owning a home and having value in something you own, which is part of the quintessential element of what makes America great today.

I thank all my many friends for making the Michigan urban homestead initiative a reality.

Senator Miller's statement is as follows:

I have a young man who is seated at my desk, who's going to be leaving at the end of the month. If I were single and didn't have any responsibilities, I would be going with him. He's going down to the Caribbean to spend two months to design Web sites. This young man makes a computer literally dance. He has been a real asset to my office for the last 10 1/2 years. I've had the privilege to have his services, and I am greatly going to miss him—Mr. Randy Hannan. He is going to design Web sites and has opened up a new global technology corporation on his own. I think in the future, you will be hearing a lot about global creations by Mr. Hannan. He has been an outstanding employee.

I wish him the best of luck and thank him for all of the great newsletters, all the constituent mail, and all of those great Web site designs he's done for me in my office. The people in Macomb County, especially in my Senate district, think I'm the next Mr. Gates, but it has really been this young man who has done so much in the field of technology. I owe him a great deal of debt and appreciation. He has made me a better Senator, and I want to say thank you to him and hope his new business venture is as successful as the last 10 1/2 years have been.

By unanimous consent the Senate returned to the order of

### **Introduction and Referral of Bills**

Senators Emmons, Gast, McCotter, Sikkema, DeBeaussaert, Goschka, Dingell, Hart, Miller, Rogers, Hoffman, Murphy and Gougeon introduced

#### **Senate Bill No. 652, entitled**

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 17401 (MCL 333.17401), as amended by 1997 PA 151.

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

Senators Schuette, McCotter, Bennett and Goschka introduced

#### **Senate Bill No. 653, entitled**

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 310 (MCL 257.310), as amended by 1998 PA 226.

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

Senators Sikkema, Rogers, Gast, McManus, Hammerstrom and Goschka introduced  
**Senate Bill No. 654, entitled**

A bill to provide for the establishment of agricultural tax abatement districts in local governmental units; to provide for the exemption from certain taxes; to levy and collect a specific tax upon the owners of certain agricultural property; to provide for the disposition of the tax; to provide for the obtaining and transferring of an exemption certificate and to prescribe the contents of those certificates; to prescribe the powers and duties of the state tax commission and certain officers of local governmental units; and to provide penalties.

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

Senators Rogers, Sikkema, McManus, Hammerstrom, Goschka and Gast introduced  
**Senate Bill No. 655, entitled**

A bill to amend 1893 PA 206, entitled "The general property tax act," by amending section 34d (MCL 211.34d), as amended by 1996 PA 476.

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

Senators Stille and Emmons introduced  
**Senate Bill No. 656, entitled**

A bill to amend 1893 PA 206, entitled "The general property tax act," (MCL 211.1 to 211.157) by adding section 7gg.

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

Senators Shugars and Leland introduced  
**Senate Bill No. 657, entitled**

A bill to amend 1978 PA 368, entitled "Public health code," by amending sections 16131 and 16263 (MCL 333.16131 and 333.16263), as amended by 1995 PA 126, and by adding section 16348 and part 185; and to repeal acts and parts of acts.

The bill was read a first and second time by title and referred to the Committee on Economic Development, International Trade and Regulatory Affairs.

Senators Sikkema, Hammerstrom, Goschka and McCotter introduced  
**Senate Bill No. 658, entitled**

A bill to amend 1976 PA 451, entitled "The revised school code," (MCL 380.1 to 380.1852) by adding section 1704. The bill was read a first and second time by title and referred to the Committee on Education.

Senator Rogers introduced  
**Senate Bill No. 659, entitled**

A bill to amend 1988 PA 511, entitled "Community corrections act," by amending sections 8 and 11 (MCL 791.408 and 791.411).

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

Senators Rogers, Hoffman and Schuette introduced  
**Senate Bill No. 660, entitled**

A bill to establish a volunteer firefighters pension system; to provide for the administration and maintenance of the pension system; to create state and local pension boards; to prescribe the powers and duties of the pension boards; to establish certain funds for the pension system; to prescribe the powers and duties of certain state departments and certain state and local officials and employees; and to prescribe penalties and provide remedies.

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

Senators Rogers, Hammerstrom, Shugars and Sikkema introduced  
**Senate Bill No. 661, entitled**

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," (MCL 257.1 to 257.923) by amending the title, as amended by 1991 PA 98, and by adding section 710g.

The bill was read a first and second time by title and referred to the Committee on Families, Mental Health and Human Services.

Senators Rogers, Hammerstrom, Shugars and Sikkema introduced

**Senate Bill No. 662, entitled**

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," (MCL 206.1 to 206.532) by adding section 267. The bill was read a first and second time by title and referred to the Committee on Finance.

Senator Bennett introduced

**Senate Bill No. 663, entitled**

A bill to amend 1947 PA 336, entitled "An act to prohibit strikes by certain public employees; to provide review from disciplinary action with respect thereto; to provide for the mediation of grievances and the holding of elections; to declare and protect the rights and privileges of public employees; and to prescribe means of enforcement and penalties for the violation of the provisions of this act," by amending section 1 (MCL 423.201), as amended by 1996 PA 543.

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

Senators Johnson, Emmons, Shugars and Dunaskiss introduced

**Senate Bill No. 664, entitled**

A bill to amend 1975 PA 148, entitled "Debt management act," by amending sections 2, 5, 6, 8, 13, 14, 15, 16, and 18 (MCL 451.412, 451.415, 451.416, 451.418, 451.423, 451.424, 451.425, 451.426, and 451.428); and to repeal acts and parts of acts.

The bill was read a first and second time by title and referred to the Committee on Banking and Financial Institutions.

Senators Johnson, Bennett, Steil, Stille, Bullard, McCotter and Dunaskiss introduced

**Senate Bill No. 665, entitled**

A bill to amend 1985 PA 106, entitled "State convention facility development act," by amending sections 3, 10, and 12 (MCL 207.623, 207.630, and 207.632), section 12 as amended by 1993 PA 58.

The bill was read a first and second time by title and referred to the Committee on Local, Urban and State Affairs.

**House Bill No. 4010, entitled**

A bill to amend 1964 PA 170, entitled "An act to make uniform the liability of municipal corporations, political subdivisions, and the state, its agencies and departments, officers, employees, and volunteers thereof, and members of certain boards, councils, and task forces when engaged in the exercise or discharge of a governmental function, for injuries to property and persons; to define and limit this liability; to define and limit the liability of the state when engaged in a proprietary function; to authorize the purchase of liability insurance to protect against loss arising out of this liability; to provide for defending certain claims made against public officers and paying damages sought or awarded against them; to provide for the legal defense of public officers and employees; to provide for reimbursement of public officers and employees for certain legal expenses; and to repeal certain acts and parts of acts," by amending sections 1 and 2 (MCL 691.1401 and 691.1402), section 1 as amended by 1986 PA 175 and section 2 as amended by 1996 PA 150, and by adding section 2a.

The House of Representatives has passed the bill.

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

**House Bill No. 4081, entitled**

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," (MCL 257.1 to 257.923) by adding section 811d.

The House of Representatives has passed the bill and ordered that it be given immediate effect.

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

**House Bill No. 4630, entitled**

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," (MCL 324.101 to 324.90106) by adding part 90.

The House of Representatives has passed the bill and ordered that it be given immediate effect.

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

Senator Rogers moved that when the Senate adjourns today, it stand adjourned until Thursday, June 17, at 12:00 Noon.

The motion prevailed.

**Committee Reports**

## COMMITTEE ATTENDANCE REPORT

The Conference Committee on Senate Bill No. 368 submits the following:  
Meeting held on Tuesday, June 8, 1999, at 4:40 p.m., Room 405, Capitol Building  
Present: Senators North (C), Steil and A. Smith

## COMMITTEE ATTENDANCE REPORT

The Conference Committee on Senate Bill No. 370 submits the following:  
Meeting held on Wednesday, June 9, 1999, at 8:00 a.m., Senate Appropriations Room, Capitol Building  
Present: Senators McManus (C), Gast and DeBeaussaert

## COMMITTEE ATTENDANCE REPORT

The Conference Committee on House Bill No. 4298 submits the following:  
Meeting held on Wednesday, June 9, 1999, at 8:00 a.m., Room 425, Capitol Building  
Present: Senators Gast (C), Goschka and Vaughn

## COMMITTEE ATTENDANCE REPORT

The Conference Committee on House Bill No. 4302 submits the following:  
Meeting held on Wednesday, June 9, 1999, at 8:00 a.m., 1st Floor Conference Room, Farnum Building  
Present: Senators Schwarz (C) and McManus  
Excused: Senator Koivisto

## COMMITTEE ATTENDANCE REPORT

The Subcommittee on School Aid submits the following:  
Meeting held on Wednesday, June 9, 1999, at 1:00 p.m., Senate Appropriations Room, Capitol Building  
Present: Senators Stille (C), Bennett and DeBeaussaert

## COMMITTEE ATTENDANCE REPORT

The Conference Committee on Senate Bill No. 79 submits the following:  
Meeting held on Wednesday, June 9, 1999, at 1:00 p.m., Room 110, Farnum Building  
Present: Senators Steil (C), Gougeon and Emerson

## COMMITTEE ATTENDANCE REPORT

The Conference Committee on Senate Bill No. 79 submits the following:  
Meeting held on Thursday, June 10, 1999, at 8:00 a.m., Room 110, Farnum Building  
Present: Senators Steil (C), Gougeon and Emerson

## COMMITTEE ATTENDANCE REPORT

The Conference Committee on Senate Bill No. 364 submits the following:  
Meeting held on Thursday, June 10, 1999, at 8:00 a.m., Senate Appropriations Room, Capitol Building  
Present: Senators Bennett (C), North and A. Smith

## COMMITTEE ATTENDANCE REPORT

The Conference Committee on Senate Bill No. 366 submits the following:  
Meeting held on Thursday, June 10, 1999, at 8:30 a.m., Room 405, Capitol Building  
Present: Senators Schwarz (C) and Young  
Excused: Senator Steil

## COMMITTEE ATTENDANCE REPORT

The Conference Committee on Senate Bill No. 361 submits the following:  
Meeting held on Thursday, June 10, 1999, at 1:00 p.m., Rooms 402 and 403, Capitol Building  
Present: Senators Steil (C), Stille and Young

## COMMITTEE ATTENDANCE REPORT

The Conference Committee on Senate Bill No. 365 submits the following:  
Meeting held on Thursday, June 10, 1999, at 3:00 p.m., Senate Appropriations Room, Capitol Building  
Present: Senators Goschka (C), Gougeon and Emerson

## COMMITTEE ATTENDANCE REPORT

The Conference Committee on House Bill No. 4301 submits the following:  
Meeting held on Thursday, June 10, 1999, at 4:30 p.m., Rooms 425 and 426, Capitol Building  
Present: Senators Bennett (C), Goschka and Vaughn

## COMMITTEE ATTENDANCE REPORT

The Conference Committee on Senate Bill No. 368 submits the following:  
Meeting held on Tuesday, June 15, 1999, at 1:00 p.m., Room 405, Capitol Building  
Present: Senators North (C), Steil and A. Smith

## COMMITTEE ATTENDANCE REPORT

The Conference Committee on Senate Bill No. 372 submits the following:  
Meeting held on Wednesday, June 16, 1999, at 8:30 a.m., Senate Appropriations Room, Capitol Building  
Present: Senators Hoffman (C), Stille and Young

## COMMITTEE ATTENDANCE REPORT

The Conference Committee on Senate Bill No. 366 submits the following:  
Meeting held on Wednesday, June 16, 1999, at 9:30 a.m., Room 405, Capitol Building  
Present: Senators Schwarz (C), Steil and Young

## COMMITTEE ATTENDANCE REPORT

The Conference Committee on Senate Bill No. 366 submits the following:  
Meeting held on Wednesday, June 16, 1999, at 11:00 a.m., Elijah Myers Room, Capitol Building  
Present: Senators Schwarz (C), Steil and Young

**Scheduled Meetings**

Agriculture Preservation Task Force (SR 52) - Friday, June 18, at 1:00 p.m., Marlette Middle School Media Center, 6230 Euclid Street, Marlette; Saturday, June 19, at 9:00 a.m., Southwest Michigan Research and Extension Center, 1791 Hillandale, Benton Harbor; and Tuesday, June 29, at 11:00 a.m., Michigan State University Livestock Pavilion, East Lansing (3-1725).

Legislative Council - Thursday, June 17, at 9:00 a.m., Rooms 402 and 403, Capitol Building (3-0212).

Technology and Energy Committee - Tuesday, June 22, at 1:00 p.m., Kent County Building, Kent County Board of Commissioners Room, Room 310, 300 Monroe Avenue, NW, Grand Rapids (3-2417).

Senator Rogers moved that the Senate adjourn.  
The motion prevailed, the time being 4:03 p.m.

In pursuance of the order previously made, the President pro tempore, Senator Schwarz, declared the Senate adjourned until Thursday, June 17, at 12:00 Noon.

CAROL MOREY VIVENTI  
Secretary of the Senate.