

**No. 64**  
**JOURNAL OF THE HOUSE**

---

House Chamber, Lansing, Thursday, July 3, 1997.

10:00 a.m.

The House was called to order by the Speaker.

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

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

e/d/s = entered during session

Rep. Allen Lowe, from the 105th District, offered the following invocation:

“Father, This week when we think of the birth of our country, we thank You for the freedoms which we have here to enjoy that are no where else in the world. Thank You also for the opportunity to serve You and the people of the State of Michigan. As we see in our work here, life changes quickly but we know You remain the same and that You are an anchor for the soul. Father, as we have so many important issues here today, I ask that we rely on You and Your wisdom and not on our own and that You would be pleased with the decisions that we make today. Amen.”

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Rep. Dobronski moved that Reps. Rison, Parks and Kilpatrick be excused from today’s session.  
The motion prevailed.

Rep. Wetters moved that Rep. LaForge be excused temporarily from today’s session.  
The motion prevailed.

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

### Notices

July 3, 1997

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

Sincerely,  
Curtis Hertel  
Speaker of the House

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The Speaker called Acting Speaker DeHart to the Chair.

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

The Speaker laid before the House the conference report relative to  
**House Bill No. 4307, entitled**

A bill to make appropriations for the department of corrections and certain state purposes related to corrections for the fiscal year ending September 30, 1998; to provide for the expenditure of the appropriations; to provide for reports; to provide for the creation of certain advisory committees and boards; to prescribe certain powers and duties of the department of corrections, certain other state officers and agencies, and certain advisory committees and boards; to provide for the collection of certain funds; and to provide for the disposition of fees and other income received by certain state agencies.

(The conference report was reported by the conference committee on July 2, consideration of which, under the rules, was postponed until today.)

(For conference report, see House Journal No. 63, p. 1579.)

The question being on the adoption of the conference report,

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

**Roll Call No. 691**

**Yeas—72**

Alley  
Anthony

Cropsey  
Curtis

Hanley  
Harder

Owen  
Price

Baade	Dalman	Hertel	Prusi
Baird	DeHart	Jelinek	Quarles
Bankes	Dobronski	Jellema	Rocca
Basham	Fitzgerald	Kelly	Schauer
Bobier	Frank	LaForge	Schermesser
Bodem	Freeman	Leland	Schroer
Bogardus	Gagliardi	London	Scott
Brackenridge	Geiger	Mans	Scranton
Brater	Gernaat	Martinez	Sikkema
Brewer	Gilmer	Mathieu	Stallworth
Brown	Gire	McNutt	Tesanovich
Byl	Godchaux	Middaugh	Thomas
Callahan	Griffin	Middleton	Varga
Cassis	Gubow	Murphy	Vaughn
Cherry	Hale	Nye	Walberg
Ciaramitaro	Hammerstrom	Olshove	Wojno

### Nays—25

Birkholz	Jansen	Llewellyn	Rackowski
Crissman	Jaye	Lowe	Rhead
DeVuyst	Johnson	McBryde	Richner
Goschka	Kaza	McManus	Voorhees
Green	Kukuk	Perricone	Whyman
Gustafson	Law	Profit	Willard
Horton			

In The Chair: DeHart

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

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

“Mr. Speaker and members of the House:

The conference committee report before us does not include House-approved amendments that attacked outrageous special perks and privileges for hard-core criminals.

A “yes vote” for this report is a vote to continue taxpayer-funded free college education for prisoners. Middle class working families should not be forced to subsidize the college education of prisoners at a time when so many of their offspring are having a difficult time paying for that education.

A “yes vote” for this report is a vote to continue taxpayer-funded law libraries for prisoners. If “jail house lawyers” and their civilian advocates support this policy they should dig into their own pockets to pay for this perk, not coerce middle class working families by taxing them.

Supporters of this report contend it is not our responsibility as legislators to enact policy through amendments. They would have us abrogate our responsibility, as they have today, to every citizen of Michigan who opposes these outrageous taxpayer-funded special perks and privileges for prisoners.

There are other outrages in this report.

A “yes vote” for this report is a vote to continue taxpayer-funded breast repair and sex transition shots for prisoner transvestites. If prisoner transvestites and their civilian advocates support sex change and reconstructive surgery for confused prisoners they should dig into their own pockets to pay for this perk, not coerce middle class working families by taxing them.

A “yes vote” for this report is a vote against the double-bunking of prisoners. Middle class working families should not be forced to subsidize the construction of new prisons until double-bunking is implemented across the state of Michigan.

I will continue to support the wishes of the constituents that I represent who oppose outrageous perks and privileges for hard-core criminals.”

Reps. Jaye and Voorhees, having reserved the right to explain their nay vote, made the following statement:

“Mr. Speaker and members of the House:

This budget still includes the following benefits for rapists, murderers and drug king pins:

1. Free college education
2. Approximately 100 athletic directors
3. Computerized law libraries, which give the felons access to porn on the internet
4. Smoking for prisoners, the only state building in which smoking is allowed.
5. K-12 student school lunch money
6. Civilian food testers
7. \$500,000 indoor exercise facilities in each prison
8. Breast repair and replacement for transvestites.
9. Sex transition shots for transvestites.

The following pro taxpayer policy ideas were rejected:

1. chain gangs for low risk prisoners, roads, swamps, clean sea weed
2. Chemical castration for repeat sex offenders as a condition of parole is controlled by corrections department, not the judges
3. gravel making (busting rocks inside prisons)
4. End shift premium for prison employees as a test
5. Impose a do not resuscitate or a delayed resuscitate or an only medical doctor resuscitate for the prisoners trying to kill each other
6. Dope up or do not provide special facilities for prisoners that slash themselves and swallow sharps. Corrections claims these
7. Institute two different sleeping shifts in prisons. This hot bunking technique is used by the navy on submarines and other ships which go 24 hours a day with three sleeping shifts
8. Death Penalty hearings as a way to protect prison guards from assault and prevent escapes
9. Force the warden of each facility to disclose to prison guards which prisoners test positive for AIDS and other contagious diseases. All prisoners are tested upon admission.
10. Require that half of the money a prisoner earns goes to victim restitution accounts
11. Get rid of central air conditioners for prisons
12. Tour the Texas and Arizona prisons to learn how they maintains order at a much lower cost
13. Ask Mexico and other central American countries to house Michigan prisoners
14. Re establish prison farms so they grow their own food
15. Revolving door: For 3 years after leaving state employment Prohibit parole board members from serving as consultants to defense attorneys seeking to get their clients paroled
16. Continue to eliminate the prison athletic directors and musicals, intermural sports games with teams outside prison, arts & crafts, jazzercise, perhaps we can require prisoners to generate their own electricity by peddling bikes/generators a certain amount each day
17. Change the prison recording of offenders crimes so that all offenses are stated for statistics, not just the most serious offense. This practice understates the number of sex crimes for criminals who also murder their victims
18. Establish an increasing level of financial penalties and eventually firing of parole employees who early parole criminals who then commit another violent crime while on parole

Reps. Raczkowski, DeVuyst and Goschka, having reserved the right to explain their nay vote, made the following statement:

“Mr. Speaker and members of the House:

I voted ‘No’ on the conference report for corrections, because a vote for this report is a vote for prisoner perks.

The report strips out co-pays for prisoner medical visits, allows a prisoner free taxpayer paid college education, allows transexual prisoners the right to have a sex change at taxpayer expense and much more. This conference report is ‘pro’ criminal and anyone that votes for it is codling to our state’s prisoners.”

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

“Mr. Speaker and members of the House:

I voted “No” on this legislation because our state’s prisoners are being pampered at the expense of Michigan’s taxpayers.

Legislation that I introduced in this chamber which would have required the state to use nonviolent prisoners for minor road repair work and was not incorporated into this budget. I also voted to prohibit the use of electronic law libraries if they were more expensive to maintain than hard copy versions of law books. Michigan taxpayers should not have to foot the bill so that prisoners can become “jailhouse lawyers” and clog our judicial system. In addition, this chamber required prisoners to provide a \$5.00 co-pay for non-emergency medical care. The Senate retained the current \$3.00 co-pay.

The Michigan Legislature has overcome a lax justice system established by years of liberal, inconsistent court decisions by approving tough laws that will keep our homes and families safe. Prison should not be a haven where criminals can get a free ride complete with cable television and world-class health care, but a place of punishment to be feared and detested. A prison sentence should function as a deterrent to crime, not an invitation to resort life. This budget is a step backwards for Michigan taxpayers.”

The Speaker laid before the House the conference report relative to

**Senate Bill No. 164, entitled**

A bill to make appropriations for the department of agriculture for the fiscal year ending September 30, 1998; to provide for the expenditure of the appropriations; to create funds; to provide for the imposition of fees; to require reports, audits, and plans; to authorize certain transfers by certain state agencies; and to provide for the disposition of fees and other income received by certain state agencies.

(The conference report was received from the Senate on July 2, consideration of which, under the rules, was postponed until today.)

(For conference report, see House Journal No. 63, p. 1580.)

The question being on the adoption of the conference report,

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

**Roll Call No. 692**

**Yeas—88**

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

**Nays—8**

Goschka	Johnson	Profit	Whyman
Jaye	Kaza	Voorhees	Willard

In The Chair: DeHart

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

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

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

“Mr. Speaker and members of the House:

This Agriculture Budget includes a variety of wasteful spending items including:

1. Affirmative Action program	\$189,200
2. Press and Public Affairs program	\$466,200
3. Upper Peninsula State Fair	\$959,500
4. MI Horse Monitoring System (130,000)	\$88,300
5. Marketing Development for MI	\$1,090,700
6. Grown in MI	\$100,000
7. Michigan Festivals	\$50,000
8. Promotion for horse racing industry including taxpayer paid trophies and medals for equestrian clubs and horse clubs. Taxpayers should no be force to pay for the lifestyles of the rich and famous.	\$190,000
9. Purses supplement of gambling prizes	\$2,653,700”

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

“Mr. Speaker and members of the House:

I voted ‘No’ on Senate Bill 164 because the House has once again failed to recognize the legitimate and genuine needs of the Flint River Dike project in Saginaw County. The problem of flooding occurs on an annual basis, and sometimes even more often than that, and it is due almost entirely to improvements made to the Flint River upstream in Genesee County. Frankly, those improvements upstream have caused a major increase in the flow of water downstream, thereby placing a terrible hardship on the 330 families in the Flint River Dike project area in Saginaw County.

As you all know, I fought to the end for this appropriation last year and I have waged the same vigorous campaign for this project again this year. I have fought for the good people of my district for good reason. I believe the state has an obligation to assist in the building and maintenance of dikes on the Flint River, but it has again shirked that responsibility. For the people of my district, I vote “No” on SB 164.”

—

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

The Speaker resumed the Chair.

Rep. Palamara entered the House Chambers.

The Speaker laid before the House the conference report relative to

**Senate Bill No. 172, entitled**

A bill to make appropriations for the department of military affairs for the fiscal year ending September 30, 1998; to provide for the expenditure of the appropriations; to provide for certain powers and duties of the department of military affairs, other state agencies, and local units of government related to the appropriations; and to provide for the preparation of certain reports related to the appropriations.

(The conference report was received from the Senate on July 2, consideration of which, under the rules, was postponed until today.)

(For conference report, see House Journal No. 63, p. 1585.)

The question being on the adoption of the conference report,

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

**Roll Call No. 693**

**Yeas—92**

Alley	DeHart	Jelinek	Perricone
Anthony	DeVuyst	Jellema	Price
Baade	Dobronski	Kelly	Profit
Baird	Fitzgerald	Kukuk	Prusi

Bankes	Frank	LaForge	Quarles
Basham	Freeman	Law	Raczkowski
Birkholz	Gagliardi	Llewellyn	Rhead
Bobier	Geiger	London	Richner
Bodem	Gernaat	Lowe	Rocca
Bogardus	Gilmer	Mans	Schauer
Brackenridge	Gire	Martinez	Schermesser
Brater	Godchaux	Mathieu	Schroer
Brewer	Goschka	McBryde	Scott
Brown	Griffin	McManus	Scranton
Byl	Gubow	McNutt	Sikkema
Callahan	Gustafson	Middaugh	Stallworth
Cassis	Hale	Middleton	Tesanovich
Cherry	Hammerstrom	Murphy	Thomas
Ciaramitaro	Hanley	Nye	Varga
Crissman	Harder	Olshove	Vaughn
Cropsey	Hertel	Owen	Voorhees
Curtis	Horton	Oxender	Walberg
Dalman	Jansen	Palamara	Wojno

**Nays—6**

Jaye	Kaza	Whyman	Willard
Johnson	LeTarte		

In The Chair: Hertel

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

—

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

“Mr. Speaker and members of the House:

The Cold War is over. The Communists no longer control Russia, the Evil Empire, USSR, no longer exists. America’s Federal Budget for the military still exceeds 24%. State taxpayers should not be responsible to pay for a federal program.

My constituents pay heavy federal income taxes exceeding 38%. Michigan sales tax of 6% and 4.4 state income tax should be spent on road repairs, environment, crime fighting and education and senior services.”

—

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

The Speaker laid before the House the conference report relative to  
**Senate Bill No. 173, entitled**

A bill to make appropriations for the department of state police and certain other state purposes for the fiscal year ending September 30, 1998; to provide for the expenditure of those appropriations; to provide for certain reports and the consideration of those reports; to provide for the disposition of other income received by the various state agencies;

to provide for the testing of certain persons; to provide for certain emergency powers; and to provide for the powers and duties of certain committees, certain state agencies, and certain employees.

(The conference report was received from the Senate on July 2, consideration of which, under the rules, was postponed until today.)

(For conference report, see House Journal No. 63, p. 1588.)

The question being on the adoption of the conference report,

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

**Roll Call No. 694****Yeas—95**

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

**Nays—3**

Jaye	Johnson	Profit
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In The Chair: Hertel

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

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

—

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

“Mr. Speaker and members of the House:

This budget contains racist minority preferences which promote less qualified minorities over more qualified non-minorities. The courts have ruled the minority preferences at the state police are illegal and fined the state police over \$1.2 million. The state police continues these preference programs.”



Rep. Freeman moved that Reps. Wetters and Emerson be excused temporarily from today's session. The motion prevailed.

**First Conference Report**

The Committee of Conference on the matters of difference between the two Houses concerning **House Bill No. 4305, entitled**

A bill to make appropriations for community colleges for the fiscal year ending September 30, 1998; to provide for the expenditure of the appropriations; to establish or continue certain funds, programs, and categories; and to prescribe the powers and duties of certain state departments, officers, and employees.

Recommends:

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

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

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

“Sec. 101. There is appropriated for community colleges and certain other state purposes relating to education, subject to the conditions set forth in this act, for the fiscal year ending September 30, 1998, the following amounts:

**COMMUNITY COLLEGES**

**APPROPRIATION SUMMARY:**

GROSS APPROPRIATION .....	\$	274,977,600
Total interdepartmental grants and intradepartmental transfers .....	\$	0
ADJUSTED GROSS APPROPRIATION .....	\$	274,977,600
Total federal revenues .....		0
Total local revenues .....		0
Total private revenues .....		0
Total local and private revenues .....		0
Total other state restricted revenues .....		0
State general fund/general purpose .....	\$	274,977,600

**OPERATIONS**

Alpena Community College .....	\$	4,427,617
Bay de Noc Community College .....		4,073,298
Delta College .....		12,879,360
Glen Oaks Community College .....		1,938,977
Gogebic Community College .....		3,911,254
Grand Rapids Community College .....		17,167,807
Henry Ford Community College .....		19,191,097
Jackson Community College .....		11,387,890
Kalamazoo Valley Community College .....		9,662,776
Kellogg Community College .....		8,060,728
Kirtland Community College .....		2,812,022
Lake Michigan College .....		4,468,779
Lansing Community College .....		27,947,798
Macomb Community College .....		30,419,950
Mid Michigan Community College .....		3,607,590
Monroe County Community College .....		3,534,573
Montcalm Community College .....		2,907,824
C.S. Mott Community College .....		14,136,966
Muskegon Community College .....		8,025,890
North Central Michigan College .....		2,686,635
Northwestern Michigan College .....		7,809,604
Oakland Community College .....		19,845,292
St. Clair County Community College .....		6,327,240
Schoolcraft College .....		10,643,950
Southwestern Michigan College .....		5,138,206
Washtenaw Community College .....		10,176,151
Wayne County Community College .....		15,869,022
West Shore Community College .....		2,046,238
GROSS APPROPRIATION .....	\$	271,104,534
State general fund/general purpose .....	\$	271,104,534

## GRANTS

At-risk student success program.....	\$	3,584,566
Renaissance zone tax reimbursement funding .....		288,500
GROSS APPROPRIATION.....	\$	3,873,066
State general fund/general purpose .....	\$	3,873,066”.

2. Amend page 3, line 23, after “at” by striking out “\$276,606,986.00” and inserting “\$274,977,600.00”.
3. Amend page 3, line 25, after “at” by striking out “\$276,606,986.00” and inserting “\$274,977,600.00”.
4. Amend page 5, line 15, after “report” by striking out the balance of the line through all of line 16.
5. Amend page 7, line 23, after “Sec. 207.” by striking out all of subsections (1) and (2) and renumbering the remaining subsections.
6. Amend page 8, line 19, by striking out all of subsections (4) and (5).
7. Amend page 9, line 15, by striking out all of section 210.
8. Amend page 10, line 19, after “(1)” by striking out the balance of the subsection and inserting “The department of treasury shall annually collect and compile as part of the ACS report the tax revenue losses to community colleges resulting from TIFAs and tax abatements. The department of treasury shall submit the data as described in this section to the department of education not later than November 1, 1997 for the previous fiscal year.”.
9. Amend page 11, line 15, by striking out all of section 214 and inserting:
 

“Sec. 214. (1) Each community college shall report the following to the house and senate appropriations subcommittees on community colleges, the house and senate fiscal agencies, and the department of education, no later than November 1, 1997:

  - (a) The number of North American Indian students enrolled each term for the previous fiscal year, using guidelines and procedures developed by the department of education and the Michigan commission on Indian affairs.
  - (b) The number of Indian tuition waivers granted each term, and the monetary value of the waivers for the previous fiscal year.

(2) Colleges shall use the criteria cited in 1976 PA 174, MCL 390.1251 to 390.1253, to determine eligibility for tuition waivers, and shall grant such waivers to individuals who meet the criteria and request tuition waivers.”.
10. Amend page 12, line 6, by striking out all of section 216 and inserting:
 

“Sec. 216. Upon request, a community college shall inform interested Michigan high schools of the aggregate academic status of its students for the fiscal year beginning October 1, 1997, in a manner prescribed by the Michigan community college association and in cooperation with the Michigan association of secondary school principals.”.
11. Amend page 12, line 11, by striking out all of section 217.
12. Amend page 12, line 20, by striking out all of section 218 and inserting:
 

“Sec. 218. A community college may furnish to the department of management and budget, the house and senate appropriations subcommittees on community colleges, and the house and senate fiscal agencies, a report detailing 3 technological improvements and/or priorities desired by the college, along with estimated costs and benefits associated with each project. The reports shall be distributed to the parties named in this section not later than December 1, 1997, in order to be considered for possible future budget appropriations.”.
13. Amend page 13, following line 5, by striking out all of section 219.
14. Amend page 13, following line 5, by striking out all of section 220 and inserting:
 

“Sec. 220. It is the intent of the legislature that funds appropriated under this act not be expended to provide health care coverage for community college employees or their dependents for abortion services, other than for spontaneous abortion or to prevent the death of the woman upon whom the abortion is performed. Further, it is the intent of the legislature that a community college not approve a collective bargaining agreement that includes health care coverage for abortion services other than spontaneous abortion or to prevent the death of the woman upon whom the abortion is performed.”.
15. Amend page 13, following line 5, by striking out all of section 221.
16. Amend page 13, following line 5, following section 222, by striking out all of sections 223 and 224.
17. Amend page 15, line 25, after “be” by striking out the balance of the subsection and inserting “utilized to address the special needs of at-risk students or for equipment or upgrade of information technology hardware or software. Activities related to services provided to at-risk students include, but are not limited to, pretesting for academic ability, counseling contacts, and special programs. Equipment or information technology hardware or software purchased under this section need not be associated with the operation of a program designed to address the needs of at-risk students.”.
18. Amend page 16, line 21, after “encumbered.” by striking out the balance of the section.
19. Amend page 17, line 12, by striking out all of section 403 and inserting:
 

“Sec. 403. (1) It is the intent of the legislature that colleges use a portion of the funds appropriated in section 101 for operations to implement and institute the ideas and goals embodied by the partnerships for employment program.

In view of this program, colleges would form identifiable links with local businesses or local business alliances, to ascertain the immediate and lasting employment needs of the community. In so doing, the colleges in conjunction with the businesses, would create specific, direct certificate programs, whereupon completion of the certificate program would lead to an increased likelihood of employment by the sponsoring businesses.

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

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

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

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

(3) It is further the intent of the legislature that the community colleges provide recommendations for the establishment of a formal partnerships for employment grant program to the house and senate appropriations subcommittees on community colleges, the house and senate fiscal agencies, and the department of management and budget, not later than December 1, 1997. These recommendations shall include the purpose of the program, the populations to be served, the method of allocation of funds to the colleges, and the reporting requirements to be utilized.”

20. Amend page 21, line 15, by striking out all of line 15 through the balance of the bill.

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

A bill to make appropriations for community colleges for the fiscal year ending September 30, 1998; to provide for the expenditure of the appropriations; to establish or continue certain funds, programs, and categories; and to prescribe the powers and duties of certain state departments, officers, and employees.

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

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

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

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

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

The question being on the adoption of the conference report,

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

### Roll Call No. 695

### Yeas—97

Agee	DeVuyst	Jellema	Perricone
Alley	Dobronski	Kaza	Price
Anthony	Fitzgerald	Kelly	Profit
Baade	Frank	Kukuk	Prusi
Baird	Freeman	LaForge	Quarles
Banks	Gagliardi	Law	Raczkowski
Basham	Geiger	LeTarte	Rhead
Birkholz	Gernaat	Llewellyn	Richner
Bobier	Gilmer	London	Rocca
Bodem	Gire	Lowe	Schauer
Bogardus	Godchaux	Mans	Schermesser
Brackenridge	Goschka	Martinez	Schroer
Brater	Green	Mathieu	Scott
Brewer	Griffin	McBryde	Sikkema
Brown	Gubow	McManus	Stallworth

Byl	Gustafson	McNutt	Tesanovich
Callahan	Hale	Middaugh	Thomas
Cassis	Hammerstrom	Middleton	Varga
Cherry	Hanley	Murphy	Vaughn
Ciaramitaro	Harder	Nye	Voorhees
Crissman	Hertel	Olshove	Walberg
Cropsey	Horton	Owen	Whyman
Curtis	Jansen	Oxender	Willard
Dalman	Jelinek	Palamara	Wojno
DeHart			

### Nays—1

Jaye

In The Chair: Hertel

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

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

“Mr. Speaker and members of the House:

Today is ‘**Cost of Government Day**’, when American men and women start working for themselves rather than paying for all direct taxes, hidden taxes and costs of regulations from federal, state and local governments. It is ironic that Americans will celebrate Independence Day, one day after we surrender our paychecks all year for all of the government spending, regulations and bureaucratic perks. We need to cut spending, cut taxes and eliminate regulations so working people can keep more of their paycheck for themselves and their family.

‘Cost of Government Day’ is the date of the calendar year, counting from January 1, on which the average American has earned enough in gross income to pay off all his direct and hidden taxes (total federal, state and local government spending plus the cost of regulation).

‘Tax Freedom Day’ 1997 was May ninth. This is the date by which working people have earned enough income to pay for all levels of government taxes. The Americans for Tax Reform (202-785-0266) estimates that the total cost of government in 1997 is \$3,519 billion, up from \$3,375 billion in 1996; nearly 1/3 results from federal and state regulation. The federal government is responsible for more than \$981 billion in hidden regulatory taxes alone. That’s more than \$13,500 for every man, woman and child in America.

Even though Cost of Government Day 1997 falls on the same date as in 1996, the date is likely to be pushed further along the calendar if the Clinton Administration’s regulatory agenda prevails. According to the government’s own twice-yearly compilation of proposed new regulations, *Unified Agenda of Federal Regulations*, there are about 4,500 new federal regulations in the pipeline for 1997, imposing at least \$11.6 billion in new regulatory costs. Since 1993 the total cost of government has increased by \$520 billion.

Outrageous examples of state spending include approximately 100 athletic directors for Michigan prisoners, putting fairy tales to rap music and retroactive salary increases for judges making over \$106,000 a year. Extremely costly state employee benefits include 6 months male maternity leave, an average of 52 paid days off a year, entirely taxpayer paid pensions and the most expensive health care benefits in the nation. Local government spending outrages include a chauffeur driven limo for Detroit’s school superintendent, taxpayer paid abortions for teachers and bureaucrats and \$28 million a year in overcharges in minority preferences road programs.

Working men and women are not getting their money’s worth out of minor government spending and regulations. Working more than half a year to pay for all government spending, bureaucrat perks and regulations is oppressive — No wonder families are finding it tough to make ends meet. We must put state government on a diet so that families can keep more of their hard earned paychecks.”

Rep. Dobronski moved that Rep. Wallace be excused temporarily from today's session.  
The motion prevailed.

Rep. DeHart moved that Rep. Kelly be excused temporarily from today's session.  
The motion prevailed.

**Senate Bill No. 168, entitled**

A bill to make appropriations for the department of natural resources for the fiscal year ending September 30, 1998; 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.

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

**First Conference Report**

The Committee of Conference on the matters of difference between the two Houses concerning  
**Senate Bill No. 168, entitled**

A bill to make appropriations for the department of natural resources for the fiscal year ending September 30, 1998; to provide for the expenditure of those appropriations; to create funds and accounts; to require reports; to prescribe certain powers and duties of certain state agencies and officials; to authorize certain transfers by certain state agencies; and to provide for the disposition of fees and other income received by the various state agencies.

Recommends:

First: That the House 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 section 101 and inserting:

"Sec. 101. There is appropriated for the department of natural resources for the fiscal year ending September 30, 1998, from the following funds:

**DEPARTMENT OF NATURAL RESOURCES**

**TOTAL APPROPRIATIONS SUMMARY:**

Full-time equated unclassified positions .....	6.0	
Full-time equated classified positions .....	2,330.5	
<b>GROSS APPROPRIATION</b> .....		\$ 217,711,200
Interdepartmental grant revenues:		
Total interdepartmental grants and intradepartmental transfers .....		7,659,900
<b>ADJUSTED GROSS APPROPRIATION</b> .....		\$ 210,051,300
Federal revenues:		
Total federal revenues .....		19,109,700
Special revenue funds:		
Total local revenues .....		0
Total private revenues .....		2,165,900
Total other state restricted revenues .....		140,389,600
State general fund/general purpose .....		\$ 48,386,100

**OPERATIONS APPROPRIATIONS SUMMARY:**

Full-time equated unclassified positions .....	6.0	
Full-time equated classified positions .....	2,330.5	
<b>GROSS APPROPRIATION</b> .....		\$ 217,711,200
Interdepartmental grant revenues:		
IDG-engineering services to work orders .....		1,161,100
IDG from MDOT-state trunkline fund.....		35,500
IDG-MacMullan conference center revenue .....		1,316,400
IDG-land acquisition services to work orders .....		818,300
IDT-interdivisional charges .....		4,328,600
Total interdepartmental grants and intradepartmental transfers .....		7,659,900
<b>ADJUSTED GROSS APPROPRIATION</b> .....		\$ 210,051,300

Federal revenues:	
DAG-federal .....	2,273,500
DOC-federal.....	42,400
DOD-federal .....	111,700
DOE-federal.....	1,000
DOI-federal.....	14,256,900
DOT-federal .....	2,361,600
EPA-federal.....	42,400
IGLFC-federal.....	20,200
Total federal revenues .....	19,109,700
Special revenue funds:	
Private funds .....	1,665,900
Private-gift revenues .....	500,000
Total private revenues .....	2,165,900
Aircraft fees .....	101,700
Air photo fees .....	1,527,800
Airport and park operation fees.....	40,000
Automated license system revenue.....	402,300
Commercial fishing fee revenue.....	200
Delinquent property tax administration fund.....	719,600
Farmland and open space withdrawal fees .....	525,700
Forest camping fee revenue .....	792,100
Forest resource revenue .....	20,125,300
Game and fish protection fund.....	45,313,500
Game and fish protection fund—deer habitat reserve.....	1,661,300
Game and fish protection fund—turkey permit fees.....	926,500
Game and fish protection fund-waterfowl fees.....	111,000
Game and fish - wildlife resource protection fund .....	1,008,700
Harbor development fund.....	219,000
Land exchange facilitation fund.....	5,290,800
Land sale revenue .....	1,986,200
Mackinac Island state park fund .....	1,540,000
Marine safety fund.....	4,804,100
Michigan civilian conservation corps endowment fund.....	1,011,100
Michigan geographic information system revenue .....	366,100
Michigan state waterways fund.....	11,606,200
Michigan natural resources trust fund .....	1,728,800
Michigan state parks endowment fund.....	4,372,500
Motor fuel sales revenue.....	600,000
Natural resources magazine fund .....	52,400
Non-game wildlife fund.....	744,200
Off road vehicle trail improvement fund.....	1,628,700
Park improvement fund.....	24,468,300
Publication revenue.....	100,000
Recreation improvement fund .....	1,386,800
Shop fees .....	50,400
Snowmobile registration fee revenue .....	593,800
Snowmobile trail improvement fund .....	4,577,300
Other restricted revenues .....	7,200
Total other state restricted revenues .....	140,389,600
State general fund/general purpose .....	\$ 48,386,100
EXECUTIVE	
Full-time equated unclassified positions .....	6.0
Full-time equated classified positions .....	20.0
Commission (including travel expense—per diem) .....	\$ 75,000
Unclassified salaries .....	382,700
Executive direction .....	1,572,400
Office of information and education .....	662,100
GROSS APPROPRIATION.....	\$ 2,692,200

Appropriated from:	
Federal revenues:	
Interdepartmental grant revenues:	
IDG-MacMullan conference center revenue .....	14,700
Special revenue funds:	
Delinquent property tax .....	3,900
Farmland and open space withdrawal fees .....	4,000
Forest resource revenue .....	161,200
Game and fish protection fund .....	681,400
Land exchange facilitation fund .....	6,200
Land sale fund .....	36,100
Mackinac Island state park fund .....	17,700
Marine safety fund .....	29,000
Michigan geographic information system revenue .....	1,000
Michigan state waterways fund .....	252,200
Michigan state parks endowment fund .....	8,200
Natural resources magazine fund .....	52,400
Off road vehicle trail improvement fund .....	2,300
Park improvement fund .....	453,000
Snowmobile registration fee revenue .....	2,300
Snowmobile trail improvement fund .....	13,000
Other restricted revenues .....	2,500
State general fund/general purpose .....	\$ 951,100
<b>ADMINISTRATIVE SERVICES</b>	
Full-time equated classified positions .....	212.0
Budget and program support .....	\$ 6,376,000
Internal audit .....	689,900
Field program support .....	5,965,600
Management information .....	3,922,000
Human resources .....	1,309,400
Office of litigation and program services .....	637,800
<b>GROSS APPROPRIATION .....</b>	<b>\$ 18,900,700</b>
Appropriated from:	
Interdepartmental grant revenues:	
IDT-interdivisional charges .....	4,328,600
IDG-MacMullan conference center revenue .....	7,400
Federal revenues:	
DOI-federal .....	108,300
Special revenue funds:	
Aircraft fees .....	101,700
Automated license system revenue .....	402,300
Farmland and open space withdrawal fees .....	3,400
Forest resource revenue .....	596,300
Game and fish protection fund .....	3,555,400
Land exchange facilitation fund .....	2,500
Land sale revenue .....	21,000
Mackinac Island state park fund .....	15,800
Marine safety fund .....	210,000
Michigan civilian conservation corp endowment fund .....	2,800
Michigan natural resources trust fund .....	472,100
Michigan state parks endowment fund .....	16,300
Michigan state waterways fund .....	631,700
Off road vehicle trail improvement fund .....	47,600
Park improvement fund .....	604,900
Publications revenue .....	100,000
Recreation improvement fund .....	4,700
Snowmobile registration fee revenue .....	57,400
Snowmobile trail improvement fund .....	65,600
Other restricted revenues .....	4,700
State general fund/general purpose .....	\$ 7,540,200

## DEPARTMENTAL OPERATION SUPPORT

Building occupancy charges.....	\$	1,650,600
Rent-privately owned property.....		665,300
Gifts and bequests.....		500,000
GROSS APPROPRIATION.....	\$	<u>2,815,900</u>
Appropriated from:		
Special revenue funds:		
Private-gift revenues.....		500,000
Forest resource revenue.....		170,300
Game and fish protection fund.....		563,100
Land sale revenue.....		39,000
Mackinac Island state park fund.....		24,500
Marine safety fund.....		36,300
Michigan state waterways fund.....		197,300
Michigan natural resources trust fund.....		9,500
Park improvement fund.....		84,500
Snowmobile trail improvement fund.....		15,800
State general fund/general purpose.....	\$	1,175,600

## WILDLIFE MANAGEMENT

Full-time equated classified positions.....	198.0	
Wildlife administration.....		\$ 1,670,400
Wildlife management.....		14,639,800
Natural resources heritage.....		1,514,700
State game and wildlife area maintenance.....		525,000
Federal lands biological inventory.....		101,000
GROSS APPROPRIATION.....		\$ <u>18,450,900</u>
Appropriated from:		
Federal revenues:		
DOD-federal.....		101,000
DOI-federal.....		6,451,200
Special revenue funds:		
Private funds.....		101,200
Game and fish protection fund.....		8,178,100
Game and fish protection fund—deer habitat reserve.....		1,661,300
Game and fish protection fund—turkey permit fees.....		926,500
Game and fish protection fund-waterfowl fees.....		111,000
Non-game wildlife fund.....		544,200
State general fund/general purpose.....		\$ 376,400

## FISHERIES MANAGEMENT

Full-time equated classified positions.....	244.0	
Fisheries administration.....		\$ 1,256,300
Commercial fisheries.....		186,100
Recreational fisheries.....		1,663,400
Fish production.....		6,778,200
Fisheries resource management.....		10,003,300
Treaty waters management fund work project.....		138,200
Stream habitat improvement.....		1,122,800
GROSS APPROPRIATION.....		\$ <u>21,148,300</u>
Appropriated from:		
Federal revenues:		
DOE-federal.....		1,000
DOC-federal.....		42,400
DOI-federal.....		5,947,100
EPA-federal.....		1,000
IGLFC-federal.....		20,200
Special revenue funds:		
Commercial fishing fee revenue.....		200
Game and fish protection fund.....		14,998,200
State general fund/general purpose.....		\$ 138,200



**PARKS AND RECREATION**

Full-time equated classified positions .....	894.0	
State parks .....		\$ 35,301,400
MacMullan conference center .....		1,294,300
Non-motorized trails .....		184,900
Docks and harbor development .....		2,093,600
Public access sites .....		8,444,000
Michigan civilian conservation corps .....		2,230,200
Engineering .....		1,199,000
Cost of marine fuel purchase for resale .....		600,000
<b>GROSS APPROPRIATION</b> .....		<b>\$ 51,347,400</b>
Appropriated from:		
Interdepartmental grant revenues:		
IDG-engineering services to work orders .....		1,161,100
IDG-MacMullan conference center revenue .....		1,294,300
Federal revenues:		
Special revenue funds:		
Private funds .....		255,400
Harbor development fund .....		219,000
Michigan civilian conservation corps endowment fund .....		1,008,300
Michigan state parks endowment fund .....		3,928,100
Michigan state waterways fund .....		10,355,000
Motor fuel sales revenue .....		600,000
Park improvement fund .....		23,325,900
State general fund/general purpose .....		\$ 9,200,300
<b>MACKINAC ISLAND STATE PARK COMMISSION</b>		
Full-time equated classified positions .....	55.0	
Mackinac Island park operation .....		\$ 1,551,400
Historical facilities system .....		1,856,600
<b>GROSS APPROPRIATION</b> .....		<b>\$ 3,408,000</b>
Appropriated from:		
Interdepartmental grant revenues:		
IDG from MDOT-state trunkline fund .....		35,500
Special revenue funds:		
Airport and park operation fees .....		40,000
Mackinac Island state park fund .....		1,482,000
State general fund/general purpose .....		\$ 1,850,500
<b>FOREST RESOURCE MANAGEMENT</b>		
Full-time equated classified positions .....	359.0	
Timber harvest .....		\$ 7,914,200
Forest cultivation and reforestation .....		3,915,900
Forest resource planning and land use .....		2,905,400
Private forest development .....		860,800
Forest finance authority .....		1,640,500
Forest fire protection .....		9,555,000
Forest recreation .....		1,766,300
Forest management initiative .....		1,100,000
Trails .....		2,226,900
Abandoned mineshaft closures .....		100,000
Forest fire equipment .....		500,000
<b>GROSS APPROPRIATION</b> .....		<b>\$ 32,485,000</b>
Appropriated from:		
Interdepartmental grant revenues:		
Federal revenues:		
DAG-federal .....		1,148,500
DOD-federal .....		10,700
EPA-federal .....		41,400
Special revenue funds:		
Private funds .....		759,300

Forest camping fee revenue .....	792,100	
Forest resource revenue .....	19,120,800	
Game and fish protection fund.....	608,300	
Marine safety fund.....	110,800	
Off road vehicle trail improvement fund.....	341,900	
Recreation improvement fund .....	282,100	
Shop fees .....	50,400	
Snowmobile trail improvement fund .....	1,602,900	
State general fund/general purpose .....	\$ 7,615,800	
<b>REAL ESTATE</b>		
Full-time equated classified positions .....	77.0	
Records and services.....	\$ 2,420,200	
Minerals lease management .....	1,496,400	
Land acquisition and exchange .....	6,286,000	
Urban tax reverted residential property rehabilitation .....	20,000	
Michigan resource inventory system .....	2,332,200	
Farmland and open space preservation.....	518,300	
Geological mapping .....	248,000	
<b>GROSS APPROPRIATION.....</b>	<b>\$ 13,321,100</b>	
Appropriated from:		
Interdepartmental grant revenues:		
IDG-land acquisition services to work orders .....	818,300	
Special revenue funds:		
Air photo fees .....	1,527,800	
Delinquent property tax administration fund.....	715,700	
Farmland and open space withdrawal fees .....	518,300	
Forest resource revenue .....	76,700	
Game and fish protection fund.....	117,200	
Land exchange facilitation fund.....	5,282,100	
Land sale revenue .....	1,890,100	
Michigan geographic information system revenue .....	365,100	
Michigan natural resources trust fund.....	847,200	
Michigan state parks endowment fund.....	369,900	
State general fund/general purpose .....	\$ 792,700	
<b>LAW ENFORCEMENT</b>		
Full-time equated classified positions .....	271.5	
Wildlife resource protection.....	\$ 1,008,700	
General law enforcement .....	22,962,400	
<b>GROSS APPROPRIATION.....</b>	<b>\$ 23,971,100</b>	
Appropriated from:		
Federal revenues:		
DOI-federal.....	725,300	
DOT-federal .....	1,861,600	
Special revenue funds:		
Game and fish - wildlife resource protection fund .....	1,008,700	
Game and fish protection fund.....	14,392,800	
Marine safety fund.....	1,188,000	
Off road vehicle trail improvement fund.....	356,400	
Snowmobile registration fee revenue .....	329,100	
State general fund/general purpose .....	\$ 4,109,200	
<b>PAYMENTS IN LIEU OF TAXES</b>		
Swamp and tax reverted lands.....	\$ 7,121,500	
Purchased lands taxes/open space payments .....	7,832,600	
Commercial forest reserve .....	2,841,700	
<b>GROSS APPROPRIATION.....</b>	<b>\$ 17,795,800</b>	
Appropriated from:		
Special revenue funds:		
Game and fish protection fund.....	1,669,000	
Michigan natural resources trust fund.....	400,000	

Michigan state waterways fund .....	170,000
State general fund/general purpose .....	\$ 15,556,800
<b>GRANTS</b>	
Grant to counties—marine safety .....	\$ 3,230,000
Federal - Land and water conservation fund payments .....	800,000
Federal - Forest stewardship grants .....	625,000
Federal - Urban forestry grants .....	400,000
Federal - Clean vessel act grants .....	175,000
Federal - Rural community fire protection/dry hydrant demonstration projects .....	100,000
Recreation improvement fund grants .....	1,100,000
Snowmobile local grants program .....	2,880,000
Snowmobile law enforcement grants .....	205,000
Off road vehicle trail improvement grants .....	880,500
Natural resources and cultural research grants .....	50,000
National recreational trails .....	550,000
Game & non-game wildlife fund grants .....	300,000
Inland fisheries resources grants .....	200,000
Small range program grants .....	50,000
Great lakes fishery challenge grant .....	750,000
<b>GROSS APPROPRIATION</b> .....	\$ <u>12,295,500</u>
Appropriated from:	
Federal revenues:	
DAG-federal .....	1,125,000
DOI-federal .....	1,025,000
DOT-federal .....	500,000
Special revenue funds:	
Private funds .....	550,000
Game and fish protection fund .....	550,000
Marine safety fund .....	3,230,000
Michigan state parks endowment fund .....	50,000
Non-game wildlife fund .....	200,000
Off road vehicle trail improvement fund .....	880,500
Recreation improvement fund .....	1,100,000
Snowmobile registration fees .....	205,000
Snowmobile trail improvement fund .....	2,880,000
State general fund/general purpose .....	\$ 0
<b>EARLY RETIREMENT</b>	
Early retirement savings .....	\$ (920,700)
<b>GROSS APPROPRIATION</b> .....	\$ <u>(920,700)</u>

Appropriated from:

Federal revenues:

Special revenue funds:

State general fund/general purpose .....

2. Amend page 16, line 14, after "is" by striking out "\$187,297,200.00" and inserting "\$187,275,700.00".

3. Amend page 16, line 15, after "at" by striking out "\$22,686,300.00" and inserting "\$22,106,300.00".

4. Amend page 16, line 23, by striking out "3,630,000" and inserting "3,230,000".

5. Amend page 16, line 24, by striking out "180,000" and inserting "205,000".

6. Amend page 17, line 3, by striking out "\$22,686,300" and inserting "\$22,106,300".

7. Amend page 20, line 4, by striking out all of section 208 and inserting:

"Sec. 208. Money appropriated in section 101 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. By May 1, 1998, the department shall submit a report to the department of management and budget, the speaker and minority leader of the house of representatives, the majority and minority leaders of the senate, the chairpersons of the house and senate appropriations committees, and the house and senate fiscal agencies on efforts to comply with this section."

8. Amend page 20, line 21, by striking out all of section 210 and inserting:

"Sec. 210. The negative appropriation in section 101 for early retirement compensation savings represents savings from the state's 1997 early retirement program. Not later than October 15, 1997, the department and the state budget director shall request legislative transfers under section 393(2) of the management and budget act, 1984 PA 431, MCL 18.1393, to apply the retirement costs and salary and fringe benefits savings to the appropriated line items affected by the early retirement of state employees."

9. Amend page 21, line 6, after "budget" by inserting a comma and "the house and senate appropriations committees, the house and senate fiscal agencies, and the house and senate standing committees having jurisdiction over technology issues,".

10. Amend page 22, following line 11, by inserting:

"Sec. 216. The department shall submit to the legislature by December 30, 1998 an itemized report of all revenue received by, expenditures made from, and transfers made to or from the Michigan state waterways fund during the fiscal year ending September 30, 1998."

11. Amend page 25, following line 6, by inserting:

"Sec. 606. The department shall offer reduced fee permits to veterans of the United States armed forces and of the Michigan national guard. The discounted veteran state park admission fees shall not exceed the cost of the fees charged by the department for senior citizen admissions.

Sec. 607. Of the \$2,230,200.00 appropriated for the Michigan civilian conservation corps, up to \$1,000,000.00 shall be available for the operation of the Vanderbilt civilian conservation corps camp and to recruit program enrollees.

Sec. 608. With money appropriated in section 101, the department shall allow an individual who obtains a permit for entrance into a state park or recreation area to enter any state park or recreation area during the time period that the permit is effective.

Sec. 609. The department shall make necessary improvements to the Fayette state park to assure that electrical connections are made to the campgrounds located within the Fayette state park. The department shall utilize the funds appropriated for state parks from the park improvement fund for the purpose of this section."

12. Amend page 26, line 3, after "Sec. 705." by striking out the balance of the section and inserting "The appropriation in section 101 for abandoned mine shaft closures shall be used to reclaim and cap abandoned mine shafts in order of priority as determined by the department.

Sec. 706. With money received from the sale of timber on state land and appropriated in section 101, the department may employ an additional 20 full-time temporary employees to serve as firefighters for the 6-month period in which the risk of forest fires is the highest."

13. Amend page 26, following line 16, by inserting:

"Sec. 803. (1) The department shall offer for sale to Verona Township, to expand its cemetery, property legally described as follows:

Commencing at the Northeast corner of Section 35, Township 16 North, Range 13 East, Verona Township, Huron County, Michigan thence South along East section line 330 feet to point of beginning thence West 536.25 feet; thence South 330 feet; thence East 536.25 feet to East section line thence North along said East section line 330 feet to the point of beginning, 4.06 acres.

(2) Revenues generated by the sale of the property under subsection (1) shall be credited to the land sale fund created in section 802.

Sec. 804. The \$20,000.00 appropriation in section 101 for urban residential property rehabilitation shall be expended in demonstration projects in depressed urban areas. The purpose of these projects shall be to determine the desirability of tax lien purchase agreements as a means to provide clear title to prospective buyers of tax reverted residential properties.

Sec. 805. The department shall refund the fee paid by an unsuccessful bidder who has nominated state property for sale, when the land is sold."

14. Amend page 27, line 9, after "grants," by striking out "\$800,000.00" and inserting "\$400,000.00".

15. Amend page 27, following line 13, by inserting:

"Sec. 904. Of the funds appropriated in section 101 for recreation improvement grants, \$60,000.00 may be designated for maintenance of the Muskegon to Marne rail trail. If funds appropriated in section 101 are so designated, the department shall cooperate with the affected communities in funding a maintenance plan for this trail corridor."

16. Amend page 27, following line 25, by inserting:

"Sec. 1003. All certification conditions necessary for compliance with section 401 of title IV of the federal water pollution control act, chapter 758, 86 Stat. 877, 33 U.S.C. 1341, that are required or requested by the department shall be funded from existing department funds appropriated to the fisheries management division.

Sec. 1004. (1) From the appropriation in section 101 for stream habitat improvement, not more than \$575,000.00 shall be allocated for grants to watershed councils, resource development councils, soil conservation districts, local government units, and other nonprofit organizations for the purposes of stream habitat stabilization and soil erosion control.

(2) The fisheries division of the department shall develop priority and cost estimates for all recommended projects. Priority shall be given to applications that use the Michigan civilian conservation corps to its greatest ability."

17. Amend page 28, following line 6, section 1201, after "health," by inserting "the Michigan united conservation clubs, the Michigan farm bureau,".

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 natural resources for the fiscal year ending September 30, 1998; 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.

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

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

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

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

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

The question being on the adoption of the conference report,

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

**Roll Call No. 696**

**Yeas—95**

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

**Nays—4**

Jaye	Nye	Whyman	Willard
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In The Chair: Hertel

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

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

Rep. Jaye, having reserved the right to explain his nay vote, made the following statement:  
 “Mr. Speaker and members of the House:  
 This budget includes a taxpayer paid burecrat hotel which competes unfairly with the private sector.”

**Senate Bill No. 167, entitled**

A bill to make appropriations for the department of environmental quality for the fiscal year ending September 30, 1998; 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.

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

**First Conference Report**

The Committee of Conference on the matters of difference between the two Houses concerning  
**Senate Bill No. 167, entitled**

A bill to make appropriations for the department of environmental quality for the fiscal year ending September 30, 1998; to provide for the expenditure of those appropriations; to create funds and accounts; to require reports; to prescribe certain powers and duties of certain state agencies and officials; to authorize certain transfers by certain state agencies; and to provide for the disposition of fees and other income received by the various state agencies.

Recommends:

First: That the House 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 section 101 and inserting:

“Sec. 101. There is appropriated for the department of environmental quality for the fiscal year ending September 30, 1998, from the following funds:

**DEPARTMENT OF ENVIRONMENTAL QUALITY**

**APPROPRIATION SUMMARY:**

Full-time equated unclassified positions .....	6.0	
Full-time equated classified positions .....	1,653.7	
<b>GROSS APPROPRIATION</b> .....		\$ 408,280,400
Interdepartmental grant revenues:		
Total interdepartmental grants and intradepartmental transfers .....		7,096,400
<b>ADJUSTED GROSS APPROPRIATION</b> .....		\$ 401,184,000
Federal revenues:		
Total federal revenues .....		127,080,200
Special revenue funds:		
Total local revenues .....		1,177,100
Total private revenues .....		450,700
Total other state restricted revenues .....		186,080,800
State general fund/general purpose .....		\$ 86,395,200

**OPERATIONS APPROPRIATIONS SUMMARY:**

Full-time equated unclassified positions .....	6.0	
Full-time equated classified positions .....	1,644.2	
<b>GROSS APPROPRIATION</b> .....		\$ 407,440,300
Interdepartmental grant revenues:		
IDG from MDOT-Michigan transportation fund.....		777,700
IDG - MSP.....		555,800
IDT-interdivisional charges .....		5,762,900
Total interdepartmental grants and intradepartmental transfers .....		7,096,400
<b>ADJUSTED GROSS APPROPRIATION</b> .....		\$ 400,343,900
Federal revenues:		
DOC-federal.....		2,994,700
DOD-federal .....		935,100

DOI-federal.....	401,500	
EPA-federal.....	22,024,100	
EPA-GWDW.....	3,600,400	
EPA, superfund.....	8,383,500	
EPA, LUST trust.....	3,492,200	
FEMA-federal.....	236,400	
Federal revenues.....	85,010,100	
Federal contingency funds.....	2,200	
Total federal revenues.....	127,080,200	
Special revenue funds:		
Local funds.....	1,177,100	
Total local revenues.....	1,177,100	
Private funds.....	450,700	
Total private revenues.....	450,700	
Above ground storage tank fees.....	686,000	
Act 64 revenues.....	1,000,000	
Act 641 forfeited revenues (solid waste revenue).....	1,000,000	
Air emissions fees.....	10,841,200	
CESARS service fee.....	23,400	
Cleanup and redevelopment fund.....	34,363,400	
Drinking water revolving fund.....	4,875,000	
Environmental response fund.....	14,497,400	
Environmental education fund.....	147,700	
Emergency response fund.....	3,000,000	
Environmental pollution prevention fund.....	1,005,700	
Environmental protection bond fund.....	17,000	
Environmental training revenue.....	265,400	
Fees and collections.....	1,087,900	
Great Lakes protection fund.....	1,000,000	
Land and water permit fees.....	2,487,800	
Landfill maintenance trust fund.....	44,500	
Medical waste fees.....	362,000	
Michigan underground storage tank financial assurance fund.....	62,084,500	
Oil and gas privilege fee revenue.....	8,154,400	
Orphan well fund.....	1,307,800	
Publication revenue.....	100,000	
Public utility assessments.....	877,500	
Public water supply fees.....	4,224,800	
Responsible party payments.....	4,354,700	
Revitalization revolving loan fund.....	7,000,000	
Sand extraction fee revenue.....	176,300	
Scrap tire regulatory fund.....	2,165,900	
Septage waste license fees.....	200,000	
Sewage sludge land application fee.....	650,000	
Solid waste program fees.....	1,117,500	
Stormwater permit fees.....	1,228,100	
Underground storage tank fees.....	6,318,200	
Water analysis fees.....	1,472,000	
Waste reduction fee revenue.....	3,878,900	
Water pollution control revolving fund.....	3,022,800	
Wastewater operator training fees.....	72,300	
Water use reporting fees.....	126,000	
Other restricted funds.....	4,600	
Total other state restricted revenues.....	185,240,700	
State general fund/general purpose.....	\$ 86,395,200	
EXECUTIVE		
Full-time equated unclassified positions.....	6.0	
Full-time equated classified positions.....	13.0	
Unclassified salaries.....	\$ 428,200	

Equal employment opportunity office .....	74,900
Executive direction .....	1,001,700
Office of the Great Lakes .....	685,100
GROSS APPROPRIATION .....	\$ 2,189,900
Appropriated from:	
Federal revenues:	
EPA-federal .....	217,100
Special revenue funds:	
Environmental response fund .....	44,000
Environmental education fund .....	147,700
Oil and gas privilege fee revenue .....	92,100
Responsible party payments .....	302,600
State general fund/general purpose .....	\$ 1,386,400
PROGRAM SUPPORT SERVICES	
Full-time equated classified positions .....	64.5
Financial support services .....	\$ 1,374,000
Field operations support .....	1,342,900
Automated data processing .....	5,762,900
Office of special environmental projects .....	552,300
Personnel .....	648,600
Administrative hearings .....	354,400
GROSS APPROPRIATION .....	\$ 10,035,100
Appropriated from:	
IDT-interdivisional charges .....	5,762,900
Federal revenues:	
Federal revenues .....	2,200
EPA-federal .....	33,500
EPA, LUST trust .....	21,900
EPA, superfund .....	68,400
Special revenue funds:	
Environmental response fund .....	731,400
Fees and collections .....	150,100
Land and water permit fees .....	60,200
Michigan underground storage tank financial assurance fund .....	155,900
Oil and gas privilege fee revenue .....	365,200
Scrap tire regulatory fund .....	30,100
Responsible party payments .....	201,800
Environmental protection bond fund .....	17,000
Other restricted funds .....	4,600
State general fund/general purpose .....	\$ 2,429,900
DEPARTMENTAL OPERATION SUPPORT	
Building occupancy charges .....	\$ 2,018,900
Rent-privately owned property .....	3,899,300
Publications .....	100,000
GROSS APPROPRIATION .....	\$ 6,018,200
Appropriated from:	
Special revenue funds:	
Air emissions fees .....	302,000
Environmental pollution prevention fund .....	35,500
Environmental response fund .....	414,100
Fees and collections .....	306,900
Land and water permit fees .....	61,900
Michigan underground storage tank financial assurance fund .....	130,900
Oil and gas privilege fee revenue .....	268,700
Publication revenue .....	100,000
Public utility assessments .....	11,300
Stormwater discharge permit fees .....	43,000
Solid waste program fees .....	39,400
Scrap tire regulatory fund .....	33,200



Waste reduction revenue .....	52,000
Water pollution control revolving fund .....	79,100
Underground storage tank fees.....	175,600
State general fund/general purpose .....	\$ 3,964,600
<b>GEOLOGICAL SURVEY</b>	
Full-time equated classified positions .....	91.5
Services to oil and gas programs.....	\$ 7,213,900
Orphan well fund .....	1,307,800
Coal and sand dune management .....	577,800
Mineral wells management .....	277,700
Metallic mining reclamation program .....	62,800
<b>GROSS APPROPRIATION</b> .....	\$ <u>9,440,000</u>
Appropriated from:	
Federal revenues:	
DOI-federal.....	401,500
Special revenue funds:	
Environmental response fund.....	69,000
Fees and collections .....	62,800
Orphan well fund .....	1,307,800
Oil and gas privilege fee revenue.....	7,301,900
Sand extraction fee revenue .....	176,300
State general fund/general purpose .....	\$ 120,700
<b>LAND AND WATER MANAGEMENT</b>	
Full-time equated classified positions .....	154.0
Land and water administration.....	\$ 943,200
Field permitting and project assistance .....	5,145,300
Dam safety, erosion control, and clean lakes .....	1,493,400
Land and water protection.....	3,067,000
Great Lakes shorelands .....	1,682,800
Volunteer river, stream and creek cleanup program.....	50,000
Bolles harbor flood control projects.....	400,000
Culver creek drain.....	25,000
<b>GROSS APPROPRIATION</b> .....	\$ <u>12,806,700</u>
Appropriated from:	
Interdepartmental grant revenues:	
IDG-Michigan transportation fund .....	777,700
Federal revenues:	
EPA-federal.....	656,300
DOC-federal.....	1,394,700
FEMA-federal .....	236,400
Special revenue funds:	
Local funds .....	144,000
Land and water permit fees.....	2,365,700
Responsible party payments .....	50,000
State general fund/general purpose .....	\$ 7,181,900
<b>AIR QUALITY</b>	
Full-time equated classified positions .....	226.5
Air quality programs.....	\$ 4,709,000
Clean air act implementation .....	12,719,200
<b>GROSS APPROPRIATION</b> .....	\$ <u>17,428,200</u>
Appropriated from:	
Federal revenues:	
EPA-federal.....	3,130,200
Special revenue funds:	
Air emissions fees.....	8,283,000
Environmental response fund.....	79,200
State general fund/general purpose .....	\$ 5,935,800
<b>SURFACE WATER QUALITY</b>	
Full-time equated classified positions .....	218.5

Surface water compliance program .....	\$	5,714,600
Surface water permits program .....		3,421,800
Surface water surveillance program .....		7,044,300
State and local water quality management planning .....		1,619,900
Fish contaminant monitoring contracts .....		321,000
Sewage sludge land application program .....		650,000
Stormwater discharge program .....		1,113,900
GROSS APPROPRIATION .....	\$	<u>19,885,500</u>
Appropriated from:		
Federal revenues:		
EPA-federal .....		6,976,400
Special revenue funds:		
Local funds .....		1,033,100
CESARS service fee .....		23,400
Environmental response fund .....		131,900
State water pollution control revolving fund .....		534,400
Stormwater permit fees .....		1,107,700
Sewage sludge land application fee .....		650,000
State general fund/general purpose .....	\$	9,428,600
<b>DRINKING WATER PROTECTION &amp; RADIOLOGICAL HEALTH</b>		
Full-time equated classified positions .....		209.7
Environmental health .....	\$	3,239,900
Laboratory services administration .....		5,811,500
Drinking water .....		10,206,200
Office of groundwater and special services .....		1,295,100
Radiological protection .....		1,469,500
GROSS APPROPRIATION .....	\$	<u>22,022,200</u>
Appropriated from:		
Interdepartmental grant revenues:		
IDG-MSP .....		555,800
Federal revenues:		
Federal revenue .....		10,100
DOD-federal .....		111,000
EPA-federal .....		1,072,800
EPA-GWDW .....		3,494,200
Special revenue funds:		
Private .....		122,600
Drinking water revolving fund .....		2,660,000
Medical waste fees .....		362,000
Public water supply fees .....		2,824,800
Responsible party payments .....		317,700
Water analysis fees .....		1,472,000
Water use reporting fees .....		126,000
Fees and collections .....		554,500
State general fund/general purpose .....	\$	8,338,700
<b>LOW-LEVEL RADIOACTIVE WASTE AUTHORITY</b>		
Full-time equated classified positions .....		3.0
Low-level radioactive waste authority .....	\$	<u>866,200</u>
GROSS APPROPRIATION .....	\$	<u>866,200</u>
Appropriated from:		
Special revenue funds:		
Public utility assessments .....		866,200
State general fund/general purpose .....	\$	0
<b>ENVIRONMENTAL RESPONSE</b>		
Full-time equated classified positions .....		267.0
Environmental cleanup and redevelopment program .....	\$	42,032,000
Contaminated site investigations, cleanup, and revitalization .....		14,985,400
State cleanup (Act 451) .....		3,397,700
Emergency cleanup actions .....		2,000,000

Federal cleanup project management .....	4,956,600
Superfund cleanup .....	7,250,000
GROSS APPROPRIATION .....	\$ 74,621,700
Appropriated from:	
Federal revenues:	
DOD-federal .....	824,100
EPA-federal .....	1,367,000
EPA, superfund .....	8,315,100
Special revenue funds:	
Private funds .....	128,100
Cleanup and redevelopment fund .....	23,863,400
Environmental response fund .....	11,996,300
Landfill maintenance trust fund .....	44,500
Revitalization revolving loan fund .....	7,000,000
Responsible party payments .....	2,442,300
State general fund/general purpose .....	\$ 18,640,900
UNDERGROUND STORAGE TANKS	
Full-time equated classified positions .....	123.5
Michigan underground storage tank financial assurance program .....	\$ 61,809,300
MUSTFA emergency response fund .....	3,000,000
Underground storage tank program .....	6,404,900
Above ground storage tank program .....	686,000
Leaking underground storage tank cleanup program .....	11,500,000
Emergency cleanup actions .....	2,000,000
Leaking underground storage tank program .....	4,126,500
GROSS APPROPRIATION .....	\$ 89,526,700
Appropriated from:	
Federal revenues:	
EPA, LUST trust .....	3,470,300
Special revenue funds:	
Above ground storage tank fees .....	686,000
Cleanup and redevelopment fund .....	8,500,000
Emergency response fund .....	3,000,000
Environmental response fund .....	1,031,500
Michigan underground storage tank financial assurance fund .....	61,696,300
Underground storage tank fees .....	6,142,600
State general fund/general purpose .....	\$ 5,000,000
WASTE MANAGEMENT	
Full-time equated classified positions .....	153.0
Administration and technical support .....	\$ 1,430,700
Compliance and enforcement .....	4,367,800
Hazardous waste permits .....	1,788,900
Groundwater permits .....	1,249,900
Solid waste program .....	1,181,400
Used oil recycling program .....	100,000
Special federal grants .....	892,300
Hazardous waste disposal facility closures .....	1,000,000
Solid waste disposal facility closures .....	1,000,000
GROSS APPROPRIATION .....	\$ 13,011,000
Appropriated from:	
Federal revenues:	
EPA-federal .....	3,094,900
Special revenue funds:	
Hazardous waste revenue .....	1,000,000
Solid waste revenue .....	1,000,000
Environmental pollution prevention fund .....	970,200
Scrap tire regulatory fund .....	850,000
Responsible party payments .....	233,300
Solid waste program fees .....	1,078,100
State general fund/general purpose .....	\$ 4,784,500

## ENVIRONMENTAL ASSISTANCE DIVISION

Full-time equated classified positions .....	102.0	
Municipal assistance .....		\$ 3,094,300
Pollution prevention .....		1,964,700
Environmental services .....		2,263,600
Technical assistance .....		1,518,900
Pollution prevention outreach .....		200,000
Community right-to-know information .....		250,000
GROSS APPROPRIATION .....		\$ 9,291,500
Appropriated from:		
Federal revenues:		
EPA-federal .....		759,400
EPA-GWDW .....		106,200
Special revenue funds:		
Private funds .....		200,000
Air emissions fees .....		591,400
Responsible party payments .....		76,700
Drinking water revolving fund .....		885,000
Environmental training revenue .....		265,400
Fees and collections .....		13,600
State water pollution control revolving fund .....		2,409,300
Stormwater discharge permit fees .....		77,400
Waste reduction fee revenue .....		3,326,900
Wastewater operator training fees .....		72,300
State general fund/general purpose .....		\$ 507,900
ENVIRONMENTAL INVESTIGATIONS		
Full-time equated classified positions .....	18.0	
Environmental investigations .....		\$ 1,520,100
GROSS APPROPRIATION .....		\$ 1,520,100
Appropriated from:		
Federal revenues:		
EPA-federal .....		126,500
Special revenue funds:		
MUSTFA fund .....		101,400
Oil and gas privilege fee revenue .....		126,500
Scrap tire regulatory fund .....		52,600
Responsible party payments .....		730,300
State general fund/general purpose .....		\$ 382,800
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 .....		1,900,000
Federal - nonpoint source water pollution grants .....		3,500,000
Federal - Great Lakes remedial action plan grants .....		700,000
Federal - municipal landfill match grants .....		2,000,000
Great Lakes research and protection grants .....		1,000,000
Radon grants .....		135,000
Septage waste compliance grants .....		200,000
Scrap tire grants .....		1,200,000
Drinking water revolving fund implementation .....		1,330,000
Auto recycling demonstration project .....		500,000
Environmental technology research .....		500,000
GROSS APPROPRIATION .....		\$ 119,573,400
Appropriated from:		
Federal revenues:		
DOC-federal .....		1,600,000
EPA-federal .....		4,590,000
Federal revenues .....		85,000,000

Special revenue funds:	
Air emissions fees.....	1,664,800
Cleanup and redevelopment fund.....	2,000,000
Drinking water revolving fund.....	1,330,000
Great Lakes protection fund.....	1,000,000
Public water supply fees .....	1,400,000
Scrap tire regulatory fund .....	1,200,000
Septage waste license fees .....	200,000
Waste reduction revenue .....	500,000
State general fund/general purpose .....	\$ 19,088,600
<b>BOND ADMINISTRATION SUMMARY</b>	
Full-time equated classified positions .....	9.5
GROSS APPROPRIATION.....	\$ 840,100
ADJUSTED GROSS APPROPRIATION .....	\$ 840,100
Special revenue funds:	
Environmental protection bond fund.....	840,100
Total other state restricted revenues .....	840,100
State general fund/general purpose .....	\$ 0
<b>ADMINISTRATIVE SERVICES</b>	
Full-time equated classified positions .....	2.0
Field administration environmental protection bond .....	\$ 28,800
Internal audit staff.....	87,700
GROSS APPROPRIATION.....	\$ 116,500
Appropriated from:	
Special revenue funds:	
Environmental protection bond fund.....	116,500
State general fund/general purpose .....	\$ 0
<b>WASTE MANAGEMENT</b>	
Full-time equated classified positions .....	7.5
Solid waste implementation staff .....	\$ 723,600
GROSS APPROPRIATION.....	\$ 723,600
Appropriated from:	
Special revenue funds:	
Environmental protection bond fund.....	723,600
State general fund/general purpose .....	\$ 0
<b>EARLY RETIREMENT</b>	
Early retirement savings .....	\$ (796,100)
GROSS APPROPRIATION.....	\$ (796,100)
Appropriated from:	
State general fund/general purpose .....	\$ (796,100)".

2. Amend page 18, line 10, after "is" by striking out "\$269,969,700.00" and inserting "\$272,476,000.00".
3. Amend page 18, line 12, after "at" by striking out "\$7,633,900.00" and inserting "\$8,051,900.00".
4. Amend page 18, line 22, by striking out "250,000" and inserting "300,000".
5. Amend page 18, following line 22, by inserting:
  - "Bolles harbor flood control projects .....
  - Culver creek drain.....
6. Amend page 18, line 23, by striking out "257,000" and inserting "207,000".
7. Amend page 18, line 24, by striking out "7,633,900" and inserting "8,051,900".
8. Amend page 21, following line 15, by inserting:

"Sec. 207. Money appropriated in section 101 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. By May 1, 1998, the department shall submit a report to the department of management and budget, the speaker and minority leader of the house of representatives, the majority and minority leaders of the senate, the chairpersons of the house and senate appropriations committees, and the house and senate fiscal agencies on efforts to comply with this section."

9. Amend page 21, line 25, by striking out all of section 208.
10. Amend page 23, line 8, by striking out all of section 211.
11. Amend page 23, line 20, by striking out all of section 213 and inserting:

"Sec. 213. The negative appropriation in section 101 for early retirement compensation savings represents savings from the state's 1997 early retirement program. Not later than October 15, 1997, the department and the state

budget director shall request legislative transfers under section 393(2) of the management and budget act, 1984 PA 431, MCL 18.1393, to apply the retirement costs and salary and fringe benefits savings to the appropriated line items affected by the early retirement of state employees.”.

12. Amend page 24, line 3, by striking out all of section 214 and inserting:

“Sec. 214. (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, periodic 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) 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. At the time progress billings are presented for reimbursement, the department shall identify and forward as appropriate the funding sources that should support the work performed.”.

13. Amend page 24, following line 23, by inserting:

“Sec. 218. (1) The department shall, by April 1, 1998, report to the senate and house of representatives appropriations subcommittees on natural resources and environmental quality regarding the number of freedom of information act requests received and fulfilled, the time period for response to freedom of information act requests, and the reasons for denials of freedom of information act requests.

(2) As used in this section, “freedom of information act” means the freedom of information act, 1976 PA 442, MCL 15.231 to 15.246.

Sec. 219. The department shall ensure that all privatization projects to be continued beyond a first term demonstrate cost savings in that first term. Any privatization projects that do not demonstrate that they save tax dollars shall not be continued.”.

14. Amend page 25, following line 19, by striking out all of section 402 and inserting:

“Sec. 402. From the funds appropriated in section 101 for services to oil and gas programs, \$180,000.00 may be transferred to the department of agriculture to establish a program for monitoring oil and gas production meters pending enactment of House Bill No. 4820 or House Bill No. 4821 of the 89th Legislature.

Sec. 403. If the permit and regulatory fee adjustments included in either House Bill No. 4820 or House Bill No. 4821 of the 89th Legislature are not enacted into law by January 1, 1998, the projected \$800,000.00 shortfall in the oil and gas privilege fee and mineral well fees and collections is hereby eliminated by the reduction of oil and gas privilege fee and mineral well fees and collections appropriation through negative appropriations of the following amounts:

(a) GEOLOGICAL SURVEY	
Oil and gas reduction.....	\$ (735,000)
(b) EXECUTIVE	
Oil and gas reduction.....	\$ (10,000)
(c) PROGRAM SUPPORT SERVICES	
Oil and gas reduction.....	\$ (40,850)
(d) ENVIRONMENTAL INVESTIGATION	
Oil and gas reduction.....	\$ (14,150)
Mineral wells management.....	\$ (200,000)”.

15. Amend page 26, line 7, after “protection,” by striking out “\$100,000.00” and inserting “\$50,000.00”.

16. Amend page 26, line 8, after “University” by striking out the balance of the section and inserting a period.

17. Amend page 26, following line 9, by inserting:

“Sec. 504. The \$25,000.00 appropriated in section 101 for the Culver Creek drain is to be matched with local funds to provide necessary support for the maintenance of and improvement to the Culver Creek drain.

Sec. 505. If wetland fees are not enacted into law in an amount that equals \$225,000.00, adjustments to balances, revenues, and appropriations shall be made in proportion to the actual revenue realized under enacted legislation.

Sec. 506. The \$50,000.00 appropriation in section 101 for volunteer river, stream, and creek cleanup programs shall be distributed on a statewide basis to volunteer organizations for stream, river, and creek cleanup projects. Funds shall be distributed through a simplified application process providing up to \$5,000.00 to organizations that provide a 50% match. Priority shall be given to existing volunteer organizations and targeted to those watersheds with documented pollution problems.”.

18. Amend page 27, following line 11, following section 703, by inserting:

“Sec. 704. From the appropriation in section 101 for surface water quality monitoring, not more than \$50,000.00 shall be expended to create a combined sewer overflow data base. Public access to this data base and testing protocols to assess the impact of combined sewer overflows shall be provided within 6 months of the effective date of this act.”.

19. Amend page 29, line 9, after “Sec. 902.” by striking out the balance of the line through line 14 and inserting “The unexpended portion of the appropriation in section 101 for the state cleanup program, environmental cleanup and redevelopment program, emergency cleanup action, and superfund cleanup projects is considered work project

appropriations and any unencumbered or unallotted funds are carried forward into the succeeding fiscal year. The following is in compliance with section 451(3) of the management and budget act, 1984 PA 431, MCL 18.1451:”.

20. Amend page 30, following line 15, by inserting:

“Sec. 905. The funds appropriated in section 101 for the environmental cleanup and redevelopment program shall be used to fund cleanup activities on the following sites:

Alger - Residential Wells Eben Junction  
Alger - Residential Wells Trenary  
Allegan - A-1 Disposal Landfill  
Allegan - Jersey Street, Plainwell  
Antrim - Woodland Oil Bellaire Bulk  
Barry - Kavco Landfill  
Berrien - D & B Buildings  
Berrien - Travel Inn  
Branch - American Woodcraft Warehouse  
Calhoun - American Woodcraft/Bennett Manufacturing  
Calhoun - Brooks Foundry Building Area  
Cheboygan - Zyco Oil Company  
Crawford - Frederic Township Groundwater Contamination  
Eaton - Burco Drive Residential Well  
Emmet - Former Petoskey Petrolane  
Emmet - Petoskey Manufacturing Company  
Genesee - Dye Road Dump  
Gladwin - Buckeye Oil Field  
Gratiot - Gratiot County Landfill  
Gratiot - Gratiot Metals Property  
Gratiot - Pine River  
Iosco - Residential Wells Bachman Road  
Iosco - Sand Lake Gas and Sports  
Jackson - Downtown Parma Wells  
Kalamazoo - Speareflex  
Kalkaska - Maple Street Residential Well  
Kent - Composite Energy Management Systems, Inc.  
Lapeer - Marathon Otter Lake Oil Field  
Livingston - Whitmore Lake Road Chlorides, Brighton Township  
Mason - Amerastar  
Missaukee - Chemical Plant and Tar Pit  
Monroe - ABC Cleaners  
Montcalm - Crystal Oil Field  
Montcalm - Crystal Refinery  
Muskegon - Green Ridge Subdivision  
Muskegon - Peerless Plating Company  
Oakland - White Lake Road Scrap Yard  
Oceana - Stony Lake Oil Field  
Osceola - Consolidated Aluminum Tubing  
Ottawa - Fenske Landfill  
Roscommon - Dry Cleaner Former  
St. Clair - Fort Gratiot Sanitary Landfill  
St. Clair - Huron Development Landfill  
Van Buren - CR 681 at Black River  
Wayne - Carter Color Coat  
Wayne - General Oil Site  
Wayne - Parcels at Poplar and 23rd Street  
Wayne - Plymouth Industrial Center Holding Company  
Wayne - Recycling Corporation of America  
Wayne - Welcome Center (Ambassador Properties)”.

21. Amend page 32, following line 5, by inserting:

“Sec. 1003. The unexpended portion of the appropriation in section 101 for the leaking underground storage tank cleanup program is considered work project appropriations and any unencumbered or unallotted funds are carried over

into the succeeding fiscal year. The following is in compliance with section 451(3) of the management and budget act, 1984 PA 431, MCL 18.1451:

- (a) The purpose of the projects to be carried over is to provide for cleanup of sites of environmental contamination.
- (b) These projects will be accomplished by contract.
- (c) The total estimated costs of all projects is identified in each line item appropriation.
- (d) The tentative completion date for these projects is September 30, 1999.

Sec. 1004. The funds appropriated in section 101 for the leaking underground storage tank cleanup program shall be used to fund cleanup activities on the following sites:

Antrim - Bellaire Bay Mart  
 Antrim - Cary's Self Serve  
 Antrim - Pickup Capital of the North  
 Barry - BPH Fire Department  
 Berrien - Frank's Pro Station  
 Berrien - Schuler's Auto Repair  
 Calhoun - Duck Lake Party Store  
 Chippewa - Twin City Riverview #2  
 Chippewa - USA Petroleum Corporation  
 Iosco - Sand Lake Party Store  
 Isabella - Sandel's Service Inc.  
 Jackson - Marathon Station  
 Kalamazoo - CLLP/KPLP  
 Kalkaska - Starvation Lake General Store  
 Kent - Kilts Property  
 Kent - Kountry Korner's  
 Lenawee - Adrian Oil Burner Service, Inc.  
 Lenawee - Allen's Trailer Court  
 Mackinac - Boardwalk Plaza Gas Station  
 Macomb - Widger Chemical Corporation  
 Manistee - Red Barn Market  
 Marquette - Joe and Son's Union 76  
 Mecosta - Old McClain Chevrolet  
 Mecosta - Purcell Property  
 Midland - Four-D  
 Monroe - C. Barron & Sons  
 Monroe - North Dixie Total  
 Montcalm - Clifford Lake Market  
 Muskegon - Kelly's Korner's  
 Oakland - Quick Save #6  
 Ottawa - Ensing's Auto Repair  
 Presque Isle - Radio Tavern & Grocery  
 Saginaw - Convenience Store  
 Saginaw - Fill and Wash  
 Schoolcraft - Emerald City Car Wash  
 Tuscola - Mister C's Service  
 Van Buren - Payless/Superamerica  
 Washtenaw - Chelsea Shell (aka Chelsea Amoco)  
 Wayne - Mercury Manufacturing  
 Wayne - Total Station".

22. Amend page 32, line 15, by striking out all of section 1102 and inserting:

"Sec. 1102. Of the funds appropriated in section 101 for Great Lakes research and protection fund grants, the department shall designate \$250,000.00 for research on the possible human health effects of hormone disrupting chemicals commonly found in the Great Lakes basin. Research funded pursuant to this section shall evaluate the extent of human exposure to these compounds and the potential for human health effects resulting from such exposure, with particular emphasis on effects to women of child-bearing age and children."

23. Amend page 33, line 12, by striking out all of section 1106 and inserting:

"Sec. 1106. Of the funds appropriated in section 101 for scrap tire grants, \$100,000.00 shall be allocated to Clare County, \$100,000.00 shall be allocated to Osceola County, and \$100,000.00 shall be allocated to Grand Traverse County for mitigating the costs associated with scrap tire fire suppression.



Sec. 1107. The appropriation in section 101 for an environmental technology research grant is allocated to the Michigan biotechnology institute, pending receipt of matching federal funds, for the development and implementation of innovative technologies to be used for environmentally safe products, biodegradable chemicals, environmental cleanup, and waste stream minimization projects in Michigan.”

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 environmental quality for the fiscal year ending September 30, 1998; 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.

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

Paul Tesanovich  
Derrick Hale  
Conferees for the House

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

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

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

The question being on the adoption of the conference report,

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

#### Roll Call No. 697

#### Yeas—56

Agee	DeHart	Hood	Profit
Alley	Dobronski	Kelly	Prusi
Anthony	Emerson	LaForge	Quarles
Baade	Frank	Law	Schauer
Baird	Freeman	Mans	Schermesser
Basham	Gagliardi	Martinez	Schroer
Bogardus	Gernaat	Mathieu	Scott
Brater	Gire	McManus	Stallworth
Brewer	Griffin	Middaugh	Tesanovich
Brown	Gubow	Murphy	Thomas
Callahan	Hale	Olshove	Varga
Cherry	Hanley	Owen	Vaughn
Ciaramitaro	Harder	Palamara	Wetters
Curtis	Hertel	Price	Wojno

#### Nays—46

Bankes	Geiger	Johnson	Perricone
Birkholz	Gilmer	Kaza	Raczkowski
Bobier	Godchaux	Kukuk	Rhead
Bodem	Goschka	LeTarte	Richner
Brackenridge	Green	London	Rocca
Byl	Gustafson	Lowe	Scranton
Cassis	Hammerstrom	McBryde	Sikkema
Crissman	Horton	McNutt	Voorhees
Cropsey	Jansen	Middleton	Walberg
Dalman	Jaye	Nye	Whyman

DeVuyst  
Fitzgerald

Jelinek  
Jellema

Oxender

Willard

In The Chair: Hertel

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

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Rep. Jaye, having reserved the right to explain his nay vote, made the following statement:  
"Mr. Speaker and members of the House:  
This department insists on spending \$28,000 per acre to create special wetlands. The DNR 2 for 1 and up to 4 for 1 replacement of wetlands lost to Road Construction a 1 for 1 wetland replacement would help reduce the cost of \$1 million per mile of new roads."

Rep. Kukuk, having reserved the right to explain his nay vote, made the following statement:  
"Mr. Speaker and members of the House:  
I voted "no" on Senate Bill 167 because the line item for the St. Clair river sampling and investigations in the Environmental Response Division added on the floor of this House were removed by the Senate. Since the St. Clair river is the primary source of drinking water, for South Eastern Michigan."

Rep. McBryde, having reserved the right to explain his nay vote, made the following statement:  
"Mr. Speaker and members of the House:  
I voted "No" on the First Conference Report on SB 167, the appropriations bill for the Michigan Department of Environmental Quality. I previously had voted "Yes" on the bill on June 19th of this year, because as it left the House it was a well balanced budget bill. But the Conference Report we have before us only goes half way in funding the important revenues needed to protect our environment. The bill did contain an important appropriation to reimburse expenses incurred in the Clare County tire fire. Clare County needs to be reimbursed, and I have strongly supported that portion of the bill. It was for the other reason cited above that I voted against the bill. Let's not short fund yet another budget bill!"

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Rep. Galloway entered the House Chambers.

#### Notices

Rep. Goschka moved that the Committee on Judiciary be discharged from further consideration of **House Joint Resolution C**.

(For first notice see House Journal No. 63, p. 1577.)

The question being on the motion by Rep. Goschka,

Rep. Goschka demanded the yeas and nays.

The demand was supported.

The question being on the motion by Rep. Goschka,

After debate,

Rep. Griffin demanded the previous question.

The demand was supported.

The question being, "Shall the main question now be put?"

The previous question was ordered.

The question being on the motion by Rep. Goschka,

The motion did not prevail, a majority of the members serving not voting therefor, by yeas and nays, as follows:

**Roll Call No. 698****Yeas—39**

Birkholz	Goschka	Law	Perricone
Bodem	Green	Llewellyn	Raczkowski
Cassis	Gustafson	London	Rhead
Crissman	Horton	Lowe	Richner
Cropsey	Jansen	McBryde	Rocca
Dalman	Jaye	McManus	Sikkema
DeVuyst	Jelinek	McNutt	Voorhees
Fitzgerald	Johnson	Middaugh	Walberg
Galloway	Kaza	Middleton	Whyman
Gernaat	Kukuk	Nye	

**Nays—64**

Agee	Ciaramitaro	Harder	Profit
Alley	Curtis	Hertel	Prusi
Anthony	DeHart	Hood	Quarles
Baade	Dobronski	Jellema	Schauer
Baird	Emerson	Kelly	Schermesser
Bankes	Frank	LaForge	Schroer
Basham	Freeman	LeTarte	Scott
Bobier	Gagliardi	Mans	Scranton
Bogardus	Geiger	Martinez	Stallworth
Brackenridge	Gilmer	Mathieu	Tesanovich
Brater	Gire	Murphy	Thomas
Brewer	Godchaux	Olshove	Varga
Brown	Griffin	Owen	Vaughn
Byl	Gubow	Oxender	Wetters
Callahan	Hale	Palamara	Willard
Cherry	Hanley	Price	Wojno

In The Chair: Hertel

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

"Mr. Speaker and members of the House:

It is wrong and premature to discharge HJR C from committee five months into this legislative session. This is important and serious question which deserves serious debate. This discharge motion circumvents that process for what I fear are purely political purposes. And even if the legislature decides to not place this issue on the ballot, the citizens of Michigan have an alternative, they can place it there themselves by petition initiative.

While I believe it is well within the powers and rights of our government and society to impose this ultimate penalty on citizens who have been convicted of violent crimes, I personally will not vote to take the life of another citizen. I believe the admonition in the bible is very clear. To kill another is a denial the potential for redemption which Christ offered to all of us. I for one will let that judgement rest with a higher authority than my own or the power vested in the Michigan legislature."

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

“Mr. Speaker and members of the House:

I voted no on discharging HJR C, because we have been in session for only for six months. It is premature to ask for a discharge motion when the Committees have only been in session for a relatively short period of time. I believe in the committee process, therefore I cannot support a motion to discharge at this time.”

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

“Mr. Speaker and members of the House:

I cannot vote in favor of the discharge of House Joint Resolution C from further consideration by the House Judiciary Committee. I feel that the committee process is being bypassed to the detriment of good public policy. In certain instances, I support using the death penalty as appropriate punishment for some of the most grievous crimes in our society, especially crimes against law enforcement personnel, corrections officials and firefighters.

The resolution fails to provide adequate detail and instructions for the implementation of capital punishment. The issue of capital punishment must be approached carefully and with much precision. For example, we need to begin to outline what form of capital punishment is to be used, how to shorten the appeals process, and what particular crimes it will apply to. Again, I feel the committee process provides the appropriate forum for these discussions to begin.

I feel the importance of committee considerations should not be discharged for a bill so consequential to the people of Michigan.”

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

“Mr. Speaker and members of the House:

I cannot vote in favor of the discharge of House Joint Resolution C from further consideration by the House Judiciary Committee. I feel that the committee process is being bypassed to the detriment of good public policy. I believe that before we ask our constituents to vote, we should exercise our sworn duty to them to make sure that issues placed before them have been thoroughly addressed. Discharging HJR C prior to proper consideration and deliberation is unjust.

In certain instances, the death penalty may be an appropriate punishment for some of the most grievous crimes in our society. However, I believe this resolution fails to provide adequate detail and instructions for the implementation of capital punishment. The issue of capital punishment must be approached carefully and with much accuracy.

As we have learned from the past by moving in haste, we have not always had a clear picture of the consequence of ballot proposals. It is time for us to do our jobs and perform our designated duty to the people of the state of Michigan and give House Joint Resolution C its proper hearing within the Committee on Judiciary *prior* to isolating our constituents to a simple yes or no vote.”

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

“Mr. Speaker and members of the House:

During my six months as a member of the House Judiciary Committee, there has been no discussion of HJR C to place the issue of the death penalty on the ballot.

I feel that the death penalty may be appropriate in the most heinous of crimes. However, I feel that the Legislature needs substantial public input before voting to place the issue on the ballot. My no vote on this resolution, therefore, is a vote in favor of the House Judiciary Committee’s process in gathering public input from across the state on this issue.”

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

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

The roll was called and the Clerk announced that a quorum was present.  
The following is the roll call:

**Roll Call No. 699**

**Yeas—93**

Agee	Fitzgerald	Jellema	Perricone
Alley	Frank	Johnson	Price
Anthony	Freeman	Kaza	Prusi
Baade	Gagliardi	Kelly	Quarles
Baird	Galloway	Kukuk	Rackowski
Banks	Geiger	LaForge	Rhead
Basham	Gernaat	Law	Richner
Birkholz	Gilmer	LeTarte	Rocca
Bobier	Gire	Llewellyn	Schauer
Bodem	Godchaux	London	Schermesser
Bogardus	Goschka	Lowe	Schroer
Brackenridge	Green	Martinez	Scott
Brown	Griffin	Mathieu	Scranton
Byl	Gubow	McBryde	Sikkema
Cassis	Gustafson	McManus	Stallworth
Cherry	Hammerstrom	McNutt	Tesanovich
Crissman	Hanley	Middaugh	Thomas
Cropsey	Harder	Middleton	Vaughn
Curtis	Hertel	Murphy	Voorhees
Dalman	Horton	Nye	Walberg
DeHart	Jansen	Olshove	Whyman
DeVuyst	Jaye	Owen	Willard
Dobronski	Jelinek	Oxender	Wojno
Emerson			

In The Chair: Hertel



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

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

**First Conference Report**

The Committee of Conference on the matters of difference between the two Houses concerning  
**House Bill No. 4308, entitled**

A bill to make appropriations for the department of education and certain other purposes relating to education for the fiscal year ending September 30, 1998; to provide for the expenditure of the appropriations; to prescribe the powers and duties of certain state departments, school districts, and other governmental bodies; and to provide for the disposition of fees and other income received by certain legal entities and state agencies.

Recommends:

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

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

“Sec. 101. There is appropriated for the department of education for the fiscal year ending September 30, 1998, from the following funds:

**DEPARTMENT OF EDUCATION  
APPROPRIATION SUMMARY:**

Full-time equated unclassified positions .....	6.0	
Full-time equated classified positions .....	624.6	
<b>GROSS APPROPRIATION.....</b>		<b>\$ 836,215,400</b>

Interdepartmental grant revenues:	
Interdepartmental grant from consumer and industry services .....	404,600
Interdepartmental grant from corrections academy lease.....	600,000
Interdepartmental grant from Michigan jobs commission.....	212,900
Interdepartmental grant from family independence agency .....	94,000
Interdepartmental grant from treasury.....	150,000
Total interdepartmental grants and intradepartmental transfers .....	1,461,500
ADJUSTED GROSS APPROPRIATION .....	\$ 834,753,900
Federal revenues:	
Total federal revenues .....	770,481,500
Special revenue funds:	
Local cost sharing (schools for blind/deaf) .....	5,988,200
Local school district service fees .....	100,000
Gifts, bequests, and donations.....	470,000
Private foundations .....	117,200
Student insurance revenue.....	200,000
Total local and private revenues.....	6,875,400
Certification fees.....	2,609,400
Commodity distribution fees .....	40,100
Driver fees .....	8,083,000
Lansing, Michigan school for the blind rent .....	600,000
Motorcycle license fees.....	1,004,500
Safety education fund .....	307,300
Private occupational school license fees .....	255,100
School loan exception fees.....	31,700
State employee child care center.....	90,000
Teacher testing fees.....	257,800
Training and orientation workshop fees .....	100,000
Total other state restricted revenues .....	13,378,900
State general fund/general purpose .....	\$ 44,018,100
STATE BOARD OF EDUCATION/ OFFICE OF THE SUPERINTENDENT	
Full-time equated unclassified positions .....	6.0
Full-time equated classified positions .....	20.0
State board of education, per diem payments.....	\$ 19,400
Unclassified positions—6.0 FTE positions.....	476,500
Performance study/charter schools.....	150,000
State board/superintendent operations—20.0 FTE positions.....	2,416,600
GROSS APPROPRIATION.....	\$ 3,062,500
Appropriated from:	
Federal revenues:	
Federal revenues .....	627,600
State general fund/general purpose .....	\$ 2,434,900
CENTRAL SUPPORT	
Full-time equated classified positions .....	54.0
Central support—54.0 FTE positions .....	\$ 3,617,700
Worker's compensation .....	133,100
Education commission of the states .....	87,400
Building occupancy charges - property management services .....	1,263,500
Training and orientation workshops .....	100,000
GROSS APPROPRIATION.....	\$ 5,201,700
Appropriated from:	
Interdepartmental grant revenues:	
Federal revenues:	
Federal revenues .....	1,714,400
Special revenue funds:	
Certification fees.....	122,800
Driver fees .....	15,900
Motorcycle license fees.....	4,500
Private occupational school license fees .....	5,100

Safety education fund .....	1,100
School loan exception fees.....	31,700
Teacher testing fees.....	5,500
Training and orientation workshop fees .....	100,000
State general fund/general purpose .....	\$ 3,200,700
<b>SCHOOL SUPPORT SERVICES</b>	
Full-time equated classified positions .....	100.2
School support operations—100.2 FTE positions.....	\$ 8,822,100
<b>GROSS APPROPRIATION.....</b>	<b>\$ 8,822,100</b>
Appropriated from:	
Federal revenues:	
Federal revenues .....	7,354,500
Special revenue funds:	
Commodity distribution fees .....	40,100
Driver fees .....	456,700
Motorcycle license fees.....	132,700
Safety education fund .....	111,900
State general fund/general purpose .....	\$ 726,200
<b>TECHNOLOGY AND INFORMATION SERVICES</b>	
Full-time equated classified positions .....	60.4
Technology and information operations—60.4 FTE positions.....	\$ 6,527,600
<b>GROSS APPROPRIATION.....</b>	<b>\$ 6,527,600</b>
Appropriated from:	
Interdepartmental grant revenues:	
Interdepartmental grant from consumer and industry services .....	404,600
Interdepartmental grant from Michigan jobs commission.....	212,900
Interdepartmental grant from treasury.....	150,000
Federal revenues:	
Federal revenues .....	3,740,100
Special revenue funds:	
Certification fees.....	246,100
Driver fees .....	10,400
State general fund/general purpose .....	\$ 1,763,500
<b>SCHOOL PROGRAM QUALITY SERVICES</b>	
Full-time equated classified positions .....	85.1
Comprehensive school health—6.6 FTE positions .....	\$ 952,800
Early childhood education—16.7 FTE positions .....	1,769,200
Michigan educational assessment program—14.0 FTE positions .....	1,328,500
School program quality operations—47.8 FTE positions .....	5,330,800
Test development and administration .....	7,388,400
<b>GROSS APPROPRIATION.....</b>	<b>\$ 16,769,700</b>
Appropriated from:	
Federal revenues:	
Federal revenues .....	5,323,100
Special revenue funds:	
Private foundations .....	22,400
State general fund/general purpose .....	\$ 11,424,200
<b>SPECIAL EDUCATION SERVICES</b>	
Full-time equated classified positions .....	48.1
Special education operations—48.1 FTE positions .....	\$ 4,142,900
<b>GROSS APPROPRIATION.....</b>	<b>\$ 4,142,900</b>
Appropriated from:	
Federal revenues:	
Federal revenues .....	3,865,300
Special revenue funds:	
Certification fees.....	19,000
State general fund/general purpose .....	\$ 258,600
<b>LANSING, MICHIGAN SCHOOL FOR THE BLIND FORMER SITE</b>	
General services.....	\$ 1,300,000
<b>GROSS APPROPRIATION.....</b>	<b>\$ 1,300,000</b>

Appropriated from:	
Interdepartmental grant revenues:	
Interdepartmental grant from corrections academy lease.....	600,000
Special revenue funds:	
Lansing, Michigan school for the blind rent .....	600,000
Gifts, bequests, and donations.....	10,000
State employee child care center.....	90,000
State general fund/general purpose .....	\$ 0
<b>MICHIGAN SCHOOL FOR THE DEAF AND BLIND</b>	
Full-time equated classified positions .....	145.3
School for the deaf/blind operations—142.0 FTE positions .....	\$ 10,691,100
Summer institute .....	312,800
Michigan deaf/blind center—2.3 FTE positions .....	300,000
Camp tuhsmeheta—1.0 FTE position .....	250,000
Private gifts - blind .....	90,000
Private gifts - deaf .....	50,000
<b>GROSS APPROPRIATION</b> .....	\$ 11,693,900
Appropriated from:	
Federal revenues:	
Federal revenues .....	1,279,700
Special revenue funds:	
Local cost sharing (schools for blind/deaf) .....	5,988,200
Local school district service fees .....	100,000
Gifts, bequests, and donations.....	460,000
Student insurance revenue.....	200,000
State general fund/general purpose .....	\$ 3,666,000
<b>CAREER DEVELOPMENT &amp; POSTSECONDARY COORDINATION SERVICES</b>	
Full-time equated classified positions .....	71.0
Career and technical education operations—36.0 FTE positions .....	\$ 2,848,200
Higher education management operations—25.0 FTE positions.....	2,518,200
Office of minority equity—10.0 FTE positions .....	680,200
<b>GROSS APPROPRIATION</b> .....	\$ 6,046,600
Appropriated from:	
Federal revenues:	
Federal revenues .....	4,122,700
Special revenue funds:	
Certification fees.....	106,500
Private occupational school license fees .....	250,000
State general fund/general purpose .....	\$ 1,567,400
<b>TEACHER PREPARATION / CERTIFICATION AND TENURE SERVICES</b>	
Full-time equated classified positions .....	40.5
Teacher preparation and certification operations—31.5 FTE positions.....	\$ 2,495,700
Tenure services operations—9.0 FTE positions.....	834,600
State tenure commission, per diem.....	11,100
Department of attorney general.....	40,000
<b>GROSS APPROPRIATION</b> .....	\$ 3,381,400
Appropriated from:	
Federal revenues:	
Federal revenues .....	213,900
Special revenue funds:	
Certification fees.....	2,115,000
Teacher testing fees.....	252,300
State general fund/general purpose .....	\$ 800,200
<b>GRANTS AND DISTRIBUTIONS</b>	
<b>FEDERAL PROGRAMS:</b>	
Adult basic education.....	\$ 8,024,100
Acquired immunodeficiency syndrome education grants.....	600,000
Competitive child care and development.....	480,000
Curriculum framework grants .....	100,000



Drug free schools grant.....	16,600,000
Eisenhower mathematics and science grants .....	12,940,000
Emergency immigrant .....	750,000
Goals 2,000 grants .....	19,720,000
Handicapped infants and toddlers .....	16,000,000
Homeless children and youth .....	833,000
Job training partnership act.....	7,952,700
Michigan charter school subgrant .....	348,600
Migrant even start.....	282,300
Pre-school grants (PL 94-142) .....	12,400,000
School age child care grants (87,900 GF/GP) .....	288,000
School lunch program-federal share .....	220,000,000
School to work.....	1,800,000
Serve America grants .....	840,000
Special education .....	10,189,800
State literacy resource center .....	263,600
Statewide systemic initiative grant.....	1,900,000
Surplus commodity .....	2,506,000
Technology literacy challenge grant.....	8,190,400
Title 1, disadvantaged children .....	331,000,000
Title 1, even start .....	3,990,000
Title 1, migrant .....	12,000,000
Title VI, innovative strategies .....	13,480,900
Training personnel for education of the handicapped.....	253,600
Vocational education act of 1963 .....	38,507,200
<b>STATE PROGRAMS:</b>	
Communities first pilot projects.....	\$ 95,000
Christa McAuliffe grants.....	94,800
Driver education .....	7,600,000
School readiness grants.....	12,083,000
Motorcycle safety education .....	867,300
National board certification.....	20,000
National geographic alliance.....	36,800
Off road vehicle safety training grant .....	194,300
School lunch and breakfast .....	6,728,000
<b>GROSS APPROPRIATION.....</b>	<b>\$ 769,959,400</b>
Appropriated from:	
Interdepartmental grant revenues:	
Interdepartmental grant from social services.....	94,000
Federal revenues:	
DAG-food and nutrition service, national school lunch .....	220,000,000
DAG-the emergency food assistance program.....	2,506,000
DED-grants and contracts service, school to work.....	1,800,000
DED-OBEMLA, emergency immigrant education assistance .....	750,000
DED-OERI, innovation in education.....	100,000
DED-OESE, charter schools .....	348,600
DED-OESE, drug free schools and communities .....	16,600,000
DED-OESE, goals 2,000 .....	19,720,000
DED-OESE, Eisenhower mathematics and science administration.....	12,940,000
DED-OESE, migrant even start.....	282,300
DED-OESE, technology literacy challenge fund.....	8,190,400
DED-OESE, title 1, disadvantaged children.....	331,000,000
DED-OESE, title 1, even start .....	3,990,000
DED-OESE, title 1, migrant education.....	12,000,000
DED-OESE, title VI, innovative strategies .....	13,480,900
DED-OSERS, handicapped infants and toddlers .....	16,000,000
DED-OSERS, handicapped preschool incentive grants .....	12,400,000
DED-OSERS, handicapped program, individuals with disabilities act.....	10,189,800
DED-OSERS, personnel development.....	253,600

DED-OVAE, adult education, state administered program .....	8,024,100
DED-OVAE, basic grants to states .....	38,507,200
DED-OVAE, homeless children and youth .....	833,000
DED-OVAE, state literacy resource center .....	263,600
DOL, job training partnership act .....	7,952,700
HHS-administration of child and family, at risk child care .....	480,000
HHS-center for disease control, acquired immunodeficiency syndrome education .....	600,000
HHS-OHDS, dependent care block grant .....	288,000
National science foundation .....	1,900,000
Corporation for national and community service .....	840,000
Special revenue funds:	
Driver fees .....	7,600,000
Motorcycle license fees .....	867,300
Private foundations .....	94,800
Safety education fund .....	194,300
State general fund/general purpose .....	\$ 18,868,800
<b>EARLY RETIREMENT SAVINGS</b>	
Early retirement compensation savings .....	\$ (692,400)
<b>GROSS APPROPRIATION</b> .....	\$ (692,400)

Appropriated from:

State general fund/general purpose .....

\$ (692,400)".

2. Amend page 12, line 20, after "is" by striking out "\$56,705,700.00" and inserting "\$57,397,000.00".
3. Amend page 14, line 10, after "October 1," by inserting "1997,".
4. Amend page 14, line 23, after "house" by striking out the balance of the line through "appropriations" on line 24 and inserting "appropriations committees".
5. Amend page 15, line 13, after "exceed" by striking out the balance of the line and inserting "\$250,000.00 for local".
6. Amend page 15, following line 17, by inserting:  
 "(4) In addition to the funds appropriated in section 101, there is appropriated an amount not to exceed \$250,000.00 for private contingency funds. These funds are not available for expenditure until they have been transferred to another line item in this act under section 393(2) of the management and budget act, 1984 PA 431, MCL 18.1393."
7. Amend page 16, line 8, by striking out all of section 209 and inserting:  
 "Sec. 209. The negative appropriation in section 101 for early retirement compensation savings represents savings from the state's 1997 early retirement program. Not later than October 15, 1997, the department and the state budget director shall request legislative transfers under section 393(2) of the management and budget act, 1984 PA 431, MCL 18.1393, to apply the retirement costs and salary and fringe benefits savings to the appropriated line items affected by the early retirement of state employees."
8. Amend page 16, line 20, after "budget" by inserting a comma and "the house and senate appropriations committees, the house and senate fiscal agencies, and the house and senate standing committees with jurisdiction over technology issues".
9. Amend page 17, following line 25, by striking out all of section 215 and inserting:  
 "Sec. 215. If the department leases real property to a person or organization that is not a department of state government, the department shall not expend funds in excess of the lease revenue received to replace, renovate, or repair that real property. This section shall not apply to emergency repairs or costs associated with technological renovations."
10. Amend page 19, line 4, after the first "to" by striking out "\$300,000.00" and inserting "\$150,000.00".
11. Amend page 19, line 5, after "101" by inserting "for state board/superintendent operations".
12. Amend page 19, line 6, after the first "to" by striking out "\$379,000.00" and inserting "\$250,000.00".
13. Amend page 19, following line 8, by inserting:  
 "(4) If an audit finds that a public school academy has significantly misrepresented its enrollment membership or financial data to the department, its funding shall be withheld and the public school academy shall be required to reimburse the state any appropriations made as a result of the misrepresentations.  
 (5) A public school academy found to have misrepresented its enrollment membership may utilize the same appeal process as a school district."
14. Amend page 20, following line 12, by inserting:  
 "(3) From the amount appropriated in section 101 for test development and administration, \$200,000.00 shall be expended to expedite the reporting of high school proficiency test results and to improve the method of reporting the results to enable pupils to accurately interpret the information.

Sec. 603. If there is appropriated for fiscal year 1997-98 not more than \$2,000,000.00 from the general fund/general purpose revenues from the state school aid fund to develop early childhood education programs for children ages 0 to 3, the department shall administer the grant program in accordance with the criteria stated for the early childhood education program in the state school aid act.”.

15. Amend page 20, line 13, by striking out all of lines 13 and 14 and inserting:

“**MICHIGAN SCHOOLS FOR THE DEAF AND BLIND**”.

16. Amend page 21, line 2, after the first “the” by striking out “blind” and inserting “blind’s former”.

17. Amend page 21, line 11, after the second “the” by striking out “blind” and inserting “blind’s former”.

18. Amend page 21, following line 19, by inserting:

“(4) Security guards or other patrols at the Michigan school for the blind’s former site shall not be funded through section 101 funds appropriated for the Michigan schools for the deaf and blind.”.

19. Amend page 21, line 22, after “the” by striking out “blind” and inserting “blind’s former”.

20. Amend page 22, line 5, by striking out “1997” and inserting “1998”.

21. Amend page 22, line 24, after “30,” by striking out “1998” and inserting “1999”.

22. Amend page 23, line 10, after “Sec. 710.” by inserting “(1)”.

23. Amend page 23, line 12, after “impaired” by striking out the balance of the section and inserting a period and “The Michigan school for the deaf and blind shall distribute information detailing its services to all intermediate school districts in the state.

(2) Upon knowledge of or recognition by an intermediate school district that a child in the district is deaf or hard of hearing or blind or visually impaired, the intermediate school district shall provide to the parents of the child the literature distributed by the Michigan school for the deaf and blind as required in subsection (1).

Sec. 711. The department shall report to the house and senate appropriations subcommittees on education detailed information on the expenditures made from the amount authorized in section 101 for general services for the Michigan school for the blind’s former site.

Sec. 712. From the amount of early retirement savings retained by the department resulting from the state’s 1997 early retirement program, there is sufficient funding to replace all of the employees at the Michigan schools for the deaf and blind who retire under the state’s 1997 early retirement program provided for in section 19f of the state employees’ retirement act, 1943 PA 240, MCL 38.19f. The department shall ensure that all positions required to maintain a ratio of 1.0 full-time equated position to 5.5 students enrolled, which are vacated by employees at the Michigan schools for the deaf and blind who retire under the state’s 1997 early retirement program, are filled. Replacement of employees at the Michigan schools for the deaf and blind who retired under the state’s 1997 early retirement program shall not be counted against the department’s 1:4 employee replacement ratio. Replacements of employees as cited in this section are exempt from the hiring freeze prescribed by section 204.”.

24. Amend page 25, line 15, by striking out “722.120” and inserting “722.128”.

25. Amend page 25, line 20, after “volunteer,” by inserting “and”.

26. Amend page 27, line 26, by striking out “\$3,000.00” and inserting “\$3,100.00”.

27. Amend page 28, line 20, by striking out all of section 904 and inserting:

“Sec. 904. The department of education shall distribute quarterly reports to the house and senate standing committees on education detailing expenditures, encumbrances, and remaining balances for goals 2000 and school to work grants appropriated for the fiscal year ending September 30, 1998.

Sec. 905. From the funds appropriated in section 101 for national board certification, the department shall pay one-half of the application fee for teachers who are deemed by the department by March 1, 1998 to be qualified to apply to the national board for professional teaching standards for professional teaching certificates or licenses and to provide grants to recognize and reward teachers who receive certification or licensure.”.

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

A bill to make appropriations for the department of education and certain other purposes relating to education for the fiscal year ending September 30, 1998; to provide for the expenditure of the appropriations; to prescribe the powers and duties of certain state departments, school districts, and other governmental bodies; and to provide for the disposition of fees and other income received by certain legal entities and state agencies.

Bob Emerson  
Thomas Kelly  
Glenn Oxender  
Conferees for the House

Dan L. DeGrow  
John Schwarz  
Joe Conroy  
Conferees for the Senate

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

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

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

The question being on the adoption of the conference report,

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

**Roll Call No. 700****Yeas—64**

Agee	Crissman	Hammerstrom	Price
Alley	Curtis	Hanley	Prusi
Anthony	DeHart	Harder	Quarles
Baade	DeVuyst	Hertel	Richner
Baird	Dobronski	Jellema	Schauer
Bankes	Emerson	Kelly	Schermesser
Bobier	Fitzgerald	LaForge	Schroer
Bodem	Frank	Law	Scott
Bogardus	Freeman	LeTarte	Scranton
Brackenridge	Gagliardi	Martinez	Sikkema
Brater	Galloway	Mathieu	Tesanovich
Brown	Gilmer	Middleton	Thomas
Byl	Gire	Murphy	Varga
Callahan	Godchaux	Olshove	Vaughn
Cherry	Griffin	Owen	Willard
Ciaramitaro	Gubow	Oxender	Wojno

**Nays—31**

Birkholz	Gustafson	Llewellyn	Perricone
Cassis	Horton	London	Rackowski
Cropsey	Jansen	Lowe	Rhead
Dalman	Jaye	McBryde	Rocca
Geiger	Jelinek	McManus	Voorhees
Gernaat	Johnson	McNutt	Walberg
Goschka	Kaza	Middaugh	Whyman
Green	Kukuk	Nye	

In The Chair: Hertel

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

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

Reps. Cropsey, Goschka, Whyman, Kukuk, Horton, Voorhees, Lowe and Jansen, having reserved the right to explain their nay vote, made the following statement:

“Mr. Speaker and members of the House:

HB 4308 includes the funding for the most unresponsive state board of education in Michigan history.

Last month over 2,000 people contacted the legislature or the state board asking the state board to retain its mission statement. Over 100 people testified in favor of the mission statement. This was unprecedented in the history of the state board of education. Unfortunately, a majority of the state board had its mind made up regardless of the testimony of the people.

The mission statement said “parents are a child’s first teachers with the primary right and responsibility for their child’s education.” In the revised school code that the legislature recently adopted, this language was included:

Sec. 10. It is the natural, fundamental right of parents and legal guardians to determine and direct the care, teaching, and education of their children. The public schools of this state serve the needs of the pupils by cooperating with the pupil’s parents and legal guardians to develop the pupil’s intellectual capabilities and vocational skills in a safe and positive environment.

Even the Universal Declaration of Human Rights states in Article 26(3) “Parents have a prior right to choose the kind of education that shall be given to their children.” Unfortunately, the state board now does not see any necessity to acknowledge that parents have the primary right to educate their children.

The mission statement quoted the state constitution in acknowledging Almighty God as giving the people the blessing of liberty. The mission statement and the state constitution also stated that “Religion, Morality, and Knowledge, being necessary to good government and the happiness of mankind, schools and the means of education shall forever be encouraged.” These two statements made a majority of state board uncomfortable because of the references to God. How unfortunate that this state board is afraid to acknowledge God, religion, and morality in our educational system.

Why would this board vote to delete a mission statement that says “to teach a child created by God is a noble calling.” Our country was born because of the belief that human beings are endowed by “our Creator with certain unalienable rights.” This goes to the crux of the controversy and to the linchpin of our government, and it boils down to two irreconcilable conflicting world views—a theistic world view where God created and endowed human beings with unalienable rights or an atheistic world view where human beings made up the superstitious ideas of gods and rights.

Does this have a practical impact on our government and the ideals we wish to transmit to our children? Certainly it does!

From a theistic world view, if human beings are created by God, then a rational human being will ask “What does the Creator require of His created beings?”. There is a final accountability to the Creator. Therefore, there are ideals that children should be taught and that a society and individuals should strive to uphold. This is the world view upon which our nation and all of Western Civilization was founded.

From an atheistic world view, if human beings are not created by the Higher Power; human beings are only accountable if they are subservient to other human beings. The people who hold the ultimate power are not held accountable to anyone. There are no set unchanging ideals for a society to follow and there is no check on the abuse of power because the concept of unalienable rights is not accepted. This world view has been in vogue many times in this century and has wrecked indescribable damage in Germany under Hitler, the old Soviet Union under Lenin, Stalin and their successors, China under Mao and his successors, Cambodia under Pol Pot, Cuba under Castro.

Some people who argue for the elimination of the mission statement claim that it violates the so-called “separation of church and state.” What they are really saying is that the wish to change the basic theistic world view of our government. They are attempting to impose their world view of atheism upon this state and nation.

Our state board is casting its lot with extremist groups that convinced the Supreme Court that prayer and Bible reading are not to be allowed in the public schools even though the vast majority of American people have wanted otherwise.

These are the fanatics who have tried to wipe “In God we trust” off our coins and “one nation under God” out of the pledge of allegiance.

Our first president, George Washington, stated

“It is impossible to rightly govern the world with God and the Bible.”

Obviously the state board of education now believes that God and parents have no place in our public educational system. We cannot in good conscience support the continued funding for this board.”

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

“Mr. Speaker and members of the House:

Spending \$911,000 on bureaucrats promoting minorities in non traditional roles is excessive and silly social engineering. Instead of promoting more women as plumbers, men as home economics teachers, Blacks as farmers and whites as jazz musicians. Rather we should promote the best and the brightest for each job.”

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

“Mr. Speaker and members of the House:

I voted “No” on HB 4308, the department of education budget bill, because of the outrageous conduct of the Michigan Board of Education in their dictatorial rejection of their own previously adopted Mission Statement. The Mission Statement was in no way a sectarian or exclusionary document. Instead, the Mission Statement simply acknowledged our Creator and strongly defended the rights and responsibilities of parents in the education of their children. The Statement also stressed the inclusion, not the exclusion, of all who would utilize our public education system.

Sadly, a majority on the current Board of Education seem bent on eliminating God from any and all aspects of public education, and they apparently also want to remove parental rights! For these reasons I will not vote for HB 4308!”

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

“Mr. Speaker and members of the House:

I opposed HB 4308 to emphasize my commitment to the need for the State Board of Education to return to the mission statement.”

Reps. Jelinek and Cassis, having reserved the right to explain their nay vote, made the following statement:

“Mr. Speaker and members of the House:

I voted no on HB 4308 because it should contain boiler plate the requires the State Board of Education to recognize the will of the people heard in their recent hearing and reinstate their original mission statement.”

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

“Mr. Speaker and members of the House:

HB 4308 provides funding for a State Board of Education that has publicly ignored the wishes of thousands of residents of the State of Michigan by rescinding the historic Mission Statement adopted by the Board in 1995. By rescinding this Mission Statement, the Board of Education sends a very disturbing message, that parents no longer are considered the key to successful education, and that education of the highest quality is no longer a goal of this state. Additionally, the Board rescinded a document that reiterates our Constitution’s acknowledgement of the moral and religious foundation upon which this nation was established. The Board apparently feels that a statement of vision and mission is no longer important, and I cast a ‘NO’ vote in disapproval of funding a state entity that ignores the wishes of the citizens of this state.”



Rep. Martinez moved that Rep. Baird be excused temporarily from today’s session.  
The motion prevailed.

**Senate Bill No. 166, entitled**

A bill to make appropriations for the departments of consumer and industry services and Michigan jobs commission and certain other state purposes for the fiscal year ending September 30, 1998; to provide for the expenditure of those appropriations; to provide for the imposition of certain fees; to provide for the disposition of fees and other income received by the state agencies; to provide for reports to certain persons; and to prescribe powers and duties of certain state departments and certain state and local agencies and officers.

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

**First Conference Report**

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

**Senate Bill No. 166, entitled**

A bill to make appropriations for the departments of consumer and industry services and Michigan jobs commission and certain other state purposes for the fiscal year ending September 30, 1998; to provide for the expenditure of those appropriations; to provide for the imposition of certain fees; to provide for the disposition of fees and other income received by the state agencies; to provide for reports to certain persons; and to prescribe powers and duties of certain state departments and certain state and local agencies and officers.

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 section 101 and inserting:

“Sec. 101. There is appropriated for the departments of consumer and industry services and Michigan jobs commission for the fiscal year ending September 30, 1998, from the following funds:

**TOTAL REGULATORY**

**APPROPRIATION SUMMARY:**

Full-time equated unclassified positions .....	73.5	
Full-time equated classified positions .....	5,988.6	
<b>GROSS APPROPRIATION .....</b>		<b>\$ 976,657,800</b>
Interdepartmental grant revenues:		
Total interdepartmental grants and intradepartmental transfers .....	3,467,900	
<b>ADJUSTED GROSS APPROPRIATION .....</b>		<b>\$ 973,189,900</b>

Federal revenues:	
Total federal revenues .....	570,650,200
Special revenue funds:	
Total local revenues .....	12,561,400
Total private revenues .....	4,881,300
Total other state restricted revenues .....	197,310,400
State general fund/general purpose .....	\$ 187,786,600
<b>DEPARTMENT OF CONSUMER AND INDUSTRY SERVICES</b>	
<b>APPROPRIATION SUMMARY:</b>	
Full-time equated unclassified positions .....	64.5
Full-time equated classified positions .....	2,771.4
<b>GROSS APPROPRIATION</b> .....	<b>\$ 374,401,800</b>
Interdepartmental grant revenues:	
Total interdepartmental grants and intradepartmental transfers .....	893,200
<b>ADJUSTED GROSS APPROPRIATION</b> .....	<b>\$ 373,508,600</b>
Federal revenues:	
Total federal revenues .....	112,620,400
Special revenue funds:	
Total local revenues .....	0
Total private revenues .....	920,700
Total other state restricted revenues .....	184,113,600
State general fund/general purpose .....	\$ 75,853,900
<b>EXECUTIVE DIRECTION</b>	
Full-time equated unclassified positions .....	64.5
Full-time equated classified positions .....	75.0
Unclassified salaries .....	\$ 4,720,800
Executive director programs—45.0 FTE positions .....	4,615,700
Policy development—9.0 FTE positions .....	1,308,500
Utility consumer representation .....	800,000
Regulatory efficiency improvements/backlog reduction initiative .....	750,000
MES board of review program—21.0 FTE positions .....	1,478,900
<b>GROSS APPROPRIATION</b> .....	<b>\$ 13,673,900</b>
Appropriated from:	
Federal revenues:	
DOL-ETA, unemployment insurance .....	1,865,500
DOL-multiple grants for safety and health .....	158,000
Special revenue funds:	
Private-college work study .....	25,000
Motor carrier fees .....	22,100
Public utility assessments .....	339,000
Corporation fees.....	107,900
Bank fees .....	204,900
Consumer finance fees .....	45,800
Health professions regulatory fund .....	2,099,900
Credit union fees.....	86,100
Insurance regulatory fees .....	303,900
Liquor purchase revolving fund .....	1,148,400
Michigan state housing development authority fees and charges .....	308,000
Mobile home commission fees.....	39,800
State fair revenue .....	65,600
Utility consumer representation fund .....	800,000
Licensing and regulation fees.....	971,100
Construction code fund .....	207,400
Elevator fees .....	1,400
Safety education and training fund.....	156,600
Workers' compensation administrative revolving fund.....	19,600
State general fund/general purpose .....	\$ 4,697,900
<b>COUNCIL FOR ARTS AND CULTURAL AFFAIRS</b>	
Full-time equated classified positions .....	9.0

Administration—9.0 FTE positions .....	\$	827,800
Arts and cultural grants.....		21,548,700
GROSS APPROPRIATION.....	\$	<u>22,376,500</u>
Appropriated from:		
Federal revenues:		
NFAH-NEA, promotion of the arts, state and regional programs .....		700,000
State general fund/general purpose .....	\$	21,676,500
MICHIGAN STATE FAIR		
Full-time equated classified positions .....		22.0
State fair operations—22.0 FTE positions.....	\$	6,340,000
GROSS APPROPRIATION.....	\$	<u>6,340,000</u>
Appropriated from:		
Interdepartmental grant revenues:		
IDG-Department of Agriculture .....		78,800
Special revenue funds:		
State fair revenue .....		6,261,200
State general fund/general purpose .....	\$	0
FIRE SAFETY		
Full-time equated classified positions .....		50.0
Office of fire safety—50.0 FTE positions .....	\$	3,824,800
GROSS APPROPRIATION.....	\$	<u>3,824,800</u>
Appropriated from:		
Interdepartmental grant revenues:		
IDG from department of community health, inspection contract.....		105,600
Federal revenues:		
HHS-HCFA, medicare supplementary medical insurance.....		370,400
HHS-HCFA, state survey and certification of health care providers and suppliers, medicaid ..		924,900
Special revenue funds:		
Fire alarm regulation fees .....		158,900
Fire services fees .....		1,126,200
State general fund/general purpose .....	\$	1,138,800
MANAGEMENT SERVICES		
Full-time equated classified positions .....		176.0
Administrative services—73.0 FTE positions .....	\$	4,759,500
Technology support—103.0 FTE positions .....		12,194,100
Insurance automation .....		750,000
Health services information systems .....		750,000
Rent .....		4,932,400
Building occupancy charges - property development services.....		4,666,200
Worker's compensation .....		1,010,400
Special project advances .....		740,000
GROSS APPROPRIATION.....	\$	<u>29,802,600</u>
Appropriated from:		
Interdepartmental grant revenues:		
IDT from insurance bureau .....		508,800
Federal revenues:		
Federal funds .....		738,400
HHS, federal funds .....		707,100
DOL, multiple grants for safety and health .....		113,500
DOL-ETA, unemployment insurance .....		220,500
Special revenue funds:		
Private-college work study.....		25,100
Private-special project advances .....		740,000
Motor carrier fees .....		187,700
Public utility assessments .....		2,548,300
Corporation fees.....		1,977,000
Mobile home commission fees.....		132,400
Liquor purchase revolving fund .....		6,364,500
Michigan state housing development authority fees and charges .....		1,009,900



Credit union fees.....	249,300
Bank fees.....	449,800
Securities fees.....	12,100
Consumer finance fees.....	129,700
Insurance regulatory fees.....	1,557,100
Health professions regulatory fund.....	3,401,300
Licensing and regulation fees.....	1,814,600
Fees and collections.....	93,700
Boiler fee revenue.....	35,400
Construction code fund.....	834,400
Elevator fees.....	107,200
Safety education and training fund.....	160,400
Second injury fund.....	12,100
Self insurers' security fund.....	2,100
Silicosis and dust disease fund.....	4,900
Workers' compensation administrative revolving fund.....	963,000
State general fund/general purpose.....	\$ 4,702,300
<b>FINANCIAL SERVICES AND CORPORATIONS</b>	
Full-time equated classified positions.....	416.0
Mobile home commission, per diem \$50.00.....	\$ 7,800
Mobile home and land resources program—17.0 FTE positions.....	1,551,000
Corporate services—46.0 FTE positions.....	2,721,900
Corporate certification and copying—28.0 FTE positions.....	2,120,400
Investment oversight—31.0 FTE positions.....	2,519,400
Local mobile home park inspections.....	250,000
Property development group—13.0 FTE positions.....	1,345,000
Remonumentation.....	4,500,000
Financial institutions administration—18.0 FTE positions.....	1,242,700
Bank regulation—54.0 FTE positions.....	5,001,200
Credit union regulation—37.0 FTE positions.....	2,808,100
Financial institutions consumer protection—21.0 FTE positions.....	1,449,500
Financial institutions research and consumer services—5.0 FTE positions.....	357,700
Federal regulatory projects.....	50,600
Financial institutions corporate regulatory services—9.0 FTE positions.....	710,500
Insurance bureau administration—23.0 FTE positions.....	2,105,200
Insurance financial standards—49.0 FTE positions.....	7,565,100
Insurance licensing and enforcement—30.0 FTE positions.....	2,442,100
Market standards and consumer services—35.0 FTE positions.....	2,410,300
<b>GROSS APPROPRIATION.....</b>	<b>\$ 41,158,500</b>
Appropriated from:	
Federal revenues:	
Federal regulatory project revenues.....	50,600
Special revenue funds:	
Corporation fees.....	3,761,100
Mobile home commission fees.....	1,909,000
Securities fees.....	1,319,400
Land sales fees.....	50,600
Limited liability partnership revenue.....	10,000
Certification and copying fees.....	2,120,400
Property development fees.....	224,800
Remonumentation fees.....	5,063,600
Bank fees.....	6,474,500
Consumer finance fees.....	1,557,700
Credit union fees.....	3,537,500
Insurance licensing and regulation fees.....	3,011,600
Insurance regulatory fees.....	10,830,800
Insurance continuing education fees.....	532,400
Multiple employer welfare arrangement.....	131,900
Private-college work-study.....	10,100

Private-travel funds .....		5,900
State general fund/general purpose .....	\$	556,600
<b>PUBLIC SERVICE COMMISSION</b>		
Full-time equated classified positions .....	170.0	
Administration, planning and regulation—170.0 FTE positions .....	\$	18,268,000
<b>GROSS APPROPRIATION</b> .....	\$	18,268,000
Appropriated from:		
Interdepartmental grant revenues:		
IDG from MDEQ .....		200,000
Federal revenues:		
DOE-OEERE, multiple grants .....		2,477,900
DOT-RSPA, gas pipeline safety .....		208,200
Special revenue funds:		
Motor carrier fees .....		1,730,000
Public utility assessments .....		13,605,900
Private-great lakes governors council .....		46,000
State general fund/general purpose .....	\$	0
<b>LIQUOR CONTROL COMMISSION</b>		
Full-time equated classified positions .....	207.0	
Management support services—48.0 FTE positions .....	\$	2,846,500
Liquor licensing and enforcement—159.0 FTE positions .....		9,930,300
Liquor law enforcement grants .....		6,000,000
Grant to department of agriculture, wine industry council .....		424,100
<b>GROSS APPROPRIATION</b> .....	\$	19,200,900
Appropriated from:		
Special revenue funds:		
Liquor license revenue .....		10,599,000
Non-retail liquor license revenue .....		424,100
Liquor purchase revolving fund .....		8,177,800
State general fund/general purpose .....	\$	0
<b>MICHIGAN STATE HOUSING DEVELOPMENT AUTHORITY</b>		
Full-time equated classified positions .....	249.0	
Payments on behalf of tenants .....	\$	66,000,000
Housing and rental assistance program—244.0 FTE positions .....		20,403,500
Automatic data processing—5.0 FTE positions .....		1,373,800
Homeless program .....		5,290,800
<b>GROSS APPROPRIATION</b> .....	\$	93,068,100
Appropriated from:		
Federal revenues:		
HUD, lower income housing assistance program .....		78,771,100
Special revenue funds:		
Michigan state housing development authority fees and charges .....		14,297,000
State general fund/general purpose .....	\$	0
<b>TAX TRIBUNAL</b>		
Full-time equated classified positions .....	15.0	
Operations—15.0 FTE positions .....	\$	1,593,100
<b>GROSS APPROPRIATION</b> .....	\$	1,593,100
Appropriated from:		
Special revenue funds:		
Tax tribunal fees .....		592,800
State general fund/general purpose .....	\$	1,000,300
<b>GRANTS</b>		
Fire protection grants .....	\$	6,375,000
<b>GROSS APPROPRIATION</b> .....	\$	6,375,000
Appropriated from:		
Special revenue funds:		
Liquor purchase revolving fund .....		6,375,000
State general fund/general purpose .....	\$	0

HEALTH REGULATORY SYSTEMS

Full-time equated classified positions .....	354.0	
Health systems administration—178.0 FTE positions .....		\$ 13,469,900
Clinical laboratory improvement—6.0 FTE positions .....		1,003,300
Emergency medical services program state staff—11.0 FTE positions .....		1,058,500
Health facilities management information system .....		568,400
Radiological health administration and projects—24.0 FTE positions .....		1,810,200
Substance abuse program administration—6.0 FTE positions .....		399,400
Emergency medical services grants and contracts .....		962,100
Licensing, monitoring, and accreditation—24.0 FTE positions .....		1,569,600
Health services—105.0 FTE positions .....		11,350,300
GROSS APPROPRIATION .....		\$ <u>32,191,700</u>
Appropriated from:		
Federal revenues:		
Federal funds .....		11,790,300
Special revenue funds:		
Private-local northeast regional dentistry board review.....		18,100
Private-college work study .....		25,500
Controlled substance license fees.....		1,270,200
Health professions regulatory fund .....		9,586,500
Nurse professional fund .....		450,000
Fees and collections .....		1,812,000
Other state restricted revenue.....		1,237,000
State general fund/general purpose .....		\$ 6,002,100

REGULATORY SERVICES

Full-time equated classified positions .....	280.0	
AFC, children's welfare and day care licensure—280.0 FTE positions.....		\$ 19,611,100
GROSS APPROPRIATION .....		\$ <u>19,611,100</u>
Appropriated from:		
Federal revenues:		
HHS, federal funds .....		1,761,500
Special revenue funds:		
Licensing fees .....		442,300
State general fund/general purpose .....		\$ 17,407,300

OCCUPATIONAL REGULATION

Full-time equated classified positions .....	243.0	
Commissions and boards.....		\$ 41,900
Code enforcement—88.0 FTE positions.....		6,069,000
Code enforcement flexibility.....		608,200
Barrier free design program—6.0 FTE positions.....		371,000
Administration—7.0 FTE positions.....		658,200
Boiler inspection program—20.0 FTE positions .....		1,383,800
Elevator inspection program—25.0 FTE positions .....		1,667,800
Commercial services—97.0 FTE positions.....		7,708,700
GROSS APPROPRIATION .....		\$ <u>18,508,600</u>
Appropriated from:		
Special revenue funds:		
Private-college work study.....		25,000
Real estate education fund .....		351,800
Real estate appraiser continuing education fund .....		45,000
Licensing and regulation fees.....		5,546,700
Homeowner construction lien recovery fund.....		1,528,900
Health professions regulatory fund .....		211,300
Construction code fund .....		7,517,900
Boiler fee revenue.....		1,516,600
Elevator fees .....		1,765,400
State general fund/general purpose .....		\$ 0

EMPLOYMENT RELATIONS

Full-time equated classified positions .....	29.0	
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Fact finding and arbitration.....	\$	169,300
Employment and labor relations—29.0 FTE positions .....		2,739,700
GROSS APPROPRIATION.....	\$	<u>2,909,000</u>
Appropriated from:		
Special revenue funds:		
Publication revenue.....		25,000
State general fund/general purpose .....	\$	2,884,000
SAFETY AND REGULATION		
Full-time equated classified positions .....		284.0
Commissions and boards.....	\$	27,700
Employment standards enforcement—38.0 FTE positions .....		2,276,700
Subgrantees.....		1,026,900
Occupational safety and health—246.0 FTE positions .....		20,328,500
GROSS APPROPRIATION.....	\$	<u>23,659,800</u>
Appropriated from:		
Federal revenues:		
DOL, multiple grants for safety and health .....		11,762,500
Special revenue funds:		
Safety education and training fund.....		4,741,700
Fees and collections .....		668,900
State general fund/general purpose .....	\$	6,486,700
WORKER'S DISABILITY COMPENSATION		
Full-time equated classified positions .....		192.4
Administration—134.0 FTE positions.....	\$	7,891,100
Board of magistrates administration—8.0 FTE positions .....		1,737,900
Appellate commission administration—11.4 FTE positions .....		785,300
Supplemental benefit fund .....		1,700,000
Insurance funds administration—39.0 FTE positions .....		10,051,400
Automatic data processing .....		506,000
Grant to the Michigan jobs commission, hire the handicapped program .....		50,000
GROSS APPROPRIATION.....	\$	<u>22,721,700</u>
Appropriated from:		
Special revenue funds:		
Worker's compensation administrative revolving fund.....		1,931,400
Second injury fund.....		6,398,200
Self insurers' security fund .....		1,705,200
Silicosis and dust disease fund.....		2,504,000
State general fund/general purpose .....	\$	10,182,900
EARLY RETIREMENT SAVINGS		
Early retirement savings .....	\$	(881,500)
GROSS APPROPRIATION.....	\$	<u>(881,500)</u>
Appropriated from:		
State general fund/general purpose .....	\$	(881,500)
MICHIGAN JOBS COMMISSION		
APPROPRIATION SUMMARY:		
Full-time equated unclassified positions .....		9.0
Full-time equated classified positions .....		3,217.2
GROSS APPROPRIATION.....	\$	602,256,000
Interdepartmental grant revenues:		
Total interdepartmental grants and intradepartmental transfers .....		2,574,700
ADJUSTED GROSS APPROPRIATION .....	\$	599,681,300
Federal revenues:		
Total federal revenues .....		458,029,800
Special revenue funds:		
Total local revenues .....		12,561,400
Total private revenues .....		3,960,600
Total other state restricted revenues .....		13,196,800
State general fund/general purpose .....	\$	111,932,700

DEPARTMENTAL ADMINISTRATION

Full-time equated unclassified positions .....	9.0	
Full-time equated classified positions .....	16.0	
Unclassified salaries .....		\$ 759,300
Executive direction—16.0 FTE positions .....		1,234,100
K. I. Sawyer base conversion authority .....		346,700
GROSS APPROPRIATION .....		\$ 2,340,100

Appropriated from:

Interdepartmental grant revenues:

IDG-MDEQ, air quality fees .....		58,000
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Federal revenues:

DOL-ETA, unemployment insurance .....		63,400
DOL-ETA, employment service .....		44,000
DOL, bureau of labor statistics .....		900
DOL-ETA .....		800
DOL-OVET .....		2,000

Special revenue funds:

Contingent fund, penalty and interest account .....		700
State general fund/general purpose .....	\$	2,170,300

DEPARTMENT OPERATIONS

Full-time equated classified positions .....	74.0	
Administrative services—74.0 FTE positions .....		\$ 5,422,600
Rent .....		1,549,300
Building occupancy charges - property development services .....		620,500
Worker's compensation .....		152,300
Special project advances .....		700,000
GROSS APPROPRIATION .....		\$ 8,444,700

Appropriated from:

Federal revenues:

DOL-ETA, job training partnership grants .....		513,700
DED, cooperative demonstration, school-to-work .....		150,000
DED-OSERS, rehabilitation services, vocational rehabilitation of state grants .....		1,075,400
DED-OSERS, client assistance for individuals with disabilities .....		11,300
HHS-SSA, supplemental security income .....		2,900
HHS, temporary assistance for needy families .....		253,000

Special revenue funds:

Private special project advances .....		700,000
State general fund/general purpose .....	\$	5,738,400

ECONOMIC RETENTION AND EXPANSION

Full-time equated classified positions .....	239.0	
International and national business development—33.0 FTE positions .....		\$ 4,172,200
Travel administration/travel commission—29.0 FTE positions .....		3,812,400
Welcome centers—56.0 FTE positions .....		3,489,400
Michigan promotion program .....		7,492,500
Job creation services—121.0 FTE positions .....		13,909,500
GROSS APPROPRIATION .....		\$ 32,876,000

Appropriated from:

Interdepartmental grant revenues:

IDG-MDEQ, air quality fees .....		42,000
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Federal revenues:

DOL-NOICC .....		166,400
HUD-CPD, community development block grant .....		1,664,900

Special revenue funds:

Private-Michigan certified development corporation fees .....		127,500
Industry support fees .....		50,000
State general fund/general purpose .....	\$	30,825,200

WORKFORCE DEVELOPMENT

Full-time equated classified positions .....	757.0	
Employment training services—664.0 FTE positions .....		\$ 59,269,800

Michigan career and technical institute—93.0 FTE positions .....	9,506,600
GROSS APPROPRIATION .....	\$ 68,776,400
Appropriated from:	
Interdepartmental grant revenues:	
IDG-MDOC .....	31,400
Federal revenues:	
DED, cooperative demonstration, school-to-work .....	1,680,900
DED-OPSE, multiple grants .....	999,500
DED-OSERS, client assistance for individuals with disabilities .....	343,400
DED-OSERS, special education, state grants .....	39,500
DED-OSERS, centers for independent living .....	56,500
DED-OSERS, rehabilitation long-term training .....	227,400
DED-OSERS, rehabilitation services, vocational rehabilitation of state grants .....	37,508,200
DED-OSERS, state grants for technical related assistance .....	749,800
DOL-ETA, job training partnership act .....	5,800,500
HHS-SSA, supplemental security income .....	3,382,300
CNS .....	503,400
HHS-ACF, temporary assistance for needy families .....	1,945,700
Special revenue funds:	
Local vocational rehabilitation match .....	3,152,200
Private gifts, bequests, and donations .....	1,351,400
Rehabilitation services fees .....	1,880,000
Risk management internal service fund .....	99,700
Second injury fund .....	50,000
Student fees .....	44,700
Training material fees .....	249,600
State general fund/general purpose .....	\$ 8,680,300
DEPARTMENT GRANTS	
Job training programs subgrantees .....	\$ 114,996,200
Michigan community service commission subgrantees .....	5,300,000
Displaced homemakers .....	450,000
Supported employment grants .....	1,308,600
Technology assistance grants .....	278,300
Vocational rehabilitation client services/facilities .....	47,234,400
Vocational rehabilitation independent living .....	1,077,700
Personal care attendants .....	300,000
School-to-work subgrantees .....	10,500,000
Trade academy grants .....	344,700
Economic development job training grants .....	31,007,300
Work first grants .....	94,079,000
CDBG pass-through .....	45,000,000
Michigan transition initiative grants .....	454,500
Pre-college programs in engineering and the sciences .....	452,900
State research fund .....	300,000
GROSS APPROPRIATION .....	\$ 353,083,600
Appropriated from:	
Interdepartmental grant revenues:	
IDG-MDOC .....	1,015,600
Federal revenues:	
DED, cooperative demonstration, school-to-work .....	10,200,000
DED-OSERS, centers for independent living .....	525,000
DED-OSERS, rehabilitation services, vocational rehabilitation of state grants .....	33,345,200
DED-OSERS, rehabilitation services facilities .....	2,272,500
DED-OSERS, special education, state grants .....	454,500
DED-OSERS, supported employment .....	1,308,600
DED-OSERS, state grants for technical related assistance .....	278,300
DOL-ETA, job training partnership act .....	113,980,600
HHS, temporary assistance for needy families .....	65,533,700
HHS-SSA, supplemental security income .....	1,750,000

HUD-CPD, community development block grant.....	45,000,000
CNS .....	3,900,000
Special revenue funds:	
Local vocational rehabilitation match .....	6,130,900
Local vocational rehabilitation facilities match.....	1,278,300
Private gifts, bequests, and donations .....	800,000
State general fund/general purpose .....	\$ 65,310,400
<b>MICHIGAN EMPLOYMENT SECURITY AGENCY</b>	
Full-time equated classified positions .....	2,131.2
Worker's compensation .....	\$ 509,300
Rent .....	3,879,900
Building occupancy charges - property development service .....	3,104,000
Executive direction—26.3 FTE positions .....	1,740,000
Advocacy assistance program .....	1,500,000
Customer services—1,476.3 FTE positions .....	70,898,700
Financial and management services—168.8 FTE positions .....	13,947,800
Human resources—22.1 FTE positions .....	1,460,700
Communications and external affairs—48.5 FTE positions .....	3,143,300
Audits and investigations—48.8 FTE positions.....	3,253,300
Special audit and collections program—46.2 FTE positions .....	1,979,000
Special fraud control program—19.5 FTE positions .....	1,217,000
Information services—165.1 FTE positions .....	21,262,100
Training program for commission staff—2.1 FTE positions.....	1,035,600
Fraud control and investigations program—16.7 FTE positions.....	1,079,800
Referee appeals program—51.5 FTE positions .....	3,686,300
Reemployment services for claimants .....	1,000,000
Targeted employment services—39.3 FTE positions .....	2,830,300
<b>GROSS APPROPRIATION.....</b>	<b>\$ 137,527,100</b>
Appropriated from:	
Interdepartmental grant revenues:	
IDG from family independence agency .....	1,427,700
Federal revenues:	
DED-OSERS, rehabilitation services, vocational rehabilitation of state grants .....	1,300,000
DOL, unemployment insurance .....	73,622,600
DOL, employment service .....	26,655,900
DOL, bureau of labor statistics .....	2,319,900
DOL, employment and training administration .....	3,219,400
DOL, veterans' employment and training administration .....	6,569,800
DOL, miscellaneous funds .....	8,608,000
Special revenue funds:	
Local revenues .....	2,000,000
Private MESA .....	981,700
MESA sales revenue .....	100,000
Contingent fund, penalty and interest account .....	10,722,100
State general fund/general purpose .....	\$ 0
<b>EARLY RETIREMENT SAVINGS</b>	
Early retirement savings .....	\$ (791,900)
<b>GROSS APPROPRIATION.....</b>	<b>\$ (791,900)</b>
Appropriated from:	
State general fund/general purpose .....	\$ (791,900)".
2. Amend page 24, line 2, 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 1997-98 is estimated at \$385,097,000.00 in this act and state spending from state sources paid to local units of government for fiscal year 1997-98 is estimated at \$93,246,400.00. The itemized statement below identifies appropriations from which spending to units of local government will occur:	
<b>DEPARTMENT OF CONSUMER AND INDUSTRY SERVICES</b>	
Arts and cultural grants .....	\$ 20,848,700
Fire protection grants .....	6,375,000
Liquor law enforcement .....	6,000,000

Local mobile home inspections .....	250,000
Total consumer and industry services.....	\$ 33,473,700
<b>DEPARTMENT OF MICHIGAN JOBS COMMISSION</b>	
School-to-work subgrantees .....	\$ 300,000
Economic development job training grants .....	31,007,300
Work first grants .....	28,465,400
Total Michigan jobs commission.....	\$ 59,772,700".

3. Amend page 25, following line 23, by inserting:

“(s) “HHS-HCFA” means the HHS health care financing administration.” and relettering the remaining subdivisions.

4. Amend page 28, following line 4, following section 210, by inserting:

“Sec. 211. (1) Departments and state agencies that receive funds under this act may receive and expend federal funds for purposes allowed by the federal government and these funds are appropriated if the funds are provided as block grants or other similar replacements for, or consolidations of, prior federal funding sources.

(2) The departments and state agencies described in subsection (1) may use the funds described in that subsection to continue existing programs and shall not establish new programs utilizing these funds unless the legislature has enacted modifications to the existing program or has enacted a new program.

Sec. 212. The departments of consumer and industry services and Michigan jobs commission shall establish and maintain affirmative action programs based on guidelines developed by the state equal opportunity workforce planning council which was created by Executive Order 1996-13 in order to receive general fund/general purpose dollars.

Sec. 213. The departments of consumer and industry services and Michigan jobs commission 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.”.

5. Amend page 33, following line 18, by inserting:

“(xx) Fire safety board..... \$50.00 per day”.

6. Amend page 38, line 1, by striking out all of section 314.

7. Amend page 41, line 26, by striking out all of sections 325 and 326 and inserting:

“Sec. 325. The negative appropriation in section 101 for early retirement compensation savings represents savings from the state’s 1997 early retirement program. Not later than October 15, 1997, the department of consumer and industry services and the state budget director shall request legislative transfers under section 393(2) of the management and budget act, 1984 PA 431, MCL 18.1393, to apply the retirement costs and salary and fringe benefits savings to the appropriated line items affected by the early retirement of state employees.

Sec. 326. (1) The department shall submit to the department of management and budget, senate and house appropriations committees, senate and house fiscal agencies, and senate and house standing committees having jurisdiction over technology issues periodic 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) 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. At the time progress billings are presented for reimbursement, the department shall identify and forward as appropriate the funding sources that should support the work performed.

Sec. 327. Money appropriated under this act for fire safety programs shall not be expended unless, in accordance with section 2c of the fire prevention code, 1941 PA 207, MCL 29.2c, inspection and plan review fees will be charged according to the following schedule:

<u>Operation and maintenance inspection fee</u>		
<u>Facility type</u>	<u>Facility size</u>	<u>Fee</u>
Hospitals	Any	\$10.00 per bed
<u>Plan review and construction inspection fees for hospitals and schools</u>		
<u>Project cost range</u>		<u>Fee</u>
\$85,000.00 or less		minimum fee of \$100.00
\$85,001.00 to \$1,500,000.00		\$1.18 per \$1,000.00
\$1,500,001.00 to \$10,000,000.00		\$0.80 per \$1,000.00
\$10,000,001.00 or more		\$0.50 per \$1,000.00 or a maximum fee of \$50,000.00.



Sec. 328. The department shall furnish the clerk of the house, the secretary of the senate, and the members of the house and senate appropriations committees any evaluation reports and subsequent approvals or disapprovals of juvenile residential facilities operated by the family independence agency, as required by 1973 PA 116, MCL 722.116.

Sec. 329. By October 1, 1997 the insurance commissioner shall file a written report with the regulatory subcommittees of the house and senate appropriations committees and the standing committees of the house and senate that deal with insurance issues outlining the steps taken to insure that consumer protection issues have been addressed, including, but not limited to, the following:

(a) Consumer complaints against insurance companies.

(b) Rates and form filings.

(c) Efforts by the commissioner to comply with regulatory and oversight requirements imposed by law.

Sec. 330. The department of consumer and industry services, public service commission, shall submit a status report on the energy program to the regulatory subcommittees of the house and senate appropriations committees with copies to the house and senate fiscal agencies on or before March 1, 1998 and September 1, 1998. The report shall include, but not be limited to, a list of grants projects, a brief description of each project, and the amount expended on each project. Upon enactment of House Bill No. 4820 and House Bill No. 4821 of the 89th Legislature, up to \$200,000.00 in the form of an interdepartmental grant from the department of environmental quality shall be expended by the public service commission for the purpose of establishing a uniform system of reporting oil and gas volumes and values for the purposes of establishing revenues for the department of treasury, department of environmental quality, and department of natural resources.

Sec. 331. Of the funds appropriated in section 101 for the Michigan state fair, state fair operations, \$78,800.00 is allocated for the payment of up to 75% of cash premiums offered at a draft horse show to be held at the Michigan state fairgrounds. The funds shall be provided through an interdepartmental grant from the department of agriculture, agriculture equine industry development fund.”

8. Amend page 45, line 23, by striking out all of subsections (3) and (4) and inserting:

“(3) No funds appropriated in section 101 to the department of Michigan jobs commission for economic development job training grants may be expended for the training of permanent striker replacement workers.

(4) Seventy percent of the economic development job training grant funds shall be awarded to community colleges or a consortium of community colleges and other eligible applicants pursuant to the requirements of section 406.

(5) Training grants provided by the private sector trainers may reach or exceed 20% of total grants, but not less than 10%.

(6) An applicant may be a district, intermediate district, community college, public or private nonprofit college or university, nonprofit organization whose primary purpose is to provide education programs or employment and training services or vocational rehabilitation programs or school-to-work transition programs, local workforce development board, the headquarters of a federal and state sponsored manufacturing technology center, or a consortium consisting of any combination of districts, intermediate districts, community colleges, nonprofit organizations described in this subsection, or public or private nonprofit colleges or universities described in this subsection.” and renumbering the remaining subsections.

9. Amend page 60, line 26, by striking out all of sections 426, 427, and 428 and inserting:

“Sec. 426. The negative appropriation in section 101 for early retirement compensation savings represents savings from the state’s 1997 early retirement program. Not later than October 15, 1997, the department of Michigan jobs commission and the state budget director shall request legislative transfers under section 393(2) of the management and budget act, 1984 PA 431, MCL 18.1393, to apply the retirement costs and salary and fringe benefits savings to the appropriated line items affected by the early retirement of state employees.

Sec. 427. (1) The department shall submit to the department of management and budget, senate and house appropriations committees, senate and house fiscal agencies, and senate and house standing committees having jurisdiction over technology issues periodic 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) 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. At the time progress billings are presented for reimbursement, the department shall identify and forward as appropriate the funding sources that should support the work performed.

Sec. 428. The department of Michigan jobs commission shall report to the regulatory subcommittees of the senate and house appropriations committees by September 30, 1998, on the distribution of the Michigan community service commission volunteer investment grants.”

10. Amend page 62, following line 5, following section 430, by striking out all of section 431 and inserting:

“Sec. 431. 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. State and federal funds shall not be

appropriated to any local workforce developmental board for disbursement if areas with a population base of 200,000 or more are not permitted to be designated as service delivery areas.

Sec. 432. Any funds received by interdepartmental grant, contract, or otherwise from the family independence agency for initiating an enhanced technical vocational program shall meet the criteria described in the family independence agency budget relative to that program.

Sec. 433. The department of Michigan jobs commission 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. The department of Michigan jobs commission shall submit to the regulatory subcommittees of the senate and house appropriations committees semiannual reports on its activities and progress.

Sec. 434. Funds appropriated to the department of Michigan jobs commission for economic development job training grants shall not be expended to train employees above first level management in supervision hierarchy who are employed by a business organization whose gross annual revenues exceed \$1,000,000.00.

Sec. 435. The \$344,700.00 appropriated in section 101 for trade academy grants shall be expended to establish a precollege program in engineering and the sciences in Kent County.”.

Third: 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 consumer and industry services and Michigan jobs commission and certain other state purposes for the fiscal year ending September 30, 1998; to provide for the expenditure of those appropriations; to provide for the imposition of certain fees; to provide for the disposition of fees and other income received by the state agencies; to provide for reports to certain persons; and to prescribe powers and duties of certain state departments and certain state and local agencies and officers.

Glenn Steil  
Harry Gast  
Michael J. O'Brien  
Conferees for the Senate

Thomas C. Mathieu  
Morris W. Hood, Jr.  
Donald H. Gilmer  
Conferees for the House

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

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

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

The question being on the adoption of the conference report,

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

### Roll Call No. 701

### Yeas—88

Agee	DeHart	Jansen	Palamara
Alley	DeVuyst	Jelinek	Perricone
Anthony	Dobronski	Jellema	Price
Baade	Emerson	Johnson	Profit
Bankes	Fitzgerald	Kelly	Prusi
Basham	Frank	Kukuk	Quarles
Birkholz	Freeman	LaForge	Rackowski
Bobier	Gagliardi	LeTarte	Rhead
Bodem	Galloway	Llewellyn	Richner
Bogardus	Geiger	London	Schauer
Brackenridge	Gernaat	Mans	Schermesser
Brater	Gilmer	Martinez	Schroer
Brewer	Gire	Mathieu	Scott
Brown	Godchaux	McBryde	Scranton
Byl	Green	McManus	Sikkema

Callahan	Griffin	McNutt	Stallworth
Cassis	Gubow	Middaugh	Tesanovich
Cherry	Gustafson	Middleton	Thomas
Ciaramitaro	Hammerstrom	Murphy	Varga
Crissman	Hanley	Olshove	Vaughn
Curtis	Harder	Owen	Wallace
Dalman	Hertel	Oxender	Wojno

### Nays—13

Cropsey	Kaza	Nye	Walberg
Goschka	Law	Rocca	Whyman
Horton	Lowe	Voorhees	Willard
Jaye			

In The Chair: Hertel

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

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

“Mr. Speaker and members of the House:

This budget is full of corporate welfare, that’s why I am including the balance of these welfare amendments.

Some say that healthy parents who refuse to perform community service work and/or pursue an education are committing a form of child abuse. These parents who refuse to work. If a healthy parent refuses for over a year to perform a 40 hour work week assignment or job training, then transfer the kids to a foster home and cut the adult off welfare.

The FIA opposes Limiting welfare cash to two years.

Many welfare recipients spend their welfare grant earmarked for electricity, heat and other utilities on other items, including (unfortunately) booze and drugs. These welfare recipients know that the state will continue paying delinquent utility accounts because politicians are afraid of turning off heat, water and other utilities to families. However, taxpayers and businesses foot the bill of these welfare deadbeats because the Legislature has authorized utility companies to overcharge customers by \$26 million to cover welfare recipient dead beats. The FIA opposes directly paying utility companies rather than giving the money to welfare recipients.

The FIA Require welfare recipients to show up personally for their checks.

Welfare Department says that most births to women who are already on welfare occur up to the age of 21. The FIA opposes requiring Welfare recipients should live in supervised group homes until age 21 to restrict chances for out of wedlock sex, drug and boyfriend abuse.

Teachers often blame the parent’s lack of involvement as an explanation for the 90% academic failure rate at schools with a large number of welfare children. The FIA opposes Requiring welfare recipients to visit their child’s teacher at least once a week and cut the welfare recipient grant by 5% for the months the parent fails to visit teachers four times. Teacher conference time would count as community service work.

The FIA opposes Elimination of welfare benefits for all non-Michigan residents except emergency Medicaid. Require FIA employees to report illegal aliens to the Federal Immigration Service.

The FIA opposes Requiring fingerprinting & random drug screening of welfare recipients upon application for benefits. Reduce drug users’ grant by 10% if they do not enroll in a rehabilitation program within 45 days and eliminate all benefits if they are not enrolled in a treatment program six months after conviction.

The FIA opposes reducing the parents’ welfare grant by 5% for the 1st offense, 20% for the 2nd, eliminating all benefits for the 3rd. If welfare recipient’s child is a truant, convicted for substance abuse or a physical crime.

The FIA pays welfare recipients and their relatives to watch their own kids.

FIA refuses to define workfare compliance standards by individuals who work at least 40 hours per week. If two or more absenteeism without medical excuse occurs in the same month then reduce the grant by 5% for that month.

The FIA earmarks funds for specific companies, ethnic or racial groups: (Geographic Pork) Arab Chaldean & ACCESS program, Black Family & Child Institute.

The FIA opposes Eliminating the immediate cash reward for women when they discover they are pregnant for months 1-4, provide only health care services for these months. Federal benefits only kick in after five months pregnant.

no extra cash for extra kids born while the mother is on welfare.

Make a person applying for welfare voluntarily agree to allow Child Protective Services same access to women who give birth to drug exposed babies that CPS has with children physically, sexually abused and/or neglected.

Prevent grants to non profit agencies which employ people who make over \$100,000.

legislation to end spousal free loading on state health care benefits and earmark the money for uninsured children.

legislation to require state employees to contribute 5% of their pay to their health care benefits and earmark the money for uninsured children.

legislation to require state employees to pay a 10% surcharge if they are smokers or drug users.

The FIA want to—Opt out of federal prohibition on getting welfare to convicted drug felons. Not included in Executive Recommendation. According to the National Governors Association as of May 27, 1997, twenty-four (24) states plan to deny TANF to drug felons, while only five (5) states plan to opt out of this provision. If Michigan opts out, it may become the midwest mecca for convicted drug felons cut off welfare elsewhere.

Welfare recipients allowed to have unlimited numbers of vehicles, including luxury and sports utility vehicles and the cars are not counted as assets in determining eligibility. The Welfare department's policy previously said cars valued over \$1,500 would be counted as an asset?

Welfare recipients allowed to have unlimited income producing real estate which is not counted as a income. All real estate, hotels, cottages, farm land, golf courses, not just contiguous property on homestead exempted from welfare eligibility determination. Why allow slum landlords to be on welfare?

The FIA opposes a lifetime prohibition welfare benefits to convicted felons?

The FIA opposes giving welfare recipients a one way bus ticket out of michigan if they promise not to apply for michigan welfare benefits for the next 5 years?

The FIA opposes DSS denying part of welfare grant if parent fails to insure that the child is not a truant from school.

The FIA opposes a 40 hour a week Work requirements for welfare recipients.”

Reps. Voorhees and Horton, having reserved the right to explain their nay vote, made the following statement:

“Mr. Speaker and members of the House:

This appropriation includes too many dollars for the Michigan Jobs Commission. The Jobs Commission is usurping influence that should be maintained by the State Board of Education. The Jobs Commission under the School to Work plan is usurping local control of education, is encouraging the “pigeon holing” of children on a career track defined by big business quotas.

We need to allow all our children to recieve an excellant basic education free of and career tracking to voc ed or to college prep previous to appropriate age or academic accompolishment.

Tomorrow

Yes, I'm little,  
 And in grade two,  
 But I've got big plans,  
 That may surprise you!  
 I could be an astronaut,  
 And travel in space,  
 Or a famous detective  
 With a dangerous case.  
 I'll probably play baseball  
 For a major team,  
 Or work in a dairy,  
 Making chocolate ice cream!  
 I may be a missionary,  
 Sharing God's Word,  
 With thousands of people,  
 Who never have heard.

Yes, I'm little,  
 And in grade two,  
 But I know many jobs  
 That I want to do.

Judy Howe  
 of G.R. Mich.”

**Senate Bill No. 169, 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, 1998; 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 Senate has adopted the report of the Committee of Conference.

The Conference Report was read as follows:

**First Conference Report**

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

**Senate Bill No. 169, 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, 1998; 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 House recede from the Substitute of the House as passed by the House.

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

A bill to make appropriations for the family independence agency and certain state purposes related to public welfare services for the fiscal year ending September 30, 1998; 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:**

Sec. 101. There is appropriated for the family independence agency and certain state purposes related to public welfare services for the fiscal year ending September 30, 1998, from the following funds:

**FAMILY INDEPENDENCE AGENCY**

Full-time equated classified positions .....	14,387.9	
Unclassified positions .....	6.0	
Total full-time equated positions .....	14,393.9	
<b>GROSS APPROPRIATION</b> .....		\$ 2,944,881,300
Interdepartmental grant revenues:		
Total interdepartmental grants and intradepartmental transfers .....	150,000	
<b>ADJUSTED GROSS APPROPRIATION</b> .....		\$ 2,944,731,300
Federal revenues:		
Total federal revenues .....	1,674,242,600	
Special revenue funds:		
Total private revenues .....	7,217,400	
Total local revenues .....	67,336,500	
Total other state restricted revenues .....	179,095,600	
State general fund/general purpose .....	1,016,839,200	
Payments to units of local government .....	84,565,000	\$
<b>EXECUTIVE OPERATIONS</b>		
Total full-time equated positions .....	1,000.3	
Full-time equated unclassified positions .....	6.0	

	For Fiscal Year Ending Sept. 30, 1998
Full-time equated classified positions .....	994.3
Unclassified salaries—6.0 FTE positions .....	\$ 464,100
Salaries and wages—795.3 FTE positions.....	37,719,000
Contractual services, supplies, and materials .....	10,318,000
Demonstration projects—11.0 FTE positions .....	10,612,500
Health and welfare data center equipment.....	4,166,700
Computer service fees.....	10,120,600
Automated social services information system project—27.0 FTE positions .....	33,970,400
Data system enhancement—28.0 FTE positions.....	12,744,900
Child support automation—5.0 FTE positions .....	35,446,300
Child support distribution computer system.....	625,000
Commission on disability concerns—10.0 FTE positions .....	659,600
Commission for the blind—118.0 FTE positions .....	17,482,200
GROSS APPROPRIATION.....	\$ 174,329,300
Appropriated from:	
Interdepartmental grant revenues:	
IDG-ADP user fees .....	150,000
ADJUSTED GROSS APPROPRIATION .....	\$ 174,179,300
Appropriated from:	
Federal revenues:	
Total federal revenues .....	102,469,200
Special revenue funds:	
Total private revenues .....	1,840,000
Total local revenues .....	475,000
Total other state restricted revenues .....	477,300
State general fund/general purpose .....	\$ 68,917,800
<b>FAMILY SERVICES ADMINISTRATION</b>	
Full-time equated classified positions .....	472.0
Salaries and wages—353.8 FTE positions.....	\$ 17,734,600
Contractual services, supplies, and materials .....	6,226,800
Child support incentive payments .....	32,409,600
Legal support contracts—5.0 FTE positions.....	79,117,900
Supplemental security income advocates, salaries and wages—18.0 FTE positions .....	734,350
State incentive payments.....	3,934,200
Employment and training support services.....	25,826,700
Food stamp issuance .....	5,374,400
High school completion project—4.0 FTE positions .....	278,400
Wage employment verification reporting—2.0 FTE positions .....	1,795,000
Urban and rural empowerment/enterprise zones.....	100
Supplemental security income advocacy—23.2 FTE positions.....	1,830,150
Training and staff development—66.0 FTE positions .....	10,284,300
Community services block grant.....	18,100,000
GROSS APPROPRIATION.....	\$ 203,646,500
Appropriated from:	
Federal revenues:	
Total federal revenues .....	177,799,200
Special revenue funds:	
State general fund/general purpose .....	\$ 25,847,300
<b>CHILD AND FAMILY SERVICES</b>	
Full-time equated classified positions .....	126.3
Salaries and wages—70.3 FTE positions.....	\$ 3,357,900
Contractual services, supplies, and materials .....	1,782,000
Refugee assistance program—12.0 FTE positions.....	7,377,100
County juvenile officers.....	3,742,700
Foster care payments.....	246,162,100
Youth in transition—20.0 FTE positions .....	10,256,900
Interstate compact.....	300,000
Adoption subsidies.....	103,227,900
Child care fund .....	33,717,600

	For Fiscal Year Ending Sept. 30, 1998
Children's benefit fund donations .....	21,000
Domestic violence prevention and treatment—2.0 FTE positions .....	4,741,200
Teenage parent counseling—3.0 FTE positions .....	3,405,200
Family preservation and prevention services—14.0 FTE positions .....	71,255,700
Black child and family institute .....	100,000
Rape prevention and services .....	1,100,000
Attorney general contracts .....	1,658,900
Guardian contract.....	600,000
County shelters .....	200,000
Prosecuting attorney contracts—1.0 FTE position .....	1,061,700
Children's trust fund administration—4.0 FTE positions .....	310,300
Children's trust fund grants.....	2,615,000
GROSS APPROPRIATION.....	\$ 496,993,200
Appropriated from:	
Federal revenues:	
Total federal revenues .....	228,599,900
Special revenue funds:	
Private-children's benefit fund donations .....	21,000
Private-collections.....	3,601,300
Children's trust fund .....	1,810,300
Local funds - county payback .....	27,643,200
State general fund/general purpose .....	\$ 235,317,500
<b>DELINQUENCY SERVICES</b>	
Full-time equated classified positions .....	1,275.1
Delinquency services operations .....	\$ 14,528,600
Genesee valley and Detroit detention centers—210.2 FTE positions .....	14,398,500
Residential care centers—45.0 FTE positions .....	2,499,300
Federally funded activities—27.1 FTE positions.....	1,813,800
W.J. Maxey memorial fund .....	45,000
Regional detention services—10.6 FTE positions .....	1,207,300
Juvenile boot camp program .....	2,300,000
Committee on juvenile justice administration—4.0 FTE positions .....	340,500
Committee on juvenile justice grants .....	1,900,000
Personnel payroll costs—978.2 FTE positions .....	50,891,600
GROSS APPROPRIATION.....	\$ 89,924,600
Appropriated from:	
Federal revenues:	
Total federal revenues .....	14,512,600
Special revenue funds:	
Total private revenues .....	45,000
Local funds - county payback .....	39,025,200
State general fund/general purpose .....	\$ 36,341,800
<b>ASSISTANCE PAYMENTS, SERVICES, AND CLERICAL FIELD STAFF</b>	
Full-time equated classified positions .....	10,894.5
Field staff, salaries and wages—7,999.1 FTE positions .....	\$ 284,277,100
Children and adult services, salaries and wages—2,751.9 FTE positions.....	107,284,000
Contractual services, supplies, and materials .....	23,512,500
Outstationed eligibility workers—30.0 FTE positions.....	3,470,200
Volunteer services and reimbursement—113.5 FTE positions .....	8,227,600
GROSS APPROPRIATION.....	\$ 426,771,400
Appropriated from:	
Federal revenues:	
Total federal revenues .....	267,677,300
Special revenue funds:	
Local funds - donated funds.....	193,100
Private funds - hospital contributions.....	1,710,100
State general fund/general purpose .....	\$ 157,190,900
<b>CENTRAL SUPPORT ACCOUNTS</b>	
Rent .....	\$ 44,176,300

	For Fiscal Year Ending Sept. 30, 1998
Occupancy charge .....	10,872,900
Travel.....	7,822,700
Equipment.....	2,684,900
Workers' compensation.....	5,234,100
Advisory commissions.....	17,900
Payroll taxes and fringe benefits.....	159,345,600
<b>GROSS APPROPRIATION.....</b>	<b>\$ 230,154,400</b>
Appropriated from:	
Federal revenues:	
Total federal revenues.....	129,920,800
Special revenue funds:	
Departmentwide lapse revenue.....	8,000,000
State general fund/general purpose .....	\$ 92,233,600
<b>DISABILITY DETERMINATION SERVICES</b>	
Full-time equated classified positions .....602.0	
Disability determination operations—602.0 FTE positions .....	\$ 66,798,700
<b>GROSS APPROPRIATION.....</b>	<b>\$ 66,798,700</b>
Appropriated from:	
Federal revenues:	
Total federal revenues.....	66,798,700
State general fund/general purpose .....	\$ 0
<b>PUBLIC ASSISTANCE</b>	
Full-time equated classified positions .....23.7	
Family independence program .....	\$ 702,626,600
State disability assistance payments.....	29,460,600
Food stamp program benefits.....	132,000,000
State supplementation .....	55,604,000
State supplementation administration.....	2,502,000
Low income energy assistance program—21.7 FTE positions.....	82,046,300
State emergency relief—2.0 FTE positions .....	37,400,000
Weatherization assistance.....	15,934,100
Day care services.....	211,215,000
<b>GROSS APPROPRIATION.....</b>	<b>\$ 1,268,788,600</b>
Appropriated from:	
Federal revenues:	
Total federal revenues.....	686,464,900
Special revenue funds:	
Child support collections .....	156,007,900
Supplemental security income recoveries.....	6,800,000
Public assistance recoupment revenue.....	6,000,100
State general fund/general purpose .....	\$ 413,515,700
<b>EARLY RETIREMENT SAVINGS</b>	
Salaries and wages .....	\$ (12,525,400)
<b>GROSS APPROPRIATION.....</b>	<b>\$ (12,525,400)</b>
Appropriated from:	
State general fund/general purpose .....	\$ (12,525,400)
<b>GENERAL SECTIONS</b>	
<p>Sec. 201. (1) In accordance with section 30 of article IX of the state constitution of 1963, total state spending from state sources for fiscal year 1997-98 is estimated at \$1,195,934,800.00 in this act and state spending from state sources to local units of government for fiscal year 1997-98 is estimated at \$84,565,000.00. The itemized statement below identifies appropriations from which spending to units of local government will occur:</p>	
<b>FAMILY INDEPENDENCE AGENCY</b>	
<b>CHILD AND FAMILY SERVICES</b>	
Child care fund.....	\$ 33,717,600
County juvenile officers.....	2,744,000
Adoption subsidies.....	46,898,200
<b>PUBLIC ASSISTANCE</b>	
State disability program.....	1,205,200
<b>TOTAL .....</b>	<b>\$ 84,565,000</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 department of management and budget.

Sec. 202. The family independence agency 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 family independence agency 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 director of the department of management and budget may make administrative transfers of appropriations for the family independence agency to adjust amounts between the local funds-county payback line items in section 101. 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 section 101 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.

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 family independence agency 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 family independence agency 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, 1998.

(2) On a monthly basis, the family independence agency 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) "Department" means the family independence agency.

(c) "FTE" means full-time equated position.

(d) "IDG" means interdepartmental grant.

(e) "Temporary assistance for needy families" 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 610, 612 to 613, 615 to 617, 620 to 629e, 651 to 669, 670 to 677, 679, and 681 to 687.

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

Sec. 209. (1) In addition to the funds appropriated in section 101, there is appropriated an amount not to exceed \$200,000,000.00 for federal contingency funds. These funds are not available for expenditure until they have been transferred to another line item in this act in accordance with section 393(2) of the management and budget act, 1984 PA 431, MCL 18.1393.

(2) In addition to the funds appropriated in section 101, there is appropriated an amount not to exceed \$5,000,000.00 for state restricted contingency funds. These funds are not available for expenditure until they have been transferred to another line item in this act in accordance with section 393(2) of the management and budget act, 1984 PA 431, MCL 18.1393.

(3) In addition to the funds appropriated in section 101, there is appropriated an amount not to exceed \$20,000,000.00 for local contingency funds. These funds are not available for expenditure until they have been transferred to another line item in this act in accordance with section 393(2) of the management and budget act, 1984 PA 431, MCL 18.1393.

(4) In addition to the funds appropriated in section 101, there is appropriated an amount not to exceed \$20,000,000.00 for private contingency funds. These funds are not available for expenditure until they have been transferred to another line item in this act in accordance with section 393(2) of the management and budget act, 1984 PA 431, MCL 18.1393.

Sec. 210. 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 family independence agency 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 family independence agency to review the substantive, procedural, and legal ramifications of the legislative objective and to develop a plan to attain that legislative objective.

Sec. 211. Funds appropriated in section 101 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. By May 1, 1998, the family independence agency shall submit a report to the department of management and budget, the speaker and minority leader of the house of representatives, the majority and minority leaders of the senate, and the chairpersons of the house and senate appropriations committees on efforts to comply with this section.

Sec. 212. The department of civil service shall bill departments and/or 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. 213. In compliance with governmental accounting standards board (GASB) statement no. 24, accounting and financial reporting for certain grants and other financial assistance, food stamp distributions are hereby appropriated and shall be recognized as general fund-special purpose expenditures in the state's accounting records and financial reports.

Sec. 214. (1) Beginning October 1, 1997, there is a hiring freeze imposed on the state classified civil service. State departments and agencies are prohibited from hiring any new full-time state classified civil service employees or 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 director of the department of management and budget shall grant exceptions to this hiring freeze when the director believes that the hiring freeze will result in the state department or agency being unable to deliver basic services. The director of the department of management and budget shall report by the fifteenth of each month to the chairpersons of the senate and house appropriations committees the number of exclusions to the hiring freeze approved during the previous month and the justification for the exclusion.

Sec. 215. 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 family independence agency. The director shall strongly encourage firms with which the department contracts to subcontract with businesses in depressed and deprived communities for services or supplies, or both.

Sec. 217. (1) The family independence agency 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, periodic 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) The family independence agency 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. At the time progress billings are presented for reimbursement, the department shall identify and forward as appropriate the funding sources that should support the work performed.

Sec. 218. In order to comply with revised federal regulations related to child support collections in the personal responsibility and work opportunity reconciliation act of 1996, the department is authorized, with the department of management and budget approval, to adjust amounts specified in section 101 and 1996 PA 352 sources of financing to enable the return of the federal share of child support collections to the federal government. The general fund/general purpose impact of these adjustments shall be zero.

Sec. 219. The department shall receive and retain copies of all reports funded from section 101 appropriations. Federal and state guidelines for short-term and long-term retention of records shall be followed.

Sec. 220. The family independence agency 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, 1997 and April 15, 1998.

Sec. 221. The family independence agency shall include in its quality control reporting the number of veterans receiving food stamps, family independence program assistance, and medicaid.

Sec. 222. (1) In contracting with faith based organizations for mentoring or supportive services, and in all contracts for services, the family independence agency 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 family independence agency 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 family independence agency 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 family independence agency services, including, but not limited to, mentoring or supportive services. The family independence agency shall not discriminate against an organization that applies to become a contractor on the basis that the organization has a religious character.

#### **EXECUTIVE OPERATIONS**

Sec. 301. The family independence agency 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. Any unencumbered balances of the automated social services information system line, the child support enforcement system line, and the data systems enhancement line may not lapse and shall be carried forward to the 1998-99 fiscal year.

Sec. 303. The family independence agency may distribute cash assistance to recipients electronically by using debit cards.

Sec. 304. The appropriation in section 101 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 1997.

Sec. 305. The appropriation in section 101 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.

Sec. 307. The data systems enhancement line-item supports automation initiatives such as the services worker support and electronic benefits transfer systems intended to enhance agency programs, functions, and services. The family independence agency shall submit by December 1, 1997 a report to the chairpersons and members of the house and senate appropriations subcommittees on the family independence agency specifying the allocation of data systems enhancement line-item appropriations by project and support service for the fiscal year ending September 30, 1998. The family independence agency shall submit by December 1, 1997 and each quarter thereafter, a report to the members of the house and senate appropriations subcommittees on family independence agency and the standing committees having jurisdiction over technology issues, a report detailing the use of funding and progress toward the completion of the assist project.

#### **FAMILY SERVICES ADMINISTRATION**

Sec. 401. (1) From the federal money received for child support incentive payments, up to \$6,265,200.00 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 family independence agency 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.

Sec. 402. From the funds appropriated in section 101 for legal support contracts and child support incentive payments, the family independence agency 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 \$7,000,000.00 in fiscal year 1992.

Sec. 403. Unexpended funds in the urban and rural empowerment and enterprise zones line item shall not lapse but shall carry forward for use in fiscal year 1998-99.

Sec. 404. Not later than September 30 of each year, the family independence agency 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 101 for the succeeding fiscal year.

Sec. 405. The family independence agency 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 federal community services block grant act, subtitle B of title VI of

Public Law 97-35, 95 Stat. 511, 42 U.S.C. 9901 to 9910a 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. 406. 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. 407. From the funds appropriated in section 101, county volunteer coordinators shall develop partnership agreements with their local volunteer agencies.

Sec. 408. From the funds appropriated in section 101 for food stamp issuance, the department may allocate up to \$1,000,000.00 to a food stamp continuance pool. Funds from this pool may be paid as grants to volunteer organizations who submit innovative approaches to aid individuals at risk of losing their food stamp eligibility due to the passage of Public Law 104-193. Acceptable criteria shall include assistance in job seeking or placement in qualified community service.

Sec. 409. From the funds appropriated in section 101, the family independence agency shall collaborate with the Michigan jobs commission to initiate an enhanced technical vocational training program that meets all of the following criteria and may use up to \$4,000,000.00 for that purpose:

- (a) The training program shall be available statewide.
- (b) Participants shall have a high school diploma or have completed the general education development (GED) program prior to entering the training program.
- (c) Participants shall be recipients of family independence program benefits under this act and be in full compliance with any applicable work first requirements.
- (d) Training shall be limited to not longer than 6 months' duration.
- (e) Training shall be directed to achieving or gaining skills that will lead to a career for the participant.
- (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 including, but not limited to, all of the following:
  - (i) Child care, including evening or nighttime care if appropriate.
  - (ii) Transportation.

#### **CHILD AND FAMILY SERVICES**

Sec. 501. The following goal is established by state law. During the fiscal year ending September 30, 1998, not more than 3,500 children supervised by the family independence agency 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 101 for foster care, the family independence agency 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 family independence agency shall not expend funds appropriated in section 101 to provide intercountry adoption services.

Sec. 504. The family independence agency shall continue adoption subsidy payments to families after the eighteenth birthday of an adoptee who meets all of 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. 505. The family independence agency's ability to satisfy appropriation deducts in section 101 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 101.

Sec. 506. Notwithstanding section 117a or 117c of the social welfare act, 1939 PA 280, MCL 400.117a and 400.117c, the distribution of collections made to counties by child, parent, guardian, or custodian, on behalf of children in foster care who are wards of the county, shall be made in accordance with section 18(2) of chapter XIA of 1939 PA 2188, MCL 712A.18.

Sec. 507. Counties shall be subject to 50% charge back for the use of alternative regional detention services 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. 508. (1) In order to promote continuity of service for children and families, the family independence agency 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. 509. Funds appropriated in section 101 for the child care fund may be used as local match for the purchase of families first services for clients referred by juvenile courts. 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 while the involved county is still beneath its child care fund cap.

Sec. 510. (1) In addition to the amount appropriated in section 101, 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 family independence agency 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 101.

Sec. 512. (1) From the funds appropriated in section 101, the family independence agency 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 the 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 the child.

(2) Notwithstanding subsection (1), this section shall not prohibit counseling or other services provided by the family independence agency, if such 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. 513. 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. Existing runaway service contracts and contractors serving homeless youth shall be exempt from the bid process.

Sec. 515. (1) From the funds appropriated in section 101 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 101 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 1997-98 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 family independence agency 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. Multipurpose collaborative bodies shall include in their focus of responsibility the development of collaborative efforts to reduce the placement of delinquents in residential facilities. Information on delinquency trends shall be provided by the family independence agency to the multipurpose collaborative bodies.

Sec. 519. It is the intent of the legislature that the funds appropriated in section 101 for family preservation and prevention services in the 1997-98 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.

Sec. 520. (1) From the funds appropriated in section 101 for youth in transition, delinquency services operations, or foster care payments, the family independence agency shall develop community-based alternatives to public and

private residential placements for delinquent youth who are adjudicated for class 4 misdemeanors and class 5 status offenses. The following criteria should be considered in developing new programs:

(a) The percentage of female class 4 and class 5 offenders placed in residential settings should be reduced and a priority shall be placed on removing female status offenders from residential placements.

(b) New programs should emphasize reducing recidivism.

(c) New programs should not jeopardize public safety.

(d) The number of male and female class 4 and class 5 offenders placed in residential settings should decline as community-based alternatives are developed.

(2) The family independence agency shall conduct a study of the residential placements of female delinquents and make recommendations regarding community placement alternatives and options. The study required by this section shall be submitted to the house and senate appropriations subcommittees on the family independence agency budget before January 1, 1998.

Sec. 521. From the funds appropriated in section 101 for day care services, effective October 1, 1997, the maximum hourly payment rate for all day care providers whose rates were not adjusted in August 1996 shall be set at rates consistent with the state market rate analysis completed by the Michigan community coordinated child care association in 1994.

Sec. 522. From the funds appropriated in section 101 for day care services, the family independence agency shall expend \$315,000.00 to contract with the Michigan community coordinated child care association for additional resource and referral services and technical assistance to day care centers seeking accreditation.

Sec. 523. (1) From the funds appropriated in section 101 for day care services, the family independence agency shall expend \$800,000.00 to expand 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 establish 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 family independence agency 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, 1997. The total paid in lump sum payments shall not exceed \$375,000.00. 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 April 1, 1998, the family independence agency shall provide the house and senate appropriations subcommittees on the family independence agency budget a report on the progress of implementing the pilot project authorized in subsection (2).

Sec. 525. From the funds appropriated in section 101 for day care services, on or before April 1, 1998 the family independence agency shall expend up to \$3,150,000.00 to expand eligibility for reimbursement to income eligible families subject to the following constraints:

(a) A family group of 2 shall be eligible for 30% of the agency's maximum rate if their gross monthly income is \$1,718.00 or more but less than \$2,109.00.

(b) A family group of 3 shall be eligible for 30% of the agency's maximum rate if their gross monthly income is \$2,134.00 or more but less than \$2,605.00.

(c) A family group of 4 shall be eligible for 30% of the agency's maximum rate if their gross monthly income is \$2,537.00 or more but less than \$3,102.00.

(d) A family group of 5 shall be eligible for 30% of the agency's maximum rate if their gross monthly income is \$2,942.00 or more but less than \$3,598.00.

(e) A family group of 6 shall be eligible for 30% of the agency's maximum rate if their gross monthly income is \$3,345.00 or more but less than \$4,095.00.

(f) A family group of 7 shall be eligible for 30% of the agency's maximum rate if their gross monthly income is \$3,748.00 or more but less than \$4,591.00.

(g) A family group of 8 shall be eligible for 30% of the agency's maximum rate if their gross monthly income is \$4,151.00 or more but less than \$5,018.00.

(h) A family group of 9 shall be eligible for 30% of the agency's maximum rate if their gross monthly income is \$4,554.00 or more but less than \$5,129.00.

(i) A family group of 10 or more shall be eligible for 30% of the agency's maximum rate if their gross monthly income is \$4,960.00 or more but less than \$5,353.00.

#### **PUBLIC ASSISTANCE**

Sec. 601. (1) The family independence agency may terminate a vendor payment for shelter when 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 family independence

agency 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 landlord also shall provide to the department a signed statement indicating who currently owns the property and whether any delinquent taxes are owed.

(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 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 family independence agency, 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. A provider utility shall be entitled to recover in its rates all qualifying costs incurred pursuant to an agreement between the provider utility and the family independence agency for the payment of all or part of assisted households' heating and electric service bills. Qualifying costs shall include prudently incurred costs for incentives, forgiveness, and energy conservation program development and operation costs and the cost of capital incurred for assisted household arrearages held by the provider utility. All qualifying costs incurred from program years beginning after October 1, 1997 shall be subject to deferred accounting and recovery through a general rate case application or shall be subject to timely recovery through separate limited purpose rate proceedings.

Sec. 605. (1) The family independence agency 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.

Sec. 606. 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. 607. 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. 608. The family independence agency's ability to satisfy appropriation deductions in section 101 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. 609. 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. 610. 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, 1997 and ending September 30, 1998.

Sec. 611. In developing good cause criteria for the state emergency relief program, the family independence agency shall grant exemptions if the emergency resulted from unexpected expenses related to maintaining or securing employment.

Sec. 612. (1) The family independence agency 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. 613. 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. 614. From the funds appropriated in section 101 for state emergency relief, the family independence agency shall increase the maximum allowable charge limit for indigent burials to \$1,360.00 beginning October 1, 1997. It is the intent of the legislature that this charge limit reflect a maximum payment to funeral directors of \$860.00 for funeral goods and services and a maximum payment to cemeteries or crematoriums of \$300.00 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. Each provider of burial services shall be paid directly by the family independence agency.

Sec. 615. Except as required by federal law or regulations, funds appropriated in section 101 shall not be used to provide public assistance to a person who is an illegal alien. This section shall not prohibit the family independence agency 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 without regard to citizenship status.

Sec. 616. Funds appropriated in section 101 may be used to support multicultural assimilation and support services.

Sec. 617. (1) The appropriation in section 101 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 the 1998-99 fiscal year. The director of the family independence agency shall report the amount and purpose of any funds carried forward under this section to the house and senate appropriations subcommittees dealing with appropriations for the family independence agency and to the house and senate fiscal agencies on or before November 15, 1998.

Sec. 618. The family independence agency and the Michigan jobs commission shall study the outcomes for recipients who have participated in work first and shall submit semiannual reports on the progress and findings of the study to the house and senate subcommittees dealing with appropriations for the family independence agency and for regulatory services and to the standing committees dealing with human services beginning November 1, 1997. The study shall examine whether the former participants have obtained jobs, the kind of jobs they have obtained, how long they have retained those jobs, current hourly wages, whether they are receiving basic health care benefits, tuition



reimbursement, or training from their employers, whether they continue to receive other types of public assistance, and any other information the departments consider relevant.

Sec. 619. In operating the family independence program with funds appropriated in section 101, the family independence program 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. 620. From the funds appropriated in section 101 for foster care payments, the department shall increase the rate of payments for foster care services by 3%.

Sec. 621. Section 605(1) notwithstanding, a refugee or asylee who loses their eligibility for the federal supplemental security income program by virtue of exceeding the maximum time limit for eligibility as delineated in Public Law 104-193 and who otherwise meets the eligibility criteria of section 605, shall be eligible to receive benefits under the state disability assistance program.

Sec. 622. The family independence agency 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 which 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. 624. The family independence agency shall permit a recipient to perform non-campaign-related volunteer work in the offices of the executive, judicial, and legislative branches of state government to meet his or her qualifying work activities under the federal food stamp program. Each family independence agency county office shall compile and maintain a list of legislative and executive branch offices willing to accept volunteers. This list shall be made available to public assistance clients to assist them in selecting their social contract activity.

Sec. 626. The family independence agency shall develop and implement policies and procedures in compliance with the Wellstone/Murray provisions, being section 402(a)(7) of part A of title IV of the social security act, chapter 531, 110 Stat. 2113, 42 U.S.C. 602, 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. 627. From the funds appropriated in section 101, \$100,000.00 shall be used to leverage additional funds and to match 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. This section shall not take effect until statutory authorization for individual development accounts is in effect.

Sec. 627a. (1) The family independence agency shall prepare a plan to provide for the establishment of individual development accounts by individuals who apply for or receive public assistance from the family independence agency by January 1, 1998.

(2) Prior to the implementation of the plan prepared under subsection (1), the family independence agency shall present the plan to the legislature. The plan shall include, but is not limited to, all of the following:

(a) An assessment of the fiscal impact of the plan.

(b) An estimate of the impact the plan will have on family independence agency caseloads.

(c) An assessment of whether the plan will encourage individuals to seek assistance who would not otherwise seek assistance.

(d) The impact of the plan on short-term and long-term welfare dependency on assistance.

(e) Methods to leverage nongovernmental funds.

(f) Limitations, if any, on the number of participants in the program.

(g) Methodology of evaluation.

(h) Whether the program is restricted to FIP recipients or available to nonrecipient, low-income individuals as well.

Sec. 630. From the funds appropriated in section 101, the family independence agency shall increase the allocation for family independence specialists by 150 FTEs to increase the department's ability to efficiently implement welfare reform initiatives with a priority placed on the processing of child day care payments. It is the intent of the legislature that 75 FTEs be hired effective October 1, 1997 and 75 FTEs be hired effective April 1, 1998.

Sec. 631. In operating the family independence program from funds appropriated for that purpose in section 101, the family independence agency shall upon case closure send a notification to recipients of the availability of transitional child care that includes instructions on obtaining a child care application.

Sec. 632. From funds appropriated in section 101, the family independence agency may provide consumer services information, home budgeting information, and credit counseling for recipients participating in the project zero pilot project.

Sec. 633. In operating the family independence program, the family independence agency shall include in the social contract, as defined in section 57 of the social welfare act, 1939 PA 280, MCL 400.57, the responsibilities of both the family independence agency and the client, including support services that may be available to the client, the penalties for failure to comply with the social contract and a statement of the client's right to hearing. The social contract shall provide for signatures of the client and the caseworker.

Sec. 636. Proceeds from the child support arrearage securitization project shall ensure that current receipt levels are maintained in the family independence agency.

Sec. 638. (1) Subject to subsection (3), effective October 1, 1997, the family independence agency shall limit for 6 months the amount of family independence program (FIP) benefits paid to persons who move into this state to the lower of the following:

(a) The Michigan amount of FIP benefits that would be allowed to the person or persons.

(b) The amount that the person or persons would have received from the state from which they moved to come to this state.

(2) The family independence agency shall report to the legislature the number of FIP cases affected by this section.

(3) This section shall not take effect until amendments to the social welfare act, 1939 PA 280, MCL 400.1 to 400.119b, to implement this section are enacted.

Sec. 639. An able-bodied person between 18 and 50 years of age may not receive food stamp benefits for more than 3 countable months in a 36-month period unless that person meets 1 of the following criteria:

(a) Works at least 25 hours per month in community service work activities within a 30-day period.

(b) Works 80 hours or more within a 30-day period.

(c) Participates in a work program for 80 hours or more within a 30-day period.

(d) Becomes exempt.

Sec. 640. If funds appropriated in section 101 for state emergency relief are distributed for statewide homeless shelter contracts, the family independence agency shall ensure that reports on shelters' compliance with basic standards are on file and available for distribution to members of the legislature.

#### **EARLY RETIREMENT SAVINGS**

Sec. 701. The negative appropriation in section 101 for early retirement compensation savings represents savings from the state's 1997 early retirement program. Not later than October 15, 1997, the department and the state budget director shall request legislative transfers under section 393(2) of the management and budget act, 1984 PA 431, MCL 18.1393, to apply the retirement costs and salary and fringe benefits savings to the appropriated line items affected by the early retirement of state employees.

Third: 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, 1998; 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.

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

Hubert Price, Jr.  
Lynne Martinez  
Lyn Bankes  
Conferees for the House

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

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

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

The question being on the adoption of the conference report,

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

**Roll Call No. 702****Yeas—60**

Agee	Ciaramitaro	Hanley	Price
Alley	Curtis	Harder	Prusi
Anthony	DeHart	Hertel	Quarles
Baade	Dobronski	Jansen	Schauer
Baird	Emerson	Jelinek	Schermesser
Bankes	Frank	Kelly	Schroer
Basham	Freeman	LaForge	Scott
Bobier	Gagliardi	Mans	Sikkema
Bodem	Galloway	Martinez	Stallworth
Bogardus	Gilmer	Mathieu	Tesanovich
Brater	Gire	Murphy	Thomas
Brewer	Godchaux	Olshove	Varga
Brown	Griffin	Owen	Vaughn
Callahan	Gubow	Oxender	Wallace
Cherry	Hale	Palamara	Wojno

**Nays—43**

Birkholz	Goschka	LeTarte	Profit
Brackenridge	Green	Llewellyn	Raczkowski
Byl	Gustafson	London	Rhead
Cassis	Hammerstrom	Lowe	Richner
Crissman	Horton	McBryde	Rocca
Cropsey	Jaye	McManus	Scranton
Dalman	Jellema	McNutt	Voorhees
DeVuyst	Johnson	Middaugh	Walberg
Fitzgerald	Kaza	Middleton	Whyman
Geiger	Kukuk	Nye	Willard
Gernaat	Law	Perricone	

In The Chair: Hertel

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

Rep. Scranton, having reserved the right to explain her nay vote, made the following statement:  
“Mr. Speaker and members of the House:  
I voted no on SB 169 conference report, the FIA Budget, because I believe the volunteer coordinator positions must be retained. I believe these positions are essential in welfare reform and my no vote is a protest vote.”

Rep. Jaye, having reserved the right to explain his nay vote, made the following statement:  
“Mr. Speaker and members of the House:  
FIA does not object to live in boyfriends and other adults?  
The FIA record over the last year in penalizing welfare recipients and going after live ins for back rent with a lien on wages, bank accounts and cars is horrible.  
The FIA has a poor record of recouping property taxes, mortgages and home repairs from welfare recipients who sell their homes.  
The DSS employees refuse to report drug use of welfare recipients to the police?  
There are no consequences of welfare recipients who give birth to drug exposed babies?  
The FIA has not made reasonable efforts to place welfare recipients with local governments, state government agencies, schools, colleges and welfare offices?”

The FIA opposed to a lien on home and apartment complexes who receive \$15.9 million in weatherization grants to repay the state when they sell the property.

The FIA opposes having welfare recipients pay back past support due to lottery winnings, inheritance or other windfalls. Curently welfare recipiants can convert thier windfalls to an asset like a trailer, car or home which are not counted against welfare eligibility.

The FIA opposes treating welfare grants as loans, not to exceed 5% of the future salary or windfalls to pay back the state. Working men must pay for all the costs of raising a child, but welfare reicipaints who have additional children are never required to pay back the state. Some reports estimate up to 40% of welfare costs could be recaptured if the Welfare department followed up on collections from non custodial parent (deadbeat dads). Why doen't welfare department go after and deny absent dads welfare benefits and food stamps. How many welfare repients have paternity determined, and what percentage are supporting the child. Unless there was a police report of rape or incest, no welfare payments to individuals who do not identify paternity of child. The DSS is not taking adequate steps to discover dads for those where no paternity is determined.

The FIA is not adequately assigning welfare recipients watch each other's kids without additional compensation, but rather as a way to earn their benefits?

The FIA is opposed to requiring welfare recipients to visit their child's teachers once a month.

The FIA opposes adopting a policy of no free college education (\$12 million TIP) for welfare recipients convicted of felony crimes or drug crimes.

The FIA opposes direct vendoring when a recipient is more than 2 months late on utility payments and rent?

The FIA does not end cash grant and return to food stamps for people convicted of drug offenses, felonies, sex offenders, prostitution, alcohol offenses and/or who smoke? Federal rules prohibit welfare to drug felons unless the states specifically authorize benefits for drug felons.

The FIA opposes a 5% withholding of cash grants for smokers?

The FIA is not arranging for a sting and/or audit capability to insure integrity of work records?"

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

"Mr. Speaker and members of the House:

The conference report we are being asked to support fails to recognize the extremely critical role of volunteer coordinators in the continuing process of successfully moving welfare recipients to independence and self-sufficiency. Without the assurance that these positions will be retained in the future, we jeopardize future success of welfare reform. The valuable service performed by coordinators, particularly in rural areas that lack other private volunteer organizations to fill the void that would be created with the elimination of these positions. Therefore I cast a 'NO' vote on this conference report."



The Speaker called the Speaker Pro Tempore to the Chair.

**First Conference Report**

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

**House Bill No. 4309, entitled**

A bill to make appropriations for the state institutions of higher education and certain state purposes related to education for the fiscal year ending September 30, 1998; to provide for the expenditures of those appropriations; and to prescribe the powers and duties of certain state departments, institutions, agencies, employees, and officers.

Recommends:

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

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

"Sec. 101. There is appropriated for the state institutions of higher education and certain state purposes related to education, and subject to the conditions set forth in this act, for the fiscal year ending September 30, 1998, the following respective amounts:

**HIGHER EDUCATION**

Full-time equated classified positions .....	1.0	
GROSS APPROPRIATION .....	\$	1,558,031,791
Total interdepartmental grants and intradepartmental transfers .....	\$	0
ADJUSTED GROSS APPROPRIATION .....	\$	1,558,031,791

Appropriated from:

Federal revenues:		
DED-OPSE, grants to state for state student incentives .....		2,300,000

DED-OPSE, Douglas teacher scholarships .....	500,000
DED-OPSE, Byrd honors scholarships.....	1,300,000
Federal temporary assistance for needy families .....	1,000,000
Total federal revenues .....	5,100,000
Total local revenues .....	0
Total private revenues .....	0
Total local and private revenues.....	0
Special revenue funds:	
Total other state restricted revenues .....	0
State general fund/general purpose .....	\$ 1,552,931,791
<b>CENTRAL MICHIGAN UNIVERSITY</b>	
Operations.....	\$ 71,160,160
Higher education charter school center .....	500,000
<b>GROSS APPROPRIATION.....</b>	<b>\$ 71,660,160</b>
Appropriated from:	
State general fund/general purpose .....	\$ 71,660,160
<b>EASTERN MICHIGAN UNIVERSITY</b>	
Operations.....	\$ 76,136,230
<b>GROSS APPROPRIATION.....</b>	<b>\$ 76,136,230</b>
Appropriated from:	
State general fund/general purpose .....	\$ 76,136,230
<b>FERRIS STATE UNIVERSITY</b>	
Operations.....	\$ 48,569,260
<b>GROSS APPROPRIATION.....</b>	<b>\$ 48,569,260</b>
Appropriated from:	
State general fund/general purpose .....	\$ 48,569,260
<b>GRAND VALLEY STATE UNIVERSITY</b>	
Operations.....	\$ 46,336,290
<b>GROSS APPROPRIATION.....</b>	<b>\$ 46,336,290</b>
Appropriated from:	
State general fund/general purpose .....	\$ 46,336,290
<b>LAKE SUPERIOR STATE UNIVERSITY</b>	
Operations.....	\$ 12,468,079
<b>GROSS APPROPRIATION.....</b>	<b>\$ 12,468,079</b>
Appropriated from:	
State general fund/general purpose .....	\$ 12,468,079
<b>MICHIGAN STATE UNIVERSITY</b>	
Operations.....	\$ 278,916,599
<b>GROSS APPROPRIATION.....</b>	<b>\$ 278,916,599</b>
Appropriated from:	
State general fund/general purpose .....	\$ 278,916,599
<b>MICHIGAN TECHNOLOGICAL UNIVERSITY</b>	
Operations.....	\$ 47,664,100
<b>GROSS APPROPRIATION.....</b>	<b>\$ 47,664,100</b>
Appropriated from:	
State general fund/general purpose .....	\$ 47,664,100
<b>NORTHERN MICHIGAN UNIVERSITY</b>	
Operations.....	\$ 45,941,232
<b>GROSS APPROPRIATION.....</b>	<b>\$ 45,941,232</b>
Appropriated from:	
State general fund/general purpose .....	\$ 45,941,232
<b>OAKLAND UNIVERSITY</b>	
Operations.....	\$ 42,187,860
<b>GROSS APPROPRIATION.....</b>	<b>\$ 42,187,860</b>
Appropriated from:	
State general fund/general purpose .....	\$ 42,187,860
<b>SAGINAW VALLEY STATE UNIVERSITY</b>	
Operations.....	\$ 22,316,580
<b>GROSS APPROPRIATION.....</b>	<b>\$ 22,316,580</b>

Appropriated from:	
State general fund/general purpose .....	\$ 22,316,580
UNIVERSITY OF MICHIGAN-ANN ARBOR	
Operations.....	\$ 314,539,283
GROSS APPROPRIATION.....	\$ 314,539,283
Appropriated from:	
State general fund/general purpose .....	\$ 314,539,283
UNIVERSITY OF MICHIGAN-DEARBORN	
Operations.....	\$ 23,073,574
GROSS APPROPRIATION.....	\$ 23,073,574
Appropriated from:	
State general fund/general purpose .....	\$ 23,073,574
UNIVERSITY OF MICHIGAN-FLINT	
Operations.....	\$ 19,808,474
GROSS APPROPRIATION.....	\$ 19,808,474
Appropriated from:	
State general fund/general purpose .....	\$ 19,808,474
WAYNE STATE UNIVERSITY	
Operations.....	\$ 223,324,603
GROSS APPROPRIATION.....	\$ 223,324,603
Appropriated from:	
State general fund/general purpose .....	\$ 223,324,603
WESTERN MICHIGAN UNIVERSITY	
Operations.....	\$ 107,933,634
GROSS APPROPRIATION.....	\$ 107,933,634
Appropriated from:	
State general fund/general purpose .....	\$ 107,933,634
STATE AND REGIONAL PROGRAMS	
Agricultural experiment station.....	\$ 29,681,275
Cooperative extension service.....	25,563,541
Japan center for Michigan universities.....	350,000
Higher education database modernization and conversion —1.0 FTE position .....	150,000
Michigan molecular institute.....	125,000
Midwest higher education compact.....	58,000
GROSS APPROPRIATION.....	\$ 55,927,816
Appropriated from:	
State general fund/general purpose .....	\$ 55,927,816
MARTIN LUTHER KING, JR.-CESAR CHAVEZ-ROSA PARKS PROGRAM	
Select student supportive services.....	\$ 1,920,172
Michigan college/university partnership program .....	576,052
Visiting professors program .....	161,822
GROSS APPROPRIATION.....	\$ 2,658,046
Appropriated from:	
State general fund/general purpose .....	\$ 2,658,046
GRANTS AND FINANCIAL AID	
State competitive scholarships .....	\$ 31,728,197
Tuition grants.....	57,791,856
Michigan work study program .....	7,136,336
Part-time independent student program.....	2,584,509
Grant for Michigan resident dental graduates .....	4,497,947
Grant for general degree graduates .....	5,168,550
Grant for allied health graduates.....	832,471
Michigan education opportunity grants .....	2,030,105
Paul Douglas teacher scholarship program.....	500,000
Robert C. Byrd honors scholarship program .....	1,300,000
Tuition incentive program/high school completion .....	1,000,000
Center for advanced technologies-engineering tuition reimbursement.....	4,000,000
GROSS APPROPRIATION.....	\$ 118,569,971

Appropriated from:

Federal revenues:

DED-OPSE, grants to state for state student incentives .....	2,300,000
DED-OPSE, Douglas teacher scholarships .....	500,000
DED-OPSE, Byrd honors scholarships.....	1,300,000
Federal temporary assistance for needy families .....	1,000,000
State general fund/general purpose .....	\$ 113,469,971".

2. Amend page 7, line 4, after "is" by striking out "\$1,561,006,800.00" and inserting "\$1,552,931,791.00".

3. Amend page 7, line 19, by striking out all of subsection (3).

4. Amend page 21, line 4, after "of" by striking out "\$4,337.00" and inserting "\$4,290.00".

5. Amend page 21, line 7, after "years." by inserting "It is the legislative goal to achieve a \$4,500.00 per student funding floor for master level universities and a \$6,000.00 per student funding floor for doctoral level universities."

6. Amend page 21, following line 14, by inserting:

"Sec. 417. The legislature shall reduce the appropriations in section 101 for a state institution of higher education by the amount expended by that state institution of higher education to fulfill an outstanding obligation of athletic personnel contracts before the end of the contract term."

7. Amend page 22, line 3, by striking out all of sections 422, 423, 424, and 425.

8. Amend page 29, line 3, by striking out all of section 706 and inserting:

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

9. Amend page 29, following line 15, by striking out all of section 709.

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

A bill to make appropriations for the state institutions of higher education and certain state purposes related to education for the fiscal year ending September 30, 1998; to provide for the expenditures of those appropriations; and to prescribe the powers and duties of certain state departments, institutions, agencies, employees, and officers.

Morris W. Hood, Jr.  
Paul Tesanovich  
Donald H. Gilmer  
Conferees for the House

John Schwarz  
Jon A. Cisky  
Don W. Koivisto  
Conferees for the Senate

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

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

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

The question being on the adoption of the conference report,

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

**Roll Call No. 703**

**Yeas—99**

Agee	Dobronski	Jellema	Profit
Alley	Emerson	Kaza	Prusi
Anthony	Fitzgerald	Kelly	Quarles
Baade	Frank	Kukuk	Raczkowski
Baird	Freeman	LaForge	Rhead
Bankes	Gagliardi	Law	Richner
Basham	Galloway	LeTarte	Rocca
Birkholz	Geiger	Llewellyn	Schauer
Bobier	Gernaat	London	Schermesser
Bodem	Gilmer	Lowe	Schroer
Bogardus	Gire	Martinez	Scott

Brackenridge	Godchaux	Mathieu	Scranton
Brater	Goschka	McBryde	Sikkema
Brewer	Green	McManus	Stallworth
Brown	Griffin	McNutt	Tesanovich
Byl	Gubow	Middaugh	Thomas
Callahan	Gustafson	Middleton	Varga
Cassis	Hale	Murphy	Vaughn
Cherry	Hammerstrom	Nye	Voorhees
Crissman	Hanley	Olshove	Walberg
Cropsey	Harder	Owen	Wallace
Curtis	Hertel	Oxender	Whyman
Dalman	Horton	Palamara	Willard
DeHart	Jansen	Perricone	Wojno
DeVuyst	Jelinek	Price	

### Nays—1

Jaye

In The Chair: Murphy

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

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

“Mr. Speaker and members of the House:

This university budget bill contains several examples of taxpayer paid programs for minority students only, including rich minorities and foriegners:

MLK Select Student (minority only tutors)	\$1,920,173
Minority only visiting professor program	\$161,822
Minority only college/university partnership	\$576,052
Minority only Michigan education opportunity grant	\$2,030,105
Welfare recipients only tuition incentive plan	\$1,000,000
Minority only advance technologies—engineering tuition	\$4,000,000

This budget also includes subsidies for wealth people pursuing professional degrees:

Dental graduates	\$4.4 million
General degree graduates	\$5.1 million
Allied health graduates	\$832,421.”

### Second Reading of Bills

#### House Bill No. 4616, entitled

A bill to amend 1893 PA 206, entitled “The general property tax act,” by amending section 27 (MCL 211.27), as amended by 1994 PA 415.

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

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

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

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

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

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



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

**House Bill No. 4616, entitled**

A bill to amend 1893 PA 206, entitled "The general property tax act," by amending section 27 (MCL 211.27), as amended by 1994 PA 415.

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

**Roll Call No. 704**

**Yeas—102**

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

**Nays—0**

In The Chair: Murphy

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

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

A bill to amend 1893 PA 206, entitled "The general property tax act," (MCL 211.1 to 211.157) by adding section 7gg.

The motion prevailed.

The House agreed to the title as amended.

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

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

Reps. Agee, Anthony, Basham, Birkholz, Bodem, Bogardus, Brackenridge, Brown, Callahan, Cassis, Cherry, Crissman, Curtis, Dalman, DeVuyst, Fitzgerald, Frank, Freeman, Galloway, Gernaat, Goschka, Hale, Hammerstrom, Hanley, Horton, Jansen, Jaye, Jelinek, Jellema, Kaza, Kelly, Kukuk, Law, Llewellyn, Lowe, Mans, Martinez, McBryde, McManus, Middaugh, Middleton, Murphy, Nye, Olshove, Palamara, Profit, Prusi, Rackowski, Rhead, Richner, Rocca, Schauer, Schermesser, Schroer, Scott, Stallworth, Tesanovich, Thomas, Varga, Vaughn, Voorhees, Walberg, Wallace, Whyman and Wojno were named co-sponsors of the bill.

### Second Reading of Bills

#### House Bill No. 4376, entitled

A bill to prohibit the state or a political subdivision of the state from imposing a substantial burden on a person's exercise of religion unless the state or political subdivision of the state demonstrates a compelling governmental interest in imposing that burden; and to provide a claim or defense to persons whose exercise of religion is substantially burdened by the state or a political subdivision of the state.

Was read a second time, and the question being on the adoption of the proposed amendments previously recommended by the Committee on Constitutional and Civil Rights (for amendments, see House Journal No. 63, p. 1594),

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

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

Rep. Horton moved to amend the bill as follows:

1. Amend page 2, line 13, after "violation." by inserting "This act does not grant, secure, or guarantee any right to abortion, access to abortion services, or funding of abortion and does not alter or diminish such rights that may have existed before the effective date of this act."

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

Rep. Horton demanded the yeas and nays.

The demand was supported.

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

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

The motion prevailed.

#### House Bill No. 4815, entitled

A bill to amend 1978 PA 90, entitled "Youth employment standards act," by amending section 3 (MCL 409.103), as amended by 1987 PA 71.

The bill was read a second time.

Rep. Scranton moved to amend the bill as follows:

1. Amend page 1, line 9, by striking out "HOCKEY REFEREE" and inserting "YOUTH ATHLETIC PROGRAM REFEREE OR UMPIRE PROVIDED THAT THE EMPLOYEE REFEREES OR UMPIRES FOR AN AGE BRACKET YOUNGER THAN HIS OR HER OWN AGE".

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

Rep. Tesanovich moved to amend the bill as follows:

1. Amend page 1, line 8, after "MINOR" by striking out "10" and inserting "11".

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

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

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

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

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

By unanimous consent the House returned to the order of

### Third Reading of Bills

#### House Bill No. 4815, entitled

A bill to amend 1978 PA 90, entitled "Youth employment standards act," by amending section 3 (MCL 409.103), as amended by 1987 PA 71.

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

#### Roll Call No. 705

Yeas—91

Agee  
Alley

Dalman  
DeHart

Johnson  
Kelly

Price  
Profit

Anthony	DeVuyst	Kukuk	Prusi
Baade	Dobronski	LaForge	Quarles
Baird	Fitzgerald	Law	Rhead
Bankes	Frank	LeTarte	Richner
Basham	Freeman	Llewellyn	Rocca
Birkholz	Galloway	London	Schauer
Bobier	Gernaat	Lowe	Schermesser
Bodem	Gire	Mans	Schroer
Bogardus	Godchaux	Mathieu	Scott
Brackenridge	Goschka	McBryde	Scranton
Brater	Green	McManus	Sikkema
Brewer	Griffin	McNutt	Stallworth
Brown	Gubow	Middaugh	Tesanovich
Byl	Gustafson	Middleton	Thomas
Callahan	Hale	Murphy	Vaughn
Cassis	Hammerstrom	Nye	Voorhees
Cherry	Hanley	Olshove	Walberg
Ciaramitaro	Hood	Owen	Wallace
Crissman	Horton	Oxender	Willard
Cropsey	Jaye	Palamara	Wojno
Curtis	Jellema	Perricone	

#### Nays—4

Geiger	Jansen	Raczkowski	Whyman
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In The Chair: Murphy

The House agreed to the title of the bill.

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

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

Reps. Basham, Bobier, Brackenridge, Brown, DeHart, Gire, Goschka, Hale, Johnson, Kaza, Kelly, Kukuk, Law, London, McBryde, McManus, Murphy, Owen, Oxender, Perricone, Rocca, Scott, Scranton, Stallworth, Thomas and Vaughn were named co-sponsors of the bill.

Rep. Bogardus moved that Rep. LaForge be excused temporarily from today's session.

The motion prevailed.

Rep. Curtis moved that Reps. Harder and Wetters be excused temporarily from today's session.

The motion prevailed.

#### Second Reading of Bills

The House returned to the consideration of

##### **House Bill No. 4376, entitled**

A bill to prohibit the state or a political subdivision of the state from imposing a substantial burden on a person's exercise of religion unless the state or political subdivision of the state demonstrates a compelling governmental interest in imposing that burden; and to provide a claim or defense to persons whose exercise of religion is substantially burdened by the state or a political subdivision of the state.

(The bill was considered earlier today, see today's Journal, p. 1682.)

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

### Point of Order

Rep. Gubow requested the Chair to rule on the question of whether or not the amendment offered by Rep. Horton was germane.

The Chair ruled that the amendment was not germane pursuant to House Rule 64; it introduced a new proposition which is not germane to the subject matter of the bill as introduced and as it is before the House.

Rep. Horton appealed the decision of the Chair.

The question being, "Shall the judgment of the Chair stand as the judgment of the House?"

The judgment of the Chair stood as the judgment of the House, a majority of the members present and voting, voting therefor, by yeas and nays, as follows:

#### Roll Call No. 706

#### Yeas—53

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

#### Nays—44

Bankes	Gernaat	Kaza	Middleton
Birkholz	Godchaux	Kukuk	Oxender
Bodem	Goschka	Law	Perricone
Brackenridge	Green	LeTarte	Rackowski
Cassis	Gustafson	Llewellyn	Rhead
Cropsey	Hammerstrom	London	Richner
Dalman	Horton	Lowe	Rocca
DeVuyst	Jansen	McBryde	Sikkema
Fitzgerald	Jaye	McManus	Voorhees
Galloway	Jellema	McNutt	Walberg
Geiger	Johnson	Middaugh	Whyman

In The Chair: Murphy

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

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

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

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

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

**House Bill No. 4376, entitled**

A bill to prohibit the state or a political subdivision of the state from imposing a substantial burden on a person's exercise of religion unless the state or political subdivision of the state demonstrates a compelling governmental interest in imposing that burden; and to provide a claim or defense to persons whose exercise of religion is substantially burdened by the state or a political subdivision of the state.

The bill was read a third time.

The question being on the passage of the bill,

After debate,

Rep. Griffin demanded the previous question.

The demand was supported.

The question being, "Shall the main question now be put?"

The previous question was ordered.

The question being on the passage of the bill,

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

**Roll Call No. 707**

**Yeas—99**

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

**Nays—0**

In The Chair: Murphy

The House agreed to the title of the bill.

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

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

Reps. Agee, Alley, Anthony, Baade, Bankes, Basham, Birkholz, Bobier, Bodem, Bogardus, Brackenridge, Brater, Brewer, Cassis, Cherry, Cropsey, Curtis, Dalman, DeHart, Dobronski, Fitzgerald, Frank, Freeman, Gagliardi, Gernaat, Gilmer, Goschka, Green, Gubow, Hale, Hanley, Jansen, Jaye, Jelinek, Johnson, Kaza, Kukuk, Law, Llewellyn, London, Lowe, Mans, McBryde, McManus, McNutt, Middaugh, Murphy, Olshove, Palamara, Price, Prusi, Rocca, Schauer, Schermesser, Scott, Stallworth, Tesanovich, Varga, Vaughn, Voorhees, Walberg and Wallace were named co-sponsors of the bill.

### Notices

I hereby give notice that on the next legislative session day I will move to reconsider the vote by which the House passed **House Bill No. 4376**.

Rep. Sikkema

Rep. Freeman moved that Rep. Wetters be excused temporarily from today's session.  
The motion prevailed.

By unanimous consent the House returned to the order of

### Messages from the Senate

#### House Bill No. 4827, entitled

A bill to amend 1933 PA 99, entitled "An act to authorize incorporated villages, townships, and cities to enter into contracts and agreements for the purchase of lands, property, or equipment for public purposes; to validate such contracts or agreements heretofore entered into; to provide for the payment of the purchase price thereof; and to prescribe the use of such lands, equipment, and property," by amending the title and sections 1 and 3 (MCL 123.721 and 123.723) and by adding section 1a.

The Senate has amended the bill as follows:

1. Amend page 3, line 27, after "SERVICE" by inserting "OR THE TERM OF THE CONTRACT, WHICHEVER IS SHORTER".

2. Amend page 4, following line 9, by striking out all of enacting section 1.

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

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

Rep. Gagliardi moved that Rule 45 be suspended.

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

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

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

#### Roll Call No. 708

#### Yeas—100

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

Cropsey	Horton	Olshove	Wallace
Curtis	Jansen	Owen	Whyman
Dalman	Jaye	Oxender	Willard
DeHart	Jelinek	Palamara	Wojno

**Nays—0**

In The Chair: Murphy

The bill was referred to the Clerk for enrollment printing and presentation to the Governor.  
Reps. Baade, Crissman, Middaugh and Wallace were named co-sponsors of the bill.

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Rep. Cherry questioned the presence of a quorum and moved that the roll be called and printed in the Journal.  
The motion prevailed.  
The roll was called and the Clerk announced that a quorum was present.  
The following is the roll call:

**Roll Call No. 709****Yeas—98**

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

In The Chair: Murphy

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The Speaker resumed the Chair.

The Senate requests the return of

**House Bill No. 4872, entitled**

A bill to amend 1927 PA 150, entitled "An act to prescribe a privilege tax for the use of the public highways by owners and drivers of motor vehicles by imposing a specific tax upon the sale or use, within the state of Michigan, of motor fuel; to prescribe the manner and the time of paying this tax and the duties of officials and others respecting the payment and collection of this tax; to provide for the licensing of wholesale distributors, certain retail dealers, exporters, and suppliers as defined in this act; to fix a time when this tax and interest and penalties thereon become a lien upon the property of persons, firms, partnerships, associations, or corporations, subject to the payment of this tax; to provide for the enforcement of this lien; to permit the inspection and testing of petroleum products; to provide for certain exemptions and refunds and for the disposition of the proceeds of this tax; and to prescribe penalties for the violation of this act," by amending the title and sections 2 and 22 (MCL 207.102 and 207.122), section 2 as amended by 1992 PA 225 and section 22 as amended by 1995 PA 52, and by adding chapter 7; and to repeal acts and parts of acts.

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

The motion prevailed.

The Senate requests the return of

**Senate Bill No. 303, entitled**

A bill to amend 1951 PA 51, entitled "An act to provide for the classification of all public roads, streets, and highways in this state, and for the revision of that classification and for additions to and deletions from each classification; to set up and establish the Michigan transportation fund; to provide for the deposits in the Michigan transportation fund of specific taxes on motor vehicles and motor vehicle fuels; to provide for the allocation of funds from the Michigan transportation fund and the use and administration of the fund for transportation purposes; to set up and establish the truck safety fund; to provide for the allocation of funds from the truck safety fund and administration of the fund for truck safety purposes; to set up and establish the Michigan truck safety commission; to provide for the continuing review of transportation needs within the state; to authorize the state transportation commission, counties, cities, and villages to borrow money, issue bonds, and make pledges of funds for transportation purposes; to authorize counties to advance funds for the payment of deficiencies necessary for the payment of bonds issued under this act; to provide for the limitations, payment, retirement, and security of the bonds and pledges; to provide for appropriations and tax levies by counties and townships for county roads; to authorize contributions by townships for county roads; to provide for the establishment and administration of the state trunk line fund, critical bridge fund, comprehensive transportation fund, and certain other funds; to provide for the deposits in the state trunk line fund, critical bridge fund, comprehensive transportation fund, and certain other funds of money raised by specific taxes and fees; to provide for definitions of public transportation functions and criteria; to define the purposes for which Michigan transportation funds may be allocated; to provide for Michigan transportation fund grants; to provide for review and approval of transportation programs; to provide for submission of annual legislative requests and reports; to provide for the establishment and functions of certain advisory entities; to provide for conditions for grants; to provide for the issuance of bonds and notes for transportation purposes; to provide for the powers and duties of certain state and local agencies and officials; to provide for the making of loans for transportation purposes by the state transportation department and for the receipt and repayment by local units and agencies of those loans from certain specified sources; and to repeal certain acts and parts of acts," by amending sections 10, 11, 11c, 12, 13, and 15 (MCL 247.660, 247.661, 247.661c, 247.662, 247.663, and 247.665), sections 10, 11, 11c, 12, and 13 as amended by 1993 PA 294 and section 15 as amended by 1982 PA 438, and by adding sections 1g, 1h, and 1i.

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

The motion prevailed.

The Senate requests the return of

**Senate Bill No. 208, entitled**

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

Rep. Gagliardi moved that Rule 45 be suspended.

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

Rep. Gagliardi moved that the Committee on Labor and Occupational Safety be discharged from further consideration of **Senate Bill No. 208**.

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

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

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

The motion prevailed.



Rep. Gagliardi moved that when the House adjourns today it stand adjourned until Tuesday, July 8, at 10:00 a.m. The motion prevailed.

Rep. Middaugh asked and obtained an excuse from Tuesday's session.

By unanimous consent the House returned to the order of

### **Motions and Resolutions**

Rep. Bogardus offered the following resolution:

#### **House Resolution No. 126.**

A resolution honoring the 50th Anniversary of the Davison Police Department.

Whereas, We are proud to join with the citizens of the city of Davison as they commemorate the 50th anniversary of the Davison Police Department. This commemoration marks a half century of dedication to safeguarding the public interest and protecting the persons and property of the citizens of Davison. While the members of the department celebrate fifty years of honorable duty, we offer our thanks for the loyal service they have given their community and, thereby, the State of Michigan; and

Whereas, The city of Davison did, with the hiring of Frank Boyce in 1947, establish an effective police department and did expand it in 1950 by hiring one assistant; and

Whereas, The department was maintained in the Boyce home with Mrs. Boyce answering the phone from 1947 until 1956. After the Davison Hall burned down in 1956 and city offices were moved to the old temporary school building at Main and 4th, the police department was moved to this site where it stayed until 1967. Then it moved with other city offices to another temporary location in the old Groves Funeral Home across the corner at Main and 4th. In 1969, the new Davison City Hall was completed, and the Davison Police Department finally had a true, modern law enforcement office, although evening and weekend calls were still taken at the Boyce home until 1971 when the Michigan State Police took over this function; and

Whereas, The Davison Police Department during its first 50 years not only went through many physical location changes, it also went through many personnel changes. Frank Boyce became the Chief of Police and remained so until he retired in 1975. At that time, Wilbur Bond, a former Michigan State Trooper became the Chief of Police and remained so until that position was assumed by Robert Johnson. Chief Johnson held the post until his retirement in 1995, when William Brandon took over the job, and he remains in charge to this day. Another major change occurred when Donna Granger was assigned as Davison's first female uniformed officer. The department that started with one officer, and his wife, serving about fifteen hundred people has expanded to nine full-time officers, two part-time officers, and two clerical workers serving almost seven thousand people; and

Whereas, The members of the Davison Police Department have, day in and day out, year after year, displayed a high degree of professionalism and dedication to keeping the city of Davison secure and protected. It is with pride and gratitude that we welcome this opportunity to salute them, to pay tribute to their honorable history, and to recognize the challenges that they will continue to face in the future; now, therefore, be it

Resolved by the House of Representatives, That the highest praise and admiration be accorded on this 50th anniversary celebration of the Davison Police Department; and be it further

Resolved, That a copy of this resolution be presented to the department as a token of the high esteem in which it is held.

Pending the reference of the resolution to a committee,

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

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

The question being on the adoption of the resolution,

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

Rep. Thomas offered the following resolution:

#### **House Resolution No. 127.**

A resolution to express support for a federal disaster declaration for southeastern Michigan for storm damage.

Whereas, On July 2, 1997, severe thunderstorms and tornadoes ripped through southeastern Michigan. The evening storms, which killed several people and left at least a quarter of a million without electricity, have created a disaster situation in parts of Detroit and surrounding communities. High water and wind damage continue to threaten the health and well-being of citizens, businesses, and structures in the most populous region of our state; and

Whereas, Officials in Detroit and Wayne County are taking emergency measures to cope with the disaster. Extra law enforcement and public safety personnel are on the scene. Governor Engler has requested the President to declare the stricken communities as a federal disaster site to bring Federal Emergency Management Agency help to the area; and

Whereas, In addition to the tragic loss of life, the storm has taken away all or parts of homes and businesses. Even as people assess the damage, there are threats to public safety from sparking power equipment, unsafe buildings, and flooding. Southeastern Michigan needs the resources and help the federal government can provide; now, therefore, be it

Resolved by the House of Representatives, That we express support for a federal disaster declaration for southeastern Michigan for storm damage; and be it further

Resolved, That a copy of this resolution be transmitted to the Office of the Governor and the Office of the President of the United States.

Pending the reference of the resolution to a committee,

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

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

The question being on the adoption of the resolution,

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

Reps. Bodem, Alley, Middaugh, DeVuyst, McNutt, Wetters, Jaye, Mans, Walberg, McManus, Varga, Gagliardi, Kukuk, Rhead, Birkholz, Raczkowski, Baade and Galloway offered the following resolution:

**House Resolution No. 128.**

A resolution to urge the Governor to approve the designation of the Thunder Bay National Marine Sanctuary only if the federal program does not restrict recreational activities.

Whereas, In 1972, Congress authorized the National Marine Sanctuary Program to designate and manage areas of our marine environment with special scientific, historical, recreational, aesthetic, or cultural significance. The National Oceanic and Atmospheric Administration is considering the Thunder Bay area for designation in this program. Thunder Bay is an area with exceptional historical interest through the more than 160 shipwrecks already located there. This would be the first federal marine sanctuary in the Great Lakes; and

Whereas, The process of designating a National Marine Sanctuary includes review and communications with local citizens and officials. Following extensive review, the National Oceanic and Atmospheric Administration and the Governor must agree before final designation is made; and

Whereas, In considering the impact of sanctuary status, it is imperative that the designation not impose restrictions on activities in the waters of the sanctuary. People are concerned that the protections of the sanctuary may also include policies that have adverse economic results. Specifically, citizens and groups are worried about restrictions on fishing or other water-related activities. Federal actions to protect this area are very welcome, but only to the extent that the new designation does not interfere with tourism and the entire economy of the region; now, therefore, be it

Resolved by the House of Representatives, That we urge the Governor to approve the designation of the Thunder Bay National Marine Sanctuary only if the federal program does not restrict recreational activities; and be it further

Resolved, That a copy of this resolution be transmitted to the Office of the Governor.

The resolution was referred to the Committee on Conservation, Environment and Recreation.

Rep. Thomas offered the following concurrent resolution:

**House Concurrent Resolution No. 52.**

A concurrent resolution to express support for a federal disaster declaration for southeastern Michigan for storm damage.

Whereas, On July 2, 1997, severe thunderstorms and tornadoes ripped through southeastern Michigan. The evening storms, which killed several people and left at least a quarter of a million without electricity, have created a disaster situation in parts of Detroit and surrounding communities. High water and wind damage continue to threaten the health and well-being of citizens, businesses, and structures in the most populous region of our state; and

Whereas, Officials in Detroit and Wayne County are taking emergency measures to cope with the disaster. Extra law enforcement and public safety personnel are on the scene. Governor Engler has requested the President to declare the stricken communities as a federal disaster site to bring Federal Emergency Management Agency help to the area; and

Whereas, In addition to the tragic loss of life, the storm has taken away all or parts of homes and businesses. Even as people assess the damage, there are threats to public safety from sparking power equipment, unsafe buildings, and flooding. Southeastern Michigan needs the resources and help the federal government can provide; now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That we express support for a federal disaster declaration for southeastern Michigan for storm damage; and be it further

Resolved, That a copy of this resolution be transmitted to the Office of the Governor and the Office of the President of the United States.

Pending the reference of the concurrent resolution to a committee, Rep. Gagliardi moved that Rule 77 be suspended and the concurrent resolution be considered at this time. The motion prevailed, 3/5 of the members present voting therefor. The question being on the adoption of the concurrent resolution, The concurrent resolution was adopted, a majority of the members serving voting therefor.

Reps. Bodem, Alley, Middaugh, DeVuyst, McNutt, Wetters, Mans, Walberg, Jaye, McManus, Varga, Gagliardi, Kukuk, Rhead, Birkholz, Raczkowski, Baade and Galloway offered the following concurrent resolution:

**House Concurrent Resolution No. 53.**

A concurrent resolution to urge the Governor to approve the designation of the Thunder Bay National Marine Sanctuary only if the federal program does not restrict recreational activities.

Whereas, In 1972, Congress authorized the National Marine Sanctuary Program to designate and manage areas of our marine environment with special scientific, historical, recreational, aesthetic, or cultural significance. The National Oceanic and Atmospheric Administration is considering the Thunder Bay area for designation in this program. Thunder Bay is an area with exceptional historical interest through the more than 160 shipwrecks already located there. This would be the first federal marine sanctuary in the Great Lakes; and

Whereas, The process of designating a National Marine Sanctuary includes review and communications with local citizens and officials. Following extensive review, the National Oceanic and Atmospheric Administration and the Governor must agree before final designation is made; and

Whereas, In considering the impact of sanctuary status, it is imperative that the designation not impose restrictions on activities in the waters of the sanctuary. People are concerned that the protections of the sanctuary may also include policies that have adverse economic results. Specifically, citizens and groups are worried about restrictions on fishing or other water-related activities. Federal actions to protect this area are very welcome, but only to the extent that the new designation does not interfere with tourism and the entire economy of the region; now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That we urge the Governor to approve the designation of the Thunder Bay National Marine Sanctuary only if the federal program does not restrict recreational activities; and be it further

Resolved, That a copy of this resolution be transmitted to the Office of the Governor.

The concurrent resolution was referred to the Committee on Conservation, Environment and Recreation.

### **Reports of Select Committees**

**House Bill No. 4305, entitled**

A bill to make appropriations for community colleges for the fiscal year ending September 30, 1998; to provide for the expenditure of the appropriations; to establish or continue certain funds, programs, and categories; and to prescribe the powers and duties of certain state departments, officers, and employees.

(For text of conference report, see House Journal No. 64, p. 1609.)

The Senate has adopted the report of the Committee of Conference.

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

**House Bill No. 4307, entitled**

A bill to make appropriations for the department of corrections and certain state purposes related to corrections for the fiscal year ending September 30, 1998; to provide for the expenditure of the appropriations; to provide for reports; to provide for the creation of certain advisory committees and boards; to prescribe certain powers and duties of the department of corrections, certain other state officers and agencies, and certain advisory committees and boards; to provide for the collection of certain funds; and to provide for the disposition of fees and other income received by certain state agencies.

(For text of conference report, see House Journal No. 63, p. 1579.)

The Senate has adopted the report of the Committee of Conference.

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

**House Bill No. 4308, entitled**

A bill to make appropriations for the department of education and certain other purposes relating to education for the fiscal year ending September 30, 1998; to provide for the expenditure of the appropriations; to prescribe the powers

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

(For text of conference report, see House Journal No. 64, p. 1637.)

The Senate has adopted the report of the Committee of Conference.

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

#### **House Bill No. 4309, entitled**

A bill to make appropriations for the state institutions of higher education and certain state purposes related to education for the fiscal years ending September 30, 1997 and September 30, 1998; to provide for the expenditures of those appropriations; and to prescribe the powers and duties of certain state departments, institutions, agencies, employees, and officers.

(For text of conference report, see House Journal No. 64, p. 1676.)

The Senate has adopted the report of the Committee of Conference.

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

### **First Conference Report**

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

#### **House Bill No. 4219, entitled**

A bill to amend 1980 PA 299, entitled "Occupational code," by amending sections 1201, 1204, 1205, 1206, 1207, 1208, 1209, 1210, 1211, 1214, 1217, and 1218 (MCL 339.1201, 339.1204, 339.1205, 339.1206, 339.1207, 339.1208, 339.1209, 339.1210, 339.1211, 339.1214, 339.1217, and 339.1218), sections 1204, 1205, 1207, 1208, 1209, 1211, and 1214 as amended by 1988 PA 463, and by adding sections 1203a, 1203b, and 1210a; and to repeal acts and parts of acts.

Recommends:

First: That the House recede from its amendments numbered 1, 2, 8, and 12, which read as follows:

1. Amend page 2, following line 18, by inserting:

"(v) NATURAL HAIR CULTIVATION."

2. Amend page 3, line 24, after "WAVING," by inserting "WEAVING, PLAITING, CRIMPING, BRAIDING,".

8. Amend page 7, line 26, after "SERVICES" by inserting a comma and "NATURAL HAIR CULTIVATION,".

12. Amend page 16, line 20, after "which" by inserting "NATURAL HAIR CULTIVATION,".

Second: That the Senate agree to House amendments numbered 4, 5, 6, 7, 9, 10, 11, 13, 14, 15, 16, 17, and 18, which read as follows:

4. Amend page 6, line 5, after the second "SERVICES," by inserting "NATURAL HAIR CULTIVATION,".

5. Amend page 6, line 10, after the first "SERVICES" by inserting a comma and "NATURAL HAIR CULTIVATION,".

6. Amend page 6, line 11, after "MANICURIST" by inserting a comma and "NATURAL HAIR CULTURIST,".

7. Amend page 6, line 14, after "MANICURIST" by inserting a comma and "NATURAL HAIR CULTURIST,".

9. Amend page 13, line 18, after the second "A" by inserting "NATURAL HAIR CULTIVATION,".

10. Amend page 14, line 11, after "IN" by inserting "NATURAL HAIR CULTIVATION,".

11. Amend page 15, line 16, after "MANICURIST" by inserting a comma and "NATURAL HAIR CULTURIST,".

13. Amend page 18, line 21, after "AFTER" by striking out "DECEMBER 31, 1999" and inserting "THE EXPIRATION OF 12 MONTHS AFTER THE EFFECTIVE DATE OF THE 1997 AMENDATORY ACT THAT AMENDED THIS SECTION".

14. Amend page 19, line 7, after "(E)" by inserting "IF AN EXAMINATION IS AVAILABLE,".

15. Amend page 19, line 9, after "UNTIL" by striking out "DECEMBER 31, 1999" and inserting "THE EXPIRATION OF 12 MONTHS AFTER THE EFFECTIVE DATE OF THE 1997 AMENDATORY ACT THAT ADDED THIS SUBSECTION".

16. Amend page 19, line 16, after "HAVING" by striking out "BEEN TRAINED" and inserting "OBTAINED THE EQUIVALENT OF 6 MONTHS OF FULL-TIME EXPERIENCE".

17. Amend page 19, line 17, after "STATE" by striking out the balance of the subdivision and inserting "WITHIN THE 12 MONTHS IMMEDIATELY PRECEDING THE DATE OF APPLICATION.".

18. Amend page 19, line 18, after "(E)" by inserting "IF AN EXAMINATION IS AVAILABLE,".

Third: That the House and Senate agree to the House amendments numbered 3 and 19, amended to read as follows:

3. Amend page 4, line 22, after "HAIR" by striking out the balance of the subdivision and inserting a period and: "(N) "NATURAL HAIR CULTURIST" MEANS A PERSON ENGAGED IN NATURAL HAIR CULTIVATION BUT DOES NOT INCLUDE A PERSON ENGAGED IN NATURAL HAIR CULTIVATION IF THAT ACTIVITY IS PERFORMED AS PART OF THE PRACTICE OF A RECOGNIZED RELIGION." and relettering the remaining subdivisions.

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

"SEC. 1210A. (1) AFTER DECEMBER 31, 1999, THE DEPARTMENT SHALL ISSUE A LICENSE TO PRACTICE NATURAL HAIR CULTIVATION TO AN INDIVIDUAL WHO FULFILLS ALL OF THE FOLLOWING:  
(A) IF AN EXAMINATION IS AVAILABLE, HAS PASSED AN EXAMINATION PRESCRIBED BY THE DEPARTMENT AND THE BOARD. IN LIEU OF AN EXAMINATION BEING AVAILABLE, THE DEPARTMENT SHALL EVALUATE THE EXPERIENCE OF AN APPLICANT, WHICH EXPERIENCE SHALL INCLUDE AT LEAST 6 MONTHS OF FIELD PRACTICE OR EXPERIENCE.

(B) IS AT LEAST 17 YEARS OF AGE.

(C) IS OF GOOD MORAL CHARACTER.

(D) HAS AN EDUCATION EQUIVALENT TO THE COMPLETION OF THE NINTH GRADE.

(E) HAS TRAINING EITHER OF AT LEAST 400 HOURS EXTENDING OVER A PERIOD OF AT LEAST 3 MONTHS IN A SCHOOL OF COSMETOLOGY APPROVED BY THE DEPARTMENT WHERE SERVICES RELATING TO NATURAL HAIR CULTIVATION ARE RENDERED OR HAS SERVED AT LEAST 6 MONTHS AS AN APPRENTICE IN A LICENSED COSMETOLOGY ESTABLISHMENT IN WHICH NATURAL HAIR CULTIVATION IS PRACTICED.

(2) UNTIL DECEMBER 31, 1999, THE DEPARTMENT SHALL ISSUE A LICENSE TO PRACTICE NATURAL HAIR CULTIVATION TO AN INDIVIDUAL WHO FULFILLS ALL OF THE FOLLOWING:

(A) IF AN EXAMINATION IS AVAILABLE, HAS PASSED AN EXAMINATION PRESCRIBED BY THE BOARD AND THE DEPARTMENT. IN LIEU OF AN EXAMINATION BEING AVAILABLE, THE DEPARTMENT SHALL EVALUATE THE EXPERIENCE OF AN APPLICANT, WHICH EXPERIENCE SHALL INCLUDE AT LEAST 6 MONTHS OF FIELD PRACTICE OR EXPERIENCE.

(B) IS AT LEAST 17 YEARS OF AGE.

(C) IS OF GOOD MORAL CHARACTER.

(D) HAS AN EDUCATION EQUIVALENT TO THE COMPLETION OF THE NINTH GRADE.

(3) NOTWITHSTANDING ANY OTHER PROVISION IN THIS ARTICLE, AN INDIVIDUAL MAY ENGAGE IN NATURAL HAIR CULTIVATION FOR COMPENSATION AND MAY OPERATE AN ESTABLISHMENT WHERE NATURAL HAIR CULTIVATION ONLY IS PRACTICED WITHOUT HAVING FIRST OBTAINED AN INDIVIDUAL OR ESTABLISHMENT LICENSE UNDER THIS ARTICLE."

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

A bill to amend 1980 PA 299, entitled "An act to revise, consolidate, and classify the laws of this state regarding the regulation of certain occupations; to create a board for each of those occupations; to establish the powers and duties of certain departments and agencies and the boards of each occupation; to provide for the promulgation of rules; to provide for certain fees; to provide for penalties and civil fines; to establish rights, relationships, and remedies of certain persons under certain circumstances; to repeal certain parts of this act on a specific date; and to repeal certain acts and parts of acts," by amending sections 1201, 1204, 1205, 1206, 1207, 1208, 1209, 1210, 1211, 1214, 1217, and 1218 (MCL 339.1201, 339.1204, 339.1205, 339.1206, 339.1207, 339.1208, 339.1209, 339.1210, 339.1211, 339.1214, 339.1217, and 339.1218), sections 1204, 1205, 1207, 1208, 1209, 1211, and 1214 as amended by 1988 PA 463, and by adding sections 1203a, 1203b, and 1210a; and to repeal acts and parts of acts.

Ilona Varga  
Derrick Hale  
David Jaye  
Conferees for the House

Bill Schuette  
Joel Gougeon  
Henry Stallings II  
Conferees for the Senate

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

### First Conference Report

The Committee of Conference on the matters of difference between the two Houses concerning **House Bill No. 4220, entitled**

A bill to amend 1979 PA 152, entitled "State license fee act," by amending section 25 (MCL 338.2225), as amended by 1988 PA 461.

Recommends:

First: That the Senate agree to House amendments numbered 1 through 4, which read as follows:

1. Amend page 1, line 2, after "manicurist," by inserting "NATURAL HAIR CULTURIST,".
2. Amend page 2, line 3, after "manicurist," by inserting "NATURAL HAIR CULTURIST,".
3. Amend page 2, line 8, after "manicurist," by inserting "NATURAL HAIR CULTURIST,".
4. Amend page 2, line 14, after "manicurist," by inserting "NATURAL HAIR CULTURIST,".

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

A bill to amend 1979 PA 152, entitled "An act to provide for the establishment and collection of fees for the regulation of certain occupations and professions, and for certain agencies and businesses; to create certain funds; and to prescribe certain powers and duties of certain state agencies and departments," by amending section 25 (MCL 338.2225), as amended by 1988 PA 461.

Ilona Varga  
Derrick Hale  
David Jaye  
Conferees for the House

Bill Schuette  
Joel Gougeon  
Conferees for the Senate

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

#### **Senate Bill No. 114, entitled**

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending sections 2950 and 2950a (MCL 600.2950 and 600.2950a), section 2950 as amended by 1996 PA 10 and section 2950a as amended by 1994 PA 404.

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

The Conference Report was read as follows:

#### **First Conference Report**

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

#### **Senate Bill No. 114, entitled**

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending sections 2950 and 2950a (MCL 600.2950 and 600.2950a), section 2950 as amended by 1996 PA 10 and section 2950a as amended by 1994 PA 404.

Recommends:

First: That the Senate agree to House amendments numbered 2, 3, 4, 5, 6, 8, 9, 10, 11, and 12, which read as follows:

2. Amend page 2, line 26, after the second "SHERIFF" by striking out the comma and inserting "OR".
3. Amend page 2, line 27, after "POLICE," by striking out "OR".
4. Amend page 3, line 1, after "OFFICER" by striking out "OR" and inserting a comma.
5. Amend page 3, line 1, after "EMPLOYEE" by inserting a comma and "OR A FEDERAL LAW ENFORCEMENT OFFICER".
6. Amend page 10, line 25, by striking out all of subdivision (B) and inserting:  
"(B) "FEDERAL LAW ENFORCEMENT OFFICER" MEANS AN OFFICER OR AGENT EMPLOYED BY A LAW ENFORCEMENT AGENCY OF THE UNITED STATES GOVERNMENT WHOSE PRIMARY RESPONSIBILITY IS THE ENFORCEMENT OF LAWS OF THE UNITED STATES.".
8. Amend page 11, line 24, after the second "SHERIFF" by striking out the comma and inserting "OR".
9. Amend page 11, line 25, after "POLICE," by striking out "OR".
10. Amend page 11, line 26, after "OFFICER" by striking out "OR" and inserting a comma.
11. Amend page 11, line 26, after "EMPLOYEE" by inserting a comma and "OR A FEDERAL LAW ENFORCEMENT OFFICER".
12. Amend page 18, line 24, by striking out all of subdivision (A) and inserting:  
"(A) "FEDERAL LAW ENFORCEMENT OFFICER" MEANS AN OFFICER OR AGENT EMPLOYED BY A LAW ENFORCEMENT AGENCY OF THE UNITED STATES GOVERNMENT WHOSE PRIMARY RESPONSIBILITY IS THE ENFORCEMENT OF LAWS OF THE UNITED STATES.".

Second: That the Senate and House agree to House amendments numbered 1 and 7, amended to read as follows:

1. Amend page 2, line 24, after "IS" by inserting "A PERSON WHO IS ISSUED A LICENSE TO CARRY A CONCEALED WEAPON AND IS REQUIRED TO CARRY A WEAPON AS A CONDITION OF HIS OR HER EMPLOYMENT,".

7. Amend page 11, line 22, after "IS" by inserting "A PERSON WHO IS ISSUED A LICENSE TO CARRY A CONCEALED WEAPON AND IS REQUIRED TO CARRY A WEAPON AS A CONDITION OF HIS OR HER EMPLOYMENT,".

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

A bill to amend 1961 PA 236, entitled "An act to revise and consolidate the statutes relating to the organization and jurisdiction of the courts of this state; the powers and duties of such courts, and of the judges and other officers thereof; the forms and attributes of civil claims and actions; the time within which civil actions and proceedings may be brought in said courts; pleading, evidence, practice and procedure in civil and criminal actions and proceedings in said courts; to provide remedies and penalties for the violation of certain provisions of this act; and to repeal all acts and parts of acts inconsistent with, or contravening any of the provisions of this act," by amending sections 2950 and 2950a (MCL 600.2950 and 600.2950a), section 2950 as amended by 1996 PA 10 and section 2950a as amended by 1994 PA 404.

Michael J. Bouchard  
Jon A. Cisky  
Christopher D. Dingell  
Conferees for the Senate

Ted Wallace  
Laura Baird  
Michael E. Nye  
Conferees for the House

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

### Reports of Standing Committees

The Committee on Insurance, by Rep. Gubow, Chair, reported

**House Bill No. 4080, entitled**

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 21004 (MCL 333.21004), as amended by 1982 PA 354, and by adding section 21053c.

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

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

### Favorable Roll Call

**HB 4080** To Report Out:

Yeas: Reps. Gubow, Scott, Bogardus, Dobronski, Thomas, Varga, Vaughn, Basham, Llewellyn, Green, Jelinek, London, Voorhees,

Nays: None.

### COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Thursday, July 3, 1997, at 9:00 a.m.,

Present: Reps. Gubow, Scott, Bogardus, Dobronski, Thomas, Varga, Vaughn, Basham, Llewellyn, Green, Jelinek, London, Middaugh, Voorhees,

Absent: Reps. Palamara, Profit, Law,

Excused: Reps. Palamara, Profit, Law.

The Committee on Commerce, by Rep. Griffin, Chair, reported

**House Bill No. 4889, entitled**

A bill to amend 1996 PA 354, entitled "Savings bank act," (MCL 487.3101 to 487.3804) by adding section 513.

With the recommendation that the substitute (H-5) be adopted and that the bill then pass.

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

## Favorable Roll Call

**HB 4889** To Report Out:

Yeas: Reps. Griffin, Thomas, Callahan, Mans, Murphy, Olshove, Palamara, Schermesser, Varga,  
Nays: Reps. Gernaat, Jaye, Kaza, Rhead.

The Committee on Commerce, by Rep. Griffin, Chair, reported

**House Bill No. 4890, entitled**

A bill to amend 1969 PA 319, entitled "Banking code of 1969," (MCL 487.301 to 487.598) by adding section 247. With the recommendation that the substitute (H-5) be adopted and that the bill then pass. The bill and substitute were referred to the order of Second Reading of Bills.

## Favorable Roll Call

**HB 4890** To Report Out:

Yeas: Reps. Griffin, Thomas, Callahan, Mans, Murphy, Olshove, Palamara, Schermesser, Varga,  
Nays: Reps. Gernaat, Jaye, Kaza, Rhead.

The Committee on Commerce, by Rep. Griffin, Chair, reported

**House Bill No. 4891, entitled**

A bill to amend 1925 PA 285, entitled "An act to provide for the organization, operation, and supervision of credit unions; to provide for the conversion of a state credit union into a federal credit union or a credit union organized and supervised under the laws of any other state or territory of the United States and for the conversion of a federal credit union or a credit union organized and supervised under the laws of any other state or territory of the United States into a state credit union; and to provide for the merger of credit unions organized and supervised under the laws of this state, credit unions organized and supervised under the laws of any other state or territory of the United States, and federal credit unions," (MCL 490.1 to 490.31) by adding section 32.

With the recommendation that the substitute (H-5) be adopted and that the bill then pass.

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

## Favorable Roll Call

**HB 4891** To Report Out:

Yeas: Reps. Griffin, Thomas, Callahan, Mans, Murphy, Olshove, Palamara, Schermesser, Varga,  
Nays: Reps. Gernaat, Jaye, Kaza, Rhead.

The Committee on Commerce, by Rep. Griffin, Chair, reported

**House Bill No. 4892, entitled**

A bill to amend 1980 PA 307, entitled "Savings and loan act of 1980," (MCL 491.102 to 491.1201) by adding section 1135.

With the recommendation that the substitute (H-5) be adopted and that the bill then pass.

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

## Favorable Roll Call

**HB 4892** To Report Out:

Yeas: Reps. Griffin, Thomas, Callahan, Mans, Murphy, Olshove, Palamara, Schermesser, Varga,  
Nays: Reps. Gernaat, Jaye, Kaza, Rhead.

The Committee on Commerce, by Rep. Griffin, Chair, reported

**House Bill No. 4893, entitled**

A bill to require certain persons that provide automatic teller machine services to disclose information regarding fees and charges.

With the recommendation that the substitute (H-5) be adopted and that the bill then pass.

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



## Favorable Roll Call

**HB 4893** To Report Out:

Yeas: Reps. Griffin, Thomas, Callahan, Mans, Murphy, Olshove, Palamara, Schermesser, Varga, Jaye,  
Nays: Reps. Gernaat, Kaza, Kukuk, Rhead.

## COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Thursday, July 3, 1997, at 9:00 a.m.,

Present: Reps. Griffin, Thomas, Alley, Callahan, Mans, Murphy, Olshove, Palamara, Schermesser, Varga, Gernaat, Jaye, Kaza, Kukuk, Rhead, Richner, Walberg.

## COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Thursday, July 3, 1997, at 8:30 a.m.,

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

Absent: Reps. Willard, Horton, Nye,

Excused: Reps. Willard, Horton, Nye.

**Messages from the Senate****House Bill No. 4840, entitled**

A bill to authorize the department of natural resources to convey certain state owned property in Roscommon county; to prescribe conditions for the conveyance; and to provide for disposition of the revenue from the conveyance.

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

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

**Senate Bill No. 319, entitled**

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending sections 221, 232, and 903 (MCL 257.221, 257.232, and 257.903), section 903 as amended by 1992 PA 309, and by adding section 208d.

The Senate has passed the bill.

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

**Senate Bill No. 534, entitled**

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 80104, 80129, 80130, 80301, 80310, 80315, 81101, 81113, 81114, 81120, 82101, 82113, and 82156 (MCL 324.80104, 324.80129, 324.80130, 324.80301, 324.80310, 324.80315, 324.81101, 324.81113, 324.81114, 324.81120, 324.82101, 324.82113, and 324.82156), as added by 1995 PA 58, and by adding sections 80130a, 80130b, 80130c, 80130d, 80315a, 80315b, 80315c, 80319a, 81114a, 81114b, 81114c, 82156a, 82156b, 82156c, and 82160.

The Senate has passed the bill.

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

**Senate Bill No. 637, entitled**

A bill to amend 1991 PA 179, entitled "Michigan telecommunications act," (MCL 484.2101 to 484.2604) by adding section 375.

The Senate has passed the bill.

The bill was read a first time by its title and referred to the Committee on Advanced Technology and Computer Development.

### Notices

I hereby give notice that on the next legislative session day I will move to discharge the Committee on Transportation from further consideration of **House Bill No. 4813**.

Rep. Bobier

### Announcement by the Clerk of Printing and Enrollment

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

**House Bill Nos. 5002 5003**

### Introduction of Bills

Reps. Walberg, Freeman, Voorhees, Hammerstrom, DeHart, Jellema, Dalman, Prusi, Anthony, Lowe, Wetters, Profit, Gernaat, Goschka, McNutt, McBryde, Cropsey, Nye, Baade, DeVuyst, Price and Perricone introduced

**House Bill No. 5004, entitled**

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," by amending section 2104 (MCL 500.2104), as amended by 1980 PA 461.

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

Rep. Gire introduced

**House Bill No. 5005, entitled**

A bill to amend 1976 PA 451, entitled "The revised school code," (MCL 380.1 to 380.1852) by adding section 1280b.

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

Rep. Brewer introduced

**House Bill No. 5006, entitled**

A bill to amend 1986 PA 268, entitled "Legislative council act," by amending section 204 (MCL 4.1204).

The bill was read a first time by its title and referred to the Committee on Advanced Technology and Computer Development.

Reps. Curtis and Wetters introduced

**House Bill No. 5007, entitled**

A bill to amend 1969 PA 306, entitled "Administrative procedures act of 1969," by amending sections 5, 7a, 8, 40, 42, 44, 48, and 122 (MCL 24.205, 24.207a, 24.208, 24.240, 24.242, 24.244, 24.248, and 24.322), section 5 as amended by 1982 PA 413, sections 7a and 40 as added by 1984 PA 273, section 8 as amended by 1988 PA 333, sections 42 and 44 as amended by 1993 PA 141, section 48 as amended by 1986 PA 292, and section 122 as added by 1984 PA 196, and by adding sections 45a and 46a; and to repeal acts and parts of acts.

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

Reps. Scranton, McBryde, Hammerstrom and Birkholz introduced

**House Bill No. 5008, entitled**

A bill to amend 1976 PA 451, entitled "The revised school code," (MCL 380.1 to 380.1852) by adding section 1305.

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

Rep. Brackenridge introduced

**House Bill No. 5009, entitled**

A bill to amend 1943 PA 184, entitled "Township zoning act," by amending section 18 (MCL 125.288), as amended by 1990 PA 141.

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

Rep. Brackenridge introduced

**House Bill No. 5010, entitled**

A bill to amend 1921 PA 207, entitled "City and village zoning act," by amending section 5 (MCL 125.585), as amended by 1986 PA 191.

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

Rep. Brackenridge introduced

**House Bill No. 5011, entitled**

A bill to amend 1943 PA 183, entitled "County zoning act," by amending section 18 (MCL 125.218).

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

Rep. Brackenridge introduced

**House Bill No. 5012, entitled**

A bill to amend 1984 PA 431, entitled "The management and budget act," by amending section 267 (MCL 18.1267).

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

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Rep. Schauer moved that the House adjourn.

The motion prevailed, the time being 6:20 p.m.

The Speaker declared the House adjourned until Tuesday, July 8, at 10:00 a.m.

MARY KAY SCULLION  
Clerk of the House of Representatives.

