

No. 61
JOURNAL OF THE SENATE

Senate Chamber, Lansing, Tuesday, July 8, 1997.

10:00 a.m.

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

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

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

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

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

Senator Walter H. North of the 37th District offered the following invocation:

Dear God, we thank Thee for the opportunity to not only serve Thee, but the people of this great state. As we go into this session facing some of the more contentious issues, please give us the will and the ability to come up with solutions to the problems that we all face in a fair and equitable manner. We love having the opportunity to serve Thee. Finally, dear God, let us hope that this session will mirror in length somewhat the length of this invocation. Amen.

Motions and Communications

Senator Carl entered the Senate Chamber.

Senator DeGrow moved that Senators Bouchard, Bullard, Dunaskiss, Hoffman, McManus and Posthumus be temporarily excused from today's session.

The motion prevailed.

Senator DeGrow moved that Senator Emmons be excused from today's session.

The motion prevailed.

Senator V. Smith moved that Senator Miller be temporarily excused from today's session.

The motion prevailed.

The following communication was received:

Six County Employment Alliance

June 27, 1997

Enclosed for your review are the Job Training Partnership Act biennial plans for Six County Employment Alliance. If you have any questions, please contact our Chief Operations Officer, Gwen Wood at (800) 562-9832, ext. 115.

Sincerely,
Orrin Bailey
Chief Executive Officer

The communication was referred to the Secretary for record.

The Secretary announced that the following House bills were received in the Senate and filed on Thursday, July 3:

House Bill Nos. 4616 4815

The Secretary announced the printing and placement in the members' files on Thursday, July 3 of:

Senate Bill Nos. 640 641 652 653

The Secretary announced the printing and placement in the members' files on Tuesday, July 8 of:

Senate Bill Nos. 642 643 644 645 646 647 648 649 650 651

Messages from the Governor

The following message from the Governor was received:

Date: July 6, 1997

Time: 10:52 p.m.

To the President of the Senate:

Madam—I have this day approved and signed

Enrolled Senate Bill No. 305 (Public Act No. 63), being

An act to amend 1931 PA 328, entitled "An act to revise, consolidate, codify and add to the statutes relating to crimes; to define crimes and prescribe the penalties therefor; to provide for restitution under certain circumstances; to provide for the competency of evidence at the trial of persons accused of crime; to provide immunity from prosecution for certain witnesses appearing at such trials; and to repeal certain acts and parts of acts inconsistent with or contravening any of the provisions of this act," (MCL 750.1 to 750.568) by adding section 160b.

(Filed with the Secretary of State on July 7, 1997, at 11:02 a.m.)

Respectfully,
John Engler
Governor

The following message from the Governor was received on July 3, 1997, and read:

EXECUTIVE ORDER
No. 1997 - 9

National Guard Assistance

Whereas, on the evening of July 2, 1997 severe thunderstorms and tornadoes struck southeast Michigan, resulting in widespread and severe damage in the county of Wayne and the city of Detroit; and

Whereas, the storms have resulted in several deaths and numerous injuries, widespread power outages, debris in streets, and security problems; and

Whereas, the storms have caused severe damage to homes, businesses, and public facilities; and

Whereas, I have previously declared a state of disaster to exist in the county of Wayne and the city of Detroit.

Now, therefore, by virtue of the constitutional authority vested in me as Commander-in-Chief of the military forces of the State of Michigan and pursuant to Section 151 of Act No. 150 of the Public Acts of 1967, the Adjutant General is hereby directed to activate to state service, units and individuals of the Michigan National Guard which in his discretion he deems appropriate to meet general mission assignments as determined by the state director of emergency management, or his authorized representative. Units or individuals called to active state service will terminate at such time as determined by the Adjutant General after consultation with the state director of emergency management or his representative.

Further, the Emergency Management Division of the Department of State Police shall coordinate and maximize all state efforts, including such units and individuals of the Michigan National Guard which may be activated to state service to assist local units of government affected pursuant to the Michigan Emergency Management Plan.

[SEAL]

Given under my hand and the Great Seal of the State of
Michigan this 3rd day of July, in the Year of our Lord,
One Thousand Nine Hundred Ninety-seven.

John Engler
Governor

By the Governor:
Candice S. Miller
Secretary of State

The Executive Order was referred to the Secretary for record.

The following message from the Governor was received on July 3, 1997, and read:

PROCLAMATION
STATE OF DISASTER

Whereas, on the evening of July 2, 1997 severe thunderstorms and tornadoes struck southeast Michigan, resulting in widespread and severe damage; and

Whereas, the areas affected are the county of Wayne and the city of Detroit; and

Whereas, several fatalities and numerous injuries have resulted from the wind and water damage; and

Whereas, the storms have caused damage to many homes, businesses and public facilities, placing many citizens in danger; and

Whereas, the conditions causing the disaster resulted from a natural cause; and

Whereas, the county of Wayne and the city of Detroit have declared local states of emergency and activated the disaster response and recovery aspects of their emergency operations plan to cope with the situation.

Now, therefore, I, John Engler, Governor of the State of Michigan, pursuant to the Constitution of the State of Michigan and provisions of Act. No. 390 of the Public Acts of 1976, as amended by Public Act No. 50 of 1990, do hereby proclaim a state of disaster exists in the aforementioned local political subdivisions; and

Further, the Emergency Management Division of the Department of State Police shall coordinate and maximize all state efforts which may be activated to state service to assist the local political subdivisions and may call upon all state departments to utilize resources at their avail to assist in the disaster area pursuant to the Michigan Emergency Preparedness Plan; and

Further, termination of this disaster will occur at such time as emergency conditions no longer exist and appropriate programs have been implemented to recover from the effects of this disaster, but in no case longer than July 17, 1997, unless extended as provided by Act. No. 390.

[SEAL]

Given under my hand and the Great Seal of the State of
Michigan this 3rd day of July, in the Year of our Lord,
One Thousand Nine Hundred Ninety-seven.

John Engler
Governor

By the Governor:
Candice S. Miller
Secretary of State

The Proclamation was referred to the Secretary for record.

The following message from the Governor was received on July 7, 1997, and read:

EXECUTIVE ORDER
No. 1997 - 10

**Crime Victim Services Commission
Michigan Department of Management and Budget
Michigan Department of Community Health**

Executive Reorganization

Whereas, Article V, Section 1 of the Constitution of the State of Michigan of 1963 vests the executive power in the Governor; and

Whereas, Article V, Section 2 of the Constitution of the State of Michigan of 1963 empowers the Governor to make changes in the organization of the executive branch or in the assignment of functions among its units which he considers necessary for efficient administration; and

Whereas, Act No. 223 of the Public Acts of 1976, as amended, created the Crime Victims Compensation Board within the Department of Management and Budget; and

Whereas, Act No. 196 of 1989, as amended, created the Criminal Assessments Commission within the Department of Management and Budget; and

Whereas, Act No. 519 of 1996, being Sections 18.351 et seq. of the Michigan Compiled Laws, renamed the former Crime Victims Compensation Board as the Crime Victim Services Commission, which is the successor agency of the board in all respects and for all purposes; and

Whereas, Act No. 520 of 1996, being Sections 780.901 et seq. of the Michigan Compiled Laws, abolished the former Criminal Assessments Commission, and further transferred its powers, duties, and jurisdiction to the Crime Victim Services Commission; and

Whereas, management of the Crime Victim Services Commission will be enhanced with increased coordination of efforts, collaboration and communication with other criminal justice related agencies and divisions within the Department of Community Health; and

Whereas, the Crime Victim Services Commission is responsible for duties and functions closely related to the duties and functions of divisions within the Michigan Department of Community Health, including, but not limited to, the Office of Drug Control Policy and the Division of Violence, Injury and Surveillance; and

Whereas, the Department of Community Health has a role in determining the Medicaid eligibility of applicants, which is a prerequisite for processing a claim for reimbursement for necessary medical expenses under Act No. 519 of 1996 and its constitutional and statutory counterparts; and

Whereas, mental health services to children and families provided by the Department of Community Health will serve to assist the counseling needs of crime victims; and

Whereas, it is necessary in the interests of efficient administration and effectiveness of government to effect changes in the organization of the Executive Branch of government.

Now, therefore, I, John Engler, Governor of the State of Michigan, pursuant to the powers vested in me by the Constitution of the State of Michigan of 1963 and the laws of the State of Michigan, do hereby order the following:

1. All the statutory authority, powers, duties, functions and responsibilities of the Crime Victim Services Commission set forth in Act No. 519 and Act No. 520 of the Public Acts of 1996, as amended, are hereby transferred from the Department of Management and Budget to the Department of Community Health by a Type II transfer, as defined by Section 3 of Act No. 380 of the Public Acts of 1965, as amended, being Section 16.103 of the Michigan Compiled Laws.

2. The Department of Community Health shall administer the assigned functions in such ways as to promote efficient administration and make internal organizational changes as may be administratively necessary to complete the realignment of responsibilities prescribed by this Order.

3. The Director of the Department of Management and Budget shall immediately initiate coordination with the Director of the Department of Community Health to facilitate the transfer and develop a memorandum of record identifying any pending settlements, issues of compliance with applicable federal and state laws and regulations, and other obligations to be resolved related to the Crime Victim Services Commission or its predecessor Commissions;

4. All records, personnel, property and unexpended balances of appropriations, allocations and other funds used, held, employed, available or to be made available to any entity for the activities, powers, duties, functions and responsibilities transferred to the Department of Community Health by this Order are hereby transferred to the Department of Community Health.

5. The Department of Management and Budget shall determine and authorize the most efficient manner possible for handling the financial transactions and records related to this Order and the state's financial management system for the remainder of the fiscal year.

6. All rules, orders, contracts, declaratory rulings, agreements and other actions relating to the functions transferred to the Department of Community Health by this Order lawfully adopted prior to the effective date of this Order shall continue to be effective until revised, amended or rescinded.

7. Any suit, action or other proceeding lawfully commenced by, against or before the Crime Victim Service Commission, or its predecessors, the Crime Victims Compensation Board or the Criminal Assessments Commission, shall not abate by reason of the taking effect of this Order.

In fulfillment of the requirement of Article V, Section 2, of the Constitution of the State of Michigan of 1963, the provisions of this Executive Order shall become effective sixty (60) days after filing.

[SEAL]

Given under my hand and the Great Seal of the State of Michigan this 3rd day of July, in the Year of our Lord, One Thousand Nine Hundred Ninety-seven.

John Engler
Governor

By the Governor:
Candice S. Miller
Secretary of State

The Executive Order was referred to the Committee on Government Operations.

Senator DeGrow moved that the order of Messages from the House be postponed temporarily.
The motion prevailed.

Conference Reports

Senator DeGrow submitted the following:

FIRST CONFERENCE REPORT

The Committee of Conference on the matters of difference between the two Houses concerning **Senate Bill No. 170, entitled**

A bill to make appropriations for the departments of attorney general, civil rights, civil service, management and budget, state, and treasury, the Michigan biologic products institute, the executive office, and the legislative branch for the fiscal year ending September 30, 1998; 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 prescribe certain requirements for bidding on state contracts; to provide for disposition of year-end balances for the fiscal year ending September 30, 1998; to prescribe the powers and duties of certain principal executive departments and state agencies, officials, and employees; and to provide for the disposition of fees and other income received by the various principal executive departments and state agencies.

Recommends:

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

1. Amend page 2, line 1, by striking out all of section 101 and inserting:

“Sec. 101. There is appropriated for the departments of attorney general, civil rights, civil service, management and budget, state, and treasury, the executive office, the legislative branch, and certain other state purposes, subject to the conditions set forth in this act, for the fiscal year ending September 30, 1998, the following amounts from the funds identified as follows:

TOTAL GENERAL GOVERNMENT

APPROPRIATION SUMMARY:

Full-time equated unclassified positions	42.0	
Full-time equated classified positions	6,085.4	
Full-time equated exempted positions	140.0	
GROSS APPROPRIATION		\$ 2,314,263,500
Interdepartmental grant revenues:		
Total interdepartmental grants and intradepartmental transfers		\$ 128,728,200
ADJUSTED GROSS APPROPRIATION		\$ 2,185,535,300
Federal revenues:		
Total federal revenues		62,796,300

Special revenue funds:	
Total local revenues	3,847,300
Total private revenues	2,424,600
Total other state restricted revenues	1,644,931,200
State general fund/general purpose	\$ 471,535,900
DEPARTMENT OF ATTORNEY GENERAL	
APPROPRIATION SUMMARY:	
Full-time equated unclassified positions	6.0
Full-time equated classified positions	544.0
GROSS APPROPRIATION	\$ 50,239,200
Interdepartmental grant revenues:	
Total interdepartmental grants and intradepartmental transfers	7,526,700
ADJUSTED GROSS APPROPRIATION	\$ 42,712,500
Federal revenues:	
Total federal revenues	6,347,400
Special revenue funds:	
Total local revenues	0
Total private revenues	1,065,300
Total other state restricted revenues	5,571,600
State general fund/general purpose	\$ 29,728,200
ATTORNEY GENERAL OPERATIONS	
Full-time equated unclassified positions	6.0
Full-time equated classified positions	544.0
Attorney general	\$ 112,000
Unclassified positions	242,100
Attorney general operations—523.5 FTE positions	48,285,500
Prosecuting attorneys coordinating council—20.5 FTE positions.....	1,612,000
PACC - training project.....	300,000
GROSS APPROPRIATION	\$ 50,551,600
Appropriated from:	
Interdepartmental grant revenues:	
IDG from FIA	1,617,800
IDG from MDCIS - health services.....	590,000
IDG from MDCIS - liquor purchase revolving fund.....	681,900
IDG from MDCIS - public utility assessments.....	1,462,400
IDG from MDSP - Michigan justice training fund	300,000
IDG from MDOT - state aeronautics fund.....	116,400
IDG from MDOT - comprehensive transportation fund.....	120,600
IDG from MDOT - state trunkline fund	2,276,100
IDG from natural resources-game and fish fund	361,500
Federal revenues:	
DAG, state administrative match grant/food stamps	953,000
DED-OPSE, student loan, federal lender allowance	272,400
DOL-ETA, unemployment insurance.....	1,231,300
DOL-OSHA, occupational safety and health.....	240,400
EPA, multiple grants	331,900
Federal funds	639,800
HHS-OS, state medicaid fraud control units	2,244,100
HHS, Medical assistance, medigant	496,000
Special revenue funds:	
Private - accident fund company revenue	1,072,500
Antitrust enforcement collections.....	276,900
Auto repair facilities fees.....	169,100
Collections revenue.....	531,000
Corporate fees.....	55,900
Franchise fees	211,900
Low-level radioactive waste management fund	220,900
Michigan state housing development authority fees	425,900
Michigan underground storage tank financial assurance fund	141,000

Mobile home commission fees.....	162,300
Oil and gas privilege fee revenue.....	125,300
Prisoner reimbursement.....	266,600
Prosecuting attorneys training fees.....	236,800
Retirement funds.....	306,800
Second injury fund.....	845,800
Securities fees.....	55,900
Self-insurers security fund.....	140,900
Silicosis and dust disease fund.....	423,700
State building authority revenue.....	82,100
State hospital authority.....	277,800
State lottery fund.....	91,000
Utility consumers fund.....	432,100
Waterways fund.....	72,700
Worker's compensation administrative revolving fund.....	116,100
State general fund/general purpose.....	\$ 29,875,000
EARLY RETIREMENT	
Early retirement savings.....	\$ (312,400)
GROSS APPROPRIATION	\$ (312,400)
Appropriated from:	
Federal revenues:	
Federal funds.....	(61,500)
Special revenue funds:	
Private funds.....	(7,200)
State restricted funds.....	(96,900)
State general fund/general purpose.....	\$ (146,800)
DEPARTMENT OF CIVIL RIGHTS	
APPROPRIATION SUMMARY:	
Full-time equated unclassified positions.....	5.0
Full-time equated classified positions.....	184.0
GROSS APPROPRIATION	\$ 13,944,400
Interdepartmental grant revenues:	
Total interdepartmental grants and intradepartmental transfers.....	0
ADJUSTED GROSS APPROPRIATION	\$ 13,944,400
Federal revenues:	
Total federal revenues.....	1,480,900
Special revenue funds:	
Total local revenues.....	0
Total private revenues.....	0
Total other state restricted revenues.....	0
State general fund/general purpose.....	\$ 12,463,500
CIVIL RIGHTS OPERATIONS	
Full-time equated unclassified positions.....	5.0
Full-time equated classified positions.....	184.0
Commission (per diem \$75.00).....	\$ 16,200
Unclassified positions—5.0 FTE positions.....	314,000
Civil rights operations—184.0 FTE positions.....	14,252,600
GROSS APPROPRIATION	\$ 14,582,800
Appropriated from:	
Federal revenues:	
HUD grant.....	100,000
EEOC, state and local antidiscrimination agency contracts.....	1,380,900
Special revenue funds:	
State general fund/general purpose.....	\$ 13,101,900
EARLY RETIREMENT	
Early retirement savings.....	\$ (638,400)
GROSS APPROPRIATION	\$ (638,400)
Appropriated from:	
State general fund/general purpose.....	\$ (638,400)

DEPARTMENT OF CIVIL SERVICE

APPROPRIATION SUMMARY:

Full-time equated classified positions	238.5	
GROSS APPROPRIATION		\$ 28,458,400
Interdepartmental grant revenues:		
Total interdepartmental grants and intradepartmental transfers		5,738,700
ADJUSTED GROSS APPROPRIATION		\$ 22,719,700
Federal revenues:		
Total federal revenues		1,582,600
Special revenue funds:		
Total local revenues		927,700
Total private revenues		0
Total other state restricted revenues		7,058,600
State general fund/general purpose		\$ 13,150,800

DEPARTMENT OF CIVIL SERVICE

Full-time equated classified positions	238.5	
Civil service operations—238.5 FTE positions		\$ 28,566,400
GROSS APPROPRIATION		\$ 28,566,400
Appropriated from:		
Interdepartmental grant revenues:		
IDG training charges		1,181,800
IDG-1% special funds		4,556,900
Federal revenues:		
Federal funds 1%		1,582,600
Special revenue funds:		
Local funds 1%		927,700
Data services revenue		13,100
Freedom of information fees		1,100
State restricted funds 1%		7,044,400
State general fund/general purpose		\$ 13,258,800
EARLY RETIREMENT		
Early retirement savings		\$ (108,000)
GROSS APPROPRIATION		\$ (108,000)
Appropriated from:		
State general fund/general purpose		\$ (108,000)

EXECUTIVE OFFICE SUMMARY UNIT

APPROPRIATION SUMMARY:

Full-time equated unclassified positions	10.0	
Full-time equated classified positions	75.0	
GROSS APPROPRIATION		\$ 5,073,400
Interdepartmental grant revenues:		
Total interdepartmental grants and intradepartmental transfers		0
ADJUSTED GROSS APPROPRIATION		\$ 5,073,400
Federal revenues:		
Total federal revenues		0
Special revenue funds:		
Total local revenues		0
Total private revenues		0
Total other state restricted revenues		0
State general fund/general purpose		\$ 5,073,400
EXECUTIVE OFFICE		
Full-time equated unclassified positions	10.0	
Full-time equated classified positions	75.0	
Governor		\$ 127,100
Lieutenant governor		93,800
Executive office—75.0 FTE positions		4,187,300
Unclassified positions—8.0 FTE positions		665,200
GROSS APPROPRIATION		\$ 5,073,400
Appropriated from:		
State general fund/general purpose		\$ 5,073,400

LEGISLATIVE AUDITOR GENERAL

APPROPRIATION SUMMARY:

GROSS APPROPRIATION	\$	13,339,300
Interdepartmental grant revenues:		
Total interdepartmental grants and intradepartmental transfers		1,362,900
ADJUSTED GROSS APPROPRIATION	\$	11,976,400
Federal revenues:		
Total federal revenues		0
Special revenue funds:		
Total local revenues		0
Total private revenues		0
Total other state restricted revenues		540,100
State general fund/general purpose	\$	11,436,300

OFFICE OF THE AUDITOR GENERAL

Legislative auditor general	\$	98,600
Unclassified positions		111,900
Field operations		13,128,800
GROSS APPROPRIATION	\$	<u>13,339,300</u>

Appropriated from:

Interdepartmental grant revenues:		
IDG from MDCIS-liquor purchase revolving fund		78,200
IDG from MDOT-comprehensive transportation fund		36,100
IDG from MDOT-Michigan transportation fund		162,500
IDG from MDOT-state aeronautics fund		15,700
IDG from MDOT-state trunkline fund		341,000
IDG from MDNR-game and fish protection fund		18,500
IDG from MDCS		74,400
IDG-single audit act		636,500
Special revenue funds:		
Construction lien fund		4,600
Contract audit administration fees		46,000
Correctional industries revolving fund		33,100
Marine safety fund		1,500
Michigan higher education assistance authority		34,500
Michigan higher education authority-student loans		67,000
Michigan state fair revolving fund		41,600
Michigan state housing development authority fees		40,000
Michigan veterans trust fund		14,100
Motor transport revolving fund		24,800
Office services revolving fund		33,200
Retirement funds		70,000
State building authority		40,000
State employees' deferred compensation		59,000
State employees' group insurance		26,200
Waterways fund		4,500
State general fund/general purpose	\$	11,436,300

LEGISLATURE

APPROPRIATION SUMMARY:

GROSS APPROPRIATION	\$	91,556,500
Interdepartmental grant revenues:		
Total interdepartmental grants and intradepartmental transfers		0
ADJUSTED GROSS APPROPRIATION	\$	91,556,500
Federal revenues:		
Total federal revenues		0
Special revenue funds:		
Total local revenues		0
Total private revenues		400,000
Total other state restricted revenues		1,041,800
State general fund/general purpose	\$	90,114,700

LEGISLATURE

Senate	\$	24,492,300
Senate automated data processing		1,444,300
Senate fiscal agency		3,134,700
House of representatives		36,204,000
House automated data processing.....		1,979,500
House fiscal agency		3,021,300
GROSS APPROPRIATION	\$	70,276,100

Appropriated from:

State general fund/general purpose	\$	70,276,100
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LEGISLATIVE COUNCIL

Legislative council	\$	10,354,700
Legislative service bureau automated data processing.....		1,222,300
Legislative session integration system.....		2,178,000
Legislative corrections ombudsman.....		325,000
Worker's compensation		125,000
National association dues.....		374,400
GROSS APPROPRIATION	\$	14,579,400

Appropriated from:

Special revenue funds:

Private - gifts and bequests revenues.....		400,000
State general fund/general purpose	\$	14,179,400

LEGISLATIVE RETIREMENT SYSTEM

Actuarial requirement	\$	2,030,700
General nonretirement expenses.....		1,720,900
GROSS APPROPRIATION	\$	3,751,600

Appropriated from:

Special revenue funds:

Court fees		1,041,800
State general fund/general purpose	\$	2,709,800

PROPERTY MANAGEMENT

Capitol building	\$	1,820,000
Roosevelt building		564,700
Farnum building.....		564,700
GROSS APPROPRIATION	\$	2,949,400

Appropriated from:

State general fund/general purpose	\$	2,949,400
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LIBRARY OF MICHIGAN

APPROPRIATION SUMMARY:

Full-time equated exempted positions	140.0	
GROSS APPROPRIATION		\$ 35,867,700
Interdepartmental grant revenues:		
Total interdepartmental grants and intradepartmental transfers		0
ADJUSTED GROSS APPROPRIATION.....		\$ 35,867,700
Federal revenues:		
Total federal revenues		4,109,800
Special revenue funds:		
Total local revenues		0
Total private revenues		75,000
Total other state restricted revenues		86,900
State general fund/general purpose		\$ 31,596,000

LIBRARY OF MICHIGAN

Full-time equated exempted positions	140.0	
Operations—140.0 FTE positions		\$ 9,899,500
Library automation.....		1,036,600
Collected gifts and fees.....		161,900
Book distribution centers		285,000
State aid to libraries		13,519,600
Grant to the Detroit public library		5,871,600

Grand Rapids public library	406,400
Subregional state aid	251,800
Wayne county library for the blind and physically handicapped	49,200
Library services and construction act	4,109,800
Renaissance zone reimbursement	276,300
GROSS APPROPRIATION	\$ 35,867,700
Appropriated from:	
Federal revenues:	
Library services and construction act	4,109,800
Special revenue funds:	
Private - gifts and bequests revenues	75,000
User fees	86,900
State general fund/general purpose	\$ 31,596,000
DEPARTMENT OF MANAGEMENT AND BUDGET	
APPROPRIATION SUMMARY:	
Full-time equated unclassified positions	6.0
Full-time equated classified positions	1,024.0
GROSS APPROPRIATION	\$ 145,327,500
Interdepartmental grant revenues:	
Total interdepartmental grants and intradepartmental transfers	53,734,100
ADJUSTED GROSS APPROPRIATION	\$ 91,593,400
Federal revenues:	
Total federal revenues	9,295,400
Special revenue funds:	
Total local revenues	0
Total private revenues	0
Total other state restricted revenues	38,198,800
State general fund/general purpose	\$ 44,099,200
MANAGEMENT AND BUDGET SERVICES	
Full-time equated unclassified positions	6.0
Full-time equated classified positions	853.0
Unclassified positions—6.0 FTE positions	\$ 410,700
Departmentwide services—64.0 FTE positions	12,445,500
Statewide administrative services—270.5 FTE positions	23,500,500
Statewide support services—408.5 FTE positions	45,108,600
Michigan administrative information network—110.0 FTE positions	24,390,600
GROSS APPROPRIATION	\$ 105,855,900
Appropriated from:	
Interdepartmental grant revenues:	
IDG from MDOT - Michigan transportation fund	336,800
IDG from MDOT - state aeronautics fund	28,900
IDG from MDOT - comprehensive transportation fund	39,000
IDG from MDOT - state trunkline fund	693,900
IDG from building occupancy and parking charges	43,864,800
IDG from MJC	100,000
IDG from DNR - game and fish protection fund	127,100
IDG from MDCS	3,604,200
IDG from community health	235,000
IDG from user fees	3,423,400
Federal revenues:	
Federal - MESC, administration fund	590,300
Federal funds	34,300
Special revenue funds:	
Marine safety fund	32,800
MAIN user charges	3,684,800
Special revenue, internal service, and pension trust funds	4,783,000
State building authority revenue	289,300
State lottery fund	15,600
Waterways fund	17,100

State sponsored group insurance, flexible spending accounts and COBRA	3,542,800
State general fund/general purpose	\$ 40,412,800
STATEWIDE APPROPRIATIONS	
Professional development fund - MPES	\$ 90,000
Professional development fund - UAW	900,000
Professional development fund - local 31-M	25,000
Professional development fund - MSC	150,000
Professional development fund - nonexclusively represented employees	116,000
GROSS APPROPRIATION	\$ 1,281,000
Appropriated from:	
Interdepartmental grant revenues:	
IDG from employer contributions	1,281,000
Special revenue funds:	
State general fund/general purpose	\$ 0
SPECIAL PROGRAMS	
Full-time equated classified positions	171.0
Building occupancy charges-property management services for executive/legislative building occupancy	\$ 2,558,800
Grants administration services—9.0 FTE positions	593,600
Retirement services—148.0 FTE positions	20,707,100
Office of childrens ombudsman—14.0 FTE positions	1,157,100
GROSS APPROPRIATION	\$ 25,016,600
Appropriated from:	
Federal revenues:	
Federal funds	70,800
Special revenue funds:	
Pension trust funds	20,707,100
Victims services fund	51,700
State general fund/general purpose	\$ 4,187,000
GRANTS	
Justice assistance grants	\$ 7,900,000
Crime victims rights services grants	5,774,600
GROSS APPROPRIATION	\$ 13,674,600
Appropriated from:	
Federal revenues:	
Federal funds	8,600,000
Special revenue funds:	
Victims services fund	5,074,600
State general fund/general purpose	\$ 0
EARLY RETIREMENT	
Early retirement savings	\$ (500,600)
GROSS APPROPRIATION	\$ (500,600)
Appropriated from:	
State general fund/general purpose	\$ (500,600)
DEPARTMENT OF STATE	
APPROPRIATION SUMMARY:	
Full-time equated unclassified positions	6.0
Full-time equated classified positions	2,078.9
GROSS APPROPRIATION	\$ 165,570,800
Interdepartmental grant revenues:	
Total interdepartmental grants and intradepartmental transfers	44,808,700
ADJUSTED GROSS APPROPRIATION	\$ 120,762,100
Federal revenues:	
Total federal revenues	945,000
Special revenue funds:	
Total local revenues	0
Total private revenues	884,300
Total other state restricted revenues	58,343,000
State general fund/general purpose	\$ 60,589,800

EXECUTIVE DIRECTION

Full-time equated unclassified positions	6.0	
Full-time equated classified positions	24.2	
Secretary of state		\$ 112,000
Unclassified positions—5.0 FTE positions		419,000
Operations—24.2 FTE positions		2,024,600
GROSS APPROPRIATION		\$ 2,555,600
Appropriated from:		
Interdepartmental grant revenues:		
IDG from MDOT - Michigan transportation fund		391,700
Special revenue funds:		
Auto repair facilities fees		50,100
Driver fees		111,400
Expedient service fees.....		22,600
Look-up fees		563,400
Parking ticket court fines		6,500
Personal identification card fees		10,000
Reinstatement fees-operator licenses.....		90,400
Vehicle theft prevention fees		28,800
State general fund/general purpose		\$ 1,280,700

DEPARTMENT SERVICES

Full-time equated classified positions	355.8	
Operations—134.3 FTE positions		\$ 13,767,200
Auto regulation—114.5 FTE positions.....		6,960,900
Data processing—99.0 FTE positions		18,793,900
Assigned claims assessments—8.0 FTE positions.....		579,700
GROSS APPROPRIATION		\$ 40,101,700
Appropriated from:		
Interdepartmental grant revenues:		
IDG from MDOT - Michigan transportation fund		9,821,400
Special revenue funds:		
Administrative order processing fee		10,300
Auto repair facilities fees		4,069,000
Assigned claims assessments		579,700
Child support clearance fees		43,900
Driver fees		1,118,600
Expedient service fees.....		634,300
Look-up fees		8,221,700
Marine safety fund.....		61,100
Off-road vehicle title fees		6,500
Parking ticket court fines		115,400
Personal identification card fees		87,600
Reinstatement fees - operator licenses		815,800
Scrap tire fund		56,100
Snowmobile registration fee revenue.....		14,700
Vehicle theft prevention fees		1,509,100
State general fund/general purpose		\$ 12,936,500

REGULATORY SERVICES

Full-time equated classified positions	96.8	
Operations—96.8 FTE positions		\$ 6,549,100
GROSS APPROPRIATION		\$ 6,549,100
Appropriated from:		
Interdepartmental grant revenues:		
IDG from MDOT - Michigan transportation fund		1,766,600
Special revenue funds:		
Auto repair facilities fees		56,100
Driver fees		508,200
Expedient service fees.....		25,300
Look-up fees		2,097,000

Parking ticket court fines	7,000
Personal identification card fees	34,500
Reinstatement fees - operator licenses	461,000
Vehicle theft prevention fees	32,300
State general fund/general purpose	\$ 1,561,100
CUSTOMER DELIVERY SERVICES	
Full-time equated classified positions	1,472.0
Branch operations—1,033.1 FTE positions	\$ 59,263,800
Central records—403.0 FTE positions	24,480,300
Motor carrier services—19.0 FTE positions.....	1,028,600
Commemorative license plates—16.9 FTE positions.....	9,282,000
Specialty license plates	2,215,000
Olympic center plate	75,700
GROSS APPROPRIATION	\$ 96,345,400
Appropriated from:	
Interdepartmental grant revenues:	
IDG from MDOT - Michigan transportation fund	30,278,000
Special revenue funds:	
Auto repair facilities fees	71,500
Child support clearance fees	316,000
Commercial driver training school fees.....	25,100
Driver fees	10,202,200
Expedient service fees.....	1,485,000
Look-up fees	13,999,400
Marine safety fund	859,300
Mobile home commission fees.....	356,600
Motorcycle safety fund	113,000
Olympic center training fund	75,700
Off-road vehicle title fees	92,100
Parking ticket court fines	1,257,800
Personal identification card fees	1,155,000
Reinstatement fees - operator licenses	1,761,500
Snowmobile annual permit fee revenue.....	126,100
Snowmobile registration fee revenue.....	211,800
Vehicle theft prevention fees	161,300
State general fund/general purpose	\$ 33,798,000
ELECTION REGULATION AND DEPARTMENT POLICY AND PLANNING	
Full-time equated classified positions	54.5
Election administration and services—29.5 FTE positions.....	\$ 2,136,800
Fees to local units	69,800
Office of policy and planning—25.0 FTE positions	1,800,900
Qualified voter file.....	1,073,400
GROSS APPROPRIATION	\$ 5,080,900
Appropriated from:	
Interdepartmental grant revenues:	
IDG from MDOT - Michigan transportation fund	461,500
Special revenue funds:	
Auto repair facilities fees	27,300
Driver fees	27,000
Expedient service fees.....	12,400
Look-up fees	545,100
Parking ticket court fines	3,100
Personal identification card fees	5,300
Reinstatement fees - operator licenses	15,600
Vehicle theft prevention fees	15,700
State general fund/general purpose	\$ 3,967,900
HISTORICAL PROGRAM	
Full-time equated classified positions	75.6
Historical administration and services—65.5 FTE positions	\$ 4,080,100

Federal programs—9.6 FTE positions	945,000
Heritage publications	700,000
Mann house—0.5 FTE position.....	50,000
Private grants and gifts	834,300
GROSS APPROPRIATION	\$ 6,609,400
Appropriated from:	
Federal revenues:	
DOI-NPS, historic preservation grants-in-aid.....	750,000
Federal institute of museum services	50,000
Federal DOI-NHPRC	70,000
DOC-NOAA coastal zone management administration	75,000
Special revenue funds:	
Private - grants and gifts	834,300
Private - Mann house trust fund.....	50,000
Heritage publication fund.....	700,000
State general fund/general purpose	\$ 4,080,100
DEPARTMENTWIDE APPROPRIATIONS	
Building occupancy charges - property management services	\$ 1,449,500
Private rent.....	6,351,000
Worker's compensation	692,800
GROSS APPROPRIATION	\$ 8,493,300
Appropriated from:	
Interdepartmental grant revenues:	
IDG from MDOT - Michigan transportation fund	2,089,500
Special revenue funds:	
Auto repair facilities fees.....	171,500
Driver fees	527,500
Expedient service fees.....	15,700
Look-up fees	1,990,300
Parking ticket court fines	568,700
State general fund/general purpose	\$ 3,130,100
EARLY RETIREMENT	
Early retirement savings.....	\$ (164,600)
GROSS APPROPRIATION	\$ (164,600)
Appropriated from:	
State general fund/general purpose	\$ (164,600)
DEPARTMENT OF TREASURY	
APPROPRIATION SUMMARY:	
Full-time equated unclassified positions	9.0
Full-time equated classified positions	1,941.0
GROSS APPROPRIATION	\$ 1,764,886,300
Interdepartmental grant revenues:	
Total interdepartmental grants and intradepartmental transfers	15,557,100
ADJUSTED GROSS APPROPRIATION	\$ 1,749,329,200
Federal revenues:	
Total federal revenues	39,035,200
Special revenue funds:	
Total local revenues	2,919,600
Total private revenues	0
Total other state restricted revenues	1,534,090,400
State general fund/general purpose	\$ 173,284,000
EXECUTIVE DIRECTION	
Full-time equated unclassified positions	9.0
Full-time equated classified positions	4.0
Unclassified positions—9.0 FTE positions.....	\$ 612,300
Multistate tax commission dues	111,700
Office of the director—4.0 FTE positions	369,100
GROSS APPROPRIATION	\$ 1,093,100
Appropriated from:	
Interdepartmental grant revenues:	

IDG from MDOT - Michigan transportation fund	69,700
Special revenue funds:	
State lottery fund	83,400
State general fund/general purpose	\$ 940,000
DEPARTMENTWIDE APPROPRIATIONS	
Rent	\$ 570,400
Travel	1,805,400
Building occupancy charges-property management services	2,344,700
Worker's compensation insurance premium	396,000
GROSS APPROPRIATION	\$ 5,116,500
Appropriated from:	
Interdepartmental grant revenues:	
IDG from MDOT - Michigan transportation fund	334,600
IDG from MDOT - state aeronautics fund	2,700
IDG - state agency collection fees	17,900
Special revenue funds:	
Local - audit charges	80,600
Local - equalization study charge-backs	16,300
Delinquent property tax administration fund	127,000
Delinquent tax collection revenue	2,768,000
Municipal finance fees	11,200
Treasury fees	18,900
Waterways fund	2,300
State general fund/general purpose	\$ 1,737,000
LOCAL GOVERNMENT PROGRAMS	
Full-time equated classified positions	103.0
Supervision of the general property tax law—55.0 FTE positions	\$ 4,205,200
Property tax assessor training—4.0 FTE positions	335,600
Local property tax services—14.5 FTE positions	1,457,000
Local finance—29.5 FTE positions	1,822,900
State audits of counties	60,000
Pari-mutuel audits	240,000
GROSS APPROPRIATION	\$ 8,120,700
Appropriated from:	
Special revenue funds:	
Local - assessor training fees	335,600
Local - audit charges	987,200
Local - equalization study charge-backs	199,900
Local - revenue from local government	600,000
Delinquent property tax administration fund	1,417,400
Municipal finance fees	223,700
State general fund/general purpose	\$ 4,356,900
TAX PROGRAMS	
Full-time equated classified positions	937.5
Administration—245.0 FTE positions	\$ 17,449,500
Enforcement—684.5 FTE positions	41,449,100
Home heating assistance	1,600,000
Senior prescription drug credit processing	182,500
Michigan underground storage tank assurance fund—4.0 FTE positions	191,400
Wage match verification reporting	1,545,000
Joint federal/state motor fuel compliance project	100,000
Bottle bill implementation	250,000
Tobacco tax collection—4.0 FTE positions	200,000
ESKORT tax audit system	3,700,000
GROSS APPROPRIATION	\$ 66,667,500
Appropriated from:	
Interdepartmental grant revenues:	
IDG from MDOT - Michigan transportation fund	4,791,600
IDG from MDOT - state aeronautics fund	36,500

IDG from FIA	1,545,000
IDG from MDCH.....	200,000
IDG - state agency collection fees	285,200
IDG - data/collection services fees	250,000
IDG - warrant/lien processing fees.....	1,415,500
Federal revenues:	
HHS-SSA, low-income energy assistance	1,600,000
DOT-FHA, intermodal surface transportation efficiency act.....	100,000
Special revenue funds:	
Bottle deposit fund.....	250,000
Delinquent tax collection revenue	42,752,500
Escheats revenue	297,300
Michigan pharmaceutical	182,500
Michigan underground storage tank financial assurance revenue	191,400
Waterways fund	48,100
State general fund/general purpose	\$ 12,721,900
MANAGEMENT PROGRAMS	
Full-time equated classified positions	397.5
Department services—203.5 FTE positions.....	\$ 9,851,600
Community policing grants administration—3.0 FTE positions	180,000
Information technology services—180.0 FTE positions	11,528,100
Receipt, warrant, and cash processing.....	3,736,300
Fiscal agent—3.0 FTE positions	131,200
Child support order offsets—8.0 FTE positions	480,800
GROSS APPROPRIATION	\$ 25,908,000
Appropriated from:	
Interdepartmental grant revenues:	
IDG from MDOT - Michigan transportation fund	1,650,500
IDG from MDOT - state aeronautics fund.....	16,400
IDG receipt, warrant, and cash processing fees.....	3,736,300
IDG - state agency collection fees	131,300
IDG - FIA title IV D.....	451,200
IDG - fiscal agent service fees	131,200
IDG - user services	491,500
Special revenue funds:	
Children's trust fund	6,500
Delinquent property tax administration fund.....	17,500
Delinquent tax collection revenue	4,524,300
Garnishment fees	344,500
Treasury fees.....	145,200
Waterways fund	17,400
State general fund/general purpose	\$ 14,244,200
FINANCIAL PROGRAMS	
Full-time equated classified positions	297.0
Retirement investments—87.5 FTE positions.....	\$ 8,199,900
Deferred compensation—18.5 FTE positions	2,735,900
Common cash investments and debt management—10.5 FTE positions.....	752,800
Student financial assistance programs—180.5 FTE positions.....	38,969,400
GROSS APPROPRIATION	\$ 50,658,000
Appropriated from:	
Federal revenues:	
DED-OPSE, federal lenders allowance	11,348,600
DED-OPSE, higher education act of 1965, insured loans.....	25,986,600
Special revenue funds:	
School bond fees.....	318,200
Deferred compensation	2,735,900
Retirement funds.....	7,999,900
College work study	46,000
MI-CASHE fees.....	355,000

Treasury fees.....		261,100
State general fund/general purpose	\$	1,606,700
DEBT SERVICE		
Water pollution control bond and interest redemption.....	\$	5,145,000
School bond loan		31,060,000
Quality of life bond		69,437,600
GROSS APPROPRIATION	\$	<u>105,642,600</u>
Appropriated from:		
Special revenue funds:		
Local - school bond loan repayments by school districts		700,000
State general fund/general purpose	\$	104,942,600
GRANTS		
Grants to counties in lieu of taxes.....	\$	50,000
Convention facility development distribution		34,000,000
Michigan education trust fund challenge grants		50,000
Senior citizen cooperative housing tax exemption program.....		12,190,600
Constitutional state general revenue sharing grants.....		565,500,000
Statutory state general revenue sharing grants		802,900,000
Special census revenue sharing payments		5,000,000
Health and safety fund grants.....		23,175,000
Tax increment finance authority payments		6,000,000
City of Benton Harbor - enterprise zone		298,400
Grants to locals for community policing		10,000,000
GROSS APPROPRIATION	\$	<u>1,459,164,000</u>
Appropriated from:		
Special revenue funds:		
Convention facility development fund.....		34,000,000
Sales tax.....		1,368,400,000
Health and safety fund		23,175,000
State general fund/general purpose	\$	33,589,000
STATE LOTTERY		
Full-time equated classified positions	202.0	
Lottery operations—164.0 FTE positions.....	\$	11,607,700
Promotion and advertising		17,172,000
Multi-state lottery contingency		2,400,000
Lottery data processing—38.0 FTE positions.....		4,860,500
Property management.....		830,000
GROSS APPROPRIATION	\$	<u>36,870,200</u>
Appropriated from:		
Special revenue funds:		
State lottery fund		36,870,200
State general fund/general purpose	\$	0
CASINO GAMING		
Michigan gaming control board	\$	500,000
Casino gaming control administration.....		6,000,000
GROSS APPROPRIATION	\$	<u>6,500,000</u>
Appropriated from:		
Special revenue funds:		
State casino gaming fund		6,500,000
State general fund/general purpose	\$	0
EARLY RETIREMENT		
Early retirement savings.....	\$	<u>(854,300)</u>
GROSS APPROPRIATION	\$	<u>(854,300)</u>
Appropriated from:		
State general fund/general purpose	\$	(854,300)".

2. Amend page 36, line 12, by striking out all of section 102.

3. Amend page 37, line 16, after "is" by striking out "\$2,276,009,700.00" and inserting "\$2,116,467,100.00".

4. Amend page 37, line 18, by striking out all of lines 18 through 20.

5. Amend page 37, line 22, by striking out "13,649,800" and inserting "13,519,600".

6. Amend page 37, line 24, by striking out "1,000,000" and inserting "406,400".
7. Amend page 38, line 4, by striking out "20,822,400" and inserting "20,098,600".
8. Amend page 38, following line 11, by inserting:
"Grants to locals for community policing \$ 10,000,000".
9. Amend page 38, line 16, by striking out "576,446,300" and inserting "565,500,000".
10. Amend page 38, line 17, by striking out "817,500,000" and inserting "802,900,000".
11. Amend page 38, line 18, by striking out "7,000,000" and inserting "5,000,000".
12. Amend page 38, line 21, by striking out "1,476,660,300" and inserting "1,459,114,000".
13. Amend page 38, line 22, by striking out "1,517,862,400" and inserting "1,482,682,400".
14. Amend page 39, line 5, after "at" by striking out "\$ _____" and inserting "\$22,103,500,000.00".
15. Amend page 39, line 7, after "at" by striking out "\$ _____" and inserting "\$13,019,100,000.00".
16. Amend page 39, line 8, after "at" by striking out "____%" and inserting "58.9%".
17. Amend page 43, following line 7, by striking out all of section 208.
18. Amend page 43, following line 12, by inserting:
"Sec. 210. Pursuant to the management and budget act, 1984 PA 431, MCL 18.1101 to 18.1594, which provides for a countercyclical budget and economic stabilization fund, there is appropriated into the countercyclical budget and economic stabilization fund the sum of \$18,600,000.00".
19. Amend page 44, line 13, after "treasury," by inserting "and".
20. Amend page 44, line 13, after "office" by striking out the balance of the line through "branch" on line 14.
21. Amend page 44, line 21, by striking out all of section 214.
22. Amend page 47, line 20, by striking out all of section 215 and inserting:
"Sec. 215. The negative appropriation in section 101 for the departments of attorney general, civil rights, civil service, management and budget, state, and treasury, for early retirement compensation savings represents savings from the state's 1997 early retirement program. Not later than October 15, 1997, each department and the state budget director shall request legislative transfers under section 393(2) of the management and budget act, 1984 PA 431, MCL 18.1393, to apply the retirement costs and salary and fringe benefits savings to the appropriated line items affected by the early retirement of state employees."
23. Amend page 49, following line 3, following section 217, by striking out all of sections 218, 219, and 220.
24. Amend page 49, following line 4, by inserting:
"Sec. 301. (1) In addition to the funds appropriated in section 101, there is appropriated an amount not to exceed \$750,000.00 for federal contingency funds. These funds are not available for expenditure until they have been transferred to another line item in this act under section 393(2) of the management and budget act, 1984 PA 431, MCL 18.1393.
(2) In addition to the funds appropriated in section 101, there is appropriated an amount not to exceed \$500,000.00 for state restricted contingency funds. These funds are not available for expenditure until they have been transferred to another line item in this act under section 393(2) of the management and budget act, 1984 PA 431, MCL 18.1393.
(3) In addition to the funds appropriated in section 101, there is appropriated an amount not to exceed \$100,000.00 for local contingency funds. These funds are not available for expenditure until they have been transferred to another line item in this act under section 393(2) of the management and budget act, 1984 PA 431, MCL 18.1393.
(4) In addition to the funds appropriated in section 101, there is appropriated an amount not to exceed \$100,000.00 for private contingency funds. These funds are not available for expenditure until they have been transferred to another line item in this act under section 393(2) of the management and budget act, 1984 PA 431, MCL 18.1393."
25. Amend page 50, line 25, by striking out all of section 309.
26. Amend page 51, following line 26, by striking out all of sections 310, 311, and 312 and inserting:
"Sec. 310. Any proceeds from a lawsuit initiated by or settlement agreement entered into on behalf of this state against a manufacturer of tobacco products by the attorney general are state funds and subject to appropriation as provided by law."
27. Amend page 52, following line 1, by inserting:
"Sec. 401. In addition to the funds appropriated in section 101, there is appropriated an amount not to exceed \$500,000.00 for federal contingency funds. These funds are not available for expenditure until they have been transferred to another line item in this act under section 393(2) of the management and budget act, 1984 PA 431, MCL 18.1393."
28. Amend page 52, following line 22, by inserting:
"Sec. 501. (1) In addition to the funds appropriated in section 101, there is appropriated an amount not to exceed \$1,000,000.00 for federal contingency funds. These funds are not available for expenditure until they have been transferred to another line item in this act pursuant to section 393(2) of the management and budget act, 1984 PA 431, MCL 18.1393.
(2) In addition to the funds appropriated in section 101, there is appropriated an amount not to exceed \$5,000,000.00 for state restricted contingency funds. These funds are not available for expenditure until they have been transferred to another line item in this act pursuant to section 393(2) of the management and budget act, 1984 PA 431, MCL 18.1393.

(3) In addition to the funds appropriated in section 101, there is appropriated an amount not to exceed \$100,000.00 for local contingency funds. These funds are not available for expenditure until they have been transferred to another line item in this act under section 393(2) of the management and budget act, 1984 PA 431, MCL 18.1393.

(4) In addition to the funds appropriated in section 101, there is appropriated an amount not to exceed \$100,000.00 for private contingency funds. These funds are not available for expenditure until they have been transferred to another line item in this act under section 393(2) of the management and budget act, 1984 PA 431, MCL 18.1393.”.

29. Amend page 53, line 18, by striking out the balance of the page through line 4 of page 54.

30. Amend page 55, following line 22, by inserting:

“Sec. 604. In addition to the funds appropriated in section 101, there is appropriated an amount not to exceed \$500,000.00 for state restricted contingency funds. These funds are not available for expenditure until they have been transferred to another line item in this act under section 393(2) of the management and budget act, 1984 PA 431, MCL 18.1393.

Sec. 605. Upon request of the state treasurer, the auditor general may temporarily assign staff to the department of treasury for the purpose of auditing local road authorities.

Sec. 606. The department of treasury and the legislative auditor general may conduct performance audits and make investigations of the disposition of all state funds received by county road commissions or county boards of commissioners, as applicable, and cities and villages for transportation purposes to determine compliance with the terms and conditions of 1951 PA 51, MCL 247.651 to 247.675. County road commissions or county boards of commissioners, as applicable, and cities and villages shall make available to the legislative auditor general and the department of treasury the pertinent records for the audit.”.

31. Amend page 58, line 11, by striking out all of sections 630, 631, 632, 633, and 634.

32. Amend page 60, following line 26, by inserting:

“Sec. 657. The appropriation in section 101 to the library of Michigan for library automation includes \$500,000.00 which shall be used only for making computerized data bases, searches of those data bases, and the products of those searches, available through the libraries of Michigan. Only those libraries that qualify under the federal library services and technology act are eligible to participate in this project.”.

33. Amend page 61, following line 2, by inserting:

“Sec. 701. (1) In addition to the funds appropriated in section 101, there is appropriated an amount not to exceed \$2,000,000.00 for federal contingency funds. These funds are not available for expenditure until they have been transferred to another line item in this act under section 393(2) of the management and budget act, 1984 PA 431, MCL 18.1393.

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

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

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

34. Amend page 66, line 19, by striking out all of sections 714 and 715.

35. Amend page 68, following line 8, by striking out all of section 717b and inserting:

“Sec. 718. (1) The department of management and budget and each principal executive department and agency shall provide to the senate and house of representatives standing committees on appropriations and the senate and house fiscal agencies a monthly report on all personal service contracts awarded without competitive bidding, pricing, or rate-setting. The notification shall include all of the following:

(a) The total dollar amount of the contract.

(b) The duration of the contract.

(c) The name of the vendor.

(d) The type of service to be provided.

(2) For personal service contracts of \$100,000.00 or more, the department of management and budget shall provide a monthly report including all of the following:

(a) The total dollar amount of the contract.

(b) The duration of the contract.

(c) The name of the vendor.

(d) The type of service to be provided.

(3) The department of management and budget shall provide a monthly listing of all bid requests or requests for proposal that were issued.

(4) Each principal executive department and agency shall provide a monthly summary listing of information that identifies any authorizations for personal service contracts that are provided to the department of civil service pursuant to delegated authority granted to each principal executive department and agency related to personal service contracts.

Sec. 719. If a department enters into a personal service contract with any temporary service agency or similar contractor that hires or subcontracts with a person who retired from employment in the department under the early retirement program under section 19f of the state employees' retirement act, 1943 PA 240, MCL 38.19f, the retired state employee shall be limited to 500 hours for professional, technical, or clerical services and 250 hours for management services. This provision only applies during a 24-month period after the date of retirement. This section applies to each principal executive department and agency."

36. Amend page 68, following line 9, by inserting:

"Sec. 800. (1) In addition to the funds appropriated in section 101, there is appropriated an amount not to exceed \$500,000.00 for federal contingency funds. These funds are not available for expenditure until they have been transferred to another line item in this act under section 393(2) of the management and budget act, 1984 PA 431, MCL 18.1393.

(2) In addition to the funds appropriated in section 101, there is appropriated an amount not to exceed \$7,500,000.00 for state restricted contingency funds. These funds are not available for expenditure until they have been transferred to another line item in this act under section 393(2) of the management and budget act, 1984 PA 431, MCL 18.1393.

(3) In addition to the funds appropriated in section 101, there is appropriated an amount not to exceed \$44,000.00 for local contingency funds. These funds are not available for expenditure until they have been transferred to another line item in this act under section 393(2) of the management and budget act, 1984 PA 431, MCL 18.1393.

(4) In addition to the funds appropriated in section 101, there is appropriated an amount not to exceed \$44,000.00 for private contingency funds. These funds are not available for expenditure until they have been transferred to another line item in this act under section 393(2) of the management and budget act, 1984 PA 431, MCL 18.1393."

37. Amend page 74, line 12, after "services," by striking out "\$40,000.00" and inserting "\$64,000.00".

38. Amend page 74, line 14, by striking out all of section 819.

39. Amend page 74, following line 19, by inserting:

"Sec. 900. (1) In addition to the funds appropriated in section 101, there is appropriated an amount not to exceed \$1,000,000.00 for federal contingency funds. These funds are not available for expenditure until they have been transferred to another line item in this act under section 393(2) of the management and budget act, 1984 PA 431, MCL 18.1393.

(2) In addition to the funds appropriated in section 101, there is appropriated an amount not to exceed \$10,000,000.00 for state restricted contingency funds. These funds are not available for expenditure until they have been transferred to another line item in this act under section 393(2) of the management and budget act, 1984 PA 431, MCL 18.1393.

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

(4) In addition to the funds appropriated in section 101, there is appropriated an amount not to exceed \$50,000.00 for private contingency funds. These funds are not available for expenditure until they have been transferred to another line item in this act under section 393(2) of the management and budget act, 1984 PA 431, MCL 18.1393."

40. Amend page 75, line 3, after "(2)" by striking out "Of" and inserting "In addition to".

41. Amend page 75, line 9, after "17.455." by inserting "The fiscal year 1997-98 cash-flow borrowing costs are estimated at \$113,000,000.00."

42. Amend page 81, following line 12, by inserting:

"Michigan transportation.....	22,500
Comprehensive transportation	7,500".

43. Amend page 82, line 19, by inserting:

"State trunkline	18,800".
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44. Amend page 85, line 1, by striking out "376,400" and inserting "425,200".

45. Amend page 88, line 20, after "Sec. 955." by striking out "(1)".

46. Amend page 89, line 1, after "sharing" by striking out "payment" and inserting "payments".

47. Amend page 89, following line 3, by striking out the balance of the section and inserting:

"Sec. 957. County treasurers shall comply with section 151 of the state school aid act of 1979, 1979 PA 94, MCL 388.1751, to be eligible to receive funds from section 101 for the statutory state general revenue sharing grant payments in excess of the constitutional state general revenue sharing grant payments. The department of education shall notify the state treasurer that all reporting requirements pursuant to section 151 of the state school aid act have been met before county treasurers receive a December statutory state general revenue sharing grant payment. A statutory state general revenue sharing grant payment shall not be made to a county until it has complied with the reporting requirements.

Sec. 958a. Local units of government which receive revenue sharing funds and which distribute property tax statements and/or income tax forms shall not visibly include, as part of the property tax statements or income tax forms external address, the social security number of the recipient and/or recipients."

48. Amend page 90, following line 14, by inserting:

“Sec. 959d. (1) The state community policing program is created within the department of treasury. The program shall provide a local community with funds to employ additional police officers and/or to purchase technology and equipment. State grant funds shall provide a portion of the matching funds necessary for local communities to receive funds under the federal community oriented policing services program, pursuant to the violent crime control and law enforcement act of 1994, Public Law 103-322, 108 Stat. 1796. Of the 25% local match required under federal law, the state shall provide 20.5% and the local units of government shall provide 4.5%.

(2) The department shall not award grants for more than 1,666 community policing officers.

(3) If a local law enforcement agency receives federal community oriented policing services grant funding for community oriented police officer hiring, and that law enforcement agency has an ongoing community policing program functioning in that law enforcement agency, reimbursement of the grant matching money under this section for additional community police officers shall receive priority.

(4) In order to use state funds under this section to match federal funds, local units shall receive prior approval of the state grant funds from the department of treasury.

(5) Once agencies receive community oriented policing services grant funding, and additional individuals are hired, they shall receive training for community policing through a Michigan law enforcement officers’ training council approved program.

(6) A local law enforcement agency receiving community oriented policing services grant funding under this section shall not reassign the officers hired under this section during the period covered by the grant.

(7) If a federal community oriented policing services grants audit shows that community oriented policing services grant funding was not used as prescribed, the local law enforcement agency shall reimburse the state for the amount misused.

(8) The unexpended portions of the appropriations in section 101 for grants to local units for community policing shall be considered work project appropriations and any unencumbered funding shall not lapse and shall be available in the succeeding fiscal year.”

49. Amend page 91, line 6, by striking out all of section 964.

50. Amend page 93, line 8, by striking out all of line 8 and inserting:

“General	0110	\$ 0.0	\$ 8,586.2	\$ 0.6”.
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51. Amend page 93, line 11, by striking out all of line 11 and inserting:

“economic stabilization	0111	1,212.5	96.5	1,309.0”.
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52. Amend page 93, line 12, by striking out all of lines 12 through 14.

53. Amend page 93, line 26, by striking out all of line 26 and inserting:

“School aid	0122	152.2	8,926.0	58.7”.
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54. Amend page 94, line 24, by striking out all of line 24 and inserting:

“TOTALS		\$1,446.6	\$21,072.1	\$1,516.3”.
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55. Amend page 95, line 3, after “from” by inserting “federal and”.

56. Amend page 95, following line 7, by inserting:

“**MISCELLANEOUS**”.

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

A bill to make appropriations for the departments of attorney general, civil rights, civil service, management and budget, state, and treasury, the Michigan biologic products institute, the executive office, and the legislative branch for the fiscal year ending September 30, 1998; 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 prescribe certain requirements for bidding on state contracts; to provide for disposition of year-end balances for the fiscal year ending September 30, 1998; 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.

Dan L. DeGrow
Glenn Steil
Alma Wheeler Smith
Conferees for the Senate

Lynn Owen
Lynne Martinez
Conferees for the House

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

The motion prevailed.

The question being on the adoption of the conference report,

Recess

Senator DeGrow moved that the Senate recess subject to the call of the President.
The motion prevailed, the time being 10:05 a.m.

10:22 a.m.

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

During the recess, Senators Dunaskiss, Bouchard, Posthumus and O'Brien entered the Senate Chamber.

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

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

Recess

Senator DeGrow moved that the Senate recess until 2:00 p.m.
The motion prevailed, the time being 10:23 a.m.

The Senate reconvened at the expiration of the recess and was called to order by the President pro tempore, Senator Schwarz.

During the recess, Senators Bullard, Cisky, Hoffman and McManus entered the Senate Chamber.

Recess

Senator Shugars moved that the Senate recess until 2:30 p.m.
The motion prevailed, the time being 2:01 p.m.

The Senate reconvened at the expiration of the recess and was called to order by the President pro tempore, Senator Schwarz.

During the recess, Senator Miller entered the Senate Chamber.

Recess

Senator DeGrow moved that the Senate recess until 3:00 p.m.
The motion prevailed, the time being 2:31 p.m.

The Senate reconvened at the expiration of the recess and was called to order by the President pro tempore, Senator Schwarz.

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

The motion prevailed.

Senator Gougeon's statement is as follows:

Mr. President and members of the Senate, today is presumably the last day that we will be in session for one of our staff members, Anne Boomer, who has worked so very, very hard as legislative counsel for the Families, Mental Health and Human Services Committee.

We want to take the opportunity today, on behalf of all the members and staff here—and everybody who's worked with Anne—to thank her for all her dedicated service not only to my committee, but to the Judiciary Committee as well. We will miss Anne as she and her husband move to Germany.

Anne, it's with sadness that we say goodbye to you as a member of our committee and staff here. We will definitely miss your good work and I, personally, will miss your good work. We just hope that your trip to Germany is fruitful and wish you all the best in the future.

Senator Van Regenmorter's statement is as follows:

I want to echo what Senator Gougeon said about Anne Boomer. She also served the Senate Judiciary Committee, served it well and served it nobly. Her expertise, particularly in corrections matters, but in all matters related to the Judiciary Committee activities has been of inestimable assistance. I am going to miss her as she moves a long way away across the ocean to Germany.

We tried to put her into some sort of a category. She is an outstanding attorney. She has a great sense of decorum and I think she exhibits a lot of wisdom. So we have decided to call her "Ben Matlock" and she's been banned in the Judiciary Committee for her duration there. But I want to emphasize that it's because of her legal skills and her great wisdom and it is not because of the color of her hair.

Senator Bouchard's statement is as follows:

I would just like the opportunity to echo the things that have been mentioned recently about Anne. She's truly a star and will be missed. I enjoyed working with her a great deal on the committee that I have been involved in as the vice chair of the Families, Mental Health and Human Services Committee.

We have had the opportunity to sit side by side and talk about a lot of issues. She's the kind of person who smiles under stress and works through long and difficult hours and still provides you with levelheaded advice needed during difficult times. That kind of patience and that kind of reliability under stress is sometimes easy to take for granted until it's gone. She's one of the ones I will certainly miss.

I wanted to make sure she knew that before she left. I tried to figure out a way to lock the doors and keep her here. I don't think, unfortunately, that will work, but whoever has the opportunity to work with her in the future will be blessed.

Senator Geake's statement is as follows:

As a member of both the Judiciary Committee and the Families, Mental Health and Human Services Committee, I've had the privilege of working with Anne Boomer now for quite some time on a number of very intricate and complicated issues. She is very knowledgeable, always very gracious and puts up with the idiosyncrasies of us legislators with grace and goodwill. Anne is just a fantastic person and we are all going to miss her very much.

Recess

Senator Van Regenmorter moved that the Senate recess until 3:30 p.m.

The motion prevailed, the time being 3:06 p.m.

The Senate reconvened at the expiration of the recess and was called to order by the President pro tempore, Senator Schwarz.

Recess

Senator Van Regenmorter moved that the Senate recess until 4:15 p.m.

The motion prevailed, the time being 3:31 p.m.

The Senate reconvened at the expiration of the recess and was called to order by the President pro tempore, Senator Schwarz.

The question being on the adoption of the conference report,

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

Roll Call No. 434

Yeas—37

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

Nays—0

Excused—1

Emmons

Not Voting—0

In The Chair: Schwarz

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

Senator DeGrow submitted the following:

FIRST CONFERENCE REPORT

The Committee of Conference on the matters of difference between the two Houses concerning **Senate Bill No. 171, entitled**

A bill to make appropriations for the judicial branch for the fiscal year ending September 30, 1998; to provide for the expenditure of these appropriations; to place certain restrictions on the expenditure of these appropriations; to prescribe the powers and duties of certain officials and employees; to require certain reports; and to provide for the disposition of fees and other income received by the judicial branch.

Recommends:

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

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

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

“Sec. 101. There is appropriated for the judicial branch, subject to the conditions set forth in this act, for the fiscal year ending September 30, 1998, the following amounts from the funds identified as follows:

JUDICIARY

APPROPRIATION SUMMARY:

Full-time equated exempted positions	601.0	
GROSS APPROPRIATION		\$ 207,428,400
Interdepartmental grant revenues:		
Total interdepartmental grants and intradepartmental transfers		2,886,700
ADJUSTED GROSS APPROPRIATION		\$ 204,541,700
Total federal revenues		889,300
Total local revenues		1,869,200

Total private revenues	1,115,500
Total other state restricted revenues	49,152,000
State general fund/general purpose	\$ 151,515,700
SUPREME COURT	
Full-time equated exempted positions	276.0
Supreme court administration—136.0 FTE positions	\$ 15,217,400
State court administrative office—80.0 FTE positions	8,614,800
Judicial information systems—21.0 FTE positions	2,576,800
Direct trial court automation support—23.0 FTE positions	1,869,200
Foster care review board—12.0 FTE positions.....	1,155,400
Community dispute resolution—4.0 FTE positions	2,038,700
GROSS APPROPRIATION	\$ 31,472,300
Appropriated from:	
Interdepartmental grant revenues:	
IDG from state police - Michigan justice training fund.....	80,300
IDG from state police - criminal justice improvement	1,435,000
IDG from FIA-title IV-D child support program	342,200
IDG from FIA-title IV-E foster care program.....	773,200
Federal revenues:	
Federal highway safety planning revenue.....	70,000
HHS - court improvement project	439,300
DAG - agriculture mediation grant.....	320,000
Federal - special ed. grant.....	60,000
Local revenues:	
Local - user fees	1,869,200
Private revenues:	
Private.....	418,000
Private - interest on lawyers trust accounts	667,500
Private - state justice institute	30,000
Special revenue funds:	
State court fund.....	302,300
Community dispute resolution fees	1,628,700
Law exam fees	387,300
Miscellaneous restricted.....	201,000
State general fund/general purpose	\$ 22,448,300
COURT OF APPEALS	
Full-time equated exempted positions	245.5
Court of appeals operations—223.5 FTE positions	\$ 17,784,300
Delay reduction—22.0 FTE positions	1,500,000
GROSS APPROPRIATION	\$ 19,284,300
Appropriated from:	
Special revenue funds:	
Court filing/motion fees	1,514,700
Miscellaneous revenue	75,000
State general fund/general purpose	\$ 17,694,600
JUDGES SALARIES	
Supreme court justices—7.0 judges	\$ 868,100
Court of appeals judges—28.0 judges.....	3,208,600
District court judges state base salaries—259.0 judges	15,283,100
District court judicial salary standardization	11,842,500
Probate court judges state base salaries—107.0 judges	6,078,200
Probate court judicial salary standardization.....	4,332,800
Circuit court judges state base salaries—210.0 judges	13,715,900
Circuit court judicial salary standardization.....	9,228,000
Grant to the OASI contribution fund, employers share, social security	3,518,100
GROSS APPROPRIATION	\$ 68,075,300
Appropriated from:	
Court fee fund.....	5,300,000
State general fund/general purpose	\$ 62,775,300

JUDICIAL AGENCIES

Full-time equated exempted positions	10.0	
Judicial tenure commission—10.0 FTE positions.....		\$ 920,600
Grant to the legislative council for trial court assessment commission		279,900
GROSS APPROPRIATION		\$ 1,200,500
Appropriated from:		
State general fund/general purpose		\$ 1,200,500
INDIGENT DEFENSE - CRIMINAL		
Full-time equated exempted positions	69.5	
Appellate public defender program—61.5 FTE positions.....		\$ 5,141,700
Appellate assigned counsel administration—8.0 FTE positions		789,900
GROSS APPROPRIATION		\$ 5,931,600
Appropriated from:		
Interdepartmental grant revenues:		
IDG from state police - Michigan justice training fund.....		256,000
Special revenue funds:		
Miscellaneous revenue		75,000
State general fund/general purpose		\$ 5,600,600
INDIGENT DEFENSE - CIVIL		
Indigent civil defense		\$ 6,026,000
GROSS APPROPRIATION		\$ 6,026,000
Appropriated from:		
Special revenue funds:		
State court fund.....		6,026,000
State general fund/general purpose		\$ 0
TRIAL COURT OPERATIONS		
Court equity fund reimbursements		\$ 57,538,400
Hold harmless fund reimbursements		16,000,000
GROSS APPROPRIATION		\$ 73,538,400
Appropriated from:		
Court equity fund.....		31,742,000
State general fund/general purpose		\$ 41,796,400
GRANTS/REIMBURSEMENTS		
Drunk driving caseflow program.....		\$ 1,800,000
Drug caseflow program.....		100,000
GROSS APPROPRIATION		\$ 1,900,000
Appropriated from:		
Drunk driving fund		1,800,000
Drug fund		100,000
State general fund/general purpose		\$ 0”.

2. Amend page 3, line 17, after “at” by striking out “\$197,219,700.00” and inserting “\$200,667,700.00”.
3. Amend page 3, line 19, after “at” by striking out “\$103,438,100.00” and inserting “\$105,531,900.00”.
4. Amend page 4, line 1, by striking out “55,444,400” and inserting “57,538,400”.
5. Amend page 4, line 4, by striking out “11,842,600” and inserting “11,842,500”.
6. Amend page 4, line 6, by striking out “4,332,900” and inserting “4,332,800”.
7. Amend page 4, line 8, by striking out “103,438,100” and inserting “105,531,900”.
8. Amend page 4, line 25, by striking out all of section 203.
9. Amend page 5, following line 10, by inserting:

“Sec. 206. (1) The chief justice of the supreme court shall take all reasonable steps to ensure businesses in deprived and depressed communities compete for and perform contracts to provide services or supplies, or both, for the judicial branch.

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

10. Amend page 5, line 12, by striking out all of sections 301 and 302 and inserting:

“Sec. 301. (1) The direct trial court automation support program of the state court administrative office shall recover direct and overhead costs from trial courts by charging for services rendered. The fee shall cover the actual costs incurred to the direct trial court automation support program in providing the service. A report of amounts collected in excess of funds identified as user service charges in section 101 shall be submitted to the house and senate appropriations subcommittees on judiciary and general government, respectively, 30 days before expenditure by the direct trial court automation support program.

(2) From funds appropriated in section 101, the direct trial court automation support program of the state court administrative office shall provide to the senate and house appropriations committees and the senate and house fiscal agencies before January 1 of each year, a detailed list of user service charges collected during the immediately preceding state fiscal year.”

11. Amend page 7, line 8, by striking out all of sections 308 and 309 and inserting:

“Sec. 308. The supreme court shall continue to implement and enforce an antinepotism policy, which shall include provisions that prohibit a judge from hiring or employing a member of his or her immediate family as a court employee or in any judicial support related capacity.

Sec. 309. The state supreme court and the state court administrative office shall consider and analyze the various methods of providing necessary travel for judges, and shall then adopt as policy for all judicial agencies the most efficient and cost-effective method.”

12. Amend page 7, line 23, by striking out all of sections 311, 312, and 313 and inserting:

“Sec. 311. (1) The chief financial officer of a funding unit for a court, in cooperation with the local court, shall provide to the state treasurer and state court administrative office by January 1, 1998 audited accounts of all money due and owing the court as of September 30, 1997. Where audited accounts are not available, the chief financial officer of a funding unit for a court may provide estimates as long as they are clearly marked as “estimated”.

(2) Each court funding unit, in cooperation with the local court, shall submit to the state treasurer and state court administrative office by January 1, 1998 a plan to collect its audited or estimated accounts receivable under existing provisions of law. A funding unit may file a request for an extension of time, not to exceed 30 days, with the state treasurer and the state court administrative office.

(3) The state treasurer shall report to the legislature a compilation of the estimated receivables of all courts and cumulative totals by March 1, 1998. This report is a public record.

Sec. 312. (1) From the appropriation in section 101 for supreme court administration, \$190,000.00 is appropriated for changing computer software and hardware to perform properly in the year 2000 and beyond.

(2) The supreme court shall report quarterly to the general government and judiciary subcommittees of the senate and house appropriations committees, the house and senate standing committees having jurisdiction over technology issues, and to the senate and house fiscal agencies, the year-to-date expenditures for implementing this section.”.

13. Amend page 9, line 21, by striking out all of section 315 and inserting:

“Sec. 315. If legislation is not enacted and effective by October 1, 1997 to increase court of appeals filing and motion fees, the appropriation contained in section 101 for the court of appeals shall be reduced by not more than \$425,000.00, and the FTE positions for the court of appeals shall be reduced by not more than 10.”.

14. Amend page 9, line 26, after “available” by striking out “in” and inserting “from”.

15. Amend page 10, following line 4, by striking out all of section 317 and inserting:

“Sec. 317. Funds appropriated in section 101 for indigent defense shall be used in accordance with terms and conditions of section 1485(11)(b) of the revised judicature act of 1961, 1961 PA 236, MCL 600.1485, including reference to federal prohibitions against providing legal assistance with respect to any proceeding or litigation which seeks to procure an abortion.”.

16. Amend page 10, following line 4, following section 318, by striking out all of sections 319 and 320 and inserting:

“Sec. 321. The state court administrative office, from funds appropriated in section 101, shall assist the court of appeals and trial courts to meet American bar association model standards on case processing, including the standard that 95% of all civil appellate cases be disposed within 12 months of filing.”.

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

A bill to make appropriations for the judicial branch for the fiscal year ending September 30, 1998; 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.

Dan L. DeGrow
Glenn Steil
Alma Wheeler Smith
Conferees for the Senate

Nick Ciaramitaro
A.T. Frank
Conferees for the House

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

The motion prevailed.

The question being on the adoption of the conference report,

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

Roll Call No. 435**Yeas—37**

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

Nays—0**Excused—1**

Emmons

Not Voting—0

In The Chair: Schwarz

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

House Bill No. 4219, entitled

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

The House of Representatives has adopted the report of the Committee of Conference.

The Conference Report was read as follows:

FIRST CONFERENCE REPORT

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

House Bill No. 4219, entitled

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

Recommends:

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

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

“(v) NATURAL HAIR CULTIVATION.”.

2. Amend page 3, line 24, after “WAVING,” by inserting “WEAVING, PLAINTING, CRIMPING, BRAIDING,”.

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

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

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

4. Amend page 6, line 5, after the second "SERVICES," by inserting "NATURAL HAIR CULTIVATION,".
5. Amend page 6, line 10, after the first "SERVICES" by inserting a comma and "NATURAL HAIR CULTIVATION,".
6. Amend page 6, line 11, after "MANICURIST" by inserting a comma and "NATURAL HAIR CULTURIST,".
7. Amend page 6, line 14, after "MANICURIST" by inserting a comma and "NATURAL HAIR CULTURIST,".
9. Amend page 13, line 18, after the second "A" by inserting "NATURAL HAIR CULTIVATION,".
10. Amend page 14, line 11, after "IN" by inserting "NATURAL HAIR CULTIVATION,".
11. Amend page 15, line 16, after "MANICURIST" by inserting a comma and "NATURAL HAIR CULTURIST,".
13. Amend page 18, line 21, after "AFTER" by striking out "DECEMBER 31, 1999" and inserting "THE EXPIRATION OF 12 MONTHS AFTER THE EFFECTIVE DATE OF THE 1997 AMENDATORY ACT THAT AMENDED THIS SECTION".
14. Amend page 19, line 7, after "(E)" by inserting "IF AN EXAMINATION IS AVAILABLE,".
15. Amend page 19, line 9, after "UNTIL" by striking out "DECEMBER 31, 1999" and inserting "THE EXPIRATION OF 12 MONTHS AFTER THE EFFECTIVE DATE OF THE 1997 AMENDATORY ACT THAT ADDED THIS SUBSECTION".
16. Amend page 19, line 16, after "HAVING" by striking out "BEEN TRAINED" and inserting "OBTAINED THE EQUIVALENT OF 6 MONTHS OF FULL-TIME EXPERIENCE".
17. Amend page 19, line 17, after "STATE" by striking out the balance of the subdivision and inserting "WITHIN THE 12 MONTHS IMMEDIATELY PRECEDING THE DATE OF APPLICATION.".
18. Amend page 19, line 18, after "(E)" by inserting "IF AN EXAMINATION IS AVAILABLE,".

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

3. Amend page 4, line 22, after "HAIR" by striking out the balance of the subdivision and inserting a period and:

"(N) "NATURAL HAIR CULTURIST" MEANS A PERSON ENGAGED IN NATURAL HAIR CULTIVATION BUT DOES NOT INCLUDE A PERSON ENGAGED IN NATURAL HAIR CULTIVATION IF THAT ACTIVITY IS PERFORMED AS PART OF THE PRACTICE OF A RECOGNIZED RELIGION." and relettering the remaining subdivisions.

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

"SEC. 1210A. (1) AFTER DECEMBER 31, 1999, THE DEPARTMENT SHALL ISSUE A LICENSE TO PRACTICE NATURAL HAIR CULTIVATION TO AN INDIVIDUAL WHO FULFILLS ALL OF THE FOLLOWING:

(A) IF AN EXAMINATION IS AVAILABLE, HAS PASSED AN EXAMINATION PRESCRIBED BY THE DEPARTMENT AND THE BOARD. IN LIEU OF AN EXAMINATION BEING AVAILABLE, THE DEPARTMENT SHALL EVALUATE THE EXPERIENCE OF AN APPLICANT, WHICH EXPERIENCE SHALL INCLUDE AT LEAST 6 MONTHS OF FIELD PRACTICE OR EXPERIENCE.

(B) IS AT LEAST 17 YEARS OF AGE.

(C) IS OF GOOD MORAL CHARACTER.

(D) HAS AN EDUCATION EQUIVALENT TO THE COMPLETION OF THE NINTH GRADE.

(E) HAS TRAINING EITHER OF AT LEAST 400 HOURS EXTENDING OVER A PERIOD OF AT LEAST 3 MONTHS IN A SCHOOL OF COSMETOLOGY APPROVED BY THE DEPARTMENT WHERE SERVICES RELATING TO NATURAL HAIR CULTIVATION ARE RENDERED OR HAS SERVED AT LEAST 6 MONTHS AS AN APPRENTICE IN A LICENSED COSMETOLOGY ESTABLISHMENT IN WHICH NATURAL HAIR CULTIVATION IS PRACTICED.

(2) UNTIL DECEMBER 31, 1999, THE DEPARTMENT SHALL ISSUE A LICENSE TO PRACTICE NATURAL HAIR CULTIVATION TO AN INDIVIDUAL WHO FULFILLS ALL OF THE FOLLOWING:

(A) IF AN EXAMINATION IS AVAILABLE, HAS PASSED AN EXAMINATION PRESCRIBED BY THE BOARD AND THE DEPARTMENT. IN LIEU OF AN EXAMINATION BEING AVAILABLE, THE DEPARTMENT SHALL EVALUATE THE EXPERIENCE OF AN APPLICANT, WHICH EXPERIENCE SHALL INCLUDE AT LEAST 6 MONTHS OF FIELD PRACTICE OR EXPERIENCE.

(B) IS AT LEAST 17 YEARS OF AGE.

(C) IS OF GOOD MORAL CHARACTER.

(D) HAS AN EDUCATION EQUIVALENT TO THE COMPLETION OF THE NINTH GRADE.

(3) NOTWITHSTANDING ANY OTHER PROVISION IN THIS ARTICLE, AN INDIVIDUAL MAY ENGAGE IN NATURAL HAIR CULTIVATION FOR COMPENSATION AND MAY OPERATE AN ESTABLISHMENT WHERE NATURAL HAIR CULTIVATION ONLY IS PRACTICED WITHOUT HAVING FIRST OBTAINED AN INDIVIDUAL OR ESTABLISHMENT LICENSE UNDER THIS ARTICLE.".

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

A bill to amend 1980 PA 299, entitled "An act to revise, consolidate, and classify the laws of this state regarding the regulation of certain occupations; to create a board for each of those occupations; to establish the powers and duties of

certain departments and agencies and the boards of each occupation; to provide for the promulgation of rules; to provide for certain fees; to provide for penalties and civil fines; to establish rights, relationships, and remedies of certain persons under certain circumstances; to repeal certain parts of this act on a specific date; and to repeal certain acts and parts of acts,” by amending sections 1201, 1204, 1205, 1206, 1207, 1208, 1209, 1210, 1211, 1214, 1217, and 1218 (MCL 339.1201, 339.1204, 339.1205, 339.1206, 339.1207, 339.1208, 339.1209, 339.1210, 339.1211, 339.1214, 339.1217, and 339.1218), sections 1204, 1205, 1207, 1208, 1209, 1211, and 1214 as amended by 1988 PA 463, and by adding sections 1203a, 1203b, and 1210a; and to repeal acts and parts of acts.

Ilona Varga
 Derrick Hale
 David Jaye
 Conferees for the House

Bill Schuette
 Joel Gougeon
 Henry Stallings II
 Conferees for the Senate

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

The motion prevailed.

The question being on the adoption of the conference report,

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

Roll Call No. 436

Yeas—36

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

Nays—0

Excused—1

Emmons

Not Voting—1

Cherry

In The Chair: Schwarz

Senator V. Smith moved that Senator Cherry be temporarily excused from the balance of today’s session.
 The motion prevailed.

Senator Cherry entered the Senate Chamber.

House Bill No. 4220, entitled

A bill to amend 1979 PA 152, entitled "State license fee act," by amending section 25 (MCL 338.2225), as amended by 1988 PA 461.

The House of Representatives has adopted the report of the Committee of Conference.

The Conference Report was read as follows:

FIRST CONFERENCE REPORT

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

House Bill No. 4220, entitled

A bill to amend 1979 PA 152, entitled "State license fee act," by amending section 25 (MCL 338.2225), as amended by 1988 PA 461.

Recommends:

First: That the Senate agree to House amendments numbered 1 through 4, which read as follows:

1. Amend page 1, line 2, after "manicurist," by inserting "NATURAL HAIR CULTURIST,".
2. Amend page 2, line 3, after "manicurist," by inserting "NATURAL HAIR CULTURIST,".
3. Amend page 2, line 8, after "manicurist," by inserting "NATURAL HAIR CULTURIST,".
4. Amend page 2, line 14, after "manicurist," by inserting "NATURAL HAIR CULTURIST,".

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

A bill to amend 1979 PA 152, entitled "An act to provide for the establishment and collection of fees for the regulation of certain occupations and professions, and for certain agencies and businesses; to create certain funds; and to prescribe certain powers and duties of certain state agencies and departments," by amending section 25 (MCL 338.2225), as amended by 1988 PA 461.

Ilona Varga
 Derrick Hale
 David Jaye
 Conferees for the House

Bill Schuette
 Joel Gougeon
 Conferees for the Senate

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

The motion prevailed.

The question being on the adoption of the conference report,

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

Roll Call No. 437

Yeas—35

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

Nays—2

Stallings	Vaughn
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Excused—1

Emmons

Not Voting—0

In The Chair: Schwarz

House Bill No. 4306, 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, 1998, and to make certain appropriations for those purposes and adjust certain appropriations for those purposes for the fiscal year ending September 30, 1997; to provide for the expenditure of such appropriations; to create funds; to 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 House of Representatives has adopted the report of the Committee of Conference and ordered that the bill be given immediate effect.

The Conference Report was read as follows:

FIRST CONFERENCE REPORT

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

House Bill No. 4306, 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, 1998, and to make certain appropriations for those purposes and adjust certain appropriations for those purposes for the fiscal year ending September 30, 1997; to provide for the expenditure of such appropriations; to create funds; to 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.

Recommends:

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

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

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

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

DEPARTMENT OF COMMUNITY HEALTH

Full-time equated unclassified positions	7.0	
Full-time equated classified positions	7,587.0	
Average population	2,091.0	
GROSS APPROPRIATION		\$ 7,308,149,400
Interdepartmental grant revenues:		
Total interdepartmental grants and intradepartmental transfers		\$ 81,400,400
ADJUSTED GROSS APPROPRIATION		\$ 7,226,749,000
Federal revenues:		
Total federal revenues		3,471,537,000
Special revenue funds:		
Total local revenues		906,475,100
Total private revenues		41,404,800
Total other state restricted revenues		322,262,100
State general fund/general purpose		\$ 2,485,070,000

DEPARTMENTWIDE ADMINISTRATION

Full-time equated unclassified positions	7.0	
Full-time equated classified positions	(46.0)	
Community health advisory council		\$ 28,900
Director and other unclassified—7.0 FTE positions		524,500
Department-wide reorganization savings—(46.0) FTE positions		(2,604,900)
GROSS APPROPRIATION		\$ (2,051,500)
Appropriated from:		
Federal revenues:		
Total federal revenues		(1,358,900)
State general fund/general purpose		\$ (692,600)

EXECUTIVE PROGRAM

Full-time equated classified positions	276.0	
Departmental administration and management—276.0 FTE positions.....		\$ 26,109,600
Revenue recapture		750,000
GROSS APPROPRIATION		\$ 26,859,600
Appropriated from:		
Federal revenues:		
Total federal revenues		2,114,300
Special revenue funds:		
Total other state restricted revenues		510,000
State general fund/general purpose		\$ 24,235,300
EARLY RETIREMENT SAVINGS		
Early retirement		\$ (13,056,700)
GROSS APPROPRIATION		\$ (13,056,700)
Appropriated from:		
State general fund/general purpose		\$ (13,056,700)
FEDERAL AND PRIVATE FUNDED PROJECTS		
Full-time equated classified positions	10.0	
Developmental disabilities council and projects—10.0 FTE positions		\$ 2,254,700
Central fund for acquiring additional federal and private funds		2,500,000
Gifts and bequests for patient living and treatment environment.....		2,000,000
IDEA - federal special education		55,000
GROSS APPROPRIATION		\$ 6,809,700
Appropriated from:		
Federal revenues:		
Total federal revenues		4,609,700
Special revenue funds:		
Total private		2,200,000
State general fund/general purpose		\$ 0
FAMILY AND CONSUMER SUPPORT SERVICES		
Full-time equated classified positions	4.0	
Homelessness formula grant program—2.0 FTE positions		\$ 1,091,800
Family support subsidy		13,401,200
Dental program for persons with developmental disabilities		151,000
Pilot projects in prevention for adults and children—2.0 FTE positions		1,515,800
Consumer involvement program.....		166,600
Foster grandparent and senior companion program		1,972,400
Protection and advocacy services support		818,300
Mental health initiatives for older persons		1,165,800
GROSS APPROPRIATION		\$ 20,282,900
Appropriated from:		
Interdepartmental grant revenues:		
IDG - family independence agency		7,007,500
Federal revenues:		
Total federal revenues		383,000
State general fund/general purpose		\$ 12,892,400
COMMUNITY MENTAL HEALTH SERVICES PROGRAMS		
Full-time equated classified positions	13.0	
Community mental health programs.....		\$ 1,179,895,900
Respite services		3,318,600
CMHSP - purchase of state services contracts		202,198,000
Omnibus reconciliation act implementation—11.0 FTE positions		10,431,600
Federal mental health block grant—2.0 FTE positions.....		10,772,000
GROSS APPROPRIATION		\$ 1,406,616,100
Appropriated from:		
Federal revenues:		
Total federal revenues		440,728,100
Special revenue funds:		
Total other state restricted revenues		4,882,400
State general fund/general purpose		\$ 961,005,600

INSTITUTIONAL SERVICES

Full-time equated classified positions	5.0	
Worker's compensation program—1.0 FTE position		\$ 13,577,400
Therapeutic work training program		345,600
Purchase of psychiatric residency training		3,635,100
Purchase of medical services for residents of hospitals and centers		2,874,000
Maintenance of property being leased or rented.....		95,000
Equipment.....		300,000
Special maintenance.....		659,000
Closed site, transition, and related costs—4.0 FTE positions.....		5,551,500
Severance pay		1,896,000
GROSS APPROPRIATION		\$ 28,933,600
Appropriated from:		
Special revenue funds:		
Total other state restricted revenues		438,700
State general fund/general purpose		\$ 28,494,900

STATE PSYCHIATRIC HOSPITALS

Total average population	1,319.0	
Total full-time equated classified positions	3,042.0	
Caro regional mental health center - psychiatric services unit—462.0 FTE positions		\$ 28,675,000
Average population	193.0	
Clinton Valley center—470.0 FTE positions		33,216,800
Average population	175.0	
Detroit psychiatric institute—235.0 FTE positions		17,700,300
Average population	94.0	
Kalamazoo psychiatric hospital—428.0 FTE positions		27,662,000
Average population	163.0	
Northville psychiatric hospital—943.0 FTE positions.....		63,450,000
Average population	444.0	
Walter P. Reuther psychiatric hospital—504.0 FTE positions		34,328,100
Average population	250.0	
GROSS APPROPRIATION		\$ 205,032,200
Appropriated from:		
Federal revenues:		
Total federal revenues		4,547,900
Special revenue funds:		
CMHSP - purchase of state services contracts		126,474,300
Total local revenues		61,136,800
Total other state restricted revenues		12,873,200
State general fund/general purpose		\$ 0

STATE PSYCHIATRIC HOSPITALS FOR CHILDREN AND ADOLESCENTS

Total average population	131.0	
Total full-time equated classified positions	368.0	
Detroit psychiatric institute-children's program—20.0 FTE positions.....		\$ 1,128,700
Average population	12.0	
Hawthorn center—302.0 FTE positions		19,480,800
Average population	103.0	
Pheasant Ridge children's program at Kalamazoo psychiatric hospital— 46.0 FTE positions		2,988,200
Average population	16.0	
GROSS APPROPRIATION		\$ 23,597,700
Appropriated from:		
Federal revenues:		
Total federal revenues		4,071,100
Special revenue funds:		
CMHSP - purchase of state services contracts		13,418,200
Total local revenues		5,654,400
Total other state restricted revenues		454,000
State general fund/general purpose		\$ 0

STATE CENTERS FOR PERSONS WITH DEVELOPMENTAL DISABILITIES

Total average population	431.0	
Total full-time equated classified positions	1,032.0	
Community residential and support services for persons with developmental disabilities—59.0 FTE positions		\$ 69,701,200
Caro mental health center-developmental and alternative services—195.0 FTE positions		12,804,000
Average population	89.0	
Mount Pleasant center—517.0 FTE positions		30,208,200
Average population	242.0	
Southgate center—261.0 FTE positions		16,092,000
Average population	100.0	
GROSS APPROPRIATION		\$ 128,805,400
Appropriated from:		
Federal revenues:		
Total federal revenues		46,697,800
Special revenue funds:		
CMHSP - purchase of state services contracts		62,305,500
Total local revenues		16,699,900
Total other state restricted revenues		3,102,200
State general fund/general purpose		\$ 0

FORENSIC AND PRISON MENTAL HEALTH SERVICES

Total average population	210.0	
Full-time equated classified positions	1,475.0	
Center for forensic psychiatry—479.0 FTE positions.....		\$ 31,885,800
Average population	210.0	
Center for forensic psychiatry - outpatient evaluation—40.0 FTE positions		3,087,000
Forensic mental health services provided to the department of corrections—956.0 FTE positions		67,493,800
GROSS APPROPRIATION		\$ 102,466,600
Appropriated from:		
Interdepartmental grant revenues:		
IDG - department of corrections		67,493,800
Federal revenues:		
Total federal revenues		15,800
Special revenue funds:		
Total local revenues		1,570,300
Total other state restricted revenues		226,900
State general fund/general purpose		\$ 33,159,800

EXECUTIVE SERVICES

Total full-time equated positions	241.0	
Executive administration—69.0 FTE positions.....		\$ 4,598,900
Contractual services, supplies, and materials		268,000
Building occupancy charges		2,927,700
Equipment.....		800,100
Rent		253,000
Worker's compensation		302,500
Health planning—14.8 FTE positions		2,961,600
Management information systems—56.4 FTE positions.....		6,281,800
Maternal and infant health data and evaluation—6.5 FTE positions.....		538,300
Minority health grants and contracts		650,000
Office of general services—18.0 FTE positions		1,056,200
Office of minority health—3.0 FTE positions		271,800
Vital records and health statistics—73.3 FTE positions		5,760,500
GROSS APPROPRIATION		\$ 26,670,400
Appropriated from:		
Interdepartmental grant revenues:		
Intradepartmental transfer - automated data processing charges.....		3,510,400
Interdepartmental grant from family independence agency		132,500

Federal revenues:	
Total federal revenues	3,647,800
Special revenue funds:	
Total other state restricted revenues	3,992,100
State general fund/general purpose	\$ 15,387,600
INFECTIOUS DISEASE CONTROL ADMINISTRATION	
Total full-time equated positions.....	4.0
Infectious disease control administration—4.0 FTE positions	\$ 333,900
Contractual services, supplies, and materials	22,100
GROSS APPROPRIATION	\$ 356,000
Appropriated from:	
State general fund/general purpose	\$ 356,000
INFECTIOUS DISEASE CONTROL	
Total full-time equated positions.....	86.8
AIDS counseling and testing.....	\$ 4,237,600
AIDS education and outreach.....	3,013,800
AIDS/HIV risk reduction	1,000,000
AIDS program administration—13.0 FTE positions.....	1,139,600
AIDS referral and care network grants.....	6,694,700
AIDS surveillance and prevention program—16.0 FTE positions	2,845,500
Disease surveillance—4.0 FTE positions	366,400
Division administration—6.0 FTE positions	491,600
Immunization local agreements.....	15,837,100
Immunization program management and field support—11.0 FTE positions	2,047,300
Lyme disease grant—0.3 FTE position.....	75,000
Sexually transmitted disease control local agreements	2,205,700
Sexually transmitted disease control management and field support—32.0 FTE positions.....	2,690,700
Recalcitrant AIDS and tuberculosis aid.....	162,000
Tuberculosis control program—4.5 FTE positions	860,900
GROSS APPROPRIATION	\$ 43,667,900
Appropriated from:	
Federal revenues:	
Total federal revenues	31,036,800
Special revenue funds:	
Local funds	242,700
Private funds	175,000
Total other state restricted revenues	7,585,200
State general fund/general purpose	\$ 4,628,200
LABORATORY SERVICES	
Total full-time equated positions.....	106.6
Laboratory services administration—75.8 FTE positions	\$ 4,387,000
Contractual services, supplies, and materials	1,349,000
EPSDT blood lead screening—6.0 FTE positions	665,100
Newborn screening services—24.8 FTE positions.....	1,765,700
GROSS APPROPRIATION	\$ 8,166,800
Appropriated from:	
Interdepartmental grant revenues:	
Interdepartmental grant from corrections	232,600
Federal revenues:	
Total federal revenues	506,200
Special revenue funds:	
Total other state restricted revenues	1,847,200
State general fund/general purpose	\$ 5,580,800
ENVIRONMENTAL HEALTH ADMINISTRATION AND SUPPORT SERVICES	
Total full-time equated positions.....	34.2
Health risk assessment—34.2 FTE positions.....	\$ 4,317,800
GROSS APPROPRIATION	\$ 4,317,800
Appropriated from:	
Interdepartmental grant revenues:	
Interdepartmental grant from the department of environmental quality.....	458,800

Federal revenues:	
Total federal revenues	2,283,100
Special revenue funds:	
Total other state restricted revenues	55,100
State general fund/general purpose	\$ 1,520,800
HEALTH SYSTEMS ADMINISTRATION	
Total full-time equated positions.....	29.9
Health systems administration—20.7 FTE positions	\$ 1,391,300
Contractual services, supplies, and materials	52,100
Administrative hearings—2.5 FTE positions	166,900
Health facilities management information system	39,800
Local health services—4.9 FTE positions	141,300
Primary care services grant—1.8 FTE positions	218,400
Training and evaluation.....	320,000
GROSS APPROPRIATION	\$ 2,329,800
Appropriated from:	
Interdepartmental grant revenues:	
Interdepartmental grant from treasury, Michigan state hospital finance authority	92,300
Federal revenues:	
Total federal revenues	287,100
Special revenue funds:	
Total other state restricted revenues	1,075,100
State general fund/general purpose	\$ 875,300
HEALTH SYSTEMS LOCAL GRANTS	
Implementation of Act 133 PA 1993	\$ 100,000
Indian health care.....	309,500
Michigan essential health care provider program	1,229,100
Primary care services	1,922,200
Refugee health program	142,300
Rural health grant	168,800
State/local cost sharing	36,412,600
GROSS APPROPRIATION	\$ 40,284,500
Appropriated from:	
Federal revenues:	
Total federal funds	2,392,700
Special revenue funds:	
Private funds	40,000
Total other state restricted revenues	500,000
State general fund/general purpose	\$ 37,351,800
CENTER FOR HEALTH PROMOTION	
Total full-time equated positions.....	63.7
AIDS and risk reduction clearinghouse and media campaign.....	\$ 1,700,000
Alzheimer's information network.....	150,000
Cancer prevention and control program—19.0 FTE positions	13,522,700
Center administration—4.0 FTE positions	321,500
Chronic disease prevention—2.5 FTE positions	1,609,800
Diabetes local agreements.....	2,409,900
Employee wellness program grants (includes \$50.00 per diem and expenses for the risk reduction and AIDS policy commission)	4,250,000
Health education, promotion, and research programs—23.0 FTE positions	2,155,300
Injury control intervention project—1.0 FTE position	437,300
Physical fitness, nutrition, and health.....	1,750,000
Public health traffic safety coordination—1.0 FTE position.....	152,600
School health curriculum	2,000,000
School health education project	80,000
Smoking prevention program—6.2 FTE positions.....	7,174,700
Survey and analysis—5.0 FTE positions	468,000
Violence prevention—2.0 FTE positions	2,846,300
GROSS APPROPRIATION	\$ 41,028,100
Appropriated from:	

Federal revenues:	
Total federal funds	12,057,200
Special revenue funds:	
Total other state restricted revenues	25,108,600
State general fund/general purpose	\$ 3,862,300
BUREAU OF CHILD AND FAMILY SERVICES	
Total full-time equated positions	103.8
Child and family services administration—92.8 FTE positions	\$ 6,076,700
Contractual services, supplies, and materials	1,572,500
Automated data processing	3,730,000
Lead abatement program—3.0 FTE positions	4,900,000
Special projects—8.0 FTE positions	3,128,000
GROSS APPROPRIATION	\$ <u>19,407,200</u>
Appropriated from:	
Federal revenues:	
Total federal revenue	15,773,700
Special revenue funds:	
Private funds	434,000
State general fund/general purpose	\$ 3,199,500
CHILD AND FAMILY SERVICES GRANTS	
Adolescent health care services	\$ 2,892,300
Dental programs	260,400
Early and periodic screening, diagnosis, and treatment outreach	6,200,000
Family planning local agreements	7,392,600
Lead paint program	491,800
Local MCH services	1,271,200
Maternity, infant, and children’s health care local agreements	7,083,000
Medical services cost reimbursement to local health departments	1,800,000
Migrant health care	166,100
Pregnancy prevention program	7,296,100
Prenatal care community demonstration projects	58,200
Prenatal care outreach and service delivery support	7,929,700
Sudden infant death syndrome program	121,300
Women, infants, and children program local agreements and food costs	141,359,200
GROSS APPROPRIATION	\$ <u>184,321,900</u>
Appropriated from:	
Federal revenues:	
Total federal revenue	128,792,600
Special revenue funds:	
Private funds	37,200,000
Total other state restricted revenues	5,600,000
State general fund/general purpose	\$ 12,729,300
CHILDREN’S SPECIAL HEALTH CARE SERVICES	
Total full-time equated positions	86.5
Program administration—84.5 FTE positions	\$ 5,064,600
Contractual services, supplies, and materials	883,100
Amputee program	184,600
Bequests for care and services—2.0 FTE positions	1,004,600
Case management services	3,923,500
Conveyor contract	559,100
Medical care and treatment	116,070,100
Pediatric AIDS prevention and control	582,200
Follow-up and treatment services for newborn screening	1,729,400
GROSS APPROPRIATION	\$ <u>130,001,200</u>
Appropriated from:	
Federal revenues:	
Total federal revenue	61,669,100
Special revenue funds:	
Private - bequests	650,000
Total other state restricted revenues	6,019,100
State general fund/general purpose	\$ 61,663,000

SUBSTANCE ABUSE PROGRAM ADMINISTRATION

Total full-time equated positions.....	45.0	
Substance abuse program administration—32.5 FTE positions		\$ 1,886,000
Contractual services, supplies, and materials		120,300
Federal projects—12.5 FTE positions		1,384,300
GROSS APPROPRIATION		\$ 3,390,600
Appropriated from:		
Federal revenues:		
Total federal revenue.....		1,261,400
Special revenue funds:		
Total other state restricted revenues		198,200
State general fund/general purpose		\$ 1,931,000

SUBSTANCE ABUSE GRANTS AND CONTRACTS

Chemically-dependent pregnant women and children program		\$ 2,100,000
Community substance abuse prevention, education, and treatment grants		72,840,400
Federal and other special projects		7,427,200
Highway safety projects.....		337,200
Program enhancement, evaluation, and data services		1,137,600
State disability assistance program substance abuse services		6,600,000
GROSS APPROPRIATION		\$ 90,442,400
Appropriated from:		
Federal revenues:		
Total federal revenue.....		64,369,100
Special revenue funds:		
Total other state restricted revenues		1,360,000
State general fund/general purpose		\$ 24,713,300

OFFICE OF DRUG CONTROL POLICY

Total full-time equated positions.....	13.0	
Drug control policy—13.0 FTE positions		\$ 1,028,000
Anti-drug abuse grants		30,931,100
GROSS APPROPRIATION		\$ 31,959,100
Appropriated from:		
Federal revenues:		
Total federal revenue.....		31,785,400
State general fund/general purpose		\$ 173,700

OFFICE OF SERVICES TO THE AGING

Total full-time equated positions.....	44.5	
Commission (per diem \$50.00)		\$ 10,500
Office of services to aging administration—44.5 FTE positions		4,270,800
Information systems		957,500
Community services.....		24,163,400
Nutrition services.....		28,185,700
Senior volunteer services		4,130,900
Senior citizen centers staffing and equipment		1,140,700
Employment assistance		2,632,700
DAG commodity supplement		6,978,800
Michigan pharmaceutical program		5,000,000
Respite care program		3,500,000
GROSS APPROPRIATION		\$ 80,971,000

Appropriated from:		
Interdepartmental grant revenues:		
Interdepartmental grant from department of community health.....		2,472,500
Federal revenues:		
Total federal revenue.....		39,262,500
Special revenue funds:		
Total private revenue.....		125,000
Total other state restricted revenue.....		8,500,000
State general fund/general purpose		\$ 30,611,000

MEDICAL SERVICES ADMINISTRATION

Full-time equated classified positions	549.0	
Salaries and wages—549.0 FTE positions.....		\$ 31,931,200

Contractual services, supplies, and materials	24,342,600
Rent	2,253,000
Travel and equipment.....	288,500
Data processing contractual services.....	100
Facility inspection contract - state police.....	132,800
GROSS APPROPRIATION	\$ 58,948,200
Appropriated from:	
Federal revenues:	
Total federal revenues	35,378,300
Special revenue funds:	
Private.....	80,800
State general fund/general purpose	\$ 23,489,100
MEDICAL SERVICES	
Hospital services and therapy.....	\$ 669,496,500
Hospital disproportionate share payments.....	45,000,000
Physician services.....	147,639,800
Medicare premium payments	99,203,200
Pharmaceutical services	194,898,900
Home health services	32,703,500
Transportation	4,143,000
Auxiliary medical services	46,573,000
Nursing home services	720,643,900
Chronic care units and county medical care facilities	160,740,800
Substance abuse services.....	16,339,000
Health plan services	1,251,146,000
Early periodic screening, diagnosis, and treatment outreach	2,582,000
Caring program for children.....	1,500,000
Personal care services - adult foster care	24,962,000
Personal care services - in home services	5,500,000
Maternal and child health.....	9,234,500
Indigent medical care program.....	22,686,000
Adult home help	139,561,700
Social services to the physically disabled	1,344,900
Subtotal basic medical services program.....	3,595,898,700
Outpatient hospital adjustor	44,012,800
School based services	127,341,500
Special adjustor payments.....	840,337,900
Subtotal special medical services payments	1,011,692,200
GROSS APPROPRIATION	\$ 4,607,590,900
Appropriated from:	
Federal revenues:	
Total federal revenues	2,539,225,200
Special revenue funds:	
Total local	618,973,000
Total private	500,000
Tobacco company litigation fund	50,000
Total other state restricted revenues	237,884,100
State general fund/general purpose	\$ 1,210,958,600".
2. Amend page 23, line 21, by striking out all of section 102.	
3. Amend page 24, line 17, after "at" by striking out "\$2,880,335,100.00" and inserting "\$2,807,332,100.00".	
4. Amend page 24, line 24, by striking out "13,401,200" and inserting "6,393,700".	
5. Amend page 25, line 3, by striking out "763,432,600" and inserting "747,925,600".	
6. Amend page 25, line 4, by striking out all of line 4.	
7. Amend page 26, line 19, by striking out "12,048,000" and inserting "11,621,400".	
8. Amend page 27, line 2, by striking out "1,005,707,600" and inserting "982,016,500".	
9. Amend page 27, line 9, after "this" by striking out "bill" and inserting "act".	
10. Amend page 27, line 13, by striking out all of section 204 and inserting:	
"Sec. 204. As used in this act:	
(a) "AIDS" means acquired immunodeficiency syndrome.	

- (b) "CMH" means community mental health.
- (c) "CMHSP" means a community mental health service program as that term is defined in section 100a of the mental health code, 1974 PA 258, MCL 330.1100a.
- (d) "DAG" means the United States department of agriculture.
- (e) "DAG-FNS" means the United States department of agriculture, food and nutritional services.
- (f) "Department" or "MDCH" means the Michigan department of community health.
- (g) "DOL-CETA" means the United States department of labor, comprehensive employment training act.
- (h) "DSH" means disproportionate share hospital.
- (i) "EPSDT" means early and periodic screening, diagnosis, and treatment.
- (j) "FTE" means full-time equated position.
- (k) "GME" means graduate medical education.
- (l) "HHS-OHDS" means the United States department of health and human services, office of human development services.
- (m) "HIV" means human immunodeficiency virus.
- (n) "IDEA" means individuals with disabilities education act.
- (o) "IDG" means interdepartmental grant.
- (p) "IDT" means intradepartmental transfer.
- (q) "MCH" means maternal and child health.
- (r) "Qualified health plan" means, at a minimum, an organization that meets the criteria for delivering the comprehensive package of services under the department's comprehensive health plan.
- (s) "Title X" means title X of the public health services act, 300 U.S.C. 1001.
- (t) "Title XVIII" means title XVIII of the social security act, chapter 531, 49 Stat. 620, 42 U.S.C. 1395 to 1395b, 1395b-2, 1395c to 1395i, 1395i-2 to 1395i-4, 1395j to 1395t, 1395u to 1395w-2, 1395w-4 to 1395zz, and 1395bbb to 1395ccc.
- (u) "Title XIX" means title XIX of the social security act, chapter 531, 49 Stat. 620, 42 U.S.C. 1396 to 1396d, 1396f to 1396g, and 1396i to 1396s.
- (v) "Title XX" means title XX of the social security act, chapter 531, 49 Stat. 620, 42 U.S.C. 1397 to 1397f."
11. Amend page 29, line 7, after "are" by inserting "funded with".
12. Amend page 29, line 23, after "act," by striking out "1936" and inserting "1939".
13. Amend page 30, line 6, by striking out "20,600,000" and inserting "20,552,000".
14. Amend page 30, line 7, by striking out "6,300,000" and inserting "6,587,500".
15. Amend page 30, line 8, by striking out "59,700,000" and inserting "58,057,700".
16. Amend page 30, line 9, by striking out "35,147,800" and inserting "34,811,000".
17. Amend page 30, line 16, after "the" by striking out "appropriations units" and inserting "line items".
18. Amend page 30, line 21, after "the" by striking out the balance of the line and inserting "line items in section 101 of the fiscal year 1998-99 executive budget proposal."
19. Amend page 33, line 1, after "Sec. 217." by striking out "Money" and inserting "Funds".
20. Amend page 33, line 3, after "available." by striking out the balance of the section.
21. Amend page 33, line 19, after "measures" by striking out the balance of the section and inserting a period.
22. Amend page 33, line 23, after "Sec. 219." by striking out "(1)".
23. Amend page 33, line 24, after "the" by striking out the balance of the line through "resulting" on line 25 and inserting "savings".
24. Amend page 34, line 2, after "MCL 18.1393," by striking out the balance of the section and inserting "to apply retirement costs and salary and fringe benefit savings to the appropriated line items affected by the early retirement of state employees."
25. Amend page 35, line 16, by striking out all of section 221.
26. Amend page 38, following line 13, by inserting:
 "Sec. 222. (1) In addition to the funds appropriated in section 101, there is appropriated an amount not to exceed \$100,000,000.00 for federal contingency funds. These funds are not available for expenditure until they have been transferred to another line item in this act pursuant to section 393(2) of the management and budget act, 1984 PA 431, MCL 18.1393.
- (2) In addition to the funds appropriated in section 101, there is appropriated an amount not to exceed \$10,000,000.00 for state restricted contingency funds. These funds are not available for expenditure until they have been transferred to another line item in this act pursuant to section 393(2) of the management and budget act, 1984 PA 431, MCL 18.1393.
- (3) In addition to the funds appropriated in section 101, there is appropriated an amount not to exceed \$10,000,000.00 for local contingency funds. These funds are not available for expenditure until they have been transferred to another line item in this act pursuant to section 393(2) of the management and budget act, 1984 PA 431, MCL 18.1393.

(4) In addition to the funds appropriated in section 101, there is appropriated an amount not to exceed \$10,000,000.00 for private contingency funds. These funds are not available for expenditure until they have been transferred to another line item in this act pursuant to section 393(2) of the management and budget act, 1984 PA 431, MCL 18.1393.

Sec. 223. Basic health services for the fiscal year beginning October 1, 1997, for the purpose of part 23 of the public health code, 1978 PA 368, MCL 333.2301 to 333.2321, are those described by the department in its proposed program statement dated October 16, 1981, and in the "prenatal postpartum care, proposed basic health service program statement" included in the department document entitled "A Study of Prenatal Care as a Basic Service," dated March 1, 1986, and for which the legislature has made funds available in amounts necessary to ensure their availability and accessibility. The services described in the statement are: immunizations, communicable disease control, venereal disease control, tuberculosis control, prevention of gonorrhea eye infection in newborns, screening newborns for phenylketonuria, screening newborns for hypothyroidism, health/medical annex of emergency preparedness plan, licensing and surveillance of agricultural labor camps, and prenatal care.

Sec. 224. The department may contract with the Michigan public health institute for the design and implementation of projects and for other public health related activities prescribed in section 2611 of the public health code, 1978 PA 368, MCL 333.2611. The department may develop a master agreement with the institute for up to a 3-year period to carry out these purposes. The department shall report on projects to be carried out by the institute, expected project duration, and project cost by November 1, 1997 and May 1, 1998 to the house and senate appropriations subcommittees on community health, senate and house fiscal agencies, and the department of management and budget. If the reports are not received by the specified dates, no funds shall be disbursed. For the purposes of this section, the Michigan public health institute shall be considered a public health agency.

Sec. 225. No funds appropriated in section 101 shall be expended for media activities regarding the alleged dangers of naturally occurring radon gas.

Sec. 226. It is the intent of this legislature to prohibit state contracts with health care agencies, organizations and providers licensed or registered as defined in the public health code, 1978 PA 368, MCL 333.1101 to 333.25211, that use gag rules in their relationships with health care providers.

Sec. 227. The department may receive and expend funds dedicated to the establishment of programs for education, research and treatment services related to pathological gambling addictions."

27. Amend page 40, line 21, after "of" by striking out "\$60,000.00" and inserting "\$9,000.00".

28. Amend page 40, line 22, after "services" by striking out the balance of the section and inserting a period.

29. Amend page 41, line 6, by striking out all of section 311.

30. Amend page 41, line 16, after "local" by striking out "CMHSP boards" and inserting "CMHSPs".

31. Amend page 41, line 19, after "(b)" by striking out "A continuum of mental health services" and inserting "A complete array of mental health services".

32. Amend page 41, line 20, after "residential" by striking out "care services".

33. Amend page 41, line 21, after "outpatient" by striking out "care" and inserting "services".

34. Amend page 41, line 22, by striking out "partial hospitalization,".

35. Amend page 41, line 22, after "inpatient" by striking out "care" and inserting "services".

36. Amend page 42, line 8, after "the" by striking out "board's" and inserting "CMHSP's".

37. Amend page 42, line 16, after "with" by striking out "CMHSP boards" and inserting "CMHSPs".

38. Amend page 42, line 20, after "to" by striking out "CMHSP" and inserting "CMHSPs".

39. Amend page 42, line 21, after "and" by striking out "CMHSP" and inserting "CMHSPs".

40. Amend page 43, line 1, after "to" by striking out "CMHSP" and inserting "CMHSPs".

41. Amend page 43, line 3, after the first "to" by striking out "CMHSP" and inserting "CMHSPs".

42. Amend page 43, line 7, after "CMHSP" by striking out "board".

43. Amend page 43, line 24, after "CMHSP" by striking out "board".

44. Amend page 44, line 2, after "of" by striking out "CMHSP" and inserting "CMHSPs".

45. Amend page 46, line 14, after "for" by striking out "CMHSP boards" and inserting "CMHSPs".

46. Amend page 46, line 16, after "by" by striking out the balance of the line through "boards" on line 17 and inserting "CMHSPs".

47. Amend page 46, line 20, after "individual" by striking out "CMHSP boards" and inserting "CMHSPs".

48. Amend page 46, line 22, after "all" by striking out the balance of the line through "boards" on line 23 and inserting "CMHSPs".

49. Amend page 46, line 24, after "with" by striking out the balance of the line through "boards" on line 26 and inserting "CMHSPs shall provide 3 days notice to the CMHSP of all committee and full board meetings and shall conduct all portions of meetings pertaining to CMHSPs".

50. Amend page 47, line 3, after "(1)" by striking out "From" and inserting "Effective January 1, 1998, from".

51. Amend page 47, line 8, after "by" by striking out "\$1.00" and inserting "\$0.75".

52. Amend page 47, line 22, by striking out all of section 410.

53. Amend page 48, line 8, after “for” by striking out “CMHSP” and inserting “CMHSPs”.

54. Amend page 48, following line 26, by inserting:

“Sec. 504. Over the next 4 years, the department shall establish as a funding priority increases for residential service providers in order to assure the provision of quality services through a more stable workforce.”.

55. Amend page 50, line 6, after “until” by striking out the balance of the line through “boards” on line 7 and inserting “CMHSPs”.

56. Amend page 50, line 11, after “CMHSP” by striking out “board”.

57. Amend page 50, line 21, after “to” by striking out “CMHSP boards” and inserting “CMHSPs”.

58. Amend page 50, line 23, by striking out all of line 23 through line 11 of page 52 and inserting:

“Sec. 605. (1) The department, in conjunction with the CMHSPs, will continue to assure the provision of a complete array of services on a statewide basis. Such an array of services shall include, but is not limited to, residential and other individualized living arrangements, outpatient services, acute inpatient services, and long-term, 24-hour inpatient care in a structured, secure environment.

(2) Long-term psychiatric beds, whether occupied or unoccupied, whether operated by the state or an agency with whom the department or a CMHSP contracts, will be available at various locations across the state.

(3) The department and CMHSPs shall continue to develop and facilitate community placement opportunities for persons with developmental disabilities, adults with mental illness, and children with emotional disturbance for whom such placement is clinically appropriate.

(4) The department and CMHSPs shall not discriminate against the placement of an individual in a state psychiatric hospital when long-term psychiatric inpatient care is appropriate. This subsection does not prohibit the department and CMHSPs from considering consumer choice, quality of care, and cost of care in making the hospital referral.”.

59. Amend page 54, line 8, by striking out all of section 903 and inserting:

“Sec. 903. The amount appropriated in section 101 for implementation of the 1993 amendments to sections 9161, 16221, 16226, 17014, 17015, and 17515 of the public health code, 1978 PA 368, MCL 333.9161, 333.16221, 333.16226, 333.17014, 333.17015, and 333.17515, shall reimburse local health departments for costs incurred related to implementation of section 17015(15) of the public health code, 1978 PA 368, MCL 333.17015.”.

60. Amend page 55, line 8, after “(1)” by striking out the balance of the line through “funds” on line 9 and inserting “Funds appropriated in section 101 for state/local cost sharing”.

61. Amend page 55, line 23, by striking out all of section 908.

62. Amend page 56, line 11, by striking out all of sections 909 and 910.

63. Amend page 57, line 4, after “breast” by striking out “and cervical” and inserting a comma and “cervical, and prostate”.

64. Amend page 59, line 23, by striking out all of section 1010.

65. Amend page 60, following line 15, by inserting:

“Sec. 1012. The department shall apply to the federal health resources and services administration, maternal and child health bureau for a state planning grant to conduct statewide needs assessment and to develop a statewide plan for traumatic brain injury services and activities.

BUREAU OF CHILD AND FAMILY SERVICES

Sec. 1050. The department shall provide a report quarterly to the house and senate appropriations subcommittees on community health, the senate and house fiscal agencies, and the department of management and budget on the expenditures and activities undertaken by the lead abatement program. The report shall include but not be limited to a funding allocation schedule, expenditures by category of expenditure and by subcontractor, revenues received, description of program elements, and description of program accomplishments and progress.”.

66. Amend page 62, line 26, after “allocations” by striking out the balance of the line through “resulting” on line 27.

67. Amend page 63, line 3, after “programs.” by inserting “Using applicable federal definitions, the report shall include information on all of the following:

(a) Funding allocations.

(b) Basis for grantee selection.

(c) Expected cost per client served by grantee.

(d) Number of women, children, and/or adolescents expected to be served.

(e) Expected first and third party collections by source of payment.

(f) The extent to which grantees meet federal indicators, when applicable.

(g) Actual numbers served and amounts expended in the categories described in subdivisions (a) to (e) for the fiscal year 1996-97.”.

68. Amend page 66, line 2, after the first “of” by striking out the balance of the line and inserting “1992 PA 168.”.

69. Amend page 66, line 12, by striking out all of lines 12 through 21 and inserting:

“(2) The department shall establish a fee schedule for providing substance abuse services and charge participants in accordance with their ability to pay. The mechanisms and fee schedule shall be developed by the department with input from substance abuse coordinating agencies.”.

70. Amend page 67, line 18, by striking out all of section 1304 and inserting:
“Sec. 1304. The funding in section 101 for substance abuse services shall be distributed in a manner so as to provide priority to service providers which furnish child care services to clients with children.
Sec. 1305. If a person licensed to provide substance abuse services receives federal substance abuse prevention block grant funds, any priority positions established under state statute for recipients of their services shall apply only after serving those priority positions granted under the conditions of the federal block grant.”
71. Amend page 68, line 21, after “(1)” by inserting “Effective October 1, 1997, the pharmaceutical dispensing fee shall be \$3.72 or the usual and customary cash charge, whichever is less.”
72. Amend page 68, following line 26, by inserting:
“(3) The copayments in subsections (1) and (2) may be waived for recipients who participate in a program of medical case management such as enrollment in a health maintenance organization or the primary physician sponsor plan program.
(4) Usual and customary charges for pharmacy providers are defined as the pharmacy’s charges to the general public for like or similar services.”
73. Amend page 69, line 8, after “1606.” by striking out “Medical services adult” and inserting “Medicaid adult”.
74. Amend page 69, line 11, after “utilization.” by inserting “The department shall not impose utilization restrictions on chiropractic services unless a recipient has exceeded 18 office visits within 1 year.”
75. Amend page 70, line 8, after “coverage” by striking out the balance of the subsection and inserting a comma and “including medically necessary ancillary services, to individuals categorized as permanently residing under color of law and who meet either of the following requirements:
(a) The individuals were medically eligible and residing in such a facility as of August 22, 1996 and qualify for emergency medical services.
(b) The individuals were medicaid eligible as of August 22, 1996, and admitted to a nursing facility before a new eligibility determination was conducted by the family independence agency.”
76. Amend page 70, line 14, by striking out all of subsection (2) and inserting:
“(2) The department may implement managed care programs for specialty mental health, substance abuse, and developmental disabilities services. Such programs shall be operated through CMHSPs and substance abuse coordinating agencies as specialty service carve-outs to maintain accountability for the system to local units of government and to preserve the services and supports for persons with severe and persistent mental illnesses, for persons with substance abuse addictions, and for persons with developmental disabilities.
(3) The substance abuse coordinating agencies shall arrange for clinical reviews to assure appropriate continuity of care for recipients of substance abuse treatment services.”
77. Amend page 71, line 2, after “regarding” by striking out the balance of the subsection and inserting “grievance and appeals rights.”
78. Amend page 71, line 4, after “to” by striking out the balance of the subsection and inserting “qualified health plans shall be based on submitted documentation that indicates a recipient has a serious medical condition, and is undergoing active treatment for that condition with a physician who does not participate in 1 of the qualified health plans. If the person meets the criteria established by this subsection, the department shall grant an exception to mandatory enrollment at least through the current prescribed course of treatment, subject to periodic review of continued eligibility.”
79. Amend page 71, following line 21, by inserting:
“Sec. 1613. The department shall not implement a mail-order pharmacy program.”
80. Amend page 73, line 19, after “to” by striking out “\$1.00” and inserting “\$0.75”.
81. Amend page 74, line 26, after “with” by inserting “part”.
82. Amend page 75, line 20, by striking out all of subsection (3) and inserting:
“(3) The department may establish county-based, indigent health care programs that are at least equal in eligibility and coverage to the fiscal year 1996 state medical program.”
83. Amend page 76, line 15, after “(1)” by striking out the balance of the subsection and inserting “The department may establish a program for persons who work their way off welfare to purchase medical coverage at a rate determined by the department.”
84. Amend page 76, line 22, by striking out “medicaid” and inserting “medical”.
85. Amend page 76, following line 23, by inserting:
“(3) The premiums described in this section shall be classified as private funds.”
86. Amend page 77, line 14, after the first “and” by striking out “ombudsman” and inserting “beneficiary”.
87. Amend page 77, line 17, by striking out “ombudsman” and inserting “beneficiary”.
88. Amend page 77, line 22, after “affected.” by inserting “Exceptions may be considered in areas where at least 85% of all area providers are in 1 plan.”
89. Amend page 77, line 23, by striking out all of line 23 through line 9 of page 79 and inserting:
“(g) Maternal and infant support services shall continue to be provided through state-certified providers. The department shall continue to reimburse state-certified maternal and infant support services providers on a fee-for-service basis to be charged back to health plans until such time as health plans have contracts with state-certified providers.”

(h) The department shall develop a case adjustment to its rate methodology that considers the costs of persons with HIV/AIDS, end stage renal disease, organ transplants, epilepsy, and other high-cost diseases or conditions and shall implement the case adjustment when it is proven to be actuarially and fiscally sound. Implementation of the case adjustment must be budget neutral.

(i) The department may encourage bids for multicounty regions through the use of preference points but shall not initially require a plan provider to submit a bid for a multicounty region.

(j) Enrollment of recipients of children's special health care services in qualified health plans shall be voluntary during fiscal year 1997-98."

90. Amend page 79, line 11, after "all" by inserting "qualified or".

91. Amend page 81, line 1, after "necessary" by striking out the balance of the subsection and inserting "and approved by the plan, immediately required, and which could not be reasonably obtained through the plan's providers on a timely basis. Such services shall be deemed approved if the plan does not respond to a request for authorization within 24 hours of the request. Reimbursement shall not exceed the medicaid fee-for-service payment for such services."

92. Amend page 82, line 1, by striking out all of subsection (11) and inserting:

"(11) Medicaid qualified health plans shall develop written plans for providing nonemergency medical transportation services funded through supplemental payments made to the plans by the department, and shall include information about transportation in their member handbook."

93. Amend page 82, line 5, after "department" by striking out "shall" and inserting "may".

94. Amend page 82, line 23, after "enrollment" by inserting a comma and "when practicable".

95. Amend page 83, line 4, by striking out "ombudsman" and inserting "beneficiary".

96. Amend page 83, line 10, after "enrollment" by striking out the balance of the subsection and inserting a period.

97. Amend page 83, line 13, after "an" by striking out the balance of the line through line 14 of page 84 and inserting "expedited complaint review procedure for medicaid eligible persons enrolled in qualified health plans for situations where failure to receive any health care service would result in significant harm to the enrollee." and renumbering the remaining subsections.

98. Amend page 84, line 17, after "complaints." by striking out the balance of the subsection and inserting "If warranted, the department shall immediately disenroll persons from managed care and approve fee-for-service coverage."

99. Amend page 84, line 24, after "for" by striking out "ombudsman" and inserting "beneficiary".

100. Amend page 84, line 25, after "recipients" by inserting "in medicaid managed care plans".

101. Amend page 84, line 25, after "services." by inserting "The department may contract with the enrollment counseling service contractor to provide these beneficiary services."

102. Amend page 84, line 26, after "may" by striking out the balance of the line through "services" on line 1 of page 85 and inserting "also contract with different organizations for beneficiary services".

103. Amend page 85, line 3, after "private" by striking out the balance of the line and inserting "organizations".

104. Amend page 85, line 5, after "through" by striking out the balance of the line through "Ombudsman" on line 7 and inserting "qualified health plans.

(b) Beneficiary".

105. Amend page 85, line 12, by striking out all of line 12 through "ombudsman" on line 15 and inserting:

"(c) A report on beneficiary services".

106. Amend page 86, line 7, after "share" by striking out "(DSH)".

107. Amend page 86, line 8, after "education" by striking out "(GME)".

108. Amend page 86, line 12, by striking out all of subsection (2) and renumbering the remaining subsection.

109. Amend page 87, line 19, after "continuing" by striking out "medical" and inserting "medicaid".

110. Amend page 87, line 21, by striking out all of lines 21 through 27.

111. Amend page 88, line 4, after "for" by striking out the balance of the line through "abdomen" on line 9 and inserting "annual "well-woman" examinations and routine obstetrical and gynecologic services".

112. Amend page 88, line 13, by striking out all of section 1655.

113. Amend page 88, following line 15, by inserting:

"Sec. 1656. The department shall promote activities that preserve the dignity and rights of terminally ill and chronically ill individuals. Priority shall be given to programs, such as hospice, that focus on individual dignity and quality of care provided persons with terminal illness and programs serving persons with chronic illnesses that reduce the rate of suicide through the advancement of the knowledge and use of improved, appropriate pain management for these persons; and initiatives that train health care practitioners and faculty in managing pain, providing palliative care and suicide prevention.

Sec. 1657. The department may require beneficiaries to enroll in a long-term care plan if the following requirements are met:

(a) An eligibility screening/enrollment component is in place at community hospitals, in-home for persons who are homebound, as well as at convenient community locations.

(b) The eligibility screening/enrollment counseling service is performed by an entity(s) selected through a request for proposal.

(c) Enrollment counselor services are available to the clients and their families to ensure clients or their legally authorized representatives have the information necessary to make an informed choice of plans, to appropriately access care within the plan, to file grievances with the plan and the state, and to access care out of network if appropriate.

(d) Quality outcome measures and consumer satisfaction measures are developed based on the minimum data sets for home care and nursing home care.

(e) Services offered will include a range of home and community services including adult day care, respite care homemaker, chore, personal care, personal care supervision, personal emergency response systems, community living supports, services in nursing home settings.

(f) There will be 2 long-term care plan contractors in all areas of the state except in areas with sparse population and when the long-term care plan network includes at least 85% of the providers in the region.

(g) Long-term care plans are selected through a request for proposal process that identifies organizations capable of organizing and managing a continuum of services.

(h) The department reviews and approves provider contracts used by the plan to ensure that the plan's risk/incentive arrangements do not provide incentives to withhold appropriate medical services.

(i) The department establishes criteria for the plan's provider network that take into consideration the unique needs of the population to be enrolled and ensure that the network has adequate capacity to provide home and community-based service alternatives and is in place before enrollment begins.

(j) The department establishes requirements for encounter data collection and reporting that ensure the department has the ability to closely monitor care provided to enrollees to assure quality and appropriate access to care.

(k) The department contracts for an independent, external quality review of the services provided through the managed care plans. The protocols used in the review shall be appropriate for the specialized population enrolled in the plan and shall be at least as rigorous as those used by national committee on quality assurance.

(l) The department conducts annual patient satisfaction surveys using statistically valid sampling techniques that focus on this population and a survey tool that is appropriate to the population being surveyed.

(m) The department maintains an exception process that allows clients meeting established medical criteria to be exempt from enrollment in managed care.

(n) The department maintains an expedited grievance process that provides a response to urgent requests within 1 business day.

(o) Eligibility for the long-term plan is based on medicaid financial eligibility criteria and medical/functional determination of necessity to qualify for nursing facility level of care. The initial eligible group would include those persons eligible for medicaid now in licensed nursing facilities and those eligible for the medicaid home and community based waiver. Eligible persons (and their families if incapacitated), in conjunction with the managed care organization and medical caregivers, shall choose their preferred care setting, to live at home, in other home-like settings, or in a skilled nursing facility. Eligible persons will be offered choices by the managed care plan that emphasize the individual's dignity and independence, quality of life, and reflect the principles of person-centered planning.

(p) An area agency on aging may bid for either the eligibility screening/enrollment counseling service contract or the long-term care managed care organization contract. An area agency on aging may continue to provide case management/care coordination services for non-medicare-eligible persons with funds appropriated in section 101.

(q) The managed care program for long-term care services shall assure that the services provided are coordinated with those available under the medicare program.

(r) At least 30 days prior to implementation of any long-term managed care program, the department shall conduct public hearings and submit its plan to the senate and house appropriations subcommittees on community health, the appropriate senate and house standing committees, and the senate and house fiscal agencies. The plan shall include a summary of the public comments received by the department regarding the managed care program.

Sec. 1658. Funds appropriated for substance abuse services shall be contracted in full to coordinating agencies through CMHSPs unless such a pass-through is held to be in violation of federal or state law or rules. If such a pass-through is not permissible, the department shall contract directly with coordinating agencies. CMHSPs shall not assume any contractual or financial liability associated with the pass-through of substance abuse services funds provided to eligible recipients with these funds. The coordinating agencies shall retain financial program responsibilities and liabilities consistent with contract requirements.

Sec. 1659. From the funds appropriated in section 101 for hospital services and therapy, the department shall increase graduate medical education payments to hospitals by \$8,300,000.00."

114. Amend page 90, line 1, by striking out all of section 1706 and inserting:

“Sec. 1706. (1) Of the amount appropriated in section 101 to the office of services to the aging for community services, sufficient funds shall be allocated to fund statewide care management or case coordination projects in the following regions:

Region 1A.....	\$	600,000
Region 1B.....		720,000
Region 1C.....		420,000
Region 2.....		180,000
Region 3.....		300,000
Region 4.....		180,000
Region 5.....		300,000
Region 6.....		180,000
Region 7.....		360,000
Region 8.....		360,000
Region 9.....		360,000
Region 10.....		360,000
Region 11.....		360,000
Region 14.....		180,000

(2) The office of services to the aging shall provide a report to the senate and house appropriations subcommittees on general government by November 1, 1997, summarizing the accomplishments of each program in the 1996-97 fiscal year.”.

115. Amend page 91, line 1, by striking out all of section 1708.

116. Amend page 91, line 14, by striking out “\$1,514,000.00” and inserting \$1,723,400.00”.

117. Amend page 91, line 16, by striking out all of section 1711.

118. Amend page 91, following line 21, by inserting:

“Sec. 1713. The office of services to the aging shall award contracts and distribute funds only to those projects that are cost effective, meet minimum operational standards, and serve the greatest number of eligible people.

Sec. 1714. The office of services to the aging shall provide that funds appropriated under this act shall be awarded on a local level in accordance with locally determined needs.”.

119. Amend page 93, line 1, by striking out all of lines 1 through 6.

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

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, 1998; to provide for the expenditure of such appropriations; to create funds; to 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.

Nick Ciaramitaro
 Bob Emerson
 Conferees for the House

R. Robert Geake
 John Schwarz
 Joe Conroy
 Conferees for the Senate

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

Senator DeGrow moved that the rule be suspended.

The motion prevailed.

The question being on the adoption of the conference report,

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

Roll Call No. 438

Yeas—37

Bennett	DeGrow	McManus	Shugars
Berryman	Dingell	Miller	Smith, A.
Bouchard	Dunaskiss	North	Smith, V.
Bullard	Gast	O’Brien	Stallings
Byrum	Geake	Peters	Steil
Carl	Gougeon	Posthumus	Stille

Cherry
Cisky
Conroy
DeBeaussaert

Hart
Hoffman
Koivisto

Rogers
Schuette
Schwarz

Van Regenmorter
Vaughn
Young

Nays—0

Excused—1

Emmons

Not Voting—0

In The Chair: Schwarz

By unanimous consent the Senate returned to the order of
Messages from the House

Senator DeGrow moved that consideration of the following bill be postponed temporarily:

Senate Bill No. 225

The motion prevailed.

The Assistant President pro tempore, Senator Hoffman, assumed the Chair.

Senate Bill No. 114, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending sections 2950 and 2950a (MCL 600.2950 and 600.2950a), section 2950 as amended by 1996 PA 10 and section 2950a as amended by 1994 PA 404.

(For Conference report, see Senate Journal No. 60, p. 1145.)

The House of Representatives has adopted the report of the Committee of Conference.

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

Senate Bill No. 319, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending sections 221, 232, and 903 (MCL 257.221, 257.232, and 257.903), section 903 as amended by 1992 PA 309, and by adding section 208d.

The House of Representatives has passed the bill, ordered that it be given immediate effect and pursuant to Joint Rule 20, inserted the full title of the bill.

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

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

The Senate agreed to the full title of the bill.

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

Senate Bill No. 521, entitled

A bill to amend 1974 PA 198, entitled "An act to provide for the establishment of plant rehabilitation districts and industrial development districts in local governmental units; to provide for the exemption from certain taxes; to levy and collect a specific tax upon the owners of certain facilities; to provide for the disposition of the tax; to provide for the obtaining and transferring of an exemption certificate and to prescribe the contents of those certificates; to prescribe the powers and duties of the state tax commission and certain officers of local governmental units; and to provide penalties," by amending section 9 (MCL 207.559), as amended by 1996 PA 513.

The House of Representatives has substituted (H-1) the bill.

The House of Representatives has passed the bill as substituted (H-1) and ordered that it be given immediate effect.

Pending the order that, under rule 3.202, the bill be laid over one day,
Senator DeGrow moved that the rule be suspended.

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

The question being on concurring in the substitute made to the bill by the House,
Senator Stille offered the following amendment to the substitute:

1. Amend page 3, line 15, after "WAS" by striking out "FILED BETWEEN SEPTEMBER 1, 1996 AND OCTOBER 31"
and inserting "APPROVED BY THE LOCAL GOVERNMENTAL UNIT ON OCTOBER 7".

The amendment to the substitute was adopted.

The question being on concurring in the House substitute, as amended,

The substitute was concurred in, a majority of the members serving voting therefor, as follows:

Roll Call No. 439

Yeas—37

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

Nays—0

Excused—1

Emmons

Not Voting—0

In The Chair: Hoffman

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

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

The motion prevailed.

Senator Posthumus' statement is as follows:

Last week we said goodbye to Kristi Clemens from my staff, and today, I want to ask for your best wishes for another one of my staff members who is leaving, Brian Harrison.

Brian grew up just a couple of miles from where I live. In fact, his dad was my vocational agriculture teacher, so our families have been friends a long time. Brian even worked on my first campaign. I think he probably was about in elementary school and was working in my barn making signs, but later on he came here and worked as a Page in the Senate. Later worked in the Secretary of the Senate's Office while attending Michigan State University. After he graduated, I asked him to come to work as one of my staff people working to represent me in my district and since then has become the Director of our District Affairs Office.

After this week, he leaves to go to work in the Department of Environmental Quality in charge of regulatory reform and I can say that after all of these years, I'm going to miss Brian. Because he still lives near me, we rode in together a lot and he was more than just a staff person to me. He was a good friend. We're going to miss his humor and his dedication, but I guess our loss is Russ Harding's gain.

Brian, I just want to wish you well, as I'm sure the Senate does as you go on to new things.

Senate Bill No. 637, entitled

A bill to amend 1991 PA 179, entitled "Michigan telecommunications act," (MCL 484.2101 to 484.2604) by adding section 375.

The House of Representatives has passed the bill, ordered that it be given immediate effect and pursuant to Joint Rule 20, inserted the full title of the bill.

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

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

The Senate agreed to the full title of the bill.

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

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

Senator Geake's statement is as follows:

I, too, must arise regretfully to announce the departure of a key person in my office. Bill Kordenbrock has been my Administrative Assistant for several years. He's been with me in one capacity or another for over nine years.

I think most of you know him. He's been a valuable asset not only to my office, but at one time or another, to most of you on the floor because of his knowledge of the budget and his willingness to help out on a variety of projects. Bill Kordenbrock is like all of those who ever served as administrative assistants in my office, going on to a better job; the pay is more than we give as legislators and is leaving with a promotion and advancement in his career. I hope that you will join me in showing our appreciation for all that he's done for us. Some of you know what he's going to be doing now. For those of you who don't, he will be glad to admit it, I think, but he is defecting to the Executive Branch of government where we will still have to deal with him.

Senate Bill No. 534, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 80104, 80129, 80130, 80301, 80310, 80315, 81101, 81113, 81114, 81120, 82101, 82113, and 82156 (MCL 324.80104, 324.80129, 324.80130, 324.80301, 324.80310, 324.80315, 324.81101, 324.81113, 324.81114, 324.81120, 324.82101, 324.82113, and 324.82156), as added by 1995 PA 58, and by adding sections 80130a, 80130b, 80130c, 80130d, 80315a, 80315b, 80315c, 80319a, 81114a, 81114b, 81114c, 82156a, 82156b, 82156c, and 82160.

The House of Representatives has amended the bill as follows:

1. Amend page 5, line 16, after "PART." by inserting "FOR EACH INDIVIDUAL RECORD LOOKED UP, THE SECRETARY OF STATE SHALL CHARGE A FEE SPECIFIED ANNUALLY BY THE LEGISLATURE, OR IF NONE, A MARKET-BASED PRICE ESTABLISHED BY THE SECRETARY OF STATE. THE SECRETARY OF STATE SHALL PROCESS A COMMERCIAL LOOKUP REQUEST ONLY IF THE REQUEST IS IN A FORM OR FORMAT PRESCRIBED BY THE SECRETARY OF STATE."

2. Amend page 14, line 20, after "PART." by inserting "FOR EACH INDIVIDUAL RECORD LOOKED UP, THE SECRETARY OF STATE SHALL CHARGE A FEE SPECIFIED ANNUALLY BY THE LEGISLATURE, OR IF NONE, A MARKET-BASED PRICE ESTABLISHED BY THE SECRETARY OF STATE."

3. Amend page 28, line 9, after "PART." by inserting "FOR EACH INDIVIDUAL RECORD LOOKED UP, THE SECRETARY OF STATE SHALL CHARGE A FEE SPECIFIED ANNUALLY BY THE LEGISLATURE, OR IF NONE, A MARKET-BASED PRICE ESTABLISHED BY THE SECRETARY OF STATE."

4. Amend page 41, line 17, after "PART." by inserting "FOR EACH INDIVIDUAL RECORD LOOKED UP, THE SECRETARY OF STATE SHALL CHARGE A FEE SPECIFIED ANNUALLY BY THE LEGISLATURE, OR IF NONE, A MARKET-BASED PRICE ESTABLISHED BY THE SECRETARY OF STATE."

The House of Representatives has passed the bill as amended, ordered that it be given immediate effect and pursuant to Joint Rule 20, inserted the full title of the bill.

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

Senator DeGrow moved that the rule be suspended.

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

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

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

Roll Call No. 440**Yeas—36**

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

Nays—0**Excused—1**

Emmons

Not Voting—1

Posthumus

In The Chair: Hoffman

Senator DeGrow moved that the bill be given immediate effect.

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

The Senate agreed to the full title of the bill.

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

Senate Bill No. 619, entitled

A bill to amend 1936 (Ex Sess) PA 1, entitled "Michigan employment security act," by amending section 75 (MCL 421.75), as amended by 1995 PA 25.

The House of Representatives has amended the bill as follows:

1. Amend page 1, line 1, after "Sec. 75." by striking out "The" and inserting "AS OF JULY 1, 1997, THE".

2. Amend page 1, line 3, after "2001." by inserting "THE COMMISSION SHALL PROVIDE THE STANDING COMMITTEES OF THE HOUSE AND SENATE THAT ADDRESS LABOR ISSUES A REPORT ON THE WAGE RECORD SYSTEM CONVERSION PROCESS ONCE EVERY 6 MONTHS AFTER THE EFFECTIVE DATE OF THE AMENDATORY ACT THAT ADDED THIS SENTENCE UNTIL THE CONVERSION IS FULLY COMPLETED:".

The House of Representatives has passed the bill as amended, ordered that it be given immediate effect and pursuant to Joint Rule 20, inserted the full title of the bill.

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

Senator DeGrow moved that the rule be suspended.

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

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

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

Roll Call No. 441**Yeas—36**

Bennett	DeBeaussaert	Koivisto	Shugars
Berryman	DeGrow	McManus	Smith, A.

Bouchard	Dingell	Miller	Smith, V.
Bullard	Dunaskiss	North	Stallings
Byrum	Gast	O'Brien	Steil
Carl	Geake	Peters	Stille
Cherry	Gougeon	Rogers	Van Regenmorter
Cisky	Hart	Schuetz	Vaughn
Conroy	Hoffman	Schwarz	Young

Nays—0

Excused—1

Emmons

Not Voting—1

Posthumus

In The Chair: Hoffman

Senator DeGrow moved that the bill be given immediate effect.
The motion prevailed, 2/3 of the members serving voting therefor.
The Senate agreed to the full title of the bill.
The bill was referred to the Secretary for enrollment printing and presentation to the Governor.

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

By unanimous consent the Senate proceeded to the order of
Resolutions

Senator DeGrow moved that consideration of the following resolution be postponed for today:
Senate Resolution No. 71
The motion prevailed.

The question was placed on the adoption of the following resolution consent calendar:
Senate Resolution No. 81
Senate Resolution No. 82
Senate Resolution No. 84
Senate Resolution No. 87
Senate Resolution No. 88
The resolution consent calendar was adopted.

Senator Cisky offered the following resolution:
Senate Resolution No. 81.
A resolution to congratulate the Nouvel Catholic Central High School Varsity Baseball Team for winning the 1997 Class B State Championship.

Whereas, With tremendous heart, courage and determination, the Nouvel Catholic Central High School Varsity Baseball Team reached the pinnacle of high school baseball in the state of Michigan by defeating DeWitt High School 3-2 in the 1997 Class B Baseball State Championship on Saturday, June 14, 1997, at Brown Stadium in Battle Creek; and

Whereas, Nouvel Catholic Central High School, an institution with a tradition in academic, as well as athletic excellence, refused to quit, which was demonstrated with their dramatic come-from-behind victory. Once again proving to be true champions; and

Whereas, Head Coach Steve Jaksa has led the Nouvel Baseball Team to great success in his 11-year tenure, with a career record of 327-99-9 and two state championships, which stands as a testimony to his tremendous effectiveness as a coach and motivator; and

Whereas, Assistant Coaches, Dave Horny, Art Felton and Dan Behmlander, and trainer, John Rogers, were a vital part in Nouvel's championship by demonstrating excellent leadership, instruction and discipline; and

Whereas, Through relentless dedication and undying devotion to one another, Nouvel Baseball players Matt Alfano, Matt Buggia, Juston Davenport, Joe Fahndrich, Phil Gobeyn, Rob Guzman, Eric Hammerbacher, Kris Krzywosinski, Brian Kunitzer, Bill Link, Ryan McGraw, Marty Meunier, John Miller, John Reyes, Ramiro Torrez, Tim Turner, Dave Warnert and Shaun Weisenberger deserve recognition for their great accomplishment; now, therefore, be it

Resolved by the Senate, That members of this legislative body congratulate and honor the Nouvel Catholic Central High School Varsity Baseball Team for a job well done; and be it further

Resolved, That a copy of this resolution be transmitted to Nouvel Catholic Central High School as a reminder of the tremendous accomplishment by the 1997 State Champion Nouvel Catholic Central High School Varsity Baseball Team.

Senators Schwarz, Young, Stille, McManus, Bouchard, Shugars, Berryman, Emmons, Hoffman, Conroy, Posthumus, Van Regenmorter and Vaughn were named co-sponsors of the resolution.

Senator Dingell offered the following resolution:

Senate Resolution No. 82.

A resolution offered as a memorial for Mr. Joseph L. Jurkiewicz, who has served the city of Taylor as a Councilman with integrity and pride.

Whereas, With the passing of Mr. Joseph L. Jurkiewicz, his colleagues, friends and fellow citizens of the state of Michigan will feel the loss of a community leader and dedicated public servant. He has helped Taylor through some difficult and some good times to see it grow and prosper. The people of Taylor have much to thank him for; and

Whereas, Joseph L. Jurkiewicz was a man of passion. He loved serving the people of Taylor and he loved small town politics. He enjoyed getting to the heart of a matter. His lively and enthusiastic outlook on life was a part of his heritage. He was a Polish-American who was well aware of the hardships that Poland has suffered in this century. He also worked hard to help people to see the victories and strengths not only of Poland, but of Polish-Americans, of which he was an outstanding example and leader in the Downriver Area; and

Whereas, Joseph L. Jurkiewicz will live on in our memories and the memories of the people of the city of Taylor, which he loved so much. His family knew him best and they are the ones who will remember him as husband, father, grandfather, and brother. To his wife, Frieda, his children, Andrea, Audrey, Annette, John, Alesia, and Joseph (and their families), and his sister and brother, we express our sadness and feeling of loss. May they be comforted by our regrets; now, therefore, be it

Resolved by the Senate, That a unanimous accolade of tribute be hereby accorded to honor the memory of Mr. Joseph L. Jurkiewicz; and be it further

Resolved, That copies of this resolution be transmitted to Mr. Jurkiewicz's wife, Frieda, and family as evidence of the respect we will always have for his memory.

Senators Hart, Schwarz, Young, McManus, Shugars, Berryman, Emmons, Hoffman, Conroy, Van Regenmorter and Vaughn were named co-sponsors of the resolution.

Senator Bullard offered the following resolution:

Senate Resolution No. 84.

A resolution to congratulate Tim S. Miller on his commitment to the propane industry and his accomplishments as the President of the Michigan Propane Gas Association.

Whereas, The Michigan Propane Gas Association exists to promote the proper handling and use of propane, to work for a favorable environment for propane distribution and marketing, and to increase its application by demonstrating propane's value as a clean energy source; and

Whereas, The Michigan Propane Gas Association is a statewide trade association representing the state's 345 marketer members; and

Whereas, Michigan is the largest propane consumption state in the United States, with over 650 million gallons sold; and

Whereas, The Michigan Propane Gas Association was founded April 3, 1947, as a trade and membership service organization that represented propane markets throughout the state; and

Whereas, Tim S. Miller has been in the propane industry for the past 20 years, starting with Petrolane in 1977 and currently serves as the Regional Manager of All Star Gas in Michigan, Ohio and Indiana overseeing 18 plants; and

Whereas, Mr. Miller has shown a continual commitment to the propane industry serving as a volunteer on the NFPA 58 Committee and the Fire Marshall's Ad Hoc Committee, in order to establish a higher Michigan safety standard; and

Whereas, Mr. Miller's dedication to the propane industry has culminated in his term as the President of the Michigan Propane Gas Association for 1996-97; and

Whereas, Mr. Miller's term as president will end on July 15, 1997, at the Michigan Propane Gas Association's Annual Convention and MPGA's 50th Anniversary; now, therefore, be it

Resolved by the Senate, That we congratulate Tim S. Miller on his commitment to the propane industry and his accomplishments as the President of the Michigan Propane Gas Association; and be it further

Resolved, That a copy of this resolution be transmitted to Tim S. Miller as evidence of our highest esteem for his many accomplishments.

Senators Bouchard, Schwarz, Shugars, Berryman, Young, Stille, McManus, Hoffman and Conroy were named co-sponsors of the resolution.

Senators North, Carl, Stille and McManus offered the following resolution:

Senate Resolution No. 87.

A resolution recognizing Monte J. Endres.

Whereas, Monte J. Endres has faithfully served as Executive Secretary of the Mackinac Bridge Authority for the last four years, while serving as the District Engineer with the Michigan Department of Transportation; and

Whereas, Mr. Endres has continued a tradition of excellence and integrity established by previous administrators, wisely contributing to the deliberations and decisions of the Authority based upon his expertise in engineering, operations, bridge inspection and maintenance activities; and

Whereas, Monte Endres has diligently carried out the duties of his office insofar as the study and analysis of matters effecting the successful operation and maintenance of the Mackinac Bridge and identification of matters for consideration by the Mackinac Bridge Authority; and

Whereas, His distinguished service and professional engineering judgement of ensuring the structural integrity is maintained at the highest levels with minimal impact to the motoring public has proven his technical and managerial skill; and

Whereas, Mr. Endres's commitment to continuous improvement of safe, convenient and cost-effective customer service has served the bridge and its customers well; and

Whereas, His efforts as a 38-year public servant have positively influenced the quality of life for residents and visitors of the state of Michigan; now, therefore, be it

Resolved by the Senate, That the members express sincere gratitude to Monte J. Endres for his outstanding public service as Executive Secretary of the Mackinac Bridge Authority and for his long history of dedicated service to the people of the state and country. We wish Mr. Endres and his family well today and into the next millennium; and be it further

Resolved, That a copy of this resolution be transmitted to Monte J. Endres as evidence of our highest esteem for his many years of dedicated service.

Senators Schwarz, Vaughn, Young and Conroy were named co-sponsors of the resolution.

Senators North, Carl, Stille, Bouchard and McManus offered the following resolution:

Senate Resolution No. 88.

A resolution recognizing Charles T. Fisher III.

Whereas, Charles T. Fisher has faithfully served as a member of the Mackinac Bridge Authority since 1967, and as chairman for the last 23-years.

Whereas, Mr. Fisher carried on a tradition of excellence demonstrated by his mother and his father, wisely contributing to the deliberations and decisions of the Authority based upon his expertise in financial management and business operations; and

Whereas, Charles Fisher has diligently carried out the duties of his office insofar as the study and analysis of matters under consideration and participation in important Authority decisions; and

Whereas, His distinguished service of ensuring the financial well-being of the Mackinac Bridge and its structural integrity are maintained at the highest levels; and

Whereas, Mr. Fisher's commitment to continuous improvement of safe, convenient and cost-effective customer service has served the bridge and its customers well; and

Whereas, His efforts in many public positions have positively influenced the quality of life for residents and visitors of the state of Michigan; now, therefore, be it

Resolved by the Senate, That the members express sincere gratitude to Charles T. Fisher III for his outstanding public service as a member and chairman of the Mackinac Bridge Authority and for his long history of dedicated service to the people of the state and country. We wish him and his family well today and into the next millennium; and be it further

Resolved, That a copy of this resolution be transmitted to Charles T. Fisher III as evidence of our highest esteem for his many years of dedicated service.

Senators Schwarz, Vaughn, Young, and Conroy were named co-sponsors of the resolution.

House Concurrent Resolution No. 45.

A concurrent resolution to urge appropriate federal officials, the United States Army Corps of Engineers, and the International Joint Commission to do what they can to reduce the high water levels of the Great Lakes and connecting channels.

Whereas, Water levels throughout the Great Lakes are at threatening levels. Weather conditions during the winter and the spring have brought levels within inches of records set in 1986. Certain areas of our state are only a storm away from devastating flooding, even though the lakes and connecting rivers have yet to reach their peak water levels; and

Whereas, Residents and communities along the St. Clair River, Lake St. Clair, and the Detroit River are doing all they can to prepare for flooding. Tens of thousands of sandbags are being placed along shorelines and river banks. Volunteers are reenforcing protective berms, and in St. Clair Shores, the city has blocked sanitary sewers and placed pumps at strategic locations. Families and businesses are preparing to move valuables and safeguard their property; and

Whereas, While there are obvious limitations to relief available from dams and water flow adjustments, it is imperative that all steps are taken to bring water levels down to avoid as much damage as possible. Taking every practical action now can save enormous emotional, physical, and financial costs later; now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That we urge appropriate federal officials, the United States Army Corps of Engineers, and the International Joint Commission to do what they can to reduce the high water levels of the Great Lakes and connecting channels; and be it further

Resolved, That we urge the Corps of Engineers and appropriate state agencies to provide help, including sandbags and other technical assistance or equipment, to residents affected by the high water levels; and be it further

Resolved, That this resolution does not indicate any support for long-term diversion of Great Lakes waters; and be it further

Resolved, That copies of this resolution be transmitted to appropriate federal officials, the International Joint Commission, and the United States Army Corps of Engineers.

The House of Representatives has adopted the concurrent resolution.

Pursuant to rule 3.204, the concurrent resolution was referred to the Committee on Government Operations.

Senators Young, Conroy and Schwarz were named co-sponsors of the concurrent resolution.

House Concurrent Resolution No. 48.

A concurrent resolution to establish a sister-state relationship with Egypt and to encourage Detroit city officials to establish a sister-city partnership with Luxor, Egypt.

Whereas, In our ever-changing world, it is important to foster relationships with people of different lands. Exchanging information on culture, commerce, and institutions can develop bonds of friendship that are vital to peace and shared growth. Numerous communities in our state have established sister-city programs, and our state has reaped significant benefits from sister-state initiatives with people from other parts of the world; and

Whereas, In recent years, Michigan citizens have enjoyed increasing interaction with the people of Egypt. Our largest metropolitan area is home to more Arabic-speaking men and women and families from the Middle East than any region of our country. Michigan is also a state with a strong interest in the art and artifacts of Africa. The Detroit Institute of Arts and the Museum of African-American History have stirred public curiosity in the ancient treasures of Egypt, especially those of the Nubian region, near the city of Luxor; and

Whereas, Michigan can learn a great deal from the people of Egypt. In addition to our shared respect for the history, art, and culture of centuries past, we appreciate the need for communications among the community of nations. We are very aware of the rewards to be realized from exchanges and from sharing ideas to build a brighter future for our children; now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That we establish a sister-state relationship with Egypt and we encourage Detroit city officials to establish a sister-city partnership with Luxor, Egypt; and be it further

Resolved, That copies of this resolution be transmitted to officials of the city of Detroit and Egypt.

The House of Representatives has adopted the concurrent resolution.

Pursuant to rule 3.204, the concurrent resolution was referred to the Committee on Government Operations. Senators Young, Conroy, Schwarz and Vaughn were named co-sponsors of the concurrent resolution.

House Concurrent Resolution No. 52.

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

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

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

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

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

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

The House of Representatives has adopted the concurrent resolution.

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

Senator DeGrow moved that the rule be suspended.

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

The concurrent resolution was adopted.

Senators Schwarz, Vaughn, Young, DeBeaussaert, Cherry, Hart, Stallings, V. Smith, O'Brien and Conroy were named co-sponsors of the concurrent resolution.

Senators Koivisto, McManus, Schwarz, Gougeon and North offered the following resolution:

Senate Resolution No. 80.

A resolution to urge the Environmental Protection Agency Science Advisory Board, the Food and Drug Administration Science Board, and the Michigan Environmental Science Board to develop comprehensive uniform fish advisory standards.

Whereas, Michigan has long been committed to providing people with accurate and useful information on the quality of fish caught for consumption and taken from the waters of the Great Lakes. In recent years, Michigan has received vital information and advice from the university and scientific communities to use as guides for notifying the public on any possible health hazards. The Michigan Environmental Science Board has provided comments on advisories based on sound science, the examination of relative risk, and the overall effect of eating Great Lakes fish; and

Whereas, As a result of this diligence, Michigan often uses standards that are stricter than those of federal authorities. Our state has been especially restrictive with regard to the consumption of fish by women and young children. While other jurisdictions have urged women of child-bearing age and children not to eat certain species of Great Lakes fish, Michigan has urged this population to avoid older larger fish of any kind; and

Whereas, Michigan has made a strong effort to incorporate scientific findings in determining and issuing its advisories. These considerations include factoring in the benefits of fish consumption for many people. It is in the best interest of our country for all the Great Lakes states and the federal government to follow this lead and make decisions based on the same strict science; now, therefore, be it

Resolved by the Senate, That we urge the Environmental Protection Agency Science Advisory Board, the Food and Drug Administration Science Board, and the Michigan Environmental Science Board to develop a comprehensive uniform fish advisory; and be it further

Resolved, That copies of this resolution be transmitted to the United States Environmental Protection Agency Science Advisory Board, the Food and Drug Administration Science Board, and the Michigan Environmental Science Board.

Pursuant to rule 3.204, the resolution was referred to the Committee on Government Operations.

Senators Young, Stille, Berryman and Conroy were named co-sponsors of the resolution.

Senators North, Koivisto, McManus, Schwarz and Gougeon offered the following concurrent resolution:

Senate Concurrent Resolution No. 38.

A concurrent resolution to urge the Environmental Protection Agency Science Advisory Board, the Food and Drug Administration Science Board, and the Michigan Environmental Science Board to develop comprehensive uniform fish advisory standards.

Whereas, Michigan has long been committed to providing people with accurate and useful information on the quality of fish caught for consumption and taken from the waters of the Great Lakes. In recent years, Michigan has received vital information and advice from the university and scientific communities to use as guides for notifying the public on any possible health hazards. The Michigan Environmental Science Board has provided comments on advisories based on sound science, the examination of relative risk, and the overall effect of eating Great Lakes fish; and

Whereas, As a result of this diligence, Michigan often uses standards that are stricter than those of federal authorities. Our state has been especially restrictive with regard to the consumption of fish by women and young children. While other jurisdictions have urged women of child-bearing age and children not to eat certain species of Great Lakes fish, Michigan has urged this population to avoid older larger fish of any kind; and

Whereas, Michigan has made a strong effort to incorporate scientific findings in determining and issuing its advisories. These considerations include factoring in the benefits of fish consumption for many people. It is in the best interest of our country for all the Great Lakes states and the federal government to follow this lead and make decisions based on the same strict science; now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That we urge the Environmental Protection Agency Science Advisory Board, the Food and Drug Administration Science Board, and the Michigan Environmental Science Board to develop a comprehensive uniform fish advisory; and be it further

Resolved, That copies of this resolution be transmitted to the United States Environmental Protection Agency Science Advisory Board, the Food and Drug Administration Science Board, and the Michigan Environmental Science Board.

Pursuant to rule 3.204, the concurrent resolution was referred to the Committee on Government Operations.

Senators Young, Stille, Berryman, Hoffman and Conroy were named co-sponsors of the concurrent resolution.

Senator Dingell offered the following resolution:

Senate Resolution No. 83.

A resolution to amend the Standing Rules of the Senate.

Resolved by the Senate, That Rule 1.308 of the Standing Rules of the Senate be hereby amended to read as follows:

“1.308 IMPROPER USE OF STAFF AND FACILITIES

a) A Senator shall not convert for personal, business and/or campaign use, unrelated to Senate business, any supplies, services, facilities, or staff provided by the State of Michigan. This includes, but is not limited to, telephones, telecopy machines, computers, postage, and copy machines. **SENATE BUSINESS INCLUDES A SENATOR’S RESPONSIBILITIES WITH LOCAL, REGIONAL, AND NATIONAL POLICY ORGANIZATIONS. THE SECRETARY OF THE SENATE SHALL BE DIRECTED TO MAKE AVAILABLE TO MEMBERS OF THE SENATE RESOURCES NECESSARY FOR A SENATOR TO CARRY OUT THE DUTIES OF OFFICE.**

b) Personal business and incidental campaign calls, when charged to the state, are clearly contrary to the proper use of these facilities.

c) Personal and business calls must be charged to the caller’s residence telephone, personal credit card, special billing number or made from a pay station. Individuals making unreimbursed personal calls from state facilities shall be subject to appropriate sanctions.

d) In situations where it is not possible to utilize any of the methods outlined above to make a personal call, or when other incidental expenses are incurred, the Senate’s operating procedure shall allow reimbursement to the State of Michigan for such calls and expenses.”

Pursuant to rule 3.204, the resolution was referred to the Committee on Government Operations.

Senators Young and Conroy were named co-sponsors of the resolution.

Senators Stallings, V. Smith, Vaughn, Young and Hart offered the following concurrent resolution:

Senate Concurrent Resolution No. 39.

A concurrent resolution to memorialize the Congress of the United States and the Environmental Protection Agency to maintain existing standards for ambient air standards and calling for further study for certain levels.

Whereas, The U.S. Environmental Protection Agency (EPA) has a responsibility to review periodically the National Ambient Air Quality Standards (NAAQS) for ozone and particulate matter (PM); and

Whereas, EPA is considering changes to both NAAQS, which includes tightening the ozone standard and adding a separate standard for PM2.5; and

Whereas, States, through their citizens, legislative bodies, and regulatory agencies, have worked hard to reduce air pollution and meet clean air requirements; and

Whereas, Tightened standards could significantly expand the number of nonattainment areas for both standards, resulting in emissions controls in additional areas, thus imposing significant economic, administrative, and regulatory burdens on more citizens, businesses, and local government in many states; and

Whereas, There is very little existing PM_{2.5} monitoring data; and

Whereas, Current research indicates that there are many unanswered questions and uncertainties on the PM issue and the need for a more stringent standard, including:

- Divergent opinions among scientists who have investigated this issue;
- The lack of supporting toxicological data;
- The lack of plausible toxicological mechanism;
- The lack of correlation between recorded levels and public health effects; and
- The influence of confounders

; and

Whereas, No scientific proof exists that tightening controls on PM_{2.5} or ozone would avoid alleged adverse health effects, while costs would assuredly be high; now, therefore be it

Resolved the Senate (the House of Representatives concurring), That we advise and strongly urge the EPA to retain the existing NAAQS for ozone; and be it further

Resolved, That we urge the EPA to reaffirm the existing PM₁₀ standard and conduct the additional PM_{2.5} monitoring and scientific research needed to address the issue of causality and other important unanswered questions before a proposal for a new PM_{2.5} standard or a revised PM₁₀ standard rule is made; and be it further

Resolved, That, due to remaining uncertainties and the lack of causality between PM_{2.5} and adverse health effects, we urge the EPA to abandon its current consideration of a PM_{2.5} standard until more information, including sound science and cost-effectiveness data are available; and be it further

Resolved, That we urge the EPA to identify any unfunded mandates or other administrative and economic burdens for state or local governments or agencies that would derive from changes to the NAAQS for ozone or particulate matter; 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 Michigan congressional delegation, the U.S. Environmental Protection Agency, and other appropriate administration officials.

Pursuant to rule 3.204, the concurrent resolution was referred to the Committee on Government Operations.

Senators Conroy and Schwarz were named co-sponsors of the concurrent resolution.

Senators Stallings, V. Smith, Vaughn, Young and Hart offered the following resolution:

Senate Resolution No. 85.

A resolution to memorialize the Congress of the United States and the Environmental Protection Agency to maintain existing standards for ambient air standards and calling for further study for certain levels.

Whereas, The U.S. Environmental Protection Agency (EPA) has a responsibility to review periodically the National Ambient Air Quality Standards (NAAQS) for ozone and particulate matter (PM); and

Whereas, EPA is considering changes to both NAAQS, which includes tightening the ozone standard and adding a separate standard for PM_{2.5}; and

Whereas, States, through their citizens, legislative bodies, and regulatory agencies, have worked hard to reduce air pollution and meet clean air requirements; and

Whereas, Tightened standards could significantly expand the number of nonattainment areas for both standards, resulting in emissions controls in additional areas, thus imposing significant economic, administrative, and regulatory burdens on more citizens, businesses, and local government in many states; and

Whereas, There is very little existing PM_{2.5} monitoring data; and

Whereas, Current research indicates that there are many unanswered questions and uncertainties on the PM issue and the need for a more stringent standard, including:

- Divergent opinions among scientists who have investigated this issue;
- The lack of supporting toxicological data;
- The lack of plausible toxicological mechanism;
- The lack of correlation between recorded levels and public health effects; and
- The influence of confounders

; and

Whereas, No scientific proof exists that tightening controls on PM_{2.5} or ozone would avoid alleged adverse health effects, while costs would assuredly be high; now, therefore be it

Resolved the Senate, That we advise and strongly urge the EPA to retain the existing NAAQS for ozone; and be it further

Resolved, That we urge the EPA to reaffirm the existing PM10 standard and conduct the additional PM2.5 monitoring and scientific research needed to address the issue of causality and other important unanswered questions before a proposal for a new PM2.5 standard or a revised PM10 standard rule is made; and be it further

Resolved, That, due to remaining uncertainties and the lack of causality between PM2.5 and adverse health effects, we urge the EPA to abandon its current consideration of a PM2.5 standard until more information, including sound science and cost-effectiveness data are available; and be it further

Resolved, That we urge the EPA to identify any unfunded mandates or other administrative and economic burdens for state or local governments or agencies that would derive from changes to the NAAQS for ozone or particulate matter; 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 Michigan congressional delegation, the U.S. Environmental Protection Agency, and other appropriate administration officials.

Pursuant to rule 3.204, the resolution was referred to the Committee on Government Operations.

Senators Conroy and Schwarz were named co-sponsors of the resolution.

Senators Young and Vaughn offered the following concurrent resolution:

Senate Concurrent Resolution No. 40.

A concurrent resolution to express the intent of the legislature that fifty percent of tobacco settlement money coming to Michigan will go to fund medical coverage for uninsured children.

Whereas, Following extensive negotiations, with lawsuits from forty states, a tentative settlement has been reached with the nation's tobacco industry. The proposal includes numerous restrictions on the industry, especially in its advertising, requirements for reductions in rates of youth smoking, and compensation to the states in an amount of \$368.5 billion over twenty-five years; and

Whereas, While the health costs incurred by individual and states can never be fully repaid, it is important that any financial compensation be used to safeguard directly the health of our citizens. This can best be achieved by covering medical costs for people without insurance. With the priority that the states have placed on fighting youth smoking through discussions with the tobacco companies, the most appropriate use of any settlement money would be to safeguard the health of our youngest and most vulnerable citizens; now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That it is the intent of the legislature that fifty percent of tobacco settlement money coming to Michigan will go to fund medical coverage for uninsured children.

Pursuant to rule 3.204, the concurrent resolution was referred to the Committee on Government Operations.

Senator Berryman offered the following resolution:

Senate Resolution No. 86.

A resolution to call on the state to negotiate a settlement with the plaintiffs in the Durant court case on special education funding.

Whereas, For the past seventeen years, Michigan has been paying less than it should to local school districts to cover certain costs of special education. The Michigan Supreme Court has ruled that special education and special education transportation services are state mandated services included in the requirements for state funding under the Headlee amendment. The case involves eighty-four school districts directly. The decision by Michigan's highest court may have an impact of between \$500 million and \$3.5 billion, depending on whether the court's judgment is applied to all of the state's districts; and

Whereas, Given the potential economic impact of the court's ruling, it is essential that reasonable people work together to comply with the central legal and moral obligations as quickly as possible. It is also imperative that the options for complying are discussed openly and honestly. It is wrong to imply that money to cover the costs of compliance should only be shifted from current funding for education. The state's misinterpretation of special education funding obligations over the years has cost taxpayers and our schools money that must in some way be repaid. We must not forget that it is children who are at the heart of any ultimate solution to this difficult situation; and

Whereas, A more prudent approach is to bring officials of the school districts and the state together to formulate a settlement that is both practical and responsible. Since the ultimate goal—educating children—is shared by all parties involved, a solution is attainable. Many options need to be explored, including long-term investments in school infrastructure needs, technology development, or the creation of a separate education rainy day fund to strengthen our schools. These are ideas that may work well to help the state fulfill its obligations. Certainly, there is much more to be gained by negotiations than threats to current and future education funding; now, therefore, be it

Resolved by the Senate, That we call on the state to negotiate a settlement with the plaintiffs in the Durant court case on special education funding.

Pursuant to rule 3.204, the resolution was referred to the Committee on Government Operations.

Senators Young and Conroy were named co-sponsors of the resolution.

Senator North offered the following concurrent resolution:

Senate Concurrent Resolution No. 41.

A concurrent resolution to urge the U.S. Army Corps of Engineers to restore the original harbor of refuge at Grand Marais, Michigan.

Whereas, At the request of the Michigan Sea Grant College Program, Professor Guy A. Meadows, Director, Ocean Engineering Lab, Department of Naval Architecture and Marine Engineering, the University of Michigan College of Engineering, provided an independent engineering evaluation of the continuing deterioration of the Grand Marais harbor. Professor Meadows reviewed Michigan Department of Environmental Quality historical records and aerial photography, previous reports and studies commissioned by the U.S. Army Corps of Engineers, and historical records of harbor modification and maintenance and visited the site; and

Whereas, The evaluation found the Grand Marais harbor to be a rare example of a natural Great Lakes deep water harbor, worthy of preservation in its own right. The harbor was authorized by the River and Harbor Acts of June 14, 1880, and May 17, 1950, to serve as a harbor of refuge. The authorized project consists of parallel jetties providing access between Lake Superior and the natural deep-water embayment at Grand Marais as well as a 5,770-foot-long, timber-pile breakwater. A federal navigation channel is located between the parallel jetties. This harbor of refuge long served commercial as well as private vessels as the sole harbor of its type along 90 miles of coastline; and

Whereas, Prior to the construction and stabilization of the inlet, the section of shoreline east of the navigation channel was naturally stable. The basin depth reported was 55 ft. The original 1896 design concept of two parallel jetties and an associated timber-pile breakwater was excellent, providing a stable and effective coastal engineering structure from approximately 1896 through 1943. During the war, maintenance of the timber-pile breakwater was abandoned. Unfortunately, maintenance of this component was never resumed. This has led to its total destruction. Extensive sediment deposits are filling the embayment at an alarming rate. The maximum basin depth found today is only 25 ft; and

Whereas, The independent evaluation coordinated by Professor Meadows recommended that the U.S. Army Corps of Engineers quickly reestablish the timber-pile breakwater. Further, it was indicated that restoring the Grand Marais harbor would attract new commerce to the region and reestablish a necessary harbor of refuge along this exposed Lake Superior coastline. The benefits of a restored harbor of refuge reach far beyond the immediate Grand Marais region and would serve commercial vessels as well as private interests. The review found no known MDNR/DEQ environmental opposition to reestablishment of the original harbor of refuge design; and

Whereas, The overwhelming support of the residents of Grand Marais for action on the harbor was demonstrated in the November 1996 election, when a majority of electors voted for a 5-year millage increase of 1/4 mill for the purpose of funding activity to restore and develop the Grand Marais harbor; now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That we urge the U.S. Army Corps of Engineers to restore and maintain the original harbor of refuge at Grand Marais; and be it further

Resolved, That copies of this resolution be transmitted to the U.S. Army Corps of Engineers.

Pursuant to rule 3.204, the concurrent resolution was referred to the Committee on Government Operations.

Senator Posthumus entered the Senate Chamber.

Senate Concurrent Resolution No. 14.

A concurrent resolution to express support for the American Forest and Paper Association's Sustainable Forestry Initiative.

(For text of resolution, see Senate Journal No. 17, p. 185.)

The House of Representatives has adopted the concurrent resolution and named Reps. Green, Bodem, Prusi, Oxender, Wetters, Middleton, Middaugh, McBryde, Tesanovich, Perricone, Goschka, Llewellyn, Dalman, Horton, Lowe, Anthony and Kukuk as co-sponsors of the concurrent resolution.

The concurrent resolution was referred to the Secretary for record.

Senate Concurrent Resolution No. 32.

A concurrent resolution to increase the total project cost of the Wayne State University Undergraduate Library project.

(For text of resolution, see Senate Journal No. 43, p. 691.)

The House of Representatives has adopted the concurrent resolution.

The concurrent resolution was referred to the Secretary for record.

Senate Concurrent Resolution No. 33.

A concurrent resolution approving the conveyance of property to the State Building Authority and approving a lease between the State of Michigan and the State Building Authority relative to the Department of Corrections Jackson Parole Camp.

(For text of resolution, see Senate Journal No. 43, p. 691.)
 The House of Representatives has adopted the concurrent resolution.
 The concurrent resolution was referred to the Secretary for record.

Senate Concurrent Resolution No. 34.

A concurrent resolution approving the conveyance of property to the State Building Authority and approving a lease between the State of Michigan and the State Building Authority relative to the Department of Corrections State Prison of Southern Michigan Reorganization (Phase I).

(For text of resolution, see Senate Journal No. 43, p. 692.)
 The House of Representatives has adopted the concurrent resolution.
 The concurrent resolution was referred to the Secretary for record.

Senate Concurrent Resolution No. 35.

A concurrent resolution approving the conveyance of property to the State Building Authority and approving a lease among the State of Michigan, the State Building Authority, and Western Michigan University relative to the Western Michigan University Power Plant Renovation.

(For text of resolution, see Senate Journal No. 47, p. 779.)
 The House of Representatives has adopted the concurrent resolution.
 The concurrent resolution was referred to the Secretary for record.

By unanimous consent the Senate returned to the order of
Motions and Communications

Senator DeGrow moved that the Committee on Technology and Energy be discharged from further consideration of the following bill:

House Bill No. 4997, entitled

A bill to amend 1991 PA 179, entitled "Michigan telecommunications act," (MCL 484.2101 to 484.2604) by adding section 376.

The motion prevailed, a majority of the members serving voting therefor, and the bill was placed on the order of General Orders.

Senator DeGrow moved that the rules be suspended and that the following bill, now on the order of General Orders, be placed on its immediate passage:

House Bill No. 4997

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

By unanimous consent the Senate proceeded to the order of
Third Reading of Bills

The following bill was read a third time:

House Bill No. 4997, entitled

A bill to amend 1991 PA 179, entitled "Michigan telecommunications act," (MCL 484.2101 to 484.2604) by adding section 376.

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

Roll Call No. 442

Yeas—37

Bennett
 Berryman
 Bouchard
 Bullard

DeGrow
 Dingell
 Dunaskiss
 Gast

McManus
 Miller
 North
 O'Brien

Shugars
 Smith, A.
 Smith, V.
 Stallings

Byrum
Carl
Cherry
Cisky
Conroy
DeBeaussaert

Geake
Gougeon
Hart
Hoffman
Koivisto

Peters
Posthumus
Rogers
Schuette
Schwarz

Steil
Stille
Van Regenmorter
Vaughn
Young

Nays—0

Excused—1

Emmons

Not Voting—0

In The Chair: Hoffman

Senator DeGrow moved that the bill be given immediate effect.

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

Pursuant to Joint Rule 20, the full title of the bill shall read as follows:

“An act to regulate and insure the availability of certain telecommunication services; to prescribe the powers and duties of certain state agencies and officials; to prescribe penalties; to repeal certain acts and parts of acts; and to repeal this act on a specific date.”.

The Senate agreed to the full title of the bill.

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

The motion prevailed.

Senator Dunaskiss' statement is as follows:

As chairman of the Senate Technology and Energy committee, I would like to note for the record that this legislation was written to do nothing more and certainly nothing less than allow Michigan libraries to apply for the Federal Universal Service Fund.

Recess

Senator DeGrow moved that the Senate recess until 6:30 p.m.

The motion prevailed, the time being 5:08 p.m.

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

Recess

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

The motion prevailed, the time being 6:31 p.m.

9:26 p.m.

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

Recess

Senator DeGrow moved that the Senate recess until 10:30 p.m.
The motion prevailed, the time being 9:27 p.m.

The Senate reconvened at the expiration of the recess and pursuant to rule 1.101, in the absence of the Presiding Officers, the Senate was called to order by the Secretary of the Senate.

Recess

Senator DeGrow moved that the Senate recess subject to the call of the President.
The motion prevailed, the time being 10:31 p.m.

11:07 p.m.

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

Recess

Senator DeGrow moved that the Senate recess subject to the call of the President.
The motion prevailed, the time being 11:08 p.m.

11:53 p.m.

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

Senator DeGrow moved that when the Senate adjourns today, it stand adjourned until Wednesday, July 9, at 12:30 a.m.

The motion prevailed.

Senator DeGrow moved that the Senate adjourn.
The motion prevailed, the time being 11:54 p.m.

In pursuance of the order previously made, the President pro tempore, Senator Schwarz, declared the Senate adjourned until Wednesday, July 9, at 12:30 a.m.

CAROL MOREY VIVENTI
Secretary of the Senate.