

No. 60
JOURNAL OF THE SENATE

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

10:00 a.m.

The Senate was called to order by the President, Lieutenant Governor Connie B. Binsfeld.

The roll was called by the Secretary of the Senate, who announced that a quorum was present.

Bennett—present
Berryman—present
Bouchard—present
Bullard—present
Byrum—present
Carl—present
Cherry—present
Cisky—present
Conroy—present
DeBeaussaert—present
DeGrow—present
Dingell—present
Dunaskiss—present

Emmons—present
Gast—present
Geake—present
Gougeon—present
Hart—present
Hoffman—present
Koivisto—present
McManus—present
Miller—present
North—present
O'Brien—present
Peters—present
Posthumus—present

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

Senator George A. McManus, Jr. of the 36th District offered the following invocation:

As we approach the 4th of July tomorrow and celebrate Independence Day, we harken back to our forefathers who fought the Revolutionary War in 1775 over the issue of taxation, when the good King of England decided that it was fair to tax tea because it was a brewed product like beer. The Colonists decided that taxation without representation was tyranny and fought the battle that made the United States. Then the British didn't have enough the first time and came back in 1812 for a second round when we drove them out. We fought several wars preserving the values of this country.

As we approach this weekend, let us again recall our foundation, our Constitution and the great virtues of this country—freedom of religion, freedom from unnecessary taxation and freedom from tyranny. Amen.

Senators Geake, Bullard and Dunaskiss entered the Senate Chamber.

Motions and Communications

Senator DeGrow moved that Senators Bouchard, Carl, Gast and Hoffman be temporarily excused from today's session. The motion prevailed.

Senator DeGrow moved that rule 2.106 be suspended to allow conference committees to meet during Senate session. The motion prevailed, a majority of the members serving voting therefor.

Senator Berryman moved that Senators V. Smith and Stallings be temporarily excused from today's session. The motion prevailed.

The following communication was received:
Department of State

Administrative Rules Notice of Filing

June 19, 1997

In accordance with the provisions of Section 46(1) of Act 306, Public Acts of 1969, as amended, and Executive Order 1995-6 this is to advise you that the Office of Regulatory Reform, Legal Division filed at 11:55 a.m. this date, administrative rule (97-6-16) for the Michigan Department of Consumer and Industry Services, Director's Office, entitled "*Securities*," effective 15 days hereafter.

Sincerely,
Candice S. Miller
Secretary of State
Helen Kruger, Supervisor
Office of the Great Seal

The communication was referred to the Secretary for record.

The Secretary announced the printing and placement in the members' files on Wednesday, July 2 of:
Senate Bill Nos. 625 626 627

The Secretary announced the printing and placement in the members' files on Thursday, July 3 of:
House Bill Nos. 5002 5003

Messages from the House

Senator V. Smith entered the Senate Chamber.

Senator DeGrow moved that consideration of the following bill be postponed temporarily:
Senate Bill No. 225
The motion prevailed.

Senate Bill No. 121, entitled

A bill to amend 1968 PA 173, entitled "An act naming certain state buildings," by amending section 1 (MCL 19.131), as amended by 1982 PA 229.

(For text of amendments, see Senate Journal No. 59, p. 1060.)

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

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

Roll Call No. 422**Yeas—33**

Bennett	DeGrow	McManus	Schwarz
Berryman	Dingell	Miller	Shugars
Bouchard	Dunaskiss	North	Smith, A.
Bullard	Emmons	O'Brien	Smith, V.
Byrum	Geake	Peters	Stille
Cherry	Gougeon	Posthumus	Van Regenmorter
Cisky	Hart	Rogers	Vaughn
Conroy	Koivisto	Schuetz	Young
DeBeaussaert			

Nays—0**Excused—4**

Carl	Gast	Hoffman	Stallings
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Not Voting—1

Steil

In The Chair: President

The question being on concurring in the committee recommendation to give the bill immediate effect,

The recommendation was concurred in, 2/3 of the members serving voting therefor.

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

Senators Young, O'Brien, A. Smith, DeBeaussaert, V. Smith, Peters, Miller and Cherry moved that they be named co-sponsors of the following bill:

Senate Bill No. 121

The motion prevailed.

Third Reading of Bills

Senators Hoffman, Stallings and Bouchard entered the Senate Chamber.

The following bill was read a third time:

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 question being on the passage of the bill,

The bill was passed, a majority of the members serving voting therefor, as follows:

Roll Call No. 423**Yeas—36**

Bennett	DeGrow	McManus	Shugars
Berryman	Dingell	Miller	Smith, A.
Bouchard	Dunaskiss	North	Smith, V.
Bullard	Emmons	O'Brien	Stallings
Byrum	Geake	Peters	Steil
Cherry	Gougeon	Posthumus	Stille
Cisky	Hart	Rogers	Van Regenmorter
Conroy	Hoffman	Schuetten	Vaughn
DeBeaussaert	Koivisto	Schwarz	Young

Nays—0**Excused—2**

Carl	Gast
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Not Voting—0

In The Chair: President

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

The following bill was read a third time:

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 question being on the passage of the bill,

The bill was passed, a majority of the members serving voting therefor, as follows:

Roll Call No. 424**Yeas—36**

Bennett	DeGrow	McManus	Shugars
Berryman	Dingell	Miller	Smith, A.
Bouchard	Dunaskiss	North	Smith, V.
Bullard	Emmons	O'Brien	Stallings
Byrum	Geake	Peters	Steil
Cherry	Gougeon	Posthumus	Stille
Cisky	Hart	Rogers	Van Regenmorter
Conroy	Hoffman	Schuetten	Vaughn
DeBeaussaert	Koivisto	Schwarz	Young

Nays—0

Excused—2

Carl

Gast

Not Voting—0

In The Chair: President

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

Senator Posthumus asked and was granted unanimous consent to make a statement and moved that the statement be printed in the Journal.

The motion prevailed.

Senator Posthumus' statement is as follows:

As we are working today to wrap up our session, there is a member of my staff whom a lot of you have worked with, who will not only be wrapping up today the work for the week, but we will be wrapping up her work with the state and the Legislature. A lot of you had a chance to work with Kristi Clemens, who started out a number of years ago as an intern in the Governor's Office and an intern in our office and then came to work for us. First, she did work for my constituent office, and more recently, has been on the floor working with all of you and putting together a lot of the legislation that we've been dealing with.

I, for one, really appreciate all that she's done, and I think a lot of the positive work that's been done here is in part to her hard work and going around—and even to twist arms from time to time—to make sure we had the votes.

Kristi is, even though we are going to lose her, she's going to be helping a little bit back in my area. She's going to work at the Grand Rapids Chamber of Commerce as, I believe, one of their legislative people, so our loss is their gain and we wish her well there. I wanted everybody to know how much I feel she's done, and know that I'll miss her and I think the Senate will miss her. Kristi, we appreciate all that you have done for the Senate.

Recess

Senator DeGrow moved that the Senate recess until 11:15 a.m.
The motion prevailed, the time being 10:22 a.m.

The Senate reconvened at the expiration of the recess and was called to order by the President, Lieutenant Governor Binsfeld.

During the recess, Senator Carl entered the Senate Chamber.

By unanimous consent the Senate returned to the order of

Conference Reports

Senator Steil submitted the following:

FIRST CONFERENCE REPORT

The Committee of Conference on the matters of difference between the two Houses concerning
Senate Bill No. 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	
GROSS APPROPRIATION		\$ 976,657,800
Interdepartmental grant revenues:		
Total interdepartmental grants and intradepartmental transfers		3,467,900
ADJUSTED GROSS APPROPRIATION		\$ 973,189,900
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

DEPARTMENT OF CONSUMER AND INDUSTRY SERVICES

APPROPRIATION SUMMARY:

Full-time equated unclassified positions	64.5	
Full-time equated classified positions	2,771.4	
GROSS APPROPRIATION		\$ 374,401,800
Interdepartmental grant revenues:		
Total interdepartmental grants and intradepartmental transfers		893,200
ADJUSTED GROSS APPROPRIATION		\$ 373,508,600
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

EXECUTIVE DIRECTION

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
GROSS APPROPRIATION		\$ 13,673,900

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
COUNCIL FOR ARTS AND CULTURAL AFFAIRS	
Full-time equated classified positions	9.0
Administration—9.0 FTE positions	\$ 827,800
Arts and cultural grants	21,548,700
GROSS APPROPRIATION	\$ 22,376,500
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	\$ 6,340,000
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	\$ 3,824,800
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
Workers' compensation	1,010,400
Special project advances	740,000
GROSS APPROPRIATION	\$ 29,802,600
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
FINANCIAL SERVICES AND CORPORATIONS	
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
GROSS APPROPRIATION	\$ 41,158,500
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
PUBLIC SERVICE COMMISSION	
Full-time equated classified positions	170.0
Administration, planning and regulation—170.0 FTE positions	\$ 18,268,000
GROSS APPROPRIATION	\$ 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
LIQUOR CONTROL COMMISSION	
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
GROSS APPROPRIATION	\$ 19,200,900
Appropriated from:	
Special revenue funds:	
Liquor license revenue	10,599,000
Nonretail liquor license revenue.....	424,100
Liquor purchase revolving fund	8,177,800
State general fund/general purpose	\$ 0
MICHIGAN STATE HOUSING DEVELOPMENT AUTHORITY	
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
GROSS APPROPRIATION	\$ 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
TAX TRIBUNAL	
Full-time equated classified positions	15.0
Operations—15.0 FTE positions	\$ 1,593,100
GROSS APPROPRIATION	\$ 1,593,100

Appropriated from:		
Special revenue funds:		
Tax tribunal fees		592,800
State general fund/general purpose	\$	1,000,300
GRANTS		
Fire protection grants	\$	6,375,000
GROSS APPROPRIATION	\$	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	\$	32,191,700
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	\$	19,611,100
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	\$	18,508,600
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
Fact finding and arbitration.....	\$ 169,300
Employment and labor relations—29.0 FTE positions	2,739,700
GROSS APPROPRIATION	\$ 2,909,000
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	\$ 23,659,800
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
WORKERS' 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	\$ 22,721,700
Appropriated from:	
Special revenue funds:	
Workers' 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	\$ (881,500)
Appropriated from:	
State general fund/general purpose	\$ (881,500)
DEPARTMENT OF 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
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
Workers' 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
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
Precollege 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
MICHIGAN EMPLOYMENT SECURITY AGENCY	
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
GROSS APPROPRIATION	\$ 137,527,100
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
EARLY RETIREMENT SAVINGS	
Early retirement savings	\$ (791,900)
GROSS APPROPRIATION	\$ (791,900)
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:

DEPARTMENT OF CONSUMER AND INDUSTRY SERVICES

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

DEPARTMENT OF MICHIGAN JOBS COMMISSION

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>
Hospitals	Any
	Fee
	\$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

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

Senator DeGrow moved that the rule be suspended.

The motion prevailed.

The question being on the adoption of the conference report,

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

Roll Call No. 425

Yeas—37

Bennett	DeGrow	McManus	Shugars
Berryman	Dingell	Miller	Smith, A.
Bouchard	Dunaskiss	North	Smith, V.
Bullard	Emmons	O’Brien	Stallings
Byrum	Geake	Peters	Steil
Carl	Gougeon	Posthumus	Stille
Cherry	Hart	Rogers	Van Regenmorter
Cisky	Hoffman	Schuette	Vaughn
Conroy	Koivisto	Schwarz	Young
DeBeaussaert			

Nays—0

Excused—1

Not Voting—0

In The Chair: President

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

Senator Geake submitted the following:

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	
GROSS APPROPRIATION		\$ 2,944,881,300
Interdepartmental grant revenues:		
Total interdepartmental grants and intradepartmental transfers	150,000	
ADJUSTED GROSS APPROPRIATION.....		\$ 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	

EXECUTIVE OPERATIONS

Total full-time equated positions	1,000.3	
Full-time equated unclassified positions	6.0	
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

	For Fiscal Year Ending Sept. 30, 1998
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
FAMILY SERVICES ADMINISTRATION	
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
CHILD AND FAMILY SERVICES	
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
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

	For Fiscal Year Ending Sept. 30, 1998
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
DELINQUENCY SERVICES	
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
ASSISTANCE PAYMENTS, SERVICES, AND CLERICAL FIELD STAFF	
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
CENTRAL SUPPORT ACCOUNTS	
Rent	\$ 44,176,300
Occupancy charge	10,872,900
Travel.....	7,822,700
Equipment.....	2,684,900

		For Fiscal Year Ending Sept. 30, 1998
Workers' compensation	\$	5,234,100
Advisory commissions		17,900
Payroll taxes and fringe benefits		159,345,600
GROSS APPROPRIATION	\$	230,154,400
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
DISABILITY DETERMINATION SERVICES		
Full-time equated classified positions	602.0	
Disability determination operations—602.0 FTE positions	\$	66,798,700
GROSS APPROPRIATION	\$	66,798,700
Appropriated from:		
Federal revenues:		
Total federal revenues		66,798,700
State general fund/general purpose	\$	0
PUBLIC ASSISTANCE		
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
GROSS APPROPRIATION	\$	1,268,788,600
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
EARLY RETIREMENT SAVINGS		
Salaries and wages	\$	(12,525,400)
GROSS APPROPRIATION	\$	(12,525,400)
Appropriated from:		
State general fund/general purpose	\$	(12,525,400)

GENERAL SECTIONS

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:

FAMILY INDEPENDENCE AGENCY**CHILD AND FAMILY SERVICES**

Child care fund.	\$	33,717,600
County juvenile officers		2,744,000
Adoption subsidies		46,898,200
PUBLIC ASSISTANCE		
State disability program.		1,205,200
TOTAL	\$	84,565,000

(2) If it appears to the principal executive officer of a department or branch that state spending to local units of government will be less than the amount that was projected to be expended under subsection (1), the principal executive officer shall immediately give notice of the approximate shortfall to the 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 XIIA 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 Banks
Conferees for the House

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

The motion prevailed.

The question being on the adoption of the conference report,

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

Roll Call No. 426

Yeas—30

Bennett	Dingell	McManus	Schwarz
Bouchard	Dunaskiss	Miller	Shugars
Bullard	Emmons	North	Smith, A.
Byrum	Geake	Peters	Steil
Cisky	Gougeon	Posthumus	Stille
Conroy	Hart	Rogers	Van Regenmorter
DeBeaussaert	Hoffman	Schuetz	Young
DeGrow	Koivisto		

Nays—7

Berryman
Carl

Cherry
O'Brien

Smith, V.
Stallings

Vaughn

Excused—1

Gast

Not Voting—0

In The Chair: President

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

Protest

Senators Berryman, under his constitutional right of protest (Art. IV, Sec. 18), protested against the adoption of the conference report to Senate Bill No. 169.

Senator Berryman's statement is as follows:

Even though there are many good things in that budget that F.I.A. does accomplish, I voted "no" because I am very concerned about the numbers that took the early retirement. I think the figures I have, show that the greatest number of employees that took the early retirement was from FIA. I am hearing already from some county FIA's that their case loads are already doubling from what they were. There is a great deal of fear among FIA employees, that they couldn't handle what they had before, and these case loads are growing even more and they are not going to be able to get to these families and these kids in a timely basis. They are not going to be able to perform the job the way they feel they should perform their job. I am very concerned; will these front line workers be re-hired and how long will it take? We had a budget last year, where we said we are going to hire 120; finally, in March of this year the other 60 were hired. And it takes a while to bring those individuals on line where they are productive. In the meantime, I have some severe concerns for families and children, that they are not going to have enough individuals in FIA to be out looking after them and for their welfare. For those reasons I am voting "no."

By unanimous consent the Senate returned to the order of

Motions and Communications

Senator DeGrow moved that a respectful message be sent to the House of Representatives requesting the return of the following bill:

House Bill No. 4872

The motion prevailed.

By unanimous consent the Senate returned to the order of

Conference Reports

Senator McManus submitted the following:

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	
GROSS APPROPRIATION		\$ 408,280,400
Interdepartmental grant revenues:		
Total interdepartmental grants and intradepartmental transfers		7,096,400
ADJUSTED GROSS APPROPRIATION		\$ 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 APPROPRIATION SUMMARY:

Full-time equated unclassified positions	6.0	
Full-time equated classified positions	1,644.2	
GROSS APPROPRIATION		\$ 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
ADJUSTED GROSS APPROPRIATION		\$ 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		3,229,900
EPA, UST		262,300
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 (hazardous waste revenue)		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	1,287,900
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.....	7,954,400
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
GEOLOGICAL SURVEY	
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
GROSS APPROPRIATION.....	\$ 9,440,000
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
LAND AND WATER MANAGEMENT	
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
GROSS APPROPRIATION	\$ 12,806,700
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
AIR QUALITY	
Full-time equated classified positions	226.5
Air quality programs.....	\$ 4,709,000
Clean air act implementation	12,719,200
GROSS APPROPRIATION	\$ 17,428,200
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
SURFACE WATER QUALITY	
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	\$ 19,885,500
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
DRINKING WATER PROTECTION AND RADIOLOGICAL HEALTH	
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	\$ 22,022,200

Appropriated from:	
Interdepartmental grant revenues:	
IDG-MSP	555,800
Federal revenues:	
Federal revenues	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
LOW LEVEL RADIOACTIVE WASTE AUTHORITY	
Full-time equated classified positions	3.0
Low level radioactive waste authority	\$ 866,200
GROSS APPROPRIATION	\$ 866,200
Appropriated from:	
Special revenue funds:	
Public utility assessments	866,200
State general fund/general purpose	\$ 0
ENVIRONMENTAL RESPONSE	
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
MI 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	3,208,000
EPA, UST	262,300

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
NPL - 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
BOND ADMINISTRATION SUMMARY	
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
ADMINISTRATIVE SERVICES	
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
WASTE MANAGEMENT	
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
EARLY RETIREMENT	
Early retirement savings	\$ (796,100)
GROSS APPROPRIATION	\$ (796,100)

Appropriated from:

State general fund/general purpose	\$ (796,100)".
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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	400,000
Culver Creek drain	25,000".

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 \$200,000.00 in the 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		
Mineral wells reduction	\$	(200,000)
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)".

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
 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
 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

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

Senator DeGrow moved that the rule be suspended.

The motion prevailed.

The question being on the adoption of the conference report,

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

Roll Call No. 427

Yeas—33

Bennett	DeGrow	Koivisto	Schwarz
Berryman	Dingell	McManus	Shugars
Bouchard	Dunaskiss	Miller	Smith, A.
Bullard	Emmons	North	Steil
Byrum	Geake	Peters	Stille
Carl	Gougeon	Posthumus	Van Regenmorter
Cisky	Hart	Rogers	Vaughn
Conroy	Hoffman	Schuetz	Young
DeBeaussiaert			

Nays—4

Cherry

O'Brien

Smith, V.

Stallings

Excused—1

Gast

Not Voting—0

In The Chair: President

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

Senator Gast entered the Senate Chamber.

Senator McManus submitted the following:

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 APPROPRIATION SUMMARY:**

Full-time equated unclassified positions	6.0	
Full-time equated classified positions	2,330.5	
GROSS APPROPRIATION		\$ 217,711,200
Interdepartmental grant revenues:		
Total interdepartmental grants and intradepartmental transfers	7,659,900	
ADJUSTED GROSS APPROPRIATION		\$ 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 APPROPRIATION SUMMARY:

Full-time equated unclassified positions	6.0	
Full-time equated classified positions	2,330.5	
GROSS APPROPRIATION		\$ 217,711,200

Interdepartmental grant revenues:

IDG, engineering services to work orders	994,400
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	4,495,300
Total interdepartmental grants and intradepartmental transfers	7,659,900
ADJUSTED GROSS APPROPRIATION	\$ 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
Nongame 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:		
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
ADMINISTRATIVE SERVICES		
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
GROSS APPROPRIATION		\$ 18,900,700
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	\$ 2,815,900
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	\$ 18,450,900
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
Nongame 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	\$ 21,148,300
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
Nonmotorized 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
GROSS APPROPRIATION	\$ 51,347,400
Appropriated from:	
Interdepartmental grant revenues:	
IDG, engineering services to work orders	994,400
IDG, MacMullan conference center revenue	1,294,300
IDT, interdivisional charges	166,700
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
MACKINAC ISLAND STATE PARK COMMISSION	
Full-time equated classified positions	55.0
Mackinac Island park operation	\$ 1,551,400
Historical facilities system	1,856,600
GROSS APPROPRIATION	\$ 3,408,000
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
FOREST RESOURCE MANAGEMENT	
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
GROSS APPROPRIATION	\$ 32,485,000

Appropriated from:	
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
REAL ESTATE	
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
GROSS APPROPRIATION	\$ 13,321,100
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
LAW ENFORCEMENT	
Full-time equated classified positions	271.5
Wildlife resource protection	\$ 1,008,700
General law enforcement	22,962,400
GROSS APPROPRIATION	\$ 23,971,100
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
PAYMENTS IN LIEU OF TAXES	
Swamp and tax reverted lands	\$ 7,121,500

Purchased lands taxes/open space payments	7,832,600
Commercial forest reserve	2,841,700
GROSS APPROPRIATION	\$ 17,795,800
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
GRANTS	
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
GROSS APPROPRIATION	\$ 12,295,500
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
EARLY RETIREMENT	
Early retirement savings	\$ (920,700)
GROSS APPROPRIATION	\$ (920,700)
Appropriated from:	
State general fund/general purpose	\$ (920,700)".

2. Amend page 16, line 14, after "is" by striking out "\$187,297,200.00" and inserting "\$187,775,700.00".

3. Amend page 16, line 15, after "at" by striking out "\$22,686,300.00" and inserting "\$22,311,300.00".

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

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

The motion prevailed.

The question being on the adoption of the conference report,

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

Roll Call No. 428

Yeas—38

Bennett	DeGrow	McManus	Shugars
Berryman	Dingell	Miller	Smith, A.
Bouchard	Dunaskiss	North	Smith, V.
Bullard	Emmons	O'Brien	Stallings
Byrum	Gast	Peters	Steil
Carl	Geake	Posthumus	Stille
Cherry	Gougeon	Rogers	Van Regenmorter
Cisky	Hart	Schuetz	Vaughn
Conroy	Hoffman	Schwarz	Young
DeBeaussaert	Koivisto		

Nays—0

Excused—0

Not Voting—0

In The Chair: President

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

Senator Berryman asked and was granted unanimous consent to make a statement and moved that the statement be printed in the Journal.

The motion prevailed.

Senator Berryman's statement is as follows:

I thought before we got too far into a day that will probably see a lot of recesses. I would like to re-introduce to the Senate one of my staffers who will be leaving in the next month, and this is the last session day he will see. Mike Zaneis was a page here in the Senate, and after leaving as a page, he came over and worked in my office. He is another fine example of the quality of pages that we have here in the Michigan Senate. Mike follows that example of so many fine pages that we've had here. Coming to work in my office, he did an awful lot of constituent work. He worked very well with people back in my district; always respectful and always very much a gentlemen. And as we all know, with constituent work that goes a long way. Mike will be leaving and going to George Washington University, where he will be pursuing his Masters in public policy. It's been a pleasure having him in my office, and I know my constituents are going to miss him because they like to call and talk to Mike because of the way he treats them. I wish nothing but the best of luck Mike, and in your future endeavors, and at some point Michigan will be happy to have you back with your Masters.

Recess

Senator DeGrow moved that the Senate recess until 3:00 p.m.
The motion prevailed, the time being 11:40 a.m.

The Senate reconvened at the expiration of the recess and was called to order by the President, Lieutenant Governor Binsfeld.

By unanimous consent the Senate returned to the order of

Messages from the House

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.

(For Conference report, see Senate Journal No. 59, p. 1048.)

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

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

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.

(For Conference report, see p. 1079.)

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

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

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.

(For Conference report, see p. 1106.)

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

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

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.

(For Conference report, see p. 1118.)

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

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

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.

(For Conference report, see p. 1092.)

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

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

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.

(For Conference report, see Senate Journal No. 59, p. 1060.)

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

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

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.

(For Conference report, see Senate Journal No. 59, p. 1064.)

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

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

By unanimous consent the Senate returned to the order of

Conference Reports

Senator Berryman moved that Senator Miller be temporarily excused from the balance of today's session.
The motion prevailed.

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.

The House of Representatives 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
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

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

Senator DeGrow moved that the rule be suspended.

The motion prevailed.

The question being on the adoption of the conference report,

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

Roll Call No. 429

Yeas—32

Bennett	DeBeaussaert	Hoffman	Schwarz
Berryman	DeGrow	Koivisto	Smith, A.
Bouchar	Dingell	McManus	Smith, V.
Bullard	Dunaskiss	North	Stallings
Byrum	Emmons	O'Brien	Steil
Cherry	Gast	Peters	Stille
Cisky	Geake	Rogers	Vaughn
Conroy	Hart	Schuetten	Young

Nays—4

Carl	Gougeon	Shugars	Van Regenmorter
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Excused—1

Miller

Not Voting—1

Posthumus

In The Chair: President

Protests

Senators Shugars and Gougeon, under their constitutional right of protest (Art. IV, Sec. 18), protested against the adoption of the conference report to House Bill No. 4305.

Senator Shugars' statement, in which Senator Gougeon concurred, is as follows:

The reason I voted "no" on community colleges was that what we passed from the Senate in the language on the amendment on abortion as a fringe benefit was changed from that no money could be used for abortion to the intent of the Legislature is that the money would not be used for abortion. I feel that what was passed by the House and the Senate was identical except for one word "providing." I voted "no" because I felt that was an important enough issue.

Senator DeGrow moved that Senator Posthumus be temporarily excused from the balance of today's session. The motion prevailed.

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 House of Representatives 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

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.

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 2, line 4, by striking out "1,388,053,100" and inserting "1,382,439,200".
2. Amend page 2, line 8, by striking out "1,381,453,000" and inserting "1,375,839,100".
3. Amend page 2, line 15, by striking out "1,328,563,700" and inserting "1,322,949,800".
4. Amend page 7, line 8, by striking out "22,603,600" and inserting "17,984,200".
5. Amend page 7, line 9, by striking out all of line 9 and inserting:
" GROSS APPROPRIATION \$ 48,616,500".
6. Amend page 7, line 13, by striking out "37,380,100" and inserting "32,760,700".
7. Amend page 7, line 23, by striking out "17,479,300" and inserting "15,079,300".
8. Amend page 8, line 2, by striking out "103,027,800" and inserting "100,627,800".
9. Amend page 8, line 4, by striking out "103,027,800" and inserting "100,627,800".
10. Amend page 25, line 23, by striking out "(5,131,000)" and inserting "(3,725,500)".
11. Amend page 25, line 24, by striking out all of line 24 and inserting:
" GROSS APPROPRIATION \$ (3,725,500)".
12. Amend page 25, line 26, by striking out "(5,131,000)" and inserting "(3,725,500)".
13. Amend page 26, line 4, after "at" by striking out "\$1,372,399,700.00" and inserting "\$1,366,785,800.00".
14. Amend page 30, line 25, by striking out all of section 212 and inserting:
"Sec. 212. 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."
15. Amend page 32, line 18, after "exceed" by striking out "\$8,000,000.00" and inserting "\$5,000,000.00".

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

“Sec. 222. (1) The department shall screen and assess each prisoner for substance abuse treatment needs. The assessment process shall be designed to identify prisoners based on program need and benefit of program intervention.

(2) Subject to the availability of funding resources, the department shall provide substance abuse treatment to prisoners with priority given to those prisoners who are most in need of treatment and can best benefit from program intervention based on the screening and assessment provided under subsection (1).”.

17. Amend page 35, line 20, by striking out all of sections 307 and 308.

18. Amend page 40, line 7, by striking out all of section 507.

19. Amend page 51, line 21, after “act,” by striking out the balance of the subsection and inserting “or were sentenced under section 11 or 12 of chapter IX of the code of criminal procedure, 1927 PA 175, MCL 769.11 and 769.12.”.

20. Amend page 52, line 6, by striking out “\$50.00 per diem for a county with a population of 400,000 or more,”.

21. Amend page 52, line 7, after “100,000” by striking out the balance of the line through “400,000,” on line 8.

22. Amend page 52, line 14, after “be” by striking out the balance of the line through “project” on line 16 and inserting “\$45.00 per diem”.

23. Amend page 53, line 6, after “item” by inserting a comma and “not to exceed a total expenditure of \$1,442,000.00”.

24. Amend page 58, line 20, by striking out all of section 1114.

25. Amend page 59, line 17, after “Sec. 1118.” by striking out the balance of the line through “camps.” on line 24.

26. Amend page 59, following line 24, by striking out all of section 1119.

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 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.

Lynn Owen
Vera Rison
Terry Geiger
Conferees for the House

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

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

Senator DeGrow moved that the rule be suspended.

The motion prevailed.

The question being on the adoption of the conference report,

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

Roll Call No. 430

Yeas—36

Bennett
Berryman
Bouchard
Bullard
Byrum
Carl
Cherry
Cisky
Conroy

DeBeaussaert
DeGrow
Dingell
Dunaskiss
Emmons
Gast
Geake
Gougeon
Hart

Hoffman
Koivisto
McManus
North
O’Brien
Peters
Rogers
Schuette
Schwarz

Shugars
Smith, A.
Smith, V.
Stallings
Steil
Stille
Van Regenmorter
Vaughn
Young

Nays—0

Excused—2

Miller

Posthumus

Not Voting—0

In The Chair: President

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.

The House of Representatives 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

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 positions6.0

Full-time equated classified positions624.6

GROSS APPROPRIATION \$ 836,215,400

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
Workers' 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
SCHOOL SUPPORT SERVICES		
Full-time equated classified positions	100.2	
School support operations—100.2 FTE positions.....	\$	8,822,100
GROSS APPROPRIATION	\$	8,822,100
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
TECHNOLOGY AND INFORMATION SERVICES		
Full-time equated classified positions	60.4	
Technology and information operations—60.4 FTE positions	\$	6,527,600
GROSS APPROPRIATION	\$	6,527,600
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
SCHOOL PROGRAM QUALITY SERVICES		
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
GROSS APPROPRIATION	\$	16,769,700
Appropriated from:		
Federal revenues:		
Federal revenues		5,323,100
Special revenue funds:		
Private foundations		22,400
State general fund/general purpose	\$	11,424,200
SPECIAL EDUCATION SERVICES		
Full-time equated classified positions	48.1	
Special education operations—48.1 FTE positions	\$	4,142,900
GROSS APPROPRIATION	\$	4,142,900
Appropriated from:		
Federal revenues:		
Federal revenues		3,865,300
Special revenue funds:		
Certification fees		19,000
State general fund/general purpose	\$	258,600
LANSING, MICHIGAN SCHOOL FOR THE BLIND FORMER SITE		
General services	\$	1,300,000
GROSS APPROPRIATION	\$	1,300,000
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
MICHIGAN SCHOOL FOR THE DEAF AND BLIND		
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
GROSS APPROPRIATION	\$	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

CAREER DEVELOPMENT AND POSTSECONDARY COORDINATION SERVICES

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
GROSS APPROPRIATION		\$ 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

TEACHER PREPARATION/CERTIFICATION AND TENURE SERVICES

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
GROSS APPROPRIATION		\$ 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

GRANTS AND DISTRIBUTIONS

FEDERAL PROGRAMS:

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

STATE PROGRAMS:

Communities first pilot projects.....	\$ 95,000
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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
GROSS APPROPRIATION	\$ 769,959,400
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
EARLY RETIREMENT SAVINGS	
Early retirement compensation savings	\$ (692,400)
GROSS APPROPRIATION	\$ (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

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

Senator DeGrow moved that the rule be suspended.

The motion prevailed.

The question being on the adoption of the conference report,

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

Roll Call No. 431

Yeas—35

Bennett	DeGrow	Koivisto	Smith, A.
Berryman	Dingell	McManus	Smith, V.
Bouchard	Dunaskiss	North	Stallings
Bullard	Emmons	O'Brien	Steil
Byrum	Gast	Peters	Stille
Cherry	Geake	Rogers	Van Regenmorter
Cisky	Gougeon	Schuetz	Vaughn
Conroy	Hart	Schwarz	Young
DeBeaussaert	Hoffman	Shugars	

Nays—1

Carl

Excused—2

Miller

Posthumus

Not Voting—0

In The Chair: President

Senators DeGrow, McManus, Conroy and Carl asked and were granted unanimous consent to make statements and moved that the statements be printed in the Journal.

The motion prevailed.

Senator DeGrow's statement is as follows:

With the early retirement that the state offered we lost a number of employees and I want to take this opportunity to present a special tribute to the analyst for the Department of Education and the Agriculture budget. I do chair the Department of Education and I used to chair the Agriculture budget—Senator McManus has that budget now. Today is actually Arnie's last day that we will see him on the floor. He's worked for the state for many, many years and he's provided top notch assistance to all of us. He's also an attorney and he's provided some legal opinions from time to time. Certainly, this year especially, the Department of Education couldn't have done it without him putting it together when I was running around doing these other things.

We will miss him. For those of you who are in the northern part of the state, I guess he's going to reside up in your area. Most of us retire to the South, but he's going North. Walt says good—one more vote for Walt North in 1998.

I want to thank him for all the services that he's provided the years I've been on Appropriations and wish him well in retirement on Beaver Island.

Senator McManus' statement is as follows:

Those of us from the Agriculture budget would like to add our compliments to Arnie Rich. He's a quick man with a pencil. Whenever we couldn't find money to fit the budget, he was able someplace to come up with it and give us good help. We are happy that he is going North, but I have warned the Irish on Beaver Island to be careful and try to get as much money as they can. Congratulations, Arnie.

Senator Conroy's statement is as follows:

It isn't often I disagree with you, but when we see a member's employee work for us in the Fiscal Agency for all these years doing such a good job, being accurate and showing good judgment, and then he moves to Beaver Island in retirement, limiting his warm weather access, I kind of question that—whether or not that was really what he wanted to do.

Our family goes back a ways on Beaver Island. My parents were married and honeymooned on Beaver Island and my dad told me the story of the local priest who comes into the bar on Beaver Island at 9:00 at night and tells people to go home or stay, whoever is able to sit upright on the stool. So we expect Arnie to act right up there among those Irish people.

Senator Carl's statement is as follows:

I want to thank an employee of mine, Allison Woodmansee, for her service on my own staff for the past three years. Allison is leaving to work for a law firm in Lansing in a week or so. She's been a valued employee, she's at my desk here on the Floor and I'd like to wish her the best in her future endeavors.

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.

The House of Representatives 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

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. Amend 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 position.....	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
CENTRAL MICHIGAN UNIVERSITY		
Operations.....		\$ 71,160,160
Higher education charter school center		500,000
GROSS APPROPRIATION		\$ 71,660,160
Appropriated from:		
State general fund/general purpose		\$ 71,660,160
EASTERN MICHIGAN UNIVERSITY		
Operations.....		\$ 76,136,230
GROSS APPROPRIATION		\$ 76,136,230
Appropriated from:		
State general fund/general purpose		\$ 76,136,230
FERRIS STATE UNIVERSITY		
Operations.....		\$ 48,569,260
GROSS APPROPRIATION		\$ 48,569,260
Appropriated from:		
State general fund/general purpose		\$ 48,569,260
GRAND VALLEY STATE UNIVERSITY		
Operations.....		\$ 46,336,290
GROSS APPROPRIATION		\$ 46,336,290
Appropriated from:		
State general fund/general purpose		\$ 46,336,290
LAKE SUPERIOR STATE UNIVERSITY		
Operations.....		\$ 12,468,079
GROSS APPROPRIATION		\$ 12,468,079
Appropriated from:		
State general fund/general purpose		\$ 12,468,079
MICHIGAN STATE UNIVERSITY		
Operations.....		\$ 278,916,599
GROSS APPROPRIATION		\$ 278,916,599
Appropriated from:		
State general fund/general purpose		\$ 278,916,599
MICHIGAN TECHNOLOGICAL UNIVERSITY		
Operations.....		\$ 47,664,100
GROSS APPROPRIATION		\$ 47,664,100
Appropriated from:		
State general fund/general purpose		\$ 47,664,100

NORTHERN MICHIGAN UNIVERSITY

Operations.....	\$	45,941,232
GROSS APPROPRIATION	\$	45,941,232

Appropriated from:

State general fund/general purpose	\$	45,941,232
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OAKLAND UNIVERSITY

Operations.....	\$	42,187,860
GROSS APPROPRIATION	\$	42,187,860

Appropriated from:

State general fund/general purpose	\$	42,187,860
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SAGINAW VALLEY STATE UNIVERSITY

Operations.....	\$	22,316,580
GROSS APPROPRIATION	\$	22,316,580

Appropriated from:

State general fund/general purpose	\$	22,316,580
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UNIVERSITY OF MICHIGAN - ANN ARBOR

Operations.....	\$	314,539,283
GROSS APPROPRIATION	\$	314,539,283

Appropriated from:

State general fund/general purpose	\$	314,539,283
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UNIVERSITY OF MICHIGAN - DEARBORN

Operations.....	\$	23,073,574
GROSS APPROPRIATION	\$	23,073,574

Appropriated from:

State general fund/general purpose	\$	23,073,574
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UNIVERSITY OF MICHIGAN - FLINT

Operations.....	\$	19,808,474
GROSS APPROPRIATION	\$	19,808,474

Appropriated from:

State general fund/general purpose	\$	19,808,474
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WAYNE STATE UNIVERSITY

Operations.....	\$	223,324,603
GROSS APPROPRIATION	\$	223,324,603

Appropriated from:

State general fund/general purpose	\$	223,324,603
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WESTERN MICHIGAN UNIVERSITY

Operations.....	\$	107,933,634
GROSS APPROPRIATION	\$	107,933,634

Appropriated from:

State general fund/general purpose	\$	107,933,634
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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
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MARTIN LUTHER KING, JR. - CESAR CHAVEZ - ROSA PARKS PROGRAM

Select student supportive services	\$	1,920,173
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
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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		
Pending the order that, under joint rule 9, the conference report be laid over one day,		
Senator DeGrow moved that the rule be suspended.		
The motion prevailed.		
The question being on the adoption of the conference report,		
The first conference report was adopted, a majority of the members serving voting therefor, as follows:		

Roll Call No. 432**Yeas—36**

Bennett	DeBeaussaert	Hoffman	Shugars
Berryman	DeGrow	Koivisto	Smith, A.
Bouchard	Dingell	McManus	Smith, V.
Bullard	Dunaskiss	North	Stallings
Byrum	Emmons	O'Brien	Steil
Carl	Gast	Peters	Stille

Cherry
Cisky
Conroy

Geake
Gougeon
Hart

Rogers
Schuette
Schwarz

Van Regenmorter
Vaughn
Young

Nays—0

Excused—2

Miller

Posthumus

Not Voting—0

In The Chair: President

Senator Bouchard submitted the following:

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

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

Senator DeGrow moved that the rule be suspended.

The motion prevailed.

The question being on the adoption of the conference report,

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

Roll Call No. 433

Yeas—35

Bennett	DeBeaussiaert	Hoffman	Shugars
Berryman	DeGrow	Koivisto	Smith, V.
Bouchard	Dingell	McManus	Stallings
Bullard	Dunaskiss	North	Steil
Byrum	Emmons	O'Brien	Stille
Carl	Gast	Peters	Van Regenmorter
Cherry	Geake	Rogers	Vaughn
Cisky	Gougeon	Schuetten	Young
Conroy	Hart	Schwarz	

Nays—0

Excused—2

Miller Posthumus

Not Voting—1

Smith, A.

In The Chair: President

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

Senator A. Smith stated that she had intended to vote “yea” on the adoption of the conference report to the following bill:

Senate Bill No. 114

Recess

Senator DeGrow moved that the Senate recess subject to the call of the President.
The motion prevailed, the time being 3:32 p.m.

4:52 p.m.

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

During the recess, Senators Miller and Posthumus entered the Senate Chamber.

By unanimous consent the Senate returned to the order of

Motions and Communications

Senator DeGrow moved that a respectful message be sent to the House of Representatives requesting the return of the following bills:

Senate Bill No. 208

Senate Bill No. 303

The motion prevailed.

By unanimous consent the Senate proceeded to the order of

Introduction and Referral of Bills

Senator Young introduced

Senate Bill No. 654, entitled

A bill to amend 1921 PA 2, entitled "An act to promote the efficiency of the government of the state, to create a state administrative board, to define the powers and duties thereof, to provide for the transfer to said board of powers and duties now vested by law in other boards, commissions, departments and officers of the state, and for the abolishing of certain of the boards, commissions, departments and offices, whose powers and duties are hereby transferred," by amending section 3 (MCL 17.3).

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

Senator Young introduced

Senate Bill No. 655, entitled

A bill to amend 1939 PA 280, entitled "The social welfare act," (MCL 400.1 to 400.119b) by adding section 57i.

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

Senator Young introduced

Senate Bill No. 656, entitled

A bill to amend 1939 PA 280, entitled "The social welfare act," (MCL 400.1 to 400.119b) by adding sections 57j and 57k.

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

Senator Young introduced

Senate Bill No. 657, entitled

A bill to amend 1984 PA 431, entitled "The management and budget act," by amending section 393 (MCL 18.1393), as amended by 1988 PA 504.

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

Senator Young introduced

Senate Bill No. 658, entitled

A bill to amend 1939 PA 280, entitled "The social welfare act," by amending sections 6, 10, 39, 57a, 57d, 57e, 57f, 57g, and 57h (MCL 400.6, 400.10, 400.39, 400.57a, 400.57d, 400.57e, 400.57f, 400.57g, and 400.57h), section 6 as amended and sections 57a, 57d, 57e, 57f, 57g, and 57h as added by 1995 PA 223 and section 10 as amended by 1996 PA 483.

The bill was read a first and second time by title and referred to the Committee on Families, Mental Health and Human Services.

Senator Young introduced

Senate Bill No. 659, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 8901 (MCL 324.8901) and by adding section 8902a.

The bill was read a first and second time by title and referred to the Committee on Natural Resources and Environmental Affairs.

Senator Young introduced

Senate Bill No. 660, entitled

A bill to provide for parental leave for certain employees; to provide for the powers and duties of employers, employees, the attorney general, and the department of labor; and to provide for penalties and remedies.

The bill was read a first and second time by title and referred to the Committee on Human Resources, Labor and Veterans Affairs.

Senator Young introduced

Senate Bill No. 661, entitled

A bill to establish a black affairs commission; and to prescribe the commission's powers and duties.

The bill was read a first and second time by title and referred to the Committee on Government Operations.

Senator Bullard introduced

Senate Bill No. 662, entitled

A bill to amend 1931 PA 246, entitled "An act to provide for the construction, repair, and maintenance of pavements, sidewalks, and elevated structures on or along public roads and highways; to provide for the levying of taxes and of special assessments; to authorize the borrowing of money and the issuance of bonds; to prescribe the powers and duties of certain state and local agencies and officers; to validate actions taken, special assessments levied, and bonds issued; and to provide for the lighting of certain roads, highways, and bridges," by amending section 20 (MCL 41.290), as added by 1989 PA 80.

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

Senator Stille introduced

Senate Bill No. 663, entitled

A bill to designate a bridge on highway M-120 within the city of North Muskegon as the Bud Jaeger bridge; and to prescribe the duties of the state transportation department.

The bill was read a first and second time by title and referred to the Committee on Transportation and Tourism.

Senators Bullard, Emmons, Dunaskiss, Stille and Carl introduced

Senate Bill No. 664, entitled

A bill to amend 1943 PA 20, entitled "An act relative to the investment of surplus funds of political subdivisions of the state; and to validate certain investments," by amending the title and sections 1 and 3 (MCL 129.91 and 129.93), the title as amended by 1988 PA 285 and section 1 as amended by 1988 PA 239, and by adding sections 5 and 6; and to repeal acts and parts of acts.

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

Recess

Senator DeGrow moved that the Senate recess subject to the call of the President.

The motion prevailed, the time being 5:01 p.m.

5:09 p.m.

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

Senator DeGrow moved that the Senate adjourn.

The motion prevailed, the time being 5:11 p.m.

The President, Lieutenant Governor Binsfeld, declared the Senate adjourned until Tuesday, July 8, at 10:00 a.m.

CAROL MOREY VIVENTI
Secretary of the Senate.