

No. 80
STATE OF MICHIGAN
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OF THE
House of Representatives
92nd Legislature
REGULAR SESSION OF 2004

House Chamber, Lansing, Thursday, September 9, 2004.

10:00 a.m.

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

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

Accavitti—present	Garfield—present	Meisner—present	Sheen—present
Acciavatti—present	Gieleghem—present	Meyer—present	Sheltrown—present
Adamini—present	Gillard—present	Middaugh—present	Shulman—present
Amos—present	Gleason—present	Milosch—present	Smith—present
Anderson—present	Hager—present	Minore—present	Spade—present
Bieda—present	Hardman—present	Moolenaar—present	Stahl—present
Bisbee—present	Hart—present	Mortimer—present	Stakoe—present
Bradstreet—present	Hood—present	Murphy—present	Stallworth—excused
Brandenburg—present	Hoogendyk—present	Newell—present	Steil—present
Brown—present	Hopgood—present	Nitz—present	Stewart—present
Byrum—present	Howell—present	Nofs—present	Tabor—present
Casperson—present	Huizenga—present	O’Neil—present	Taub—present
Caswell—present	Hummel—present	Palmer—present	Tobocman—present
Caul—present	Hune—present	Palsrok—present	Vagnozzi—present
Cheeks—excused	Hunter—present	Pappageorge—present	Van Regenmorter—present
Clack—present	Jamnack—present	Pastor—present	Vander Veen—present
Condino—present	Johnson, Rick—present	Phillips—present	Voorhees—present
Daniels—present	Johnson, Ruth—present	Plakas—present	Walker—present
Dennis—present	Julian—present	Pumford—present	Ward—present
DeRoche—present	Koetje—present	Reeves—present	Waters—present
DeRossett—present	Kolb—present	Richardville—present	Wenke—present
Drolet—present	Kooiman—present	Rivet—present	Whitmer—present
Ehardt—present	LaJoy—present	Robertson—present	Williams—present
Elkins—present	LaSata—present	Rocca—present	Wojno—present
Emmons—present	Law—present	Sak—present	Woodward—present
Farhat—present	Lipsey—present	Shackleton—present	Woronchak—present
Farrah—present	McConico—present	Shaffer—present	Zelenko—present
Gaffney—present			

e/d/s = entered during session

Rep. Doug Spade, from the 57th District, offered the following invocation:

“Our Heavenly Father, we thank You humbly for the honor of serving You, the people of the state of Michigan and the people of the districts we represent. We need Your guidance and we ask You for it, as we deliberate today the very serious issues that face our state. Be with us all and help us to put the people of Michigan and the people we represent first over partisan politics and make decisions that will be pleasing to You. In Jesus’ name, Amen.”

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

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

Messages from the Senate

House Bill No. 5876, entitled

A bill to amend 1994 PA 451, entitled “An act to protect the environment and natural resources of the state; to codify, revise, consolidate, and classify laws relating to the environment and natural resources of the state; to regulate the discharge of certain substances into the environment; to regulate the use of certain lands, waters, and other natural resources of the state; to prescribe the powers and duties of certain state and local agencies and officials; to provide for certain charges, fees, and assessments; to provide certain appropriations; to prescribe penalties and provide remedies; to repeal certain parts of this act on a specific date; and to repeal certain acts and parts of acts,” by amending sections 3104, 3503, 4105, 6516, 6517, 6521, 8310, 8504, 9112, 11509, 11511, 11512, 11516, 11542, 11703, 11704, 11709, 30104, 30105, 30113, 30304, 30307, 31509, 31512, 32312, 32503, 32515, 35304, 36505, 41702, 41709, 42101, 42501, 42702, 44513, 44517, 45503, 45902, 45903, 45906, 61525, 62509, 63103a, 63103c, 63514, 63524, 63525, 63704, 63708, 72108, 76105, 76109, 76504, and 80159 (MCL 324.3104, 324.3503, 324.4105, 324.6516, 324.6517, 324.6521, 324.8310, 324.8504, 324.9112, 324.11509, 324.11511, 324.11512, 324.11516, 324.11542, 324.11703, 324.11704, 324.11709, 324.30104, 324.30105, 324.30113, 324.30304, 324.30307, 324.31509, 324.31512, 324.32312, 324.32503, 324.32515, 324.35304, 324.36505, 324.41702, 324.41709, 324.42101, 324.42501, 324.42702, 324.44513, 324.44517, 324.45503, 324.45902, 324.45903, 324.45906, 324.61525, 324.62509, 324.63103a, 324.63103c, 324.63514, 324.63524, 324.63525, 324.63704, 324.63708, 324.72108, 324.76105, 324.76109, 324.76504, and 324.80159), sections 3104, 30104, and 32312 as amended by 2003 PA 163, sections 3503, 6521, and 8504 as added by 1995 PA 60, sections 6516 and 6517 as amended by 1996 PA 166, section 8310 as amended by 2002 PA 418, section 9112 as amended by 2000 PA 504, sections 11509 and 11511 as amended by 1996 PA 358, sections 11512 and 11516 as amended by 2003 PA 153, section 11542 as amended by 1996 PA 359, section 30105 as amended by 1999 PA 106, section 30113 as amended by 2004 PA 246, sections 30304, 31509, 31512, 32515, and 35304 as added by 1995 PA 59, section 30307 as amended by 1998 PA 228, section 32503 as amended by 2002 PA 148, section 36505 as amended by 1998 PA 470, section 41702 as amended by 2001 PA 23, sections 41709, 42101, 42501, 44513, 44517, 45503, 45903, 63514, 63525, 63704, and 63708 as added by 1995 PA 57, section 42702 as amended by 2000 PA 191, section 45902 as amended by 1996 PA 200, section 45906 as amended by 2003 PA 270, section 61525 as amended by 1998 PA 303, section 62509 as amended by 1998 PA 467, sections 63103a and 63103c as added by 1997 PA 149, sections 63524 and 76504 as amended by 2001 PA 78, sections 72108 and 80159 as added by 1995 PA 58, and sections 76105 and 76109 as amended by 2001 PA 75, and by adding sections 1301, 1303, 1305, 1307, 1309, and 1311.

The Senate has concurred in the House amendment to the Senate substitute (S-1) and agreed to the title as amended.
The bill was referred to the Clerk for enrollment printing and presentation to the Governor.

By unanimous consent the House returned to the order of

Reports of Select Committees

House Bill No. 5516, 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, 2005; to provide for the expenditure of the appropriations; to create funds; to provide for the imposition of fees; to provide for reports; to provide for the disposition of fees and other

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

(For text of conference report, see House Journal No. 79, p. 2000.)

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

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

House Bill No. 5520, entitled

A bill to make appropriations for the judicial branch for the fiscal year ending September 30, 2005; to provide for the expenditure of these appropriations; to place certain restrictions on the expenditure of these appropriations; to prescribe the powers and duties of certain officials and employees; to require certain reports; and to provide for the disposition of fees and other income received by the judicial branch.

(For text of conference report, see House Journal No. 79, p. 1952.)

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

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

House Bill No. 5522, entitled

A bill to make appropriations for the department of military and veterans affairs for the fiscal year ending September 30, 2005; to provide for the expenditure of the appropriations; to provide for certain powers and duties of the department of military and veterans affairs, other state agencies, and local units of government related to the appropriations; and to provide for the preparation of certain reports related to the appropriations.

(For text of conference report, see House Journal No. 79, p. 1982.)

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

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

House Bill No. 5526, entitled

A bill to make appropriations for the department of state police and certain other state purposes for the fiscal year ending September 30, 2005; 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 certain emergency powers; and to provide for the powers and duties of certain committees, certain state agencies, and certain employees.

(For text of conference report, see House Journal No. 79, p. 1989.)

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

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

Rep. Nitz moved that Reps. Palsrok, DeRoche and DeRossett be excused temporarily from today's session. The motion prevailed.

Rep. Whitmer moved that Reps. Reeves and Woodward be excused temporarily from today's session. The motion prevailed.

The Speaker laid before the House the conference report relative to

House Bill No. 5519, entitled

A bill to make appropriations for the department of history, arts, and libraries for the fiscal year ending September 30, 2005; to provide for the expenditure of those appropriations; to provide for the disposition of fees and other income received by the state agencies; to provide for the disbursement of certain grants; to provide for reports; to prescribe powers and duties of certain state departments and certain state and local agencies and officers; and to repeal acts and parts of acts.

(The conference report was reported by the conference committee on September 8, consideration of which, under the rules, was postponed until today.)

(For conference report, see House Journal No. 79, p. 2090.)

The question being on the adoption of the conference report,

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

Roll Call No. 751**Yeas—84**

Accavitti	Gielegem	Meyer	Sheltrown
Acciavatti	Gillard	Middaugh	Shulman
Adamini	Gleason	Milosch	Spade
Amos	Hager	Moolenaar	Stahl
Anderson	Hart	Mortimer	Stakoe
Bieda	Hopgood	Murphy	Steil
Bisbee	Howell	Newell	Stewart
Brandenburg	Huizenga	Nitz	Tabor
Brown	Hummel	Nofs	Taub
Byrum	Hune	O'Neil	Vagnozzi
Casperson	Jamnick	Pappageorge	Van Regenmorter
Caswell	Johnson, Rick	Pastor	Vander Veen
Caul	Johnson, Ruth	Phillips	Voorhees
Condino	Julian	Plakas	Walker
Dennis	Koetje	Pumford	Ward
Ehardt	Kolb	Richardville	Wenke
Elkins	LaJoy	Rivet	Whitmer
Emmons	LaSata	Robertson	Williams
Farhat	Law	Rocca	Wojno
Farrah	Lipsey	Shackleton	Woronchak
Gaffney	Meisner	Shaffer	Zelenko

Nays—18

Bradstreet	Hardman	McConico	Sheen
Clack	Hood	Minore	Smith
Daniels	Hoogendyk	Palmer	Tobocman
Drolet	Hunter	Sak	Waters
Garfield	Kooiman		

In The Chair: Julian

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

“Mr. Speaker and members of the House:

I voted no for the conference report of HB 5519, the History, Arts and Library (HAL) Budget because it is bad public policy.

There is a pervasive, misguided sentiment that taking away from Detroit will benefit other communities in the state. This sentiment is illustrated in the HAL budget by removing all funding for the Detroit Public Library (DPL).

Sadly, my colleagues who voted for HB 5519 do not realize that there are components of the DPL that can not be duplicated. Items from the National Automotive History Collection and the Great Lakes Patent and Trademark Center are loaned to other libraries in the state. When DPL has been cut in the past by the state, fees were levied to the non-Detroit residents. If the budget is signed into law, this trend will continue and people from outside my hometown will pay higher to gather objects from these irreplaceable collections.

My ill-advised contemporaries thought that they were beating up on the state's largest city when in reality they were hampering the flow of information to their own constituents.”

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

“Mr. Speaker and members of the House:

I voted no on the conference report for HB 5519, the History, Arts and Libraries (HAL) Budget, because it is bad public policy.

There is a pervasive, misguided sentiment in the Legislature that taking away from Detroit will benefit other communities in the state. This sentiment is illustrated in the HAL budget by its removal of all funding for the Detroit Public Library (DPL).

There are components of the DPL that cannot be duplicated. Items from the National Automotive History Collection and the Great Lakes Patent and Trademark Center are loaned to other libraries in the state. Furthermore, when DPL funding has in the past been cut by the state, fees were charged to non-Detroit residents. If this budget is signed into law, this trend will continue.

This is another case in which attempts by the Legislature to beat up on the state's largest city will have a ripple effect across the state, and hamper the flow of information to all Michigan residents."

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

"Mr. Speaker and members of the House:

I voted no for the conference report of HB 5519, the History, Arts and Library (HAL) Budget because it removes all funding for the Detroit Public Library (DPL).

The DPL offers information and services to not only city residents, but to citizens throughout the state. Items from the National Automotive History Collection and the Great Lakes Patent and Trademark Center are only two examples of the materials on loan to other libraries in the state of Michigan. The DPL has suffered budget cuts in the past by the state, and as a result has been forced to impose fees on non-Detroit residents who use its services.

It is my feeling that the Detroit Public Library and its vast, irreplaceable resources should be preserved for everyone to avail themselves of free of charge. This budget threatens the very existence of the Detroit Public Library, and thus I cannot support it."

The Speaker laid before the House the conference report relative to

Senate Bill No. 1063, entitled

A bill to make appropriations for the department of community health and certain state purposes related to mental health, public health, and medical services for the fiscal year ending September 30, 2005; to provide for the expenditure of those appropriations; to create funds; to require and provide for reports; to prescribe the powers and duties of certain local and state agencies and departments; and to provide for disposition of fees and other income received by the various state agencies.

(The conference report was received from the Senate on September 8, consideration of which, under the rules, was postponed until today.)

(For conference report, see House Journal No. 79, p. 2027.)

The question being on the adoption of the conference report,

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

Roll Call No. 752

Yeas—91

Accavitti	Gielegem	Meyer	Sheltrown
Acciavatti	Gillard	Milosch	Shulman
Adamini	Gleason	Minore	Smith
Amos	Hager	Moolenaar	Spade
Anderson	Hardman	Murphy	Stakoe
Bieda	Hart	Newell	Stewart
Bisbee	Hood	Nitz	Tabor
Brandenburg	Hopgood	O'Neil	Taub
Brown	Howell	Palsrok	Tobocman
Byrum	Huizenga	Pappageorge	Vagnozzi
Casperson	Hunter	Pastor	Van Regenmorter
Caswell	Jamnick	Phillips	Vander Veen
Clack	Johnson, Rick	Plakas	Voorhees
Condino	Julian	Pumford	Walker
Daniels	Koetje	Reeves	Ward
Dennis	Kolb	Richardville	Waters
DeRoche	Kooiman	Rivet	Whitmer
Drolet	LaJoy	Robertson	Williams
Elkins	LaSata	Rocca	Wojno

Emmons	Law	Sak	Woodward
Farhat	Lipsey	Shackleton	Woronchak
Farrah	McConico	Shaffer	Zelenko
Gaffney	Meisner	Sheen	

Nays—15

Bradstreet	Hoogendyk	Middaugh	Stahl
Caul	Hummel	Mortimer	Steil
Ehardt	Hune	Nofs	Wenke
Garfield	Johnson, Ruth	Palmer	

In The Chair: Julian

House Bill No. 5519, entitled

A bill to make appropriations for the department of history, arts, and libraries for the fiscal year ending September 30, 2005; to provide for the expenditure of those appropriations; to provide for the disposition of fees and other income received by the state agencies; to provide for the disbursement of certain grants; to provide for reports; to prescribe powers and duties of certain state departments and certain state and local agencies and officers; and to repeal acts and parts of acts.

(The conference report was considered earlier today, see today's Journal, p. 2103.)

Rep. Richardville moved to reconsider the vote by which the House adopted the conference report.

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

The question being on the adoption of the conference report,

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

Roll Call No. 753**Yeas—85**

Accavitti	Gillard	Middaugh	Shulman
Acciavatti	Gleason	Milosch	Spade
Adamini	Hager	Moolenaar	Stahl
Amos	Hart	Mortimer	Stakoe
Anderson	Hopgood	Murphy	Steil
Bieda	Howell	Newell	Stewart
Bisbee	Huizenga	Nitz	Tabor
Brown	Hummel	Nofs	Taub
Byrum	Hune	O'Neil	Vagnozzi
Casperson	Jamnick	Palsrok	Van Regenmorter
Caswell	Johnson, Rick	Pappageorge	Vander Veen
Caul	Johnson, Ruth	Pastor	Voorhees
Condino	Julian	Phillips	Walker
Dennis	Koetje	Plakas	Ward
DeRoche	Kolb	Pumford	Wenke
Ehardt	LaJoy	Richardville	Whitmer
Elkins	LaSata	Rivet	Williams
Emmons	Law	Rocca	Wojno
Farhat	Lipsey	Shackleton	Woodward
Farrah	Meisner	Shaffer	Woronchak
Gaffney	Meyer	Sheltrown	Zelenko
Gielegem			

Nays—21

Bradstreet	Hardman	McConico	Sak
Brandenburg	Hood	Minore	Sheen
Clack	Hoogendyk	Palmer	Smith
Daniels	Hunter	Reeves	Tobocman
Drolet	Kooiman	Robertson	Waters
Garfield			

In The Chair: Julian

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

“Mr. Speaker and members of the House:

I voted no for the conference report of HB 5519, the History, Arts and Library (HAL) Budget because it is bad public policy.

There is a pervasive, misguided sentiment that taking away from Detroit will benefit other communities in the state. This sentiment is illustrated in the HAL budget by removing all funding for the Detroit Public Library (DPL).

Sadly, my colleagues who voted for HB 5519 do not realize that there are components of the DPL that can not be duplicated. Items from the National Automotive History Collection and the Great Lakes Patent and Trademark Center are loaned to other libraries in the state. When DPL has been cut in the past by the state, fees were levied to the non-Detroit residents. If the budget is signed into law, this trend will continue and people from outside my hometown will pay higher to gather objects from these irreplaceable collections.

My ill-advised contemporaries thought that they were beating up on the state’s largest city when in reality they were hampering the flow of information to their own constituents.”

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

“Mr. Speaker and members of the House:

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There is a pervasive, misguided sentiment in the Legislature that taking away from Detroit will benefit other communities in the state. This sentiment is illustrated in the HAL budget by its removal of all funding for the Detroit Public Library (DPL).

There are components of the DPL that cannot be duplicated. Items from the National Automotive History Collection and the Great Lakes Patent and Trademark Center are loaned to other libraries in the state. Furthermore, when DPL funding has in the past been cut by the state, fees were charged to non-Detroit residents. If this budget is signed into law, this trend will continue.

This is another case in which attempts by the Legislature to beat up on the state’s largest city will have a ripple effect across the state, and hamper the flow of information to all Michigan residents.”

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

“Mr. Speaker and members of the House:

I voted no for the conference report of HB 5519, the History, Arts and Library (HAL) Budget because it removes all funding for the Detroit Public Library (DPL).

The DPL offers information and services to not only city residents, but to citizens throughout the state. Items from the National Automotive History Collection and the Great Lakes Patent and Trademark Center are only two examples of the materials on loan to other libraries in the state of Michigan. The DPL has suffered budget cuts in the past by the state, and as a result has been forced to impose fees on non-Detroit residents who use its services.

It is my feeling that the Detroit Public Library and its vast, irreplaceable resources should be preserved for everyone to avail themselves of free of charge. This budget threatens the very existence of the Detroit Public Library, and thus I cannot support it.”

The Speaker laid before the House the conference report relative to
Senate Bill No. 1065, 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, 2005; 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 conference report was received from the Senate on September 8, consideration of which, under the rules, was postponed until today.)

(For conference report, see House Journal No. 79, p. 1857.)

The question being on the adoption of the conference report,

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

Roll Call No. 754

Yeas—106

Accavitti	Garfield	Meisner	Shaffer
Acciavatti	Gielegem	Meyer	Sheen
Adamini	Gillard	Middaugh	Sheltrown
Amos	Gleason	Milosch	Shulman
Anderson	Hager	Minore	Smith
Bieda	Hardman	Moolenaar	Spade
Bisbee	Hart	Mortimer	Stakoe
Bradstreet	Hood	Murphy	Steil
Brandenburg	Hoogendyk	Newell	Stewart
Brown	Hopgood	Nitz	Tabor
Byrum	Howell	Nofs	Taub
Casperson	Huizenga	O'Neil	Tobocman
Caswell	Hummel	Palmer	Vagnozzi
Caul	Hune	Palsrok	Van Regenmorter
Clack	Hunter	Pappageorge	Vander Veen
Condino	Jamnick	Pastor	Voorhees
Daniels	Johnson, Rick	Phillips	Walker
Dennis	Johnson, Ruth	Plakas	Ward
DeRoche	Julian	Pumford	Waters
DeRossett	Koetje	Reeves	Wenke
Drolet	Kolb	Richardville	Whitmer
Ehardt	Kooiman	Rivet	Williams
Elkins	LaJoy	Robertson	Wojno
Emmons	LaSata	Rocca	Woodward
Farhat	Law	Sak	Woronchak
Farrah	Lipsey	Shackleton	Zelenko
Gaffney	McConico		

Nays—1

Stahl

In The Chair: Julian

Rep. Richardville moved to reconsider the vote by which the House adopted the conference report.

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

The question being on the adoption of the conference report,

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

Roll Call No. 755**Yeas—107**

Accavitti	Garfield	Meisner	Sheen
Acciavatti	Gielegem	Meyer	Sheltrown
Adamini	Gillard	Middaugh	Shulman
Amos	Gleason	Milosch	Smith
Anderson	Hager	Minore	Spade
Bieda	Hardman	Moolenaar	Stahl
Bisbee	Hart	Mortimer	Stakoe
Bradstreet	Hood	Murphy	Steil
Brandenburg	Hoogendyk	Newell	Stewart
Brown	Hopgood	Nitz	Tabor
Byrum	Howell	Nofs	Taub
Casperson	Huizenga	O'Neil	Tobocman
Caswell	Hummel	Palmer	Vagnozzi
Caul	Hune	Palsrok	Van Regenmorter
Clack	Hunter	Pappageorge	Vander Veen
Condino	Jamnick	Pastor	Voorhees
Daniels	Johnson, Rick	Phillips	Walker
Dennis	Johnson, Ruth	Plakas	Ward
DeRoche	Julian	Pumford	Waters
DeRossett	Koetje	Reeves	Wenke
Drolet	Kolb	Richardville	Whitmer
Ehardt	Kooiman	Rivet	Williams
Elkins	LaJoy	Robertson	Wojno
Emmons	LaSata	Rocca	Woodward
Farhat	Law	Sak	Woronchak
Farrah	Lipsey	Shackleton	Zelenko
Gaffney	McConico	Shaffer	

Nays—0

In The Chair: Julian

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

Rep. Richardville moved that Rule 45(c) be suspended.
 The motion prevailed, 3/5 of the members present voting therefor.

Rep. Richardville moved that the Committee on Commerce be discharged from further consideration of **Senate Bill No. 822**.

(For first notice see House Journal No. 79, p. 2098.)
 The question being on the motion made by Rep. Richardville,
 The motion prevailed, a majority of the members serving voting therefor.
 The bill was placed on the order of Second Reading of Bills and laid over one day.

Second Reading of Bills

Rep. Richardville moved that Rule 48 be suspended.
 The motion prevailed, 3/5 of the members present voting therefor.

Senate Bill No. 822, entitled

A bill to amend 1975 PA 228, entitled "Single business tax act," by amending section 38g (MCL 208.38g), as amended by 2002 PA 726.

The bill was read a second time.

Reps. Richardville and Hunter moved to substitute (H-3) the bill.

The motion prevailed and the substitute (H-3) was adopted, a majority of the members serving voting therefor.

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

The motion prevailed.

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

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

By unanimous consent the House returned to the order of

Third Reading of Bills**Senate Bill No. 822, entitled**

A bill to amend 1975 PA 228, entitled "Single business tax act," by amending section 38g (MCL 208.38g), as amended by 2002 PA 726.

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

Roll Call No. 756**Yeas—86**

Accavitti	Farrah	Meisner	Shulman
Acciavatti	Gaffney	Meyer	Smith
Adamini	Gielegem	Milosch	Spade
Amos	Gillard	Minore	Stakoe
Anderson	Gleason	Mortimer	Steil
Bieda	Hager	Murphy	Stewart
Bisbee	Hardman	Newell	Tabor
Bradstreet	Hood	Nofs	Taub
Brandenburg	Hopgood	O'Neil	Tobocman
Brown	Howell	Palmer	Vagnozzi
Byrum	Huizenga	Palsrok	Vander Veen
Casperson	Hunter	Pappageorge	Voorhees
Caul	Jamnick	Phillips	Walker
Clack	Johnson, Rick	Plakas	Ward
Condino	Julian	Reeves	Waters
Daniels	Koetje	Richardville	Wenke
Dennis	Kolb	Rivet	Whitmer
DeRossett	Kooiman	Sak	Williams
Ehardt	LaJoy	Shackleton	Wojno
Elkins	Law	Shaffer	Woodward
Emmons	Lipsey	Sheltrown	Zelenko
Farhat	McConico		

Nays—21

Caswell	Hummel	Moolenaar	Rocca
DeRoche	Hune	Nitz	Sheen
Drolet	Johnson, Ruth	Pastor	Stahl
Garfield	LaSata	Pumford	Van Regenmorter
Hart	Middaugh	Robertson	Woronchak
Hoogendyk			

In The Chair: Julian

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

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

A bill to amend 1975 PA 228, entitled "An act to provide for the imposition, levy, computation, collection, assessment and enforcement, by lien or otherwise, of taxes on certain commercial, business, and financial activities; to prescribe the manner and times of making certain reports and paying taxes; to prescribe the powers and duties of public officers and state departments; to permit the inspection of records of taxpayers; to provide for interest and penalties on unpaid taxes; to provide exemptions, credits, and refunds; to provide penalties; to provide for the disposition of funds; to provide for the interrelation of this act with other acts; and to provide an appropriation," by amending section 38g (MCL 208.38g), as amended by 2003 PA 249.

The motion prevailed.

The House agreed to the title as amended.

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

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

By unanimous consent the House returned to the order of

Reports of Select Committees

The Speaker laid before the House the conference report relative to

Senate Bill No. 1069, entitled

A bill to amend 1979 PA 94, entitled "The state school aid act of 1979," by amending sections 3, 4, 6, 11, 11b, 11f, 11g, 11j, 13, 15, 18a, 19, 20, 21b, 22a, 22b, 24, 26, 26a, 31a, 31d, 32c, 32d, 32f, 32j, 39a, 41, 41a, 51a, 51c, 51d, 53a, 54, 56, 57, 61a, 62, 74, 81, 94a, 98, 98b, 99, 101, 104a, 107, 147, 152, 158b, and 166a (MCL 388.1603, 388.1604, 388.1606, 388.1611, 388.1611b, 388.1611f, 388.1611g, 388.1611j, 388.1613, 388.1615, 388.1618a, 388.1619, 388.1620, 388.1621b, 388.1622a, 388.1622b, 388.1624, 388.1626, 388.1626a, 388.1631a, 388.1631d, 388.1632c, 388.1632d, 388.1632f, 388.1632j, 388.1639a, 388.1641, 388.1641a, 388.1651a, 388.1651c, 388.1651d, 388.1653a, 388.1654, 388.1656, 388.1657, 388.1661a, 388.1662, 388.1674, 388.1681, 388.1694a, 388.1698, 388.1698b, 388.1699, 388.1701, 388.1704a, 388.1707, 388.1747, 388.1752, 388.1758b, and 388.1766a), sections 3, 6, 11f, 11g, 11j, 19, 20, 22a, 22b, 24, 31a, 31d, 32c, 32d, 39a, 41, 51a, 51c, 51d, 53a, 54, 56, 57, 61a, 62, 74, 81, 98, 99, 101, 104a, 107, 147, and 166a as amended and sections 32j, 41a, and 98b as added by 2003 PA 158, section 4 as amended by 1995 PA 130, sections 11, 11b, and 26a as amended by 2003 PA 236, section 13 as amended by 1999 PA 119, sections 15 and 18a as amended by 1996 PA 300, sections 21b and 152 as amended by 2000 PA 297, section 26 as amended by 1997 PA 93, section 32f as amended by 2002 PA 521, section 94a as amended by 2003 PA 180, and section 158b as added by 1994 PA 283, and by adding section 146; and to repeal acts and parts of acts.

(The conference report was received from the Senate on September 8, consideration of which, under the rules, was postponed until today.)

(For conference report, see House Journal No. 79, p. 1866.)

The question being on the adoption of the conference report,

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

Roll Call No. 757

Yeas—99

Accavitti	Gaffney	McConico	Sheen
Adamini	Garfield	Meisner	Sheltrown
Amos	Gielegghem	Meyer	Shulman
Anderson	Gillard	Milosch	Smith
Bieda	Gleason	Moolenaar	Spade
Bisbee	Hager	Mortimer	Stahl
Bradstreet	Hardman	Murphy	Stakoe
Brandenburg	Hart	Newell	Steil
Brown	Hood	Nitz	Stewart
Byrum	Hoogendyk	Nofs	Tabor
Casperson	Hopgood	O'Neil	Taub
Caswell	Howell	Palsrok	Tobocman
Caul	Huizenga	Pappageorge	Vagnozzi
Clack	Hummel	Pastor	Van Regenmorter
Condino	Hunter	Phillips	Vander Veen

Daniels	Jamnick	Plakas	Voorhees
Dennis	Johnson, Rick	Pumford	Waters
DeRoche	Johnson, Ruth	Reeves	Wenke
DeRossett	Julian	Richardville	Whitmer
Drolet	Koetje	Rivet	Williams
Ehardt	Kolb	Robertson	Wojno
Elkins	Kooiman	Rocca	Woodward
Emmons	LaSata	Sak	Woronchak
Farhat	Law	Shackleton	Zelenko
Farrah	Lipsey	Shaffer	

Nays—8

Acciavatti	LaJoy	Minore	Walker
Hune	Middaugh	Palmer	Ward

In The Chair: Julian

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

“Mr. Speaker and members of the House:

This statement is intended to clarify my NO vote on SB 1069. I agree with all of the concepts that were presented in the Education Budget bill, except for one - the blended count percentage.

I believe that the correct public policy is to keep in tact the 80/20 blended count percentage. The change to 75/25 directly penalizes the growing districts and areas. The faster a district grows the bigger the hit that district will take. When cuts need to be made to the school aid fund, I believe the cuts should be across the board to every district. It is not our place as legislators to pick winners and losers.

The school districts that I represent are some of the fastest growing districts in the state of Michigan. The blended count issue is not just a budget issue, it is a growth issue and this percentage will shift money away from the growing districts. This vote will effect each and every one of the schools in my district, which will effect each and every child in my district, which will effect each and every family in my district. Therefore, I cannot in good conscience support this bill in its current form.”

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

“Mr. Speaker and members of the House:

By moving away from the current 80/20 membership count for calculating per pupil funding for local school district, Michigan will be unfairly hurting growing school districts. I have voted no based on this inequity.”

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

“Mr. Speaker and members of the House:

I am taking a negative position on our school aid budget because of the implications that Senate Bill 1069 will have on not only the residents of Livingston County, but the People of the State of Michigan, as well. The change in the blended count from a formula of 80/20 to 75/25 will result in yet another devastating blow to the schools of Livingston County. I believe that a cut of well over two-hundred thousand dollars to the families and students of Livingston County occurring partially through the fiscal year is wrong. Indeed, the blended count will save several million dollars, but the pain of cuts is not shared equally throughout the state. Education has and always been an extreme priority and I will continue to fight for the families of this great state.”

House Bill No. 5519, entitled

A bill to make appropriations for the department of history, arts, and libraries for the fiscal year ending September 30, 2005; to provide for the expenditure of those appropriations; to provide for the disposition of fees and other income received by the state agencies; to provide for the disbursement of certain grants; to provide for reports; to prescribe powers and duties of certain state departments and certain state and local agencies and officers; and to repeal acts and parts of acts.

(For text of conference report, see House Journal No. 79, p. 2090.)

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

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

House Bill No. 5521, entitled

A bill to make appropriations for the department of labor and economic growth, the Michigan strategic fund, and certain other state purposes for the fiscal year ending September 30, 2005; to provide for the expenditure of those appropriations; to provide for the imposition of certain fees; to provide for the disposition of fees and other income received by the state agencies; to provide for reports to certain persons; and to prescribe powers and duties of certain state departments and certain state and local agencies and officers.

(For text of conference report, see House Journal No. 79, p. 1959.)

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

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

Messages from the Senate

House Bill No. 5313, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 52706 (MCL 324.52706), as amended by 2002 PA 356, and by adding section 2150a.

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

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

A bill to amend 1994 PA 451, entitled "An act to protect the environment and natural resources of the state; to codify, revise, consolidate, and classify laws relating to the environment and natural resources of the state; to regulate the discharge of certain substances into the environment; to regulate the use of certain lands, waters, and other natural resources of the state; to prescribe the powers and duties of certain state and local agencies and officials; to provide for certain charges, fees, and assessments; to provide certain appropriations; to prescribe penalties and provide remedies; to repeal certain parts of this act on a specific date; and to repeal certain acts and parts of acts," by amending section 52706 (MCL 324.52706), as amended by 2002 PA 356.

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

Notices

I hereby give notice that on the next legislative session day I will move to discharge the Committee on Veterans Affairs and Homeland Security from further consideration of **Senate Bill No. 1269**.

Rep. Richardville

Rep. Nitz moved that Rep. Mortimer be excused temporarily from today's session.
The motion prevailed.

Rep. Hood moved that Rep. Smith be excused temporarily from today's session.
The motion prevailed.

Rep. Waters moved that Reps. Hardman and Rivet be excused temporarily from today's session.
The motion prevailed.

By unanimous consent the House returned to the order of

Reports of Select Committees

The Speaker laid before the House the conference report relative to

Senate Bill No. 1064, 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, 2005; to provide for the expenditure of the appropriations; to provide for reports;

to provide for the creation of certain advisory committees and boards; to prescribe certain powers and duties of the department of corrections, certain other state officers and agencies, and certain advisory committees and boards; to provide for the collection of certain funds; and to provide for the disposition of fees and other income received by certain state agencies.

(The conference report was received from the Senate on September 8, consideration of which, under the rules, was postponed until today.)

(For conference report, see House Journal No. 79, p. 1843.)

The question being on the adoption of the conference report,

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

Roll Call No. 758**Yeas—89**

Accavitti	Hager	Middaugh	Sheltrown
Acciavatti	Hart	Milosch	Shulman
Amos	Hood	Minore	Stahl
Anderson	Hopgood	Moolenaar	Stakoe
Bieda	Howell	Murphy	Steil
Bisbee	Huizenga	Nitz	Stewart
Bradstreet	Hummel	Nofs	Tabor
Brandenburg	Hune	O'Neil	Taub
Byrum	Hunter	Palmer	Tobocman
Casperson	Jamnick	Palsrok	Vagnozzi
Caul	Johnson, Rick	Pappageorge	Van Regenmorter
Clack	Johnson, Ruth	Pastor	Vander Veen
Condino	Julian	Phillips	Voorhees
Daniels	Koetje	Plakas	Walker
DeRoche	Kolb	Pumford	Ward
DeRossett	Kooiman	Reeves	Waters
Ehardt	LaJoy	Richardville	Whitmer
Farhat	LaSata	Robertson	Williams
Farrah	Law	Rocca	Wojno
Gaffney	McConico	Sak	Woodward
Gielegghem	Meisner	Shackleton	Woronchak
Gillard	Meyer	Shaffer	Zelenko
Gleason			

Nays—14

Adamini	Drolet	Hoogendyk	Sheen
Brown	Elkins	Lipsey	Spade
Caswell	Emmons	Newell	Wenke
Dennis	Garfield		

In The Chair: Julian

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

“Mr. Speaker and members of the House:

I did not support the Conference Report to Senate Bill 1064, which provides appropriations for the Department of Corrections, because of the projected \$12.8 million reduction, elimination, or replacement of staffed gun towers with security technology.

Gun towers serve important functions within prisons facilities. All facilities with security classifications above Level III have gun towers. These facilities house the most dangerous of offenders in Michigan's correctional system. According to the Michigan Corrections Officers (MCO) organization, gun towers have been instrumental in breaking up or gaining control of inmate melees. In addition, these towers assist in controlling inmates and protecting the lives of

officers and staff who risk their lives every day in our prisons. At some facilities, gun towers were added because officers were subject to attacks by inmates.

Beyond prison facilities, gun towers serve important functions by protecting the public from potential prisoner escapes. Officers who staff gun towers serve as 'lookouts' by observing prisoner movement and activities from a vantage point far better than those of officers on the ground and can also take into account suspicious activity outside the walls. Hence, staffed gun towers have been instrumental in deterring and preventing prisoner escapes.

I am not convinced that the Department has made a prudent decision to allow the efficiency of technology to sufficiently replace our corrections officers. Further, I am not convinced that the projected \$12.8 million in savings outweighs the many benefits of gun towers.

Without gun towers, everyone is at-risk. Therefore, I chose not support this conference report.”

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

“Mr. Speaker and members of the House:

I did not support the Conference Report to Senate Bill 1064, which provides appropriations for the Department of Corrections, because of the projected \$12.8 million reduction, elimination, or replacement of staffed gun towers with security technology.

Gun towers serve important functions within prisons facilities. All facilities with security classifications above Level III have gun towers. These facilities house the most dangerous of offenders in Michigan's correctional system. According to the Michigan Corrections Officers (MCO) organization, gun towers have been instrumental in breaking up or gaining control of inmate melees. In addition, these towers assist in controlling inmates and protecting the lives of officers and staff who risk their lives every day in our prisons. At some facilities, gun towers were added because officers were subject to attacks by inmates.

Beyond prison facilities, gun towers serve important functions by protecting the public from potential prisoner escapes. Officers who staff gun towers serve as 'lookouts' by observing prisoner movement and activities from a vantage point far better than those of officers on the ground and can also take into account suspicious activity outside the walls. Hence, staffed gun towers have been instrumental in deterring and preventing prisoner escapes.

I am not convinced that the Department has made a prudent decision to allow the efficiency of technology to sufficiently replace our corrections officers. Further, I am not convinced that the projected \$12.8 million in savings outweighs the many benefits of gun towers.

Without gun towers, everyone is at-risk. Therefore, I chose not support this conference report.”

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

“Mr. Speaker and members of the House:

I did not support the Conference Report to Senate Bill 1064, which provides appropriations for the Department of Corrections, because of the projected \$12.8 million reduction, elimination, or replacement of staffed gun towers with security technology.

Gun towers serve important functions within prisons facilities. All facilities with security classifications above Level III have gun towers. These facilities house the most dangerous of offenders in Michigan's correctional system. According to the Michigan Corrections Officers (MCO) organization, gun towers have been instrumental in breaking up or gaining control of inmate melees. In addition, these towers assist in controlling inmates and protecting the lives of officers and staff who risk their lives every day in our prisons. At some facilities, gun towers were added because officers were subject to attacks by inmates.

Beyond prison facilities, gun towers serve important functions by protecting the public from potential prisoner escapes. Officers who staff gun towers serve as 'lookouts' by observing prisoner movement and activities from a vantage point far better than those of officers on the ground and can also take into account suspicious activity outside the walls. Hence, staffed gun towers have been instrumental in deterring and preventing prisoner escapes.

I am not convinced that the Department has made a prudent decision to allow the efficiency of technology to sufficiently replace our corrections officers. Further, I am not convinced that the projected \$12.8 million in savings outweighs the many benefits of gun towers.

Without gun towers, everyone is at-risk. Therefore, I chose not support this conference report.”

Reports of Standing Committees

The Committee on Regulatory Reform, by Rep. Rocca, Chair, reported

Senate Bill No. 1124, entitled

A bill to authorize the state administrative board to convey or transfer certain state owned property in Alpena county; to prescribe conditions for the conveyance; to provide for certain powers and duties of certain state departments in regard to the property; and to provide for disposition of revenue derived from the conveyance.

With the recommendation that the substitute (H-1) be adopted and that the bill then pass.

The bill and substitute were referred to the order of Second Reading of Bills and laid over one day under the rules.

Favorable Roll Call

To Report Out:

Yeas: Reps. Rocca, Gaffney, Bisbee, Julian, DeRoche, Palsrok, Wojno, Hopgood and Gielegem

Nays: None

Second Reading of Bills

Rep. Richardville moved that Rule 48 be suspended.

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

Senate Bill No. 1124, entitled

A bill to authorize the state administrative board to convey or transfer certain state owned property in Alpena county; to prescribe conditions for the conveyance; to provide for certain powers and duties of certain state departments in regard to the property; and to provide for disposition of revenue derived from the conveyance.

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

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

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

The motion prevailed.

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

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

By unanimous consent the House returned to the order of

Third Reading of Bills

Senate Bill No. 1124, entitled

A bill to authorize the state administrative board to convey or transfer certain state owned property in Alpena county; to prescribe conditions for the conveyance; to provide for certain powers and duties of certain state departments in regard to the property; and to provide for disposition of revenue derived from the conveyance.

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

Roll Call No. 759

Yeas—103

Accavitti	Gaffney	McConico	Sheen
Acciavatti	Gielegem	Meisner	Sheltrown
Adamini	Gillard	Meyer	Shulman
Amos	Gleason	Middaugh	Spade
Anderson	Hager	Milosch	Stahl
Bieda	Hardman	Minore	Stakoe
Bisbee	Hart	Moolenaar	Steil
Bradstreet	Hood	Murphy	Stewart
Brandenburg	Hoogendyk	Newell	Tabor
Brown	Hopgood	Nitz	Taub
Byrum	Howell	Nofs	Tobocman
Casperson	Huizenga	O'Neil	Vagnozzi
Caswell	Hummel	Palmer	Van Regenmorter
Caul	Hune	Palsrok	Vander Veen
Clack	Hunter	Pappageorge	Voorhees
Condino	Jamnick	Pastor	Walker
Daniels	Johnson, Rick	Phillips	Ward
Dennis	Johnson, Ruth	Plakas	Waters
DeRoche	Julian	Pumford	Wenke
DeRossett	Koetje	Reeves	Whitmer

Drolet	Kolb	Richardville	Williams
Ehardt	Kooiman	Robertson	Wojno
Elkins	LaJoy	Rocca	Woodward
Emmons	LaSata	Sak	Woronchak
Farhat	Law	Shackleton	Zelenko
Farrah	Lipsey	Shaffer	

Nays—1

Garfield

In The Chair: Julian

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

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

A bill to authorize the state administrative board to convey certain parcels of state owned property in various counties; to prescribe conditions for the conveyances; to provide for certain powers and duties of certain state departments in regard to the property; to provide for disposition of revenue derived from the conveyances; and to repeal acts and parts of acts.

The motion prevailed.

The House agreed to the title as amended.

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

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

Rep. Smith, under Rule 33, made the following statement:

“Mr. Speaker and members of the House:

I was absent from the Chamber when the vote was taken on Roll Call Nos. 758-759. Had I been present, I would have voted ‘yea’.”

By unanimous consent the House returned to the order of

Motions and Resolutions

By unanimous consent the House considered **House Resolution No. 306** out of numerical order.

Reps. Milosch, Rocca, DeRossett, Sheen, Emmons, Mortimer, Acciavatti, Gaffney, Richardville, Bisbee, Wenke, Robertson and Farhat offered the following resolution:

House Resolution No. 306.

A resolution to urge the Governor to expedite the sale of a certain parcel of state-owned property in Washtenaw County to Toyota.

Whereas, Michigan has a unique opportunity to take a strong step in the development of jobs in this state with a proposed sale of a 690-acre parcel of state-owned land in Washtenaw County. This land is located ideally for the purposes envisioned by Toyota—to expand significantly its research and technology facilities. This proposal is critical not only because of the hundred of jobs involved, but also as a measure of Michigan’s status as a world leader in automotive research and technology; and

Whereas, In addressing the benefits to the state to be derived from the sale of the 690 acres, it is imperative that the overall impact of the sale to Toyota be fully understood. Clearly, the full benefits of creating jobs must be calculated. Only in this way will the people of this state receive the true value for their property; and

Whereas, Creating hundreds of high quality new jobs, especially those that will produce spin-off operations throughout the area and in other parts of the state, is something that state government must do all it can to facilitate. Delays and complications can only jeopardize Michigan’s position in relation to other areas of the country that would clearly love to welcome this proposed new investment; now, therefore, be it

Resolved by the House of Representatives, That we urge the governor to expedite the sale of the proposed 690-acre parcel of state lands in Washtenaw County located along US-23 in York Township to Toyota; and be it further Resolved, That copies of this resolution be transmitted to the Office of the Governor.
 Pending the reference of the resolution to a committee,
 Rep. Richardville moved that Rule 77 be suspended and the resolution be considered at this time.
 The motion prevailed, 3/5 of the members present voting therefor.
 The question being on the adoption of the resolution,
 The resolution was adopted.

Reports of Select Committees

First Conference Report

The Committee of Conference on the matters of difference between the two Houses concerning **Senate Bill No. 1067, 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, 2004 and for the fiscal year ending September 30, 2005; to provide for the expenditures of those appropriations; and to prescribe the powers and duties of certain state departments, institutions, agencies, employees, and officers.

Recommends:

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

A bill to make appropriations for the state institutions of higher education and certain state purposes related to education for the fiscal year ending September 30, 2004 and for the fiscal year ending September 30, 2005; to provide for the expenditures of those appropriations; and to prescribe the powers and duties of certain state departments, institutions, agencies, employees, and officers.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

PART 1

LINE-ITEM APPROPRIATIONS FOR FISCAL YEAR 2004-2005

Sec. 101. Subject to the conditions set forth in this act, the amounts listed in this part are appropriated for higher education for the fiscal year ending September 30, 2005, from the funds indicated in this part. The following is a summary of the appropriations in this part:

HIGHER EDUCATION

APPROPRIATION SUMMARY:

Full-time equated classified positions	1.0	
GROSS APPROPRIATION		\$ 1,690,150,500
Interdepartmental grant revenues:		
Total interdepartmental grants and intradepartmental transfers		0
ADJUSTED GROSS APPROPRIATION		\$ 1,690,150,500
Federal revenues:		
Total federal revenues		4,500,000
Special revenue funds:		
Total local revenues		0
Total private revenues		0
Total other state restricted revenues		85,150,000
State general fund/general purpose		\$ 1,600,500,500
Sec. 102. CENTRAL MICHIGAN UNIVERSITY		
Operations.....		\$ 75,018,300
Tuition restraint incentive		4,892,600
GROSS APPROPRIATION		\$ 79,910,900
Appropriated from:		
Special revenue funds:		
Michigan merit award trust fund		538,440
State general fund/general purpose		\$ 79,372,460
Sec. 103. EASTERN MICHIGAN UNIVERSITY		
Operations.....		\$ 72,563,400

	For Fiscal Year Ending Sept. 30, 2005
Tuition restraint incentive	4,732,400
GROSS APPROPRIATION.....	\$ 77,295,800
Appropriated from:	
State general fund/general purpose	\$ 77,295,800
Sec. 104. FERRIS STATE UNIVERSITY	
Operations.....	\$ 45,970,800
Tuition restraint incentive	2,998,000
GROSS APPROPRIATION.....	\$ 48,968,800
Appropriated from:	
State general fund/general purpose	\$ 48,968,800
Sec. 105. GRAND VALLEY STATE UNIVERSITY	
Operations.....	\$ 54,358,900
Tuition restraint incentive	3,545,200
GROSS APPROPRIATION.....	\$ 57,904,100
Appropriated from:	
Special revenue funds:	
Michigan merit award trust fund	5,000,000
State general fund/general purpose	\$ 52,904,100
Sec. 106. LAKE SUPERIOR STATE UNIVERSITY	
Operations.....	\$ 11,914,400
Tuition restraint incentive	770,600
GROSS APPROPRIATION.....	\$ 12,685,000
Appropriated from:	
State general fund/general purpose	\$ 12,685,000
Sec. 107. MICHIGAN STATE UNIVERSITY	
Operations.....	\$ 269,913,000
Tuition restraint incentive	17,603,000
Agricultural experiment station.....	33,163,800
Cooperative extension service.....	28,604,300
GROSS APPROPRIATION.....	\$ 349,284,100
Appropriated from:	
State general fund/general purpose	\$ 349,284,100
Sec. 108. MICHIGAN TECHNOLOGICAL UNIVERSITY	
Operations.....	\$ 45,740,000
Tuition restraint incentive	2,983,000
GROSS APPROPRIATION.....	\$ 48,723,000
Appropriated from:	
State general fund/general purpose	\$ 48,723,000
Sec. 109. NORTHERN MICHIGAN UNIVERSITY	
Operations.....	\$ 42,966,600
Tuition restraint incentive	2,808,600
GROSS APPROPRIATION.....	\$ 45,775,200
Appropriated from:	
State general fund/general purpose	\$ 45,775,200
Sec. 110. OAKLAND UNIVERSITY	
Operations.....	\$ 45,160,900
Tuition restraint incentive	2,945,200
GROSS APPROPRIATION.....	\$ 48,106,100
Appropriated from:	
Special revenue funds:	
Michigan merit award trust fund	1,941,768
State general fund/general purpose	\$ 46,164,332
Sec. 111. SAGINAW VALLEY STATE UNIVERSITY	
Operations.....	\$ 24,539,800
Tuition restraint incentive	1,600,400
GROSS APPROPRIATION.....	\$ 26,140,200

For Fiscal Year
Ending Sept. 30,
2005

Appropriated from:	
Special revenue funds:	
Michigan merit award trust fund.....	2,019,792
State general fund/general purpose	\$ 24,120,408
Sec. 112. UNIVERSITY OF MICHIGAN-ANN ARBOR	
Operations.....	\$ 301,029,600
Tuition restraint incentive	19,632,400
GROSS APPROPRIATION.....	\$ 320,662,000
Appropriated from:	
State general fund/general purpose	\$ 320,662,000
Sec. 113. UNIVERSITY OF MICHIGAN-DEARBORN	
Operations.....	\$ 23,178,400
Tuition restraint incentive	1,511,600
GROSS APPROPRIATION.....	\$ 24,690,000
Appropriated from:	
State general fund/general purpose	\$ 24,690,000
Sec. 114. UNIVERSITY OF MICHIGAN-FLINT	
Operations.....	\$ 19,928,400
Tuition restraint incentive	1,299,600
GROSS APPROPRIATION.....	\$ 21,228,000
Appropriated from:	
State general fund/general purpose	\$ 21,228,000
Sec. 115. WAYNE STATE UNIVERSITY	
Operations.....	\$ 210,017,500
Tuition restraint incentive	13,696,800
GROSS APPROPRIATION.....	\$ 223,714,300
Appropriated from:	
State general fund/general purpose	\$ 223,714,300
Sec. 116. WESTERN MICHIGAN UNIVERSITY	
Operations.....	\$ 104,060,500
Tuition restraint incentive	6,786,600
GROSS APPROPRIATION.....	\$ 110,847,100
Appropriated from:	
State general fund/general purpose	\$ 110,847,100
Sec. 117. STATE AND REGIONAL PROGRAMS	
Full-time equated positions.....	1.0
Higher education database modernization and conversion—1.0 FTE positions	\$ 200,000
Midwestern higher education compact	165,000
GROSS APPROPRIATION.....	\$ 365,000
Appropriated from:	
State general fund/general purpose	\$ 365,000
Sec. 118. MARTIN LUTHER KING, JR.-CESAR CHAVEZ-ROSA PARKS PROGRAM	
Select student supportive services.....	\$ 1,956,100
Michigan college/university partnership program	586,800
Morris Hood, Jr. educator development program	148,600
GROSS APPROPRIATION.....	\$ 2,691,500
Appropriated from:	
State general fund/general purpose	\$ 2,691,500
Sec. 119. GRANTS AND FINANCIAL AID	
State competitive scholarships	\$ 35,630,500
Tuition grants.....	61,768,100
Michigan work-study program	7,326,300
Part-time independent student program.....	2,653,300
Dental clinics grant.....	4,547,000
Michigan education opportunity grants	2,084,200
Robert C. Byrd honors scholarship program	1,500,000

	For Fiscal Year Ending Sept. 30, 2005
Nursing scholarship program	4,000,000
Michigan merit award program	61,400,000
Tuition incentive program.....	10,250,000
GROSS APPROPRIATION.....	\$ 191,159,400
Appropriated from:	
Federal revenues:	
Higher education act of 1965, title IV, 20 USC.....	3,000,000
Higher education act of 1965, title IV, part A	1,500,000
Special revenue funds:	
Michigan merit award trust fund.....	75,650,000
State general fund/general purpose	\$ 111,009,400

PART 2

PROVISIONS CONCERNING APPROPRIATIONS FOR FISCAL YEAR 2004-2005

GENERAL SECTIONS

Sec. 201. Pursuant to section 30 of article IX of the state constitution of 1963, total state spending from state resources under part 1 for fiscal year 2004-2005 is \$1,685,650,500.00 and state spending from state resources to be paid to local units of government for fiscal year 2004-2005 is \$3,759,100.00. The itemized statement below identifies the estimated appropriations from which spending to units of local government will occur:

Part-time independent student program.....	\$ 1,255,700
Michigan education opportunity grant.....	932,900
Michigan work-study	1,570,500
TOTAL	\$ 3,759,100

Sec. 202. The appropriations authorized under this act are subject to the management and budget act, 1984 PA 431, MCL 18.1101 to 18.1594.

Sec. 208. Unless otherwise specified, the institutions of higher education receiving appropriations in part 1 shall use the Internet to fulfill the reporting requirements of this act. This requirement may include transmission of reports via electronic mail to the recipients identified for each reporting requirement, or it may include placement of reports on an Internet or Intranet site.

Sec. 209. Funds appropriated in part 1 shall not be used for the purchase of foreign goods or services, or both, if competitively priced and of comparable quality American goods and services, or both, are available. Preference should be given to goods or services, or both, manufactured or provided by Michigan businesses if they are competitively priced and of comparable value.

Sec. 212. (1) The funds appropriated in part 1 to state institutions of higher education shall be paid out of the state treasury and distributed by the state treasurer to the respective institutions in 11 equal monthly installments on the sixteenth of each month, or the next succeeding business day, beginning with October 16, 2004. Except for Wayne State University, each institution shall accrue its July and August 2005 payments to its institutional fiscal year ending June 30, 2005.

(2) All universities shall submit higher education institutional data inventory (HEIDI) data and associated financial and program information requested by and in a manner prescribed by the state budget director. For universities with fiscal years ending June 30, 2004, these data shall be submitted to the state budget director by October 15, 2004. Universities with a fiscal year ending September 30, 2004 shall submit preliminary HEIDI data by November 15, 2004 and final data by December 15, 2004. If a university fails to submit HEIDI data and associated financial aid program information in accordance with this reporting schedule, the state treasurer shall withhold the monthly installments under subsection (1) to the university until those data are submitted.

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

Sec. 213. Funds received by the state from the federal government or private sources for the use of a college or university are appropriated for the purposes for which they are provided. The acceptance and use of federal or private funds do not place an obligation upon the legislature to continue the purposes for which the funds are made available.

Sec. 214. If section 274 of the income tax act of 1967, 1967 PA 281, MCL 206.274, is not repealed and if a state institution of higher education that receives funds under this act notifies the department of treasury regarding its tuition and fee rates in order to qualify as an eligible institution for the Michigan tuition tax credit under section 274 of the income tax act of 1967, 1967 PA 281, MCL 206.274, the institution shall also submit the notification and applicable documentation of tuition and fee changes to the house and senate fiscal agencies.

Sec. 215. A state institution of higher education that receives funds under this act shall furnish all program and financial information that is required by and in a manner prescribed by the state budget director or the house or senate appropriations committee.

GRANTS AND FINANCIAL AID

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

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

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

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

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

(2) Tuition grant awards shall be made to all eligible Michigan residents who apply before July 15, 2004 and who are qualified. Tuition grant awards shall not be made to students newly enrolled in a juris doctor law degree program after the 1995-96 academic year.

(3) The Michigan higher education assistance authority shall determine an actual maximum tuition grant award per student that ensures that the aggregate payments for the tuition grant program do not exceed the appropriation contained in part 1 for the state tuition grant program. By December 15, 2004, and again by February 1, 2005, the authority shall analyze the status of award commitments, shall make any necessary adjustments, and shall confirm that those award commitments will not exceed the appropriation contained in part 1 for the tuition grant program. The determination and actions shall be reported to the state budget director and the house and senate fiscal agencies no later than February 15, 2005. If award adjustments are necessary, the students shall be notified of the adjustment by the third Monday in February.

(4) Any unexpended and unencumbered funds remaining on September 30, 2005 from the amounts appropriated in part 1 for the tuition grant program shall not lapse on September 30, 2005, but shall continue to be available for expenditure for tuition grants provided in the 2005-2006 fiscal year. The use of these unexpended fiscal year 2004-2005 funds shall terminate at the end of the 2005-2006 fiscal year.

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

(6) If the Michigan higher education assistance authority increases the maximum award per eligible student from that provided in the previous fiscal year, it shall not have the effect of reducing the number of eligible students receiving awards in relation to the total number of eligible applicants. Any increase in the maximum grant shall be proportional for all eligible students receiving awards for fiscal year 2004-2005.

(7) All Ferris State University students enrolled at Kendall College of Art and Design prior to January 1, 2001 who were qualified for the state tuition grant shall continue to receive the dollar amount of the state tuition grant for which they were eligible until they graduate or are no longer enrolled in the Kendall College of Art and Design at Ferris State University.

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

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

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

Sec. 307. The auditor general may audit selected enrollments, degrees, and awards at selected independent colleges and universities receiving awards administered by the department of treasury. The audits shall be based upon definitions and requirements established by the Michigan higher education assistance authority, the state budget director, and the senate and house fiscal agencies. The auditor general shall accept the Free Application for Federal Student Aid (FAFSA) form as the standard of residency documentation. The auditor general shall submit a report of findings to the senate and house appropriations committees and state budget director by May 1, 2005.

Sec. 308. The sums appropriated in part 1 for the student financial aid programs shall be paid out of the state treasury and shall be distributed to the respective institutions under a quarterly payment system as follows:

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

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

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

(d) For the Robert C. Byrd honors scholarship program, 50% shall be paid at the beginning of the state's first fiscal quarter and 50% at the beginning of the state's second fiscal quarter.

(e) For the dental clinics grant program, 25% shall be paid at the beginning of the state's first fiscal quarter, 25% at the beginning of the state's second fiscal quarter, 25% at the beginning of the state's third fiscal quarter, and 25% at the beginning of the state's fourth fiscal quarter.

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

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

(2) As used in this section:

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

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

(c) "Department" means the department of treasury.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(11) Any unexpended and unencumbered funds remaining on September 30, 2005 from the amounts appropriated in part 1 for the tuition incentive program shall not lapse on September 30, 2005, but shall continue to be available for expenditure for the tuition incentive program in the fiscal year ending September 30, 2006.

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

Sec. 312. From the funds appropriated in part 1, the Michigan higher education assistance authority shall administer the nursing scholarship program pursuant to 2002 PA 591, MCL 390.1181 to 390.1189.

Sec. 315. Included in part 1 is funding for the dental clinics grant. This appropriation is for the University of Detroit Mercy to support dental clinical services provided by its school of dentistry to low-income residents in southeastern Michigan.

STATE UNIVERSITIES

Sec. 401. (1) Included in part 1 is \$5,605,892.00 to Wayne State University for the Joseph F. Young, Sr. psychiatric research and training program. Wayne State University shall use these funds for psychiatric laboratory and clinical research, training, and treatment services. Within the available appropriation, services shall not be denied to any patient who meets established research guidelines for treatment on the basis of personal financial circumstances, age, geographic residence, or projected/actual length of treatment as medically warranted.

(2) Wayne State University shall report the following information to the department of community health by November 1, 2005:

(a) The number and type of psychiatric research projects funded by the appropriation described in subsection (1).

(b) The number and type of students trained and the location of training funded by the appropriation.

(c) Demographic data regarding the number and profile of patients to receive psychiatric services funded by the appropriation and a profile of the services provided.

(d) A summary budget outlining major expenditure categories and any first- and third-party reimbursements.

(3) Copies of these reports shall also be provided to the house and senate fiscal agencies and the state budget director.

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

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

(a) One representative from the house fiscal agency.

(b) One representative from the senate fiscal agency.

(c) One representative from the state budget director's office.

(d) Three representatives of the presidents council of state universities. The presidents council shall appoint 1 representative each from a masters, a doctoral, and a research university.

(2) The committee shall be responsible for maintaining and enhancing the state higher education database for which funding is included in part 1.

Sec. 421. (1) Central Michigan University shall report by September 30, 2005 to the state budget director, house and senate appropriations committees, and the house and senate fiscal agencies information on the activities and effectiveness of the national charter schools institute for which an appropriation is provided in part 1. Included in the report shall be an accounting of all revenues and expenditures of the institute, the names of the public school academies served, and the type of assistance provided to each public school academy.

(2) All funds received under part 1 for the national charter schools institute are intended to be expended on activities of that institute.

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

Sec. 433. (1) Included in part 1 is \$2,953,400.00 for the agricultural experiment station and \$2,619,000.00 for the cooperative extension service for project GREEN. Project GREEN is intended to address critical regulatory, food safety, economic, and environmental problems faced by this state's plant-based agriculture, forestry, and processing industries. "GREEN" is an acronym for generating research and extension to meet environmental and economic needs.

(2) The department of agriculture and Michigan State University, in consultation with agricultural commodity groups and other interested parties, shall develop project GREEN and its program priorities.

(3) Not later than September 30, 2005, a report shall be submitted by Michigan State University to the state budget director, the house and senate appropriations subcommittees on agriculture and on higher education, and the house and senate fiscal agencies for the preceding fiscal year regarding project GREEN projects. The report shall include, but is not limited to, the dollar amount of each project and a review of each project's performance and accomplishments.

Sec. 436. (1) The amounts appropriated in part 1 for state university tuition restraint incentives shall only be paid to a state university certifying to the state budget director by October 1, 2004 that the state university meets 1 of the following criteria:

(a) For Grand Valley State University, Michigan State University, and Saginaw Valley State University, the university will not adopt an increase in tuition and required fees for the 2004-2005 academic year greater than 2.4% of the highest resident undergraduate rate authorized for any semester during the 2003-2004 academic year on an annualized basis.

(b) For Western Michigan University, the university will rebate at least \$200.00 of the \$500.00 1-time records fee to each resident undergraduate student who paid that records fee and the university will not adopt an increase in tuition and required fees for the 2004-2005 academic year greater than 2.4% of the average lower and upper division fall and winter resident tuition and required fees for the 2003-2004 academic year. For purposes of the 2.4% limit under this subdivision, the 1-time records fee shall not be included.

(c) For universities not listed in subdivision (a) or (b), the university will not adopt an increase in tuition and required fees for the 2004-2005 academic year greater than 2.8% of the average lower and upper division fall and winter resident tuition and required fees for the 2003-2004 academic year.

(2) The state budget director shall implement a reporting requirement based on definitions and uniform reporting requirements established by the state budget director and the house and senate fiscal agencies, to ensure that a state university receiving an appropriation under sections 102 through 116 has satisfied the tuition restraint requirements of this section.

(3) If a state university complies with the tuition restraint requirements described in this section, its state appropriation will not be reduced by executive order or any other manner during the 2004-2005 fiscal year.

(4) Tuition and required fees for each semester of the 2004-2005 academic year for each university shall not increase, on an annualized basis, by more than the limits provided in subsection (1) above the tuition and required fees for that university for the 2003-2004 academic year.

Sec. 437. It is the intent of the legislature that funds in a Michigan public school employee retirement system (MPERS) stabilization subaccount be used for fiscal year 2004-2005 to provide at least a \$4,900,000.00 subsidy of the payroll contribution rate for the 7 state universities that have employees in the MPERS system.

Sec. 440. All universities shall submit the amount of tuition and fees to be charged a full-time resident undergraduate student for academic year 2004-2005 as part of their higher education institutional data inventory (HEIDI) data by August 31, 2004. A university shall report any revisions to the reported academic year 2004-2005 tuition and fee charges to HEIDI within 15 days of being adopted.

Sec. 450. (1) For the fiscal year ending September 30, 2005, it is the intent of the legislature that an amount calculated under subsection (2) be allocated for per-student floor funding from the general fund/general purpose unreserved balances at the close of the 2003-2004 fiscal year.

(2) The amount allocated under subsection (1) for per-student floor funding is equal to \$4,000.00 per 2002-2003 fiscal-year-equated student at each university. The number of 2002-2003 fiscal-year-equated students at a university is determined by reference to the higher education institutional data inventory (HEIDI).

Sec. 460. By January 10, 2005, each state institution of higher education receiving an appropriation under part 1 shall report to the chairperson of the senate and house appropriations committees, the state budget director, and the senate and house fiscal agencies concerning the present condition of facilities for student housing and the present condition of any housing facilities provided to the institution's president or chancellor. The report shall include, but not be limited to, all of the following:

(a) Concerning student housing, all of the following:

(i) An assessment of the physical condition of student housing facilities.

(ii) An assessment of special maintenance needs and costs for each facility.

(iii) An assessment of the availability of student housing and whether there is adequate capacity to meet demand.

(iv) If there are shortages in availability of student housing, any action being considered to address the shortages.

(b) Concerning the president's or chancellor's housing, all of the following:

(i) The type of residence, if any, provided to the institution's president or chancellor.

- (ii) The value at the time of the report of the residence, including both the land and the structure.
- (iii) The cost of any renovations and maintenance done at the residence for the immediately preceding 5 years.
- (iv) The annual cost of operating the residence.
- (v) The fiscal year 2004-2005 compensation of the president or chancellor, including fringe benefits and bonuses.

Sec. 461. From the amount appropriated in part 1 to Lake Superior State University for operations, \$100,000.00 shall be paid to Bay Mills Community College for the costs of waiving tuition for North American Indians under 1976 PA 174, MCL 390.1251 to 390.1253.

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

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

(2) The program shall be administered by each university in a manner prescribed by the Michigan department of labor and economic growth. The Michigan department of labor and economic growth shall use a good faith effort standard to evaluate whether a fellowship is in default.

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

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

(3) The program shall be administered by each university in a manner prescribed by the Michigan department of labor and economic growth.

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

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

(3) The program shall be administered by the Michigan department of labor and economic growth.

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

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

(3) The program shall be administered by the Michigan department of labor and economic growth.

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

(2) The program shall be administered by the Michigan department of labor and economic growth.

Sec. 506. (1) Included in the appropriation in part 1 is funding under the Martin Luther King, Jr. - Cesar Chavez - Rosa Parks initiative for the Morris Hood, Jr. educator development program which is intended to increase the number of minority students, especially males, who enroll in and complete K-12 teacher education programs at the baccalaureate level.

(2) The program shall be administered by each state-approved teacher education institution in a manner prescribed by the Michigan department of labor and economic growth.

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

Sec. 507. Each state institution of higher education receiving funds under section 503, 504, or 506 shall notify the Michigan department of labor and economic growth by April 15, 2005 as to whether it will expend by the end of its fiscal year the funds received under section 503, 504, or 506. Notwithstanding the award limitations in sections 503 and 504, the amount of funding reported as not being expended will be reallocated to the institutions that intend to expend all funding received under section 503, 504, or 506.

STUDENT PERFORMANCE REPORTING

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

by the presidents council, state universities of Michigan in cooperation with the Michigan association of secondary school principals.

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

Sec. 602. From the amount appropriated in part 1 for state universities, the state universities shall inform Michigan community colleges regarding the academic status of community college transfer students in a manner prescribed by the presidents council, state universities of Michigan in cooperation with the Michigan community college association.

GENERAL REPORTS AND AUDITS

Sec. 701. (1) The auditor general shall review higher education institutional data inventory (HEIDI) enrollment data submitted by all public universities and may perform audits of selected public universities if determined necessary. The review and audits shall be based upon the definitions, requirements, and uniform reporting categories established by the state budget director and the senate and house fiscal agencies. The auditor general shall submit a report of findings to the house and senate appropriations committees and the state budget director no later than July 1, 2005.

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

(a) Student credit hours generated through instructional activity by faculty or staff in classrooms located outside Michigan, with the exception of instructional activity related to study-abroad programs or field programs.

(b) Student credit hours generated through distance learning instruction for students not paying the institution's resident tuition rate.

(c) Student credit hours generated through credit by examination.

(d) Student credit hours generated through inmate prison programs regardless of teaching location.

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

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

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

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

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

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

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

(4) "Distance learning instruction" as used in subsection (2) means instruction that occurs in other than a traditional classroom setting where the student and instructor are in the same physical location and for which a student receives course credits and is charged tuition and fees. Examples of distance learning instruction are instruction delivered solely through the Internet, cable television, teleconference, or mail.

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

(a) Bachelors

Central Michigan University Electrical Engineering, B.S.E.E.

Central Michigan University Mechanical Engineering, B.S.M.E.

Ferris State University Secondary Education—History Major, B.S.

Lake Superior State University Communication Major, B.A.

Michigan State University Technology Systems Management, B.S.

Michigan Technological University Psychology, B.S.

Michigan Technological University Software Engineering, B.S.

Oakland University Studio Art, B.A.

Wayne State University Environmental Science, B.S.

Western Michigan University Major in Electronic Business Design (eBizD), B.B.A.

(b) Masters

Eastern Michigan University Clinical Research Administration, M.S.

Eastern Michigan University Health Education, M.S.

Eastern Michigan University Professional Master's in Bioinformatics, M.S.

Ferris State University M.S. in Nursing, M.S.N.

Grand Valley State University Biostatistics, M.S.

Grand Valley State University Cell and Molecular Biology, M.S.

Grand Valley State University Medical and Bioinformatics, M.S.

Grand Valley State University School Counseling, M. Ed.

Lake Superior State University Curriculum and Instruction, M.A.
 Michigan State University Community, Agriculture, Recreation, & Resource Studies, M.S.
 Northern Michigan University Education Reading, M.A.
 Northern Michigan University Education Reading: Specialist, M.A.
 University of Michigan Health Services Research, M.S.

(c) Doctorate

Central Michigan University Physical Therapy, D.P.T.
 Grand Valley State University Physical Therapy, D.P.T.
 Michigan State University Community, Agriculture, Recreation, & Resource Studies, Ph.D.
 Michigan State University Second Language Studies, Ph.D.

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

(3) When submitting the listing of new degree programs for future fiscal years, the presidents council shall also provide a listing of degree programs that will no longer be offered in subsequent academic years.

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

- (a) The recommendations of the auditor general implemented by the institution, including projected dates and resources required, if any, to achieve compliance.
- (b) The recommendations of the auditor general not implemented by the institution or implemented by the institution as modified.
- (c) The rationale for not implementing a recommendation of the auditor general or of implementing a recommendation as modified.

Sec. 708. The auditor general may conduct performance audits of state universities during the fiscal year ending September 30, 2005 as the auditor general considers necessary.

Sec. 709. An institution receiving funds under this bill and also subject to the student right-to-know and campus security act, Public Law 101-522, 104 Stat. 2381, shall make a copy of all material prepared pursuant to the public information reporting requirements under the crime awareness and campus security act of 1990, title II of the student right-to-know and campus security act, Public Law 101-542, 104 Stat. 2381, available in electronic Internet format on their websites.

**PART 2A
 PROVISIONS CONCERNING APPROPRIATIONS FOR FISCAL YEAR 2003-2004**

GENERAL SECTIONS

Sec. 1201. (1) Subject to subsection (2), a state university certifying to the state budget director by October 1, 2004 that it did not adopt an increase in tuition and required fees for resident undergraduate students after December 1, 2003 for the 2003-2004 academic year shall be paid in the fiscal year ending September 30, 2004 from state general fund/general purpose revenues an additional state appropriation as follows:

Central Michigan University	\$ 2,446,300
Eastern Michigan University	2,366,200
Ferris State University	1,499,000
Grand Valley State University	1,772,600
Lake Superior State University	385,300
Michigan State University	8,801,500
Michigan Technological University	1,491,500
Northern Michigan University	1,404,300
Oakland University	1,472,600
Saginaw Valley State University	800,200
University of Michigan - Ann Arbor	9,816,200
University of Michigan - Dearborn	755,800
University of Michigan - Flint	649,800
Wayne State University	6,848,400
Western Michigan University	3,393,300
Total	\$ <u>43,903,000</u>

(2) A university that adopted an increase in tuition and required fees for resident undergraduate students after December 1, 2003 for the 2003-2004 academic year shall be paid only 1/2 of the amount designated for that university in subsection (1).

(3) For the purposes of subsections (1) and (2), a state university that adopted an increase in tuition and required fees for resident undergraduate students after December 1, 2003, for the 2003-2004 academic year, but subsequently

rebated to its resident undergraduate students an amount equal to that increase, shall be considered to have not adopted a tuition and required fees increase for the 2003-2004 academic year.

(4) The state budget director shall implement a reporting requirement based on definitions and uniform reporting requirements established by the state budget director and the house and senate fiscal agencies, to ensure that a state university receiving an appropriation under this section has satisfied its tuition restraint requirements.

(5) If the Northville Psychiatric Hospital property is not sold by the state prior to October 1, 2004, the appropriations listed in subsection (1) shall be paid in the fiscal year ending September 30, 2005, rather than the state fiscal year ending September 30, 2004, and it is the intent of the legislature that the appropriations will be paid in full no later than October 15, 2004.

REPEALERS

Enacting section 1. Section 452 of 2003 PA 237 is repealed.

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

A bill to make appropriations for the state institutions of higher education and certain state purposes related to education for the fiscal year ending September 30, 2004 and for the fiscal year ending September 30, 2005; to provide for the expenditures of those appropriations; and to prescribe the powers and duties of certain state departments, institutions, agencies, employees, and officers.

Kenneth R. Sikkema
Mike Goschka
Deborah Cherry
Conferees for the Senate

Rick Johnson
Sandy Caul
Rich Brown
Conferees for the House

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

Rep. Richardville moved pursuant to Joint Rule 9, that the Journal printing requirement be suspended, printed copies of the text having been made available to each Member.

The motion prevailed.

The question being on the adoption of the conference report,

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

Roll Call No. 760

Yeas—105

Accavitti	Garfield	McConico	Sheen
Acciavatti	Gielegem	Meisner	Sheltrown
Adamini	Gillard	Meyer	Shulman
Amos	Gleason	Middaugh	Smith
Anderson	Hager	Milosch	Spade
Bieda	Hardman	Minore	Stahl
Bisbee	Hart	Moolenaar	Stakoe
Bradstreet	Hood	Murphy	Steil
Brandenburg	Hoogendyk	Newell	Stewart
Brown	Hopgood	Nitz	Tabor
Byrum	Howell	Nofs	Taub
Casperson	Huizenga	O'Neil	Tobocman
Caswell	Hummel	Palmer	Vagnozzi
Caul	Hune	Palsrok	Van Regenmorter
Clack	Hunter	Pappageorge	Vander Veen
Condino	Jamnick	Pastor	Voorhees
Daniels	Johnson, Rick	Phillips	Walker
Dennis	Johnson, Ruth	Plakas	Ward
DeRoche	Julian	Pumford	Waters
DeRossett	Koetje	Reeves	Wenke
Drolet	Kolb	Richardville	Whitmer
Ehardt	Kooiman	Robertson	Williams

Elkins
Emmons
Farhat
Farrah
Gaffney

LaJoy
LaSata
Law
Lipsey

Rocca
Sak
Shackleton
Shaffer

Wojno
Woodward
Woronchak
Zelenko

Nays—0

In The Chair: Julian

The Speaker laid before the House the second conference report relative to
House Bill No. 5517, entitled

A bill to make, supplement, and adjust appropriations for the departments of attorney general, civil rights, civil service, information technology, management and budget, state, and treasury, the executive office, and the legislative branch for the fiscal year ending September 30, 2005; to provide for the expenditure of these appropriations; to provide for the funding of certain work projects; to provide for the imposition of certain fees; to establish or continue certain funds, programs, and categories; to transfer certain funds; to prescribe certain requirements for bidding on state contracts; to provide for disposition of year-end balances; to prescribe the powers and duties of certain principal executive departments and state agencies, officials, and employees; and to provide for the disposition of fees and other income received by the various principal executive departments and state agencies.

(The second conference report was reported by the conference committee on September 8, consideration of which, under the rules, was postponed until today.)

(For second conference report, see House Journal No. 79, p. 2057.)

The question being on the adoption of the second conference report,

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

Roll Call No. 761

Yeas—57

Accavitti
Acciavatti
Adamini
Bieda
Brown
Byrum
Clack
Condino
Daniels
Dennis
DeRossett
Drolet
Emmons
Farrah
Gaffney

Hager
Hart
Hopgood
Howell
Hummel
Hunter
Jamnick
Johnson, Rick
Koetje
Kolb
Kooiman
LaJoy
Lipsey
McConico

Meisner
Milosch
Minore
Moolenaar
Murphy
Newell
O'Neil
Pappageorge
Pastor
Phillips
Plakas
Pumford
Reeves
Sak

Shackleton
Sheltrown
Shulman
Smith
Tabor
Taub
Tobocman
Walker
Waters
Wenke
Whitmer
Williams
Wojno
Zelenko

Nays—40

Amos
Anderson
Bisbee
Bradstreet
Brandenburg

Gielegem
Gleason
Hardman
Hoogendyk
Hune

Middaugh
Nitz
Nofs
Palmer
Palsrok

Stahl
Stakoe
Steil
Stewart
Vagnozzi

Casperson	Johnson, Ruth	Richardville	Van Regenmorter
Caswell	Julian	Robertson	Voorhees
Caul	LaSata	Rocca	Ward
Ehardt	Law	Shaffer	Woodward
Garfield	Meyer	Spade	Woronchak

In The Chair: Julian

Rep. Vander Veen moved to reconsider the vote by which the House adopted the conference report. The motion did not prevail, a majority of the members serving not voting therefor.

First Conference Report

The Committee of Conference on the matters of difference between the two Houses concerning **Senate Bill No. 1062, entitled**

A bill to make appropriations for community colleges and certain state purposes related to education for the fiscal year ending September 30, 2004 and for the fiscal year ending September 30, 2005; to provide for the expenditure of those appropriations; to establish or continue certain funds, programs, and categories; and to prescribe the powers and duties of certain state departments, institutions, agencies, employees, and officers.

Recommends:

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

A bill to make appropriations for community colleges and certain state purposes related to education for the fiscal year ending September 30, 2004 and for the fiscal year ending September 30, 2005; to provide for the expenditure of those appropriations; to establish or continue certain funds, programs, and categories; prescribe the powers and duties of certain state departments, institutions, agencies, employees, and officers; and to repeal acts and parts of acts.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

PART 1

LINE-ITEM APPROPRIATIONS FOR FISCAL YEAR 2004-2005

Sec. 101. Subject to the conditions set forth in this act, the amounts listed in this part are appropriated for community colleges and certain other state purposes relating to education for the fiscal year ending September 30, 2005, from the funds indicated in this part. The following is a summary of the appropriations in this part:

COMMUNITY COLLEGES

APPROPRIATION SUMMARY:

GROSS APPROPRIATION.....	\$	285,747,000
Interdepartmental grant revenues:		
Total interdepartmental grants and intradepartmental transfers	\$	0
ADJUSTED GROSS APPROPRIATION	\$	285,747,000
Total federal revenues		0
Total local revenues		0
Total private revenues		0
Total state restricted revenues		0
State general fund/general purpose	\$	285,747,000

Sec. 102. OPERATIONS

Alpena Community College	\$	4,566,700
Bay de Noc Community College.....		4,415,100
Delta College		12,348,100
Glen Oaks Community College.....		2,071,700
Gogebic Community College		3,777,400
Grand Rapids Community College.....		15,531,800
Henry Ford Community College		18,928,600
Jackson Community College.....		10,478,000
Kalamazoo Valley Community College.....		10,691,000
Kellogg Community College.....		8,399,600
Kirtland Community College		2,549,300
Lake Michigan College		4,520,700

	For Fiscal Year Ending Sept. 30, 2005
Lansing Community College.....	26,859,500
Macomb Community College.....	28,658,300
Mid Michigan Community College.....	3,823,000
Monroe County Community College.....	3,719,400
Montcalm Community College.....	2,690,400
C.S. Mott Community College.....	13,579,600
Muskegon Community College.....	7,727,900
North Central Michigan College.....	2,617,500
Northwestern Michigan College.....	7,885,600
Oakland Community College.....	18,077,900
St. Clair County Community College.....	6,055,400
Schoolcraft College.....	10,610,000
Southwestern Michigan College.....	5,695,500
Washtenaw Community College.....	10,783,700
Wayne County Community College.....	13,940,000
West Shore Community College.....	1,985,800
GROSS APPROPRIATION.....	\$ 262,987,500
Appropriated from:	
State general fund/general purpose.....	\$ 262,987,500
Sec. 103. TUITION RESTRAINT INCENTIVE	
Alpena Community College.....	\$ 295,800
Bay de Noc Community College.....	286,000
Delta College.....	800,000
Glen Oaks Community College.....	134,200
Gogebic Community College.....	244,800
Grand Rapids Community College.....	1,006,200
Henry Ford Community College.....	1,226,200
Jackson Community College.....	678,800
Kalamazoo Valley Community College.....	692,600
Kellogg Community College.....	544,200
Kirtland Community College.....	165,200
Lake Michigan College.....	292,800
Lansing Community College.....	1,740,000
Macomb Community College.....	1,856,400
Mid Michigan Community College.....	247,600
Monroe County Community College.....	241,000
Montcalm Community College.....	174,200
C.S. Mott Community College.....	879,800
Muskegon Community College.....	500,600
North Central Michigan College.....	169,600
Northwestern Michigan College.....	510,800
Oakland Community College.....	1,171,200
St. Clair County Community College.....	392,200
Schoolcraft College.....	687,400
Southwestern Michigan College.....	369,000
Washtenaw Community College.....	698,600
Wayne County Community College.....	903,000
West Shore Community College.....	128,600
GROSS APPROPRIATION.....	\$ 17,036,800
Appropriated from:	
State general fund/general purpose.....	\$ 17,036,800
Sec. 104. GRANTS	
At-risk student success program.....	\$ 3,322,700
Renaissance zone tax reimbursement funding.....	2,400,000
GROSS APPROPRIATION.....	\$ 5,722,700
Appropriated from:	
State general fund/general purpose.....	\$ 5,722,700

PART 2

PROVISIONS CONCERNING APPROPRIATIONS FOR FISCAL YEAR 2004-2005

GENERAL SECTIONS

Sec. 201. Pursuant to section 30 of article IX of the state constitution of 1963, total state spending from state resources under part 1 for fiscal year 2004-2005 is \$285,747,000.00 and state spending from state resources to be paid to local units of government for fiscal year 2004-2005 is \$285,747,000.00. The itemized statement below identifies appropriations from which spending to local units of government will occur:

Operations.....	\$	280,024,300
At-risk student success program.....		3,322,700
Renaissance zone tax reimbursement program		2,400,000
TOTAL	\$	<u>285,747,000</u>

Sec. 202. The appropriations authorized under this act are subject to the management and budget act, 1984 PA 431, MCL 18.1101 to 18.1594.

Sec. 203. Unless otherwise specified, a community college receiving appropriations in part 1 and the department of labor and economic growth shall use the Internet to fulfill the reporting requirements of this act. This requirement may include transmission of reports via electronic mail to the recipients identified for each reporting requirement or it may include placement of reports on an Internet or Intranet site.

Sec. 207. (1) The amount appropriated in section 103 for community college tuition restraint shall only be paid to a community college that certified to the state budget director by June 30, 2004 that it did not adopt an increase in in-district tuition and fees after December 1, 2003 for the 2003-2004 academic year and that it will not increase its in-district tuition and fees for any semester in the 2004-2005 academic year by more than 2.8% from its in-district tuition and fees in the 2003-2004 academic year.

(2) For the purposes of subsection (1), a community college that adopted an increase in in-district tuition and fees after December 1, 2003 for the 2003-2004 academic year, but subsequently rebated to its students an amount equal to this increase prior to June 30, 2004 is considered to have not adopted an in-district tuition and fee increase for the 2003-2004 academic year.

(3) The state budget director shall implement a reporting requirement based on definitions and uniform reporting requirements established by the state budget director and the house and senate fiscal agencies, to ensure that a community college receiving an appropriation under section 103 has satisfied the tuition restraint requirements of this section.

(4) If a community college complies with the tuition restraint requirements described in this section, its state appropriation will not be reduced by executive order or any other manner during the 2004-2005 fiscal year.

Sec. 208. The department of labor and economic growth shall work collaboratively with community colleges to develop an accelerated entrepreneurship curriculum, including an associate degree, to provide students with the skills and knowledge needed for creating their own businesses.

Sec. 209. (1) Funds appropriated in part 1 shall not be used for the purchase of foreign goods or services, or both, if competitively priced and comparable quality American goods or services, or both, are available.

(2) Funds appropriated in part 1 shall not be used for the purchase of out-of-state goods or services, or both, if competitively priced and comparable quality Michigan goods or services, or both, are available.

Sec. 210. The principal executive officer of each community college receiving appropriations in part 1 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. Each principal executive officer shall strongly encourage firms with which the community college contracts to subcontract with certified businesses in depressed and deprived communities for services or supplies, or both.

Sec. 211. (1) The money appropriated in this act is appropriated for community colleges with fiscal years ending June 30, 2005, and shall be paid out of the state treasury and distributed by the state treasurer to the respective community colleges in 11 monthly installments on the sixteenth of each month, or the next succeeding business day, beginning with October 16, 2004. Each community college shall accrue its July and August 2005 payments to its institutional fiscal year ending June 30, 2005. However, if a community college fails to submit all verified Michigan community colleges activities classification structure data for school year 2003-2004 to the department of labor and economic growth by November 1, 2004, the monthly installments shall be withheld from that community college until those data are submitted. The amount from the money appropriated in part 1 that is allocated to address the special needs of at-risk students shall be paid in full by the state treasurer by November 1, 2004. The amount distributed to a community college or department shall not exceed the net state allocation authorized by this act.

(2) Except as otherwise provided by law, each of the amounts appropriated shall be used solely for the respective purposes stated in this act. The money appropriated by this act may be used to match the cost of any available programs under the Carl D. Perkins vocational and applied technology education act, 20 USC 2301 to 2415, including local administration.

Sec. 216. (1) A community college shall pay the employer's contributions to the Michigan public school employees' retirement system created by the public school employees retirement act of 1979, 1980 PA 300, MCL 38.1301 to 38.1408, as a condition of receiving money appropriated under this act.

(2) A community college shall not pay an employer's contribution to more than 1 retirement fund providing benefits for an employee.

(3) A community college shall not be required to submit more than 4 reports annually to the Michigan public school employees' retirement system for purposes of calculating retirement benefits.

Sec. 217. Money appropriated in part 1 shall not be used to pay for the construction or maintenance of a self-liquidating project. Any construction, renovation, or other capital outlay project that exceeds \$1,000,000.00 requires the approval of a use and finance statement by the joint capital outlay subcommittee (JCOS) pursuant to JCOS policy.

Sec. 220. It is the intent of the legislature that the legislature restore the infrastructure, technology, equipment, and maintenance (ITEM) funding provided in previous fiscal years. In addition, it is the intent of the legislature that the legislature, in cooperation with the Michigan community college association, develop proposals and financing alternatives for special maintenance projects at community colleges that otherwise would not qualify for financing under the state building authority.

Sec. 224. Recognizing the critical importance of education in strengthening Michigan's workforce, the legislature encourages the state's public community colleges to explore ways of increasing collaboration and cooperation with 4-year universities, particularly in the areas related to training, instruction, and program articulation.

Sec. 230. (1) A community college shall not expend money appropriated under this act 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. A community college shall not approve a collective bargaining agreement or enter into any other employment contract 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.

(2) If a community college expends money appropriated under this act in violation of subsection (1), the community college shall repay to this state an amount equal to the amount of money spent in violation of subsection (1).

Sec. 231. In light of sections 1, 3, and 4 of 1846 RS 83, MCL 551.1, 551.3, and 551.4, and section 1 of 1939 PA 168, MCL 551.271, the legislature intends that a community college receiving funding under this act shall not use part 1 money to extend employee benefits to the unmarried partners of the community college's employees except for pre- and post-natal costs.

Sec. 234. The legislature intends that each community college do all of the following:

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

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

Sec. 235. It is the intent of the legislature that a workgroup be formed to evaluate, discuss, and make recommendations for future action regarding state university admission and enrollment policies that specifically address the acceptance and application of college credits earned by students through the postsecondary enrollment options act, 1996 PA 160, MCL 388.511 to 388.524. The Michigan community college association may create and administer the workgroup and is encouraged to include members representing university and K-12 school organizations.

Sec. 236. (1) It is the intent of the legislature that any existing or new reciprocal tuition agreements entered into under 1972 PA 251, MCL 390.501 to 390.506, be submitted for review and approval by the house and senate appropriations committees at least once every 3 years.

(2) It is the intent of the legislature that, under any reciprocal tuition agreement approved by the house and senate appropriations committees, out-of-state students pay the in-state, out-of-district tuition and fee rate at any Michigan community college participating in the agreement.

Sec. 237. It is the intent of the legislature that a workgroup that includes members of the legislature and the Michigan community colleges association be formed to evaluate, discuss, and make recommendations regarding the possibility of state payments in lieu of taxes to community colleges whose districts contain state-owned land.

Sec. 238. It is the intent of the legislature that a workgroup that includes members of the legislature and the Michigan community colleges association be formed to evaluate, discuss, and make recommendations regarding the impact of expanding eligibility for the optional retirement plan established in section 3 of the optional retirement act of 1967, 1967 PA 156, MCL 38.383, to include faculty employed by community colleges on a part-time basis.

Sec. 239. The legislature intends that any executive or legislative proposal or action, subsequent to the adoption of a recommendation for appropriations for community colleges for the fiscal year ending September 30, 2005, to increase appropriations to state-supported 4-year universities in excess of the governor's original recommendation for the fiscal year ending September 30, 2005, will be accompanied by a similar action or proposal for state-supported community colleges.

Sec. 240. The legislature intends that not less than 70% of the economic development job training grant money be awarded to community colleges or a consortium of community colleges and other eligible applicants as provided in the budget that appropriated the economic development job training grant money. Further, the legislature intends that at least a portion of the total appropriation for economic development job training grants be awarded to community colleges that offer certified programs that are bureau of apprenticeship training certified. The Michigan economic development corporation shall report by November 1 of each year to the house and senate appropriations subcommittees on community colleges and the senate and house fiscal agencies the names of the community colleges awarded grant money under this section, the amount of the grants awarded, and the percentage awarded to bureau of apprenticeship training certified programs.

STATE AID - OPERATIONS

Sec. 301. Unless otherwise stated, all data items used in determining state aid in this act are as defined in the 2001 Manual for Uniform Financial Reporting, Michigan Public Community Colleges, which shall be the basis for reporting data, and the 2003 Activities Classification Structure Manual for Michigan Community Colleges, which shall be used to document financial needs of the community colleges.

Sec. 302. A community college shall not include in the enrollment data reported for determining state aid under this act any student credit hours or student contact hours for a student incarcerated in a Michigan penal institution. Exclusion of these students is intended to avoid the payment of state aid under this act for the same individuals for whom reimbursement is provided by the state correctional system.

Sec. 303. A community college selected for audit under section 502 whose audited activities classification structure data is significantly different than the data used to determine state aid under this act shall return any overappropriated money as provided in this subsection. The department of labor and economic growth shall compare formula computations for the audited colleges using pre- and post-audit data. If the state allocation is 2% or more than the post-audit allocation amount, the college shall return the excess money. The returned money shall be redistributed to all 28 community colleges, prorated on the base appropriations contained in part 1.

Sec. 304. It is the intent of the legislature to achieve full funding of the Gast-Mathieu fairness in funding formula.

GRANTS

Sec. 401. (1) The community college at-risk student success program is continued. The funding shall be prorated among community colleges based on the number of student contact hours for developmental and preparatory instruction reported by each community college to the department of labor and economic growth pursuant to the 2003 Activities Classification Structure Manual for Michigan Community Colleges. Of the amount appropriated in part 1 for the at-risk student success program, \$1,120,000.00 is allocated for base grants of \$40,000.00 each, to address the special needs of at-risk students at community colleges or the acquisition or upgrade of technology-related equipment and software.

(2) Of the amount appropriated in part 1 for the at-risk student success program, the balance of the appropriated money shall be distributed on a proration utilizing the sum of the most recent 3 years developmental/preparatory contact hours divided by the sum of the 3-year total contact hours at each college. Each community college's percentage shall be divided by the sum of all the percentages systemwide to obtain each community college's prorated grant amount.

(3) For the fiscal year ending September 30, 2005, the at-risk student success program money is allocated as follows:

Alpena Community College	\$ 72,300
Bay de Noc Community College.....	83,900
Delta College	99,700
Glen Oaks Community College.....	125,600
Gogebic Community College	70,700
Grand Rapids Community College.....	111,500
Henry Ford Community College	146,000
Jackson Community College	98,100
Kalamazoo Valley Community College.....	93,800
Kellogg Community College.....	146,200
Kirtland Community College	133,000
Lake Michigan College	155,000
Lansing Community College.....	142,600
Macomb Community College.....	83,600
Mid Michigan Community College.....	126,800
Monroe County Community College.....	91,300
Montcalm Community College	67,200
C.S. Mott Community College.....	100,700
Muskegon Community College	183,300
North Central Michigan College	117,500
Northwestern Michigan College.....	124,600

Oakland Community College	144,000
St. Clair Community College	92,000
Schoolcraft College.....	130,400
Southwestern Michigan College.....	141,500
Washtenaw Community College.....	158,400
Wayne County Community College	161,200
West Shore Community College	121,800

(4) As used in this act, “at-risk students” means students who meet 1 or more of the following criteria:

(a) Are initially placed in 1 or more developmental courses as a result of standardized testing or as a result of failure to make satisfactory academic progress.

(b) Are diagnosed as learning disabled.

(c) Require English as a second language (ESL) assistance.

(5) Grant funding under this section shall be 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.

(6) Grant funding under this section shall not be used for indirect costs including, but not limited to, rent, utilities, or, except as provided in this section, college administration.

(7) Each community college shall report to the department of labor and economic growth a summary of all accomplishments under, expenditures for, and compliance with the intent of this program, including the number of at-risk students served. The report is subject to audit as provided for in section 502(1). The report shall be submitted not later than 90 days after the end of the state’s fiscal year.

Sec. 404. The appropriation in part 1 for renaissance zone reimbursements shall be made to each eligible recipient no later than 60 days after the department of treasury certifies to the state budget director that it has received all necessary information to properly determine the amounts due each eligible recipient under section 12 of the Michigan renaissance zone act, 1996 PA 376, MCL 125.2692.

REPORTS AND AUDITS

Sec. 501. The department of labor and economic growth shall publish the activities classification structure data book for Michigan community colleges on or before March 1, 2005, for use by the legislature during budget development for the fiscal year ending September 30, 2006.

Sec. 502. (1) The auditor general or an independent public accounting firm appointed by the auditor general shall audit data for the fiscal year ending on June 30, 2004, as submitted to the department of labor and economic growth by 7 randomly selected community colleges. A community college shall maintain and provide those records necessary for the auditor general or certified public accountant appointed by the auditor general to determine the accuracy of the reported data. The audits shall be based upon the definitions and requirements contained in the 2001 Manual for Uniform Financial Reporting, Michigan Public Community Colleges and the 2003 Activities Classification Structure Manual for Michigan Community Colleges. Before the submission of a final audit report, a community college may appeal the findings of the preliminary report under an appeal process to be established by the auditor general. The auditor general shall submit a report of the findings to the house and senate appropriations committees, the department of labor and economic growth, and the state budget director before June 1, 2005.

(2) The auditor general or a certified public accountant appointed by the auditor general may conduct performance audits of community colleges as the auditor general considers necessary.

(3) Not more than 60 days after an audit report is released by the office of the auditor general, the principal executive officer of the community college that was audited shall submit to the house and senate appropriations committees, the house and senate fiscal agencies, the department of labor and economic growth, the auditor general, and the state budget director a plan to comply with audit recommendations. The plan shall contain projected dates and resources required, if any, to achieve compliance with the audit recommendations, or a documented explanation of the college’s noncompliance with the audit recommendations concerning the matters on which the audited community college and office of the auditor general disagree.

Sec. 503. The department of labor and economic growth shall review the taxonomy of the 7 community colleges selected for the audit under section 502 that is based on the 2003 Activities Classification Structure Manual for Michigan Community Colleges.

Sec. 504. (1) A community college shall retain certified class summaries, class lists, registration documents, and student transcripts that are consistent with the taxonomy of courses. For each enrollment period during the fiscal year, these certified documents shall identify clearly by course the number of in-district and out-of-district student credit and contact hours. The class summaries and class lists shall be consistent with each other and shall include the course prefix and numbers, course title, course credit and contact hours, credit and contact hours generated by each student, and activity classifications consistent with the taxonomy. An auditable process shall be used by the community college

to determine the unduplicated head count for in-district students, out-of-district students, and prisoners for each enrollment period during the fiscal year.

(2) Contracts between the community college and agencies that reimburse the community college for the costs of instruction shall be retained for audit purposes.

Sec. 505. Each community college shall have an annual audit of all income and expenditures performed by an independent auditor and shall furnish the independent auditor's management letter and an annual audited accounting of all general and current funds income and expenditures including audits of college foundations to the members of the senate and house appropriations subcommittees on community colleges, the senate and house fiscal agencies, the auditor general, the department of labor and economic growth, and the state budget director before November 15, 2004. If a community college fails to furnish the audit materials, the monthly state aid installments shall be withheld from that college until the information is submitted. All reporting shall conform to the requirements set forth in the 2001 Manual for Uniform Financial Reporting, Michigan Public Community Colleges.

Sec. 506. (1) Each community college shall report the following to the department of labor and economic growth no later than November 1, 2004:

(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 labor and economic growth 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 those waivers to individuals who meet the criteria and request tuition waivers.

(3) The department of labor and economic growth shall compile the information received under subsection (1) and shall submit this compilation to the house and senate appropriations subcommittees on community colleges, the senate and house fiscal agencies, and the state budget director by January 7, 2005.

Sec. 507. Upon request, a community college shall inform interested Michigan high schools of the aggregate academic status of its students for the prior academic year, in a manner prescribed by the Michigan community college association and in cooperation with the Michigan association of secondary school principals.

Sec. 508. (1) Each community college shall report to the house and senate fiscal agencies, the state budget director, and the department of labor and economic growth by August 31, 2004, the tuition and mandatory fees paid by a full-time in-district student and a full-time out-of-district student as established by the college governing board for the 2004-2005 academic year. This report should also include the annual cost of attendance based on a full-time course load of 30 credits. Each community college shall also report any revisions to the reported 2004-2005 academic year tuition and mandatory fees adopted by the college governing board to the house and senate fiscal agencies, the state budget director, and the department of labor and economic growth within 15 days of being adopted.

(2) The department of labor and economic growth shall prepare and provide to community colleges a standard format for reporting tuition and fees pursuant to subsection (1).

Sec. 509. (1) Each community college shall report to the department of labor and economic growth the numbers and type of associate degrees and other certificates awarded during the previous fiscal year. The report shall be made not later than November 15, 2004.

(2) The department of labor and economic growth shall compile the information received under subsection (1) and shall submit this compilation to the house and senate appropriations subcommittees on community colleges, the senate and house fiscal agencies, and the state budget director by January 7, 2005.

Sec. 510. A community college receiving funding under this act and also subject to the student right-to-know and campus security act, Public Law 101-542, 104 Stat. 2381, shall make a copy of all material prepared in accordance with the public information reporting requirements under the crime awareness and campus security act of 1990, title II of the student right-to-know and campus security act, Public Law 101-542, 104 Stat. 2384, available in hard copy and electronic format accessible through the Internet for school districts, parents, and students.

Sec. 511. (1) It is the intent of the legislature that the frequency and scope of on-site visits, evaluations, audits, and similar activities be limited to that which is reasonably necessary to monitor the performance of community colleges and confirm the accuracy of reported data. On-site visits, evaluations, audits, and similar activities conducted to comply with the state plan approved by the United States department of education under the Perkins act shall be limited to those necessary to meet the requirements of the state plan.

(2) In developing and implementing audit and reporting requirements, including those included in current and proposed state plans under the Perkins act, the department of labor and economic growth shall consult with community colleges, the legislative auditor general, and independent auditors in an effort to coordinate activities and minimize duplication of audit and reporting requirements imposed on community colleges.

(3) At least 30 days before submission of a new state plan to the United States department of education for approval under the Perkins act, the department of labor and economic growth shall provide copies of the proposed plan to the members of the senate and house appropriations subcommittees on community colleges for their review and comment. Copies of the proposed plan shall be provided to the senate and house fiscal agencies and the state budget director at the same time that they are provided to the senate and house subcommittees.

(4) The Perkins grant application process and content shall be streamlined to the extent possible.

(5) As used in this section, "Perkins act" means the Carl D. Perkins vocational and applied technology education act, 20 USC 2301 to 2415.

Sec. 513. The department of treasury shall annually collect and compile data on the tax revenue losses to community colleges resulting from tax increment financing authorities (TIFA) and tax abatements. The department of treasury shall produce a report detailing the data. The report shall be completed and presented to the house and senate appropriations subcommittees on community colleges, the department of career development, and the department of management and budget not later than February 15, 2005. The report shall include, but is not limited to, the following:

- (a) Estimated revenue losses for each community college for the calendar year 2004.
- (b) Confirmed revenue losses for each community college for the calendar years 2002 and 2003.
- (c) Other requirements requested by the house and senate appropriations subcommittees on community colleges.

PART 2A

APPROPRIATIONS AND PROVISIONS CONCERNING APPROPRIATIONS FOR FISCAL YEAR 2003-2004

GENERAL SECTIONS

Sec. 1201. (1) Subject to subsection (4), a community college certifying to the state budget director by June 30, 2004 that it did not adopt an increase in in-district tuition and fees after December 1, 2003 for the 2003-2004 academic year and that it will not increase its in-district tuition and fees for any semester in the 2004-2005 academic year by more than 2.8% from its in-district tuition and fees in the 2003-2004 academic year shall be paid in the fiscal year ending September 30, 2004 from state general fund/general purpose revenues an additional state appropriation as follows:

Alpena Community College.....	\$ 148,000
Bay de Noc Community College.....	143,100
Delta College.....	400,100
Glen Oaks Community College.....	67,200
Gogebic Community College.....	122,500
Grand Rapids Community College.....	503,200
Henry Ford Community College.....	613,200
Jackson Community College.....	339,500
Kalamazoo Valley Community College.....	346,400
Kellogg Community College.....	272,200
Kirtland Community College.....	82,700
Lake Michigan College.....	146,500
Lansing Community College.....	870,100
Macomb Community College.....	928,300
Mid Michigan Community College.....	123,900
Monroe County Community College.....	120,600
Montcalm Community College.....	87,200
C.S. Mott Community College.....	440,000
Muskegon Community College.....	250,400
North Central Michigan College.....	84,900
Northwestern Michigan College.....	255,500
Oakland Community College.....	585,700
St. Clair County Community College.....	196,200
Schoolcraft College.....	343,800
Southwestern Michigan College.....	184,600
Washtenaw Community College.....	349,400
Wayne County Community College.....	451,600
West Shore Community College.....	64,400
Total.....	8,521,200

(2) For the purposes of subsection (1), a community college that adopted an increase in in-district tuition and fees after December 1, 2003 for the 2003-2004 academic year, but subsequently rebated to its students an amount equal to this increase prior to June 30, 2004 is considered to have not adopted an in-district tuition and fee increase for the 2003-2004 academic year.

(3) The state budget director shall implement a reporting requirement based on definitions and uniform reporting requirements established by the state budget director and the house and senate fiscal agencies, to ensure that a community college receiving an appropriation under this section has satisfied its tuition restraint requirements.

(4) If the Northville Psychiatric Hospital property is not sold by the state prior to October 1, 2004, the appropriations listed in subsection (1) shall be paid in the fiscal year ending September 30, 2005, rather than the state fiscal year ending September 30, 2004, and it is the intent of the legislature that the appropriations will be paid in full no later than October 15, 2004.

REPEALERS

Enacting section 1. Section 251 of 2003 PA 237 is repealed.

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

A bill to make appropriations for community colleges and certain state purposes related to education for the fiscal year ending September 30, 2004 and for the fiscal year ending September 30, 2005; to provide for the expenditure of those appropriations; to establish or continue certain funds, programs, and categories; and to prescribe the powers and duties of certain state departments, institutions, agencies, employees, and officers.

Ron Jelinek
 Tony Stamas
 Michael Switalski
 Conferees for the Senate

Bruce Caswell
 Jack Brandenburg
 Michael Sak
 Conferees for the House

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

Rep. Richardville moved pursuant to Joint Rule 9, that the Journal printing requirement be suspended, printed copies of the text having been made available to each Member.

The motion prevailed.

The question being on the adoption of the conference report,

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

Roll Call No. 762

Yeas—104

Accavitti	Gieleghem	Meisner	Sheen
Acciavatti	Gillard	Meyer	Sheltrown
Adamini	Gleason	Middaugh	Shulman
Amos	Hager	Milosch	Smith
Anderson	Hardman	Minore	Spade
Bieda	Hart	Moolenaar	Stahl
Bisbee	Hood	Murphy	Stakoe
Bradstreet	Hoogendyk	Newell	Steil
Brandenburg	Hopgood	Nitz	Stewart
Brown	Howell	Nofs	Tabor
Byrum	Huizenga	O'Neil	Taub
Casperson	Hummel	Palmer	Tobocman
Caswell	Hune	Palsrok	Vagnozzi
Caul	Hunter	Pappageorge	Van Regenmorter
Clack	Jamnick	Pastor	Vander Veen
Condino	Johnson, Rick	Phillips	Voorhees
Daniels	Johnson, Ruth	Plakas	Walker
Dennis	Julian	Pumford	Ward
DeRoche	Koetje	Reeves	Waters
DeRossett	Kolb	Richardville	Wenke
Elkins	Kooiman	Rivet	Whitmer
Emmons	LaJoy	Robertson	Williams
Farhat	LaSata	Rocca	Wojno
Farrah	Law	Sak	Woodward
Gaffney	Lipsey	Shackleton	Woronchak
Garfield	McConico	Shaffer	Zelenko

Nays—1

Drolet

In The Chair: Julian

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

Rep. Richardville moved that Rule 45(c) be suspended.
 The motion prevailed, 3/5 of the members present voting therefor.

Rep. Richardville moved that the Committee on Judiciary be discharged from further consideration of **House Bill No. 4742**.

(For first notice see House Journal No. 79, p. 2098.)

The question being on the motion made by Rep. Richardville,
 The motion prevailed, a majority of the members serving voting therefor.
 The bill was placed on the order of Second Reading of Bills and laid over one day.

Second Reading of Bills

Rep. Richardville moved that Rule 48 be suspended.
 The motion prevailed, 3/5 of the members present voting therefor.

House Bill No. 4742, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 3 of chapter XI (MCL 771.3), as amended by 1998 PA 520.

The bill was read a second time.

Rep. Howell moved to substitute (H-1) the bill.

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

Rep. Howell moved to amend the bill as follows:

1. Amend page 3, line 18, after "or" by striking out the balance of the line.
2. Amend page 3, line 19, after "or" by inserting a comma and "**beginning January 1, 2005**,".
3. Amend page 6, line 13, after "**is**" by striking out "**delayed**" and inserting "**deferred**".

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

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

The motion prevailed.

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

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

Rep. Accavitti moved that Rep. Wojno be excused temporarily from today's session.
 The motion prevailed.

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

House Bill No. 4742, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 3 of chapter XI (MCL 771.3), as amended by 1998 PA 520.

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

Roll Call No. 763

Yeas—105

Accavitti
 Acciavatti

Garfield
 Gielegem

McConico
 Meisner

Shaffer
 Sheen

Adamini	Gillard	Meyer	Sheltrown
Amos	Gleason	Middaugh	Shulman
Anderson	Hager	Milosch	Smith
Bieda	Hardman	Minore	Spade
Bisbee	Hart	Moolenaar	Stahl
Bradstreet	Hood	Murphy	Stakoe
Brandenburg	Hoogendyk	Newell	Steil
Brown	Hopgood	Nitz	Stewart
Byrum	Howell	Nofs	Tabor
Casperson	Huizenga	O'Neil	Taub
Caswell	Hummel	Palmer	Tobocman
Caul	Hune	Palsrok	Vagnozzi
Clack	Hunter	Pappageorge	Van Regenmorter
Condino	Jamnack	Pastor	Vander Veen
Daniels	Johnson, Rick	Phillips	Voorhees
Dennis	Johnson, Ruth	Plakas	Walker
DeRoche	Julian	Pumford	Ward
DeRossett	Koetje	Reeves	Waters
Drolet	Kolb	Richardville	Wenke
Ehardt	Kooiman	Rivet	Whitmer
Elkins	LaJoy	Robertson	Williams
Emmons	LaSata	Rocca	Woodward
Farhat	Law	Sak	Woronchak
Farrah	Lipsey	Shackleton	Zelenko
Gaffney			

Nays—0

In The Chair: Julian

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

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

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 3 of chapter XI (MCL 771.3), as amended by 2004 PA 219.

The motion prevailed.

The House agreed to the title as amended.

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

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

By unanimous consent the House returned to the order of

Messages from the Senate

The Speaker laid before the House

House Bill No. 6021, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 17766 (MCL 333.17766), as amended by 1990 PA 30, and by adding section 17766d.

(The bill was received from the Senate on August 4, with amendments, full title inserted and immediate effect given by the Senate, consideration of which, under the rules, was postponed until today, see House Journal No. 72, p. 1757.)

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

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

Roll Call No. 764

Yeas—92

Acciavatti	Garfield	Meisner	Shaffer
Adamini	Gielegem	Meyer	Sheen

Amos	Gillard	Middaugh	Sheltrown
Anderson	Gleason	Milosch	Shulman
Bieda	Hager	Minore	Spade
Bisbee	Hart	Moolenaar	Stahl
Bradstreet	Hoogendyk	Newell	Stakoe
Brandenburg	Hopgood	Nitz	Steil
Brown	Howell	Nofs	Stewart
Byrum	Huizenga	O'Neil	Tabor
Casperson	Hummel	Palmer	Taub
Caswell	Hune	Palsrok	Tobocman
Caul	Jamnack	Pappageorge	Vagnozzi
Clack	Johnson, Rick	Pastor	Van Regenmorter
Dennis	Johnson, Ruth	Phillips	Vander Veen
DeRoche	Julian	Plakas	Voorhees
DeRossett	Koetje	Pumford	Walker
Drolet	Kolb	Reeves	Ward
Ehardt	Kooiman	Richardville	Waters
Elkins	LaJoy	Robertson	Wenke
Emmons	LaSata	Rocca	Whitmer
Farhat	Law	Sak	Woodward
Gaffney	Lipsey	Shackleton	Woronchak

Nays—12

Accavitti	Farrah	Hunter	Smith
Condino	Hardman	McConico	Williams
Daniels	Hood	Murphy	Zelenko

In The Chair: Julian

The House agreed to the full title.

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

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

“Mr. Speaker and members of the House:

I voted ‘No’ on House Bill 6021 because this bill is the result of efforts by the Department of Corrections to privatize pharmacy services in our prison system and will result in the loss of Michigan jobs. This bill also allows registered nurses (RNs) and licensed practical nurses (LPNs) to oversee pharmacy operations when these positions should be filled by qualified pharmacists to protect the safety of the medications being dispensed.”

Second Reading of Bills

House Bill No. 5414, entitled

A bill to amend 1939 PA 280, entitled “The social welfare act,” by amending section 106 (MCL 400.106), as amended by 2003 PA 33.

Was read a second time, and the question being on the adoption of the proposed amendments previously recommended by the Committee on Appropriations (for amendments, see House Journal No. 79, p. 2097),

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

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

The motion prevailed.

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

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

Rep. Whitmer moved that Rep. Phillips be excused temporarily from today’s session.
The motion prevailed.

Rep. Nitz moved that Rep. Pumford be excused temporarily from today’s session.
The motion prevailed.

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

House Bill No. 5414, entitled

A bill to amend 1939 PA 280, entitled “The social welfare act,” by amending section 106 (MCL 400.106), as amended by 2003 PA 33.

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

Roll Call No. 765

Yeas—102

Accavitti	Gaffney	McConico	Sheen
Acciavatti	Garfield	Meisner	Sheltrown
Adamini	Gielegem	Meyer	Shulman
Amos	Gillard	Middaugh	Smith
Anderson	Gleason	Milosch	Spade
Bieda	Hager	Minore	Stahl
Bisbee	Hardman	Moolenaar	Stakoe
Bradstreet	Hart	Murphy	Steil
Brandenburg	Hood	Newell	Stewart
Brown	Hoogendyk	Nitz	Tabor
Byrum	Hopgood	Nofs	Taub
Casperson	Howell	O’Neil	Tobocman
Caswell	Huizenga	Palmer	Vagnozzi
Caul	Hummel	Palsrok	Van Regenmorter
Clack	Hune	Pappageorge	Vander Veen
Condino	Hunter	Pastor	Voorhees
Daniels	Jamnick	Plakas	Walker
Dennis	Johnson, Rick	Reeves	Ward
DeRoche	Johnson, Ruth	Richardville	Waters
DeRossett	Julian	Rivet	Wenke
Drolet	Koetje	Robertson	Whitmer
Ehardt	Kooiman	Rocca	Williams
Elkins	LaJoy	Sak	Woodward
Emmons	LaSata	Shackleton	Woronchak
Farhat	Law	Shaffer	Zelenko
Farrah	Lipsey		

Nays—0

In The Chair: Julian

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

Second Reading of Bills

House Bill No. 6122, entitled

A bill to amend 1855 PA 105, entitled “An act to regulate the disposition of the surplus funds in the state treasury; to provide for the deposit of surplus funds in certain financial institutions; to lend surplus funds pursuant to loan

agreements secured by certain commercial, agricultural, or industrial real and personal property; to authorize the loan of surplus funds to certain municipalities; to authorize the participation in certain loan programs; to authorize an appropriation; and to prescribe the duties of certain state agencies," (MCL 21.142 to 21.147) by adding section 2g.

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

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

Rep. Williams moved to amend the bill as follows:

1. Amend page 2, line 20, after "**employees.**" by striking out the balance of the subsection.

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

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

The motion prevailed.

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

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

Rep. Nitz moved that Reps. Caswell and Hummel be excused temporarily from today's session.

The motion prevailed.

By unanimous consent the House returned to the order of

Third Reading of Bills

House Bill No. 6122, entitled

A bill to amend 1855 PA 105, entitled "An act to regulate the disposition of the surplus funds in the state treasury; to provide for the deposit of surplus funds in certain financial institutions; to lend surplus funds pursuant to loan agreements secured by certain commercial, agricultural, or industrial real and personal property; to authorize the loan of surplus funds to certain municipalities; to authorize the participation in certain loan programs; to authorize an appropriation; and to prescribe the duties of certain state agencies," (MCL 21.142 to 21.147) by adding section 2g.

Was read a third time and passed, 2/3 of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 766

Yeas—97

Accavitti	Gillard	Meyer	Sheltrown
Acciavatti	Gleason	Middaugh	Shulman
Adamini	Hager	Milosch	Smith
Amos	Hardman	Minore	Spade
Anderson	Hart	Moolenaar	Stahl
Bieda	Hood	Murphy	Stakoe
Bisbee	Hopgood	Newell	Steil
Brandenburg	Howell	Nitz	Stewart
Brown	Huizenga	Nofs	Tabor
Byrum	Hune	O'Neil	Taub
Casperson	Hunter	Palmer	Tobocman
Caul	Jamnack	Palsrok	Vagnozzi
Clack	Johnson, Rick	Pappageorge	Van Regenmorter
Condino	Johnson, Ruth	Pastor	Vander Veen
Daniels	Julian	Plakas	Voorhees
Dennis	Koetje	Reeves	Walker
DeRoche	Kolb	Richardville	Ward
DeRossett	Kooiman	Rivet	Waters
Ehardt	LaJoy	Robertson	Wenke
Elkins	LaSata	Rocca	Whitmer
Emmons	Law	Sak	Williams

Farhat
Farrah
Gaffney
Gielegem

Lipsey
McConico
Meisner

Shackleton
Shaffer
Sheen

Woodward
Woronchak
Zelenko

Nays—4

Bradstreet

Drolet

Garfield

Hoogendyk

In The Chair: Julian

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

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

A bill to amend 1855 PA 105, entitled “An act to regulate the disposition of the surplus funds in the state treasury; to provide for the deposit of surplus funds in certain financial institutions; to lend surplus funds pursuant to loan agreements secured by certain commercial, agricultural, or industrial real and personal property; to authorize the loan of surplus funds to certain municipalities; to authorize the participation in certain loan programs; to authorize an appropriation; and to prescribe the duties of certain state agencies,” by amending section 2e (MCL 21.142e), as added by 2001 PA 123.

The motion prevailed.

The House agreed to the title as amended.

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

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

Reps. McConico, Stewart, Minore, Zelenko, Kolb, Jamnick, Richardville, Spade, Lipsey, Murphy, Hager, Julian, Hummel, Williams, Brown, Smith, Hunter, Tobocman, Farrah, Law, Bieda, Meisner, Vagnozzi, Accavitti, Stakoe, Hune, Gleason, Milosch, Wenke, Byrum, Sak, Stahl, Huizenga, Elkins, Moolenaar, Gillard and Casperson were named co-sponsors of the bill.

By unanimous consent the House returned to the order of

Reports of Select Committees

First Conference Report

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

Senate Bill No. 1066, entitled

A bill to make appropriations for the department of environmental quality for the fiscal year ending September 30, 2005; to provide for the expenditure of those appropriations; to create certain funds and accounts; to require certain reports; to prescribe the 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, amended to read as follows:

A bill to make appropriations for the department of environmental quality for the fiscal year ending September 30, 2005; to provide for the expenditure of those appropriations; to create certain funds and accounts; to require certain reports; to prescribe the powers and duties of certain state agencies and officials; to authorize certain transfers by certain state agencies; and to provide for the disposition of fees and other income received by the various state agencies.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

PART 1

LINE-ITEM APPROPRIATIONS

Sec. 101. Subject to the conditions set forth in this act, the amounts listed in this part are appropriated for the department of environmental quality for the fiscal year ending September 30, 2005, from the funds indicated in this part. The following is a summary of the appropriations in this part:

DEPARTMENT OF ENVIRONMENTAL QUALITY

Full-time equated unclassified positions6.0

Full-time equated classified positions1,564.2

GROSS APPROPRIATION..... \$ 341,649,300

For Fiscal Year
Ending Sept. 30,
2005

Interdepartmental grant revenues:	
Total interdepartmental grants and intradepartmental transfers	14,263,000
ADJUSTED GROSS APPROPRIATION	\$ 327,386,300
Federal revenues:	
Total federal revenues	133,766,800
Special revenue funds:	
Total local revenues	0
Total private revenues	445,900
Total other state restricted revenues	164,450,800
State general fund/general purpose	\$ 28,722,800
FUND SOURCE SUMMARY:	
Full-time equated unclassified positions	6.0
Full-time equated classified positions	1,564.2
GROSS APPROPRIATION	\$ 341,649,300
Interdepartmental grant revenues:	
IDG-MDA	106,200
IDG-MDCH, local public health operations	10,472,500
IDG-MDSP	672,700
IDG, Michigan transportation fund	958,200
IDT, interdivisional charges	2,053,400
Total interdepartmental grants and intradepartmental transfers	14,263,000
ADJUSTED GROSS APPROPRIATION	\$ 327,386,300
Federal revenues:	
DHS, federal	225,700
DOC-NOAA, federal	3,194,200
DOD, federal	485,600
DOI, federal	542,600
EPA, brownfield cleanup revolving loan fund	1,000,000
EPA, multiple	127,425,800
FEMA, federal	892,900
Total federal revenues	133,766,800
Special revenue funds:	
Private funds	445,900
Total private revenues	445,900
Aboveground storage tank fees	752,600
Air emissions fees	12,089,000
Aquifer protection revolving fund	450,000
CESARS service fee	27,700
Clean Michigan initiative - administration	3,081,600
Clean Michigan initiative - clean water fund	3,129,000
Clean Michigan initiative - response activities	2,455,600
Cleanup and redevelopment fund	20,951,100
Commercial laboratory fees	15,000
Community pollution prevention fund	250,000
Drinking water revolving fund	6,163,200
Environmental education fund	186,400
Environmental pollution prevention fund	1,516,100
Environmental protection fund	613,300
Environmental response fund	4,513,300
Fees and collections	1,152,400
Financial instruments	5,000,000
Great Lakes protection fund	2,516,800
Groundwater discharge permit fees	1,846,700
Hazardous materials transportation permit fund	94,300
Land and water permit fees	3,364,300
Landfill maintenance trust fund	50,600
Manufactured housing commission fees	621,200

	For Fiscal Year Ending Sept. 30, 2005
Medical waste emergency response fund.....	250,400
Metallic mining surveillance fee revenue.....	68,800
Mineral well regulatory fee revenue	222,200
NPDES fees	3,092,400
Oil and gas regulatory fund.....	9,118,900
Orphan well fund	2,015,300
Public utility assessments	793,900
Public water supply fees	4,449,500
Publication revenue.....	109,900
Refined petroleum fund	11,921,000
Retired engineers technical assistance fund	1,500,000
Revolving loan revenue bonds	16,300,000
Saginaw bay and river restoration revenue.....	162,300
Sand extraction fee revenue	188,000
Scrap tire regulatory fund	4,697,400
Septage waste license fees	2,060,300
Settlement funds	3,740,400
Sewage sludge land application fee.....	804,200
Soil erosion and sedimentation control training fund	106,300
Solid waste program fees	4,104,600
Stormwater permit fees	2,576,000
Strategic water quality initiatives fund.....	10,007,600
Underground storage tank fees	4,335,800
Waste reduction fee revenue	4,619,500
Wastewater operator training fees	174,800
Water analysis fees.....	3,084,200
Water pollution control revolving fund	2,946,900
Water quality protection fund.....	25,000
Water use reporting fees.....	135,000
Total other state restricted revenues	164,450,800
State general fund/general purpose	\$ 28,722,800
Sec. 102. EXECUTIVE	
Full-time equated unclassified positions	6.0
Full-time equated classified positions	15.0
Unclassified salaries—6.0 FTE positions	\$ 482,600
Executive direction	
Salaries and fringe benefits—8.0 FTE positions	696,400
Travel.....	26,400
Other operational expenses	160,800
Subtotal - executive direction	883,600
Office of the Great Lakes	
Salaries and fringe benefits—7.0 FTE positions	597,400
Travel.....	10,300
Other operational expenses	245,200
Subtotal - office of the Great Lakes	852,900
GROSS APPROPRIATION.....	\$ 2,219,100
Appropriated from:	
Federal revenues:	
DOI, federal	127,700
EPA, multiple.....	107,600
Special revenue funds:	
Environmental education fund	186,400
Environmental response fund.....	45,100
Great Lakes protection fund.....	516,800
Oil and gas regulatory fund.....	93,900
Refined petroleum fund	210,600
Settlement funds	224,300
State general fund/general purpose	\$ 706,700

For Fiscal Year
Ending Sept. 30,
2005**Sec. 103. DEPARTMENT SUPPORT SERVICES**

Full-time equated classified positions	70.0	
Administrative hearings		
Salaries and fringe benefits—4.0 FTE positions		\$ 347,600
Travel.....		1,000
Other operational expenses		30,400
Subtotal - administrative hearings.....		379,000
Automated data processing		2,053,400
Environmental support projects.....		5,000,000
Field operations support		
Salaries and fringe benefits—20.0 FTE positions		1,197,100
Travel.....		48,000
Other operational expenses		144,000
Subtotal - field operations support.....		1,389,100
Financial and business services		
Salaries and fringe benefits—32.0 FTE positions		1,387,800
Travel.....		5,600
Other operational expenses		238,900
Subtotal - financial and business services.....		1,632,300
Human resource optimization user charges		59,100
Office of special environmental projects		
Salaries and fringe benefits—3.0 FTE positions		374,900
Travel.....		2,000
Other operational expenses		50,900
Subtotal - office of special environmental projects		427,800
Personnel		
Salaries and fringe benefits—11.0 FTE positions.....		611,600
Travel.....		6,700
Other operational expenses		37,200
Subtotal - personnel		655,500
Building occupancy charges.....		7,274,200
Rent-privately owned property.....		1,836,900
GROSS APPROPRIATION.....		\$ 20,707,300
Appropriated from:		
Interdepartmental grant revenues:		
IDT, interdivisional charges		2,053,400
Federal revenues:		
EPA, multiple.....		62,100
Special revenue funds:		
Aboveground storage tank fees		27,400
Air emissions fees.....		559,100
Clean Michigan initiative - administration.....		174,700
Cleanup and redevelopment fund		1,042,100
Environmental pollution prevention fund.....		58,600
Environmental response fund.....		1,444,100
Fees and collections		91,900
Financial instruments		5,000,000
Groundwater discharge permit fees		46,700
Land and water permit fees.....		105,900
NPDES fees		84,800
Oil and gas regulatory fund.....		1,254,400
Public utility assessments		11,600
Public water supply fees		510,000
Refined petroleum fund		3,635,600
Scrap tire regulatory fund		97,800
Settlement funds		184,100
Sewage sludge land application fee.....		36,300

For Fiscal Year
Ending Sept. 30,
2005

Solid waste program fees	64,900
Stormwater permit fees	207,700
Underground storage tank fees	194,200
Waste reduction fee revenue	51,700
Water analysis fees.....	345,700
Water pollution control revolving fund	13,700
Water use reporting fees.....	7,700
State general fund/general purpose	\$ 3,341,100

Sec. 104. AIR QUALITY

Full-time equated classified positions	242.0
Air quality programs	
Salaries and fringe benefits—242.0 FTE positions.....	\$ 18,662,600
Travel.....	426,000
Other operational expenses	3,271,400
Subtotal - air quality programs.....	22,360,000
GROSS APPROPRIATION.....	\$ 22,360,000

Appropriated from:

Federal revenues:

EPA, multiple.....	5,009,800
Special revenue funds:	
Air emissions fees.....	10,347,500
Environmental response fund.....	96,000
Fees and collections.....	368,900
Refined petroleum fund	2,975,000
State general fund/general purpose	\$ 3,562,800

Sec. 105. ENVIRONMENTAL SCIENCE AND SERVICES

Full-time equated classified positions	182.0
Environmental services	
Salaries and fringe benefits—26.5 FTE positions	\$ 2,031,000
Travel.....	15,100
Other operational expenses	402,000
Subtotal - environmental services	2,448,100
Laboratory services	
Salaries and fringe benefits—68.0 FTE positions	4,247,700
Travel.....	40,100
Other operational expenses	1,833,000
Subtotal - laboratory services.....	6,120,800
Municipal assistance	
Salaries and fringe benefits—35.5 FTE positions	1,936,000
Travel.....	34,300
Other operational expenses	3,018,000
Subtotal - municipal assistance	4,988,300
Pollution prevention and technical assistance	
Salaries and fringe benefits—52.0 FTE positions	2,954,100
Travel.....	77,700
Other operational expenses	1,771,600
Subtotal - pollution prevention and technical assistance	4,803,400
Pollution prevention outreach	300,000
Retired engineers technical assistance program.....	1,500,000
Revitalization revolving loan program	1,000,000
GROSS APPROPRIATION.....	\$ 21,160,600

Appropriated from:

Interdepartmental grant revenues:

IDG-MDA.....	106,200
Federal revenues:	
DOC-NOAA, federal.....	323,900
EPA, brownfield cleanup revolving loan fund.....	1,000,000

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Ending Sept. 30,
2005

EPA, multiple.....	2,256,300
Special revenue funds:	
Private funds.....	300,000
Air emissions fees.....	695,500
Clean Michigan initiative - administration.....	153,600
Clean Michigan initiative - response activities.....	1,655,600
Commercial laboratory fees.....	15,000
Drinking water revolving fund.....	1,325,300
Environmental protection fund.....	62,900
Environmental response fund.....	265,800
Public water supply fees.....	231,600
Retired engineers technical assistance fund.....	1,500,000
Settlement funds.....	385,800
Stormwater permit fees.....	89,800
Strategic water quality initiatives fund.....	207,600
Waste reduction fee revenue.....	4,116,100
Wastewater operator training fees.....	174,800
Water analysis fees.....	2,583,100
Water pollution control revolving fund.....	2,193,500
State general fund/general purpose.....	\$ 1,518,200
Sec. 106. GEOLOGICAL AND LAND MANAGEMENT	
Full-time equated classified positions.....	192.0
Program direction	
Salaries and fringe benefits—8.0 FTE positions.....	\$ 710,400
Travel.....	2,600
Other operational expenses.....	113,500
Subtotal - program direction.....	826,500
Coal and sand dune management	
Salaries and fringe benefits—3.0 FTE positions.....	126,000
Travel.....	2,500
Other operational expenses.....	474,400
Subtotal - coal and sand dune management.....	602,900
Field permitting and project assistance	
Salaries and fringe benefits—69.0 FTE positions.....	5,731,700
Travel.....	202,300
Other operational expenses.....	218,000
Subtotal - field permitting and project assistance.....	6,152,000
Great Lakes shorelands	
Salaries and fringe benefits—28.0 FTE positions.....	2,288,500
Travel.....	35,400
Other operational expenses.....	167,900
Subtotal - Great Lakes shorelands.....	2,491,800
Metallic mine reclamation	
Salaries and fringe benefits—1.0 FTE positions.....	9,000
Travel.....	3,200
Other operational expenses.....	56,600
Subtotal - metallic mine reclamation.....	68,800
Mineral wells management	
Salaries and fringe benefits—3.0 FTE positions.....	121,500
Travel.....	3,500
Other operational expenses.....	97,200
Subtotal - mineral wells management.....	222,200
Orphan well	
Salaries and fringe benefits—2.0 FTE positions.....	188,200
Travel.....	14,800
Other operational expenses.....	1,812,300
Subtotal - orphan well.....	2,015,300

For Fiscal Year
Ending Sept. 30,
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Services to oil and gas	
Salaries and fringe benefits—57.0 FTE positions	4,644,300
Travel.....	171,100
Other operational expenses	2,072,200
Subtotal - services to oil and gas	6,887,600
Water management	
Salaries and fringe benefits—21.0 FTE positions	2,276,400
Travel.....	30,900
Other operational expenses	386,100
Subtotal - water management.....	2,693,400
GROSS APPROPRIATION.....	\$ 21,960,500
Appropriated from:	
Interdepartmental grant revenues:	
IDG, Michigan transportation fund	907,900
Federal revenues:	
DOC-NOAA, federal.....	1,344,700
DOI, federal.....	414,900
EPA, multiple.....	470,800
FEMA, federal	892,900
Special revenue funds:	
Land and water permit fees.....	2,705,500
Metallic mining surveillance fee revenue.....	68,800
Mineral well regulatory fee revenue	222,200
Oil and gas regulatory fund.....	6,777,700
Orphan well fund	2,015,300
Publication revenue.....	109,900
Sand extraction fee revenue	188,000
State general fund/general purpose	\$ 5,841,900
Sec. 107. REMEDIATION AND REDEVELOPMENT	
Full-time equated classified positions	297.5
Contaminated site investigation, cleanup, and revitalization	
Salaries and fringe benefits—230.5 FTE positions.....	\$ 17,779,100
Travel.....	457,100
Other operational expenses	2,648,600
Subtotal - contaminated site investigation, cleanup, and revitalization	20,884,800
Federal cleanup project management	
Salaries and fringe benefits—67.0 FTE positions	6,000,200
Travel.....	172,500
Other operational expenses	1,332,300
Subtotal - federal cleanup project management.....	7,505,000
Emergency cleanup actions	4,000,000
State cleanup 451	3,027,900
Superfund cleanup	4,000,000
Dioxin bio-availability study.....	800,000
GROSS APPROPRIATION.....	\$ 40,217,700
Appropriated from:	
Federal revenues:	
DOD, federal	485,600
EPA, multiple.....	9,037,400
Special revenue funds:	
Private funds.....	145,900
Clean Michigan initiative - administration.....	2,189,500
Clean Michigan initiative - response activities.....	800,000
Cleanup and redevelopment fund.....	18,809,000
Environmental protection fund.....	550,400
Environmental response fund.....	2,000,000
Landfill maintenance trust fund	50,600

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Ending Sept. 30,
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Refined petroleum fund	4,200,000
Settlement funds	1,949,300
State general fund/general purpose	\$ 0
Sec. 108. WASTE AND HAZARDOUS MATERIALS	
Full-time equated classified positions	183.5
Aboveground storage tank program	
Salaries and fringe benefits—8.0 FTE positions	\$ 554,700
Travel.....	41,500
Other operational expenses	129,000
Subtotal - aboveground storage tank program	725,200
Hazardous waste management program	
Salaries and fringe benefits—61.0 FTE positions	4,085,600
Travel.....	63,500
Other operational expenses	1,472,500
Subtotal - hazardous waste management program	5,621,600
Low-level radioactive waste authority	
Salaries and fringe benefits—2.0 FTE positions	169,300
Travel.....	4,000
Other operational expenses	604,900
Subtotal - low-level radioactive waste authority	778,200
Medical waste program	
Radiological protection program	
Salaries and fringe benefits—16.5 FTE positions	959,800
Travel.....	28,600
Other operational expenses	576,600
Subtotal - radiological protection program.....	1,565,000
Scrap tire regulatory program	
Salaries and fringe benefits—11.0 FTE positions.....	673,300
Travel.....	22,000
Other operational expenses	260,500
Subtotal - scrap tire regulatory program.....	955,800
Solid waste management program	
Salaries and fringe benefits—50.0 FTE positions	3,221,900
Travel.....	97,900
Other operational expenses	726,800
Subtotal - solid waste management program	4,046,600
Underground storage tank program	
Salaries and fringe benefits—35.0 FTE positions	1,962,000
Travel.....	117,100
Other operational expenses	2,137,000
Subtotal - underground storage tank program	4,216,100
GROSS APPROPRIATION.....	\$ 18,158,900
Appropriated from:	
Interdepartmental grant revenues:	
IDG-MDSP	672,700
Federal revenues:	
EPA, multiple.....	3,611,100
Special revenue funds:	
Aboveground storage tank fees	725,200
Environmental pollution prevention fund.....	1,457,500
Hazardous materials transportation permit fund.....	94,300
Medical waste emergency response fund.....	250,400
Public utility assessments	778,200
Scrap tire regulatory fund	955,800
Solid waste program fees	3,979,700
Underground storage tank fees.....	3,967,700
Waste reduction fee revenue	66,900
State general fund/general purpose	\$ 1,599,400

For Fiscal Year
Ending Sept. 30,
2005

Sec. 109. WATER

Full-time equated classified positions	360.2	
Aquifer protection program		
Salaries and fringe benefits		\$ 198,000
Travel.....		2,700
Other operational expenses		449,300
Subtotal - aquifer protection program		650,000
Drinking water		
Salaries and fringe benefits—84.2 FTE positions		6,549,100
Travel.....		137,900
Other operational expenses		6,307,700
Subtotal - drinking water		12,994,700
Environmental health		
Salaries and fringe benefits—30.0 FTE positions		2,505,600
Travel.....		68,800
Other operational expenses		448,300
Subtotal - environmental health		3,022,700
Fish contaminant monitoring.....		
		316,100
Groundwater discharge		
Salaries and fringe benefits—22.0 FTE positions		1,651,600
Travel.....		12,000
Other operational expenses		252,800
Subtotal - groundwater discharge.....		1,916,400
NPDES nonstormwater program		
Salaries and fringe benefits—121.4 FTE positions.....		8,526,700
Travel.....		135,000
Other operational expenses		811,300
Subtotal - NPDES nonstormwater program.....		9,473,000
Sewage sludge land application program		
Salaries and fringe benefits—6.5 FTE positions		441,100
Travel.....		26,600
Other operational expenses		300,200
Subtotal - sewage sludge land application program.....		767,900
Surface water		
Salaries and fringe benefits—96.1 FTE positions		8,025,400
Travel.....		188,000
Other operational expenses		6,517,300
Subtotal - surface water		14,730,700
GROSS APPROPRIATION.....		\$ 43,871,500
Appropriated from:		
Federal revenues:		
EPA, multiple.....		13,486,300
Special revenue funds:		
Aquifer protection revolving fund.....		450,000
CESARS service fee		27,700
Clean Michigan initiative - administration		563,800
Clean Michigan initiative - clean water fund		3,129,000
Drinking water revolving fund.....		3,422,300
Environmental response fund.....		155,100
Fees and collections.....		691,600
Groundwater discharge permit fees.....		1,800,000
Land and water permit fees.....		446,200
Manufactured housing commission fees.....		621,200
NPDES fees		3,007,600
Public water supply fees		2,042,600
Refined petroleum fund		816,100
Saginaw bay and river restoration revenue.....		162,300

For Fiscal Year
Ending Sept. 30,
2005

Septage waste license fees	535,300
Sewage sludge land application fee.....	767,900
Soil erosion and sedimentation control training fund	106,300
Stormwater permit fees	2,278,500
Water pollution control revolving fund	619,900
Water use reporting fees.....	127,300
State general fund/general purpose	\$ 8,614,500

Sec. 110. CRIMINAL INVESTIGATIONS

Full-time equated classified positions22.0	
Environmental investigations	
Salaries and fringe benefits—22.0 FTE positions	\$ 1,681,800
Travel.....	27,100
Other operational expenses	417,500
Subtotal - environmental investigations	2,126,400
GROSS APPROPRIATION.....	\$ 2,126,400

Appropriated from:

Federal revenues:

DHS, federal	225,700
EPA, multiple.....	139,700
Special revenue funds:	
Environmental response fund.....	100,100
Oil and gas regulatory fund.....	120,900
Scrap tire regulatory fund	62,500
State general fund/general purpose	\$ 1,477,500

Sec. 111. GRANTS

Coastal management grants.....	\$ 1,800,000
Federal - Great Lakes remedial action plan grants	700,000
Federal - nonpoint source water pollution grants	6,500,000
Grants to counties—air pollution	83,700
Radon grants	134,300
Water pollution control and drinking water revolving fund.....	112,153,500
Drinking water revolving fund implementation.....	1,330,000
Great Lakes research and protection grants.....	2,000,000
Local health department operations.....	10,472,500
Noncommunity water grants	1,400,000
Pollution prevention local grants.....	250,000
Real-time water quality monitoring.....	250,000
Septage waste compliance grants	1,525,000
Scrap tire grants.....	3,500,000
Volunteer river, stream, and creek cleanup.....	25,000
GROSS APPROPRIATION.....	\$ 142,124,000

Appropriated from:

Interdepartmental grant revenues

IDG-MDCH, local public health operations	10,472,500
Federal revenues:	
DOC-NOAA, federal.....	1,500,000
EPA, multiple.....	92,590,000
Special revenue funds:	
Community pollution prevention fund	250,000
Drinking water revolving fund.....	1,330,000
Great Lakes protection fund.....	2,000,000
Public water supply fees	1,400,000
Refined petroleum fund	83,700
Revolving loan revenue bonds	16,300,000
Scrap tire regulatory fund	3,500,000
Septage waste license fees	1,525,000
Settlement funds	199,000

	For Fiscal Year Ending Sept. 30, 2005
Strategic water quality initiatives fund.....	9,800,000
Water quality protection fund.....	25,000
State general fund/general purpose	\$ 1,148,800
Sec. 112. INFORMATION TECHNOLOGY	
Information technology services and projects	\$ 6,743,300
GROSS APPROPRIATION.....	\$ 6,743,300
Appropriated from:	
Interdepartmental grant revenues	
IDG, Michigan transportation fund	50,300
Federal revenues:	
DOC-NOAA, federal.....	25,600
EPA, multiple.....	654,700
Special revenue funds:	
Air emissions fees.....	486,900
Cleanup and redevelopment fund.....	1,100,000
Drinking water revolving fund.....	85,600
Environmental response fund.....	407,100
Land and water permit fees.....	106,700
Oil and gas regulatory fund.....	872,000
Public utility assessments	4,100
Public water supply fees	265,300
Scrap tire regulatory fund	81,300
Settlement funds	797,900
Solid waste program fees	60,000
Underground storage tank fees.....	173,900
Waste reduction fee revenue	384,800
Water analysis fees.....	155,400
Water pollution control revolving fund	119,800
State general fund/general purpose	\$ 911,900

PART 2

PROVISIONS CONCERNING APPROPRIATIONS

GENERAL SECTIONS

Sec. 201. Pursuant to section 30 of article IX of the state constitution of 1963, total state spending from state resources under part 1 for fiscal year 2004-2005 is \$193,173,600.00 and state spending from state resources to be paid to local units of government for fiscal year 2004-2005 is \$18,695,500.00. The itemized statement below identifies appropriations from which spending to units of local government will occur:

DEPARTMENT OF ENVIRONMENTAL QUALITY

GRANTS

Grants to counties - air pollution	\$ 83,700
Local health department operations.....	10,472,500
Septage waste compliance program.....	1,525,000
Scrap tire grants.....	3,500,000
Noncommunity water grants	1,400,000
Radon grants.....	134,300
Real-time water quality monitoring.....	250,000
Drinking water grants	1,330,000
TOTAL	\$ 18,695,500

Sec. 202. The appropriations authorized under this act are subject to the management and budget act, 1984 PA 431, MCL 18.1101 to 18.1594.

Sec. 203. As used in this act:

- (a) "CESARS" means chemical evaluation search and retrieval system.
- (b) "Department" means the department of environmental quality.
- (c) "DHS" means the United States department of homeland security.
- (d) "DOC" means the United States department of commerce.
- (e) "DOC-NOAA" means the DOC national oceanic and atmospheric administration.
- (f) "DOD" means the United States department of defense.
- (g) "DOI" means the United States department of interior.

- (h) "EPA" means the United States environmental protection agency.
- (i) "FEMA" means the federal emergency management agency.
- (j) "FTE" means full-time equated.
- (k) "IDG" means interdepartmental grant.
- (l) "IDT" means intradepartmental transfer.
- (m) "MDA" means the Michigan department of agriculture.
- (n) "MDCH" means the Michigan department of community health.
- (o) "MDSP" means the Michigan department of state police.
- (p) "MI" means Michigan.
- (q) "NPDES" means national pollutant discharge elimination system.

Sec. 204. The department of civil service shall bill departments and agencies at the end of the first fiscal quarter for the 1% charge 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. 205. (1) A hiring freeze is imposed on the state classified civil service. State departments and agencies are prohibited from hiring any new full-time state classified civil service employees and prohibited from filling any vacant state classified civil service positions. This hiring freeze does not apply to internal transfers of classified employees from 1 position to another within a department.

(2) The state budget director shall grant exceptions to the hiring freeze described in subsection (1) when the state budget director believes that the hiring freeze will result in rendering a state department or agency unable to deliver basic services, cause a loss of revenue to the state, result in the inability of the state to receive federal funds, or would necessitate additional expenditures that exceed any savings from maintaining a vacancy. The state budget director shall report quarterly to the chairpersons of the senate and house of representatives standing committees on appropriations the number of exceptions to the hiring freeze approved during the previous quarter and the reasons to justify the exception.

Sec. 206. The department shall use the Internet to fulfill the reporting requirements of this act. This may include transmission of reports via electronic mail to the recipients identified for each reporting requirement or it may include placement of reports on an Internet or Intranet site.

Sec. 207. The departments and state agencies receiving appropriations under this act shall receive and retain copies of all reports funded from appropriations in part 1. These departments and state agencies shall follow federal and state guidelines for short-term and long-term retention of these reports. To the extent consistent with federal and state guidelines, the requirements of this section are satisfied if the reports funded from appropriations in part 1 are retained in electronic format.

Sec. 208. By February 15, 2005, the department shall provide the state budget director, the subcommittees on natural resources and environmental quality of the senate and house appropriations committees, and the senate and house fiscal agencies with an annual report on restricted fund balances, projected revenues, and expenditures for the fiscal years ending September 30, 2004 and September 30, 2005.

Sec. 209. (1) From funds appropriated under part 1, the department shall prepare a report that lists all of the following regarding grant or loan or grant and loan programs administered by the department for the fiscal year ending September 30, 2005:

- (a) The name of each program.
- (b) The goals of the program, the criteria, eligibility, process, filing fees, nominating procedures, and deadlines for each program.
- (c) The maximum and minimum grant and loan available and whether there is a match requirement for each program.
- (d) The amount of any required match, and whether in-kind contributions may be used as part or all of a required match.
- (e) Information pertaining to the application process, timeline for each program, and the contact people within the department.
- (f) The source of funds for each program, including the citation of pertinent authorizing acts.
- (g) Information regarding plans for the next fiscal year for the phaseout, expansion, or changes for each program.
- (h) A listing of all recipients of grants or loans awarded by the department by type and amount of grant or loan.

(2) The reports required under this section shall be submitted to the state budget office, the senate and house appropriations committees, and senate and house fiscal agencies by January 1, 2005.

Sec. 210. The department shall notify the legislature and shall provide a public meeting and public comment opportunity with respect to any request received by the state of Michigan to divert water from the Great Lakes pursuant to the water resources development act of 1986, Public Law 99-662, 100 Stat. 4082.

Sec. 211. (1) The department shall report all of the following information relative to allocations made from appropriations for the environmental cleanup and redevelopment program, state cleanup, emergency actions, superfund cleanup, the revitalization revolving loan program, the brownfield grants and loans program, the leaking underground storage tank cleanup program, the contaminated lake and river sediments cleanup program, and the environmental

protection bond projects under section 19508(7) of the natural resources and environmental protection act, 1994 PA 451, MCL 324.19508, to the state budget director, the senate and house appropriations subcommittees on environmental quality, and the senate and house fiscal agencies:

- (a) The name and location of the site for which an allocation is made.
- (b) The nature of the problem encountered at the site.
- (c) A brief description of how the problem will be resolved if the allocation is made for a response activity.
- (d) The estimated date that site closure activities will be completed.
- (e) The amount of the allocation, or the anticipated financing for the site.
- (f) A summary of the sites and the total amount of funds expended at the sites at the conclusion of the fiscal year.
- (g) The number of sites that would qualify as brownfields that were redeveloped.

(2) The report prepared under subsection (1) shall also include all of the following:

(a) The status of all state-owned facilities that are on the list compiled under part 201 of the natural resources and environmental protection act, 1994 PA 451, MCL 324.20101 to 324.20142.

(b) The report shall include the total amount of funds expended during the fiscal year and the total amount of funds awaiting expenditure.

(c) The total amount of bonds issued for the environmental protection bond program pursuant to part 193 of the natural resources and environmental protection act, 1994 PA 451, MCL 324.19301 to 324.19306, and bonds issued pursuant to the clean Michigan initiative act, 1998 PA 284, MCL 324.95101 to 324.95108.

(3) The report shall be made available by March 31 of each year.

Sec. 212. (1) The department of environmental quality is authorized to expend amounts remaining from the current and prior fiscal year appropriations to meet funding needs of legislatively approved sites for the environmental cleanup and redevelopment program and the leaking underground storage tank cleanup program.

(2) Unexpended and unencumbered amounts remaining from appropriations from the environmental protection bond fund contained in 2003 PA 173, are appropriated for expenditure for any site listed in this act and any site listed in the public acts referenced in this section.

(3) Unexpended and unencumbered amounts remaining from appropriations from the cleanup and redevelopment fund and unclaimed bottle deposits fund contained in 2003 PA 171, 2003 PA 173, and 2003 PA 237 are appropriated for expenditure for any site listed in this act and any site listed in the public acts referenced in this section.

(4) Unexpended and unencumbered amounts remaining from appropriations from the clean Michigan initiative fund - response activities contained in 2000 PA 52, 2001 PA 120, 2003 PA 173, and 2003 PA 237 are appropriated for expenditure for any site listed in this act and any site listed in the public acts referenced in this section.

(5) Unexpended and unencumbered amounts remaining from appropriations from the environmental protection fund contained in 2001 PA 43, 2002 PA 520, and 2003 PA 171 are appropriated for expenditure for any site listed in this act and any site listed in the public acts referenced in this section.

Sec. 213. Of the money appropriated from the environmental education fund in part 1, \$5,000.00 shall be allocated to Michigan State University Extension Service - 4-H Youth Programs to fund the Michigan Youth Conservation Council.

Sec. 214. From the funds appropriated in part 1 for information technology, the department shall pay user fees to the department of information technology for technology-related services and projects. These user fees shall be subject to provisions of an interagency agreement between the department and the department of information technology.

Sec. 215. Amounts appropriated in part 1 for information technology may be designated as work projects and carried forward to support department of environmental quality technology projects under the direction of the department of information technology. Funds designated in this manner are not available for expenditure until approved as work projects under section 451a of the management and budget act, 1984 PA 431, MCL 18.1451a.

Sec. 216. (1) Due to the current budgetary problems in this state, out-of-state travel for the fiscal year ending September 30, 2005 shall be limited to situations in which 1 or more of the following conditions apply:

(a) The travel is required by legal mandate or court order or for law enforcement purposes.

(b) The travel is necessary to protect the health or safety of Michigan citizens or visitors or to assist other states in similar circumstances.

(c) The travel is necessary to produce budgetary savings or to increase state revenues, including protecting existing federal funds or securing additional federal funds.

(d) The travel is necessary to comply with federal requirements.

(e) The travel is necessary to secure specialized training for staff that is not available within this state.

(f) The travel is financed entirely by federal or nonstate funds.

(2) If out-of-state travel is necessary but does not meet 1 or more of the conditions in subsection (1), the state budget director may grant an exception to allow the travel. Any exceptions granted by the state budget director shall be reported on a monthly basis to the house and senate appropriations committees.

(3) Not later than January 1 of each year, each department shall prepare a travel report listing all travel by classified and unclassified employees outside this state in the immediately preceding fiscal year that was funded in whole or in part with funds appropriated in the department's budget. The report shall be submitted to the chairs and members of

the house and senate appropriations committees, the fiscal agencies, and the state budget director. The report shall include the following information:

(a) The name of each person receiving reimbursement for travel outside this state or whose travel costs were paid by this state.

(b) The destination of each travel occurrence.

(c) The dates of each travel occurrence.

(d) A brief statement of the reason for each travel occurrence.

(e) The transportation and related costs of each travel occurrence, including the proportion funded with state general fund/general purpose revenues, the proportion funded with state restricted revenues, the proportion funded with federal revenues, and the proportion funded with other revenues.

(f) A total of all out-of-state travel funded for the immediately preceding fiscal year.

Sec. 217. Funds appropriated in part 1 shall not be used for the purchase of foreign goods or services, or both, if competitively priced and comparable quality American goods or services, or both, are available. Preference should be given to goods or services, or both, manufactured or provided by Michigan businesses if they are competitively priced and of comparable quality.

Sec. 218. The department shall collaborate with the statewide public advisory council, local advisory councils, the United States environmental protection agency and other appropriate federal agencies, the department of natural resources, and other appropriate parties to develop a long-term strategy to restore and formally remove Michigan's Great Lakes areas of concern from the federal listing. Among other information, the strategy should include a list of cleanup, source control, monitoring, and assessment activities eligible for funding under the federal Great Lakes legacy act; their estimated cost; options for meeting any nonfederal funding match requirements for these activities, including recommendations for changes to existing appropriations and program expenditures to qualify as matching funds for federal grant programs; a description of the optimum staffing level for the areas of concern program and available funding options; and a description of the department's role in seeking the formal removal of areas of concern, or specific beneficial use impairments, from the federal list, including minimum cleanup goals for identified impairments based on applicable state and federal regulatory standards and the monitoring programs available for assessing progress in achieving those goals. In addition, the department shall strive to apply for an equitable share of federal funding and technical assistance available to support the area of concern program and strive to provide the funds needed to meet nonfederal funding requirements.

DEPARTMENT SUPPORT SERVICES

Sec. 301. In addition to the annual report on travel expenditures required by section 217 of the management and budget act, 1984 PA 431, MCL 18.1217, the department shall provide to the senate and house appropriations subcommittees on natural resources and the senate and house fiscal agencies a quarterly report within 30 days of the end of each quarter on expenses incurred for travel inside and outside the state. The report shall include, but not be limited to, the name of the person who traveled, total expenditures for compensation, fees, or remuneration for meals, transportation, and related contractual services, supplies, and materials, and the destination, reason for, and dates of the travel.

AIR QUALITY

Sec. 401. The department shall report quarterly, via the department's Internet website, on air quality program expenditures and revenues. The report shall include expenditures and revenues by fund source and by program function.

ENVIRONMENTAL SCIENCE AND SERVICES

Sec. 501. By July 1, 2005, the department shall prepare and submit a report to the state budget director, the legislature, the chairs of the standing committees of the senate and house of representatives with primary responsibility for issues related to natural resources and the environment, and the chairs of the subcommittees of the senate and house appropriations committees with primary responsibility for appropriations for the department of environmental quality, outlining the implementation of the Great Lakes water quality bond provided for in part 197 of the natural resources and environmental protection act, 1994 PA 451, MCL 324.19701 to 324.19708, including, but not limited to, the amount of bonds issued and the date they were issued, the number of applications received for loans from the state water pollution control revolving fund created in section 16a of the shared credit rating act, 1985 PA 227, MCL 141.1066a, the total amount of loans requested, a listing of the applicants receiving loans and the total amount of loans provided to those applicants, a listing of applicants whose loan applications were not approved and the reasons why those applications were not approved, the amount of the loans granted that were leveraged from bond proceeds, and the remaining bond proceeds and bond authorization.

Sec. 502. If contracts are let for laboratory work to be paid for using funds appropriated under part 1, the contracts shall be awarded giving first preference to those laboratories that are successful participants in the laboratory data quality recognition program, as provided in section 20505 of the natural resources and environmental protection act, 1994 PA 451, MCL 324.20505.

GEOLOGICAL AND LAND MANAGEMENT

Sec. 602. The department may waive permit fees for nonprofit organizations conducting approved stream habitat improvement projects.

Sec. 603. From the funds appropriated in part 1, the department shall complete the wetland inventory in 100% of counties by August 30, 2005. If the wetland inventory is not completed, the appropriation in part 1 for state general fund/general purpose shall be reduced by \$5,000,000.00.

REMEDICATION AND REDEVELOPMENT

Sec. 701. The unexpended funds appropriated in part 1 for emergency cleanup actions are 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 451a(1) of the management and budget act, 1984 PA 431, MCL 18.1451a:

- (a) The purpose of the projects to be carried forward is to provide contaminated site cleanup.
- (b) The projects will be accomplished by contract.
- (c) The total estimated cost of all projects is identified in each line-item appropriation.
- (d) The tentative completion date is September 30, 2009.

Sec. 702. (1) The appropriation in part 1 for a dioxin bio-availability study shall be used by the department to contract with an out-of-state university or other qualified organization to conduct a bio-availability study and report on dioxin. The contract shall require that the study and report be completed within 6 months after the effective date of this act and that the report be peer-reviewed by the Michigan environmental science board within 3 months after its completion. The department shall provide a copy of the report to the house and senate appropriations committees within 9 months after the effective date of this act.

(2) As used in this section, "dioxin" means 1 or more structurally related chlorinated dibenzodioxin and chlorinated dibenzofuran chemicals.

WASTE AND HAZARDOUS MATERIALS

Sec. 801. The recycling coordinator shall conduct a study of the state's capacity to handle material recovered for recycling, the feasibility of collecting and transporting the material for recycling within the state, and the ability of the state to sustain markets for products containing recycled content. The department shall make recommendations for improving and expanding recycling in the state in a report submitted to the legislature, the state budget director, and the senate and house fiscal agencies no later than December 30, 2004.

Sec. 802. By February 1, 2005, the department shall submit to the chairpersons of the senate and house of representatives standing committees on appropriations, the chairpersons of the senate and house appropriations subcommittees on environmental quality, the state budget director, and the senate and house fiscal agencies a report on out-of-state waste disposed of in landfills in this state. The report shall include, but not be limited to, the amount, type, and state of origin for all out-of-state waste.

WATER

Sec. 901. By February 1, 2005, the department shall submit a report on the department's use of the national pollutant discharge elimination system fund created in MCL 324.3121 for the previous fiscal year, to the senate and house appropriations subcommittees on environmental quality and natural resources, the standing committees of the legislature with jurisdiction over issues primarily related to natural resources and the environment, and the senate and house fiscal agencies. The report shall include a summary of how the appropriations in part 1 for NPDES nonstormwater program were used for the various permissible uses of the fund and shall include specific information on all of the following:

- (a) The number of compliance and complaint inspections completed, by category, the number of on-site compliance inspections conducted, and the number of compliance inspections that were not announced in advance to the permittee or licensee.
- (b) The number and percent of permit and license inspections that were found to be in significant noncompliance, by category.
- (c) The number of administrative enforcement actions taken for permit or license violations and the results of the enforcement actions, including the amount of fines and penalties collected.
- (d) The number of judicial enforcement actions taken for permit or license violations and the results of the enforcement actions, including the amount of fines and penalties collected.
- (e) A listing of the supplemental environmental projects agreed to as a result of a consent agreement including all of the following: the case name, the monetary value of the supplemental environmental project, and a description of the project.

Sec. 902. Of the funds appropriated in part 1 for safe drinking water assistance activities under part 54 of the natural resources and environmental protection act, 1994 PA 451, MCL 324.5401 to 324.5418, the department shall allocate the full 2% available for technical assistance under 42 USC 300j-12.

Sec. 903. The appropriation in part 1 for a real-time water quality monitoring grant is a grant to the city of Algonac to conduct a pilot project of a real-time water quality monitoring program in the St. Clair watershed. By September 30, 2005, the city of Algonac shall report to the department on the plan, implementation, and status of the pilot project. The department shall forward the report to the state budget director, the senate and house appropriations

subcommittees on environmental quality, the senate and house standing committees on natural resources and environmental issues, and the senate and house fiscal agencies.

Sec. 904. The appropriation in part 1 for other operational expenses for surface water includes \$25,000.00 for water quality monitoring at strategic public beaches on the Great Lakes in Van Buren, Ottawa, and Allegan Counties.

CRIMINAL INVESTIGATIONS

Sec. 1001. From funds appropriated in part 1, the department shall conduct periodic inspections of imported solid waste at disposal facilities to mitigate the unpermitted disposal of waste at Michigan disposal sites.

GRANTS

Sec. 1101. If a certified health department does not exist in a city, county, or district or does not fulfill its responsibilities under part 117 of the natural resources and environmental protection act, 1994 PA 451, MCL 324.11701 to 324.11719, then the department may spend funds appropriated in part 1 under the septage waste compliance program in accordance with section 11716 of the natural resources and environmental protection act, 1994 PA 451, MCL 324.11716.

Sec. 1102. Of the funds appropriated in part 1 for scrap tire grants, \$100,000.00 shall be available for grants to communities to cover scrap tire fire suppression costs, provided owner liability bonds and other available funding sources have been exhausted.

Sec. 1103. The appropriation in part 1 for Great Lakes research and protection grants includes \$100,000.00 for a fish barrier challenge grant for completion of an electrical dispersal barrier by the United States army corps of engineers in Romeoville, Illinois to prevent the introduction of aquatic alien invasive species to the Great Lakes. The grant shall not be expended unless the total funding contributed by the federal government, affected states and provinces, and other parties is sufficient to complete the project, as determined by the parties to the dispersal barrier agreement.

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, 2005; to provide for the expenditure of those appropriations; to create certain funds and accounts; to require certain reports; to prescribe the 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.

Michelle McManus
Mike Goschka
Conferees for the Senate

John Pastor
John Moolenaar
Rich Brown
Conferees for the House

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

Rep. Richardville moved pursuant to Joint Rule 9, that the Journal printing requirement be suspended, printed copies of the text having been made available to each Member.

The motion prevailed.

The question being on the adoption of the conference report,

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

Roll Call No. 767

Yeas—102

Accavitti	Garfield	McConico	Sheen
Acciavatti	Gielegem	Meisner	Sheltrown
Adamini	Gillard	Meyer	Shulman
Amos	Gleason	Middaugh	Smith
Anderson	Hager	Milosch	Spade
Bieda	Hardman	Minore	Stahl
Bisbee	Hart	Moolenaar	Stakoe
Bradstreet	Hood	Murphy	Steil
Brandenburg	Hoogendyk	Newell	Stewart
Brown	Hopgood	Nitz	Tabor
Byrum	Howell	Nofs	Taub
Casperson	Huizenga	O'Neil	Tobocman
Caul	Hummel	Palmer	Vagnozzi
Clack	Hune	Palsrok	Van Regenmorter

Condino	Hunter	Pappageorge	Vander Veen
Daniels	Jamnack	Pastor	Voorhees
Dennis	Johnson, Rick	Plakas	Walker
DeRoche	Johnson, Ruth	Reeves	Ward
DeRossett	Julian	Richardville	Waters
Drolet	Koetje	Rivet	Wenke
Ehardt	Kolb	Robertson	Whitmer
Elkins	Kooiman	Rocca	Williams
Emmons	LaJoy	Sak	Woodward
Farhat	LaSata	Shackleton	Woronchak
Farrah	Law	Shaffer	Zelenko
Gaffney	Lipsey		

Nays—0

In The Chair: Julian

First Conference Report

The Committee of Conference on the matters of difference between the two Houses concerning **Senate Bill No. 1068, entitled**

A bill to make appropriations for the department of natural resources for the fiscal year ending September 30, 2005; 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, amended to read as follows:

A bill to make appropriations for the department of natural resources for the fiscal year ending September 30, 2005; to provide for the expenditure of those appropriations; to create funds and accounts; to require reports; to prescribe certain powers and duties of certain state agencies and officials; to authorize certain transfers by certain state agencies; and to provide for the disposition of fees and other income received by the various state agencies.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:
PART 1

LINE-ITEM APPROPRIATIONS

Sec. 101. Subject to the conditions set forth in this act, the amounts listed in this part are appropriated for the department of natural resources for the fiscal year ending September 30, 2005, from the funds indicated in this part. The following is a summary of the appropriations in this part:

DEPARTMENT OF NATURAL RESOURCES

APPROPRIATION SUMMARY:

Full-time equated unclassified positions	6.0	
Full-time equated classified positions	2,064.5	
GROSS APPROPRIATION.....		\$ 264,335,400
Interdepartmental grant revenues:		
Total interdepartmental grants and intradepartmental transfers	3,528,700	
ADJUSTED GROSS APPROPRIATION		\$ 260,806,700
Federal revenues:		
Total federal revenues	37,195,200	
Special revenue funds:		
Total local revenues	0	
Total private revenues	2,024,300	
Total other state restricted revenues	192,702,200	
State general fund/general purpose		\$ 28,885,000

FUND SOURCE SUMMARY

For Fiscal Year
Ending Sept. 30,
2005

Full-time equated unclassified positions	6.0	
Full-time equated classified positions	2,064.5	
GROSS APPROPRIATION		\$ 264,335,400
Interdepartmental grant revenues:		
IDG, engineering services to work orders		\$ 1,511,300
IDG, land acquisition services to work orders		681,600
IDG, MacMullan conference center revenue		1,335,800
Total interdepartmental grants and intradepartmental transfers		3,528,700
ADJUSTED GROSS APPROPRIATION		\$ 260,806,700
Federal revenues:		
DAG, federal		6,899,200
DHS-USCG, federal.....		2,538,100
DOC, federal.....		63,600
DOD, federal		32,100
DOE, federal.....		1,000
DOI, federal.....		22,152,900
DOI, oil and gas royalty revenue		150,000
DOI, timber revenue		3,300,000
DOT, federal		1,800,000
EPA, federal.....		258,300
Total federal revenues		37,195,200
Special revenue funds:		
Private funds.....		1,524,300
Private - gift revenues.....		500,000
Total private revenues		2,024,300
Aircraft fees		229,500
Air photo - geographic information system.....		39,600
Cervidae licensing and inspection fees.....		93,500
Clean Michigan initiative fund.....		284,000
Commercial forest fund		23,900
Delinquent property tax administration fund.....		36,100
Forest development fund.....		28,507,400
Forestland user charges		276,800
Forest recreation fund		1,205,800
Game and fish protection fund.....		60,643,900
Game and fish protection fund - deer habitat reserve.....		2,480,900
Game and fish protection fund - fisheries settlement		883,800
Game and fish protection fund - turkey permit fees		1,525,600
Game and fish protection fund - waterfowl fees		95,600
Game and fish - wildlife resource protection fund		1,441,600
Harbor development fund.....		269,600
Land exchange facilitation fund.....		5,757,800
Marine safety fund.....		4,507,000
Michigan civilian conservation corps endowment fund.....		1,094,300
Michigan natural resources trust fund		3,725,200
Michigan state parks endowment fund		12,067,400
Michigan state waterways fund.....		15,319,800
Nongame wildlife fund		644,700
Off-road vehicle trail improvement fund.....		2,843,200
Park improvement fund.....		35,626,300
Publications revenue		62,800
Recreation improvement fund		1,452,800
Safety education fund		202,900
Shop fees		59,700
Snowmobile registration fee revenue		1,815,600
Snowmobile trail improvement fund.....		9,459,400
Youth hunting and fishing education and outreach fund.....		25,700

	For Fiscal Year Ending Sept. 30, 2005
Total other state restricted revenues	192,702,200
State general fund/general purpose	\$ 28,885,000
Sec. 102. EXECUTIVE	
Full-time equated unclassified positions	6.0
Full-time equated classified positions	43.6
Commission (including travel expense—per diem)	\$ 58,300
Unclassified salaries—6.0 FTE positions	416,500
Education and outreach—31.6 FTE positions	3,189,000
Executive direction—12.0 FTE positions	1,920,800
Travel.....	136,400
GROSS APPROPRIATION.....	\$ 5,721,000
Appropriated from:	
Interdepartmental grant revenues:	
IDG, MacMullan conference center revenue	21,900
Special revenue funds:	
Aircraft fees	500
Air photo - geographic information system.....	10,800
Forest development fund.....	179,700
Forestland user charges	6,200
Forest recreation fund	20,500
Game and fish protection fund.....	1,755,600
Game and fish protection fund - deer habitat reserve.....	18,600
Game and fish protection fund - turkey permit fees.....	5,200
Game and fish protection fund - waterfowl fees	900
Game and fish - wildlife resource protection fund	9,900
Harbor development fund.....	600
Land exchange facilitation fund	38,300
Marine safety fund.....	27,200
Michigan civilian conservation corps endowment fund.....	2,500
Michigan natural resources trust fund	7,800
Michigan state parks endowment fund	40,200
Michigan state waterways fund	276,800
Nongame wildlife fund	11,900
Off-road vehicle trail improvement fund.....	2,800
Park improvement fund.....	2,273,400
Publications revenue	500
Recreation improvement fund	15,900
Snowmobile registration fee revenue	4,300
Snowmobile trail improvement fund	33,100
Youth hunting and fishing education and outreach fund.....	25,700
State general fund/general purpose	\$ 930,200
Sec. 103. ADMINISTRATIVE SERVICES	
Full-time equated classified positions	218.2
Budget and support services—10.0 FTE positions	\$ 856,700
Financial services—24.0 FTE positions	2,196,800
Grants, contracts, and customer systems—31.0 FTE positions.....	5,492,500
Human resources—22.0 FTE positions	2,054,100
Human resources optimization user charges.....	88,600
Land and facilities—120.2 FTE positions	14,784,500
Program assistance and review—11.0 FTE positions	751,400
Travel.....	265,000
GROSS APPROPRIATION.....	\$ 26,489,600
Appropriated from:	
Interdepartmental grant revenues:	
IDG, engineering services to work orders	1,511,300
IDG, land acquisition services to work orders	681,600
IDG, MacMullan conference center revenue	1,313,900

For Fiscal Year
Ending Sept. 30,
2005

Federal revenues:	
DOI, federal.....	333,300
Special revenue funds:	
Aircraft fees.....	118,800
Air photo - geographic information system.....	700
Clean Michigan initiative fund.....	284,000
Forest development fund.....	1,745,300
Forestland user charges.....	1,000
Forest recreation fund.....	31,400
Game and fish protection fund.....	9,165,200
Game and fish protection fund - deer habitat reserve.....	19,600
Game and fish protection fund - turkey permit fees.....	8,500
Game and fish protection fund - waterfowl fees.....	800
Game and fish - wildlife resource protection fund.....	16,300
Harbor development fund.....	12,200
Land exchange facilitation fund.....	5,677,900
Marine safety fund.....	229,800
Michigan civilian conservation corps endowment fund.....	74,900
Michigan natural resources trust fund.....	668,300
Michigan state parks endowment fund.....	118,100
Michigan state waterways fund.....	734,600
Nongame wildlife fund.....	27,600
Off-road vehicle trail improvement fund.....	86,900
Park improvement fund.....	2,217,400
Publications revenue.....	62,300
Recreation improvement fund.....	24,800
Shop fees.....	1,400
Snowmobile registration fee revenue.....	69,400
Snowmobile trail improvement fund.....	81,700
State general fund/general purpose.....	\$ 1,170,600
Sec. 104. DEPARTMENTAL OPERATION SUPPORT	
Building occupancy charges.....	\$ 1,931,300
Rent - privately owned property.....	335,700
Gifts and bequests.....	500,000
GROSS APPROPRIATION.....	\$ 2,767,000
Appropriated from:	
Special revenue funds:	
Private - gift revenues.....	500,000
Forest development fund.....	633,700
Game and fish protection fund.....	706,300
Marine safety fund.....	43,200
Michigan state parks endowment fund.....	203,900
Michigan state waterways fund.....	198,800
Michigan natural resources trust fund.....	60,500
Park improvement fund.....	268,200
Snowmobile trail improvement fund.....	20,100
State general fund/general purpose.....	\$ 132,300
Sec. 105. WILDLIFE MANAGEMENT	
Full-time equated classified positions.....	191.0
Wildlife administration—14.5 FTE positions.....	\$ 1,491,500
Wildlife management—158.5 FTE positions.....	22,296,200
Natural resources heritage—18.0 FTE positions.....	1,187,000
State game and wildlife area maintenance.....	200,000
Travel.....	1,173,600
GROSS APPROPRIATION.....	\$ 26,348,300
Appropriated from:	
Federal revenues:	
DOD, federal.....	32,100

For Fiscal Year
Ending Sept. 30,
2005

DOI, federal.....	10,351,500
EPA, federal.....	1,000
Special revenue funds:	
Private funds.....	103,800
Cervidae licensing and inspection fees.....	93,500
Game and fish protection fund.....	9,663,000
Game and fish protection fund - deer habitat reserve.....	2,199,700
Game and fish protection fund - turkey permit fees.....	1,511,900
Game and fish protection fund - waterfowl fees.....	93,900
Nongame wildlife fund.....	584,800
State general fund/general purpose.....	\$ 1,713,100

Sec. 106. FISHERIES MANAGEMENT

Full-time equated classified positions.....	225.0
Aquatic resource mitigation—3.0 FTE positions.....	\$ 869,800
Fisheries administration—10.0 FTE positions.....	992,400
Fish production—62.0 FTE positions.....	7,286,800
Fisheries resource management—150.0 FTE positions.....	15,460,600
Travel.....	1,264,000
GROSS APPROPRIATION.....	\$ 25,873,600

 Appropriated from:

 Federal revenues:

DOE, federal.....	1,000
DOC, federal.....	47,800
DOI, federal.....	7,676,900
EPA, federal.....	147,900

 Special revenue funds:

Private funds.....	104,200
Game and fish protection fund.....	17,012,000
Game and fish protection fund - fisheries settlement.....	883,800
State general fund/general purpose.....	\$ 0

Sec. 107. PARKS AND RECREATION

Full-time equated classified positions.....	785.7
Michigan civilian conservation corps—3.0 FTE positions.....	\$ 926,900
Recreational boating—201.5 FTE positions.....	11,984,900
State parks—581.2 FTE positions.....	38,067,100
State parks improvement revenue bonds - debt service.....	1,095,000
Travel.....	2,296,100
GROSS APPROPRIATION.....	\$ 54,370,000

 Appropriated from:

 Interdepartmental grant revenues:

 Federal revenues:

EPA, federal.....	108,400
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 Special revenue funds:

Private funds.....	328,100
Harbor development fund.....	256,800
Michigan civilian conservation corps endowment fund.....	1,016,900
Michigan state parks endowment fund.....	11,146,400
Michigan state waterways fund.....	12,628,100
Off-road vehicle trail improvement fund.....	219,400
Park improvement fund.....	28,665,900
State general fund/general purpose.....	\$ 0

Sec. 108. FOREST, MINERAL, AND FIRE MANAGEMENT

Full-time equated classified positions.....	333.5
Adopt-a-forest program.....	\$ 50,000
Cooperative resource programs—10.5 FTE positions.....	2,810,400
Forest and timber treatments—117.0 FTE positions.....	13,993,900
Forest fire equipment.....	1,700,000

For Fiscal Year
Ending Sept. 30,
2005

Forest fire protection—133.5 FTE positions	9,491,300
Forest management initiative—9.2 FTE positions	954,300
Forest management planning—13.0 FTE positions	4,530,100
Forest recreation and trails—33.0 FTE positions	4,498,400
Minerals management—17.3 FTE positions	2,077,700
Travel.....	1,294,900
GROSS APPROPRIATION	\$ 41,401,000

Appropriated from:

Federal revenues:

DAG, federal	2,124,200
DOI, federal	2,000
EPA, federal	1,000

Special revenue funds:

Private funds	838,200
Aircraft fees	110,200
Air photo - geographic information system	7,300
Commercial forest fund	23,900
Forest development fund	24,315,800
Forestland user charges	269,600
Forest recreation fund	1,101,200
Game and fish protection fund	1,524,000
Michigan natural resources trust fund	1,155,600
Michigan state parks endowment fund	518,600
Michigan state waterways fund	350,200
Off-road vehicle trail improvement fund	374,100
Recreation improvement fund	293,100
Shop fees	58,300
Snowmobile trail improvement fund	2,010,500
State general fund/general purpose	\$ 6,323,200

Sec. 109. LAW ENFORCEMENT

Full-time equated classified positions267.5

General law enforcement—257.5 FTE positions	\$ 23,841,300
Wildlife resource protection—10.0 FTE positions	1,412,400
Travel.....	2,906,800
GROSS APPROPRIATION	\$ 28,160,500

Appropriated from:

Federal revenues:

DHS-USCG, federal	2,538,100
DOC, federal	15,800
DOI, federal	1,122,300

Special revenue funds:

Forest recreation fund	52,700
Game and fish - wildlife resource protection fund	1,403,800
Game and fish protection fund	16,495,400
Marine safety fund	1,377,900
Off-road vehicle trail improvement fund	785,500
Park improvement fund	52,700
Safety education fund	52,900
Snowmobile registration fee revenue	596,200
State general fund/general purpose	\$ 3,667,200

Sec. 110. PAYMENTS IN LIEU OF TAXES

Swamp and tax reverted lands.....	\$ 7,071,500
Purchased lands	7,800,000
Commercial forest reserves	2,691,700
GROSS APPROPRIATION	\$ 17,563,200

Appropriated from:

Special revenue funds:

Game and fish protection fund	2,950,600
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For Fiscal Year
Ending Sept. 30,
2005

Michigan natural resources trust fund	750,000
Michigan state waterways fund	199,400
State general fund/general purpose	\$ 13,663,200

Sec. 111. GRANTS

Federal - clean vessel act grants	\$ 100,000
Federal - forest stewardship grants	625,000
Federal - land and water conservation fund payments.....	2,566,900
Federal - rural community fire protection	250,000
Federal - urban forestry grants	4,000,000
Grants to communities - federal oil, gas, and timber payments.....	3,450,000
National recreational trails	1,850,000
Game and nongame wildlife fund grants.....	10,000
Grant to counties-marine safety	2,805,000
Inland fisheries resources grants	200,000
Off-road vehicle safety training grants.....	150,000
Off-road vehicle trail improvement grants	1,374,500
Recreation improvement fund grants.....	1,100,000
Sebewaing harbor commission flood control.....	100,000
Snowmobile law enforcement grants.....	1,142,000
Snowmobile local grants program	7,314,000
GROSS APPROPRIATION.....	\$ 27,037,400

Appropriated from:

Federal revenues:

DAG, federal	4,775,000
DOI, federal	2,666,900
DOI, oil and gas royalty revenue	150,000
DOI, timber revenue	3,300,000
DOT, federal	1,800,000

Special revenue funds:

Private funds	150,000
Game and fish protection fund	200,000
Marine safety fund.....	2,805,000
Michigan state waterways fund	100,000
Nongame wildlife fund	10,000
Off-road vehicle trail improvement fund.....	1,374,500
Recreation improvement fund	1,100,000
Safety education fund	150,000
Snowmobile registration fee revenue	1,142,000
Snowmobile trail improvement fund	7,314,000
State general fund/general purpose	\$ 0

Sec. 112. INFORMATION TECHNOLOGY

Information technology services and projects	\$ 8,603,800
GROSS APPROPRIATION.....	\$ 8,603,800

Appropriated from:

Special revenue funds:

Air photo - geographic information system.....	20,800
Delinquent property tax administration fund.....	36,100
Forest development fund.....	1,632,900
Game and fish protection fund	1,171,800
Game and fish protection fund - deer habitat reserve.....	243,000
Game and fish - wildlife resource protection fund	11,600
Land exchange facilitation fund	41,600
Marine safety fund.....	23,900
Michigan natural resources trust fund	1,083,000
Michigan state parks endowment fund	40,200
Michigan state waterways fund	831,900
Nongame wildlife fund	10,400

For Fiscal Year
Ending Sept. 30,
2005

Park improvement fund.....	2,148,700
Recreation improvement fund	19,000
Snowmobile registration fee revenue	3,700
State general fund/general purpose	\$ 1,285,200

PART 2

PROVISIONS CONCERNING APPROPRIATIONS

GENERAL SECTIONS

Sec. 201. Pursuant to section 30 of article IX of the state constitution of 1963, total state spending from state resources under part 1 for the fiscal year ending September 30, 2005 is \$221,587,200.00 and state spending from state resources to be paid to local units of government for the fiscal year ending September 30, 2005 is \$21,510,200.00. The itemized statement below identifies appropriations from which spending to units of local government will occur:

DEPARTMENT OF NATURAL RESOURCES

PAYMENTS IN LIEU OF TAXES

Purchased lands	\$ 7,800,000
Swamp and tax reverted lands.....	7,071,500
Commercial forest reserves.....	2,691,700

GRANTS

Grants to counties - marine safety.....	2,805,000
Snowmobile law enforcement	1,142,000
TOTAL	\$ 21,510,200

Sec. 202. The appropriations authorized under this act are subject to the management and budget act, 1984 PA 431, MCL 18.1101 to 18.1594.

Sec. 203. As used in this act:

- (a) "Commission" means the commission of natural resources.
- (b) "DAG" means the United States department of agriculture.
- (c) "Department" means the department of natural resources.
- (d) "DHS" means the United States department of homeland security.
- (e) "DOC" means the United States department of commerce.
- (f) "DOD" means the United States department of defense.
- (g) "DOE" means the United States department of energy.
- (h) "DOI" means the United States department of interior.
- (i) "DOT" means the United States department of transportation.
- (j) "EPA" means the United States environmental protection agency.
- (k) "FTE" means full-time equated.
- (l) "IDG" means interdepartmental grant.
- (m) "USCG" means the United States coast guard.

Sec. 204. The department of civil service shall bill departments and agencies at the end of the first fiscal quarter for the 1% charge 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. 205. (1) A hiring freeze is imposed on the state classified civil service. State departments and agencies are prohibited from hiring any new full-time state classified civil service employees and prohibited from filling any vacant state classified civil service positions. This hiring freeze does not apply to internal transfers of classified employees from 1 position to another within a department.

(2) The state budget director shall grant exceptions to this hiring freeze when the state budget director believes that the hiring freeze will result in rendering a state department or agency unable to deliver basic services, cause loss of revenue to the state, result in the inability of the state to receive federal funds, or necessitate additional expenditures that exceed any savings from maintaining a vacancy. The state budget director shall report quarterly to the chairpersons of the senate and house of representatives standing committees on appropriations the number of exceptions to the hiring freeze approved during the previous quarter and the reasons to justify the exceptions.

Sec. 207. At least 60 days before beginning any effort to privatize, the department shall submit a complete project plan to the appropriate senate and house of representatives appropriations subcommittees and the senate and house fiscal agencies. The plan shall include the criteria under which the privatization initiative will be evaluated. The evaluation shall be completed and submitted to the appropriate senate and house of representatives appropriations subcommittees and the senate and house fiscal agencies within 30 months.

Sec. 208. The department shall use the Internet to fulfill the reporting requirements of this act. This may include transmission of reports via electronic mail to the recipients identified for each reporting requirement or it may include placement of reports on an Internet or Intranet site.

Sec. 209. By February 15, 2005, the department shall provide the state budget director, the senate and house appropriations subcommittees on natural resources, and the senate and house fiscal agencies with an annual report on estimated restricted fund balances, projected revenues, and expenditures for the fiscal years ending September 30, 2004 and September 30, 2005.

Sec. 210. The departments and state agencies receiving appropriations under this act shall receive and retain copies of all reports funded from appropriations in part 1. These departments and state agencies shall follow federal and state guidelines for short-term and long-term retention of these reports. To the extent consistent with federal and state guidelines, the requirements of this section are satisfied if the reports funded from appropriations in part 1 are retained in electronic format.

Sec. 211. (1) From the funds appropriated under part 1, the department shall prepare a report that lists all of the following regarding grant, loan, or grant and loan programs administered by the department for the fiscal year ending on September 30, 2005:

- (a) The name of each program.
- (b) The goals, criteria, filing fees, nominating procedures, eligibility requirements, processes, and deadlines for each program.
- (c) The maximum and minimum grant and loan available and whether there is a match requirement for each program.
- (d) The amount of any required match, and whether in-kind contributions may be used as part or all of a required match.
- (e) Information pertaining to the application process, timeline for each program, and the contact people within the department.
- (f) The source of funds for each program, including the citation of pertinent authorizing acts.
- (g) Information regarding plans for the next fiscal year for the phaseout, expansion, or changes for each program.
- (h) A listing of all recipients of grants or loans awarded by the department by type and amount of grant or loan during the fiscal year ending September 30, 2004.

(2) The reports required under this section shall be submitted to the state budget director, the senate and house appropriations committees and the senate and house fiscal agencies by January 1, 2005.

Sec. 212. Appropriations of state restricted game and fish protection funds have been made to the following departments and agencies in their respective appropriation acts. The amounts appropriated to these departments and agencies are limited to the amounts listed below:

Department of civil service	\$ 293,200
Legislative auditor general	21,400
Attorney general	667,300
Department of management and budget	228,000
Department of treasury	4,200

Sec. 213. (1) Before January 16, 2005, the department, in cooperation with the Michigan state waterways commission, shall report to the state budget director, the senate and house fiscal agencies, and the senate and house of representatives appropriations subcommittees on natural resources detailing operations of the Michigan state waterways commission for the preceding 1-year period.

(2) The department, in cooperation with the Michigan state waterways commission, shall determine which projects should be acquired or developed with money from the state waterways fund or harbor development fund and shall submit to the state budget director, the senate and house fiscal agencies, and the senate and house of representatives appropriations subcommittees on natural resources in January 2005 a list of those projects, compiled in order of priority. The list shall be accompanied by estimates of total costs for the proposed projects.

(3) The department, in cooperation with the Michigan state waterways commission, shall supply with each list under subsection (2) a statement of the guidelines used in listing and assigning the priority of these projects.

Sec. 214. The department shall develop a plan for allocating restricted funds among department administrative support and regulatory activities. This plan shall be submitted to the house and senate appropriations subcommittees on natural resources by January 30, 2005. This plan shall include a cost allocation plan for financial services support, office space rent and building occupancy charges, support division service for information systems and technology, and a methodology to use information generated through activity reports that identifies the percentage of employee time spent on restricted fund activities.

Sec. 215. Pursuant to section 43703(3) of the natural resources and environmental protection act, 1994 PA 451, MCL 324.43703, there is appropriated from the game and fish protection trust fund to the game and fish protection fund, \$6,000,000.00 for the fiscal year ending September 30, 2005.

Sec. 216. From the funds appropriated in part 1 for information technology, the department shall pay user fees to the department of information technology for technology-related services and projects. Such user fees shall be subject to provisions of an interagency agreement between the department and the department of information technology.

Sec. 217. Amounts appropriated in part 1 for information technology may be designated as work projects and carried forward to support technology projects under the direction of the department of information technology. Funds designated in this manner are not available for expenditure until approved as work projects under section 451a of the management and budget act, 1984 PA 431, MCL 18.1451a.

Sec. 218. (1) Due to the current budgetary problems in this state, out-of-state travel for the fiscal year ending September 30, 2005 shall be limited to situations in which 1 or more of the following conditions apply:

(a) The travel is required by legal mandate or court order or for law enforcement purposes.

(b) The travel is necessary to protect the health or safety of Michigan citizens or visitors or to assist other states in similar circumstances.

(c) The travel is necessary to produce budgetary savings or to increase state revenues, including protecting existing federal funds or securing additional federal funds.

(d) The travel is necessary to comply with federal requirements.

(e) The travel is necessary to secure specialized training for staff that is not available within this state.

(f) The travel is financed entirely by federal or nonstate funds.

(2) If out-of-state travel is necessary but does not meet 1 or more of the conditions in subsection (1), the state budget director may grant an exception to allow the travel. Any exceptions granted by the state budget director shall be reported on a monthly basis to the house and senate appropriations committees.

(3) Not later than January 1 of each year, each department shall prepare a travel report listing all travel by classified and unclassified employees outside this state in the immediately preceding fiscal year that was funded in whole or in part with funds appropriated in the department's budget. The report shall be submitted to the chairs and members of the house and senate appropriations committees, the fiscal agencies, and the state budget director. The report shall include the following information:

(a) The name of each person receiving reimbursement for travel outside this state or whose travel costs were paid by this state.

(b) The destination of each travel occurrence.

(c) The dates of each travel occurrence.

(d) A brief statement of the reason for each travel occurrence.

(e) The transportation and related costs of each travel occurrence, including the proportion funded with state general fund/general purpose revenues, the proportion funded with state restricted revenues, the proportion funded with federal revenues, and the proportion funded with other revenues.

(f) A total of all out-of-state travel funded for the immediately preceding fiscal year.

Sec. 219. Funds appropriated in part 1 shall not be used for the purchase of foreign goods or services, or both, if competitively priced and comparable quality American goods or services, or both, are available. Preference should be given to goods or services, or both, manufactured or provided by Michigan businesses if they are competitively priced and of comparable quality.

EXECUTIVE

Sec. 301. On June 15, 2005, the department shall submit to the house and senate appropriations subcommittees on natural resources and the house and senate fiscal agencies a report on fish, game, and nongame habitat improvement and treatment projects completed or planned during the fiscal years ending September 30, 2004 and September 30, 2005. This report shall include a list of all habitat treatment and improvement projects by management unit. This list shall be accompanied by all of the following information:

(a) The target species of wildlife or fish to benefit from unit projects.

(b) The number of acres or, for an inland lake, river, or stream, the number of feet treated or improved, the county in which the project is located, and the methods of treatment or improvement.

(c) The division with lead responsibility for the projects and all organizations involved in the projects, including, but not limited to, department personnel, contractors, or subcontractors.

(d) The total cost per acre and the funding sources supporting management unit projects. The report shall identify the program line item supporting project expenditures.

(e) A separate summary, by fund or subfund, of all projects completed in the fiscal year ending September 30, 2004 or September 30, 2005.

ADMINISTRATIVE SERVICES

Sec. 401. The department may charge the appropriations contained in part 1, including all special maintenance and capital projects appropriated for the fiscal year ending September 30, 2005, for engineering services provided, a standard percentage fee to recover actual costs. The department may use the revenue derived to support the engineering services charges provided for in part 1.

Sec. 402. The department may charge land acquisition projects appropriated for the fiscal year ending September 30, 2005, and for prior fiscal years, a standard percentage fee to recover actual costs, and may use the revenue derived to support the land acquisition service charges provided for in part 1.

Sec. 403. The department of natural resources may charge both application fees and transaction fees related to the exchange or sale of state-owned land or rights in land authorized by part 21 of the natural resources and environmental protection act, 1994 PA 451, MCL 324.2101 to 324.2162. The fees shall be set by the director at a rate which allows the department to recover its costs for providing these services.

Sec. 404. The department shall prominently display in a prominent place in the fishing guide provided to each licensed fisher and paid for from the funds appropriated in part 1, the website for the department of community health. In addition, the fishing guide shall include information on alternative sources where interested parties without Internet access may find information on fish advisories issued by the department of community health.

Sec. 405. The department shall report quarterly on all land transactions completed by the department in the previous fiscal quarter. For each land transaction, the report shall include, but not be limited to, the size of the parcel, the county and municipality in which the parcel is located, the dollar amount of the transaction, the fund source affected by the transaction, and the type of transaction, such as purchase, public auction, transfer, exchange, or conveyance. The report shall be submitted to the senate and house appropriations subcommittees on natural resources within 21 days after the end of each fiscal quarter.

Sec. 406. In addition to the annual report on travel expenditures required by section 217 of the management and budget act, 1984 PA 431, MCL 18.1217, the department shall provide to the senate and house appropriations subcommittees on natural resources and the senate and house fiscal agencies a quarterly report within 30 days of the end of each quarter on expenses incurred for travel inside and outside the state. The report shall include, but not be limited to, the name of the person who traveled, total expenditures for compensation, fees, or remuneration for meals, transportation, and related contractual services, supplies, and materials, and the destination, reason for, and dates of the travel.

WILDLIFE MANAGEMENT

Sec. 501. By April 1, 2005 and September 30, 2005, the department shall report to the state budget director, the senate and house appropriations subcommittees on natural resources, and the senate and house fiscal agencies on spending from the amounts appropriated in part 1 for bovine tuberculosis control efforts. The report shall include, but not be limited to, information on activities at the animal diagnostic laboratory at Michigan State University that are funded with appropriations in part 1.

Sec. 502. Of the funds appropriated in part 1, the department shall reimburse the department of agriculture for costs incurred for indemnification payments for livestock losses caused by wolves or coyotes under the animal industry act, 1988 PA 466, MCL 287.701 to 287.745.

FISHERIES MANAGEMENT

Sec. 601. As a condition of expenditure of fisheries management appropriations under part 1, the department shall not impede the certification process for water control structures on Michigan waterways. The department shall fund from funds appropriated in part 1 all non-water-quality studies or requirements that the department requests of either of the following:

(a) The department of environmental quality as a condition for issuance of a certification under the federal water pollution control act, 33 USC 1341.

(b) The federal energy regulatory commission as a condition of licensing under the federal power act, 16 USC 791a to 825r.

Sec. 602. (1) From the appropriation in part 1 for aquatic resource mitigation, not more than \$758,000.00 shall be allocated for grants to watershed councils, resource development councils, soil conservation districts, local governmental units, and other nonprofit organizations for stream habitat stabilization and soil erosion control.

(2) The fisheries division of the department shall develop priority and cost estimates for all recommended projects.

PARKS AND RECREATION

Sec. 701. Pursuant to section 1902(2) of the natural resources and environmental protection act, 1994 PA 451, MCL 324.1902, there is appropriated from the Michigan natural resources trust fund to the Michigan state parks endowment fund an amount not to exceed \$10,000,000.00 for the fiscal year ending September 30, 2005.

Sec. 702. (1) The department shall prepare detailed reports for construction projects in state parks that will involve campsite or campground closures. These reports shall include expected costs, impacts on recreation opportunities, impacts on state park revenues, and the expected impact on state park users. The department shall also prepare reports on average monthly campground occupancy rates for every state park during the previous summer season. The department shall provide reports described in this subsection to the house and senate appropriations subcommittees on natural resources and the house and senate fiscal agencies not later than April 1, 2005.

(2) The department shall notify the house and senate appropriations subcommittees on natural resources and the house and senate fiscal agencies if it intends to reduce operations or reduce recreation opportunities at any state park or recreation area.

Sec. 703. From the funds appropriated in part 1, the department shall attempt to place an appropriate number of defibrillators in state parks. State parks shall accept donations of defibrillators.

Sec. 704. As a condition for the expenditure of appropriations for parks and recreation under part 1, the department shall conduct at least 2 pilot programs for the development of a statewide water trails system as a part of the statewide recreation plan.

Sec. 705. By September 30, 2005, the department shall report to the senate and house appropriations subcommittees on natural resources and the senate and house fiscal agencies any misuse of complimentary or discounted day passes at state recreational facilities during the 2004-2005 fiscal year.

Sec. 706. As a condition for the expenditure of appropriations for parks and recreation under part 1, the department shall implement a pilot project in the fiscal year ending September 30, 2005 for privatizing the management of state boating access sites and facilities. By April 1, 2005, the department shall submit to the state budget director, the senate and house appropriations subcommittees on natural resources, the senate and house standing committees on natural resources issues, and the senate and house fiscal agencies a plan to implement this pilot project. The department is encouraged to consult with a boating access site management group that has the capacity to implement the program on a statewide basis. Any contracts entered into relating to this pilot project shall be awarded through a competitive bidding process.

Sec. 707. On September 30, 2005, the department shall submit a report on the economic impact and financial status of the ski hill in Porcupine Mountains wilderness state park to the legislature, the state budget director, and the senate and house fiscal agencies. The department shall not alter or halt operations of the ski hill or demolish buildings related to the ski hill, the assistant manager residence, the 3-unit apartment building, or the carpenter's shop and garage in Porcupine Mountains wilderness state park until this report is received. The department shall collaborate with travel Michigan for the marketing and promotion of the ski hill.

FOREST, MINERAL, AND FIRE MANAGEMENT

Sec. 801. The department shall follow the certification criteria established by the forest stewardship council and the sustainable forest initiative in its timber marking activities. The department shall report by September 30, 2005 to the state budget director, the senate and house appropriations subcommittees on natural resources, the senate and house standing committees on natural resources issues, and the senate and house fiscal agencies on the status of its forest management plan.

Sec. 802. The appropriation for the adopt-a-forest program in part 1 shall be used to cover the cost of disposing of waste material collected from state forest lands.

Sec. 803. In addition to the funds appropriated in part 1, \$350,000.00 is appropriated to cover costs related to any declared emergency involving the collapse of any abandoned mine shaft located on state land. This appropriation shall not be expended unless the state budget director recommends the expenditure and the department notifies the house and senate committees on appropriations.

Sec. 804. As a condition of expenditure of appropriations in part 1 from forest development funds, on October 15, 2004 the department shall provide \$1,000,000.00 from cooperative resources programs as an interdepartmental grant to the department of agriculture for the cooperative resources management initiative program for the purposes of supporting forestry programs in local conservation districts.

Sec. 805. The department shall designate 1 forester to implement management initiatives to facilitate the development of forest products from department-managed properties in southwest Michigan. The department shall develop a forest management plan for these lands. This plan shall be submitted to the state budget director, the house and senate appropriations subcommittees on natural resources, and the senate and house fiscal agencies on or before April 1, 2005.

Sec. 806. Of the funds appropriated in part 1, the department shall prescribe appropriate treatment on 63,000 acres, plus or minus 10%, at the current average rate of 12.5 to 13 cords per acre, provided that the department shall take into consideration the impact of timber harvesting on wildlife habitat and recreation uses. The department shall endeavor to increase marking or treatment of hardwood timber by 10% over 2004 levels. In addition, the department shall take into consideration silvicultural analysis and report annually to the legislature on plans and efforts to address factors limiting management of timber.

Sec. 807. The department shall spend amounts appropriated in part 1 for forest-related activities to employ or contract for additional foresters to mark timber, pursuant to section 806.

LAW ENFORCEMENT

Sec. 901. The appropriation in part 1 for snowmobile law enforcement grants shall be used to provide grants to county law enforcement agencies to enforce part 821 of the natural resources and environmental protection act, 1994 PA 451, MCL 324.82101 to 324.82160, including rules promulgated under that part and ordinances enacted pursuant to that part. The department shall consider the number of enforcement hours and the number of miles of snowmobile trails in each county in allocating these grants. Any funds not distributed to counties revert back to the snowmobile registration fee fund. Counties shall provide semiannual reports to the department.

GRANTS

Sec. 1101. The amount appropriated in part 1 for federal-rural community fire protection shall be awarded as grants to local fire protection departments. To be eligible, local fire protection departments shall be located in governmental units or fire protection districts with permanent populations of less than 10,000.

Sec. 1102. Federal pass-through funds to local institutions and governments that are received in amounts in addition to those included in part 1 for grants to communities - federal oil, gas, and timber payments and that do not require additional state matching funds are appropriated for the purposes intended. By November 30, 2004, the department shall report to the senate and house appropriations subcommittees on natural resources, the senate and house fiscal agencies, and the state budget director on all amounts appropriated under this section during the fiscal year ending September 30, 2004.

Sec. 1103. (1) The use of federal funding received by the state from the land and water conservation fund and appropriated in part 1 shall be coordinated with state grants to local units of government from the Michigan natural resources trust fund. The coordination of the 2 funding sources shall be conducted in a manner that minimizes the total matching funds required from local units of government for local land acquisition or recreational development projects.

(2) The Michigan natural resources trust fund board shall report on the final disposition of federal funding from the land and water conservation fund in the board's annual report to the legislature.

Sec. 1104. Of the amount appropriated in part 1 for grants to counties - marine safety, \$35,000.00 shall be used by Michigan State University to develop equipment and procedures that will accurately measure and record distance to and sound levels of watercraft engines if matching funds are provided by lake property associations.

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, 2005; 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.

Michelle McManus
Shirley Johnson
Jim Barcia
Conferees for the Senate

John Pastor
Howard Walker
Rich Brown
Conferees for the House

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

Rep. Richardville moved pursuant to Joint Rule 9, that the Journal printing requirement be suspended, printed copies of the text having been made available to each Member.

The motion prevailed.

The question being on the adoption of the conference report,

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

Roll Call No. 768

Yeas—100

Accavitti	Garfield	McConico	Sheen
Acciavatti	Gielegem	Meisner	Sheltrown
Adamini	Gillard	Meyer	Shulman
Amos	Gleason	Middaugh	Smith
Anderson	Hager	Milosch	Spade
Bieda	Hardman	Minore	Stahl
Bisbee	Hood	Moolenaar	Stakoe
Bradstreet	Hoogendyk	Murphy	Steil
Brandenburg	Hopgood	Newell	Stewart
Brown	Howell	Nitz	Tabor
Byrum	Huizenga	Nofs	Taub
Casperson	Hummel	O'Neil	Tobocman
Caul	Hune	Palmer	Vagnozzi
Clack	Hunter	Palsrok	Van Regenmorter
Condino	Jamnick	Pappageorge	Vander Veen
Daniels	Johnson, Rick	Pastor	Voorhees
Dennis	Johnson, Ruth	Plakas	Walker
DeRoche	Julian	Reeves	Ward
DeRossett	Koetje	Richardville	Waters
Ehardt	Kolb	Rivet	Wenke
Elkins	Kooiman	Robertson	Whitmer
Emmons	LaJoy	Rocca	Williams
Farhat	LaSata	Sak	Woodward
Farrah	Law	Shackleton	Woronchak
Gaffney	Lipsey	Shaffer	Zelenko

Nays—1

Drolet

In The Chair: Julian

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

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

Rep. Richardville moved that the Committee on Appropriations be discharged from further consideration of **House Bill No. 5864**.

The motion prevailed, a majority of the members serving voting therefor.
The bill was placed on the order of Second Reading of Bills and laid over one day.

Second Reading of Bills

Rep. Richardville moved that Rule 48 be suspended.
The motion prevailed, 3/5 of the members present voting therefor.

House Bill No. 5864, entitled

A bill to amend 1935 PA 120, entitled "An act to prescribe a method for the fingerprinting of residents of the state, and to provide for the recording and filing thereof by the central records division of the department of state police," by amending section 3 (MCL 28.273), as amended by 2002 PA 463.

The bill was read a second time.

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

The motion prevailed.

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

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

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

House Bill No. 5864, entitled

A bill to amend 1935 PA 120, entitled "An act to prescribe a method for the fingerprinting of residents of the state, and to provide for the recording and filing thereof by the central records division of the department of state police," by amending section 3 (MCL 28.273), as amended by 2002 PA 463.

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

Roll Call No. 769**Yeas—102**

Accavitti	Garfield	McConico	Sheen
Acciavatti	Gielegem	Meisner	Sheltrown
Adamini	Gillard	Meyer	Shulman
Amos	Gleason	Middaugh	Smith
Anderson	Hager	Milosch	Spade
Bieda	Hardman	Minore	Stahl
Bisbee	Hart	Moolenaar	Stakoe
Bradstreet	Hood	Murphy	Steil

Brandenburg	Hoogendyk	Newell	Stewart
Brown	Hopgood	Nitz	Tabor
Byrum	Howell	Nofs	Taub
Casperson	Huizenga	O'Neil	Tobocman
Caul	Hummel	Palmer	Vagnozzi
Clack	Hune	Palsrok	Van Regenmorter
Condino	Hunter	Pappageorge	Vander Veen
Daniels	Jamnack	Pastor	Voorhees
Dennis	Johnson, Rick	Plakas	Walker
DeRoche	Johnson, Ruth	Reeves	Ward
DeRossett	Julian	Richardville	Waters
Drolet	Koetje	Rivet	Wenke
Ehardt	Kolb	Robertson	Whitmer
Elkins	Kooiman	Rocca	Williams
Emmons	LaJoy	Sak	Woodward
Farhat	LaSata	Shackleton	Woronchak
Farrah	Law	Shaffer	Zelenko
Gaffney	Lipsey		

Nays—0

In The Chair: Julian

The House agreed to the title of the bill.

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

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

Rep. Caswell, under Rule 33, made the following statement:

“Mr. Speaker and members of the House:

I was absent from the Chamber when the vote was taken on Roll Call Nos. 766-769. Had I been present, I would have voted ‘yea’.”

Rep. LaJoy moved that Rep. Robertson be excused from the balance of today’s session.

The motion prevailed.

By unanimous consent the House returned to the order of

Motions and Resolutions

Reps. Richardville, Adamini, Anderson, Bieda, Caswell, Clack, Condino, DeRossett, Ehardt, Gielegem, Gillard, Gleason, Hager, Huizenga, Koetje, Kooiman, Law, Meyer, Murphy, Nofs, Pappageorge, Pastor, Sak, Sheltroun, Shulman, Spade, Stahl, Tabor, Taub, Tobocman, Vagnozzi, Vander Veen, Voorhees, Wojno, Jamnick, Lipsey and Phillips offered the following resolution:

House Resolution No. 305.

A resolution to memorialize the President and the Congress of the United States to designate the River Raisin Battlefield as a National Battlefield Site.

Whereas, The then-territory of Michigan played a pivotal role in the events of the War of 1812 that saw the fledgling United States finally achieve complete freedom from the military domination of Great Britain, which had occupied American territory long after the Treaty of Paris had ended the Revolutionary War; and

Whereas, The Battle of the River Raisin took place on Michigan soil on January 22, 1813, in Monroe County. Nine hundred thirty-four Americans were involved in this conflict of which only thirty-three escaped death or capture following the massacre of wounded soldiers and innocent civilians after the battle in the bloodiest encounter of the War of 1812; and

Whereas, The men of the Kentucky Cavalry, led by survivors of the Battle of the River Raisin, engaged British forces and their Indian allies, driving them back into Canada and decisively defeating them at the Battle of the Thames under the battle cry of "Remember the Raisin!" which galvanized support for the war effort in the Old Northwest Territory and across the nation; and

Whereas, This important battle in America's past has never received the respect and acclaim it deserves with its designation as a National Battlefield Site; now, therefore, be it

Resolved by the House of Representatives, That we memorialize the President and the Congress of the United States to designate the River Raisin Battlefield as a National Battlefield Site; and be it further

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

The resolution was referred to the Committee on Veterans Affairs and Homeland Security.

Reps. Taub, Gaffney, Ehardt, Vander Veen, Voorhees, Ward, McConico, Wojno, Condino, Waters, Pappageorge, DeRoche, Hune, Hunter, Adamini, Anderson, Bieda, Caswell, Clack, DeRossett, Gielegem, Gillard, Hager, Huizenga, Kooiman, Meyer, Murphy, Nofs, Pastor, Richardville, Sak, Shulman, Stahl, Tabor, Tobocman, Vagnozzi, Jamnick and Phillips offered the following concurrent resolution:

House Concurrent Resolution No. 68.

A concurrent resolution to memorialize the Congress of the United States and the Department of Health and Human Services to establish the NorthEast Detroit Community Health Center as a federally qualified health care center.

Whereas, Michigan's largest city faces enormous challenges related to the health of its citizens. Difficult economic conditions, including high rates of poverty and uninsured residents, have contributed to a host of serious problems. The health of Detroit's residents is clearly a major concern and a threat to the state's future; and

Whereas, The northeastern region of the city is especially underserved by medical professionals and facilities. The eight-square mile area being targeted for the establishment of a federally qualified health care center has an infant mortality rate that is twice the state's, a lifespan of only 68.5 years, and a rate of uninsured residents over 45 percent; and

Whereas, Advantage Health Centers has proposed to establish the NorthEast Detroit Community Health Center, in partnership with St. John Health, under the United States Health and Human Services Section 330 federally qualified health care center program. This initiative would represent a major step in addressing the significant medical care needs of area residents. The facility seeks to serve 10,450 clients through 26,100 patient encounters annually; and

Whereas, The new community center would provide preventative and primary health care services, including mental health and substance abuse care, as well as access to the full range of the resources of St. John Health. The overall impact of a federally qualified health care center such as this would be substantial not only to the daily lives of the individuals served, but also to the well-being of the metropolitan area; now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That we memorialize the Congress of the United States and the Department of Health and Human Services to establish the NorthEast Detroit Community Health Center as a federally qualified health care center; and be it further

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

The concurrent resolution was referred to the Committee on Health Policy.

Reports of Select Committees

First Conference Report

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

House Bill No. 5509, entitled

A bill to make appropriations for the department of agriculture for the fiscal year ending September 30, 2005; to provide for the expenditure of the appropriations; to create funds; to provide for the imposition of fees; to require reports, audits, and plans; to authorize certain transfers by certain state agencies; and to provide for the disposition of fees and other income received by certain state agencies.

Recommends:

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

A bill to make appropriations for the department of agriculture for the fiscal year ending September 30, 2005; to provide for the expenditure of the appropriations; to create funds; to provide for the imposition of fees; to require reports, audits, and plans; to authorize certain transfers by certain state agencies; and to provide for the disposition of fees and other income received by certain state agencies.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

PART 1

LINE-ITEM APPROPRIATIONS

Sec. 101. Subject to the conditions set forth in this act, the amounts listed in this part are appropriated for the department of agriculture for the fiscal year ending September 30, 2005, from the funds indicated in this part. The following is a summary of the appropriations in this part:

DEPARTMENT OF AGRICULTURE

APPROPRIATION SUMMARY:

Full-time equated unclassified positions	6.0	
Full-time equated classified positions	743.0	
GROSS APPROPRIATION.....		\$ 126,131,300
Interdepartmental grant revenues:		
IDG from MDCH, local public health operations.....		8,878,700
IDG from MDEQ, biosolids.....		86,100
IDG from MDEQ, right to farm.....		113,000
IDG from MDEQ, type II well survey		16,100
IDG from MDLEG (LCC), liquor quality testing fees.....		177,300
IDG from MDLEG (LCC), nonretail liquor license fees		560,500
IDG from MDNR, district forestry and wildlife program.....		1,000,000
Total interdepartmental grants and intradepartmental transfers		10,831,700
ADJUSTED GROSS APPROPRIATION		\$ 115,299,600
Federal revenues:		
DAG, multiple grants.....		30,758,100
EPA, multiple grants		2,368,500
HHS-FDA		349,600
Total federal revenues		33,476,200
Special revenue funds:		
Total local revenues		0
Private - slow-the-spread foundation.....		138,700
Total private revenues		138,700
Agricultural preservation fund		900,000
Agriculture equine industry development fund.....		17,302,200
Agriculture pollution prevention fund.....		100
Civil penalties.....		43,900
Commodity inspection fees.....		709,400
Gasoline inspection and testing fund.....		2,035,800
Groundwater and freshwater protection fund		4,812,300
Horticulture fund		74,700
Industry support funds		612,100
Licensing and inspection fees		6,139,100
Michigan state fair revenue.....		5,486,100
Pseudorabies and swine brucellosis fund		21,200
Refined petroleum fund		3,000,000
State services fee fund		8,218,700
Testing fees.....		386,100
Upper Peninsula state fair revenue.....		1,291,500
Weights and measures regulation fees.....		560,100
Total other state restricted revenues		51,593,300
State general fund/general purpose		\$ 30,091,400

Sec. 102. EXECUTIVE

Full-time equated unclassified positions	6.0
Full-time equated classified positions	52.0

For Fiscal Year
Ending Sept. 30,
2005

Commission and boards	\$	53,300
Unclassified positions—6.0 FTE positions.....		428,500
Executive direction—10.0 FTE positions.....		1,131,600
Management services—35.5 FTE positions.....		2,808,000
Statistical reporting service—4.0 FTE positions		339,300
Emergency management—2.5 FTE positions		220,100
Human resource optimization user charges		29,500
GROSS APPROPRIATION	\$	<u>5,010,300</u>

Appropriated from:

Interdepartmental grant revenues:

IDG from MDLEG (LCC), nonretail liquor license fees		8,800
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Special revenue funds:

Gasoline inspection and testing fund.....		52,500
Industry support funds		30,000
Michigan state fair revenue.....		80,500
State services fee fund		352,000
Upper Peninsula state fair revenue.....		9,000
State general fund/general purpose	\$	4,477,500

Sec. 103. DEPARTMENTWIDE

Rent and building occupancy charges	\$	1,486,400
Employee turnover savings		(100,000)
Agriculture equine industry development fund reimbursement		0
GROSS APPROPRIATION	\$	<u>1,386,400</u>

Appropriated from:

Interdepartmental grant revenues:

IDG from MDLEG (LCC), nonretail liquor license fees		5,800
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Federal revenues:

DAG, multiple grants.....		100,500
EPA, multiple grants		61,200
HHS-FDA		13,100

Special revenue funds:

Agricultural preservation fund		23,900
Agriculture equine industry development fund.....		2,025,000
Groundwater and freshwater protection fund		9,500
Licensing and inspection fees		48,200
State services fee fund		304,600
State general fund/general purpose	\$	(1,205,400)

Sec. 104. FOOD AND DAIRY

Full-time equated classified positions	107.0	
Food safety and quality assurance—107.0 FTE positions		\$ 10,265,400
Local public health operations		8,878,700
GROSS APPROPRIATION		<u>\$ 19,144,100</u>

Appropriated from:

Interdepartmental grant revenues:

IDG from MDCH, local public health operations.....		8,878,700
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Federal revenues:

DAG, multiple grants.....		24,800
HHS-FDA		203,700

Special revenue funds:

Civil penalties.....		43,900
Licensing and inspection fees		3,030,400
State general fund/general purpose	\$	6,962,600

Sec. 105. ANIMAL INDUSTRY

Full-time equated classified positions	49.0	
Animal health and welfare—22.5 FTE positions.....		\$ 2,299,500
Bovine tuberculosis program—26.5 FTE positions		5,488,800
GROSS APPROPRIATION		<u>\$ 7,788,300</u>

For Fiscal Year
Ending Sept. 30,
2005

Appropriated from:	
Federal revenues:	
DAG, multiple grants.....	1,251,000
HHS-FDA.....	68,800
Special revenue funds:	
Agriculture equine industry development fund.....	302,800
Licensing and inspection fees.....	87,300
Pseudorabies and swine brucellosis fund.....	21,200
State general fund/general purpose.....	\$ 6,057,200
Sec. 106. PESTICIDE AND PLANT PEST MANAGEMENT	
Full-time equated classified positions.....	274.8
Pesticide and plant pest management—119.8 FTE positions.....	\$ 12,184,900
Emerald ash borer control program—155.0 FTE positions.....	25,197,300
Michigan State University.....	210,000
GROSS APPROPRIATION.....	\$ 37,592,200
Appropriated from:	
Federal revenues:	
DAG, multiple grants.....	27,272,500
EPA, multiple grants.....	1,563,500
HHS-FDA.....	64,000
Special revenue funds:	
Private - slow-the-spread foundation.....	138,700
Commodity inspection fees.....	709,400
Horticulture fund.....	74,700
Industry support funds.....	319,900
Licensing and inspection fees.....	2,860,700
State general fund/general purpose.....	\$ 4,588,800
Sec. 107. ENVIRONMENTAL STEWARDSHIP	
Full-time equated classified positions.....	47.0
Environmental stewardship—32.7 FTE positions.....	\$ 2,547,700
Groundwater and freshwater protection program—8.3 FTE positions.....	4,931,700
Farmland and open space preservation—6.0 FTE positions.....	875,900
Cooperative resources management initiative program.....	1,000,000
Agriculture pollution prevention program.....	100
Local conservation districts.....	1,580,000
Migrant labor housing.....	255,000
GROSS APPROPRIATION.....	\$ 11,190,400
Appropriated from:	
Interdepartmental grant revenues:	
IDG from MDEQ, biosolids.....	86,100
IDG from MDEQ, right to farm.....	113,000
IDG from MDEQ, type II well survey.....	16,100
IDG from MDNR, district forestry and wildlife program.....	1,000,000
Federal revenues:	
EPA, multiple grants.....	419,700
Special revenue funds:	
Agricultural preservation fund.....	875,900
Agriculture pollution prevention fund.....	100
Groundwater and freshwater protection fund.....	4,802,700
State general fund/general purpose.....	\$ 3,876,800
Sec. 108. LABORATORY PROGRAM	
Full-time equated classified positions.....	148.0
Laboratory services—60.5 FTE positions.....	\$ 5,038,600
USDA monitoring—18.0 FTE positions.....	1,906,500
Consumer protection program—69.5 FTE positions.....	4,709,100
GROSS APPROPRIATION.....	\$ 11,654,200

For Fiscal Year
Ending Sept. 30,
2005

Appropriated from:	
Interdepartmental grant revenues:	
IDG from MDLEG (LCC), liquor quality testing fees.....	174,500
Federal revenues:	
DAG, multiple grants.....	1,926,900
EPA, multiple grants.....	324,100
Special revenue funds:	
Gasoline inspection and testing fund.....	1,957,100
Refined petroleum fund.....	3,000,000
State services fee fund.....	479,600
Testing fees.....	386,100
Weights and measures regulation fees.....	560,100
State general fund/general purpose.....	\$ 2,845,800
Sec. 109. AGRICULTURE DEVELOPMENT	
Full-time equated classified positions.....8.0	
Agriculture development—5.0 FTE positions.....	\$ 750,000
Grape and wine program—3.0 FTE positions.....	677,600
Export market development program.....	50,000
Food bank.....	630,500
Future farmers of America.....	60,000
GROSS APPROPRIATION.....	\$ 2,168,100
Appropriated from:	
Interdepartmental grant revenues:	
IDG from MDLEG (LCC), nonretail liquor license fees.....	545,400
Federal revenues:	
DAG, multiple grants.....	182,400
Special revenue funds:	
Industry support funds.....	232,200
State services fee fund.....	293,700
State general fund/general purpose.....	\$ 914,400
Sec. 110. FAIRS AND EXPOSITIONS	
Full-time equated classified positions.....25.5	
Michigan state fair operations—9.0 FTE positions.....	\$ 5,153,800
Upper Peninsula state fair—7.0 FTE positions.....	1,281,600
Fairs, racing and producer security—9.5 FTE positions.....	1,174,300
Building and track improvement - county and state fairs.....	963,200
Building and track improvement - licensed tracks.....	2,980,000
Premiums - county and state fairs.....	1,614,000
Purses and supplements - fairs/licensed tracks.....	2,579,700
Standardbred Fedele Fauri futurity.....	85,400
Standardbred Michigan futurity.....	85,400
Quarterhorse programs.....	38,500
Licensed tracks-light horse racing.....	115,800
Standardbred breeders' awards.....	1,358,900
Standardbred purses and supplements-licensed tracks.....	1,720,900
Standardbred sire stakes.....	1,075,900
Thoroughbred sire stakes.....	1,002,900
Standardbred training and stabling.....	42,400
Thoroughbred program.....	2,754,900
Thoroughbred owners' awards.....	150,900
Distribution of outstanding winning tickets.....	700,000
Future farmers of America foundation.....	20,000
Michigan 4-H foundation.....	20,000
Michigan State University, college of agriculture and natural resources.....	80,000
GROSS APPROPRIATION.....	\$ 24,998,500
Appropriated from:	
Special revenue funds:	
Agriculture equine industry development fund.....	14,831,600

	For Fiscal Year Ending Sept. 30, 2005
Industry support funds	30,000
Licensing and inspection fees	112,500
Michigan state fair revenue.....	5,316,800
State services fee fund	3,177,500
Upper Peninsula state fair revenue.....	1,281,600
State general fund/general purpose	\$ 248,500
Sec. 111. OFFICE OF RACING COMMISSIONER	
Full-time equated classified positions	31.7
Office of racing commissioner—31.7 FTE positions.....	\$ 3,609,200
GROSS APPROPRIATION.....	\$ 3,609,200
Appropriated from:	
Special revenue funds:	
State services fee fund	3,609,200
State general fund/general purpose	\$ 0
Sec. 112. INFORMATION TECHNOLOGY	
Information technology services and projects	\$ 1,589,600
GROSS APPROPRIATION.....	\$ 1,589,600
Appropriated from:	
Interdepartmental grant revenues:	
IDG from MDLEG (LCC), liquor quality testing fees.....	2,800
IDG from MDLEG (LCC), nonretail liquor license fees	500
Special revenue funds:	
Agricultural preservation fund	200
Agriculture equine industry development fund.....	142,800
Gasoline inspection and testing fund.....	26,200
Groundwater and freshwater protection fund	100
Michigan state fair revenue.....	88,800
State services fee fund	2,100
Upper Peninsula state fair revenue.....	900
State general fund/general purpose	\$ 1,325,200

PART 2
PROVISIONS CONCERNING APPROPRIATIONS

GENERAL SECTIONS

Sec. 201. Pursuant to section 30 of article IX of the state constitution of 1963, total state spending from state resources under part 1 for fiscal year 2004-2005 is \$81,684,700.00 and state spending from state resources to be paid to local units of government for fiscal year 2004-2005 is \$3,380,000.00. The itemized statement below identifies appropriations from which spending to local units of government will occur:

DEPARTMENT OF AGRICULTURE

Groundwater and freshwater protection program	\$ 1,800,000
Local conservation districts	1,580,000
TOTAL	\$ 3,380,000

Sec. 202. The appropriations authorized under this act are subject to the management and budget act, 1984 PA 431, MCL 18.1101 to 18.1594.

Sec. 203. As used in this act:

- (a) "DAG" means the United States department of agriculture.
- (b) "Department" means the department of agriculture.
- (c) "Director" means the director of the department.
- (d) "EPA" means the United States environmental protection agency.
- (e) "FTE" means full-time equated.
- (f) "HHS-FDA" means the United States department of health and human services - food and drug administration.
- (g) "IDG" means interdepartmental grant.
- (h) "MDCH" means the Michigan department of community health.
- (i) "MDLEG (LCC)" means the Michigan department of labor and economic growth - liquor control commission.
- (j) "MDEQ" means the Michigan department of environmental quality.
- (k) "MDNR" means the Michigan department of natural resources.

Sec. 204. The department of civil service shall bill departments and agencies at the end of the first fiscal quarter for the 1% charge 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. 205. (1) A hiring freeze is imposed on the state classified civil service. State departments and agencies are prohibited from hiring any new classified civil service employees and prohibited from filling any vacant state classified civil service positions. This hiring freeze does not apply to internal transfers of classified employees from 1 position to another within a department.

(2) The hiring freeze described in subsection (1) does not apply to any classified state civil service position that meets any of the following criteria:

(a) Filling the vacant position will directly prevent the loss of federal funding.

(b) The vacant position deals directly with the direct provision of public safety services including prison officers, law enforcement officers, and child services enforcement workers.

(c) The vacant position provides direct health care services including physicians, nurses, and other direct health care providers.

(3) The state budget director shall report quarterly to the chairpersons of the senate and house of representatives standing committees on appropriations the number of new state classified civil service employees hired during the previous quarter and the reasons to justify the hiring.

Sec. 208. Unless otherwise specified, the department shall use the Internet to fulfill the reporting requirements of this act. This shall include transmission of reports via electronic mail to the recipients identified for each reporting requirement and shall include placement of reports on an Internet or Intranet site.

Sec. 209. (1) Funds appropriated in part 1 shall not be used for the purchase of foreign goods or services, or both, if competitively priced and of comparable quality American goods or services, or both, are available.

(2) In addition to the requirements in subsection (1), the purchase of goods or services, or both, if competitively priced and of comparable quality shall be Michigan goods or services, or both, if available. The department shall also encourage the use of Michigan produced agricultural products by all state agencies and departments if competitively priced and of comparable quality and if available.

Sec. 210. The director of each department receiving appropriations in part 1 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. Each director shall strongly encourage firms with which the department contracts to subcontract with certified businesses in depressed and deprived communities for services, supplies, or both.

Sec. 211. (1) The unexpended and unobligated balance of any state restricted fund or account remaining at the end of the fiscal year shall revert back to the state restricted fund or account from which appropriated and be available for appropriation for the next fiscal year. Appropriations that revert to a state restricted fund or account pursuant to this section shall not revert to the general fund of this state.

(2) A state restricted revenue fund or account that receives revenues in excess of expenditures made from that state restricted revenue fund or account shall not have the excess revenue revert to the general fund of this state.

Sec. 212. (1) Of the funds appropriated in part 1, the department may provide for indemnity as provided for pursuant to the animal industry act of 1987, 1988 PA 466, MCL 287.701 to 287.745, not to exceed \$100,000.00 per order from any line item for the fiscal year ending September 30, 2005. Before the department provides for an indemnification under this section, the department shall report the reason for the indemnification, the amount of the indemnification, and to whom the indemnification is to be paid. The report shall be given to each member of the house and senate appropriations subcommittees on agriculture and to the senate and house fiscal agencies and the state budget director.

(2) The department of agriculture shall make an indemnification payment for the fair market value of livestock killed by a wolf or coyote, if the kill is verified by the department of natural resources. The fair market value of the livestock shall be determined pursuant to the indemnification procedures prescribed in the animal industry act, 1988 PA 466, MCL 287.701 to 287.745. In addition to the funds appropriated in part 1, the department of agriculture is authorized to expend the funds received from the department of natural resources to reimburse the department of agriculture for all indemnification payments made pursuant to this subsection.

Sec. 214. Of the funds appropriated in part 1 that are other than line-item grants, the department shall not provide grants to local government agencies, institutions of higher education, or nonprofit organizations unless the department provides notice of the grant to the house and senate appropriations subcommittees on agriculture at least 10 days before the grant is issued. The grants shall be used to support research or other related activities for the purpose of enhancing the agricultural industries in this state.

Sec. 216. The unexpended and unencumbered balance of revenue deposited pursuant to section 20 of the horse racing law of 1995, 1995 PA 279, MCL 431.320, for the fiscal year ending September 30, 2005, shall be appropriated to the Michigan agriculture equine industry development fund for distribution as set forth in section 20 of the horse racing law of 1995, 1995 PA 279, MCL 431.320.

Sec. 219. The department of information technology shall annually publish a schedule of rates, user fees, and charges or assessments for standard services and information system support requirements to be made to departments for technology related services and projects. This schedule, as well as copies of related interagency agreements, shall be provided to the state budget office and the house and senate committees on appropriations before October 15, 2004. The department of agriculture shall not process any payments or fund transfers to the department of information

technology until 30 days after the 2004-2005 fiscal year schedule of rates, user fees, and assessments is provided to the legislature, pursuant to this section.

Sec. 220. Amounts appropriated in part 1 for information technology may be designated as work projects and carried forward to support technology projects under the direction of the department of information technology. Funds designated in this manner are not available for expenditure until approved as work projects under section 451a of the management and budget act, 1984 PA 431, MCL 18.1451a.

Sec. 222. The negative appropriation for employee turnover savings in part 1 shall be satisfied by employee cost savings realized from the natural delay associated with position posting, recruitment, and hiring of employees to fill approved vacancies for existing positions within the department. Appropriation authorization adjustments required to implement the negative appropriation shall be made after the approval of transfers by the legislature under section 393(2) of the management and budget act, 1984 PA 431, MCL 18.1393.

Sec. 223. (1) Due to the current budgetary problems in this state, out-of-state travel for the fiscal year ending September 30, 2005 shall be limited to situations in which 1 or more of the following conditions apply:

- (a) The travel is required by legal mandate or court order or for law enforcement purposes.
- (b) The travel is necessary to protect the health or safety of Michigan citizens or visitors or to assist other states in similar circumstances.
- (c) The travel is necessary to produce budgetary savings or to increase state revenues, including protecting existing federal funds or securing additional federal funds.
- (d) The travel is necessary to comply with federal requirements.
- (e) The travel is necessary to secure specialized training for staff that is not available within this state.
- (f) The travel is financed entirely by federal or nonstate funds.

(2) If out-of-state travel is necessary but does not meet 1 or more of the conditions in subsection (1), the state budget director may grant an exception to allow the travel. Any exceptions granted by the state budget director shall be reported on a monthly basis to the house and senate appropriations committees.

(3) Not later than January 1 of each year, each department shall prepare a travel report listing all travel by classified and unclassified employees outside this state in the immediately preceding fiscal year that was funded in whole or in part with funds appropriated in the department's budget. The report shall be submitted to the chairs and members of the house and senate appropriations committees, the fiscal agencies, and the state budget director. The report shall include the following information:

- (a) The name of each person receiving reimbursement for travel outside this state or whose travel costs were paid by this state.
- (b) The destination of each travel occurrence.
- (c) The dates of each travel occurrence.
- (d) A brief statement of the reason for each travel occurrence.
- (e) The transportation and related costs of each travel occurrence, including the proportion funded with state general fund/general purpose revenues, the proportion funded with state restricted revenues, the proportion funded with federal revenues, and the proportion funded with other revenues.
- (f) A total of all out-of-state travel funded for the immediately preceding fiscal year.

EXECUTIVE

Sec. 301. Per diem rates for commodity committees established in the agriculture commodities marketing act, 1965 PA 232, MCL 290.651 to 290.674, 1970 PA 29, MCL 290.421 to 290.430, 1965 PA 114, MCL 290.551 to 290.568, and the beef industry commission act, 1972 PA 291, MCL 287.601 to 287.610, will be set based upon levels established in section 301 of 2002 PA 516.

Sec. 302. (1) The department may receive and expend revenue and use that revenue to cover necessary expenses related to publications, audit and licensing functions, livestock sales, certification of nursery stock, bean inspection services, and laboratory analyses as specified in the following:

- (a) Management services publications.
 - (b) Management services audit and licensing functions.
 - (c) Pesticide and plant pest management propagation and certification of virus free foundation stock.
 - (d) Pesticide and plant pest management bean inspection and grading services.
 - (e) Laboratory support testing for testing horses in draft horse pulling contests at county fairs when local jurisdictions request state assistance.
 - (f) Laboratory support analyses to determine foreign substances in horses engaged in racing or pulling contests at tracks.
 - (g) Laboratory support analysis of food, livestock, and agricultural products for disease, foreign products for disease, toxic materials, foreign substances, and quality standards.
 - (h) Laboratory support test samples for other agencies and organizations.
 - (i) Fruit and vegetable inspection at shipping and termination points and processing plants.
- (2) The department shall notify the senate and house of representatives appropriations subcommittees on agriculture

and the senate and house fiscal agencies 60 days prior to the effective date of any proposed changes to the fees authorized under this section.

(3) Annually, before February 1, the department shall provide a report to the senate and house of representatives appropriations subcommittees on agriculture and the senate and house fiscal agencies detailing all the fees charged by the department under the authorization provided in this section, including, but not limited to, rates, number of individuals paying each fee, and the revenue generated by each fee in the previous fiscal year.

Sec. 303. Of the funds appropriated in part 1 for statistical reporting service, \$90,000.00 shall be used for surveys including, but not limited to, fruit, vegetables, and nursery stock including Christmas trees and ornamental plants. The director may include other agricultural surveys such as turfgrass in the 3- to 5-year rotation. The survey shall include information such as existing plantings/acreage, new plantings/acreage, production, and number of growers.

FOOD AND DAIRY

Sec. 401. (1) The department shall monitor restaurant inspection and licensing functions carried out by local health departments to ensure uniform application and enforcement of minimum program requirements. On or before April 1, 2005, the department shall report to the senate and house appropriations subcommittees on agriculture, the senate and house fiscal agencies, and the state budget director on local health department conformance with minimum program requirements.

(2) If a local unit of government incurs additional costs resulting from its efforts to control a significant food-borne outbreak, the director shall seek additional resources to reimburse the local unit of government for these additional costs. The director shall involve the local health officer of the jurisdiction affected in all aspects of the control of any food-borne outbreak.

Sec. 402. Not later than April 1, 2005, the department shall provide a report to the house and senate appropriations subcommittees on agriculture and the house and senate fiscal agencies describing significant food-borne outbreaks and emergencies including any enforcement actions taken related to food safety during the 2003-2004 fiscal year.

Sec. 403. The department, in conjunction with the department of community health, shall assure that a process is in place that requires a local unit of government to obtain prior approval from the department before any reallocation or redistribution of program funds appropriated in section 104.

ANIMAL INDUSTRY

Sec. 450. From the funds appropriated in section 105 for the bovine tuberculosis program, the department shall reimburse the department of natural resources for those costs associated with monitoring and testing wildlife for bovine tuberculosis that are necessary to support the department goals and are jointly agreed to by the department and the department of natural resources to be in excess of efforts necessary to effectively plan and execute the eradication of bovine tuberculosis from Michigan's wild free-ranging deer herd.

Sec. 451. From the funds appropriated in section 105 for bovine tuberculosis, the department shall pay for all whole herd testing costs and individual animal testing costs in the modified accredited zone to achieve and maintain split-state status requirements. These costs include producer assistance, indemnity, and compensation for injury causing death or downer to animals.

Sec. 452. In the event of a significant animal or plant health outbreak, the director shall seek additional state and federal resources to cover the additional costs associated with addressing the outbreak.

PESTICIDE AND PLANT PEST MANAGEMENT

Sec. 501. Of the funds appropriated in section 106 to the pesticide and plant pest management division, up to \$100,000.00 may be made available to the Michigan cooperative extension service to train applicators. Reimbursement shall be based on actual expenditures and revenue availability.

ENVIRONMENTAL STEWARDSHIP

Sec. 602. The department shall expend the amount appropriated for migrant labor housing grants for construction of new migrant labor housing. Project grants shall not exceed \$5,000.00 per unit. An applicant is not eligible for more than a \$20,000.00 grant in any fiscal year.

Sec. 603. The department shall apply for all federal funds for which it is eligible that can be used to support the migrant labor housing program.

Sec. 604. The appropriation in section 107 for local conservation districts shall be allocated in the following manner:

(a) Of the total appropriation, each local conservation district meeting the minimum grant requirements shall receive a grant of \$20,000.00 to support basic operations, unless the district resides in a county consisting of multiple districts, in which case a \$20,000.00 grant shall be divided equally among the districts in that county. The amount of money allocated under this subdivision shall not be used by local conservation districts to replace any money received from local sources.

(b) Any amount remaining from the appropriation after distributions under subdivision (a) shall be allocated for local conservation district training.

AGRICULTURE DEVELOPMENT

Sec. 701. Within the appropriations in part 1 for agriculture development, \$677,600.00 is for the grape and wine industry council, from which the department may provide grants for the purposes as described in section 303 of the Michigan liquor control code of 1998, 1998 PA 58, MCL 436.1303.

Sec. 702. In any given year when insufficient amounts of Michigan surplus products are offered to the food bank council and accepted for distribution, unused funds may be applied by the food bank council for the direct purchase of foods from Michigan growers, manufacturers, or wholesalers.

Sec. 704. Indirect costs may not be charged against the future farmers of America grant in section 109 by any administering agency.

Sec. 705. The appropriation in section 109 for the export market development program shall be used to coordinate state participation in the federal market access program and to leverage federal funds for the purpose of developing new and enhancing existing export markets for Michigan agricultural products.

Sec. 706. From the appropriation in part 1 for agriculture development, \$30,000.00 shall be provided to the northwest Michigan horticultural research station.

FAIRS AND EXPOSITIONS

Sec. 801. The department shall submit a report each month to the state budget director, the senate and house appropriations subcommittees on agriculture, and the senate and house fiscal agencies that states the simulcasting revenues generated in the preceding month by each licensed track and the amount received from license fees.

Sec. 802. (1) The appropriation in section 110 for standardbred purses and supplements - licensed tracks is intended to provide state purse supplements for 4 races at state licensed pari-mutuel horse racing tracks. The purse supplements are to be used for races comprised only of Michigan-bred horses segregated into a 4-year-old colt trot division, a 4-year-old filly trot division, a 4-year-old colt pace division, and a 4-year-old filly pace division.

(2) The appropriation in section 110 for licensed tracks - light horse racing shall be allocated as follows:

Arabian and Appaloosa horse racing.....	\$	19,200
Quarter horse racing.....		57,200

Sec. 803. Included in the appropriation made in section 110 for the thoroughbred program is \$30,500.00 for the Michigan united thoroughbred breeders and owners association to conduct a thoroughbred yearling show. The Michigan united thoroughbred breeders and owners association shall submit to the department an itemized list of expenses showing that the expenses of the yearling show were paid.

Sec. 804. From the funds appropriated in section 110 for thoroughbred owners' awards, awards shall be distributed pursuant to section 20 of the horse racing law of 1995, 1995 PA 279, MCL 431.320.

Sec. 805. The department shall notify the senate and house appropriations subcommittees and the fiscal agencies of any planned reductions in appropriations, allocations, or expenditures from the agriculture equine industry development fund no less than 10 days before such reductions are implemented.

Sec. 806. A county fair, district fair, 4-H fair, or state fair receiving funds in section 110 to be used for prizes or awards, in whole or in part, as a condition precedent to the receiving of the funds for those purposes, shall publish the rules relative to the prizes, awards, and deadlines for entries eligible for the funds in their official premium books or lists relative to the prizes or awards. An aggrieved exhibitor may make a written complaint to the fair within 10 days after the fair ends. If the fair has not satisfactorily settled the grievance within 45 days after it is submitted to the fair, the aggrieved person may file the complaint with the department and the department shall investigate the complaint and make a finding of fact regarding the complaint and take appropriate action regarding the complaint.

Sec. 807. Of the amount appropriated in section 110 for purses and supplements - fairs/licensed tracks, a sufficient amount is appropriated to provide for overnight purse supplements pursuant to the horse racing law of 1995, 1995 PA 279, MCL 431.301 to 431.336.

Sec. 808. Of the amount appropriated in section 110 for premiums - county and state fairs, \$11,400.00 shall be expended as a grant for the Michigan horse show association - fall youth show.

Sec. 809. From the appropriations for premiums - county and state fairs in section 110, \$120,000.00 shall be awarded through a competitive grant program to local, regional, or state fairs or expositions to promote youth involvement and adult exhibitions in the animal agriculture industry. Appropriate exhibition classes for youth shall be developed that encourage a production exhibit for which premium awards may be paid. The age for youth exhibitors shall be determined by the standards of the association requesting the grant or, if standards do not exist, the age for youth exhibitors shall be ages 9 through 21. Implementation of the latest technologies into the evaluation of the animals shall be encouraged in the production exhibit. Adult exhibitions should focus on the performance or end product, or both, with the appropriate technologies used to enhance placings and the awarding of premiums.

Sec. 811. The funds appropriated in section 110 for distribution of outstanding winning tickets are not available for expenditure until they are deposited in the Michigan agriculture equine industry development fund pursuant to section 2 of 1951 PA 90, MCL 431.252. These funds shall be expended in accordance with section 2 of 1951 PA 90, MCL 431.252. The department shall provide notice to the house and senate appropriations subcommittees on agriculture at least 10 days before the funds are expended. This notice shall include the amount that each program receives from the outstanding winning ticket revenue deposited in the Michigan agriculture equine industry development fund.

Sec. 813. (1) On or before March 29, 2005, the department, together with the senate and house fiscal agencies and the department of management and budget, shall estimate the unreserved and unencumbered closing balance of the Michigan agriculture equine industry development fund for the fiscal year ending September 30, 2004. The estimate

shall consider lapsed appropriations from the fund and any carryforward amounts designated for appropriation in the fiscal year ending September 30, 2004.

(2) On or before April 5, 2005, the department shall request a legislative transfer in accordance with section 393 of the management and budget act, 1984 PA 431, MCL 18.1393, to appropriate any estimated unreserved and unencumbered Michigan agriculture equine industry development fund balance in excess of \$250,000.00. The appropriations included in the transfer request shall be in accordance with the requirements of section 20 of the horse racing law of 1995, 1995 PA 279, MCL 431.320. At the same time the department forwards its transfer request to the department of management and budget, the department shall submit copies of the transfer request to the senate and house appropriations subcommittees on agriculture and the senate and house fiscal agencies.

Sec. 815. From the funds appropriated in section 110, \$2,980,000.00 shall be allocated to race meeting licensees under the horse racing law of 1995, 1995 PA 279, MCL 431.301 to 431.336, for capital improvement at horse racing tracks in Michigan. Each licensee shall receive, from the funds made available under this section, an amount equal to its proportion of the total amount of money wagered, live and simulcast, in this state on horse racing that is conducted in this state during the 2004 calendar year. The department shall distribute each race meeting licensee's allocation provided under this section in 4 equal amounts throughout the year. The funding shall only be made available to a race meeting licensee if matched, dollar for dollar, with funds provided by the licensee. It is the intent of the legislature that these funds shall be made available in the fiscal year ending September 30, 2005.

Sec. 816. From the appropriation in section 110 for fairs, racing and producer security, \$20,000.00 shall be granted to the communications alliance to network thoroughbred ex-racehorses (CANTER) to support racehorse rehabilitation programs.

OFFICE OF RACING COMMISSIONER

Sec. 901. The racing commissioner may pay rewards of not more than \$5,800.00 to a person who provides information that results in the arrest and conviction on a felony or misdemeanor charge for a crime that involves the horse racing industry. A reward paid pursuant to this section shall be paid out of the office of racing commissioner line item.

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 agriculture for the fiscal year ending September 30, 2005; 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.

Mike Pumford
Bruce Caswell
Clarence Phillips
Conferees for the House

Cameron Brown
Jim Barcia
Conferees for the Senate

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

Reports of Standing Committees

The Committee on Regulatory Reform, by Rep. Rocca, Chair, reported

House Bill No. 5340, entitled

A bill to amend 2002 PA 440, entitled "An act to authorize the state administrative board to convey certain state owned property in Macomb county; to prescribe conditions for the conveyance; and to provide for disposition of the revenue from the conveyance," by amending section 6.

With the recommendation that the substitute (H-1) be adopted and that the bill then pass.

The bill and substitute were referred to the order of Second Reading of Bills and laid over one day under the rules.

Favorable Roll Call

To Report Out:

Yeas: Reps. Rocca, Gaffney, Bisbee, Julian, Palsrok, Wojno, Hopgood and Gielegem

Nays: None

The Committee on Regulatory Reform, by Rep. Rocca, Chair, reported

House Bill No. 6046, entitled

A bill to amend 1972 PA 230, entitled "Stille-DeRossett-Hale single state construction code act," by amending section 4 (MCL 125.1504), as amended by 1999 PA 245.

With the recommendation that the substitute (H-1) be adopted and that the bill then pass.

The bill and substitute were referred to the order of Second Reading of Bills and laid over one day under the rules.

Favorable Roll Call

To Report Out:

Yeas: Reps. Gaffney, Bisbee, Julian, Palsrok, Wojno, Hopgood and Gielegghem

Nays: None

The Committee on Regulatory Reform, by Rep. Rocca, Chair, reported

House Bill No. 6101, entitled

A bill to authorize the state administrative board to convey certain state owned property in Branch county; to prescribe conditions for the conveyance; and to provide for disposition of the revenue from the conveyance.

With the recommendation that the substitute (H-1) be adopted and that the bill then pass.

The bill and substitute were referred to the order of Second Reading of Bills and laid over one day under the rules.

Favorable Roll Call

To Report Out:

Yeas: Reps. Rocca, Gaffney, Bisbee, Julian, Palsrok, Wojno, Hopgood and Gielegghem

Nays: None

The Committee on Regulatory Reform, by Rep. Rocca, Chair, reported

Senate Bill No. 847, entitled

A bill to amend 2002 PA 440, entitled "An act to authorize the state administrative board to convey certain state owned property in Macomb county; to prescribe conditions for the conveyance; and to provide for disposition of the revenue from the conveyance," by amending sections 3 and 4.

With the recommendation that the substitute (H-1) be adopted and that the bill then pass.

The bill and substitute were referred to the order of Second Reading of Bills and laid over one day under the rules.

Favorable Roll Call

To Report Out:

Yeas: Reps. Rocca, Gaffney, Bisbee, Julian, Palsrok, Wojno, Hopgood and Gielegghem

Nays: None

The Committee on Regulatory Reform, by Rep. Rocca, Chair, reported

Senate Bill No. 1120, entitled

A bill to authorize the state administrative board to convey certain state owned property in Mason county; to prescribe conditions for the conveyance; and to provide for disposition of revenue derived from the conveyance.

Without amendment and with the recommendation that the bill pass.

The bill was referred to the order of Second Reading of Bills and laid over one day under the rules.

Favorable Roll Call

To Report Out:

Yeas: Reps. Rocca, Gaffney, Bisbee, Julian, Palsrok, Wojno, Hopgood and Gielegghem

Nays: None

The Committee on Regulatory Reform, by Rep. Rocca, Chair, reported
Senate Bill No. 1123, entitled

A bill to authorize the state administrative board to convey or transfer certain parcels of state owned property in Barry county; to prescribe conditions for the conveyance; to provide for certain powers and duties of certain state departments in regard to the property; and to provide for disposition of revenue derived from the conveyance.

Without amendment and with the recommendation that the bill pass.

The bill was referred to the order of Second Reading of Bills and laid over one day under the rules.

Favorable Roll Call

To Report Out:

Yeas: Reps. Gaffney, Bisbee, Julian, Palsrok, Hopgood and Gielegem

Nays: None

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Rocca, Chair, of the Committee on Regulatory Reform, was received and read:

Meeting held on: Thursday, September 9, 2004

Present: Reps. Rocca, Gaffney, Bisbee, Julian, DeRoche, Palsrok, Wojno, Hopgood and Gielegem

Absent: Reps. Sheen and Meisner

Excused: Reps. Sheen and Meisner

Announcement by the Clerk of Printing and Enrollment

The Clerk announced the enrollment printing and presentation to the Governor on Thursday, September 9, for her approval of the following bill:

Enrolled House Bill No. 5876 at 3:25 p.m.

The Clerk announced that the following bills and joint resolution had been printed and placed upon the files of the members on Thursday, September 9:

House Bill Nos. 6128 6129 6130 6131 6132 6133 6134 6135

House Joint Resolution BB

The Clerk announced that the following Senate bills had been received on Thursday, September 9:

Senate Bill Nos. 1103 1104 1105 1146 1323 1340

By unanimous consent the House returned to the order of

Messages from the Senate

Senate Bill No. 1103, entitled

A bill to amend 1933 PA 167, entitled "General sales tax act," by amending section 25 (MCL 205.75), as amended by 2003 PA 139.

The Senate has passed the bill.

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

Senate Bill No. 1104, entitled

A bill to amend 1971 PA 140, entitled "Glenn Steil state revenue sharing act of 1971," by amending section 13 (MCL 141.913), as amended by 2004 PA 77.

The Senate has passed the bill.

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

Senate Bill No. 1105, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 2153 and 2154 (MCL 324.2153 and 324.2154), as added by 1995 PA 60.

The Senate has passed the bill.

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

Senate Bill No. 1146, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 20161 (MCL 333.20161), as amended by 2003 PA 234.

The Senate has passed the bill.

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

Senate Bill No. 1323, entitled

A bill to amend 1972 PA 239, entitled "McCauley-Traxler-Law-Bowman-McNeely lottery act," by amending sections 11 and 18 (MCL 432.11 and 432.18), section 11 as amended by 2004 PA 272.

The Senate has passed the bill.

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

Senate Bill No. 1340, entitled

A bill to amend 1995 PA 29, entitled "Uniform unclaimed property act," by amending section 19 (MCL 567.239), as amended by 2004 PA 82, and by adding section 11a; and to repeal acts and parts of acts.

The Senate has passed the bill.

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

Rep. Richardville moved to suspend that portion of Rule 44 requiring bills to be handed to the Clerk three hours prior to calling the House to order.

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

Rep. Richardville moved that when the House adjourns today it stand adjourned until Wednesday, September 15, at 1:00 p.m.

The motion prevailed.

Introduction of Bills

Rep. Acciavatti introduced

House Bill No. 6136, entitled

A bill to amend 1927 PA 372, entitled "An act to regulate and license the selling, purchasing, possessing, and carrying of certain firearms and gas ejecting devices; to prohibit the buying, selling, or carrying of certain firearms and gas ejecting devices without a license or other authorization; to provide for the forfeiture of firearms under certain circumstances; to provide for penalties and remedies; to provide immunity from civil liability under certain circumstances; to prescribe the powers and duties of certain state and local agencies; to prohibit certain conduct against individuals who apply for or receive a license to carry a concealed pistol; to make appropriations; to prescribe certain conditions for the appropriations; and to repeal all acts and parts of acts inconsistent with this act," by amending section 5o (MCL 28.425o), as amended by 2002 PA 719.

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

Reps. Farhat, Nofs, Steil, Garfield, Pappageorge, Mortimer, Woronchak, Casperson, Pumford, Richardville, Sheltroun, Hopgood and Law introduced

House Bill No. 6137, entitled

A bill to amend 1899 PA 214, entitled "An act to provide relief outside of the soldiers' home for honorably discharged indigent soldiers, sailors, marines, nurses and members of women's auxiliaries and the indigent wives,

widows and minor children of such indigent or deceased soldiers, sailors, marines, nurses and members of women's auxiliaries, and to repeal certain acts and parts of acts," by amending the title and sections 1, 2, 3, 4, 5, and 7 (MCL 35.21, 35.22, 35.23, 35.24, 35.25, and 35.27), section 1 as amended by 1984 PA 168; and to repeal acts and parts of acts.

The bill was read a first time by its title and referred to the Committee on Veterans Affairs and Homeland Security.

Reps. Vander Veen, Voorhees, Hoogendyk, Casperson, Stahl, Pappageorge, Nofs, Walker, Amos, Shulman, Ehardt, Julian, Mortimer, Kooiman, Caul, Middaugh, DeRoche, Hune, Farhat, Richardville, Shaffer, Acciavatti, Emmons, Huizenga, Brandenburg, Hummel, Meyer, Woronchak, Koetje, Newell, Steil and Ruth Johnson introduced

House Bill No. 6138, entitled

A bill to amend 1954 PA 116, entitled "Michigan election law," by amending section 477 (MCL 168.477), as amended by 1999 PA 219.

The bill was read a first time by its title and referred to the Committee on Local Government and Urban Policy.

Reps. Bieda, Wojno, Gielegem, Accavitti, Rocca, Palmer, Brandenburg, Acciavatti, Drolet, Lipsey, Kolb and Gleason introduced

House Bill No. 6139, entitled

A bill to amend 1966 PA 331, entitled "Community college act of 1966," by amending section 157 (MCL 389.157).

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

Rep. Stakoe introduced

House Bill No. 6140, entitled

A bill to amend 1986 PA 54, entitled "Building officials and inspectors registration act," by amending section 10 (MCL 338.2310).

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

Rep. Stakoe introduced

House Bill No. 6141, entitled

A bill to amend 2002 PA 733, entitled "State plumbing act," by amending section 39 (MCL 338.3549).

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

Rep. Stakoe introduced

House Bill No. 6142, entitled

A bill to amend 1956 PA 217, entitled "Electrical administrative act," by amending section 7a (MCL 338.887a), as added by 1990 PA 246.

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

Rep. Stakoe introduced

House Bill No. 6143, entitled

A bill to amend 1984 PA 192, entitled "Forbes mechanical contractors act," (MCL 338.971 to 338.988) by adding section 13a.

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

Reps. Kolb, Lipsey, Brown, Vagnozzi, Minore and Tobocman introduced

House Bill No. 6144, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," (MCL 324.101 to 324.90106) by adding section 17211.

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

Reps. Kolb, Lipsey, Brown, Vagnozzi, Minore and Tobocman introduced

House Bill No. 6145, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," (MCL 324.101 to 324.90106) by adding section 17208.

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

Reps. Lipsey, Kolb, Meisner, Bieda, Brown, Vagnozzi, Minore and Tobocman introduced

House Bill No. 6146, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," (MCL 324.101 to 324.90106) by adding section 17207.

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

Reps. Lipsey, Kolb, Meisner, Bieda, Brown, Vagnozzi, Minore and Tobocman introduced

House Bill No. 6147, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending the heading of part 172 and sections 17201, 17202, and 17203 (MCL 324.17201, 324.17202, and 324.17203), as added by 2002 PA 578, and by adding section 17205.

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

Reps. Lipsey, Kolb, Meisner, Bieda, Brown, Vagnozzi, Minore and Tobocman introduced

House Bill No. 6148, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 11503, 11514, and 11539 (MCL 324.11503, 324.11514, and 324.11539), section 11503 as amended by 1998 PA 466 and section 11514 as amended by 2004 PA 34, and by adding section 11514a.

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

Rep. Kolb introduced

House Bill No. 6149, entitled

A bill to amend 1931 PA 285, entitled "An act to provide for city, village and municipal planning; the creation, organization, powers and duties of planning commissions; the regulation and subdivision of land; and to provide penalties for violation of the provisions of this act," by amending section 7b (MCL 125.37b), as added by 2001 PA 265.

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

Reps. Kolb and Bieda introduced

House Bill No. 6150, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," (MCL 324.101 to 324.90106) by adding part 56.

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

Rep. Kolb introduced

House Bill No. 6151, entitled

A bill to amend 1986 PA 268, entitled "Legislative council act," (MCL 4.1101 to 4.1901) by adding chapter 7A.

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

Reps. Kolb and Bieda introduced

House Bill No. 6152, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending sections 5717 and 5721 (MCL 333.5717 and 333.5721), section 5717 as added by 1987 PA 48 and section 5721 as amended by 1988 PA 236.

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

Reps. Kolb, Minore and Bieda introduced

House Bill No. 6153, entitled

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," (MCL 206.1 to 206.532) by adding section 269.

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

Reps. Kolb and Bieda introduced

House Bill No. 6154, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 811f (MCL 257.811f), as added by 2000 PA 77.

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

Rep. Kolb introduced

House Bill No. 6155, entitled

A bill to amend 1975 PA 228, entitled "Single business tax act," (MCL 208.1 to 208.145) by adding section 22g. The bill was read a first time by its title and referred to the Committee on Tax Policy.

Rep. Kolb introduced

House Bill No. 6156, entitled

A bill to authorize the issuance of general obligation bonds of the state and to pledge the full faith and credit of the state for the payment of principal and interest on the bonds to finance urban redevelopment programs and the purchase of land and rights in land to preserve farmland and open space; to pay for issuing the bonds; to provide for other measures relating to the bonds; and to provide for the submission of the question of the issuance of the bonds to the electors of the state.

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

Rep. Kolb introduced

House Bill No. 6157, entitled

A bill to amend 1951 PA 51, entitled "An act to provide for the classification of all public roads, streets, and highways in this state, and for the revision of that classification and for additions to and deletions from each classification; to set up and establish the Michigan transportation fund; to provide for the deposits in the Michigan transportation fund of specific taxes on motor vehicles and motor vehicle fuels; to provide for the allocation of funds from the Michigan transportation fund and the use and administration of the fund for transportation purposes; to set up and establish the truck safety fund; to provide for the allocation of funds from the truck safety fund and administration of the fund for truck safety purposes; to set up and establish the Michigan truck safety commission; to establish certain standards for road contracts for certain businesses; to provide for the continuing review of transportation needs within the state; to authorize the state transportation commission, counties, cities, and villages to borrow money, issue bonds, and make pledges of funds for transportation purposes; to authorize counties to advance funds for the payment of deficiencies necessary for the payment of bonds issued under this act; to provide for the limitations, payment, retirement, and security of the bonds and pledges; to provide for appropriations and tax levies by counties and townships for county roads; to authorize contributions by townships for county roads; to provide for the establishment and administration of the state trunk line fund, critical bridge fund, comprehensive transportation fund, and certain other funds; to provide for the deposits in the state trunk line fund, critical bridge fund, comprehensive transportation fund, and certain other funds of money raised by specific taxes and fees; to provide for definitions of public transportation functions and criteria; to define the purposes for which Michigan transportation funds may be allocated; to provide for Michigan transportation fund grants; to provide for review and approval of transportation programs; to provide for submission of annual legislative requests and reports; to provide for the establishment and functions of certain advisory entities; to provide for conditions for grants; to provide for the issuance of bonds and notes for transportation purposes; to provide for the powers and duties of certain state and local agencies and officials; to provide for the making of loans for transportation purposes by the state transportation department and for the receipt and repayment by local units and agencies of those loans from certain specified sources; and to repeal acts and parts of acts," by amending section 10 (MCL 247.660), as amended by 2003 PA 151, and by adding section 10p.

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

Rep. Kolb introduced

House Bill No. 6158, entitled

A bill to amend 1893 PA 206, entitled "The general property tax act," by amending section 27a (MCL 211.27a), as amended by 2000 PA 260.

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

Rep. Kolb introduced

House Bill No. 6159, entitled

A bill to amend 1993 PA 330, entitled "State real estate transfer tax act," by amending section 3 (MCL 207.523).

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

Reps. Koetje, Tabor and Farhat introduced

House Bill No. 6160, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 30112 (MCL 324.30112), as added by 1995 PA 59.

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

Reps. Farhat, Shackleton, Amos, Casperson, Milosch, Stakoe, Nofs, Huizenga, Koetje, Wenke, Hoogendyk, Ward, Hune, Emmons, Voorhees, Brandenburg, LaJoy, Palsrok, Walker, Robertson, Pastor, Acciavatti, Stahl, Shaffer and Hummel introduced

House Bill No. 6161, entitled

A bill to amend 1939 PA 280, entitled "The social welfare act," by amending section 571 (MCL 400.571), as added by 1999 PA 17.

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

Reps. Hardman, Gaffney, Waters, Ward, Lipsey, Phillips, Adamini, Murphy, Kolb, Zelenko, Tobocman, Smith, O'Neil, Clack, Vagnozzi, Stallworth, Williams, Plakas, Hager, Minore, Wojno, Hopgood, Condino, Woodward, Law, Meisner, Richardville, Bieda, Gielegem and Byrum introduced

House Bill No. 6162, entitled

A bill to amend 1954 PA 116, entitled "Michigan election law," (MCL 168.1 to 168.992) by adding section 561b.

The bill was read a first time by its title and referred to the Committee on Local Government and Urban Policy.

Reps. Hardman, Gaffney, Waters, Ward, Lipsey, Phillips, Murphy, Reeves, Zelenko, Tobocman, Smith, O'Neil, Clack, Vagnozzi, Stallworth, Williams, Plakas, Hager, Hopgood, Condino, Law, Meisner and Richardville introduced

House Bill No. 6163, entitled

A bill to amend 1966 PA 261, entitled "An act to provide for the apportionment of county boards of commissioners; to prescribe the size of the board; to provide for appeals; to prescribe the manner of election of the members of the county board of commissioners; to provide for compensation of members; to prescribe penalties and provide remedies; and to repeal acts and parts of acts," by amending section 12 (MCL 46.412), as amended by 1982 PA 504.

The bill was read a first time by its title and referred to the Committee on Local Government and Urban Policy.

Reps. Ward, Amos, Minore and Taub introduced

House Bill No. 6164, entitled

A bill to amend 1921 PA 207, entitled "City and village zoning act," (MCL 125.581 to 125.600) by adding section 4g.

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

Reps. Ward, Amos, Stakoe, Meisner, Taub, Phillips, Farrah and Gaffney introduced

House Bill No. 6165, entitled

A bill to amend 1985 PA 106, entitled "State convention facility development act," by amending section 9 (MCL 207.629), as amended by 1993 PA 58.

The bill was read a first time by its title and referred to the Committee on Local Government and Urban Policy.

Reps. Ruth Johnson, Amos, Minore and Taub introduced

House Bill No. 6166, entitled

A bill to amend 1943 PA 183, entitled "County zoning act," (MCL 125.201 to 125.240) by adding section 16i.

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

Reps. Gaffney, Stahl, Ward and Amos introduced

House Bill No. 6167, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending sections 217d, 226, 312a, 314, 314b, 675, 803e, 803f, 803i, 803j, 803k, 803l, 803n, and 803o (MCL 257.217d, 257.226, 257.312a, 257.314, 257.314b, 257.675, 257.803e, 257.803f, 257.803i, 257.803j, 257.803k, 257.803l, 257.803n, and 257.803o), sections 217d and 226 as amended by 2003 PA 152, section 314 as amended by 2002 PA 554, section 314b as amended by 1991 PA 99, section 675 as amended by 2004 PA 151, section 803e as amended by 2003 PA 30, sections 803f and 803i as amended by 1998 PA 68, sections 803j, 803k, 803n, and 803o as amended by 1999 PA 183, and section 803l as amended by 2000 PA 77.

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

Rep. Robertson introduced

House Bill No. 6168, entitled

A bill to prohibit certain acts and practices concerning identity theft; to provide for the powers and duties of certain state and local governmental officers and entities; to prescribe penalties and provide remedies; and to repeal acts and parts of acts.

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

Rep. Van Regenmorter introduced

House Bill No. 6169, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending sections 14h and 16o of chapter XVII (MCL 777.14h and 777.16o), section 14h as amended by 2003 PA 134 and section 16o as amended by 2000 PA 389.

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

Rep. Farhat introduced

House Bill No. 6170, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," (MCL 760.1 to 777.69) by adding section 10c to chapter II.

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

Rep. Casperson introduced

House Bill No. 6171, entitled

A bill to establish the social security number privacy act in the state of Michigan; to prescribe penalties; and to provide remedies.

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

Rep. Milosch introduced

House Bill No. 6172, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 24 of chapter VII (MCL 767.24), as amended by 2002 PA 119.

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

Rep. Stakoe introduced

House Bill No. 6173, entitled

A bill to amend 1985 PA 87, entitled "Crime victim's rights act," (MCL 780.751 to 780.834) by adding sections 4a, 33b, and 64a.

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

Rep. Nofs introduced

House Bill No. 6174, entitled

A bill to amend 1976 PA 331, entitled "Michigan consumer protection act," by amending section 3 (MCL 445.903), as amended by 2002 PA 613.

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

Rep. Mortimer introduced

House Bill No. 6175, entitled

A bill to amend 1976 PA 331, entitled "Michigan consumer protection act," by amending section 3 (MCL 445.903), as amended by 2002 PA 613.

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

Rep. Wenke introduced

House Bill No. 6176, entitled

A bill to amend 1976 PA 331, entitled "Michigan consumer protection act," by amending section 3 (MCL 445.903), as amended by 2002 PA 613.

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

Rep. Rocca introduced

House Bill No. 6177, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," (MCL 750.1 to 750.568) by adding section 539k.

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

Reps. Shackleton, Farhat, Hummel, Vander Veen, Milosch, Sheen, Pappageorge, Ehardt, Steil, Walker, Hoogendyk, Van Regenmorter, Newell, Voorhees and Richardville introduced

House Bill No. 6178, entitled

A bill to authorize the implementation and administration of a medical benefit plan for certain school employees; to provide for its creation and operation; and to prescribe powers and duties of certain state officers and agencies.

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

Reps. Taub, Sheen, LaJoy, Emmons, Tabor, Ehardt, Robertson, Palmer, Brandenburg, Garfield, Voorhees, DeRossett, Ward, Pappageorge, Vander Veen, Meyer, Nofs, Wenke, Casperson, Pastor, Newell, DeRoche, Palsrok, Stahl, Huizenga, Hager, Stakoe, Mortimer, Nitz, Caswell and Richardville introduced

House Bill No. 6179, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending section 919 (MCL 600.919).

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

Rep. Kooiman introduced

House Bill No. 6180, entitled

A bill to amend 2001 PA 142, entitled "Michigan memorial highway act," (MCL 250.1001 to 250.2080) by adding section 98.

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

Reps. Meisner, Byrum, Condino, Plakas and Bieda introduced

House Bill No. 6181, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," (MCL 750.1 to 750.568) by adding section 168a.

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

Reps. Caul, Meisner, Byrum, Bieda and Condino introduced

House Bill No. 6182, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 16i of chapter XVII (MCL 777.16i), as amended by 2002 PA 278.

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

Reps. Jamnick, Gleason, Minore, Tobocman, Gielegem and Lipsey introduced

House Bill No. 6183, entitled

A bill to amend 1969 PA 99, entitled "An act to require members of boards of control of state institutions of higher education to be residents of this state," by amending the title and section 1 (MCL 390.681) and by adding section 2.

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

Reps. Jamnick, Tobocman and Lipsey introduced

House Bill No. 6184, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 811e (MCL 257.811e), as amended by 2001 PA 124, and by adding section 811o.

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

Reps. Daniels, Gielegem and Zelenko introduced

House Bill No. 6185, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 12905 (MCL 333.12905), as amended by 1993 PA 242.

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

Reps. Daniels and Zelenko introduced

House Bill No. 6186, entitled

A bill to amend 1953 PA 232, entitled "Corrections code of 1953," (MCL 791.201 to 791.283) by adding section 67c.

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

Reps. Daniels, Gielegem, Pappageorge and Zelenko introduced

House Bill No. 6187, entitled

A bill to amend 1980 PA 299, entitled "Occupational code," by amending section 303a (MCL 339.303a), as amended by 1995 PA 183, and by adding article 14.

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

Reps. Sheen, Hoogendyk, Taub, Shaffer, Casperson, Milosch, Tabor, Hune, Stahl, Garfield, Drolet, Hummel, Brandenburg, Vander Veen, Voorhees, DeRoche, Acciavatti, Bradstreet, Stakoe, Mortimer, Steil, Pappageorge, Ehardt, Ward, LaJoy, Huizenga, Pumford, Nofs, Caswell, Nitz, Bisbee, Van Regenmorter, Gaffney, Woronchak and Caul introduced

House Bill No. 6188, entitled

A bill to amend 2001 PA 142, entitled "Michigan memorial highway act," (MCL 250.1001 to 250.2080) by adding section 77.

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

Reps. Wenke, Nofs, Howell and Tobocman introduced

House Bill No. 6189, entitled

A bill to amend 1980 PA 450, entitled "The tax increment finance authority act," by amending section 1 (MCL 125.1801), as amended by 1998 PA 499.

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

Reps. Wenke, Steil, Bieda, Vander Veen, Voorhees, Gaffney, Newell, Drolet, Stakoe and Tobocman introduced

House Bill No. 6190, entitled

A bill to allow public officials to elect not to receive compensation for serving in their elected or appointed positions.

The bill was read a first time by its title and referred to the Committee on Local Government and Urban Policy.

Reps. Williams, Plakas, Clack, Adamini and Lipsey introduced

House Bill No. 6191, entitled

A bill to amend 1893 PA 206, entitled "The general property tax act," by amending section 34c (MCL 211.34c), as amended by 2002 PA 620.

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

Reps. Williams, Brown, Adamini, Plakas, Clack and Lipsey introduced

House Bill No. 6192, entitled

A bill to amend 1855 PA 105, entitled "An act to regulate the disposition of the surplus funds in the state treasury; to provide for the deposit of surplus funds in certain financial institutions; to lend surplus funds pursuant to loan agreements secured by certain commercial, agricultural, or industrial real and personal property; to authorize the loan of surplus funds to certain municipalities; to authorize the participation in certain loan programs; to authorize an appropriation; and to prescribe the duties of certain state agencies," (MCL 21.142 to 21.147) by adding section 2g.

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

Reps. Kolb and Lipsey introduced

House Bill No. 6193, entitled

A bill to amend 1953 PA 232, entitled "Corrections code of 1953," by amending section 35 (MCL 791.235), as amended by 1998 PA 315.

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

Reps. Clack, Minore, Accavitti, Tobocman, O'Neil, Plakas, Murphy, Lipsey, Jamnick, Kolb, Hunter, Meisner, Hood, Williams, Reeves, Hopgood, Law, Anderson, Whitmer, Byrum, Vagnozzi, Zelenko, Woodward, Gielegem, Condino, Gleason and Farrah introduced

House Bill No. 6194, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," (MCL 324.101 to 324.90106) by amending the heading of part 172 and by adding section 17206.

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

Reps. Zelenko, Minore, Accavitti, Tobocman, O'Neil, Plakas, Murphy, Lipsey, Jamnick, Kolb, Hunter, Meisner, Hood, Williams, Reeves, Hopgood, Law, Anderson, Whitmer, Byrum, Vagnozzi, Woodward, Gielegem, Clack, Condino, Gleason and Farrah introduced

House Bill No. 6195, entitled

A bill to amend 1978 PA 368, entitled "Public health code," (MCL 333.1101 to 333.25211) by adding section 16631. The bill was read a first time by its title and referred to the Committee on Health Policy.

Reps. Minore, Accavitti, O'Neil, Plakas, Murphy, Lipsey, Kolb, Hunter, Meisner, Hood, Williams, Reeves, Hopgood, Law, Anderson, Whitmer, Byrum, Vagnozzi, Zelenko, Woodward, Gielegem, Clack, Condino, Gleason and Farrah introduced

House Bill No. 6196, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending the heading of part 172 and section 17201 (MCL 324.17201), as added by 2002 PA 578, and by adding section 17205.

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

Reps. Minore, Tobocman, Accavitti, O'Neil, Plakas, Murphy, Lipsey, Jamnick, Kolb, Hunter, Meisner, Hood, Williams, Reeves, Hopgood, Law, Anderson, Whitmer, Byrum, Vagnozzi, Zelenko, Woodward, Gielegem, Clack, Condino, Gleason and Farrah introduced

House Bill No. 6197, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending the heading of part 172 and sections 17201 and 17203 (MCL 324.17201 and 324.17203), as added by 2002 PA 578, and by adding section 17207.

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

Reps. Minore, Accavitti, Tobocman, O'Neil, Plakas, Murphy, Lipsey, Jamnick, Kolb, Hunter, Meisner, Hood, Williams, Reeves, Hopgood, Law, Anderson, Whitmer, Byrum, Vagnozzi, Zelenko, Woodward, Gielegem, Clack, Condino, Gleason and Farrah introduced

House Bill No. 6198, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," (MCL 324.101 to 324.90106) by amending the heading of part 172 and by adding section 17204.

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

Reps. Tobocman, Murphy and Gleason introduced

House Bill No. 6199, entitled

A bill to amend 1978 PA 59, entitled "Condominium act," by amending sections 104a, 122b, and 141 (MCL 559.204a, 559.222b, and 559.241), section 104a as amended by 1982 PA 538, section 122b as added by 1984 PA 356, and section 141 as amended by 1980 PA 513.

The bill was read a first time by its title and referred to the Committee on Local Government and Urban Policy.

Reps. Tobocman, Jamnick, Murphy and Gleason introduced

House Bill No. 6200, entitled

A bill to amend 1966 PA 331, entitled "Community college act of 1966," by amending section 105 (MCL 389.105), as amended by 2003 PA 306.

The bill was read a first time by its title and referred to the Committee on Local Government and Urban Policy.

Reps. Tobocman, Jamnick, Murphy and Gleason introduced

House Bill No. 6201, entitled

A bill to amend 1954 PA 116, entitled "Michigan election law," (MCL 168.1 to 168.992) by adding section 11a.

The bill was read a first time by its title and referred to the Committee on Local Government and Urban Policy.

Rep. Hummel introduced

House Bill No. 6202, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 40103 and 43505 (MCL 324.40103 and 324.43505), section 40103 as amended by 2000 PA 191 and section 43505 as amended by 1996 PA 585.

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

Reps. Hood, Smith, Accavitti, Condino, Hunter, Tobocman, Wojno, Farrah, McConico, Phillips, Byrum, Plakas, Sak, Dennis, Vagnozzi, Murphy, Anderson, Gleason and O'Neil introduced

House Bill No. 6203, entitled

A bill to amend 1995 PA 279, entitled "Horse racing law of 1995," by amending section 16 (MCL 431.316).

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

Reps. LaSata, Accavitti, Bieda and Lipsey introduced

House Bill No. 6204, entitled

A bill to amend 1972 PA 295, entitled "Forensic polygraph examiners act," by amending section 10 (MCL 338.1710).

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

Reps. LaJoy, Ward, Shaffer, Tobocman, Meyer, Taub, Moolenaar, Stakoe and Pastor introduced

House Bill No. 6205, entitled

A bill to amend 1975 PA 197, entitled "An act to provide for the establishment of a downtown development authority; to prescribe its powers and duties; to correct and prevent deterioration in business districts; to encourage historic preservation; to authorize the acquisition and disposal of interests in real and personal property; to authorize the creation and implementation of development plans in the districts; to promote the economic growth of the districts; to create a board; to prescribe its powers and duties; to authorize the levy and collection of taxes; to authorize the issuance of bonds and other evidences of indebtedness; to authorize the use of tax increment financing; to reimburse downtown development authorities for certain losses of tax increment revenues; and to prescribe the powers and duties of certain state officials," by amending section 7 (MCL 125.1657), as amended by 2004 PA 196.

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

Reps. LaJoy, Stakoe, Ward, Moolenaar and Pastor introduced

House Bill No. 6206, entitled

A bill to amend 1943 PA 184, entitled "Township zoning act," (MCL 125.271 to 125.310) by adding section 16i.

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

Reps. Hopgood, Vagnozzi, Law, Murphy, Anderson, Gleason, O'Neil and Plakas introduced

House Bill No. 6207, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 321a (MCL 257.321a), as amended by 2004 PA 62.

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

Rep. Ward introduced

House Bill No. 6208, entitled

A bill to amend 2002 PA 6, entitled "An act to authorize the state administrative board to convey certain parcels of state owned property in Tuscola county and Wayne county; to prescribe conditions for conveyance; to provide for certain powers and duties of the department of management and budget; and to provide for the disposition of revenue derived from the conveyances," by amending section 10.

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

Rep. LaJoy moved that the House adjourn.
The motion prevailed, the time being 6:40 p.m.

The Speaker Pro Tempore declared the House adjourned until Wednesday, September 15, at 1:00 p.m.

GARY L. RANDALL
Clerk of the House of Representatives

