

No. 54
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90th Legislature
REGULAR SESSION OF 2000

House Chamber, Lansing, Wednesday, June 7, 2000.

10:00 a.m.

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

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

Allen—present	Frank—present	Kuipers—present	Rison—present
Baird—present	Garcia—present	Kukuk—present	Rivet—present
Basham—present	Garza—present	LaForge—present	Rocca—present
Birkholz—present	Geiger—present	LaSata—present	Sanborn—present
Bisbee—present	Gielegthem—present	Law—present	Schauer—present
Bishop—present	Gilbert—present	Lemmons—present	Schermesser—present
Bogardus—present	Godchaux—present	Lockwood—present	Scott—excused
Bovin—present	Gosselin—present	Mans—present	Scranton—present
Bradstreet—present	Green—present	Martinez—present	Shackleton—present
Brater—present	Hager—present	Mead—present	Sheltrown—present
Brewer—present	Hale—present	Middaugh—present	Shulman—present
Brown, Bob—present	Hanley—present	Minore—present	Spade—present
Brown, Cameron—present	Hansen—present	Mortimer—present	Stallworth—present
Byl—present	Hardman—present	Neumann—present	Stamas—present
Callahan—present	Hart—present	O’Neil—present	Switalski—present
Cassis—present	Howell—present	Pappageorge—present	Tabor—present
Caul—present	Jacobs—present	Patterson—present	Tesanovich—present
Cherry—present	Jamnack—present	Perricone—present	Thomas—present
Clark—present	Jansen—present	Pestka—present	Toy—present
Clarke—present	Jelinek—present	Price—present	Vander Roest—present
Daniels—e/d/s	Jellema—present	Prusi—present	Van Woerkom—present
DeHart—present	Johnson, Rick—present	Pumford—present	Vaughn—present
Dennis—present	Johnson, Ruth—excused	Quarles—present	Vear—present
DeRossett—present	Julian—present	Raczkowski—present	Voorhees—present
DeVuyst—present	Kelly—present	Reeves—present	Wojno—present
DeWeese—present	Kilpatrick—present	Richardville—present	Woodward—present
Ehardt—present	Koetje—present	Richner—present	Woronchak—present
Faunce—present	Kowall—present		

e/d/s = entered during session

Pastor Steve Glei, from Mapleview Free Methodist Church in Niles, offered the following invocation:

“We pledge allegiance to You, Almighty God. To You belong all realms, all power, all glory, yet You delegate the power of temporal leadership to Your creatures. In this nation You have given us the freedom to establish our own government, to oversee the welfare of our land and the many people it supports. Today, we pray for those whom we the people have chosen to lead our state and our country.

It is not easy for them to lead such a diverse people, whose many wants cannot all be satisfied. It is not easy to discern which actions will produce the greatest good for the greatest number. It is not easy to withstand the huge personal temptations that come with power. It is not easy to bear the extraordinary pressures in the complex, conniving world of politics.

Assist our elected leaders, particularly Governor Engler, representatives and senators. Bless them with the stamina, the toughness, and the integrity to fight for what is right and honorable in Your sight.

Grant our state and nation a succession of lawmakers and executives who have learned how to do justice, love mercy and walk humbly before You, Lord. Protect them from losing their wits, their nerve and their souls in the heady atmosphere of the states affairs so that we the people may flourish in a land blessed with liberty, peace and justice.

Protect our leaders from greedy partisanship. Grant our senators and representatives the will and character to work for the good of our whole people, not simply the benefit of those in a position to wrangle favors and force concessions.

Help us, as citizens, to bear our share of the burden of the democratic government. Make us love peace, truth, honesty and integrity. Moderate our political passions with calmness and self-control. Allow us to see situations from the point of view of others that we may discern what is the common good.

In the name of Christ, our King of Kings and Lord of Lords, who truly taught us by His life, death, and resurrection what it means to be a servant-leader. Amen.”

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

Rep. Godchaux moved that Rep. Ruth Johnson be excused from today’s session.
The motion prevailed.

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

Rep. Godchaux moved that Rep. Jelinek be excused temporarily from today’s session.
The motion prevailed.

Rep. Pappageorge moved that Rep. Geiger be excused temporarily from today’s session.
The motion prevailed.

Rep. Rick Johnson moved that Rep. Allen be excused temporarily from today’s session.
The motion prevailed.

Rep. Thomas moved that Rep. O’Neil be excused temporarily from today’s session.
The motion prevailed.

The Speaker Pro Tempore called Associate Speaker Pro Tempore Scranton to the Chair.

Reports of Select Committees

The Speaker laid before the House the conference report relative to

House Bill No. 5058, entitled

A bill to amend 1976 PA 388, entitled “Michigan campaign finance act,” by amending section 15 (MCL 169.215), as amended by 1996 PA 590.

(The conference report was reported by the conference committee on June 6, consideration of which, under the rules, was postponed until today.)

(For conference report, see House Journal No. 53, p. 1507.)

The question being on the adoption of the conference report,

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

Roll Call No. 691**Yeas—100**

Baird	Frank	Kuipers	Rivet
Basham	Garcia	Kukuk	Rocca
Birkholz	Garza	LaForge	Sanborn
Bisbee	Gielegthem	LaSata	Schauer
Bishop	Gilbert	Law	Schermesser
Bogardus	Godchaux	Lemmons	Scranton
Bovin	Gosselin	Lockwood	Shackleton
Bradstreet	Green	Mans	Sheltrown
Brater	Hager	Martinez	Shulman
Brewer	Hale	Mead	Spade
Brown, B.	Hanley	Middaugh	Stallworth
Brown, C.	Hansen	Minore	Stamas
Byl	Hardman	Mortimer	Switalski
Callahan	Hart	Neumann	Tabor
Cassis	Howell	Pappageorge	Tesanovich
Caul	Jacobs	Patterson	Thomas
Cherry	Jamnick	Perricone	Toy
Clark, I.	Jansen	Pestka	Van Woerkom
Clarke, H.	Jellema	Price	Vander Roest
DeHart	Johnson, Rick	Prusi	Vaughn
Dennis	Julian	Quarles	Vear
DeRossett	Kelly	Raczkowski	Voorhees
DeVuyst	Kilpatrick	Richardville	Wojno
Ehardt	Koetje	Richner	Woodward
Faunce	Kowall	Rison	Woronchak

Nays—0

In The Chair: Scranton

Rep. Julian moved that Rep. DeWeese be excused temporarily from today's session.
The motion prevailed.

Rep. Thomas moved that Rep. Tesanovich be excused temporarily from today's session.
The motion prevailed.

Rep. Raczkowski moved that the bill be given immediate effect.
The question being on the motion made by Rep. Raczkowski,
Rep. Kilpatrick demanded the yeas and nays.
The demand was supported.
The question being on the motion made by Rep. Raczkowski,
The motion did not prevail, 2/3 of the members serving not voting therefor, by yeas and nays, as follows:

Roll Call No. 692**Yeas—54**

Allen	Gilbert	Kuipers	Rocca
Birkholz	Godchaux	Kukuk	Sanborn
Bisbee	Gosselin	LaSata	Scranton

Bishop	Green	Law	Shackleton
Bradstreet	Hager	Mead	Shulman
Brown, C.	Hart	Middaugh	Stamas
Byl	Howell	Mortimer	Tabor
Cassis	Jamnack	Pappageorge	Toy
Caul	Jansen	Patterson	Van Woerkom
DeRossett	Jellema	Perricone	Vander Roest
DeVuyst	Johnson, Rick	Rackowski	Vear
Ehardt	Julian	Richardville	Voorhees
Faunce	Koetje	Richner	Woronchak
Garcia	Kowall		

Nays—41

Baird	Dennis	LaForge	Rison
Basham	Frank	Lemmons	Rivet
Bogardus	Garza	Lockwood	Schauer
Bovin	Gielegghem	Mans	Sheltrown
Brater	Hale	Martinez	Spade
Brewer	Hanley	Minore	Stallworth
Brown, B.	Hardman	Neumann	Switalski
Callahan	Jacobs	Pestka	Thomas
Cherry	Kelly	Price	Vaughn
Clark, I.	Kilpatrick	Prusi	Woodward
Clarke, H.			

In The Chair: Scranton

Messages from the Senate

The Speaker laid before the House

Senate Bill No. 796, entitled

A bill to amend 1967 PA 281, entitled "An act to meet deficiencies in state funds by providing for the imposition, levy, computation, collection, assessment, and enforcement by lien and otherwise of taxes on or measured by net income; to prescribe the manner and time of making reports and paying the taxes, and the functions of public officers and others as to the taxes; to permit the inspection of the records of taxpayers; to provide for interest and penalties on unpaid taxes; to provide exemptions, credits and refunds of the taxes; to prescribe penalties for the violation of this act; to provide an appropriation; and to repeal certain acts and parts of acts," by amending section 261 (MCL 206.261), as amended by 1996 PA 484.

(The bill was received from the Senate on May 31, with an amendment to the House substitute (H-1), consideration of which, under the rules, was postponed until today, see House Journal No. 51, p. 1415.)

The question being on concurring in the amendment to the House substitute (H-1) made to the bill by the Senate,

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

Roll Call No. 693**Yeas—94**

Allen	Ehardt	Kowall	Richardville
Baird	Faunce	Kuipers	Richner
Basham	Frank	Kukuk	Rison
Birkholz	Garcia	LaForge	Rocca
Bisbee	Garza	LaSata	Sanborn
Bishop	Gielegghem	Law	Schauer

Bogardus	Gilbert	Lemmons	Schermesser
Bovin	Godchaux	Lockwood	Scranton
Bradstreet	Gosselin	Mans	Shackleton
Brater	Green	Martinez	Sheltrown
Brewer	Hager	Mead	Shulman
Brown, B.	Hale	Middaugh	Spade
Brown, C.	Hansen	Minore	Switalski
Byl	Hardman	Mortimer	Thomas
Callahan	Hart	Neumann	Toy
Cassis	Howell	Pappageorge	Van Woerkom
Caul	Jacobs	Patterson	Vander Roest
Cherry	Jamnick	Perricone	Vaughn
Clark, I.	Jansen	Pestka	Vear
Clarke, H.	Jellema	Price	Voorhees
DeHart	Johnson, Rick	Prusi	Wojno
Dennis	Julian	Quarles	Woodward
DeRossett	Kelly	Raczkowski	Woronchak
DeVuyst	Kilpatrick		

Nays—0

In The Chair: Scranton

Second Reading of Bills

Senate Bill No. 373

A bill to amend 1927 PA 175, entitled “The code of criminal procedure,” by amending sections 1, 5, 11, 12, 13, 14, 15, 16a, 16b, 16c, 16d, 16e, 16f, 16g, 16h, 16i, 16j, 16k, 16l, 16m, 16n, 16o, 16p, 16q, 16r, 16s, 16t, 16u, 16v, 16w, 16x, 16y, 16z, 17, 18, 19, 21, 35, 36, 43, 47, 48, 54, and 55 of chapter XVII (MCL 777.1, 777.5, 777.11, 777.12, 777.13, 777.14, 777.15, 777.16a, 777.16b, 777.16c, 777.16d, 777.16e, 777.16f, 777.16g, 777.16h, 777.16i, 777.16j, 777.16k, 777.16l, 777.16m, 777.16n, 777.16o, 777.16p, 777.16q, 777.16r, 777.16s, 777.16t, 777.16u, 777.16v, 777.16w, 777.16x, 777.16y, 777.16z, 777.17, 777.18, 777.19, 777.21, 777.35, 777.36, 777.43, 777.47, 777.48, 777.54, and 777.55), sections 1, 5, 12, 14, 15, 16a, 16b, 16c, 16e, 16h, 16i, 16j, 16k, 16l, 16m, 16n, 16o, 16p, 16q, 16r, 16s, 16t, 16u, 16v, 16w, 16x, 16y, 18, 19, 21, 35, 36, 43, 47, 48, 54, and 55 as added by 1998 PA 317, section 11 as amended by 1999 PA 90, section 13 as amended by 1999 PA 61, section 16d as amended by 1999 PA 192, section 16f as amended by 1999 PA 45, section 16g as amended by 1999 PA 39, section 16l as amended by 1999 PA 168, section 16z as amended by 1999 PA 186, and section 17 as amended by 1999 PA 67; and to repeal acts and parts of acts.

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

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

Rep. Faunce moved to amend the bill as follows:

1. Amend page 19, following line 32, by inserting:

“287.967(5) PUB ORD G CERVIDAE PRODUCER VIOLATION 4”.

2. Amend page 30, line 35, by striking out all of lines 35 and 36.

3. Amend page 41, line 23, after “16g.” by inserting “(1)”.

4. Amend page 41, following line 30, by inserting:

“750.136C PERSON B BUYING OR SELLING AN INDIVIDUAL 20”.

5. Amend page 42, line 5, by striking out all of lines 5 through 9 and inserting:

“750.145D(2)(B) VARIABLE G USING INTERNET OR COMPUTER TO
COMMIT CRIME PUNISHABLE BY A
MAXIMUM TERM OF IMPRISONMENT
OF AT LEAST 1 YEAR BUT LESS THAN
2 YEARS

750.145D(2)(C)	VARIABLE	F	USING INTERNET OR COMPUTER TO COMMIT CRIME PUNISHABLE BY A MAXIMUM TERM OF IMPRISONMENT OF AT LEAST 2 YEARS BUT LESS THAN 4 YEARS	4
750.145D(2)(D)	VARIABLE	D	USING INTERNET OR COMPUTER TO COMMIT CRIME PUNISHABLE BY A MAXIMUM TERM OF IMPRISONMENT OF AT LEAST 4 YEARS BUT LESS THAN 10 YEARS	10
750.145D(2)(E)	VARIABLE	C	USING INTERNET OR COMPUTER TO COMMIT CRIME PUNISHABLE BY A MAXIMUM TERM OF IMPRISONMENT OF AT LEAST 10 YEARS BUT LESS THAN 15 YEARS	15
750.145D(2)(F)	VARIABLE	B	USING INTERNET OR COMPUTER TO COMMIT CRIME PUNISHABLE BY A MAXIMUM TERM OF IMPRISONMENT OF AT LEAST 15 YEARS OR FOR LIFE	20”.

6. Amend page 42, following line 29, by inserting:

“(2) FOR A VIOLATION OF SECTION 145D OF THE MICHIGAN PENAL CODE, 1931 PA 328, MCL 750.145D, DETERMINE THE OFFENSE CATEGORY, OFFENSE VARIABLE LEVEL, AND PRIOR RECORD VARIABLE LEVEL BASED ON THE UNDERLYING OFFENSE.”.

7. Amend page 44, following line 33, by inserting:

“750.174A(4)	PROPERTY	E	EMBEZZLEMENT BY PERSON IN A RELATIONSHIP OF TRUST WITH A VULNERABLE ADULT OF \$1,000 TO \$20,000 OR WITH PRIOR CONVICTIONS	5
750.174A(5)	PROPERTY	D	EMBEZZLEMENT BY PERSON IN A RELATIONSHIP OF TRUST WITH A VULNERABLE ADULT OF \$20,000 OR MORE OR \$1,000 TO \$20,000 WITH PRIOR CONVICTIONS	10”.

8. Amend page 51, following line 4, by inserting:

“750.227G(1)	PUB SAF	F	FELON PURCHASING, OWNING, POSSESSING, OR USING BODY ARMOR	4”.
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9. Amend page 58, following line 3, by inserting:

“750.415(5)	PROPERTY	G	MOTOR VEHICLES — BUY/SELL/EXCHANGE/GIVE AWAY PARAPHERNALIA CAPABLE OF CHANGING/MISREPRESENTING IDENTITY	4
750.415(6)	PROPERTY	E	MOTOR VEHICLES — BUY/RECEIVE/OBTAIN A MOTOR VEHICLE OR MOTOR VEHICLE PART WITH INTENT TO SELL OR DISPOSE KNOWING THE VIN HAS BEEN REMOVED OR ALTERED	10”.

10. Amend page 63, line 28, after “17.” by inserting “(1)”.

11. Amend page 64, following line 9, by inserting:

“752.797(2)(A)	PROPERTY	E	UNLAWFULLY ACCESSING COMPUTER, COMPUTER SYSTEM, OR COMPUTER PROGRAM	5
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752.797(2)(B)	PROPERTY	D	UNLAWFULLY ACCESSING COMPUTER, COMPUTER SYSTEM, OR COMPUTER PROGRAM, WITH PRIOR CONVICTION	10
752.797(3)(B)	VARIABLE	G	USING COMPUTER TO COMMIT CRIME PUNISHABLE BY A MAXIMUM TERM OF IMPRISONMENT OF MORE THAN 1 YEAR BUT LESS THAN 2 YEARS	2
752.797(3)(C)	VARIABLE	F	USING COMPUTER TO COMMIT CRIME PUNISHABLE BY A MAXIMUM TERM OF IMPRISONMENT OF AT LEAST 2 YEARS BUT LESS THAN 4 YEARS	4
752.797(3)(D)	VARIABLE	D	USING COMPUTER TO COMMIT CRIME PUNISHABLE BY A MAXIMUM TERM OF IMPRISONMENT OF AT LEAST 4 YEARS BUT LESS THAN 10 YEARS	7
752.797(3)(E)	VARIABLE	D	USING COMPUTER TO COMMIT CRIME PUNISHABLE BY A MAXIMUM TERM OF IMPRISONMENT OF AT LEAST 10 YEARS BUT LESS THAN 20 YEARS	10
752.797(3)(F)	VARIABLE	B	USING COMPUTER TO COMMIT CRIME PUNISHABLE BY A MAXIMUM TERM OF IMPRISONMENT OF AT LEAST 20 YEARS OR FOR LIFE	20".

12. Amend page 65, following line 27, by inserting:

“(2) FOR A VIOLATION OF SECTION 797(3)(B), (C), (D), (E), OR (F) OF 1979 PA 53, MCL 752.797, DETERMINE THE OFFENSE CATEGORY, OFFENSE VARIABLE LEVEL, AND PRIOR RECORD VARIABLE LEVEL BASED ON THE UNDERLYING OFFENSE.”.

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

Rep. Faunce moved to amend the bill as follows:

1. Amend page 71, following line 7, by inserting:

“Sec. 43. (1) Offense variable 13 is continuing pattern of criminal behavior. Score offense variable 13 by determining which of the following apply and by assigning the number of points attributable to the one that has the highest number of points:

(A) THE OFFENSE WAS PART OF A PATTERN OF FELONIOUS CRIMINAL ACTIVITY INVOLVING 3 OR MORE SEXUAL PENETRATIONS AGAINST A PERSON OR PERSONS LESS THAN 13 YEARS OF AGE	50 POINTS
(B) (A) The offense was part of a pattern of felonious criminal activity involving 3 or more crimes against a person	25 points
(C) (B) The offense was part of a pattern of felonious criminal activity involving a combination of 3 or more crimes against a person or property	10 points
(D) (C) The offense was part of a pattern of felonious criminal activity directly related to membership in an organized criminal group	10 points
(E) (D) The offense was part of a pattern of felonious criminal activity involving 3 or more crimes against property	5 points
(F) (E) No pattern of felonious criminal activity existed	0 points

(2) All of the following apply to scoring offense variable 13:

(a) For determining the appropriate points under this variable, all crimes within a 5-year period, including the sentencing offense, shall be counted regardless of whether the offense resulted in a conviction.

(b) The presence or absence of multiple offenders, the age of the offenders, or the degree of sophistication of the organized criminal group is not as important as the fact of the group's existence, which may be reasonably inferred from the facts surrounding the sentencing offense.

(c) Except for offenses related to membership in an organized criminal group, do not score conduct scored in offense variable 11 or 12.

(D) SCORE 50 POINTS ONLY IF THE SENTENCING OFFENSE IS FIRST DEGREE CRIMINAL SEXUAL CONDUCT.”.

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

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

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

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

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

By unanimous consent the House returned to the order of

Third Reading of Bills

Senate Bill No. 373

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending sections 1, 5, 11, 12, 13, 14, 15, 16a, 16b, 16c, 16d, 16e, 16f, 16g, 16h, 16i, 16j, 16k, 16l, 16m, 16n, 16o, 16p, 16q, 16r, 16s, 16t, 16u, 16v, 16w, 16x, 16y, 16z, 17, 18, 19, 21, 35, 36, 43, 47, 48, 54, and 55 of chapter XVII (MCL 777.1, 777.5, 777.11, 777.12, 777.13, 777.14, 777.15, 777.16a, 777.16b, 777.16c, 777.16d, 777.16e, 777.16f, 777.16g, 777.16h, 777.16i, 777.16j, 777.16k, 777.16l, 777.16m, 777.16n, 777.16o, 777.16p, 777.16q, 777.16r, 777.16s, 777.16t, 777.16u, 777.16v, 777.16w, 777.16x, 777.16y, 777.16z, 777.17, 777.18, 777.19, 777.21, 777.35, 777.36, 777.43, 777.47, 777.48, 777.54, and 777.55), sections 1, 5, 12, 14, 15, 16a, 16b, 16c, 16e, 16h, 16i, 16j, 16k, 16l, 16m, 16n, 16o, 16p, 16q, 16r, 16s, 16t, 16u, 16v, 16w, 16x, 16y, 18, 19, 21, 35, 36, 43, 47, 48, 54, and 55 as added by 1998 PA 317, section 11 as amended by 1999 PA 90, section 13 as amended by 1999 PA 61, section 16d as amended by 1999 PA 192, section 16f as amended by 1999 PA 45, section 16g as amended by 1999 PA 39, section 16l as amended by 1999 PA 168, section 16z as amended by 1999 PA 186, and section 17 as amended by 1999 PA 67; and to repeal acts and parts of acts.

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

Roll Call No. 694

Yeas—102

Allen	Faunce	Kowall	Richner
Baird	Frank	Kuipers	Rison
Basham	Garcia	Kukuk	Rivet
Birkholz	Garza	LaSata	Rocca
Bisbee	Gielegthem	Law	Sanborn
Bishop	Gilbert	Lemmons	Schauer
Bogardus	Godchaux	Lockwood	Schermesser
Bovin	Gosselin	Mans	Scranton
Bradstreet	Green	Martinez	Shackleton
Brater	Hager	Mead	Sheltrown
Brewer	Hale	Middaugh	Shulman
Brown, B.	Hanley	Minore	Spade
Brown, C.	Hansen	Mortimer	Stamas
Byl	Hardman	Neumann	Switalski
Callahan	Hart	O'Neil	Tabor
Cassis	Howell	Pappageorge	Thomas
Caul	Jacobs	Patterson	Toy
Cherry	Jamnick	Perricone	Van Woerkom
Clark, I.	Jansen	Pestka	Vander Roest
Clarke, H.	Jelinek	Price	Vaughn
DeHart	Jellema	Prusi	Vear
Dennis	Johnson, Rick	Pumford	Voorhees
DeRossett	Julian	Raczkowski	Wojno
DeVuyst	Kelly	Reeves	Woodward
DeWeese	Kilpatrick	Richardville	Woronchak
Ehardt	Koetje		

Nays—0

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

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

A bill to amend 1927 PA 175, entitled "An act to revise, consolidate, and codify the laws relating to criminal procedure and to define the jurisdiction, powers, and duties of courts, judges, and other officers of the court under the provisions of this act; to provide laws relative to the rights of persons accused of criminal offenses and ordinance violations; to provide for the arrest of persons charged with or suspected of criminal offenses and ordinance violations; to provide for bail of persons arrested for or accused of criminal offenses and ordinance violations; to provide for the examination of persons accused of criminal offenses; to regulate the procedure relative to grand juries, indictments, informations, and proceedings before trial; to provide for trials of persons complained of or indicted for criminal offenses and ordinance violations and to provide for the procedure in those trials; to provide for judgments and sentences of persons convicted of criminal offenses and ordinance violations; to establish a sentencing commission and to prescribe its powers and duties; to provide for procedure relating to new trials and appeals in criminal and ordinance violation cases; to provide a uniform system of probation throughout this state and the appointment of probation officers; to prescribe the powers, duties, and compensation of probation officers; to provide penalties for the violation of the duties of probation officers; to provide for procedure governing proceedings to prevent crime and proceedings for the discovery of crime; to provide for fees of officers, witnesses, and others in criminal and ordinance violation cases; to set forth miscellaneous provisions as to criminal procedure in certain cases; to provide penalties for the violation of certain provisions of this act; and to repeal all acts and parts of acts inconsistent with or contravening any of the provisions of this act," by amending section 34 of chapter IX, section 14 of chapter XI, and sections 1, 11, 12, 13, 14, 15, 16a, 16b, 16c, 16d, 16f, 16g, 16h, 16i, 16k, 16l, 16m, 16o, 16p, 16r, 16s, 16t, 16u, 16v, 16w, 16x, 16y, 16z, 17, 18, 19, 21, 22, 33, 35, 43, 48, 54, and 55 of chapter XVII (MCL 769.34, 771.14, 777.1, 777.11, 777.12, 777.13, 777.14, 777.15, 777.16a, 777.16b, 777.16c, 777.16d, 777.16f, 777.16g, 777.16h, 777.16i, 777.16k, 777.16l, 777.16m, 777.16o, 777.16p, 777.16r, 777.16s, 777.16t, 777.16u, 777.16v, 777.16w, 777.16x, 777.16y, 777.16z, 777.17, 777.18, 777.19, 777.21, 777.22, 777.33, 777.35, 777.43, 777.48, 777.54, and 777.55), section 34 of chapter IX as amended by 1999 PA 227, section 14 of chapter XI as amended and sections 1, 12, 14, 15, 16a, 16b, 16c, 16h, 16i, 16k, 16m, 16o, 16p, 16r, 16s, 16t, 16u, 16v, 16w, 16x, 16y, 18, 19, 21, 22, 33, 35, 54, and 55 of chapter XVII as added by 1998 PA 317, section 11 of chapter XVII as amended by 1999 PA 90, section 13 of chapter XVII as amended by 1999 PA 61, section 16d of chapter XVII as amended by 1999 PA 192, section 16f of chapter XVII as amended by 1999 PA 45, section 16g of chapter XVII as amended by 1999 PA 39, section 16l of chapter XVII as amended by 1999 PA 168, section 16z of chapter XVII as amended by 1999 PA 186, section 17 of chapter XVII as amended by 1999 PA 67, section 43 of chapter XVII as amended 1999 PA 227, and section 48 of chapter XVII as amended by 1999 PA 227.

The motion prevailed.

The House agreed to the title as amended.

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

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

Second Reading of Bills

Senate Bill No. 1274, entitled

A bill to amend 1951 PA 51, entitled "An act to provide for the classification of all public roads, streets, and highways in this state, and for the revision of that classification and for additions to and deletions from each classification; to set up and establish the Michigan transportation fund; to provide for the deposits in the Michigan transportation fund of specific taxes on motor vehicles and motor vehicle fuels; to provide for the allocation of funds from the Michigan transportation fund and the use and administration of the fund for transportation purposes; to set up and establish the truck safety fund; to provide for the allocation of funds from the truck safety fund and administration of the fund for truck safety purposes; to set up and establish the Michigan truck safety commission; to establish certain standards for road contracts for certain businesses; to provide for the continuing review of transportation needs within the state; to authorize the state transportation commission, counties, cities, and villages to borrow money, issue bonds, and make pledges of funds for transportation purposes; to authorize counties to advance funds for the payment of deficiencies necessary for the payment of bonds issued under this act; to provide for the limitations, payment, retirement, and security of the bonds and pledges; to provide for appropriations and tax levies by counties and townships for county roads; to authorize contributions by townships for county roads; to provide for the establishment and administration of the state trunk line fund, critical bridge fund, comprehensive transportation fund, and certain other funds; to provide for the deposits in the state trunk line fund, critical bridge fund, comprehensive transportation fund, and certain other funds of money raised by specific taxes and fees; to provide for definitions of public transportation functions and criteria; to define the purposes for which Michigan transportation funds may be allocated; to provide for Michigan transportation fund grants; to provide for review and approval of transportation programs; to provide for submission of annual legislative requests and reports; to provide for the establishment and functions of certain advisory entities; to provide for conditions for grants; to provide for the issuance of bonds and notes for transportation purposes; to provide for the powers and duties of certain state and local agencies and officials; to provide for the making of loans for transportation purposes by the state transportation department and for the receipt

and repayment by local units and agencies of those loans from certain specified sources; and to repeal acts and parts of acts," by amending sections 10, 10o, and 11 (MCL 247.660, 247.660o, and 247.661), sections 10 and 11 as amended and section 10o as added by 1998 PA 308, and by adding section 20b.

Was read a second time, and the question being on the adoption of the proposed amendments previously recommended by the Committee on Transportation (for amendments, see House Journal No. 53, p. 1511),

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

Reps. Byl and Kilpatrick moved to amend the bill as follows:

1. Amend page 5, line 13, after "state" by striking out the balance of the subparagraph and inserting a period.

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

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

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

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

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

By unanimous consent the House returned to the order of

Third Reading of Bills

Senate Bill No. 1274, entitled

A bill to amend 1951 PA 51, entitled "An act to provide for the classification of all public roads, streets, and highways in this state, and for the revision of that classification and for additions to and deletions from each classification; to set up and establish the Michigan transportation fund; to provide for the deposits in the Michigan transportation fund of specific taxes on motor vehicles and motor vehicle fuels; to provide for the allocation of funds from the Michigan transportation fund and the use and administration of the fund for transportation purposes; to set up and establish the truck safety fund; to provide for the allocation of funds from the truck safety fund and administration of the fund for truck safety purposes; to set up and establish the Michigan truck safety commission; to establish certain standards for road contracts for certain businesses; to provide for the continuing review of transportation needs within the state; to authorize the state transportation commission, counties, cities, and villages to borrow money, issue bonds, and make pledges of funds for transportation purposes; to authorize counties to advance funds for the payment of deficiencies necessary for the payment of bonds issued under this act; to provide for the limitations, payment, retirement, and security of the bonds and pledges; to provide for appropriations and tax levies by counties and townships for county roads; to authorize contributions by townships for county roads; to provide for the establishment and administration of the state trunk line fund, critical bridge fund, comprehensive transportation fund, and certain other funds; to provide for the deposits in the state trunk line fund, critical bridge fund, comprehensive transportation fund, and certain other funds of money raised by specific taxes and fees; to provide for definitions of public transportation functions and criteria; to define the purposes for which Michigan transportation funds may be allocated; to provide for Michigan transportation fund grants; to provide for review and approval of transportation programs; to provide for submission of annual legislative requests and reports; to provide for the establishment and functions of certain advisory entities; to provide for conditions for grants; to provide for the issuance of bonds and notes for transportation purposes; to provide for the powers and duties of certain state and local agencies and officials; to provide for the making of loans for transportation purposes by the state transportation department and for the receipt and repayment by local units and agencies of those loans from certain specified sources; and to repeal acts and parts of acts," by amending sections 10, 10o, and 11 (MCL 247.660, 247.660o, and 247.661), sections 10 and 11 as amended and section 10o as added by 1998 PA 308, and by adding section 20b.

The bill was read a third time.

The question being on the passage of the bill,

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

The motion prevailed.

Second Reading of Bills

Senate Bill No. 1191, entitled

A bill to amend 1993 PA 330, entitled "State real estate transfer tax act," by amending section 6 (MCL 207.526), as amended by 1994 PA 255.

The bill was read a second time.

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

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

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

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

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

By unanimous consent the House returned to the order of

Third Reading of Bills

Senate Bill No. 1191, entitled

A bill to amend 1993 PA 330, entitled "State real estate transfer tax act," by amending section 6 (MCL 207.526), as amended by 1994 PA 255.

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

Roll Call No. 695

Yeas—104

Allen	Faunce	Kuipers	Rison
Baird	Frank	Kukuk	Rivet
Basham	Garcia	LaForge	Rocca
Birkholz	Garza	LaSata	Sanborn
Bisbee	Gielegthem	Law	Schauer
Bishop	Gilbert	Lemmons	Schermesser
Bogardus	Godchaux	Lockwood	Scranton
Bovin	Gosselin	Mans	Shackleton
Bradstreet	Green	Martinez	Sheltrown
Brater	Hager	Mead	Shulman
Brewer	Hale	Middaugh	Spade
Brown, B.	Hanley	Minore	Stallworth
Brown, C.	Hansen	Neumann	Stamas
Byl	Hardman	O'Neil	Switalski
Callahan	Hart	Pappageorge	Tabor
Cassis	Howell	Patterson	Tesanovich
Caul	Jacobs	Perricone	Thomas
Cherry	Jamnick	Pestka	Toy
Clark, I.	Jansen	Price	Van Woerkom
Clarke, H.	Jelinek	Prusi	Vander Roest
DeHart	Jellema	Pumford	Vaughn
Dennis	Johnson, Rick	Quarles	Vear
DeRossett	Julian	Rackowski	Voorhees
DeVuyst	Kelly	Reeves	Wojno
DeWeese	Koetje	Richardville	Woodward
Ehardt	Kowall	Richner	Woronchak

Nays—0

In The Chair: Scranton

Pursuant to Joint Rule 20, the full title of the act shall be inserted to read as follows:

"An act to impose a state tax on the transfer of an interest in real property; to provide for the administration of this act; to prescribe the powers and duties of certain state and local officers; to provide for the collection and distribution of the tax; and to prescribe penalties and provide remedies,".

The House agreed to the full title.

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

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

The House returned to the consideration of

Senate Bill No. 1274, entitled

A bill to amend 1951 PA 51, entitled "An act to provide for the classification of all public roads, streets, and highways in this state, and for the revision of that classification and for additions to and deletions from each

classification; to set up and establish the Michigan transportation fund; to provide for the deposits in the Michigan transportation fund of specific taxes on motor vehicles and motor vehicle fuels; to provide for the allocation of funds from the Michigan transportation fund and the use and administration of the fund for transportation purposes; to set up and establish the truck safety fund; to provide for the allocation of funds from the truck safety fund and administration of the fund for truck safety purposes; to set up and establish the Michigan truck safety commission; to establish certain standards for road contracts for certain businesses; to provide for the continuing review of transportation needs within the state; to authorize the state transportation commission, counties, cities, and villages to borrow money, issue bonds, and make pledges of funds for transportation purposes; to authorize counties to advance funds for the payment of deficiencies necessary for the payment of bonds issued under this act; to provide for the limitations, payment, retirement, and security of the bonds and pledges; to provide for appropriations and tax levies by counties and townships for county roads; to authorize contributions by townships for county roads; to provide for the establishment and administration of the state trunk line fund, critical bridge fund, comprehensive transportation fund, and certain other funds; to provide for the deposits in the state trunk line fund, critical bridge fund, comprehensive transportation fund, and certain other funds of money raised by specific taxes and fees; to provide for definitions of public transportation functions and criteria; to define the purposes for which Michigan transportation funds may be allocated; to provide for Michigan transportation fund grants; to provide for review and approval of transportation programs; to provide for submission of annual legislative requests and reports; to provide for the establishment and functions of certain advisory entities; to provide for conditions for grants; to provide for the issuance of bonds and notes for transportation purposes; to provide for the powers and duties of certain state and local agencies and officials; to provide for the making of loans for transportation purposes by the state transportation department and for the receipt and repayment by local units and agencies of those loans from certain specified sources; and to repeal acts and parts of acts," by amending sections 10, 10o, and 11 (MCL 247.660, 247.660o, and 247.661), sections 10 and 11 as amended and section 10o as added by 1998 PA 308, and by adding section 20b.

(The bill was considered earlier today, see today's journal, p. 1527.)

The question being on the passage of the bill,

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

Roll Call No. 696

Yeas—76

Allen	Frank	Kukuk	Richardville
Baird	Garcia	LaSata	Richner
Basham	Gilbert	Lockwood	Rivet
Birkholz	Godchaux	Mans	Rocca
Bisbee	Gosselin	Martinez	Sanborn
Bishop	Green	Mead	Scranton
Bovin	Hager	Middaugh	Shackleton
Bradstreet	Hansen	Minore	Sheltrown
Brewer	Hart	Mortimer	Shulman
Brown, B.	Howell	Neumann	Spade
Brown, C.	Jamnick	O'Neil	Stallworth
Cassis	Jansen	Pappageorge	Tabor
Caul	Jelinek	Patterson	Tesanovich
Cherry	Johnson, Rick	Perricone	Toy
DeRossett	Julian	Pestka	Van Woerkom
DeVuyst	Kelly	Prusi	Vander Roest
DeWeese	Koetje	Pumford	Vear
Ehardt	Kowall	Rackowski	Voorhees
Faunce	Kuipers	Reeves	Woronchak

Nays—30

Bogardus	Garza	LaForge	Schermesser
Brater	Gielegghem	Law	Stamas
Byl	Hale	Lemmons	Switalski
Callahan	Hanley	Price	Thomas
Clark, I.	Hardman	Quarles	Vaughn

Clarke, H.
DeHart
Dennis

Jacobs
Jellema
Kilpatrick

Rison
Schauer

Wojno
Woodward

In The Chair: Scranton

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

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

A bill to amend 1951 PA 51, entitled "An act to provide for the classification of all public roads, streets, and highways in this state, and for the revision of that classification and for additions to and deletions from each classification; to set up and establish the Michigan transportation fund; to provide for the deposits in the Michigan transportation fund of specific taxes on motor vehicles and motor vehicle fuels; to provide for the allocation of funds from the Michigan transportation fund and the use and administration of the fund for transportation purposes; to set up and establish the truck safety fund; to provide for the allocation of funds from the truck safety fund and administration of the fund for truck safety purposes; to set up and establish the Michigan truck safety commission; to establish certain standards for road contracts for certain businesses; to provide for the continuing review of transportation needs within the state; to authorize the state transportation commission, counties, cities, and villages to borrow money, issue bonds, and make pledges of funds for transportation purposes; to authorize counties to advance funds for the payment of deficiencies necessary for the payment of bonds issued under this act; to provide for the limitations, payment, retirement, and security of the bonds and pledges; to provide for appropriations and tax levies by counties and townships for county roads; to authorize contributions by townships for county roads; to provide for the establishment and administration of the state trunk line fund, critical bridge fund, comprehensive transportation fund, and certain other funds; to provide for the deposits in the state trunk line fund, critical bridge fund, comprehensive transportation fund, and certain other funds of money raised by specific taxes and fees; to provide for definitions of public transportation functions and criteria; to define the purposes for which Michigan transportation funds may be allocated; to provide for Michigan transportation fund grants; to provide for review and approval of transportation programs; to provide for submission of annual legislative requests and reports; to provide for the establishment and functions of certain advisory entities; to provide for conditions for grants; to provide for the issuance of bonds and notes for transportation purposes; to provide for the powers and duties of certain state and local agencies and officials; to provide for the making of loans for transportation purposes by the state transportation department and for the receipt and repayment by local units and agencies of those loans from certain specified sources; and to repeal acts and parts of acts," by amending sections 10, 10o, and 11 (MCL 247.660, 247.660o, and 247.661), sections 10 and 11 as amended and section 10o as added by 1998 PA 308.

The motion prevailed.

The House agreed to the title as amended.

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

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

Second Reading of Bills

Senate Bill No. 1209, entitled

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," by amending sections 102, 224, 240, and 2213 (MCL 500.102, 500.224, 500.240, and 500.2213), section 224 as amended by 1998 PA 121, section 240 as amended by 1987 PA 261, and section 2213 as added by 1996 PA 517, and by adding chapter 35; and to repeal acts and parts of acts.

Was read a second time, and the question being on the adoption of the proposed amendments previously recommended by the Committee on Health Policy (for amendments, see House Journal No. 49, p. 1271),

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

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

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

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

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

By unanimous consent the House returned to the order of

Third Reading of Bills

Senate Bill No. 1209, entitled

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," by amending sections 102, 224, 240, and 2213 (MCL 500.102, 500.224, 500.240, and 500.2213), section 224 as amended by 1998 PA 121, section 240 as amended by 1987 PA 261, and section 2213 as added by 1996 PA 517, and by adding chapter 35; and to repeal acts and parts of acts.

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

Roll Call No. 697**Yeas—56**

Allen	Geiger	Kowall	Richner
Birkholz	Gilbert	Kuipers	Rocca
Bisbee	Godchaux	Kukuk	Sanborn
Bishop	Gosselin	LaSata	Scranton
Bradstreet	Green	Law	Shackleton
Brown, C.	Hager	Mead	Shulman
Cassis	Hart	Middaugh	Stamas
Caul	Howell	Mortimer	Tabor
DeRossett	Jansen	Pappageorge	Toy
DeVuyst	Jelinek	Patterson	Van Woerkom
DeWeese	Jellema	Perricone	Vander Roest
Ehardt	Johnson, Rick	Pumford	Vear
Faunce	Julian	Raczkowski	Voorhees
Garcia	Koetje	Richardville	Woronchak

Nays—46

Baird	Frank	Lockwood	Rison
Basham	Garza	Mans	Rivet
Bogardus	Gielegthem	Martinez	Schauer
Bovin	Hale	Minore	Schermesser
Brater	Hanley	Neumann	Sheltrown
Brewer	Hansen	O'Neil	Spade
Callahan	Hardman	Pestka	Switalski
Cherry	Jacobs	Price	Tesanovich
Clark, I.	Jamnack	Prusi	Vaughn
Clarke, H.	Kelly	Quarles	Wojno
DeHart	LaForge	Reeves	Woodward
Dennis	Lemmons		

In The Chair: Scranton

Pursuant to Joint Rule 20, the full title of the act shall be inserted to read as follows:

“An act to revise, consolidate, and classify the laws relating to the insurance and surety business; to regulate the incorporation or formation of domestic insurance and surety companies and associations and the admission of foreign and alien companies and associations; to provide their rights, powers, and immunities and to prescribe the conditions on which companies and associations organized, existing, or authorized under this act may exercise their powers; to provide the rights, powers, and immunities and to prescribe the conditions on which other persons, firms, corporations, associations, risk retention groups, and purchasing groups engaged in an insurance or surety business may exercise their powers; to provide for the imposition of a privilege fee on domestic insurance companies and associations and the state accident fund; to provide for the imposition of a tax on the business of foreign and alien companies and associations; to provide for the imposition of a tax on risk retention groups and purchasing groups; to provide for the imposition of a tax on the business of surplus line agents; to provide for the imposition of regulatory fees on certain insurers; to modify tort liability arising out of certain accidents; to provide for limited actions with respect to that modified tort liability and to prescribe certain procedures for maintaining those actions; to require security for losses arising out of certain accidents; to provide for the continued availability and affordability of automobile insurance and homeowners insurance in this state and to facilitate the purchase of that insurance by all residents of this state at fair and reasonable rates; to provide for certain reporting with respect to insurance and with respect to certain claims against uninsured or self-insured persons; to prescribe duties for certain state departments and officers with respect to that reporting; to provide for certain assessments; to establish and continue certain state insurance funds; to modify and clarify the status, rights, powers, duties, and operations of the nonprofit malpractice insurance fund; to provide for the departmental supervision and regulation of the insurance and surety business within this state; to provide for regulation

over worker's compensation self-insurers; to provide for the conservation, rehabilitation, or liquidation of unsound or insolvent insurers; to provide for the protection of policyholders, claimants, and creditors of unsound or insolvent insurers; to provide for associations of insurers to protect policyholders and claimants in the event of insurer insolvencies; to prescribe educational requirements for insurance agents and solicitors; to provide for the regulation of multiple employer welfare arrangements; to create an automobile theft prevention authority to reduce the number of automobile thefts in this state; to prescribe the powers and duties of the automobile theft prevention authority; to provide certain powers and duties upon certain officials, departments, and authorities of this state; to repeal acts and parts of acts; and to provide penalties for the violation of this act,".

The House agreed to the full title.

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

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

Reps. Hardman, Spade, Wojno, Callahan, Bogardus, Jamnick, Jacobs, Hansen, Woodward, Lemmons, Minore, Lockwood, Dennis, Basham, Clark, Clarke, Garza and Gielegthem, having reserved the right to explain their protest against the passage of the bill, made the following statement:

"Mr. Speaker and members of the House:

I voted no on SB1209 because it is part of a package that does not achieve real HMO reform. The package puts bureaucrats in charge of making medical decisions while shutting doctors out. It requires patients to navigate a cumbersome, lengthy appeals process for resolving disputes over health care treatment decisions made by physicians. It also denies patients the right to sue their HMO's for damages resulting from a delay or denial of care that they need. The package does not put patients first and does not constitute real HMO reform."

Second Reading of Bills

Senate Bill No. 1211, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending sections 20106, 20124, 20161, and 22205 (MCL 333.20106, 333.20124, 333.20161, and 333.22205), sections 20106 and 20161 as amended by 1996 PA 267 and section 22205 as amended by 1993 PA 88.

The bill was read a second time.

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

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

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

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

By unanimous consent the House returned to the order of

Third Reading of Bills

Senate Bill No. 1211, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending sections 20106, 20124, 20161, and 22205 (MCL 333.20106, 333.20124, 333.20161, and 333.22205), sections 20106 and 20161 as amended by 1996 PA 267 and section 22205 as amended by 1993 PA 88.

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

Roll Call No. 698

Yeas—56

Allen
Birkholz
Bisbee
Bishop
Bradstreet

Garcia
Gilbert
Godchaux
Gosselin
Green

Kowall
Kuipers
Kukuk
LaSata
Law

Richner
Rocca
Sanborn
Scranton
Shackleton

Brown, C.	Hager	Mead	Shulman
Byl	Hart	Middaugh	Stamas
Cassis	Howell	Mortimer	Tabor
Caul	Jansen	Pappageorge	Toy
DeRossett	Jelinek	Patterson	Van Woerkom
DeVuyst	Jellema	Perricone	Vander Roest
DeWeese	Johnson, Rick	Pumford	Vear
Ehardt	Julian	Raczkowski	Voorhees
Faunce	Koetje	Richardville	Woronchak

Nays—45

Baird	Garza	Lockwood	Rison
Basham	Gielegghem	Mans	Rivet
Bogardus	Hale	Martinez	Schauer
Bovin	Hanley	Minore	Schermesser
Brater	Hansen	Neumann	Sheltrown
Brewer	Hardman	O'Neil	Spade
Callahan	Jacobs	Pestka	Switalski
Cherry	Jamnack	Price	Tesanovich
Clark, I.	Kelly	Prusi	Vaughn
Clarke, H.	LaForge	Quarles	Wojno
DeHart	Lemmons	Reeves	Woodward
Frank			

In The Chair: Scranton

Pursuant to Joint Rule 20, the full title of the act shall be inserted to read as follows:

“An act to protect and promote the public health; to codify, revise, consolidate, classify, and add to the laws relating to public health; to provide for the prevention and control of diseases and disabilities; to provide for the classification, administration, regulation, financing, and maintenance of personal, environmental, and other health services and activities; to create or continue, and prescribe the powers and duties of, departments, boards, commissions, councils, committees, task forces, and other agencies; to prescribe the powers and duties of governmental entities and officials; to regulate occupations, facilities, and agencies affecting the public health; to regulate health maintenance organizations and certain third party administrators and insurers; to provide for the imposition of a regulatory fee; to promote the efficient and economical delivery of health care services, to provide for the appropriate utilization of health care facilities and services, and to provide for the closure of hospitals or consolidation of hospitals or services; to provide for the collection and use of data and information; to provide for the transfer of property; to provide certain immunity from liability; to regulate and prohibit the sale and offering for sale of drug paraphernalia under certain circumstances; to provide for the implementation of federal law; to provide for penalties and remedies; to provide for sanctions for violations of this act and local ordinances; to repeal certain acts and parts of acts; to repeal certain parts of this act; and to repeal certain parts of this act on specific dates,”.

The House agreed to the full title.

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

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

Reps. Basham, Lockwood, Garza, Lemmons, Spade, Wojno, Clarke, Callahan, Minore, Jamnick, Hansen, Bogardus, Woodward and Hardman, having reserved the right to explain their protest against the passage of the bill, made the following statement:

“Mr. Speaker and members of the House:

I voted no on SB1211 because it is part of a package that does not achieve real HMO reform. The package puts bureaucracies in charge of making medical decisions while shutting doctors out. It requires patients to navigate a cumbersome, lengthy appeals process for resolving disputes over health care treatment decisions made by physicians. It also denies patients the right to sue their HMO's for damages resulting from a delay or denial of care that they need. The package does not put patients first and does not constitute real HMO reform.”

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

The Speaker laid before the House

House Bill No. 5391, entitled

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," by amending section 30 (MCL 206.30), as amended by 1999 PA 181.

(The bill was received from the Senate on March 9, with substitute (S-1), full title inserted and immediate effect given by the Senate, consideration of which, under the rules, was postponed until March 14, see House Journal No. 22, p. 358.)

The question being on concurring in the substitute (S-1) made to the bill by the Senate,

Rep. Woronchak moved to substitute (H-3) the Senate substitute (S-1).

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

Rep. Daniels entered the House Chambers.

The question being on concurring in the Senate substitute (S-1), as substituted (H-3),

The Senate substitute (S-1), as substituted (H-3), was concurred in, a majority of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 699

Yeas—101

Allen	Faunce	Kuipers	Richner
Basham	Frank	Kukuk	Rison
Birkholz	Garcia	LaForge	Rivet
Bisbee	Gielegthem	LaSata	Rocca
Bishop	Gilbert	Law	Sanborn
Bogardus	Godchaux	Lemmons	Schauer
Bovin	Gosselin	Lockwood	Schermesser
Bradstreet	Green	Mans	Scranton
Brater	Hager	Martinez	Shackleton
Brewer	Hale	Mead	Sheltrown
Brown, B.	Hanley	Middaugh	Shulman
Brown, C.	Hansen	Minore	Spade
Byl	Hardman	Mortimer	Stamas
Callahan	Hart	Neumann	Switalski
Cassis	Howell	O'Neil	Tabor
Caul	Jacobs	Pappageorge	Tesanovich
Cherry	Jamnick	Patterson	Thomas
Clark, I.	Jansen	Perricone	Toy
Clarke, H.	Jelinek	Pestka	Van Woerkom
Daniels	Jellema	Price	Vander Roest
DeHart	Johnson, Rick	Prusi	Vear
Dennis	Julian	Pumford	Voorhees
DeRossett	Kelly	Rackowski	Wojno
DeVuyst	Koetje	Reeves	Woodward
DeWeese	Kowall	Richardville	Woronchak
Ehardt			

Nays—1

Vaughn

In The Chair: Scranton

Notices

I hereby give notice that on the next legislative session day I will move to reconsider the vote by which the House concurred in the Senate substitute (S-1) as substituted (H-3) on **House Bill No. 5391**.

Rep. Kilpatrick

By unanimous consent the House returned to the order of

Second Reading of Bills**House Joint Resolution R, entitled**

A joint resolution proposing an amendment to the state constitution of 1963, by amending section 3 of article IX, to restrict the assessment of agricultural real property used in agricultural operations.

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

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

Rep. Brater moved to amend the bill as follows:

1. Amend page 2, line 6, after “LEGISLATURE” by striking out “MAY” and inserting “SHALL”.

2. Amend page 2, line 7, after the first “FOR” by striking out “ALTERNATIVE METHODS OF TAXATION” and inserting “A RECAPTURE TAX OF NOT LESS THAN 5% OF THE PROPERTY’S TRUE CASH VALUE”.

The question being on the adoption of the amendments offered by Rep. Brater,

Rep. Brater demanded the yeas and nays.

The demand was supported.

The question being on the adoption of the amendments offered by Rep. Brater,

The amendments were not adopted, a majority of the members serving not voting therefor, by yeas and nays, as follows:

Roll Call No. 700**Yeas—45**

Baird	Daniels	Jellema	Quarles
Basham	DeHart	Kelly	Reeves
Bogardus	Dennis	Kilpatrick	Rison
Bovin	Garza	LaForge	Schauer
Brater	Gielegghem	Lockwood	Schermesser
Brewer	Hale	Mans	Switalski
Brown, B.	Hanley	Martinez	Tesanovich
Byl	Hansen	Minore	Thomas
Callahan	Hardman	O’Neil	Vaughn
Cherry	Jacobs	Price	Wojno
Clark, I.	Jamnick	Prusi	Woodward
Clarke, H.			

Nays—56

Allen	Gilbert	Kukuk	Rocca
Birkholz	Godchaux	LaSata	Sanborn

Bisbee	Gosselin	Lemmons	Scranton
Bishop	Green	Mead	Shackleton
Bradstreet	Hager	Middaugh	Sheltrown
Brown, C.	Hart	Mortimer	Shulman
Caul	Howell	Pappageorge	Spade
DeRossett	Jansen	Patterson	Stamas
DeVuyst	Jelinek	Perricone	Tabor
DeWeese	Johnson, Rick	Pestka	Van Woerkom
Faunce	Julian	Pumford	Vander Roest
Frank	Koetje	Raczkowski	Vear
Garcia	Kowall	Richardville	Voorhees
Geiger	Kuipers	Richner	Woronchak

In The Chair: Scranton

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

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

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

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

By unanimous consent the House returned to the order of

Third Reading of Bills

House Joint Resolution R, entitled

A joint resolution proposing an amendment to the state constitution of 1963, by amending section 3 of article IX, to restrict the assessment of agricultural real property used in agricultural operations.

Was read a third time and not passed, 2/3 of the members serving not voting therefor, by yeas and nays, as follows:

Roll Call No. 701

Yeas—65

Allen	Gilbert	LaSata	Rivet
Birkholz	Godchaux	Law	Rocca
Bisbee	Gosselin	Lemmons	Sanborn
Bishop	Green	Lockwood	Scranton
Bovin	Hager	Mans	Shackleton
Bradstreet	Hart	Mead	Sheltrown
Brown, C.	Howell	Middaugh	Shulman
Cassis	Jamnick	Mortimer	Spade
Caul	Jansen	Neumann	Stamas
DeRossett	Jelinek	Pappageorge	Tabor
DeVuyst	Johnson, Rick	Perricone	Toy
DeWeese	Julian	Pestka	Van Woerkom
Ehardt	Koetje	Pumford	Vander Roest
Faunce	Kowall	Raczkowski	Vear
Frank	Kuipers	Richardville	Voorhees
Garcia	Kukuk	Richner	Woronchak
Geiger			

Nays—38

Baird	Dennis	Kilpatrick	Rison
Basham	Garza	LaForge	Schauer

Bogardus	Gielegghem	Martinez	Schermesser
Brater	Hale	Minore	Stallworth
Byl	Hanley	O'Neil	Switalski
Callahan	Hansen	Patterson	Thomas
Cherry	Hardman	Price	Vaughn
Clark, I.	Jacobs	Quarles	Wojno
Daniels	Jellema	Reeves	Woodward
DeHart	Kelly		

In The Chair: Scranton

Rep. Brewer, under Rule 32(b), made the following statement:

"Mr. Speaker and members of the House:

I did not vote on Roll Call No. 701 because of a possible conflict of interest."

Rep. Raczkowski moved to reconsider the vote by which the House did not pass the joint resolution.

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

The question being on the motion made by Rep. Raczkowski,

Rep. Raczkowski moved that consideration of the joint resolution be postponed temporarily.

The motion prevailed.

Second Reading of Bills

Senate Bill No. 938, entitled

A bill to amend 1939 PA 280, entitled "The social welfare act," by amending sections 111a and 111b (MCL 400.111a and 400.111b), section 111a as amended by 1986 PA 227 and section 111b as amended by 1994 PA 74, and by adding section 111i.

Was read a second time, and the question being on the adoption of the proposed substitute (H-4) previously recommended by the Committee on Appropriations,

The substitute (H-4) was adopted, a majority of the members serving voting therefor.

Rep. Geiger moved to amend the bill as follows:

1. Amend page 21, line 6, after "OF" by striking out "INSURANCE" and inserting "OFFICE OF FINANCIAL AND INSURANCE SERVICES".

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

Rep. Geiger moved to amend the bill as follows:

1. Amend page 23, line 4, after "WITHIN" by striking out "15" and inserting "30".

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

Rep. Geiger moved to amend the bill as follows:

1. Amend page 26, line 3, after "(6)" by striking out "BY NOT LATER THAN OCTOBER 1, 2000," and inserting "BEGINNING NOT LATER THAN OCTOBER 1, 2000 AND CONTINUING THEREAFTER,".

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

Rep. Caul moved to amend the bill as follows:

1. Amend page 22, line 13, by striking out all of subdivision (D) and inserting:

"(D) THAT A HEALTH PROFESSIONAL AND FACILITY MUST BILL A QUALIFIED HEALTH PLAN WITHIN 1 YEAR AFTER THE DATE OF SERVICE OR DATE OF DISCHARGE FROM THE HEALTH FACILITY.

(E) THAT AFTER A HEALTH PROFESSIONAL OR FACILITY HAS SUBMITTED A CLAIM TO A QUALIFIED HEALTH PLAN, THE HEALTH PROFESSIONAL OR FACILITY SHALL NOT RESUBMIT THE SAME CLAIM TO THE QUALIFIED HEALTH PLAN UNLESS THE TIME FRAME IN SUBDIVISION (F) HAS PASSED OR AS PROVIDED IN SUBDIVISION (H)." and relettering the remaining subdivisions.

2. Amend page 23, line 9, after "SUBDIVISION" by striking out "(G)" and inserting "(H)".
 3. Amend page 23, line 22, after "SUBDIVISION" by striking out "(J)" and inserting "(K)".
 4. Amend page 24, line 7, after "SUBSECTION" by striking out "(2)(H)" and inserting "(2)(I)".
- The motion prevailed and the amendments were adopted, a majority of the members serving voting therefor.

Rep. Martinez moved to amend the bill as follows:

1. Amend page 23, line 27, after "DEFECTIVE" by inserting "OR BECAUSE 1 OR MORE OTHER SERVICES LISTED ON THE CLAIM ARE NOT COVERED SERVICES".

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

Reps. Cherry and Ehardt moved to amend the bill as follows:

1. Amend page 22, line 19, by striking out all of subdivision (F) and inserting:

"(F) EXCEPT AS OTHERWISE PROVIDED IN THIS SUBDIVISION, THAT A CLEAN CLAIM MUST BE PAID WITHIN 45 DAYS AFTER RECEIPT OF THE CLAIM BY THE QUALIFIED HEALTH PLAN. FOR A PHARMACEUTICAL CLEAN CLAIM, THE CLEAN CLAIM MUST BE PAID WITHIN THE INDUSTRY STANDARD TIME FRAME FOR PAYING THE CLAIM AS OF THE EFFECTIVE DATE OF THIS SUBDIVISION OR WITHIN 45 DAYS AFTER RECEIPT OF THE CLAIM BY THE QUALIFIED HEALTH PLAN, WHICHEVER IS SOONER. A CLEAN CLAIM THAT IS NOT PAID WITHIN THIS TIME FRAME SHALL BEAR SIMPLE INTEREST AT A RATE OF 12% PER ANNUM."

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

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

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

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

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

By unanimous consent the House returned to the order of

Third Reading of Bills

Senate Bill No. 938, entitled

A bill to amend 1939 PA 280, entitled "The social welfare act," by amending sections 111a and 111b (MCL 400.111a and 400.111b), section 111a as amended by 1986 PA 227 and section 111b as amended by 1994 PA 74, and by adding section 111i.

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

Roll Call No. 702

Yeas—104

Allen	Ehardt	Kilpatrick	Richardville
Baird	Faunce	Koetje	Richner
Basham	Frank	Kowall	Rison
Birkholz	Garcia	Kuipers	Rivet
Bisbee	Garza	Kukuk	Rocca
Bishop	Geiger	LaForge	Sanborn
Bogardus	Gielegghem	LaSata	Schauer
Bovin	Gilbert	Law	Schermesser
Bradstreet	Godchaux	Lemmons	Shackleton
Brater	Gosselin	Lockwood	Sheltrown
Brewer	Green	Mans	Shulman
Brown, B.	Hager	Martinez	Spade
Brown, C.	Hale	Mead	Stallworth
Byl	Hanley	Middaugh	Stamas
Callahan	Hansen	Minore	Switalski
Cassis	Hardman	Mortimer	Tabor
Caul	Hart	Neumann	Tesanovich
Cherry	Howell	O'Neil	Thomas
Clark, I.	Jacobs	Patterson	Van Woerkom
Clarke, H.	Jamnick	Pestka	Vander Roest

Daniels
DeHart
Dennis
DeRossett
DeVuyst
DeWeese

Jansen
Jelinek
Jellema
Johnson, Rick
Julian
Kelly

Price
Prusi
Pumford
Quarles
Raczkowski
Reeves

Vaughn
Vear
Voorhees
Wojno
Woodward
Woronchak

Nays—1

Scranton

In The Chair: Scranton

Pursuant to Joint Rule 20, the full title of the act shall be inserted to read as follows:

“An act to protect the welfare of the people of this state; to provide general assistance, hospitalization, infirmary and medical care to poor or unfortunate persons; to provide for compliance by this state with the social security act; to provide protection, welfare and services to aged persons, dependent children, the blind, and the permanently and totally disabled; to administer programs and services for the prevention and treatment of delinquency, dependency and neglect of children; to create a state department of social services; to prescribe the powers and duties of the department; to provide for the interstate and intercounty transfer of dependents; to create county and district departments of social services; to create within certain county departments, bureaus of social aid and certain divisions and offices thereunder; to prescribe the powers and duties of the departments, bureaus and officers; to provide for appeals in certain cases; to prescribe the powers and duties of the state department with respect to county and district departments; to prescribe certain duties of certain other state departments, officers, and agencies; to make an appropriation; to prescribe penalties for the violation of the provisions of this act; and to repeal certain parts of this act on specific dates.”.

The House agreed to the full title.

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

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

By unanimous consent the House returned to the order of

Messages from the Senate

The Speaker laid before the House

House Bill No. 4238, entitled

A bill to amend 1927 PA 175, entitled “The code of criminal procedure,” by amending section 27 of chapter IX (MCL 769.27) and by adding section 1g to chapter IX.

(The bill was received from the Senate on May 23, with substitute (S-4), title amendment and immediate effect given by the Senate, consideration of which, under the rules, was postponed until May 24, see House Journal No. 47, p. 1152.)

The question being on concurring in the substitute (S-4) made to the bill by the Senate,

Rep. Stamas moved to amend the Senate substitute (S-4) as follows:

1. Amend page 3, line 3, after “SENTENCE” by inserting “ON THE ISSUE OF WHETHER THE SENTENCE IS TO RUN CONSECUTIVELY TO OR CONCURRENT WITH ANY OTHER SENTENCE THE DEFENDANT IS OR WILL BE SERVING”.

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

Rep. Stamas moved to amend the Senate substitute (S-4) as follows:

1. Amend page 4, line 20, by striking out “THE” and inserting “Except as otherwise provided in subsection (5), the”.

2. Amend page 4, line 21, after “conviction” by inserting “OF A MISDEMEANOR OFFENSE IF EITHER OF THE FOLLOWING APPLIES:

(A) THE CONVICTION IS”.

3. Amend page 5, line 7, by inserting:

“(b) A sentence of imprisonment is not imposed, except as an alternative sentence, and any fine and costs ordered total less than \$100.00.”.

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

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

The question being on concurring in the Senate substitute (S-4), as amended,
The Senate substitute (S-4), as amended, was concurred in, a majority of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 703**Yeas—105**

Allen	Faunce	Kuipers	Rison
Baird	Frank	Kukuk	Rivet
Basham	Garcia	LaForge	Rocca
Birkholz	Garza	LaSata	Sanborn
Bisbee	Geiger	Law	Schauer
Bishop	Gielegghem	Lemmons	Schermesser
Bogardus	Gilbert	Lockwood	Scranton
Bovin	Godchaux	Mans	Shackleton
Bradstreet	Gosselin	Martinez	Sheltrown
Brater	Green	Mead	Shulman
Brewer	Hager	Middaugh	Spade
Brown, B.	Hale	Minore	Stallworth
Brown, C.	Hanley	Mortimer	Stamas
Byl	Hansen	Neumann	Switalski
Callahan	Hardman	O'Neil	Tabor
Cassis	Hart	Pappageorge	Tesanovich
Caul	Howell	Patterson	Thomas
Cherry	Jacobs	Pestka	Toy
Clark, I.	Jamnick	Price	Van Woerkom
Clarke, H.	Jansen	Prusi	Vander Roest
Daniels	Jelinek	Pumford	Vaughn
DeHart	Jellema	Quarles	Vear
Dennis	Johnson, Rick	Raczkowski	Voorhees
DeRossett	Julian	Reeves	Wojno
DeVuyst	Koetje	Richardville	Woodward
DeWeese	Kowall	Richner	Woronchak
Ehardt			

Nays—0

In The Chair: Scranton

The House agreed to the full title.

Rep. Vander Roest moved that Rep. Shackleton be excused temporarily from today's session.
The motion prevailed.

House Bill No. 5781, entitled

A bill to amend 1927 PA 372, entitled "An act to regulate and license the selling, purchasing, possessing, and carrying of certain firearms and gas ejecting devices; to prohibit the buying, selling, or carrying of certain firearms and gas ejecting devices without a license; to provide for the forfeiture of firearms possessed in violation of this act; to provide immunity from civil liability under certain circumstances; to prescribe the powers and duties of certain state and local agencies; and to repeal all acts and parts of acts inconsistent with the provisions of this act," (MCL 28.421 to 28.434) by amending the title, as amended by 1990 PA 320, and by adding section 15.

The Senate has amended the bill as follows:

1. Amend page 5, line 20, after “(14)” by inserting “BEGINNING SEPTEMBER 1, 2000,”.

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

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

Rep. Raczkowski moved that Rule 45 be suspended.

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

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

After debate,

Rep. Vear demanded the previous question.

The question being, “Shall the main question now be put?”

Rep. Kilpatrick demanded the yeas and nays.

The demand was supported.

The question being, “Shall the main question now be put?”

The previous question was ordered, a majority of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 704

Yeas—54

Allen	Garcia	Koetje	Richner
Birkholz	Geiger	Kowall	Rocca
Bisbee	Gilbert	Kukuk	Sanborn
Bishop	Godchaux	LaSata	Scranton
Bradstreet	Gosselin	Law	Shulman
Brown, C.	Green	Mead	Stamas
Byl	Hager	Middaugh	Tabor
Cassis	Hart	Mortimer	Toy
Caul	Howell	Patterson	Van Woerkom
DeRossett	Jansen	Perricone	Vander Roest
DeVuyst	Jelinek	Pumford	Vear
DeWeese	Jellema	Raczkowski	Voorhees
Ehardt	Johnson, Rick	Richardville	Woronchak
Faunce	Julian		

Nays—50

Baird	Dennis	Lemmons	Rivet
Basham	Frank	Lockwood	Schauer
Bogardus	Garza	Mans	Schermesser
Bovin	Gielegthem	Martinez	Sheltrown
Brater	Hale	Minore	Spade
Brewer	Hanley	Neumann	Stallworth
Brown, B.	Hansen	O’Neil	Switalski
Callahan	Hardman	Pestka	Tesanovich
Cherry	Jacobs	Price	Thomas
Clark, I.	Jamnick	Prusi	Vaughn
Clarke, H.	Kelly	Reeves	Wojno
Daniels	Kilpatrick	Rison	Woodward
DeHart	LaForge		

In The Chair: Scranton

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

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

Roll Call No. 705**Yeas—69**

Allen	Frank	Kukuk	Rocca
Basham	Garcia	LaSata	Sanborn
Birkholz	Geiger	Law	Schauer
Bisbee	Gilbert	Mans	Schermesser
Bishop	Gosselin	Mead	Scranton
Bovin	Green	Middaugh	Sheltrown
Bradstreet	Hager	Mortimer	Shulman
Brown, B.	Hart	Neumann	Spade
Brown, C.	Howell	Pappageorge	Stamas
Callahan	Jansen	Patterson	Tabor
Cassis	Jelinek	Perricone	Tesanovich
Caul	Jellema	Pestka	Toy
DeHart	Johnson, Rick	Prusi	Van Woerkom
DeRossett	Julian	Pumford	Vander Roest
DeVuyst	Koetje	Rackowski	Vear
DeWeese	Kowall	Richardville	Voorhees
Ehardt	Kuipers	Rivet	Woronchak
Faunce			

Nays—36

Baird	Garza	Kelly	Reeves
Bogardus	Gielegem	Kilpatrick	Richner
Brater	Godchaux	LaForge	Rison
Brewer	Hale	Lemmons	Stallworth
Cherry	Hanley	Lockwood	Switalski
Clark, I.	Hansen	Martinez	Thomas
Clarke, H.	Hardman	Minore	Vaughn
Daniels	Jacobs	O'Neil	Wojno
Dennis	Jamnick	Price	Woodward

In The Chair: Scranton

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

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

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

Reps. Minore, Gielegem, Garza, Hardman, Clark, Baird, Dennis, Bogardus and Jacobs, having reserved the right to explain their nay vote, made the following statement:

“Mr. Speaker and members of the House:

I voted no on concurring in the Senate amendment to HB 5781 because the bill would end Wayne County’s and the City of Detroit’s pending lawsuit against gun manufacturers, despite the fact that on May 16, 2000 the Circuit Court ruled *in favor* of Wayne County and the City of Detroit by ruling that they could proceed with their ‘public nuisance’ claim. This action by the Legislature wrongly takes away a vested interest of Wayne County and Detroit taxpayers. Furthermore, when this bill came up for a vote today, the Republican leadership would not allow members to debate its substance or its merits on the House floor.

This bill’s prohibition on gun lawsuits will save the gun industry from paying potentially many millions of dollars in damages and will take away a promising tool for local governments to help protect their citizens from gun violence. By tying the issues of trigger locks and gun manufacturer immunity together, proponents of this bill are essentially demanding that a ransom be extracted before they will take action to help deliver Michigan’s children from gun violence. The Legislature should take action to protect children from gun violence because children’s safety is of foremost concern, not simply to create public distraction in a bill that provides a financial boon to the gun industry.”

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

“Mr. Speaker and members of the House:

I voted no on concurring in the Senate amendment to HB 5781 because the bill would end Wayne County’s and the City of Detroit’s pending lawsuit against gun manufacturers, despite the fact that on May 16, 2000 the Circuit Court ruled *in favor* of Wayne County and the City of Detroit by ruling that they could proceed with their ‘public nuisance’ claim. This action by the Legislature wrongly takes away a vested interest of taxpayers. Furthermore, when this bill came up for a vote today, the Republican leadership would not allow members to debate its substance, merits or ramifications of this amendment on the House floor.”

Reps. Woodward, Daniels and Jamnick having reserved the right to explain their nay vote, made the following statement:

“Mr. Speaker and members of the House:

I voted no on concurring in the Senate amendment to HB 5781 because the bill would end Wayne County’s and the City of Detroit’s pending lawsuit against gun manufacturers, despite the fact that on May 16, 2000 the Circuit Court ruled *in favor* of Wayne County and the City of Detroit by ruling that they could proceed with their ‘public nuisance’ claim. This action by the Legislature wrongly takes away a vested interest of Wayne County and Detroit taxpayers. Furthermore, when this bill came up for a vote today, the Republican leadership would not allow members to debate its substance or its merits on the House floor.”

Second Reading of Bills

Senate Bill No. 1197, entitled

A bill to amend 1981 PA 118, entitled “An act to regulate motor vehicle manufacturers, distributors, wholesalers, dealers, and their representatives; to regulate dealings between manufacturers and distributors or wholesalers and their dealers; to regulate dealings between manufacturers, distributors, wholesalers, dealers, and consumers; to prohibit unfair practices; to provide remedies and penalties; and to repeal certain acts and parts of acts,” by amending sections 4 and 14 (MCL 445.1564 and 445.1574), section 14 as amended by 1998 PA 456.

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

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

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

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

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

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

By unanimous consent the House returned to the order of

Third Reading of Bills

Senate Bill No. 1197, entitled

A bill to amend 1981 PA 118, entitled “An act to regulate motor vehicle manufacturers, distributors, wholesalers, dealers, and their representatives; to regulate dealings between manufacturers and distributors or wholesalers and their dealers; to regulate dealings between manufacturers, distributors, wholesalers, dealers, and consumers; to prohibit unfair practices; to provide remedies and penalties; and to repeal certain acts and parts of acts,” by amending sections 4 and 14 (MCL 445.1564 and 445.1574), section 14 as amended by 1998 PA 456.

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

Roll Call No. 706

Yeas—105

Allen	Faunce	Kowall	Richner
Baird	Frank	Kuipers	Rivet
Basham	Garcia	Kukuk	Rocca
Birkholz	Garza	LaForge	Sanborn
Bisbee	Geiger	LaSata	Schauer
Bishop	Gielegthem	Law	Schermesser
Bogardus	Gilbert	Lemmons	Scranton
Bovin	Godchaux	Lockwood	Shackleton
Bradstreet	Green	Mans	Sheltrown

Brater	Hager	Martinez	Shulman
Brewer	Hale	Mead	Spade
Brown, B.	Hanley	Middaugh	Stallworth
Brown, C.	Hansen	Minore	Stamas
Byl	Hardman	Mortimer	Switalski
Callahan	Hart	Neumann	Tabor
Cassis	Howell	O'Neil	Tesanovich
Caul	Jacobs	Pappageorge	Thomas
Cherry	Jamnick	Patterson	Toy
Clark, I.	Jansen	Perricone	Van Woerkom
Clarke, H.	Jelinek	Pestka	Vander Roest
Daniels	Jellema	Price	Vaughn
DeHart	Johnson, Rick	Prusi	Vear
Dennis	Julian	Pumford	Voorhees
DeRossett	Kelly	Rackowski	Wojno
DeVuyst	Kilpatrick	Reeves	Woodward
DeWeese	Koetje	Richardville	Woronchak
Ehardt			

Nays—0

In The Chair: Scranton

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

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

A bill to amend 1981 PA 118, entitled “An act to regulate motor vehicle manufacturers, distributors, wholesalers, dealers, and their representatives; to regulate dealings between manufacturers and distributors or wholesalers and their dealers; to regulate dealings between manufacturers, distributors, wholesalers, dealers, and consumers; to prohibit unfair practices; to provide remedies and penalties; and to repeal certain acts and parts of acts,” by amending section 14 (MCL 445.1574), as amended by 1998 PA 456.

The motion prevailed.

The House agreed to the title as amended.

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

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

Second Reading of Bills

Senate Bill No. 696, entitled

A bill to amend 1980 PA 350, entitled “The nonprofit health care corporation reform act,” by amending section 403 (MCL 550.1403).

The bill was read a second time.

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

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

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

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

By unanimous consent the House returned to the order of

Third Reading of Bills

Senate Bill No. 696, entitled

A bill to amend 1980 PA 350, entitled “The nonprofit health care corporation reform act,” by amending section 403 (MCL 550.1403).

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

Roll Call No. 707**Yeas—104**

Allen	Ehardt	Koetje	Richardville
Baird	Faunce	Kowall	Richner
Basham	Frank	Kuipers	Rison
Birkholz	Garcia	Kukuk	Rivet
Bisbee	Garza	LaForge	Rocca
Bishop	Gielegthem	LaSata	Sanborn
Bogardus	Gilbert	Law	Schauer
Bovin	Godchaux	Lemmons	Schermesser
Bradstreet	Gosselin	Lockwood	Shackleton
Brater	Green	Mans	Sheltrown
Brewer	Hager	Martinez	Shulman
Brown, B.	Hale	Mead	Spade
Brown, C.	Hanley	Middaugh	Stamas
Byl	Hansen	Minore	Switalski
Callahan	Hardman	Mortimer	Tabor
Cassis	Hart	Neumann	Tesanovich
Caul	Howell	O'Neil	Thomas
Cherry	Jacobs	Pappageorge	Toy
Clark, I.	Jamnick	Patterson	Van Woerkom
Clarke, H.	Jansen	Perricone	Vander Roest
Daniels	Jelinek	Pestka	Vaughn
DeHart	Jellema	Price	Vear
Dennis	Johnson, Rick	Prusi	Voorhees
DeRossett	Julian	Pumford	Wojno
DeVuyst	Kelly	Rackowski	Woodward
DeWeese	Kilpatrick	Reeves	Woronchak

Nays—1

Scranton

In The Chair: Scranton

Pursuant to Joint Rule 20, the full title of the act shall be inserted to read as follows:

“An act to provide for the incorporation of nonprofit health care corporations; to provide their rights, powers, and immunities; to prescribe the powers and duties of certain state officers relative to the exercise of those rights, powers, and immunities; to prescribe certain conditions for the transaction of business by those corporations in this state; to define the relationship of health care providers to nonprofit health care corporations and to specify their rights, powers, and immunities with respect thereto; to provide for a Michigan caring program; to provide for the regulation and supervision of nonprofit health care corporations by the commissioner of insurance; to prescribe powers and duties of certain other state officers with respect to the regulation and supervision of nonprofit health care corporations; to provide for the imposition of a regulatory fee; to regulate the merger or consolidation of certain corporations; to prescribe an expeditious and effective procedure for the maintenance and conduct of certain administrative appeals relative to provider class plans; to provide for certain administrative hearings relative to rates for health care benefits; to provide for certain causes of action; to prescribe penalties and to provide civil fines for violations of this act; and to repeal certain acts and parts of acts.”.

The House agreed to the full title.

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

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

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

The Speaker laid before the House

House Bill No. 4239, entitled

A bill to amend 1953 PA 232, entitled “An act to revise, consolidate, and codify the laws relating to probationers and probation officers, to pardons, reprieves, commutations, and paroles, to the administration of correctional institutions, correctional farms, and probation recovery camps, to prisoner labor and correctional industries, and to the supervision and inspection of local jails and houses of correction; to provide for the siting of correctional facilities; to create a state department of corrections, and to prescribe its powers and duties; to provide for the transfer to and vesting in said department of powers and duties vested by law in certain other state boards, commissions, and officers, and to abolish certain boards, commissions, and offices the powers and duties of which are transferred by this act; to allow for the operation of certain facilities by private entities; to prescribe the powers and duties of certain other state departments and agencies; to provide for the creation of a local lockup advisory board; to prescribe penalties for the violation of the provisions of this act; to make certain appropriations; to repeal certain parts of this act on specific dates; and to repeal all acts and parts of acts inconsistent with the provisions of this act,” by amending section 64 (MCL 791.264).

(The bill was received from the Senate on May 23, with substitute (S-2) and immediate effect given by the Senate, consideration of which, under the rules, was postponed until May 24, see House Journal No. 47, p. 1152.)

The question being on concurring in the substitute (S-2) made to the bill by the Senate,

The substitute (S-2) was concurred in, a majority of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 708

Yeas—104

Allen	Ehardt	Koetje	Richner
Baird	Faunce	Kowall	Rison
Basham	Frank	Kuipers	Rivet
Birkholz	Garcia	Kukuk	Rocca
Bisbee	Garza	LaSata	Sanborn
Bishop	Geiger	Law	Schauer
Bogardus	Gielegghem	Lemmons	Schermesser
Bovin	Gilbert	Lockwood	Scranton
Bradstreet	Godchaux	Mans	Shackleton
Brater	Gosselin	Martinez	Sheltrown
Brewer	Green	Mead	Shulman
Brown, B.	Hager	Middaugh	Spade
Brown, C.	Hale	Minore	Stamas
Byl	Hansen	Mortimer	Switalski
Callahan	Hardman	Neumann	Tabor
Cassis	Hart	O’Neil	Tesanovich
Caul	Howell	Pappageorge	Thomas
Cherry	Jacobs	Patterson	Toy
Clark, I.	Jamnack	Perricone	Van Woerkom
Clarke, H.	Jansen	Pestka	Vander Roest
Daniels	Jelinek	Price	Vaughn
DeHart	Jellema	Prusi	Vear
Dennis	Johnson, Rick	Pumford	Voorhees
DeRossett	Julian	Raczkowski	Wojno
DeVuyst	Kelly	Reeves	Woodward
DeWeese	Kilpatrick	Richardville	Woronchak

Nays—0

In The Chair: Scranton

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

Second Reading of Bills

Senate Bill No. 664, entitled

A bill to amend 1975 PA 148, entitled “Debt management act,” by amending sections 2, 3, 4, 5, 6, 8, 11, 12, 13, 14, 15, 16, 17, 18, 19, and 22 (MCL 451.412, 451.413, 451.414, 451.415, 451.416, 451.418, 451.421, 451.422, 451.423, 451.424, 451.425, 451.426, 451.427, 451.428, 451.429, and 451.432).

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

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

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

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

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

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

By unanimous consent the House returned to the order of

Third Reading of Bills

Senate Bill No. 664, entitled

A bill to amend 1975 PA 148, entitled “Debt management act,” by amending sections 2, 3, 4, 5, 6, 8, 11, 12, 13, 14, 15, 16, 17, 18, 19, and 22 (MCL 451.412, 451.413, 451.414, 451.415, 451.416, 451.418, 451.421, 451.422, 451.423, 451.424, 451.425, 451.426, 451.427, 451.428, 451.429, and 451.432).

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

Roll Call No. 709

Yeas—104

Allen	Ehardt	Kilpatrick	Richner
Baird	Faunce	Koetje	Rison
Basham	Frank	Kowall	Rivet
Birkholz	Garcia	Kuipers	Rocca
Bisbee	Garza	Kukuk	Sanborn
Bishop	Geiger	LaForge	Schauer
Bogardus	Gielegghem	LaSata	Schermesser
Bovin	Gilbert	Law	Scranton
Bradstreet	Godchaux	Lemmons	Shackleton
Brater	Gosselin	Lockwood	Sheltrown
Brewer	Green	Mans	Shulman
Brown, B.	Hager	Martinez	Spade
Brown, C.	Hale	Mead	Stamas
Byl	Hanley	Middaugh	Switalski
Callahan	Hansen	Minore	Tabor
Cassis	Hardman	Neumann	Tesanovich
Caul	Hart	O’Neil	Thomas
Cherry	Howell	Pappageorge	Toy
Clark, I.	Jacobs	Patterson	Van Woerkom
Clarke, H.	Jamnack	Pestka	Vander Roest
Daniels	Jansen	Price	Vaughn
DeHart	Jelinek	Prusi	Vear
Dennis	Jellema	Pumford	Voorhees
DeRossett	Johnson, Rick	Rackowski	Wojno
DeVuyst	Julian	Reeves	Woodward
DeWeese	Kelly	Richardville	Woronchak

Nays—0

Pursuant to Joint Rule 20, the full title of the act shall be inserted to read as follows:

“An act to regulate the business of debt management; to require licenses and to fix fees therefor; to prescribe the powers and duties of the department of commerce and its director; to prescribe conditions for debt management contracts; to provide for the disposition of revenues; to provide penalties; and to repeal certain acts and parts of acts,”.

The House agreed to the full title.

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

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

Second Reading of Bills

Senate Bill No. 694, entitled

A bill to amend 1956 PA 218, entitled “The insurance code of 1956,” by amending section 2006 (MCL 500.2006).

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

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

Rep. Law moved to amend the bill as follows

1. Amend page 8, line 13, after “CATE” by inserting “AND PURSUANT TO A DIRECT CONTRACT BETWEEN AN INSURER AND A HEALTH PROFESSIONAL OR HEALTH FACILITY”.

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

Rep. Law moved to amend the bill as follows:

1. Amend page 8, line 16, after “CERTIFICATE” by inserting a comma and “BUT NOT INCLUDING AN INSURER WITH RESPECT TO A POLICY OR CERTIFICATE FOR AN EMPLOYER THAT HAS A SELF-FUNDED HEALTH CARE BENEFIT PLAN”.

2. Amend page 8, line 18, after “BENEFITS” by inserting a comma and “BUT NOT INCLUDING A MEWA THAT HAS AN EMPLOYER MEMBER WITH A SELF-FUNDED HEALTH CARE BENEFIT PLAN”.

3. Amend page 8, line 20, after “STATE” by inserting a comma and “BUT NOT INCLUDING A HEALTH MAINTENANCE ORGANIZATION WITH RESPECT TO A CONTRACT FOR AN EMPLOYER THAT HAS A SELF-FUNDED HEALTH CARE BENEFIT PLAN”.

4. Amend page 8, line 23, after “550.1704” by inserting a comma and “BUT NOT INCLUDING A HEALTH CARE CORPORATION WITH RESPECT TO A CERTIFICATE FOR AN EMPLOYER THAT HAS A SELF-FUNDED HEALTH CARE BENEFIT PLAN AND NOT TO PAYMENTS MADE PURSUANT TO AN ADMINISTRATIVE SERVICES ONLY OR COST-PLUS ARRANGEMENT”.

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

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

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

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

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

Rep. Vander Roest moved that Rep. Perricone be excused temporarily from today’s session.

The motion prevailed.

By unanimous consent the House returned to the order of

Third Reading of Bills

Senate Bill No. 694, entitled

A bill to amend 1956 PA 218, entitled “The insurance code of 1956,” by amending section 2006 (MCL 500.2006).

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

Roll Call No. 710

Yeas—104

Allen
Baird

Ehardt
Faunce

Koetje
Kowall

Richardville
Richner

Basham	Frank	Kuipers	Rison
Birkholz	Garcia	Kukuk	Rivet
Bisbee	Garza	LaForge	Rocca
Bishop	Geiger	LaSata	Sanborn
Bogardus	Gielegthem	Law	Schauer
Bovin	Gilbert	Lemmons	Schermesser
Bradstreet	Godchaux	Lockwood	Shackleton
Brater	Gosselin	Mans	Sheltrown
Brewer	Green	Martinez	Shulman
Brown, B.	Hager	Mead	Spade
Brown, C.	Hale	Middaugh	Stallworth
Byl	Hanley	Minore	Stamas
Callahan	Hansen	Mortimer	Switalski
Cassis	Hardman	Neumann	Tabor
Caul	Hart	O'Neil	Tesanovich
Cherry	Howell	Pappageorge	Toy
Clark, I.	Jacobs	Patterson	Van Woerkom
Clarke, H.	Jamnack	Pestka	Vander Roest
Daniels	Jansen	Price	Vaughn
DeHart	Jelinek	Prusi	Vear
Dennis	Jellema	Pumford	Voorhees
DeRossett	Johnson, Rick	Quarles	Wojno
DeVuyst	Julian	Raczkowski	Woodward
DeWeese	Kelly	Reeves	Woronchak

Nays—1

Scranton

In The Chair: Scranton

Pursuant to Joint Rule 20, the full title of the act shall be inserted to read as follows:

“An act to revise, consolidate, and classify the laws relating to the insurance and surety business; to regulate the incorporation or formation of domestic insurance and surety companies and associations and the admission of foreign and alien companies and associations; to provide their rights, powers, and immunities and to prescribe the conditions on which companies and associations organized, existing, or authorized under this act may exercise their powers; to provide the rights, powers, and immunities and to prescribe the conditions on which other persons, firms, corporations, associations, risk retention groups, and purchasing groups engaged in an insurance or surety business may exercise their powers; to provide for the imposition of a privilege fee on domestic insurance companies and associations and the state accident fund; to provide for the imposition of a tax on the business of foreign and alien companies and associations; to provide for the imposition of a tax on risk retention groups and purchasing groups; to provide for the imposition of a tax on the business of surplus line agents; to provide for the imposition of regulatory fees on certain insurers; to modify tort liability arising out of certain accidents; to provide for limited actions with respect to that modified tort liability and to prescribe certain procedures for maintaining those actions; to require security for losses arising out of certain accidents; to provide for the continued availability and affordability of automobile insurance and homeowners insurance in this state and to facilitate the purchase of that insurance by all residents of this state at fair and reasonable rates; to provide for certain reporting with respect to insurance and with respect to certain claims against uninsured or self-insured persons; to prescribe duties for certain state departments and officers with respect to that reporting; to provide for certain assessments; to establish and continue certain state insurance funds; to modify and clarify the status, rights, powers, duties, and operations of the nonprofit malpractice insurance fund; to provide for the departmental supervision and regulation of the insurance and surety business within this state; to provide for regulation over worker’s compensation self-insurers; to provide for the conservation, rehabilitation, or liquidation of unsound or insolvent insurers; to provide for the protection of policyholders, claimants, and creditors of unsound or insolvent insurers; to provide for associations of insurers to protect policyholders and claimants in the event of insurer insolvencies; to prescribe educational requirements for insurance agents and solicitors; to provide for the regulation of multiple employer welfare arrangements; to create an automobile theft prevention authority to reduce the number of automobile thefts in this state; to prescribe the powers and duties of the automobile theft prevention authority; to provide certain powers and duties upon certain officials, departments, and authorities of this state; to repeal acts and parts of acts; and to provide penalties for the violation of this act.”.

The House agreed to the full title.

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

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

Second Reading of Bills

Senate Bill No. 1251, entitled

A bill to amend 1996 PA 376, entitled "Michigan renaissance zone act," by amending sections 3, 4, 6, 7, and 10 (MCL 125.2683, 125.2684, 125.2686, 125.2687, and 125.2690), section 3 as amended by 1999 PA 98 and sections 4, 6, and 10 as amended by 1999 PA 139, and by adding sections 8c and 12a.

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

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

Rep. Bob Brown moved to amend the bill as follows:

1. Amend page 7, following line 11, by inserting:

"(A) SHALL GIVE PRIORITY TO APPLICATIONS THAT INCLUDE NEW BUSINESS ACTIVITY." and relettering the remaining subdivisions.

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

Rep. Brater moved to amend the bill as follows:

1. Amend page 12, line 14, by inserting:

"(2) A business located in a qualified local governmental unit that relocates from outside a renaissance zone into a renaissance zone in that same qualified governmental unit shall not receive the exemptions, deductions, or credits described in section 9 unless the governing body of the qualified local governmental unit in which the renaissance zone is located approves the relocation of the business.

(3) Unless approval of the relocation is obtained under subsection (2), if a business relocates more than 25 full-time equivalent jobs to a renaissance zone, the business shall notify the Michigan strategic fund in the department of management and budget and the qualified local governmental unit from which the jobs are being located of the relocation. The business is not eligible for the exemptions, deductions, or credits, listed in section 9(1) and (2) if the local governmental unit from which the jobs are being relocated adopts a resolution objecting to the relocation of the jobs within 60 days after the notification by the business. The business becomes eligible for the exemptions, deductions, and credits listed in section 9(1) and (2) when the local governmental unit that objected to the relocation rescinds its objection by resolution. A local governmental unit that objects to the relocation of jobs shall file a copy of all resolutions and rescission with the department of treasury, Michigan strategic fund in the department of management and budget, county or local governmental unit into which the jobs are transferred. As used in this subsection only, "local governmental unit" means a city, village or township."

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

Rep. Brater demanded the yeas and nays.

The demand was supported.

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

The amendment was not adopted, a majority of the members serving not voting therefor, by yeas and nays, as follows:

Roll Call No. 711

Yeas—44

Baird
Basham
Bogardus
Bovin
Brater
Brewer
Brown, B.
Callahan
Clark, I.

DeHart
Dennis
Frank
Garza
Gielegthem
Hale
Hanley
Hansen
Hardman

Kelly
Kilpatrick
LaForge
Lemmons
Martinez
Minore
Neumann
Price
Prusi

Rison
Rivet
Schermesser
Stallworth
Switalski
Tesanovich
Thomas
Vander Roest
Vaughn

Clarke, H.
Daniels

Jacobs
Jamnick

Quarles
Reeves

Wojno
Woodward

Nays—61

Allen
Birkholz
Bisbee
Bishop
Bradstreet
Brown, C.
Byl
Cassis
Caul
Cherry
DeRossett
DeVuyst
DeWeese
Ehardt
Faunce
Garcia

Geiger
Gilbert
Godchaux
Gosselin
Green
Hager
Hart
Howell
Jansen
Jelinek
Jellema
Johnson, Rick
Julian
Koetje
Kowall

Kuipers
Kukuk
LaSata
Law
Lockwood
Mans
Mead
Middaugh
Mortimer
O'Neil
Pappageorge
Patterson
Pumford
Rackowski
Richardville

Richner
Rocca
Sanborn
Scranton
Shackleton
Sheltrown
Shulman
Spade
Stamas
Tabor
Toy
Van Woerkom
Vear
Voorhees
Woronchak

In The Chair: Scranton

Rep. Rackowski moved that the bill be placed on the order of Third Reading of Bills.
The motion prevailed, a majority of the members voting therefor.

Rep. Rackowski moved that the bill be placed on its immediate passage.
The motion prevailed, a majority of the members serving voting therefor.

Rep. Vander Roest moved that Rep. Caul be excused temporarily from today's session.
The motion prevailed.

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

Senate Bill No. 1251, entitled

A bill to amend 1996 PA 376, entitled "Michigan renaissance zone act," by amending sections 3, 4, 6, 7, and 10 (MCL 125.2683, 125.2684, 125.2686, 125.2687, and 125.2690), section 3 as amended by 1999 PA 98 and sections 4, 6, and 10 as amended by 1999 PA 139, and by adding sections 8c and 12a.

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

Roll Call No. 712

Yeas—99

Allen
Baird
Basham
Birkholz
Bisbee

Garcia
Garza
Geiger
Gielegthem
Gilbert

Kukuk
LaSata
Law
Lemmons
Lockwood

Rivet
Rocca
Sanborn
Schauer
Schermesser

Bishop	Godchaux	Mans	Scranton
Bogardus	Gosselin	Martinez	Shackleton
Bovin	Green	Mead	Sheltrown
Bradstreet	Hager	Middaugh	Shulman
Brewer	Hale	Minore	Spade
Brown, B.	Hanley	Mortimer	Stallworth
Brown, C.	Hansen	Neumann	Stamas
Byl	Hardman	O'Neil	Switalski
Callahan	Hart	Pappageorge	Tabor
Cassis	Howell	Patterson	Tesanovich
Cherry	Jacobs	Pestka	Thomas
Clark, I.	Jansen	Price	Toy
Daniels	Jelinek	Prusi	Van Woerkom
Dennis	Jellema	Pumford	Vander Roest
DeRossett	Johnson, Rick	Quarles	Vear
DeVuyst	Julian	Raczkowski	Voorhees
DeWeese	Kilpatrick	Reeves	Wojno
Ehardt	Koetje	Richardville	Woodward
Faunce	Kowall	Richner	Woronchak
Frank	Kuipers	Rison	

Nays—6

Brater	Jamnick	LaForge	Vaughn
DeHart	Kelly		

In The Chair: Scranton

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

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

A bill to amend 1996 PA 376, entitled “An act to create and expand certain renaissance zones; to foster economic opportunities in this state; to facilitate economic development; to stimulate industrial, commercial, and residential improvements; to prevent physical and infrastructure deterioration of geographic areas in this state; to authorize expenditures; to provide exemptions and credits from certain taxes; to create certain obligations of this state and local governmental units; to require disclosure of certain transactions and gifts; to provide for appropriations; and to prescribe the powers and duties of certain state and local departments, agencies, and officials,” by amending sections 3, 4, 6, 7, 8a, and 10 (MCL 125.2683, 125.2684, 125.2686, 125.2687, 125.2688a, and 125.2690), section 3 as amended by 1999 PA 98, sections 4, 6, and 10 as amended by 1999 PA 139, and section 8a as added by 1999 PA 98, and by adding section 8c.

The motion prevailed.

The House agreed to the title as amended.

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

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

Second Reading of Bills

Senate Bill No. 709, entitled

A bill to amend 1893 PA 206, entitled “The general property tax act,” by amending section 27a (MCL 211.27a), as amended by 1996 PA 476.

Was read a second time, and the question being on the adoption of the proposed substitute (H-3) previously recommended by the Committee on Agriculture and Resource Management,

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

Rep. Green moved to substitute (H-4) the bill.

The question being on the adoption of the substitute (H-4) offered by Rep. Green,

Rep. Brater demanded the yeas and nays.

The demand was supported.

The question being on the adoption of the substitute (H-4) offered by Rep. Green,

The substitute (H-4) was adopted, a majority of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 713

Yeas—60

Allen	Garcia	LaSata	Rocca
Birkholz	Gilbert	Law	Sanborn
Bisbee	Green	Lemmons	Scranton
Bishop	Hager	Lockwood	Shackleton
Bogardus	Hart	Mans	Sheltrown
Bradstreet	Howell	Mead	Shulman
Brown, C.	Jansen	Middaugh	Spade
Byl	Jelinek	Mortimer	Stamas
Cassis	Jellema	Pappageorge	Tabor
Caul	Johnson, Rick	Patterson	Toy
DeVuyst	Julian	Pestka	Van Woerkom
DeWeese	Koetje	Pumford	Vander Roest
Ehardt	Kowall	Raczkowski	Vear
Faunce	Kuipers	Richardville	Voorhees
Frank	Kukuk	Richner	Woronchak

Nays—43

Baird	Dennis	Jamnick	Rivet
Basham	DeRossett	Kelly	Schauer
Bovin	Garza	Kilpatrick	Schermesser
Brater	Gielegthem	LaForge	Stallworth
Brown, B.	Godchaux	Martinez	Switalski
Callahan	Gosselin	Minore	Tesanovich
Cherry	Hale	O'Neil	Thomas
Clark, I.	Hanley	Price	Vaughn
Clarke, H.	Hansen	Prusi	Wojno
Daniels	Hardman	Reeves	Woodward
DeHart	Jacobs	Rison	

In The Chair: Scranton

Rep. Brewer, under Rule 32(b), made the following statement:

“Mr. Speaker and members of the House:

I did not vote on Roll Call No. 713 because of a possible conflict of interest.”

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

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

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

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

By unanimous consent the House returned to the order of

Third Reading of Bills

Senate Bill No. 709, entitled

A bill to amend 1893 PA 206, entitled “The general property tax act,” by amending section 27a (MCL 211.27a), as amended by 1996 PA 476.

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

Roll Call No. 714

Yeas—63

Allen	Garcia	LaSata	Rocca
Birkholz	Geiger	Law	Sanborn
Bisbee	Gilbert	Lemmons	Scranton
Bishop	Green	Lockwood	Shackleton
Bogardus	Hager	Mans	Sheltrown
Bovin	Hansen	Mead	Shulman
Bradstreet	Hart	Middaugh	Spade
Brown, C.	Howell	Mortimer	Stamas
Byl	Jansen	Neumann	Tabor
Cassis	Jelinek	Pappageorge	Tesanovich
Caul	Jellema	Patterson	Toy
DeVuyst	Johnson, Rick	Pestka	Van Woerkom
DeWeese	Julian	Pumford	Vander Roest
Ehardt	Koetje	Rackowski	Vear
Faunce	Kowall	Richardville	Woronchak
Frank	Kukuk	Richner	

Nays—42

Baird	DeRossett	Kilpatrick	Rivet
Basham	Garza	Kuipers	Schauer
Brater	Gielegghem	LaForge	Schermesser
Brown, B.	Godchaux	Minore	Stallworth
Callahan	Gosselin	O’Neil	Switalski
Cherry	Hale	Price	Thomas
Clark, I.	Hanley	Prusi	Vaughn
Clarke, H.	Hardman	Quarles	Voorhees
Daniels	Jacobs	Reeves	Wojno
DeHart	Jamnack	Rison	Woodward
Dennis	Kelly		

In The Chair: Scranton

Pursuant to Joint Rule 20, the full title of the act shall be inserted to read as follows:

“An act to provide for the assessment of rights and interests, including leasehold interests, in property and the levy and collection of taxes on property, and for the collection of taxes levied; making those taxes a lien on the property taxed, establishing and continuing the lien, providing for the sale or forfeiture and conveyance of property delinquent for taxes, and for the inspection and disposition of lands bid off to the state and not redeemed or purchased; to provide for the establishment of a delinquent tax revolving fund and the borrowing of money by counties and the issuance of notes; to define and limit the jurisdiction of the courts in proceedings in connection with property delinquent for taxes; to limit the time within which actions may be brought; to prescribe certain limitations with respect to rates of taxation; to prescribe certain powers and duties of certain officers, departments, agencies, and political subdivisions of this state; to provide for certain reimbursements of certain expenses incurred by units of local government; to provide penalties for the violation of this act; and to repeal acts and parts of acts,”.

The House agreed to the full title.

Rep. Brewer, under Rule 32(b), made the following statement:

“Mr. Speaker and members of the House:

I did not vote on Roll Call No. 714 because of a possible conflict of interest.”

Second Reading of Bills

Senate Bill No. 1246, entitled

A bill to impose a state recapture tax on the change in use of certain agricultural property; to provide for the administration of this act; to prescribe the powers and duties of certain state and local officers; to provide for the collection and distribution of the recapture tax; and to prescribe penalties and provide remedies.

The bill was read a second time.

The question being on the adoption of the proposed amendments previously recommended by the Committee on Agriculture and Resource Management (for amendments, see House Journal No. 53, p. 1512),

Rep. Kilpatrick demanded the yeas and nays.

The demand was supported.

The question being on the adoption of the proposed amendments previously recommended by the Committee on Agriculture and Resource Management,

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

Roll Call No. 715

Yeas—61

Allen	Frank	Kukuk	Rocca
Birkholz	Garcia	LaSata	Sanborn
Bisbee	Geiger	Law	Scranton
Bishop	Gilbert	Mead	Shackleton
Bogardus	Green	Middaugh	Sheltrown
Bovin	Hager	Mortimer	Shulman
Bradstreet	Hart	Neumann	Spade
Brown, B.	Howell	Pappageorge	Stamas
Brown, C.	Jansen	Patterson	Tesanovich
Cassis	Jelinek	Pestka	Toy
Caul	Jellema	Pumford	Van Woerkom
Cherry	Johnson, Rick	Rackowski	Vander Roest
DeVuyst	Julian	Richardville	Vear
DeWeese	Koetje	Richner	Voorhees
Ehardt	Kowall	Rivet	Woronchak
Faunce			

Nays—39

Baird	Gielegghem	LaForge	Rison
Basham	Godchaux	Lockwood	Schauer
Brater	Hale	Mans	Schermesser
Byl	Hanley	Martinez	Stallworth
Callahan	Hansen	Minore	Switalski
Clark, I.	Hardman	O'Neil	Thomas
Clarke, H.	Jacobs	Price	Vaughn
Daniels	Jamnack	Prusi	Wojno
DeHart	Kelly	Quarles	Woodward
Dennis	Kilpatrick	Reeves	

Rep. Brewer, under Rule 32(b), made the following statement:

“Mr. Speaker and members of the House:

I did not vote on Roll Call No. 715 because of a possible conflict of interest.”

The Speaker Pro Tempore resumed the Chair.

Rep. Rivet moved to amend the bill as follows:

1. Amend page 4, line 5, after “to” by striking out “the treasurer.” and inserting “and among the state, cities, townships, villages, school districts, counties, and authorities in the same proportions as required by law for the disbursement of real property taxes collected under the general property tax act, 1893 PA 206, MCL 211.1 to 211.157 for each year in which the property was subject to assessment under section 27e of the general property tax act, 1893 PA 206, MCL 211.27e.”.

2. Amend page 4, line 13, by striking out all of section 6 and inserting:

“Sec. 6. (1) The treasurer shall credit the proceeds of the state portion of the recapture tax collected under this act to the state treasury to the credit of the agricultural preservation fund.

(2) The recapture tax transmitted to a city, township, village, or a county under section 5 shall be credited to the treasury of the city, township, village, or county receiving the recapture tax and may be used only for agricultural preservation purposes.”.

The question being on the adoption of the amendments offered by Rep. Rivet,

Rep. Rivet demanded the yeas and nays.

The demand was supported.

The question being on the adoption of the amendments offered by Rep. Rivet,

The amendments were not adopted, a majority of the members serving not voting therefor, by yeas and nays, as follows:

Roll Call No. 716

Yeas—55

Baird	DeHart	Lemmons	Rivet
Basham	Dennis	Lockwood	Schauer
Bogardus	Frank	Mans	Schermesser
Bovin	Garza	Martinez	Sheltrown
Bradstreet	Gielegghem	Minore	Spade
Brater	Hale	Neumann	Stallworth
Brewer	Hanley	O’Neil	Switalski
Brown, B.	Hansen	Pestka	Tesanovich
Byl	Hardman	Price	Thomas
Callahan	Jacobs	Prusi	Van Woerkom
Cherry	Jamnack	Quarles	Vaughn
Clark, I.	Kelly	Reeves	Wojno
Clarke, H.	Kilpatrick	Richardville	Woodward
Daniels	LaForge	Rison	

Nays—49

Allen	Geiger	Julian	Rackowski
Birkholz	Gilbert	Koetje	Richner
Bisbee	Godchaux	Kowall	Rocca
Bishop	Gosselin	Kukuk	Sanborn
Brown, C.	Green	LaSata	Scranton
Cassis	Hager	Law	Shulman
Caul	Hart	Mead	Stamas
DeRossett	Howell	Middaugh	Tabor
DeVuyst	Jansen	Mortimer	Toy
DeWeese	Jelinek	Pappageorge	Vear
Ehardt	Jellema	Patterson	Voorhees
Faunce	Johnson, Rick	Pumford	Woronchak
Garcia			

In The Chair: Birkholz

Rep. Brater moved to amend the bill as follows:

1. Amend page 1, line 4, by striking out all of subdivision (a) and relettering the remaining subdivisions.
2. Amend page 2, line 22, by striking out all of subdivision (g).
3. Amend page 3, line 23, by striking out all of section 4 and inserting:

“Sec. 4. (1) The recapture tax imposed under section 3 shall be the fair market value of the property multiplied by 1 of the following rates:

- (a) 5%, if the property is platted.
- (b) 7%, if the property is not platted and is 5 acres or less in size.
- (c) 9%, if the property is not platted and is more than 5 acres in size.

(2) As used in this section, “platted” means plat as that term is defined in section 102 of the land division act, 1967 PA 288, MCL 560.102.”.

The question being on the adoption of the amendments offered by Rep. Brater,

Rep. Brater demanded the yeas and nays.

The demand was supported.

The question being on the adoption of the amendments offered by Rep. Brater,

The amendments were not adopted, a majority of the members serving not voting therefor, by yeas and nays, as follows:

Roll Call No. 717

Yeas—44

Baird	Daniels	Jellema	Quarles
Basham	DeHart	Kelly	Reeves
Bogardus	Dennis	Kilpatrick	Rivet
Brater	Garza	LaForge	Schauer
Brewer	Gielegthem	Lockwood	Schermesser
Brown, B.	Hale	Mans	Stallworth
Byl	Hanley	Martinez	Switalski
Callahan	Hansen	Minore	Thomas
Cherry	Hardman	O’Neil	Vaughn
Clark, I.	Jacobs	Price	Wojno
Clarke, H.	Jamnick	Prusi	Woodward

Nays—61

Allen	Gilbert	Law	Sanborn
Birkholz	Godchaux	Lemmons	Scranton
Bisbee	Gosselin	Mead	Shackleton
Bishop	Green	Middaugh	Sheltrown
Bovin	Hager	Mortimer	Shulman
Bradstreet	Hart	Neumann	Spade
Brown, C.	Howell	Pappageorge	Stamas
Cassis	Jansen	Patterson	Tabor
Caul	Jelinek	Perricone	Tesanovich
DeRossett	Johnson, Rick	Pestka	Toy
DeVuyst	Julian	Pumford	Van Woerkom
DeWeese	Koetje	Rackowski	Vander Roest
Faunce	Kowall	Richardville	Vear
Frank	Kukuk	Richner	Voorhees
Garcia	LaSata	Rocca	Woronchak
Geiger			

In The Chair: Birkholz

Rep. Green moved to substitute (H-2) the bill.

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

Rep. Brater moved to amend the bill as follows:

1. Amend page 1, line 4, by striking out all of subdivision (a) and relettering the remaining subdivisions.
2. Amend page 3, line 13, by striking out all of subdivision (i).
3. Amend page 5, line 5, by striking out all of section 4 and inserting:

“Sec. 4. (1) The recapture tax imposed under section 3 shall be the fair market value of the property multiplied by 1 of the following rates:

- (a) 5%, if the property is platted.
- (b) 7%, if the property is not platted and is 5 acres or less in size.
- (c) 9%, if the property is not platted and is more than 5 acres in size.

(2) As used in this section, “platted” means plat as that term is defined in section 102 of the land division act, 1967 PA 288, MCL 560.102.”.

The question being on the adoption of the amendments offered by Rep. Brater,

Rep. Brater demanded the yeas and nays.

The demand was supported.

The question being on the adoption of the amendments offered by Rep. Brater,

The amendments were not adopted, a majority of the members serving not voting therefor, by yeas and nays, as follows:

Roll Call No. 718

Yeas—43

Baird	DeHart	Kelly	Rison
Basham	Dennis	Kilpatrick	Rivet
Bogardus	Garza	LaForge	Schauer
Brater	Gielegthem	Lockwood	Schermesser
Brewer	Hale	Martinez	Stallworth
Brown, B.	Hanley	Minore	Switalski
Byl	Hansen	O’Neil	Thomas
Callahan	Hardman	Price	Vaughn
Clark, I.	Jacobs	Prusi	Wojno
Clarke, H.	Jamnick	Quarles	Woodward
Daniels	Jellema	Reeves	

Nays—63

Allen	Geiger	LaSata	Sanborn
Birkholz	Gilbert	Law	Scranton
Bisbee	Godchaux	Lemmons	Shackleton
Bishop	Gosselin	Mans	Sheltrown
Bovin	Green	Mead	Shulman
Bradstreet	Hager	Middaugh	Spade
Brown, C.	Hart	Mortimer	Stamas
Cassis	Howell	Neumann	Tabor
Caul	Jansen	Pappageorge	Tesanovich
DeRossett	Jelinek	Patterson	Toy
DeVuyst	Johnson, Rick	Pestka	Van Woerkom
DeWeese	Julian	Pumford	Vander Roest
Ehardt	Koetje	Rackowski	Vear
Faunce	Kowall	Richardville	Voorhees
Frank	Kuipers	Richner	Woronchak
Garcia	Kukuk	Rocca	

Rep. Rivet moved to amend the bill as follows:

1. Amend page 5, line 12, after “to” by striking out “the treasurer.” and inserting “and among the state, cities, townships, villages, school districts, counties, and authorities in the same proportions as required by law for the disbursement of real property taxes collected under the general property tax act, 1893 PA 206, MCL 211.1 to 211.157 for each year in which the property was subject to assessment under section 27e of the general property tax act, 1893 PA 206, MCL 211.27e.”.

2. Amend page 5, line 23, by striking out all of section 6 and inserting:

“Sec. 6. (1) The treasurer shall credit the proceeds of the state portion of the recapture tax collected under this act to the state treasury to the credit of the agricultural preservation fund.

(2) The recapture tax transmitted to a city, township, village, or a county under section 5 shall be credited to the treasury of the city, township, village, or county receiving the recapture tax and may be used only for agricultural preservation purposes.”.

The question being on the adoption of the amendments offered by Rep. Rivet,

Rep. Rivet demanded the yeas and nays.

The demand was supported.

The question being on the adoption of the amendments offered by Rep. Rivet,

The amendments were not adopted, a majority of the members serving not voting therefor, by yeas and nays, as follows:

Roll Call No. 719

Yeas—55

Baird	Garcia	Lockwood	Scranton
Basham	Garza	Mans	Sheltrown
Bogardus	Gielegghem	Martinez	Spade
Bovin	Godchaux	Minore	Stallworth
Bradstreet	Hale	Neumann	Switalski
Brater	Hardman	O’Neil	Tesanovich
Brown, B.	Howell	Pestka	Thomas
Callahan	Jacobs	Price	Van Woerkom
Caul	Jamnick	Prusi	Vander Roest
Cherry	Jellema	Reeves	Vaughn
Clark, I.	Julian	Rison	Voorhees
Daniels	Kelly	Rivet	Wojno
DeHart	LaForge	Schauer	Woodward
Frank	Lemmons	Schermesser	

Nays—40

Allen	Faunce	Kukuk	Richardville
Birkholz	Gilbert	LaSata	Richner
Bisbee	Green	Law	Rocca
Bishop	Hager	Mead	Sanborn
Brown, C.	Hart	Middaugh	Shulman
Cassis	Jansen	Mortimer	Stamas
DeRossett	Jelinek	Pappageorge	Tabor
DeVuyst	Johnson, Rick	Patterson	Toy
DeWeese	Kowall	Pumford	Vear
Ehardt	Kuipers	Rackowski	Woronchak

In The Chair: Birkholz

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

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

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

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

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

Senate Bill No. 1246, entitled

A bill to impose a state recapture tax on the change in use of certain agricultural property; to provide for the administration of this act; to prescribe the powers and duties of certain state and local officers; to provide for the collection and distribution of the recapture tax; and to prescribe penalties and provide remedies.

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

Roll Call No. 720

Yeas—66

Allen	Garcia	Lemmons	Rocca
Birkholz	Geiger	Lockwood	Sanborn
Bisbee	Gilbert	Mans	Schauer
Bishop	Gosselin	Mead	Scranton
Bogardus	Green	Middaugh	Shackleton
Bovin	Hager	Mortimer	Sheltrown
Bradstreet	Hart	Neumann	Shulman
Brown, C.	Howell	Pappageorge	Spade
Cassis	Jansen	Patterson	Stamas
Caul	Jelinek	Pestka	Tesanovich
Cherry	Johnson, Rick	Pumford	Toy
DeRossett	Julian	Raczkowski	Van Woerkom
DeVuyst	Koetje	Richardville	Vander Roest
DeWeese	Kuipers	Richner	Vear
Ehardt	Kukuk	Rison	Voorhees
Faunce	LaSata	Rivet	Woronchak
Frank	Law		

Nays—39

Baird	Dennis	Jellema	Reeves
Basham	Garza	Kelly	Schermesser
Brater	Gielegghem	Kilpatrick	Stallworth
Brown, B.	Godchaux	Kowall	Switalski
Byl	Hale	LaForge	Tabor
Callahan	Hanley	Martinez	Thomas
Clark, I.	Hansen	Minore	Vaughn
Clarke, H.	Hardman	O'Neil	Wojno
Daniels	Jacobs	Price	Woodward
DeHart	Jamnick	Prusi	

In The Chair: Birkholz

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

Rep. Brewer, under Rule 32(b), made the following statement:
 “Mr. Speaker and members of the House:
 I did not vote on Roll Call No. 720 because of a possible conflict of interest.”

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

By unanimous consent the House returned to the order of

Motions and Resolutions

Reps. Gielegheem, Spade, Hansen, Neumann, Frank, DeHart, Sheltroun, Kelly, Birkholz, Julian, Toy, Faunce, Rocca, Schauer, Prusi, Hale, Cherry, DeRossett, Jamnick, LaForge, Callahan, LaSata, Ehardt, Bogardus, Bovin, Garza, Woodward, Jacobs, Wojno, Minore, Tesanovich, Baird, Hardman, Switalski, Garcia, Rivet, Hanley, Thomas, Sanborn, Dennis and Brater offered the following resolution:

House Resolution No. 369.

A resolution honoring Bernard Giampetroni.

Whereas, It is with deep appreciation for the hard work, dedication, and professionalism that Bernard Giampetroni has put forth on behalf of the people of Macomb County that we offer this expression of our thanks and best wishes on his retirement from the Macomb County Planning and Economic Development Department. As the people of Macomb County recognize the loyalty and devotion to public service of this conscientious individual, we add our sentiments of gratitude for a job well done; and

Whereas, In 35 years of service to the people of Macomb County, Bernard Giampetroni has been working in the public arena during an era of great change. When he first came to work in Macomb County, he consolidated the planning duties of 27 municipalities into a single county planning department. In 1982, he became the director of the County Planning and Economic Development Department where he handled a \$5 million annual budget with 50 employees. He and his talented staff dealt with various issues facing Macomb County such as airports, landfills, mass transit, and the expansion of M-59; and

Whereas, As Bernard Giampetroni well knows, financial pressures and changing expectations have combined to make the recent past a challenging time to work in local government. With the personal sense of duty that Bernard Giampetroni brings to work each day, he has been able to meet his challenges with enthusiasm and a genuine interest in efficiency in public service. This has been deeply appreciated, both by citizens and organizations in Macomb County that have benefited directly from Bernard Giampetroni's work as well as other public servants who have witnessed this fine example; and

Whereas, Through the years, Mr. Giampetroni's department has earned many "good government" awards from the National Association of Counties. He was approached with lucrative job offers in other counties, always to turn them down to stay with Macomb. There can be little doubt that the record of Bernard Giampetroni over the past 35 years will continue to reap rewards for the people of Macomb County; and

Whereas, Ben Giampetroni's knowledge has been tapped by countless officials in Macomb and neighboring counties who sought his advice. His wisdom, professionalism, and generosity have earned him widespread acclaim and our deepest appreciation. His example will long be a standard for others to follow; now, therefore, be it

Resolved by the House of Representatives, That members of this legislative body join with the citizens of Macomb County in saluting Bernard Giampetroni in acknowledgment of his 35 outstanding years in public service. May he enjoy the happiest of retirements; and be it further

Resolved, That a copy of this resolution be transmitted to Bernard Giampetroni as a token of our esteem.

Pending the reference of the resolution to a committee,

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

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

The question being on the adoption of the resolution,

The resolution was adopted.

Reps. DeVuyst, Gielegheem, Spade, Hansen, Vander Roest, DeHart, Raczkowski, Sheltroun, Kelly, Birkholz, Pappageorge, Voorhees, Julian, Toy, Bradstreet, Van Woerkom, Faunce, Kowall, Hager, Rocca, Richardville, Prusi, Hale, Cherry, DeRossett, Jamnick, LaForge, Callahan, LaSata, Ehardt, Gosselin, Bogardus, Shulman, Bovin, Woodward, Mead, Jacobs, Wojno, Minore, Cassis, Rick Johnson, Tesanovich, Switalski, Garcia, Jansen, Thomas, Jellema, Brater, Richner, Koetje, Perricone, Tabor, Caul and Bishop offered the following resolution:

House Resolution No. 370.

A resolution honoring Herbert Burns, Chief of the Law Enforcement Division of the Department of Natural Resources, upon the occasion of his retirement.

Whereas, It is with great pleasure that the members of this legislative body offer this resolution to thank Herb Burns for his 34 years of service to the people and the natural resources of this state; and

Whereas, Herb began his career with the Department as a conservation officer assigned to Barry county in 1966. In 1970, Herb was promoted to the rank of area law supervisor overseeing the conservation law enforcement programs in the counties of Muskegon and Ottawa. In 1977, Herb received a promotion to district law supervisor in Cadillac. He was promoted to Assistant Law Enforcement Division Chief in 1984. The following year, the director of the department of natural resources, Ronald Scoop, named Herb Chief of the division; and

Whereas, Herb was recognized as the Shakir Safari Club International's Wildlife Officer of the year in 1973; and
Whereas, As Chief of the Law Enforcement Division, Herb has worked diligently to assure that Michigan's conservation officers are one of the best equipped and trained law enforcement agencies in the nation; and

Whereas, Herb has committed the law enforcement division to a path of providing its officers with the most technologically advanced means of helping to assure excellent resource protection, officer safety, and communications; and

Whereas, Herb has been an active participant in national and international organizations whose goal is the protection of the natural resources and the advancement of resource law enforcement. Herb is a member of the Association of Mid-West Fish and Game Law Enforcement Officers Association and served as its president in 1999. Chief Burns is also a member of National Association of Conservation Law Enforcement Chiefs. In addition, in his many years as Michigan's state boating law administrator, Herb was actively involved in representing Michigan at the national level in marine matters; and

Whereas, Chief Burns has been honored by the Department of Natural Resources and the Criminal Justice Women of Michigan for his devoted efforts aimed at maintaining a diverse and representative workforce; and

Whereas, Leading by example, Herb has unwaveringly demanded that Michigan's conservation officers enforce the laws that protect Michigan's resources and environment in a fair, impartial, and lawful manner; now, therefore, be it

Resolved by the House of Representatives, That a unanimous expression of tribute and gratitude be accorded honoring Chief Herbert Burns, on the occasion of his retirement as Chief of the Law Enforcement Division of the Michigan Department of Natural Resources; and be it further

Resolved, That a copy of this resolution be transmitted to Herbert Burns as evidence of our best wishes and appreciation for his many years of service to the people of Michigan.

Pending the reference of the resolution to a committee,

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

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

The question being on the adoption of the resolution,

The resolution was adopted.

Reports of Standing Committees

The Committee on Transportation, by Rep. Rick Johnson, Chair, reported

Senate Bill No. 1243, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending sections 217, 222, and 251 (MCL 257.217, 257.222, and 257.251), section 217 as amended by 1998 PA 247, section 222 as amended by 1999 PA 267, and section 251 as amended by 1998 PA 455.

With the recommendation that the following amendments be adopted and that the bill then pass.

1. Amend page 2, line 15, after "transfer;" by striking out the balance of the line through "VEHICLE," on line 17.
 2. Amend page 2, line 19, after "state;" by inserting "EXCEPT FOR A VEHICLE OWNED BY A DEALER AND LOANED OR LEASED TO A POLITICAL SUBDIVISION OF THIS STATE FOR USE AS A DRIVER EDUCATION VEHICLE;"
 3. Amend page 10, line 6, after "transfer;" by striking out the balance of the line through line 8.
 4. Amend page 10, line 9, by striking out "if" and inserting "WHETHER".
 5. Amend page 10, line 10, after "state;" by inserting "EXCEPT FOR A VEHICLE OWNED BY A DEALER AND LOANED OR LEASED TO A POLITICAL SUBDIVISION OF THIS STATE FOR USE AS A DRIVER EDUCATION VEHICLE;"
 6. Amend page 12, line 3, after "(7)" by striking out the balance of the line through "THE" on line 5 and inserting "The".
 7. Amend page 12, line 8, after "vehicles" by inserting a semicolon and "EXCEPT FOR A VEHICLE LOANED OR LEASED TO A POLITICAL SUBDIVISION OF THIS STATE FOR USE AS A DRIVER EDUCATION VEHICLE".
 8. Amend page 14, line 12, after "origin." by striking out the balance of the line through line 14.
- The bill and amendments were referred to the order of Second Reading of Bills.

Favorable Roll Call

SB 1243 To Report Out:

Yeas: Reps. Rick Johnson, Gilbert, Garcia, Hart, Middaugh, Shackleton, Bovin, Brewer, Jamnick, Reeves,

Nays: None.

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Rick Johnson, Chair of the Committee on Transportation, was received and read:

Meeting held on: Wednesday, June 7, 2000, at 9:00 a.m.,

Present: Reps. Rick Johnson, Gilbert, DeVuyst, Garcia, Hart, Middaugh, Patterson, Shackleton, Kilpatrick, Bovin, Brewer, Jamnick, Reeves,

Absent: Reps. Ruth Johnson, Tabor, Lemmons, Schermesser,

Excused: Reps. Ruth Johnson, Tabor, Lemmons, Schermesser.

The Committee on Appropriations, by Rep. Geiger, Chair, reported

Senate Bill No. 964, 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 years ending September 30, 2000 and September 30, 2001; to provide for the expenditure of those appropriations; to create funds; to require and provide for reports; to prescribe the powers and duties of certain local and state agencies and departments; to provide for disposition of fees and other income received by the various state agencies; and to repeal acts and parts of acts.

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

The bill and substitute were referred to the order of Second Reading of Bills.

Favorable Roll Call

SB 964 To Report Out:

Yeas: Reps. Geiger, Jellema, Cameron Brown, Byl, Caul, Godchaux, Jelinek, Kukuk, LaSata, Mead, Mortimer, Pappageorge, Pumford, Scranton, Stamas, Toy, Price, Cherry, Clarke, Frank, Martinez, Pestka, Prusi, Tesanovich,

Nays: Reps. Kelly, Stallworth.

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Geiger, Chair of the Committee on Appropriations, was received and read:

Meeting held on: Tuesday, June 6, 2000, at 7:30 a.m.,

Present: Reps. Geiger, Jellema, Cameron Brown, Byl, Caul, Godchaux, Jansen, Jelinek, Kukuk, LaSata, Mead, Mortimer, Pappageorge, Pumford, Scranton, Stamas, Toy, Price, Cherry, Clarke, Frank, Kelly, Martinez, Pestka, Prusi, Stallworth, Tesanovich.

Announcement by the Clerk of Printing and Enrollment

The Clerk announced that the following bill had been printed and placed upon the files of the members, Tuesday, May 30:

Senate Bill No. 1301

The Clerk announced that the following bill had been printed and placed upon the files of the members, Thursday, June 1:

Senate Bill No. 1302

The Clerk announced that the following bill had been printed and placed upon the files of the members, Friday, June 2:

Senate Bill No. 1303

The Clerk announced the enrollment printing and presentation to the Governor on Wednesday, June 7, for his approval of the following bills:

Enrolled House Bill No. 4427 at 10:52 a.m.

Enrolled House Bill No. 4428 at 10:54 a.m.

Enrolled House Bill No. 5185 at 10:56 a.m.

Enrolled House Bill No. 5186 at 10:58 a.m.

Enrolled House Bill No. 5187 at 11:00 a.m.

Enrolled House Bill No. 5460 at 11:02 a.m.

Enrolled House Bill No. 5653 at 11:04 a.m.

The Clerk announced that the following bills had been printed and placed upon the files of the members, Wednesday, June 7:

House Bill Nos. 5871 5872

The Clerk announced that the following Senate bills had been received on Wednesday, June 7:

Senate Bill Nos. 988 989 1244

By unanimous consent the House returned to the order of
Notices

I hereby replace Rep. Tesanovich with Rep. Cherry on the conference committee for House Bill No. 5276.

Charles Perricone
Speaker of the House

Messages from the Governor

The following messages from the Governor, approving and signing the following bills at the times designated below, were received and read:

Date: June 6, 2000
Time: 6:00 p.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 5316 (Public Act No. 147, I.E.), being

An act to authorize certain governmental units to issue notes or bonds for planning for the acquisition, construction, improvement, or installation of safe drinking water facilities; to provide security for the payment of the principal of and interest on the notes or bonds; and to prescribe the powers and duties of certain governmental units.

(Filed with the Secretary of State June 7, 2000, at 2:30 p.m.)

Date: June 7, 2000
Time: 11:45 a.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 4205 (Public Act No. 148, I.E.), 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,” by amending section 115 (MCL 750.115).

(Filed with the Secretary of State June 7 2000, at 2:32 p.m.)

Date: June 7, 2000
Time: 11:50 a.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 4664 (Public Act No. 149, I.E.), being

An act to amend 1933 PA 167, entitled “An act to provide for the raising of additional public revenue by prescribing certain specific taxes, fees, and charges to be paid to the state for the privilege of engaging in certain business activities; to provide, incident to the enforcement thereof, for the issuance of licenses to engage in such occupations; to provide for the ascertainment, assessment and collection thereof; to appropriate the proceeds thereof; and to prescribe penalties for violations of the provisions of this act,” (MCL 205.51 to 205.78) by adding section 10.

(Filed with the Secretary of State June 7, 2000, at 2:34 p.m.)

Communications from State Officers

The following communications from the Auditor General were received and read:

June 6, 2000

Enclosed is a copy of the following audit report and/or executive digest:
Performance Audit of
Statewide Federal Indirect Cost Recovery and Usage
June 2000

June 6, 2000

Enclosed is a copy of the following audit report and/or executive digest:
Performance Audit of
Grand Valley State University
June 2000

June 6, 2000

Enclosed is a copy of the following audit report and/or executive digest:
Financial Audit of the
Michigan Strategic Fund
October 1, 1998 through September 30, 1999

Sincerely,
Thomas H. McTavish, C.P.A.
Auditor General

The communications were referred to the Clerk and the accompanying reports referred to the Committee on House Oversight and Operations.

By unanimous consent the House returned to the order of

Messages from the Senate**House Bill No. 4684, entitled**

A bill to amend 1961 PA 236, entitled "An act to revise and consolidate the statutes relating to the organization and jurisdiction of the courts of this state; the powers and duties of such courts, and of the judges and other officers thereof; the forms and attributes of civil claims and actions; the time within which civil actions and proceedings may be brought in said courts; pleading, evidence, practice and procedure in civil and criminal actions and proceedings in said courts; to provide remedies and penalties for the violation of certain provisions of this act; to repeal all acts and parts of acts inconsistent with or contravening any of the provisions of this act; and to repeal acts and parts of acts," by amending section 2162 (MCL 600.2162), as amended by 1994 PA 67.

The Senate has concurred in the House amendments to the Senate amendments.

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

House Bill No. 5281, entitled

A bill to make appropriations for the department of natural resources for the fiscal year ending September 30, 2001; to provide for the expenditure of those appropriations; to create funds and accounts; to require reports; to prescribe certain powers and duties of certain state agencies and officials; to authorize certain transfers by certain state agencies; and to provide for the disposition of fees and other income received by the various state agencies.

The Senate has concurred in the House substitute (H-2) to the Senate substitute (S-1).

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

House Bill No. 5311, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending section 227f (MCL 750.227f), as amended by 1996 PA 163.

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

The House agreed to the full title.

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

House Bill No. 5520, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 80113 (MCL 324.80113), as added by 1995 PA 58.

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

The House agreed to the full title.

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

House Bill No. 5521, entitled

A bill to amend 1969 PA 306, entitled "Administrative procedures act of 1969," by amending section 7 (MCL 24.207), as amended by 1999 PA 262.

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

The House agreed to the full title.

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

House Bill No. 5554, entitled

A bill to amend 1981 PA 118, entitled "An act to regulate motor vehicle manufacturers, distributors, wholesalers, dealers, and their representatives; to regulate dealings between manufacturers and distributors or wholesalers and their dealers; to regulate dealings between manufacturers, distributors, wholesalers, dealers, and consumers; to prohibit unfair practices; to provide remedies and penalties; and to repeal certain acts and parts of acts," by amending section 4 (MCL 445.1564).

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

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

House Bill No. 5568, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," (MCL 750.1 to 750.568) by adding section 136c.

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

The House agreed to the full title.

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

House Bill No. 5581, entitled

A bill to repeal 1899 PA 221, entitled "An act to compel parties engaged in securing ice to erect suitable danger signals and barricades, designating what officials it shall be the duty of to see that the provisions of this act are complied with, and to repeal Act No. 100 of the Public Acts of 1877, entitled "An act to compel parties engaged in securing ice to erect danger signals," being sections 9119 and 9120 of Howell's annotated statutes of the state of Michigan and sections 11525 and 11526 of the Compiled Laws of 1897," (MCL 752.351 to 752.353).

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

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

House Bill No. 5588, entitled

A bill to amend 1935 PA 59, entitled "An act to provide for the public safety; to create the Michigan state police, and provide for the organization thereof; to transfer thereto the offices, duties and powers of the state fire marshal, the state oil inspector, the department of the Michigan state police as heretofore organized, and the department of public safety; to create the office of commissioner of the Michigan state police; to provide for an acting commissioner and for the appointment of the officers and members of said department; to prescribe their powers, duties, and immunities; to provide the manner of fixing their compensation; to provide for their removal from office; and to repeal Act No. 26 of the Public Acts of 1919, being sections 556 to 562, inclusive, of the Compiled Laws of 1929, and Act No. 123 of the Public Acts of 1921, as amended, being sections 545 to 555, inclusive, of the Compiled Laws of 1929," by repealing section 6b (MCL 28.6b).

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

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

House Bill No. 5590, entitled

A bill to amend 1846 RS 12, entitled "Of certain state officers," by repealing section 3 (MCL 10.3).

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

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

House Bill No. 5594, entitled

A bill to repeal 1917 PA 54, entitled "An act to provide for the branding and labeling of mattresses and comforts, and to provide against the use of insanitary, unhealthy, old or second-hand material in the manufacture of mattresses and comforts, and to provide against the sale of mattresses or comforts containing such insanitary, unhealthy, old or second-hand materials," (MCL 429.301 to 429.311).

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

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

House Bill No. 5630, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by repealing section 42 (MCL 750.42).

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

The House agreed to the full title.

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

House Bill No. 5719, entitled

A bill to amend 1980 PA 299, entitled "Occupational code," by amending section 2517 (MCL 339.2517), as added by 1993 PA 93.

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

The House agreed to the full title.

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

House Bill No. 4784, entitled

A bill to amend 1953 PA 232, entitled "An act to revise, consolidate, and codify the laws relating to probationers and probation officers, to pardons, reprieves, commutations, and paroles, to the administration of correctional institutions, correctional farms, and probation recovery camps, to prisoner labor and correctional industries, and to the supervision and inspection of local jails and houses of correction; to provide for the siting of correctional facilities; to create a state department of corrections, and to prescribe its powers and duties; to provide for the transfer to and vesting in said department of powers and duties vested by law in certain other state boards, commissions, and officers, and to abolish certain boards, commissions, and offices the powers and duties of which are transferred by this act; to allow for the operation of certain facilities by private entities; to prescribe the powers and duties of certain other state departments and agencies; to provide for the creation of a local lockup advisory board; to prescribe penalties for the violation of the provisions of this act; to make certain appropriations; to repeal certain parts of this act on specific dates; and to repeal all acts and parts of acts inconsistent with the provisions of this act," by amending section 62b (MCL 791.262b), as amended by 1988 PA 492.

The Senate has amended the bill as follows:

1. Amend page 2, following "THE PEOPLE OF THE STATE OF MICHIGAN ENACT:" by inserting:

"Sec. 20g. (1) The department may establish a youth correctional facility which shall house only prisoners committed to the jurisdiction of the department who are 19 years of age or less. IF THE DEPARTMENT ESTABLISHES OR CONTRACTS WITH A PRIVATE VENDOR FOR THE OPERATION OF A YOUTH CORRECTIONAL FACILITY, FOLLOWING INTAKE PROCESSING IN A DEPARTMENT OPERATED FACILITY, THE DEPARTMENT SHALL HOUSE ALL MALE PRISONERS WHO ARE 16 YEARS OF AGE OR LESS AT THE YOUTH CORRECTIONAL FACILITY UNLESS THE DEPARTMENT DETERMINES THAT THE PRISONER SHOULD BE HOUSED AT A DIFFERENT FACILITY FOR REASONS OF SECURITY, SAFETY, OR BECAUSE OF THE PRISONER'S SPECIALIZED PHYSICAL OR MENTAL HEALTH CARE NEEDS. ~~and who were within the jurisdiction of 1 of the following courts:~~

~~(a) The circuit court or the recorder's court of the city of Detroit under section 606 of the revised judicature act of 1961, 1961 PA 236, MCL 600.606, or section 10a(1)(c) of 1919 PA 369, MCL 725.10a.~~

~~(b) The court having general criminal jurisdiction pursuant to a waiver of jurisdiction by the juvenile division of the probate court or the family division of circuit court under section 4 of chapter XHA of 1939 PA 288, MCL 712A.4.~~

~~(c) The juvenile division of the probate court or the family division of circuit court in a case designated under section 2d of chapter XHA of 1939 PA 288, MCL 712A.2d.~~

(2) EXCEPT AS PROVIDED IN SUBSECTION (3), A PRISONER WHO IS 16 YEARS OF AGE OR LESS AND HOUSED AT A YOUTH CORRECTIONAL FACILITY SHALL ONLY BE PLACED IN A GENERAL POPULATION HOUSING UNIT WITH PRISONERS WHO ARE 16 YEARS OF AGE OR LESS.

(3) A PRISONER WHO BECOMES 17 YEARS OF AGE WHILE BEING HOUSED AT A YOUTH CORRECTIONAL FACILITY AND WHO HAS A SATISFACTORY PRISON RECORD MAY REMAIN IN A GENERAL POPULATION HOUSING UNIT FOR NO MORE THAN 1 YEAR WITH PRISONERS WHO ARE 16 YEARS OF AGE OR LESS.

(4) EXCEPT AS PROVIDED IN SUBSECTION (3), A PRISONER WHO IS 16 YEARS OF AGE OR LESS AND HOUSED AT A YOUTH CORRECTIONAL FACILITY SHALL NOT BE ALLOWED TO BE IN THE PROXIMITY OF A PRISONER WHO IS 17 YEARS OF AGE OR MORE WITHOUT THE PRESENCE AND DIRECT SUPERVISION OF CUSTODY PERSONNEL IN THE IMMEDIATE VICINITY.

(5) ~~(2)~~ The department may establish and operate the youth correctional facility or may contract on behalf of the state with a private vendor for the construction or operation, or both, of the youth correctional facility. If the department contracts with a private vendor to construct, rehabilitate, develop, renovate, or operate any existing or anticipated facility pursuant to this section, the department shall require a written certification from the private vendor regarding all of the following:

(a) If practicable to efficiently and effectively complete the project, the private vendor shall follow a competitive bid process for the construction, rehabilitation, development, or renovation of the facility, and this process shall be open to all Michigan residents and firms. The private vendor shall not discriminate against any contractor on the basis of its affiliation or nonaffiliation with any collective bargaining organization.

(b) The private vendor shall make a good faith effort to employ, if qualified, Michigan residents at the facility.

(c) The private vendor shall make a good faith effort to employ or contract with Michigan residents and firms to construct, rehabilitate, develop, or renovate the facility.

(6) ~~(3)~~ If the department contracts with a private vendor for the operation of the youth correctional facility, the department shall require by contract that the personnel employed by the private vendor in the operation of the facility be certified as correctional officers to the same extent as would be required if those personnel were employed in a correctional facility operated by the department. The department also shall require by contract that the private vendor meet requirements specified by the department regarding security, protection of the public, inspections by the department, programming, liability and insurance, conditions of confinement, educational services required under subsection ~~(8)~~ (11), and any other issues the department considers necessary for the operation of the youth correctional facility. The department shall also require that the contract include provisions to protect the public's interest if the private vendor defaults on the contract. Before finalizing a contract with a private vendor for the construction or operation of the youth correctional facility, the department shall submit the proposed contract to the standing committees of the senate and the house of representatives having jurisdiction of corrections issues, the corrections subcommittees of the standing committees on appropriations of the senate and the house of representatives, and, with regard to proposed construction contracts, the joint committee on capital outlay. A contract between the department and a private vendor for the construction or operation of the youth correctional facility shall be contingent upon appropriation of the required funding. If the department contracts with a private vendor under this section, the selection of that private vendor shall be by open, competitive bid.

(7) ~~(4)~~ The department shall not site a youth correctional facility under this section in a city, village, or township unless the local legislative body of that city, village, or township adopts a resolution approving the location.

(8) ~~(5)~~ A private vendor operating a youth correctional facility under a contract under this section shall not do any of the following, unless directed to do so by the department policy:

(a) Calculate inmate release and parole eligibility dates.

(b) Award good time or disciplinary credits, or impose disciplinary time.

(c) Approve inmates for extensions of limits of confinement.

(9) ~~(6)~~ The youth correctional facility shall be open to visits during all business hours, and during nonbusiness hours unless an emergency prevents it, by any elected state senator or state representative.

(10) ~~(7)~~ Once each year, the department shall report on the operation of the facility. Copies of the report shall be submitted to the chairpersons of the house and senate committees responsible for legislation on corrections or judicial issues, and to the clerk of the house of representatives and the .

(11) ~~(8)~~ Regardless of whether the department itself operates the youth correctional facility or contracts with a private vendor to operate the youth correctional facility, all of the following educational services shall be provided for juvenile prisoners housed at the facility who have not earned a high school diploma or received a general education certificate (GED):

(a) The department or private vendor shall require that a prisoner whose academic achievement level is not sufficient to allow the prisoner to participate effectively in a program leading to the attainment of a GED certificate participate in classes that will prepare him or her to participate effectively in the GED program, and shall provide those classes in the facility.

(b) The department or private vendor shall require that a prisoner who successfully completes classes described in subdivision (a), or whose academic achievement level is otherwise sufficient, participate in classes leading to the attainment of a GED certificate, and shall provide those classes.

(12) ~~(9)~~ Neither the department nor the private vendor shall seek to have the youth correctional facility authorized as a public school academy under the revised school code, 1976 PA 451, MCL 380.1 to 380.1852.

(13) ~~(10)~~ A private vendor that operates the youth correctional facility under a contract with the department shall provide written notice of its intention to discontinue its operation of the facility. This subsection does not authorize or limit liability for a breach or default of contract. If the reason for the discontinuance is that the private vendor intends not to renew the contract, the notice shall be delivered to the director of the department at least 1 year before the contract expiration date. If the discontinuance is for any other reason, the notice shall be delivered to the director of the department at least 6 months before the date on which the private vendor will discontinue its operation of the facility. This subsection does not authorize or limit liability for a breach or default of contract.”

The Senate has passed the bill as amended, ordered that it be given immediate effect and amended the title to read as follows:

A bill to amend 1953 PA 232, entitled “An act to revise, consolidate, and codify the laws relating to probationers and probation officers, to pardons, reprieves, commutations, and paroles, to the administration of correctional institutions, correctional farms, and probation recovery camps, to prisoner labor and correctional industries, and to the supervision and inspection of local jails and houses of correction; to provide for the siting of correctional facilities; to create a state department of corrections, and to prescribe its powers and duties; to provide for the transfer to and vesting in said department of powers and duties vested by law in certain other state boards, commissions, and officers, and to abolish certain boards, commissions, and offices the powers and duties of which are transferred by this act; to allow for the operation of certain facilities by private entities; to prescribe the powers and duties of certain other state departments and agencies; to provide for the creation of a local lockup advisory board; to prescribe penalties for the violation of the provisions of this act; to make certain appropriations; to repeal certain parts of this act on specific dates; and to repeal all acts and parts of acts inconsistent with the provisions of this act,” by amending sections 20g and 62b (MCL 791.220g and 791.262b), section 20g as amended by 1998 PA 512 and section 62b as amended by 1988 PA 492.

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

House Bill No. 4881, entitled

A bill to amend 1931 PA 328, entitled “The Michigan penal code,” by amending sections 520c and 520e (MCL 750.520c and 750.520e), section 520c as amended by 1983 PA 158 and section 520e as amended by 1996 PA 155.

The Senate has amended the bill as follows:

1. Amend page 3, following line 12, by inserting:

“(J) THAT OTHER PERSON IS UNDER THE JURISDICTION OF THE DEPARTMENT OF CORRECTIONS AND THE ACTOR IS AN EMPLOYEE OR A CONTRACTUAL EMPLOYEE OF, OR A VOLUNTEER WITH, A PRIVATE VENDOR THAT OPERATES A YOUTH CORRECTIONAL FACILITY UNDER SECTION 20G OF 1953 PA 232, MCL 791.220G, WHO KNOWS THAT THE OTHER PERSON IS UNDER THE JURISDICTION OF THE DEPARTMENT OF CORRECTIONS.” and relettering the remaining subdivisions.

2. Amend page 6, following line 13, by inserting:

“Enacting section 1. This amendatory act takes effect October 1, 2000.”

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

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

House Bill No. 4891, entitled

A bill to amend 1933 PA 167, entitled “General sales tax act,” by amending section 17 (MCL 205.67), as amended by 1995 PA 254.

The Senate has substituted (S-1) the bill.

The Senate has passed the bill as substituted (S-1), ordered that it be given immediate effect and pursuant to Joint Rule 20, inserted the full title.

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

House Bill No. 5139, entitled

A bill to amend 1954 PA 116, entitled “Michigan election law,” by amending sections 14a, 24j, 666a, 669, 805, and 871 (MCL 168.14a, 168.24j, 168.666a, 168.669, 168.805, and 168.871), sections 14a and 805 as amended by 1995 PA 261 and section 871 as amended by 1996 PA 583.

The Senate has amended the bill as follows:

1. Amend page 9, line 25, by striking out all of enacting section 1 and inserting:

“Enacting section 1. Section 18 of the Michigan campaign finance act, 1976 PA 388, MCL 169.218, as added by 1999 PA 237, is repealed.”.

The Senate has passed the bill as amended, ordered that it be given immediate effect and amended the title to read as follows:

A bill to amend 1954 PA 116, entitled “Michigan election law,” by amending sections 14a, 24j, 666a, 669, 805, and 871 (MCL 168.14a, 168.24j, 168.666a, 168.669, 168.805, and 168.871), sections 14a and 805 as amended by 1995 PA 261 and section 871 as amended by 1996 PA 583; and to repeal acts and parts of acts.

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

House Bill No. 5526, entitled

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” (MCL 324.101 to 324.90106) by adding part 802; and to repeal acts and parts of acts.

The Senate has substituted (S-1) the bill.

The Senate has passed the bill as substituted (S-1), ordered that it be given immediate effect and pursuant to Joint Rule 20, inserted the full title.

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

House Bill No. 5534, entitled

A bill to establish career and technical preparation enrollment options for certain students enrolled in Michigan schools; to prescribe certain duties of public schools and certain postsecondary institutions; to prescribe certain powers and duties of certain state departments, officials, and agencies; and to repeal acts and parts of acts.

The Senate has substituted (S-1) the bill.

The Senate has passed the bill as substituted (S-1) and ordered that it be given immediate effect.

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

Introduction of Bills

Rep. Faunce introduced

House Bill No. 5873, entitled

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

The bill was read a first time by its title and referred to the Committee on Tax Policy.

Rep. LaSata introduced

House Bill No. 5874, entitled

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” (MCL 324.101 to 324.90106) by adding section 40113c.

The bill was read a first time by its title and referred to the Committee on Conservation and Outdoor Recreation.

Reps. Gosselin, Bishop and Rick Johnson introduced

House Bill No. 5875, entitled

A bill to amend 1969 PA 296, entitled “An act to provide for the transfer of jurisdiction over highways; to provide for the final determination of disputes involving transfers of highway jurisdiction; and to supersede certain acts and parts of acts,” (MCL 247.851 to 247.861) by adding section 3a.

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

Quorum Call

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

The roll was called and the Clerk announced that a quorum was present.

The following is the roll call:

Roll Call No. 721**Yeas—97**

Allen	Faunce	Kuipers	Richner
Basham	Frank	Kukuk	Rison
Birkholz	Garcia	LaForge	Rocca
Bisbee	Garza	LaSata	Sanborn
Bishop	Gielegthem	Law	Schauer
Bogardus	Gilbert	Lemmons	Scranton
Bovin	Godchaux	Lockwood	Shackleton
Bradstreet	Gosselin	Martinez	Sheltrown
Brater	Hager	Mead	Shulman
Brewer	Hale	Middaugh	Spade
Brown, B.	Hanley	Minore	Stamas
Brown, C.	Hansen	Mortimer	Switalski
Byl	Hardman	Neumann	Tabor
Callahan	Hart	O'Neil	Tesanovich
Cassis	Howell	Pappageorge	Thomas
Caul	Jacobs	Patterson	Toy
Cherry	Jamnick	Perricone	Van Woerkom
Clark, I.	Jelinek	Pestka	Vander Roest
Clarke, H.	Jellema	Prusi	Vaughn
Daniels	Johnson, Rick	Pumford	Vear
Dennis	Julian	Quarles	Voorhees
DeRossett	Kelly	Rackowski	Wojno
DeVuyst	Kilpatrick	Reeves	Woodward
DeWeese	Koetje	Richardville	Woronchak
Ehardt			

In The Chair: Birkholz

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

Rep. Rackowski moved that a respectful message be sent to the Senate requesting the return of **Senate Bill No. 965**.

The motion prevailed.

Rep. Martinez moved that Rep. Price be excused temporarily from today's session.
 The motion prevailed.

Reports of Select Committees

First Conference Report

The Committee of Conference on the matters of difference between the two Houses concerning
House Bill No. 5279, entitled

A bill to make appropriations for the judicial branch for the fiscal year ending September 30, 2001; 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 and Senate agree to the Substitute of the Senate as passed by the Senate, amended to read as follows:

A bill to make appropriations for the judicial branch for the fiscal year ending September 30, 2001; to provide for the expenditure of these appropriations; to place certain restrictions on the expenditure of these appropriations; to prescribe the powers and duties of certain officials and employees; to require certain reports; and to provide for the disposition of fees and other income received by the judicial branch.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

PART 1

LINE-ITEM APPROPRIATIONS

Sec. 101. Subject to the conditions set forth in this act, the amounts listed in this part are appropriated for the judicial branch for the fiscal year ending September 30, 2001, from the funds indicated in this part. The following is a summary of the appropriations in this part:

JUDICIARY

APPROPRIATION SUMMARY:

Full-time equated exempted positions.....	590.5		
GROSS APPROPRIATION.....		\$	236,914,000
Interdepartmental grant revenues:			
Total interdepartmental grants and intradepartmental transfers			3,608,500
ADJUSTED GROSS APPROPRIATION		\$	233,305,500
Federal revenues:			
Total federal revenues			2,826,600
Special revenue funds:			
Total local revenues			2,836,100
Total private revenues			1,322,400
Total other state restricted revenues			56,003,600
State general fund/general purpose		\$	170,316,800

Sec. 102. SUPREME COURT

Full-time equated exempted positions.....	289.0		
Supreme court administration—121.0 FTE positions		\$	15,072,200
Law enforcement information network system input compliance.....			50,000
Judicial institute—18.0 FTE positions			2,861,800
State court administrative office-administration—80.0 FTE positions			8,952,700
Judicial information systems—21.0 FTE positions			5,611,200
Direct trial court automation support—33.0 FTE positions.....			2,836,100
Foster care review board—12.0 FTE positions			1,249,900
Community dispute resolution program—4.0 FTE positions.....			2,563,500
Drug courts			1,200,000
GROSS APPROPRIATION.....		\$	40,397,400

Appropriated from:

Interdepartmental grant revenues:			
IDG from MDCD.....			80,000
IDG from state police-Michigan justice training fund.....			300,000
IDG from state police-criminal justice improvement			2,805,000
Federal revenues:			
HHS, court improvement project.....			629,800
USDA, agriculture mediation grant.....			200,900
DOT, national highway safety traffic administration.....			215,300
DOJ, drug training conference			75,000
Federal special education grant.....			130,000
HHS, title IV-D child support program			419,100
HHS, title IV-E foster care review program			500,000
HHS-OCSE, access and visitation program.....			387,000
HHS, domestic violence prevention			269,500
Special revenue funds:			
Local-user fees.....			2,836,100
Private.....			169,000
Private-interest on lawyers trust accounts			712,600
Private-state justice institute			370,800

	For Fiscal Year Ending Sept. 30, 2001
State court fund.....	319,000
Community dispute resolution fees	1,656,000
Miscellaneous restricted.....	227,900
Law exam fees	477,200
State general fund/general purpose	\$ 27,617,200
Sec. 103. COURT OF APPEALS	
Full-time equated exempted positions	235.5
Operations—235.5 FTE positions	\$ 21,372,400
GROSS APPROPRIATION.....	\$ 21,372,400
Appropriated from:	
Special revenue funds:	
Court filing/motion fees	1,571,000
Miscellaneous revenues.....	77,800
State general fund/general purpose	\$ 19,723,600
Sec. 104. TRIAL COURT OPERATIONS	
State court equity fund reimbursements	\$ 73,840,400
Hold harmless reimbursements	4,000,000
GROSS APPROPRIATION.....	\$ 77,840,400
Appropriated from:	
Special revenue funds:	
Court equity fund.....	36,044,000
State general fund/general purpose	\$ 41,796,400
Sec. 105. JUSTICES' AND JUDGES COMPENSATION	
Full-time judges positions	610.0
Supreme court justices' salaries—7.0 judges	\$ 1,007,900
Court of appeals judges salaries—28.0 judges	3,709,100
District court judges state base salaries—259.0 judges	19,482,600
District court judicial salary standardization.....	11,842,500
Probate court judges state base salaries—106.0 judges	7,332,900
Probate court judicial salary standardization.....	4,287,100
Circuit court judges state base salaries—210.0 judges	16,473,100
Circuit court judicial salary standardization.....	9,228,000
Judges retirement-defined contribution	2,585,700
Grant to the OASI contribution fund, employers share, social security	4,134,700
Part-time probate judges conversion to full-time status.....	473,000
GROSS APPROPRIATION.....	\$ 80,556,600
Appropriated from:	
Special revenue funds:	
Court fee fund.....	5,630,600
State general fund/general purpose	\$ 74,926,000
Sec. 106. JUDICIAL AGENCIES	
Full-time equated exempted positions	10.0
Judicial tenure commission—10.0 FTE positions.....	\$ 998,800
GROSS APPROPRIATION.....	\$ 998,800
Appropriated from:	
State general fund/general purpose	\$ 998,800
Sec. 107. INDIGENT DEFENSE - CRIMINAL	
Full-time equated exempted positions	56.0
Appellate public defender program—48.0 FTE positions.....	\$ 4,909,600
Appellate assigned counsel administration—8.0 FTE positions	951,800
GROSS APPROPRIATION.....	\$ 5,861,400
Appropriated from:	
Interdepartmental grant revenues:	
IDG from state police-Michigan justice training fund.....	423,500
Special revenue funds:	
Private-interest on lawyers trust accounts	70,000

	For Fiscal Year Ending Sept. 30, 2001
Miscellaneous revenue	113,100
State general fund/general purpose	\$ 5,254,800
Sec. 108. INDIGENT DEFENSE - CIVIL	
Indigent civil legal assistance	\$ 7,337,000
GROSS APPROPRIATION.....	\$ 7,337,000
Appropriated from:	
Special revenue funds:	
State court fund.....	7,337,000
State general fund/general purpose	\$ 0
Sec. 109. GRANTS AND REIMBURSEMENTS TO LOCAL GOVERNMENT	
Drunk driving case-flow program	\$ 2,300,000
Drug case-flow program	250,000
GROSS APPROPRIATION.....	\$ 2,550,000
Appropriated from:	
Special revenue funds:	
Drunk driving fund	2,300,000
Drug fund	250,000
State general fund/general purpose	\$ 0

PART 2

PROVISIONS CONCERNING APPROPRIATIONS

GENERAL SECTIONS

Sec. 201. (1) Pursuant to section 30 of article IX of the state constitution of 1963, total state spending from state resources under part 1 for fiscal year 2000-2001 is \$226,320,400.00 and state spending from state resources to be paid to local units of government for fiscal year 2000-2001 is \$115,265,800.00. The itemized statement below identifies appropriations from which spending to units of local government will occur:

SUPREME COURT

State court administrative office - administration.....	\$ 511,900
Drug court program.....	1,200,000

TRIAL COURT OPERATIONS

Court equity fund reimbursements	\$ 73,840,400
Hold harmless fund reimbursement.....	4,000,000

JUSTICES' AND JUDGES' COMPENSATION

District court judicial salary standardization	\$ 11,842,500
Probate court judges' state base salaries	7,332,900
Probate court judicial salary standardization.....	4,287,100
Circuit court judicial salary standardization.....	9,228,000
Part-time probate judges conversion to full-time status.....	473,000

GRANTS AND REIMBURSEMENTS TO LOCAL GOVERNMENT

Drunk driving case-flow program	\$ 2,300,000
Drug case-flow program	250,000
TOTAL	\$ 115,265,800

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

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

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

Sec. 203. As used in this act:

- (a) "DAG" means the United States department of agriculture.
- (b) "DOE" means the United States department of education.
- (c) "DOJ" means the United States department of justice.
- (d) "DOT" means the United States department of transportation.
- (e) "FTE" means full-time equated.
- (f) "HHS" means the United States department of health and human services.

- (g) "IDG" means interdepartmental grant.
- (h) "MDCD" means the Michigan department of career development.
- (i) "MDSF" means the Michigan department of state police.
- (j) "MFIA" means the Michigan family independence agency.
- (k) "OASI" means old age survivor's insurance.
- (l) "TANF" means temporary assistance for needy families.

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

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

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

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

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

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

Sec. 208. The judicial branch shall continue to pilot the use of the Internet to fulfill the reporting requirements of this act. This may include transmission of reports via electronic mail to the recipients identified for each reporting requirement or it may include placement of reports on the Internet or Intranet, or the legislative Intranet site. The senate and house of representatives appropriations subcommittees and senate and house fiscal agencies shall be notified in writing of the Internet or Intranet site of any such report. Quarterly, the judicial branch shall provide a cumulative listing of the reports submitted during the most recent 3-month period along with the Internet or Intranet site of each report, and a list of those reports expected to be transmitted in the following quarter. The option of receiving reports in printed format shall continue to be available.

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

Sec. 210. 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. The chief justice shall strongly encourage firms with which the courts of this state contract to subcontract with certified businesses in depressed and deprived communities for services or supplies, or both.

Sec. 211. (1) The judicial branch shall provide to the senate and house of representatives standing committees on appropriations and the senate and house fiscal agencies a monthly report on all personal service contracts awarded without competitive bidding, pricing, or rate setting. The notification shall include all of the following:

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

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

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

Sec. 212. The judicial branch shall receive and retain copies of all reports funded from appropriations in part 1, and shall follow federal and state guidelines for short-term and long-term retention of these reports and records.

Sec. 213. The judicial branch shall provide a report prepared by the judicial branch's internal auditor for the prior fiscal year. This report shall include a listing of each audit or investigation performed by the internal auditor pursuant to sections 486(4) and 487 of the management and budget act, 1984 PA 431, MCL 18.1486 and 18.1487. The report shall identify the proportion of time spent on each of the statutory responsibilities listed in sections 485(4), 486(4), and 487 of the management and budget act, 1984 PA 431, MCL 18.1485, 18.1486, and 18.1487, and the time spent on all other activities performed in the internal audit function. The report is due first on March 1, 2001, and is due biennially thereafter beginning on May 1, 2003, and shall be submitted to the governor, auditor general, the senate and house appropriations committees, the senate and house fiscal agencies, and the chief justice.

JUDICIAL BRANCH

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

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

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

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

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

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

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

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

Sec. 309. (1) The chief financial officer of a funding unit for a court, in cooperation with the local court, shall provide to the state treasurer and state court administrative office by January 1, 2001 audited accounts of all money due and owing the court as of September 30, 2000. Where audited accounts are not available, the chief financial officer of a funding unit for a court may provide estimates as long as they are clearly marked as "estimated".

(2) The state treasurer shall report to the legislature a compilation of the estimated accounts receivable of all courts and cumulative totals by March 1, 2001. This report is a public record.

Sec. 310. The state court administrative office, from funds appropriated in part 1, shall assist the court of appeals and trial courts in resolving 90% of all cases within 18 months of their filing date.

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

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

Sec. 315. State general fund appropriation for community dispute resolution contained in part 1 shall be used to supplement funding for community dispute resolution centers. The supplemental funding shall be disbursed by formula to achieve a base level of \$30,000.00 for centers funded through the community dispute resolution act, 1988 PA 260, MCL 691.1551 to 691.1564, with the remainder disbursed based upon performance measures as determined by the state court administrative office.

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

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

Sec. 322. (1) The funds appropriated in part 1 for drug courts shall be administered by the state court administrative office to implement new drug court programs or for existing drug court programs if federal funds are no longer available. A drug court shall be responsible for handling cases involving substance abusing nonviolent offenders through comprehensive supervision, testing, treatment services, and immediate sanctions and incentives. A drug court shall use all available county and state personnel involved in the disposition of cases including, but not limited to, parole and probation agents, prosecuting attorney, defense attorney, and community corrections providers.

(2) The funds may be used in connection with federal funds, and local units of government are encouraged to match state funding.

(3) Local units of government are encouraged to refer to federal drug court guidelines to prepare proposals. However, federal agency approvals are not required for funding under this section.

(4) Beginning with the fiscal year commencing on October 1, 2001, other than a 1-time planning grant, state funding for a drug court established by a county or group of counties shall not exceed 3 years. Beginning with the fiscal year commencing on October 1, 2001, match funding requirements increase for each of the 3 years of funding to insure that the community is absorbing a larger share of the costs for the drug court with each succeeding year and are established at 25% for the first year, 40% for the second year, and 50% for the third year.

Sec. 323. From the funds appropriated in part 1, the state court administrator shall produce a statistical report regarding the implementation of the parental rights restoration act, 1990 PA 211, MCL 722.901 to 722.908, as it pertains to minors seeking a court-issued waiver of parental consent to obtain an abortion. At a minimum, the report shall contain information from calendar years 1997 through 1999. The report shall include information from all counties on the number of petitions filed, the number of hearings held in response to petitions filed, and the number of waivers granted and denied. The state court administrator shall not seek any information regarding the identity of any minor who has petitioned the court, but shall provide aggregate data on the age of the minors petitioning the court and whether the minor resided in the county where the petition was filed. The report shall also indicate whether courts acted to report a potential child abuse to child protective services as provided in the parental rights restoration act, 1990 PA 211, MCL 722.901 to 722.908.

Sec. 324. A county shall be required to pay a penalty due to the state's failure to be in compliance with federal child support enforcement system requirements unless the county, friend of the court, and the family independence agency have a written agreement that outlines the county's commitment to participate in the federally required child support enforcement system and the county complies with a time line for completion established by the family independence agency. Appropriate counties, the family independence agency, and the judicial branch shall report on the progress of reaching federal standards by November 15, 2000. These groups will present an action plan as to how attainment will be reached by September 30, 2001.

Sec. 326. The \$50,000.00 appropriated in part 1 for the law enforcement information network system input compliance shall be provided for the state court administrative office to ensure that local courts are in compliance with section 464a of the mental health code, 1974 PA 258, MCL 330.1464a, section 5107 of the estates and protected individuals code, 1998 PA 386, MCL 700.5107, and section 16b of the code of criminal procedure, 1927 PA 175, MCL 769.16b. The funds shall not be available for expenditure until a report is submitted to the house and senate appropriations committees on judiciary and the house and senate fiscal agencies by October 15, 2000. The report shall include a plan, including a timetable, of when every court shall have submitted for entry onto the law enforcement information network all court orders for persons determined to be legally incapacitated, persons required to undergo involuntary hospitalization or treatment, and persons adjudged not guilty by reason of insanity.

Sec. 327. The audit conducted by the legislative auditor general pursuant to section 53 of article IV of the state constitution of 1963 shall include a review of trial court improvement projects.

Sec. 328. The funds appropriated in part 1 for the conversion of part-time probate judges to full-time status shall not be expended until legislation is enacted to implement the conversion. If legislation is not enacted during fiscal year 2000-2001, the funds shall lapse to the state general fund at the close of the fiscal year.

Second: That the House and Senate 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, 2001; 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.

Mickey Mortimer
Cameron Brown
Steve Pestka
Conferees for the House

Walter North
Mike Goschka
Alma Wheeler Smith
Conferees for the Senate

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

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

The motion prevailed.

The question being on the adoption of the conference report,

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

Roll Call No. 722**Yeas—86**

Allen	Garcia	Kuipers	Richner
Baird	Garza	Kukuk	Rocca
Basham	Geiger	LaSata	Sanborn
Birkholz	Gielegghem	Law	Schauer
Bisbee	Gilbert	Lemmons	Schermesser
Bishop	Godchaux	Lockwood	Scranton
Bradstreet	Green	Mans	Shackleton
Brater	Hager	Martinez	Sheltrown
Brown, B.	Hanley	Mead	Shulman
Brown, C.	Hansen	Middaugh	Spade
Byl	Hardman	Mortimer	Stamas
Cassis	Hart	Neumann	Switalski
Caul	Howell	O'Neil	Tabor
Clark, I.	Jamnick	Pappageorge	Toy
Clarke, H.	Jansen	Patterson	Van Woerkom
Daniels	Jelinek	Perricone	Vander Roest
DeHart	Jellema	Pestka	Vear
DeRossett	Johnson, Rick	Pumford	Voorhees
DeVuyst	Julian	Quarles	Wojno
DeWeese	Kilpatrick	Raczkowski	Woodward
Ehardt	Koetje	Richardville	Woronchak
Faunce	Kowall		

Nays—18

Bogardus	Dennis	Kelly	Rivet
Bovin	Frank	LaForge	Tesanovich
Brewer	Gosselin	Minore	Thomas
Callahan	Hale	Prusi	Vaughn
Cherry	Jacobs		

In The Chair: Birkholz

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

Second Reading of Bills**House Bill No. 5780, entitled**

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 36101 and 36111 (MCL 324.36101 and 324.36111) section 36101 as amended by 1996 PA 233 and section 36111 as amended by 1996 PA 567, and by adding part 362.

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

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

Rep. Howell moved to amend the bill as follows:

1. Amend page 13, following line 9, by inserting:

"Sec. 36111b. (1) An application submitted under section 36111(10) for development rights acquisition shall be evaluated and ranked according to selection criteria and a scoring system approved jointly by the commission of natural resources and the commission of agriculture. In developing a point system for selecting the parcels for purchase of development rights, the state land use agency and department of agriculture shall seek the assistance of Michigan state university, the United States department of agriculture-natural resources conservation service, and other appropriate professional and industry organizations. The selection criteria shall give consideration to the quality and physical characteristics of the parcel as well as surrounding land uses and threat of development.

(2) The state land use agency shall prepare a notification to those individuals whose farmland development rights agreements are expiring in the year of application or expiring 1 year after the year of application. The notice shall be completed not less than 90 days before an application deadline set by the state land use agency and shall include written information and details regarding the program. Applications for development rights acquisition shall be submitted to the state land use agency by the owner of that land and must include written support by the local governing body.

(3) In developing a scoring system, points shall be given to farmland that meets 1 or more of the following criteria, with subdivision (a) given priority over subdivisions (b) to (e):

(a) Productive capacity of farmland suited for the production of feed, food, and fiber, including, but not limited to, prime or unique farmland or farmland of local importance, as defined by the United States department of agriculture-natural resources conservation service.

(b) Lands that are enrolled under this act.

(c) Prime agricultural lands that are faced with development pressure that will permanently alter the ability for that land to be used for productive agricultural activity.

(d) Parcels that would complement and are part of a documented, long-range effort or plan for land preservation by the local governing body.

(e) Parcels with available matching funds from the local governing body, private organizations, or other sources.

(4) For purposes of this section, development rights value shall be determined by subtracting the current fair market value of the property without the development rights from the current fair market value of the property with all development rights.

(5) ~~The director of the department of natural resources in consultation with the~~ director of the department of agriculture shall approve individual parcels for the purchase of development rights based upon the adopted selection criteria and scoring process. ~~The commission of natural resources and the~~ commission of agriculture shall approve a method to establish the price to be paid for development rights, such as via appraisal or bidding process and shall establish the maximum price to be paid on a per purchase basis from the lien fund. The director of the department of ~~natural resources~~ AGRICULTURE, after negotiations with the landowner, shall approve the price to be paid for purchase of development rights. Proper releases from mortgage holders and lienholders must be obtained and executed to ensure that all development rights are purchased free and clear of all encumbrances.

(6) All development rights easements shall include appropriate provisions for the protection of the farmland and other unique and critical benefits. Development rights easements created under this section may be terminated if the land, as determined by the ~~natural resources~~ commission OF AGRICULTURE, meets 1 or more of the criteria described in section 36111a(1)(a)(i) through (iv). An easement or portion of an easement shall not be terminated unless approved by the local governing body and the ~~commission of natural resources and the~~ commission of agriculture. If an easement is terminated, the current fair market value of the development rights, at the time of termination, shall be paid to the state land use agency. Any payment received by the state land use agency under this part shall be used to purchase development rights on additional farmland in accordance with the provisions of section 36111(10).

(7) Whenever a public entity, authority, or political subdivision exercises the power of eminent domain and condemns land enrolled under this act, the value of the land shall include the value of development rights covered by development rights agreements. If the development rights have been purchased under section 36111(10), the value of the development rights at the time of condemnation shall be paid to the state land use agency and any payment received by the state land use agency shall be used to purchase development rights on additional land under section 36111(10).".

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

Rep. Howell moved to amend the bill as follows:

1. Amend page 22, line 12, by striking out all of enacting section 1.

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

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

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

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

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

By unanimous consent the House returned to the order of

Third Reading of Bills

House Bill No. 5780, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 36101 and 36111 (MCL 324.36101 and 324.36111) section 36101 as amended by 1996 PA 233 and section 36111 as amended by 1996 PA 567, and by adding part 362.

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

Roll Call No. 723**Yeas—67**

Allen	Ehardt	LaSata	Rivet
Basham	Faunce	Law	Rocca
Birkholz	Frank	Lemmons	Sanborn
Bisbee	Garcia	Lockwood	Schauer
Bishop	Gilbert	Mans	Scranton
Bogardus	Godchaux	Mead	Shackleton
Bovin	Green	Middaugh	Sheltrown
Bradstreet	Hager	Mortimer	Shulman
Brown, C.	Hart	Neumann	Spade
Byl	Howell	Pappageorge	Stamas
Cassis	Jelinek	Patterson	Toy
Caul	Jellema	Perricone	Van Woerkom
Cherry	Johnson, Rick	Pestka	Vander Roest
Clarke, H.	Julian	Pumford	Vear
DeRossett	Koetje	Raczkowski	Voorhees
DeVuyst	Kuipers	Richardville	Woronchak
DeWeese	Kukuk	Richner	

Nays—35

Baird	Gielegheem	Kilpatrick	Schermesser
Brater	Gosselin	Kowall	Stallworth
Brown, B.	Hale	LaForge	Switalski
Callahan	Hanley	Martinez	Tabor
Clark, I.	Hansen	Minore	Thomas
Daniels	Hardman	O'Neil	Vaughn
DeHart	Jacobs	Prusi	Wojno
Dennis	Jamnick	Reeves	Woodward
Garza	Kelly	Rison	

In The Chair: Birkholz

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

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

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 36101, 36111, and 36111b (MCL 324.36101, 324.36111, and 324.36111b), section 36101 as amended and section 36111b as added by 1996 PA 233 and section 36111 as amended by 1996 PA 567, and by adding part 362.

The motion prevailed.

The House agreed to the title as amended.

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

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

Rep. Brewer, under Rule 32(b), made the following statement:

"Mr. Speaker and members of the House:

I did not vote on Roll Call No. 723 because of a possible conflict of interest."

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

"Mr. Speaker and members of the House:

I was absent from the Chamber when the vote was taken on Roll Call No. 712. Had I been present, I would have voted 'yea'."

Rep. Vander Roest moved that Rep. Jansen be excused temporarily from today's session.
The motion prevailed.

Associate Speaker Pro Tempore Scranton resumed the Chair.

By unanimous consent the House returned to the order of

Reports of Select Committees

First Conference Report

The Committee of Conference on the matters of difference between the two Houses concerning
House Bill No. 5273, entitled

A bill to make appropriations for the department of agriculture for the fiscal year ending September 30, 2001; to provide for the expenditure of the appropriations; to create funds; to provide for the imposition of fees; to require reports, audits, and plans; to authorize certain transfers by certain state agencies; and to provide for the disposition of fees and other income received by certain state agencies.

Recommends:

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

A bill to make appropriations for the department of agriculture for the fiscal year ending September 30, 2001; to provide for the expenditure of the appropriations; to create funds; to provide for the imposition of fees; to require reports, audits, and plans; to authorize certain transfers by certain state agencies; and to provide for the disposition of fees and other income received by certain state agencies.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

PART 1

LINE-ITEM APPROPRIATIONS

Sec. 101. Subject to the conditions set forth in this act, the amounts listed in this part are appropriated for the department of agriculture for the fiscal year ending September 30, 2001, from the funds indicated in this part. The following is a summary of the appropriations in this part:

DEPARTMENT OF AGRICULTURE

APPROPRIATION SUMMARY:

Full-time equated unclassified positions	6.0	
Full-time equated classified positions	653.5	
GROSS APPROPRIATION		\$ 98,321,500
Interdepartmental grant revenues:		
Total interdepartmental grants and intradepartmental transfers		9,680,800
ADJUSTED GROSS APPROPRIATION		\$ 88,640,700
Federal revenues:		
Total federal revenues		6,037,000
Special revenue funds:		
Total local revenues		0
Total private revenues		1,121,900
Total other state restricted revenues		34,122,000
State general fund/general purpose		\$ 47,359,800

Sec. 102. EXECUTIVE

Full-time equated unclassified positions	6.0	
Full-time equated classified positions	67.0	
Commission and boards		\$ 63,300
Unclassified positions—6.0 FTE positions		477,200
Executive direction—4.0 FTE positions		440,500
Management services—58.0 FTE positions		5,260,900
Statistical reporting service—5.0 FTE positions		461,300
Environmental technology research grant		100,000
GROSS APPROPRIATION		\$ 6,803,200

Appropriated from:

Interdepartmental grant revenues:	
IDG from MDCIS (LCC), nonretail liquor license fees	8,800

	For Fiscal Year Ending Sept. 30, 2001
Special revenue funds:	
Gasoline inspection and testing fund.....	47,800
Industry support funds	5,000
Licensing and inspection fees	62,100
Michigan state fair revenue.....	77,600
Upper Peninsula state fair revenue.....	9,000
State general fund/general purpose	\$ 6,592,900
Sec. 103. DEPARTMENTWIDE	
Rent and building occupancy charges	\$ 1,132,700
GROSS APPROPRIATION.....	\$ 1,132,700
Appropriated from:	
Special revenue funds:	
Gasoline inspection and testing fund.....	3,200
State general fund/general purpose	\$ 1,129,500
Sec. 104. FOOD AND DAIRY	
Full-time equated classified positions122.0	
Food safety and quality assurance—122.0 FTE positions	\$ 10,420,800
Local public health operations	8,977,500
GROSS APPROPRIATION.....	\$ 19,398,300
Appropriated from:	
Interdepartmental grant revenues:	
IDG from MDCH, local public health operations.....	8,977,500
Federal revenues:	
DAG-AMS, cooperative agreement.....	22,500
HHS-FDA	183,600
Special revenue funds:	
Civil penalties.....	60,000
Food handler licensing fees.....	1,105,400
Licensing and inspection fees	1,336,400
State general fund/general purpose	\$ 7,712,900
Sec. 105. ANIMAL INDUSTRY	
Full-time equated classified positions55.0	
Animal health and welfare—26.0 FTE positions.....	\$ 2,253,200
Bovine tuberculosis program—29.0 FTE positions	3,488,900
GROSS APPROPRIATION.....	\$ 5,742,100
Appropriated from:	
Federal revenues:	
HHS-FDA	9,000
Special revenue funds:	
Licensing and inspection fees	34,500
Pseudorabies and swine brucellosis fund	87,100
State general fund/general purpose	\$ 5,611,500
Sec. 106. PESTICIDE AND PLANT PEST MANAGEMENT	
Full-time equated classified positions133.3	
Pesticide and plant pest management—133.3 FTE positions.....	\$ 12,853,900
Disease and pest intervention fund.....	201,800
Michigan State University.....	210,000
Orchard or vineyard removal	40,000
GROSS APPROPRIATION.....	\$ 13,305,700
Appropriated from:	
Federal revenues:	
DAG-AMS, cooperative agreement.....	36,400
DAG-APHIS, plant and animal disease and pest control.....	34,600
DAG-FS, multiple grants	1,881,200
EPA-OECA, pesticides enforcement program grants.....	1,510,000
HHS-FDA	15,400

	For Fiscal Year Ending Sept. 30, 2001
Special revenue funds:	
Private - slow-the-spread foundation.....	130,000
Commodity inspection fees.....	991,500
Licensing and inspection fees	2,053,000
State general fund/general purpose	\$ 6,653,600
Sec. 107. ENVIRONMENTAL STEWARDSHIP	
Full-time equated classified positions	48.0
Environmental stewardship—38.0 FTE positions.....	\$ 3,513,500
Groundwater and freshwater protection program—10.0 FTE positions	5,077,800
Energy conservation program.....	138,000
Forest stewardship program	100,000
Local conservation districts	2,800,000
Migrant labor housing.....	950,000
GROSS APPROPRIATION.....	\$ 12,579,300
Appropriated from:	
Interdepartmental grant revenues:	
IDG from MDEQ, sewer sludge.....	70,000
IDG from MDEQ, type II well survey	15,000
Federal revenues:	
DAG-FS, multiple grants	100,000
DAG-NRCS	250,000
EPA, multiple grants	250,000
EPA-OW, water pollution control, lake restoration cooperative agreements.....	236,300
EPA-RCRA	165,000
Special revenue funds:	
Private - oil company overcharge settlement.....	193,900
Groundwater and freshwater protection fund	4,577,800
Industry support funds	40,000
State general fund/general purpose	\$ 6,681,300
Sec. 108. LABORATORY PROGRAM	
Full-time equated classified positions	132.0
Laboratory analysis program—73.5 FTE positions	\$ 5,831,700
Pesticide data program—14.0 FTE positions	1,096,500
Consumer protection program—44.5 FTE positions.....	3,240,800
GROSS APPROPRIATION.....	\$ 10,169,000
Appropriated from:	
Interdepartmental grant revenues:	
IDG from MDCIS (LCC), liquor quality testing fees	161,100
Federal revenues:	
DAG-AMS, cooperative agreement.....	1,096,500
DAG-APHIS, plant and animal disease and pest control.....	20,400
Special revenue funds:	
Private - oil company overcharge settlement.....	798,000
Agriculture equine industry development fund.....	500,000
Gasoline inspection and testing fund.....	1,472,100
Testing fees.....	167,100
Weights and measures regulation fees.....	323,400
State general fund/general purpose	\$ 5,630,400
Sec. 109. MARKET DEVELOPMENT	
Full-time equated classified positions	21.5
Marketing and emergency management—15.5 FTE positions	\$ 2,244,000
Agriculture development—6.0 FTE positions	1,145,100
Food bank	1,024,200
Grown in Michigan	100,000
Northwest Michigan horticultural research station	41,800
Southwestern Michigan tourist council - taste of Michigan	60,400

	For Fiscal Year Ending Sept. 30, 2001
Future farmers of America	60,000
Michigan integrated food and farming systems	50,000
GROSS APPROPRIATION.....	\$ 4,725,500
Appropriated from:	
Interdepartmental grant revenues:	
IDG from MDCIS (LCC), nonretail liquor license fees.....	448,400
Federal revenues:	
DAG-ERS-ARED.....	126,100
DAG, federal/state marketing improvement program.....	100,000
Special revenue funds:	
Industry support funds	225,000
State general fund/general purpose	\$ 3,826,000
Sec. 110. FAIRS AND EXPOSITIONS	
Full-time equated classified positions	35.0
Michigan state fair operations—22.0 FTE positions	\$ 6,994,300
Upper Peninsula state fair—8.0 FTE positions.....	1,375,700
Fairs and racing—5.0 FTE positions	604,300
Building and track improvement - county and state fairs	966,300
Premiums - county and state fairs	1,707,900
Purses and supplements - fairs/licensed tracks	2,438,200
Standardbred Fedele Fauri futurity.....	80,800
Standardbred Michigan futurity	80,800
Quarterhorse programs.....	39,600
Licensed tracks-light horse racing.....	76,700
Standardbred breeders' awards.....	1,234,400
Standardbred purses and supplements-licensed tracks.....	276,500
Standard sire stakes.....	1,034,200
Thoroughbred sire stakes	1,034,200
Standardbred training and stabling.....	43,700
Thoroughbred program.....	1,809,800
Thoroughbred owners' awards	155,700
Distribution of outstanding winning tickets	500,000
Michigan festivals.....	80,000
Draft horse shows	78,200
GROSS APPROPRIATION.....	\$ 20,611,300
Appropriated from:	
Special revenue funds:	
Agriculture equine industry development fund.....	8,804,500
Michigan state fair revenue.....	7,085,100
Upper Peninsula state fair revenue.....	1,200,000
State general fund/general purpose	\$ 3,521,700
Sec. 111. OFFICE OF RACING COMMISSIONER	
Full-time equated classified positions	39.7
Office of racing commissioner—39.7 FTE positions.....	\$ 3,854,400
GROSS APPROPRIATION.....	\$ 3,854,400
Appropriated from:	
Special revenue funds:	
Agriculture equine industry development fund.....	3,854,400
State general fund/general purpose	\$ 0

PART 2

PROVISIONS CONCERNING APPROPRIATIONS

GENERAL SECTIONS

Sec. 201. Pursuant to section 30 of article IX of the state constitution of 1963, total state spending from state resources under part 1 for fiscal year 2000-2001 is \$81,481,800.00 and state spending from state resources to be paid to local units of government for fiscal year 2000-2001 is \$4,550,000.00. The itemized statement below identifies appropriations from which spending to units of local government will occur:

DEPARTMENT OF AGRICULTURE

Groundwater and freshwater protection program	\$ 1,700,000
Local conservation districts	2,800,000
Environmental stewardship	50,000
TOTAL	\$ 4,550,000

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

Sec. 203. As used in this act:

- (a) "DAG" means the United States department of agriculture.
- (b) "DAG-AMS" means the United States department of agriculture - agriculture marketing service.
- (c) "DAG-APHIS" means the United States department of agriculture - animal plant health inspection service.
- (d) "DAG-ERS-ARED" means the United States department of agriculture - economic research service - agriculture and rural economy division.
- (e) "DAG-FS" means the United States department of agriculture - forest service.
- (f) "DAG-NRCS" means the United States department of agriculture - natural resources conservation service.
- (g) "Department" means the department of agriculture.
- (h) "Director" means the director of the department.
- (i) "EPA" means the United States environmental protection agency.
- (j) "EPA-OECA" means the United States environmental protection agency - office of enforcement and compliance assistance.
- (k) "EPA-OW" means the United States environmental protection agency - office of water.
- (l) "EPA-RCRA" means the United States environmental protection agency - resource conservation and recovery act.
- (m) "FTE" means full-time equated.
- (n) "GREEN" means generating research and extension to meet environmental and economic needs.
- (o) "HHS-FDA" means the United States department of health and human services - food and drug administration.
- (p) "IDG" means interdepartmental grant.
- (q) "MDCH" means the Michigan department of community health.
- (r) "MDCIS (LCC)" means the Michigan department of consumer and industry services - liquor control commission.
- (s) "MDEQ" means the Michigan department of environmental quality.

Sec. 204. The department of civil service shall bill departments and agencies at the end of the first fiscal quarter for the 1% charge authorized by section 5 of article XI of the state constitution of 1963. Payments shall be made for the total amount of the billing by the end of the second fiscal quarter.

Sec. 205. (1) Beginning October 1, a hiring freeze is imposed on the state classified civil service. State departments and agencies are prohibited from hiring any new full-time state classified civil service employees and prohibited from filling any vacant state classified civil service positions. This hiring freeze does not apply to internal transfers of classified employees from 1 position to another within a department or to positions that are funded with 80% or more federal or restricted funds.

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

Sec. 206. (1) In addition to the funds appropriated in part 1, there is appropriated an amount not to exceed \$5,000,000.00 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 part 1, there is appropriated an amount not to exceed \$6,000,000.00 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 part 1, 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 part 1, 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.

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

Sec. 208. The department shall continue to pilot the use of the Internet to fulfill the reporting requirements of this act. This may include transmission of reports via electronic mail to the recipients identified for each reporting requirement or it may include placement of reports on the Internet or legislative Intranet site. The senate and house of representatives appropriations subcommittees and senate and house fiscal agencies shall be notified in writing of the Internet or Intranet site of any such report. Quarterly, the department shall provide a cumulative listing of the reports submitted during the most recent 3-month period along with the Internet or Intranet site of each report, and a list of those reports expected to be transmitted in the following quarter.

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

Sec. 210. The director of each department receiving appropriations in part 1 shall take all reasonable steps to ensure businesses in deprived and depressed communities compete for and perform contracts to provide services or supplies, or both. Each director shall strongly encourage firms with which the department contracts to subcontract with certified businesses in depressed and deprived communities for services, supplies, or both.

Sec. 211. (1) The unexpended and unobligated balance of any state restricted fund or account remaining at the end of the fiscal year shall revert back to the state restricted fund or account from which appropriated and be available for appropriation for the next fiscal year. Appropriations that revert to a state restricted fund or account pursuant to this section shall not revert to the general fund of this state.

(2) A state restricted revenue fund or account that receives revenues in excess of expenditures made from that state restricted revenue fund or account shall not have the excess revenue revert to the general fund of this state.

(3) The revenues collected in the agriculture equine industry development fund in fiscal year 1999-2000 shall not lapse but shall be carried forward to fund appropriations made pursuant to this act and subsequent acts.

Sec. 212. (1) Of the funds appropriated in part 1, the department may provide for indemnity as provided for pursuant to the animal industry act of 1987, 1988 PA 466, MCL 287.701 to 287.747, not to exceed \$10,000.00 per order from any line item for the fiscal year ending September 30, 2001. Before the department provides for an indemnification under this section, the department shall report the reason for the indemnification, the amount of the indemnification, and to whom the indemnification is to be paid. The report shall be given to each member of the house and senate appropriations subcommittees on agriculture and to the senate and house fiscal agencies.

(2) The department of agriculture shall make an indemnification payment for the fair market value of livestock that is killed by a wolf or a coyote, if the kill is verified by the department of natural resources. The fair market value of the livestock shall be determined pursuant to the indemnification procedures prescribed in the animal industry act of 1987, 1988 PA 466, MCL 287.701 to 287.747. In addition to the funds appropriated in part 1, the department of agriculture is authorized to expend the funds received from the department of natural resources to reimburse the department of agriculture for all indemnification payments made pursuant to this subsection.

Sec. 213. When the department applies to the department of management and budget with a request for a transfer of appropriations or for a supplemental appropriation, the department shall provide the senate and house fiscal agencies with the same information that the department provides the department of management and budget relative to the request for transfer or supplemental.

Sec. 214. Of the funds appropriated in part 1 that are other than line-item grants, the department shall not provide grants to local government agencies, institutions of higher education, or nonprofit organizations unless the department provides notice of the grant to the house and senate appropriations subcommittees on agriculture at least 10 days before the grant is issued. The grants shall be used to support research or other related activities for the purpose of enhancing the agricultural industries in this state.

Sec. 215. The legislature will not fund nonfair or nonhorse racing grants or projects from revenues from simulcasting in fiscal year 2001-2002.

Sec. 216. By December 1, 2000, the department shall provide the house and senate appropriations subcommittees on agriculture and the house and senate fiscal agencies a report that outlines programs funded under this act. The report shall provide explanation of the activities and personnel funded with each line item, consistent with the format of this act.

Sec. 217. The departments and state agencies receiving appropriations under this act shall receive and retain copies of all reports funded from appropriations in part 1. These departments and state agencies shall follow federal and state guidelines for short-term and long-term retention of these reports and records.

Sec. 218. The department shall provide a report prepared by the department's internal auditor on the activities of the internal auditor for the prior fiscal year. This report shall include a listing of each audit or investigation performed by the internal auditor pursuant to sections 486(4) and 487 of the management and budget act, 1984 PA 431, MCL 18.1486 and 18.1487. The report shall identify the proportion of time spent on each of the statutory responsibilities listed in sections 485(4), 486(4), and 487 of the management and budget act, 1984 PA 431, MCL 18.1485, 18.1486, and 18.1487, and the time spent on all other activities performed in the internal audit function. The first report shall be due March 1, 2000, and biennially thereafter beginning on May 1 and shall be submitted to the governor, auditor general, the senate and house appropriations committees, the senate and house fiscal agencies, and the director.

Sec. 219. The unexpended and unencumbered balance of revenue deposited pursuant to section 20 of the horse racing law of 1995, 1995 PA 279, MCL 431.320, for the fiscal year ending September 30, 2001 shall be appropriated to the Michigan agriculture equine industry development fund for distribution as set forth in section 20 of the horse racing law of 1995, 1995 PA 279, MCL 431.320.

EXECUTIVE

Sec. 301. The appropriations in section 102 may be used for per diem payments to members of boards, committees, and commissions for a full day's board, committee, or commission work at which a quorum is present; for attending a hearing as authorized by the respective board, committee, or commission; or for performing official business as authorized by the respective board, committee, or commission. The per diem payments shall be at a rate as follows:

(a) Commission of agriculture.....	\$ 75.00 per day
(b) Upper Peninsula state fair board.....	\$ 50.00 per day
(c) Agricultural marketing and bargaining board	\$ 35.00 per day
(d) Michigan state fair council.....	\$ 50.00 per day
(e) Grape and wine industry council	\$ 50.00 per day

Sec. 302. The department may receive and expend revenue and use that revenue to cover necessary expenses related to publications, audit and licensing functions, livestock sales, certification of nursery stock, bean inspection services, and laboratory analyses as specified in the following:

- (a) Management services publications.
- (b) Management services audit and licensing functions.
- (c) Upper Peninsula state fair livestock sales.
- (d) Pesticide and plant pest management propagation and certification of virus free foundation stock.
- (e) Pesticide and plant pest management bean inspection and grading services.
- (f) Laboratory support testing for testing horses in draft horse pulling contests at county fairs when local jurisdictions request state assistance.
- (g) Laboratory support analyses to determine foreign substances in horses engaged in racing or pulling contests at tracks.
- (h) Laboratory support analysis of food, livestock, and agricultural products for disease, foreign products for disease, toxic materials, foreign substances, and quality standards.
- (i) Laboratory support test samples for other agencies and organizations.
- (j) Fruit and vegetable inspection at shipping and termination points and processing plants.

Sec. 303. Of the funds appropriated in section 102 for statistical reporting service, \$120,000.00 shall be used for ongoing rotational crop surveys of fruit, vegetables, and nursery stock, including Christmas trees and ornamental plants. The survey shall begin with fruit in the first year, vegetables in the second year, and nursery stock in the third year. The rotational cycle of the survey shall continue in the fourth and subsequent years. The survey shall include existing plantings/acreage, new plantings/acreage, production, and number of growers.

Sec. 304. (1) The appropriation in section 102 for an environmental technology research grant is allocated to the Michigan biotechnology institute, pending receipt of matching federal funds, for the development and implementation of innovative technologies to be used for environmentally safe products, biodegradable chemicals, environmental cleanup, and waste stream minimization projects in Michigan.

(2) Not later than February 15, 2001, the grantee under subsection (1) shall submit to the department and the house and senate appropriations subcommittees on agriculture a report for the immediately preceding calendar year regarding projects funded from state and federal sources. The report shall include, but is not limited to, a description of each project, the amount of state and federal funding of each project, and the major accomplishments of each project. The grantee under subsection (1) shall also submit a copy of its most recent single audit report, as required by chapter 75 of title 31 of the United States Code, 31 U.S.C. 7501 to 7507.

FOOD AND DAIRY

Sec. 401. (1) The department shall monitor restaurant inspection and licensing functions carried out by local health departments to ensure uniform application and enforcement of minimum program requirements. On or before September 30, 2001, the department shall report to the senate and house appropriations subcommittees on agriculture, the senate and house fiscal agencies, and the state budget director on local health department conformance with minimum program requirements.

(2) If a local unit of government incurs additional costs resulting from its efforts to control a significant food-borne outbreak, the director shall seek additional resources to reimburse the local unit of government for these additional costs. The director shall involve the local health officer of the jurisdiction affected in all aspects of the control of any food-borne outbreak.

Sec. 402. Not later than February 1, 2001, the department shall provide a report to the house and senate appropriations subcommittees on agriculture and the house and senate fiscal agencies describing significant food-borne outbreaks and emergencies including any enforcement actions taken related to food safety during the 1999-2000 fiscal year.

ANIMAL INDUSTRY

Sec. 450. From the funds appropriated in part 1 for the bovine tuberculosis program, the department of agriculture shall reimburse the department of natural resources for those costs associated with monitoring and testing wildlife for bovine tuberculosis that are necessary to support the department of agriculture goals and are jointly agreed to by the department of agriculture and the department of natural resources to be in excess of efforts necessary to effectively plan and execute the eradication of bovine tuberculosis from Michigan's wild free-ranging deer herd.

PESTICIDE AND PLANT PEST MANAGEMENT

Sec. 501. Of the funds appropriated in section 106 to the pesticide and plant pest management division, up to \$100,000.00 may be made available to the Michigan cooperative extension service for the purpose of training of applicators. Reimbursement shall be based on actual expenditures and revenue availability.

Sec. 502. From the appropriation in section 106 for the disease and pest intervention fund program, the department shall utilize these funds as needed to respond to exotic or regulatory pests or diseases.

Sec. 503. The department is authorized to enter into a cooperative agreement with a nonprofit foundation or agency associated with the gypsy moth slow-the-spread program in order to receive funds for managing plant pests.

Sec. 504. The appropriation in section 106 for orchard or vineyard removal shall be used by the department to assist growers with the removal of abandoned orchards or vineyards in order to mitigate plant pest infestation.

ENVIRONMENTAL STEWARDSHIP

Sec. 601. The funds appropriated in section 107 for the energy conservation program shall be distributed on a competitive basis that will be based on statewide energy conservation criteria.

Sec. 602. (1) The department may expend the amount appropriated in section 107 for migrant labor housing grants for construction of new migrant labor housing. Project grants shall not exceed \$4,000.00 per unit. An applicant is not eligible for more than a \$16,000.00 grant in any fiscal year. Units shall be equivalent in construction to units approved by the DAG-rural development agency for low interest construction loans and shall be not less than 484 square feet in size and be self-contained with a minimum of 1 bedroom, a kitchen, a flush toilet, a lavatory, and bathing facilities.

(2) Any unexpended migrant labor housing funds from the prior year shall be available for grants in the subsequent fiscal year.

Sec. 603. (1) From the amounts appropriated in section 107 for migrant labor housing, no less than \$100,000.00 shall be allocated to a private, nonprofit entity for the purpose of providing matching grants for the improvement or new construction of migrant labor housing. The terms or requirements imposed on a recipient of a grant awarded for migrant labor housing improvement or new construction by a private, nonprofit entity shall be no less stringent than those imposed by the department on recipients of similar grants awarded by the department. An entity receiving funds under this section shall use no greater than 7% of the state allocation for the administration of this program.

(2) A private nonprofit entity that receives an allocation to administer a migrant labor housing construction grant program shall give priority to grant applicants who are on the department's waiting list of applicants for migrant labor housing construction grants. The applicants for migrant labor construction grants administered by a nonprofit entity who are on the department's waiting list shall be served in the order in which they reside on the department's waiting list.

Sec. 604. The department shall apply for all federal funds for which it is eligible that can be used to support the migrant labor housing program.

Sec. 605. The appropriation in section 107 for local conservation districts shall be allocated in the following manner:

(a) Of the total appropriation, \$690,000.00 shall be allocated for district forestry and wildlife programs to assist private land management. Grants to districts will be made in accordance with a plan developed by the department of agriculture in cooperation with the forest management division of the department of natural resources.

(b) Of the total appropriation, \$130,000.00 shall be allocated for local conservation district training.

(c) Of the total appropriation, each local conservation district meeting the minimum grant requirements shall receive a grant of \$20,000.00 to support basic operations, unless the district resides in a county consisting of multiple districts, in which case a \$20,000.00 grant shall be divided equally among the districts in that county. It is the intent of the legislature that the amount of money allocated under this subdivision shall not be used by local conservation districts to replace any money received from local sources.

(d) Of the remaining appropriation after distributions under subdivisions (a) through (c), additional grants, not to exceed \$20,000.00 per local conservation district, may be provided based on a formula approved by the commission of agriculture. Grants under this subdivision shall require at least a 100% cash or in-kind local match. Criteria use to distribute grants under this subdivision shall include, but are not limited to, the natural resources need, the size, and the population of the area served by each local conservation district.

Sec. 606. From the funds appropriated in section 107 for environmental stewardship, \$100,000.00 shall be provided to Ottawa County to fund a constructed wetlands demonstration project for the treatment of wastewater generated on swine farms.

MARKET DEVELOPMENT

Sec. 701. Within the appropriations in section 109 for market development, \$448,400.00 is for the grape and wine industry council, from which the department may provide grants for the purposes as described in section 303 of the Michigan liquor control code of 1998, 1998 PA 58, MCL 436.1303.

Sec. 702. In any given year when insufficient amounts of Michigan surplus products are offered to the food bank council and accepted for distribution, unused funds may be applied by the food bank council for the direct purchase of foods from Michigan growers, manufacturers, or wholesalers.

Sec. 703. (1) The \$100,000.00 appropriated in section 109 for the grown in Michigan program is to provide competitive grants to Michigan nonprofit organizations to raise in-state consumer awareness of Michigan grown commodities.

(2) The grants are to be made by the Michigan commission of agriculture on a competitive basis considering the following order of priority:

- (a) Cooperative efforts by recognized, statewide, grower funded organizations.
- (b) The number of consumers made aware of the benefits of Michigan grown commodities.
- (c) The number of Michigan grown products encompassed in the proposal.
- (d) The amount of the match.

(3) A grant made under this section shall not be less than \$5,000.00 or more than \$25,000.00.

(4) Each grant shall be matched equally with grantees' funds. In-kind contributions shall not be considered as matching funds.

(5) The Michigan commission of agriculture shall report to the house and senate appropriations subcommittees on agriculture and senate and house fiscal agencies 10 days prior to making a grant under this section.

Sec. 704. Indirect costs may not be charged against the future farmers of America grant in section 109 by any administering agency.

Sec. 705. Of the funds appropriated in section 109 for agriculture development, \$200,000.00 shall be used to coordinate state participation in the federal market access program and to leverage federal funds for the purpose of developing new and enhancing existing export markets for Michigan agricultural products.

Sec. 706. The amount appropriated in section 109 for Michigan integrated food and farming systems shall be allocated to the Michigan integrated food and farming systems to foster and sustain food and agriculture systems that improve economic, ecological, and social well-being. This allocation is contingent upon at least a 100% cash or in-kind match.

FAIRS AND EXPOSITIONS

Sec. 801. The department shall submit a report each month for the fiscal year ending September 30, 2001 to the state budget director, the senate and house standing committees on appropriations, and the senate and house fiscal agencies that sets forth the simulcasting revenues generated in the preceding month by each licensed track and the amount received from license fees.

Sec. 802. (1) The appropriation of \$276,500.00 in section 110 for standardbred purses and supplements - licensed tracks is intended to provide state purse supplements for 4 races at state licensed pari-mutuel horse racing tracks. The purse supplements are to be used for races comprised only of Michigan-bred horses segregated into a 4-year-old colt trot division, a 4-year-old filly trot division, a 4-year-old colt pace division, and a 4-year-old filly pace division.

(2) The appropriation in section 110 for licensed tracks - light horse racing shall be allocated as follows:

Arabian and Appaloosa horse racing.....	\$	19,200
Quarter horse racing.....	\$	57,500

Sec. 803. Included in the appropriation made in section 110 for the thoroughbred program is \$30,500.00 for the Michigan united thoroughbred breeders and owners association to conduct a thoroughbred yearling show. The Michigan united thoroughbred breeders and owners association shall submit to the department an itemized list of expenses showing that the expenses of the yearling show were paid.

Sec. 804. From the funds appropriated in section 110 for thoroughbred owners' awards, the department shall develop a program to provide for thoroughbred owners' awards that will be given to owners of Michigan-bred horses finishing first in nonrestricted races at licensed pari-mutuel tracks in Michigan.

Sec. 805. The \$78,200.00 appropriated in section 110 for draft horse shows shall be allocated in equal amounts to the Can-Am draft horse show held at the Michigan state fairgrounds and the Great Lakes draft horse show held at Michigan State University.

Sec. 806. The department shall notify the senate and house appropriations subcommittees on agriculture and the senate and house fiscal agencies of any planned reductions in appropriations, allocations, or expenditures from the agriculture equine industry development fund no less than 10 days before such reductions are implemented.

Sec. 807. A county fair, district fair, 4-H fair, or state fair receiving funds in section 110 to be used for prizes or awards, in whole or in part, as a condition precedent to the receiving of the funds for those purposes, shall publish the rules relative to the prizes, awards, and deadlines for entries eligible for the funds in their official premium books or lists relative to the prizes or awards. An aggrieved exhibitor may make a written complaint to the fair within 10 days after the fair ends. If the fair has not satisfactorily settled the grievance within 45 days after it is submitted to the fair, the aggrieved person may file the complaint with the department and the department shall investigate the complaint and make a finding of fact regarding the complaint and take appropriate action regarding the complaint.

Sec. 808. Of the amount appropriated in section 110 for purses and supplements - fairs/licensed tracks, a sufficient amount is appropriated to provide for overnight purse supplements pursuant to the horse racing law of 1995, 1995 PA 279, MCL 431.301 to 431.336.

Sec. 809. Of the amount appropriated in section 110 for premiums, \$11,400.00 shall be expended as a grant for the Michigan horse show association - fall youth show at the Michigan exposition and fairgrounds.

Sec. 810. From the appropriations for premiums - county and state fairs in section 110, \$120,000.00 shall be awarded through a competitive grant program to local, regional, or state fairs or expositions to promote youth involvement and adult exhibitions in the animal agriculture industry. Appropriate exhibition classes for youth shall be developed that encourage a production exhibit for which premium awards may be paid. The age for youth exhibitors shall be determined by the standards of the association requesting the grant or, if standards do not exist, the age for youth exhibitors shall be ages 9 through 21. Implementation of the latest technologies into the evaluation of the animals shall be encouraged in the production exhibit. Adult exhibitions should focus on the performance or end product, or both, with the appropriate technologies used to enhance placings and the awarding of premiums.

Sec. 811. (1) Of the amount appropriated in section 110 for Michigan festivals, \$70,000.00 shall be allocated to the Michigan festivals and events association for the purpose of promoting commodity related festivals on a statewide basis. The allocation to the Michigan festivals and events association is contingent upon the association providing at least a 100% cash or in-kind match.

(2) Of the amount appropriated in section 110 for Michigan festivals, \$10,000.00 shall be allocated as a matching grant to support an equine education and demonstration program.

Sec. 812. The funds appropriated in section 110 for distribution of outstanding winning tickets are not available for expenditure until they are deposited in the agriculture equine industry development fund pursuant to section 2 of 1951 PA 90, MCL 431.252. These funds shall be expended in accordance with section 2 of 1951 PA 90, MCL 431.252, and only after 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. 813. An individual or other entity that leases land, a building, or other property under the Michigan exposition and fairgrounds act, 1978 PA 361, MCL 285.161 to 285.176, is not eligible for a state grant, loan, appropriation, or other state subsidy related to the leased land, building, or other property.

Sec. 814. Of the funds appropriated in section 110, a grant shall be provided to the Michigan thoroughbred owners and breeders association to support Michigan thoroughbred promotions and marketing, industry data management, award management, and administrative management. Funding for the grant shall be provided from the amounts and line items indicated:

(a) \$37,500.00 from the thoroughbred sire stakes line item.

(b) \$37,500.00 from the thoroughbred owners' awards line item.

OFFICE OF RACING COMMISSIONER

Sec. 901. It is the intent of the legislature that the office of racing commissioner work cooperatively with the Great Lakes Downs Race Course in Muskegon to facilitate the operation of the track.

Sec. 902. The office of racing commissioner, in cooperation with representatives of the horse racing industry, shall develop a long-range plan for assuring the viability of the horse racing industry in this state. The plan shall include, but is not limited to, recommended statute changes that would be required to implement the plan and revenue diversification options. The office of racing commissioner shall submit the plan to the senate and house appropriations subcommittees on agriculture and the senate and house fiscal agencies by September 30, 2001.

Sec. 903. The racing commissioner may pay rewards of not more than \$5,800.00 to a person who provides information that results in the arrest and conviction on a felony or misdemeanor charge for a crime that involves the horse racing industry. A reward paid pursuant to this section shall be paid out of the office of racing commissioner line item.

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

A bill to make appropriations for the department of agriculture for the fiscal year ending September 30, 2001; to provide for the expenditure of the appropriations; to create funds; to provide for the imposition of fees; to require reports, audits, and plans; to authorize certain transfers by certain state agencies; and to provide for the disposition of fees and other income received by certain state agencies.

Mike Pumford
Ron Jelinek
Paul Tesanovich
Conferees for the House

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

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

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

The motion prevailed.

The question being on the adoption of the conference report,

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

Roll Call No. 724

Yeas—104

Allen	Faunce	Kuipers	Rison
Baird	Frank	Kukuk	Rivet
Basham	Garcia	LaForge	Rocca
Birkholz	Garza	LaSata	Sanborn
Bisbee	Geiger	Law	Schauer
Bishop	Gielegthem	Lemmons	Schermesser
Bogardus	Gilbert	Lockwood	Scranton
Bovin	Godchaux	Mans	Shackleton
Bradstreet	Green	Martinez	Sheltrown
Brater	Hager	Mead	Shulman
Brown, B.	Hale	Middaugh	Spade
Brown, C.	Hanley	Minore	Stallworth
Byl	Hansen	Mortimer	Stamas
Callahan	Hardman	Neumann	Switalski
Cassis	Hart	O'Neil	Tabor
Caul	Howell	Pappageorge	Tesanovich
Cherry	Jacobs	Patterson	Thomas
Clark, I.	Jamnick	Perricone	Toy
Clarke, H.	Jelinek	Pestka	Van Woerkom
Daniels	Jellema	Prusi	Vander Roest
DeHart	Johnson, Rick	Pumford	Vaughn
Dennis	Julian	Quarles	Vear
DeRossett	Kelly	Raczkowski	Voorhees
DeVuyst	Kilpatrick	Reeves	Wojno
DeWeese	Koetje	Richardville	Woodward
Ehardt	Kowall	Richner	Woronchak

Nays—1

Gosselin

In The Chair: Scranton

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

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

Second Reading of Bills

Senate Bill No. 964, 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 years ending September 30, 2000 and September 30, 2001; to provide for the expenditure of those appropriations; to create funds; to require and provide for reports; to prescribe the powers and duties of certain local and state agencies and departments; to provide for disposition of fees and other income received by the various state agencies; and to repeal acts and parts of acts.

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

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

Rep. Martinez moved to amend the bill as follows:

1. Amend page 75, line 6, after “for” by striking out “the”.

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

Rep. Martinez moved to amend the bill as follows:

1. Amend page 33, following line 27, by inserting:

(iii) The number requesting services who are on waiting lists for services.

(iv) The average length of time that people remained on waiting lists for services.”.

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

Rep. Toy moved to amend the bill as follows:

1. Amend page 94, line 12, after “society,” by inserting “2 representatives from the pharmaceutical industry that have either research or manufacturing facilities located within the state,”.

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

Rep. Bob Brown moved to amend the bill as follows:

1. Amend page 46, line 2, after “The” by striking out “Clinton” and inserting “Clinton/Rouge”.

2. Amend page 46, line 2, after “watershed” by striking out the balance of the sentence and inserting a period.

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

Rep. Callahan moved to amend the bill as follows:

1. Amend page 10, line 22, by striking out “4,197,200” and inserting “4,447,200”.

2. Amend page 11, line 15, by striking out “31,913,900” and inserting “32,163,900” and adjusting the subtotals, totals, and section 201 accordingly.

The question being on the adoption of the amendments offered by Rep. Callahan,

Rep. Callahan demanded the yeas and nays.

The demand was supported.

The question being on the adoption of the amendments offered by Rep. Callahan,

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

Roll Call No. 725

Yeas—73

Baird	Garza	Lemmons	Sanborn
Basham	Gielegghem	Lockwood	Schauer
Bishop	Gilbert	Mans	Schermesser
Bogardus	Green	Martinez	Scranton
Bovin	Hager	Minore	Shackleton
Brater	Hale	Neumann	Sheltrown
Brewer	Hanley	O’Neil	Shulman
Brown, B.	Hansen	Patterson	Spade
Byl	Hardman	Pestka	Stallworth
Callahan	Hart	Price	Switalski
Cassis	Jacobs	Prusi	Tesanovich
Cherry	Jamnick	Quarles	Thomas
Clark, I.	Julian	Rackowski	Toy
Clarke, H.	Kelly	Reeves	Van Woerkom
Daniels	Kilpatrick	Richardville	Vaughn
DeHart	Kowall	Rison	Wojno
Dennis	LaForge	Rivet	Woodward
Faunce	Law	Rocca	Woronchak
Frank			

Nays—35

Allen	Ehardt	Johnson, Rick	Perricone
Birkholz	Garcia	Koetje	Pumford

Bisbee	Geiger	Kuipers	Richner
Bradstreet	Godchaux	Kukuk	Stamas
Brown, C.	Gosselin	LaSata	Tabor
Caul	Howell	Mead	Vander Roest
DeRossett	Jansen	Middaugh	Vear
DeVuyst	Jelinek	Mortimer	Voorhees
DeWeese	Jellema	Pappageorge	

In The Chair: Scranton

Rep. Gielegghem moved to amend the bill as follows:

1. Amend page 15, line 4, by striking out “28,907,900” and inserting “37,907,900”.
2. Amend page 15, line 22, by striking out “38,746,200” and inserting “47,746,200” and adjusting the subtotals, totals, and section 201 accordingly.

The question being on the adoption of the amendments offered by Rep. Gielegghem,

Rep. Gielegghem demanded the yeas and nays.

The demand was supported.

The question being on the adoption of the amendments offered by Rep. Gielegghem,

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

Roll Call No. 726

Yeas—66

Baird	Garza	Mans	Schauer
Basham	Gielegghem	Martinez	Schermesser
Bogardus	Hager	Minore	Shackleton
Bovin	Hale	Neumann	Sheltrown
Brater	Hanley	O’Neil	Spade
Brewer	Hansen	Patterson	Stallworth
Brown, B.	Hardman	Pestka	Switalski
Callahan	Howell	Price	Tesanovich
Caul	Jacobs	Prusi	Thomas
Cherry	Jamnack	Quarles	Van Woerkom
Clark, I.	Julian	Reeves	Vander Roest
Clarke, H.	Kelly	Richardville	Vaughn
Daniels	Kilpatrick	Rison	Voorhees
DeHart	Kowall	Rivet	Wojno
Dennis	LaForge	Rocca	Woodward
Faunce	Lemmons	Sanborn	Woronchak
Frank	Lockwood		

Nays—41

Allen	Ehardt	Jellema	Pappageorge
Birkholz	Garcia	Johnson, Rick	Perricone
Bisbee	Geiger	Koetje	Pumford
Bishop	Gilbert	Kuipers	Rackowski
Bradstreet	Godchaux	Kukuk	Richner
Brown, C.	Gosselin	LaSata	Scranton
Byl	Green	Law	Shulman
Cassis	Hart	Mead	Stamas
DeRossett	Jansen	Middaugh	Tabor
DeVuyst	Jelinek	Mortimer	Vear
DeWeese			

In The Chair: Scranton

Rep. Hale moved to amend the bill as follows:

1. Amend page 11, line 24, by striking out “510,400” and inserting “1,000,000”.

2. Amend page 12, line 22, by striking out “9,424,200” and inserting “7,913,800” and adjusting the subtotals, totals, and section 201 accordingly.

The question being on the adoption of the amendments offered by Rep. Hale,

Rep. Hale demanded the yeas and nays.

The demand was supported.

The question being on the adoption of the amendments offered by Rep. Hale,

The amendments were not adopted, a majority of the members serving not voting therefor, by yeas and nays, as follows:

Roll Call No. 727

Yeas—52

Baird	Dennis	Lemmons	Rivet
Basham	Frank	Lockwood	Schauer
Bogardus	Garza	Mans	Schermesser
Bovin	Gielegthem	Martinez	Shackleton
Brater	Hale	Minore	Sheltrown
Brewer	Hanley	Neumann	Spade
Brown, B.	Hansen	O’Neil	Stallworth
Callahan	Hardman	Pestka	Switalski
Cherry	Jacobs	Price	Tesanovich
Clark, I.	Jamnick	Prusi	Thomas
Clarke, H.	Kelly	Quarles	Vaughn
Daniels	Kilpatrick	Reeves	Wojno
DeHart	LaForge	Rison	Woodward

Nays—56

Allen	Garcia	Koetje	Richardville
Birkholz	Geiger	Kowall	Richner
Bisbee	Gilbert	Kuipers	Rocca
Bishop	Godchaux	Kukuk	Sanborn
Bradstreet	Gosselin	LaSata	Scranton
Brown, C.	Green	Law	Shulman
Byl	Hager	Mead	Stamas
Cassis	Hart	Middaugh	Tabor
Caul	Howell	Mortimer	Toy
DeRossett	Jansen	Pappageorge	Van Woerkom
DeVuyst	Jelinek	Patterson	Vander Roest
DeWeese	Jellema	Perricone	Vear
Ehardt	Johnson, Rick	Pumford	Voorhees
Faunce	Julian	Rackowski	Woronchak

In The Chair: Scranton

Rep. Hale moved to amend the bill as follows:

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

“Multiple sclerosis education and research..... 500,000”.

2. Amend page 11, line 15, by striking out “32,163,900” and inserting “32,663,900” and adjusting the subtotals, totals, and section 201 accordingly.

The question being on the adoption of the amendments offered by Rep. Hale,

Rep. Hale demanded the yeas and nays.

The demand was supported.

The question being on the adoption of the amendments offered by Rep. Hale,

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

Roll Call No. 728**Yeas—57**

Baird	Garza	Lockwood	Rocca
Basham	Gielegthem	Mans	Schauer
Bogardus	Hale	Martinez	Schermesser
Bovin	Hanley	Minore	Shackleton
Brater	Hansen	Neumann	Sheltrown
Brewer	Hardman	O'Neil	Spade
Brown, B.	Jacobs	Pestka	Stallworth
Callahan	Jamnick	Price	Switalski
Cherry	Julian	Prusi	Tesanovich
Clark, I.	Kelly	Quarles	Thomas
Clarke, H.	Kilpatrick	Reeves	Vaughn
Daniels	LaForge	Richardville	Wojno
DeHart	Law	Rison	Woodward
Dennis	Lemmons	Rivet	Woronchak
Frank			

Nays—49

Allen	Faunce	Johnson, Rick	Pumford
Birkholz	Garcia	Koetje	Rackowski
Bisbee	Geiger	Kowall	Richner
Bishop	Gilbert	Kuipers	Sanborn
Bradstreet	Gosselin	Kukuk	Scranton
Brown, C.	Green	LaSata	Shulman
Byl	Hager	Mead	Stamas
Cassis	Hart	Middaugh	Tabor
Caul	Howell	Mortimer	Van Woerkom
DeRossett	Jansen	Pappageorge	Vander Roest
DeVuyst	Jelinek	Patterson	Vear
DeWeese	Jellema	Perricone	Voorhees
Ehardt			

In The Chair: Scranton

Rep. Brater moved to amend the bill as follows:

1. Amend page 30, following line 16, by inserting:

“Sec. 351. (1) Out of the funds appropriated under the criminalization prevention program, funds shall be appropriated to identify those individuals at risk for criminal behavior; to assure access to treatment for these at risk individuals; proper case management to ensure adequate treatment and medication for at risk individuals and seeking out supportive living situations for at risk individuals.

(2) In identifying these individuals at risk the department of community health shall consider the following factors:

- (a) Any previous history of dual diagnosis.
- (b) Any previous history of criminal behavior.
- (c) Any previous history of hospitalization or incarceration.
- (d) Any previous history of failure to take or resistance to prescribed medication.
- (e) Any previous history of being or currently homeless.
- (f) Any other factor the department considers important in predicting future criminal behavior.”.

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

Rep. Brater demanded the yeas and nays.

The demand was supported.

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

The amendment was not adopted, a majority of the members serving not voting therefor, by yeas and nays, as follows:

Roll Call No. 729**Yeas—54**

Baird	Dennis	Lemmons	Rison
Basham	Frank	Lockwood	Rivet
Birkholz	Garza	Mans	Schauer
Bogardus	Gielegthem	Martinez	Schermesser
Bovin	Hale	Middaugh	Sheltrown
Brater	Hanley	Minore	Spade
Brewer	Hansen	Neumann	Stallworth
Brown, B.	Hardman	O'Neil	Switalski
Callahan	Hart	Pestka	Tesanovich
Cherry	Jacobs	Price	Thomas
Clark, I.	Jamnick	Prusi	Vaughn
Clarke, H.	Kelly	Quarles	Wojno
Daniels	Kilpatrick	Reeves	Woodward
DeHart	LaForge		

Nays—52

Allen	Garcia	Kowall	Rocca
Bisbee	Geiger	Kuipers	Sanborn
Bishop	Gilbert	Kukuk	Scranton
Bradstreet	Gosselin	LaSata	Shackleton
Brown, C.	Green	Law	Shulman
Byl	Hager	Mead	Stamas
Cassis	Howell	Mortimer	Tabor
Caul	Jansen	Pappageorge	Toy
DeRossett	Jelinek	Patterson	Van Woerkom
DeVuyst	Jellema	Pumford	Vander Roest
DeWeese	Johnson, Rick	Rackowski	Vear
Ehardt	Julian	Richardville	Voorhees
Faunce	Koetje	Richner	Woronchak

In The Chair: Scranton

Rep. Brater moved to amend the bill as follows:

1. Amend page 40, following line 10, by inserting:

“Sec. 418. Of the funds appropriated in part 1 for prevention pilot projects, priority shall be given to programs that provide services to children referred to community mental health service programs by school district personnel. The department of community health shall work collaboratively with the local school district to address the mental health needs of the children referred under these programs.”.

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

Rep. Brater demanded the yeas and nays.

The demand was supported.

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

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

Roll Call No. 730**Yeas—66**

Baird	Garza	Lockwood	Schauer
Basham	Gielegthem	Mans	Schermesser
Birkholz	Godchaux	Martinez	Shackleton

Bogardus	Hager	Middaugh	Sheltrown
Bovin	Hale	Minore	Spade
Brater	Hanley	Neumann	Stallworth
Brown, B.	Hansen	O'Neil	Stamas
Callahan	Hardman	Pestka	Switalski
Caul	Hart	Price	Tesanovich
Cherry	Howell	Prusi	Thomas
Clark, I.	Jacobs	Quarles	Van Woerkom
Clarke, H.	Jamnack	Reeves	Vaughn
Daniels	Jellema	Richardville	Voorhees
DeHart	Julian	Rison	Wojno
Dennis	Kelly	Rivet	Woodward
Faunce	LaForge	Rocca	Woronchak
Frank	Lemmons		

Nays—39

Allen	Ehardt	Kuipers	Raczkowski
Bisbee	Garcia	Kukuk	Richner
Bishop	Gilbert	LaSata	Sanborn
Bradstreet	Gosselin	Law	Scranton
Brown, C.	Green	Mead	Shulman
Byl	Jansen	Mortimer	Tabor
Cassis	Jelinek	Pappageorge	Toy
DeRossett	Johnson, Rick	Patterson	Vander Roest
DeVuyst	Koetje	Perricone	Vear
DeWeese	Kowall	Pumford	

In The Chair: Scranton

Rep. Brater moved to amend the bill as follows:

1. Amend page 4, line 15, by striking out "1,182,449,100" and inserting "1,229,747,100".
2. Amend page 5, line 3, by striking out "1,798,378,100" and inserting "1,845,676,100".
3. Amend page 5, line 6, by striking out "752,995,800" and inserting "773,806,900".
4. Amend page 5, line 9, by striking out "1,038,639,900" and inserting "1,065,126,800" and adjusting the subtotals, totals, and section 201 accordingly.

The question being on the adoption of the amendments offered by Rep. Brater,

Rep. Brater demanded the yeas and nays.

The demand was supported.

The question being on the adoption of the amendments offered by Rep. Brater,

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

Roll Call No. 731**Yeas—71**

Baird	Faunce	Kilpatrick	Rison
Basham	Frank	Kowall	Rivet
Birkholz	Garza	LaForge	Rocca
Bogardus	Gielegghem	Law	Schauer
Bovin	Gilbert	Lemmons	Schermesser
Brater	Godchaux	Lockwood	Shackleton
Brewer	Green	Mans	Sheltrown
Brown, B.	Hager	Martinez	Spade
Byl	Hale	Middaugh	Stallworth

Callahan	Hanley	Minore	Switalski
Caul	Hansen	Neumann	Tesanovich
Cherry	Hardman	O'Neil	Thomas
Clark, I.	Howell	Pestka	Van Woerkom
Clarke, H.	Jacobs	Price	Vaughn
Daniels	Jamnick	Prusi	Wojno
DeHart	Jelinek	Quarles	Woodward
Dennis	Julian	Reeves	Woronchak
Ehardt	Kelly	Richardville	

Nays—34

Allen	Garcia	LaSata	Scranton
Bisbee	Gosselin	Mead	Shulman
Bishop	Hart	Pappageorge	Stamas
Bradstreet	Jansen	Patterson	Tabor
Brown, C.	Jellema	Perricone	Toy
Cassis	Johnson, Rick	Rackowski	Vander Roest
DeRossett	Koetje	Richner	Vear
DeVuyst	Kuipers	Sanborn	Voorhees
DeWeese	Kukuk		

In The Chair: Scranton

Rep. Cherry moved to amend the bill as follows:

1. Amend page 5, line 2, by striking out “83,740,400” and inserting “87,090,000”.

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

Rep. Schauer moved to amend the bill as follows:

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

“State supplemental prescription drug program..... 248,872,100”.

2. Amend page 15, line 14, by striking out “129,547,500” and inserting “378,419,600” and adjusting the totals, subtotals, and section 201 accordingly.

3. Amend page 62, following line 11, by inserting:

“Sec. 1411. The department shall implement a state supplemental prescription drug coverage program, administered by the office of services to the aging, that offers participants a 50% discount on out-of-pocket expenses for prescription drugs. Michigan residents age 65 or older who do not have prescription drug coverage are eligible to participate in the program. Pharmacies which provide a discount to persons who are eligible for the program may apply to the department for reimbursement of the discount provided to program participants. The office of services to the aging shall issue a card to each program enrollee, and implement and maintain a 24-hour toll-free consumer assistance hotline.”.

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

Rep. Hale moved to amend the bill as follows:

1. Amend page 10, line 29, by striking out “12,505,100” and inserting “13,005,100”.
2. Amend page 11, line 16, by striking out “4,282,800” and inserting “4,782,800” and adjusting the subtotals, totals, and section 201 accordingly.
3. Amend page 47, following line 10, by inserting:

“(3) From the funds appropriated in part 1, the department shall allocate \$500,000.00 for a mobile cancer screening program of the Karmanos Cancer Institute.”.

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

Rep. Frank moved to amend the bill as follows:

1. Amend page 30, following line 16, by inserting:

“Sec. 352. From the funds appropriated, the department shall conduct a statewide survey of adolescent suicide and assessment of available preventative resources.”.

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

Rep. Stallworth moved to amend the bill as follows:

1. Amend page 94, following line 18, by inserting:

“Sec. 1709. A school district eligible for school based health service funds may use a portion of those funds for school based health clinics that serve children in kindergarten through seventh grade.”.

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

Rep. Thomas moved to amend the bill as follows:

1. Amend page 94, following line 18, following section 1709, by inserting:

“Sec. 1710. The department shall appoint an independent auditor to conduct a study of the structure and funding of Michigan’s Medicaid program and that reports on all of the following:

(a) An assessment of the adequacy of total funding.

(b) The soundness and adequacy of per capita rates paid to health care facilities and providers.

(c) Medicaid eligibility standards used and the financial and procedural policies in place.

(d) A comparison of the effectiveness, responsiveness, and efficiency of a variety of health care delivery systems including, but not limited to:

(i) Fee for service.

(ii) Medical care savings accounts.

(iii) Medicaid managed care.”.

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

Rep. Thomas demanded the yeas and nays.

The demand was supported.

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

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

Roll Call No. 732

Yeas—82

Baird	Frank	Lemmons	Schauer
Basham	Garza	Lockwood	Schermesser
Birkholz	Gielegthem	Mans	Scranton
Bishop	Gilbert	Martinez	Shackleton
Bogardus	Godchaux	Middaugh	Sheltrown
Bovin	Green	Minore	Spade
Bradstreet	Hager	Neumann	Stallworth
Brater	Hale	O’Neil	Stamas
Brewer	Hanley	Pappageorge	Switalski
Brown, B.	Hansen	Patterson	Tesanovich
Byl	Hardman	Pestka	Thomas
Callahan	Howell	Price	Toy
Cassis	Jacobs	Prusi	Van Woerkom
Caul	Jamnick	Quarles	Vander Roest
Cherry	Jellema	Rackowski	Vaughn
Clark, I.	Julian	Reeves	Vear
Clarke, H.	Kelly	Richardville	Voorhees
Daniels	Kilpatrick	Richner	Wojno
DeHart	Kowall	Rison	Woodward
Dennis	LaForge	Rocca	Woronchak
Faunce	Law		

Nays—24

Allen	Ehardt	Jelinek	Mead
Bisbee	Garcia	Johnson, Rick	Perricone
Brown, C.	Geiger	Koetje	Pumford
DeRossett	Gosselin	Kuipers	Sanborn
DeVuyst	Hart	Kukuk	Shulman
DeWeese	Jansen	LaSata	Tabor

Rep. Hale moved to amend the bill as follows:

1. Amend page 10, line 22, by striking out “4,447,200” and inserting “4,627,200”.
2. Amend page 11, line 15, by striking out “32,163,900” and inserting “32,343,900” and adjusting the subtotals, totals and section 201 accordingly.
3. Amend page 50, line 7, after “program,” by striking out “320,000” and inserting “500,000”.
4. Amend page 50, line 7, after “for” by striking out the balance of the sentence and inserting “the African-American initiative for male health improvement (AIMHI).”.

The motion did not prevail and the amendments were not adopted, a majority of the members serving not voting therefor.

Reps. Bovin and Ehardt moved to amend the bill as follows:

1. Amend page 65, line 9, after “1603.” by striking out “(1)”.
2. Amend page 65, line 14, by striking out all of subsection (2).

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

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

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

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

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

Rep. Raczkowski moved that Rule 49 be suspended.

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

By unanimous consent the House returned to the order of

Third Reading of Bills

Senate Bill No. 964, 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 years ending September 30, 2000 and September 30, 2001; to provide for the expenditure of those appropriations; to create funds; to require and provide for reports; to prescribe the powers and duties of certain local and state agencies and departments; to provide for disposition of fees and other income received by the various state agencies; and to repeal acts and parts of acts.

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

Roll Call No. 733

Yeas—100

Allen	Garcia	Kukuk	Richner
Baird	Garza	LaForge	Rison
Basham	Geiger	LaSata	Rivet
Birkholz	Gielegghem	Law	Rocca
Bogardus	Gilbert	Lemmons	Sanborn
Bovin	Godchaux	Lockwood	Schauer
Brater	Green	Mans	Schermesser
Brewer	Hager	Martinez	Scranton
Brown, B.	Hale	Mead	Shackleton
Brown, C.	Hanley	Middaugh	Sheltrown
Byl	Hansen	Minore	Spade
Callahan	Hardman	Mortimer	Stallworth
Cassis	Hart	Neumann	Stamas
Caul	Howell	O'Neil	Switalski
Cherry	Jacobs	Pappageorge	Tabor
Clark, I.	Jamnack	Patterson	Tesanovich
Clarke, H.	Jansen	Perricone	Thomas
Daniels	Jelinek	Pestka	Toy
DeHart	Jellema	Price	Van Woerkom
Dennis	Johnson, Rick	Prusi	Vaughn
DeRossett	Julian	Pumford	Vear
DeWeese	Kelly	Quarles	Voorhees
Ehardt	Kilpatrick	Raczkowski	Wojno
Faunce	Koetje	Reeves	Woodward
Frank	Kowall	Richardville	Woronchak

Nays—8

Bisbee
Bishop

Bradstreet
DeVuyst

Gosselin
Kuipers

Shulman
Vander Roest

In The Chair: Scranton

The House agreed to the title of the bill.

Rep. Shulman, having reserved the right to explain his protest against the passage of the bill, made the following statement:

“Mr. Speaker and members of the House:

While the DCH budget was a budget that represented a commitment to quality health care for the citizens of Michigan as reported out of the subcommittee, I respectfully voted no on the bill as amended because:

1) It represented an increase in the budget of over \$275 million dollars which the state did not have available without cuts in other places,

2) We increased spending on ‘new’ programs where we already have similar programs in place, and

3) We created new programs without fiscally knowing what the price tag was and without knowing the specifics of the proposal even after explanation.

We have a fiduciary duty to our constituents to be fiscally responsible in reviewing budgets to ensure that funding is available without having to cut or sacrifice other programs, a possibility that now exists because of the passage of SB964 (H-1) as amended.”

By unanimous consent the House returned to the order of

Reports of Standing Committees

The Committee on Appropriations, by Rep. Geiger, Chair, reported

House Bill No. 5854, entitled

A bill to amend 1855 PA 105, entitled “An act to regulate the disposition of the surplus funds in the state treasury; to provide for the deposit of surplus funds in certain financial institutions; to lend surplus funds pursuant to loan agreements secured by certain commercial, agricultural, or industrial real and personal property; to authorize the loan of surplus funds to certain municipalities; to authorize the participation in certain loan programs; to authorize an appropriation; and to prescribe the duties of certain state agencies,” by amending sections 2c, 3 and 7 (MCL 21.142, 21.143, and 21.147), section 2c as added by 1990 PA 360 and sections 3 and 7 as amended by 1997 PA 32, and by adding section 2d.

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

The bill and substitute were referred to the order of Second Reading of Bills.

Favorable Roll Call**HB 5854 To Report Out:**

Yeas: Reps. Jellema, Cameron Brown, Caul, Godchaux, Jansen, Jelinek, Kukuk, LaSata, Mead, Mortimer, Pappageorge, Pumford, Scranton, Stamas, Toy, Cherry, Clarke, Frank, Kelly, Pestka, Prusi, Tesanovich,

Nays: Reps. Byl, Martinez.

The Committee on Appropriations, by Rep. Geiger, Chair, reported

Senate Bill No. 661, entitled

A bill to amend 1949 PA 300, entitled “Michigan vehicle code,” (MCL 257.1 to 257.923) by amending the title, as amended by 1991 PA 98, and by adding section 710g.

With the recommendation that the bill pass.

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

Favorable Roll Call

SB 661 To Report Out:

Yeas: Reps. Jellema, Cameron Brown, Byl, Caul, Godchaux, Jansen, Jelinek, Kukuk, LaSata, Mead, Mortimer, Pappageorge, Pumford, Scranton, Stamas, Toy, Clarke, Frank, Kelly, Pestka, Prusi, Tesanovich,
Nays: None.

The Committee on Appropriations, by Rep. Geiger, Chair, reported

Senate Bill No. 1275, entitled

A bill to amend 1984 PA 431, entitled "The management and budget act," by amending section 358 (MCL 18.1358).
With the recommendation that the substitute (H-1) be adopted and that the bill then pass.

The bill and substitute were referred to the order of Second Reading of Bills.

Favorable Roll Call

SB 1275 To Report Out:

Yeas: Reps. Jellema, Cameron Brown, Byl, Caul, Godchaux, Jansen, Jelinek, Kukuk, LaSata, Mead, Mortimer, Pappageorge, Pumford, Scranton, Stamas, Toy, Cherry, Clarke, Frank, Martinez, Pestka,
Nays: Rep. Stallworth.

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Geiger, Chair of the Committee on Appropriations, was received and read:
Meeting held on: Wednesday, June 7, 2000, at 8:00 a.m.,

Present: Reps. Geiger, Jellema, Cameron Brown, Byl, Caul, Godchaux, Jansen, Jelinek, Kukuk, LaSata, Mead, Mortimer, Pappageorge, Pumford, Scranton, Stamas, Toy, Price, Cherry, Clarke, Frank, Kelly, Martinez, Pestka, Prusi, Stallworth, Tesanovich.

Second Reading of Bills

Senate Bill No. 1275, entitled

A bill to amend 1984 PA 431, entitled "The management and budget act," by amending section 358 (MCL 18.1358).

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

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

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

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

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

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

Rep. Raczkowski moved that Rule 49 be suspended.

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

By unanimous consent the House returned to the order of

Third Reading of Bills**Senate Bill No. 1275, entitled**

A bill to amend 1984 PA 431, entitled "The management and budget act," by amending section 358 (MCL 18.1358).

The bill was read a third time.

The question being on the passage of the bill,

Rep. Kilpatrick moved that consideration of the bill be postponed for the day.

The motion prevailed.

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

The Senate requested the return of
House Bill No. 5227, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 232 (MCL 257.232), as amended by 1997 PA 101.

The message was referred to the Clerk.

House Bill No. 5227, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 232 (MCL 257.232), as amended by 1997 PA 101.

(The bill was returned from the Governor as requested by the House, enrollment vacated, motion made to reconsider the vote by which the House concurred in the Senate substitute (S-1) and motion postponed for the day on June 6, see House Journal No. 53, p. 1486.)

The question being on the motion made previously by Rep. Raczkowski,

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

The question being on concurring in the substitute (S-1) made to the bill by the Senate,

Rep. Stamas moved to amend the Senate substitute (S-1) as follows:

1. Amend page 5, line 1, after "effect" by striking out "June 1, 2000" and inserting "January 1, 2001".

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

The question being on concurring in the Senate substitute (S-1), as amended,

The Senate substitute (S-1), as amended, was concurred in, a majority of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 734

Yeas—104

Allen	Ehardt	Koetje	Richner
Baird	Faunce	Kowall	Rison
Basham	Frank	Kuipers	Rivet
Birkholz	Garcia	Kukuk	Rocca
Bisbee	Garza	LaSata	Sanborn
Bishop	Geiger	Law	Schauer
Bogardus	Gielegem	Lockwood	Scranton
Bovin	Gilbert	Mans	Shackleton
Bradstreet	Godchaux	Martinez	Sheltrown
Brater	Gosselin	Mead	Shulman
Brewer	Green	Middaugh	Spade
Brown, B.	Hager	Minore	Stallworth
Brown, C.	Hale	Mortimer	Stamas
Byl	Hanley	Neumann	Switalski
Callahan	Hansen	O'Neil	Tabor
Cassis	Hardman	Pappageorge	Tesanovich
Caul	Hart	Patterson	Thomas
Cherry	Howell	Perricone	Toy
Clark, I.	Jacobs	Pestka	Van Woerkom
Clarke, H.	Jansen	Price	Vander Roest
Daniels	Jelinek	Prusi	Vaughn
DeHart	Jellema	Pumford	Vear
Dennis	Johnson, Rick	Quarles	Voorhees
DeRossett	Julian	Raczkowski	Wojno
DeVuyst	Kelly	Reeves	Woodward
DeWeese	Kilpatrick	Richardville	Woronchak

Nays—3

Jamnick

LaForge

Schermesser

In The Chair: Scranton

The House agreed to the full title.

The Senate requested the return of

House Bill No. 5230, entitled

A bill to amend 1972 PA 222, entitled “An act to provide for an official personal identification card; to provide for its form, issuance and use; to regulate the use and disclosure of information obtained from the card; to prescribe the powers and duties of the secretary of state; to prescribe fees; and to prescribe certain penalties for violations,” by amending section 10 (MCL 28.300), as added by 1997 PA 99.

The message was referred to the Clerk.

House Bill No. 5230, entitled

A bill to amend 1972 PA 222, entitled “An act to provide for an official personal identification card; to provide for its form, issuance and use; to regulate the use and disclosure of information obtained from the card; to prescribe the powers and duties of the secretary of state; to prescribe fees; and to prescribe certain penalties for violations,” by amending section 10 (MCL 28.300), as added by 1997 PA 99.

(The bill was returned from the Governor as requested by the House, enrollment vacated, motion made to reconsider the vote by which the House concurred in the Senate substitute (S-1) and motion postponed for the day on June 6, see House Journal No. 53, p. 1487.)

The question being on the motion made previously by Rep. Raczkowski,

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

The question being on concurring in the substitute (S-1) made to the bill by the Senate,

Rep. Kuipers moved to amend the Senate substitute (S-1) as follows:

1. Amend page 5, line 4, after “effect” by striking out “June 1, 2000” and inserting “January 1, 2001”.

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

The question being on concurring in the Senate substitute (S-1), as amended,

The Senate substitute (S-1), as amended, was concurred in, a majority of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 735**Yeas—106**

Allen	Faunce	Kowall	Richner
Baird	Frank	Kuipers	Rison
Basham	Garcia	Kukuk	Rivet
Birkholz	Garza	LaForge	Rocca
Bisbee	Geiger	LaSata	Sanborn
Bishop	Gielegghem	Law	Schauer
Bogardus	Gilbert	Lockwood	Schermesser
Bovin	Godchaux	Mans	Scranton
Bradstreet	Gosselin	Martinez	Shackleton
Brater	Green	Mead	Sheltrown
Brewer	Hager	Middaugh	Shulman
Brown, B.	Hale	Minore	Spade
Brown, C.	Hanley	Mortimer	Stamas
Byl	Hansen	Neumann	Switalski
Callahan	Hardman	O’Neil	Tabor
Cassis	Hart	Pappageorge	Tesanovich
Caul	Howell	Patterson	Thomas
Cherry	Jacobs	Perricone	Toy
Clark, I.	Jamnick	Pestka	Van Woerkom
Clarke, H.	Jansen	Price	Vander Roest
Daniels	Jelinek	Prusi	Vaughn

DeHart
Dennis
DeRossett
DeVuyst
DeWeese
Ehardt

Jellema
Johnson, Rick
Julian
Kelly
Kilpatrick
Koetje

Pumford
Quarles
Raczkowski
Reeves
Richardville

Vear
Voorhees
Wojno
Woodward
Woronchak

Nays—0

In The Chair: Scranton

Rep. Switalski moved that Rep. Lemmons be excused temporarily from today's session.
The motion prevailed.

The Senate requested the return of
House Bill No. 5270, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 80130c, 80315c, 81114c, and 82156c (MCL 324.80130c, 324.80315c, 324.81114c, and 324.82156c), as added by 1997 PA 102.

The message was referred to the Clerk.

House Bill No. 5270, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 80130c, 80315c, 81114c, and 82156c (MCL 324.80130c, 324.80315c, 324.81114c, and 324.82156c), as added by 1997 PA 102.

(The bill was returned from the Governor as requested by the House, enrollment vacated, motion made to reconsider the vote by which the House concurred in the Senate substitute (S-1) and motion postponed for the day on June 6, see House Journal No. 53, p. 1487.)

The question being on the motion made previously by Rep. Raczkowski,
The motion prevailed, a majority of the members present voting therefor.

The question being on concurring in the substitute (S-1) made to the bill by the Senate,

Rep. Stamas moved to amend the Senate substitute (S-1) as follows:

1. Amend page 15, line 17, after "effect" by striking out "June 1, 2000." and inserting "January 1, 2001.".

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

The question being on concurring in the Senate substitute (S-1), as amended,

The Senate substitute (S-1), as amended, was concurred in, a majority of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 736

Yeas—104

Allen
Baird
Basham
Birkholz
Bisbee
Bishop
Bogardus
Bovin
Bradstreet
Brater
Brewer

Ehardt
Faunce
Frank
Garcia
Garza
Geiger
Gielegem
Gilbert
Godchaux
Gosselin
Green

Koetje
Kowall
Kuipers
Kukuk
LaSata
Law
Lockwood
Mans
Martinez
Mead
Middaugh

Rison
Rivet
Rocca
Sanborn
Schauer
Schermesser
Scranton
Shackleton
Sheltrown
Shulman
Spade

Brown, B.	Hager	Minore	Stallworth
Brown, C.	Hale	Mortimer	Stamas
Byl	Hanley	Neumann	Switalski
Callahan	Hansen	O'Neil	Tabor
Cassis	Hardman	Pappageorge	Tesanovich
Caul	Hart	Patterson	Thomas
Cherry	Howell	Perricone	Toy
Clark, I.	Jamnack	Pestka	Van Woerkom
Clarke, H.	Jansen	Price	Vander Roest
Daniels	Jelinek	Prusi	Vaughn
DeHart	Jellema	Pumford	Vear
Dennis	Johnson, Rick	Quarles	Voorhees
DeRossett	Julian	Raczkowski	Wojno
DeVuyst	Kelly	Reeves	Woodward
DeWeese	Kilpatrick	Richner	Woronchak

Nays—1

LaForge

In The Chair: Scranton

The House agreed to the title as amended.

By unanimous consent the House returned to the order of

Motions and Resolutions

Rep. Brater moved that the Committee on Conservation and Outdoor Recreation be discharged from further consideration of **House Bill No. 4371**.

(For first notice see House Journal No. 53, p. 1503.)

The question being on the motion made by Rep. Brater,

Rep. Brater demanded the yeas and nays.

The demand was supported.

The question being on the motion made by Rep. Brater,

Rep. Raczkowski moved that consideration of the motion be postponed for the day.

The motion prevailed.

Rep. Raczkowski moved that House Committees be given leave to meet during the balance of today's session.

The motion prevailed.

Rep. Raczkowski moved that when the House adjourns today it stand adjourned until Thursday, June 8, at 10:00 a.m.

The motion prevailed.

Reports of Select Committees

First Conference Report

The Committee of Conference on the matters of difference between the two Houses concerning **House Bill No. 5274, entitled**

A bill to make appropriations for the department of career development and certain other state purposes for the fiscal year ending September 30, 2001; to provide for the expenditure of the appropriations; and to provide for the disposition of fees and other income received by the state agencies.

Recommends:

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

A bill to make appropriations for the department of career development and the Michigan strategic fund and certain other state purposes for the fiscal year ending September 30, 2001; to provide for the expenditure of the appropriations; and to provide for the disposition of fees and other income received by the state agencies.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

PART 1

LINE-ITEM APPROPRIATIONS

Sec. 101. There is appropriated for the department of career development and the Michigan strategic fund for the fiscal year ending September 30, 2001, from the funds indicated in this part, the following:

TOTAL APPROPRIATIONS

Full-time equated unclassified positions	6.0	
Full-time equated classified positions	1,374.0	
GROSS APPROPRIATION.....		\$ 692,787,200
Total interdepartmental grants and intradepartmental transfers		\$ 1,148,000
ADJUSTED GROSS APPROPRIATION		\$ 691,639,200
Federal revenues:		
Total federal revenues		521,492,000
Special revenue funds:		
Total local revenues		14,962,800
Total private revenues		3,327,100
Total other state restricted revenues		60,545,800
State general fund/general purpose		\$ 91,311,500

Sec. 102. DEPARTMENT OF CAREER DEVELOPMENT

(1) APPROPRIATION SUMMARY:

Full-time equated unclassified positions	6.0	
Full-time equated classified positions	1,139.0	
GROSS APPROPRIATION.....		\$ 523,454,400
Interdepartmental grant revenues:		
Total interdepartmental grants and intradepartmental transfers		1,048,000
ADJUSTED GROSS APPROPRIATION		\$ 522,406,400
Federal revenues:		
Total federal revenues		468,818,800
Special revenue funds:		
Total local revenues		14,962,800
Total private revenues		2,670,400
Total other state restricted revenues		10,495,800
State general fund/general purpose		\$ 25,458,600

(2) DEPARTMENTAL ADMINISTRATION

Full-time equated unclassified positions	6.0	
Unclassified salaries		\$ 546,900
GROSS APPROPRIATION.....		\$ 546,900
Appropriated from:		
State general fund/general purpose		\$ 546,900

(3) DEPARTMENT OPERATIONS

Full-time equated classified positions	103.0	
Administration—103.0 FTE positions		\$ 11,562,800
Building occupancy charges - property development services.....		479,000
Special project advances		200,000
Worker's compensation		213,900
GROSS APPROPRIATION.....		\$ 12,455,700
Appropriated from:		
Federal revenues:		
CNS		102,000
DED-OSERS, rehabilitation services, vocational rehabilitation of state grants		4,180,700
DOL-ETA, workforce investment act.....		645,900
DOL, federal funds		3,279,000
HHS, temporary assistance for needy families		1,514,200

	For Fiscal Year Ending Sept. 30, 2001
Special revenue funds:	
Private - special project advances	200,000
Contingent fund, penalty and interest.....	397,900
State general fund/general purpose	\$ 2,136,000
(4) WORKFORCE DEVELOPMENT	
Full-time equated classified positions	669.0
Employment training services—574.0 FTE positions.....	\$ 60,743,100
Michigan career and technical institute—95.0 FTE positions	10,163,200
GROSS APPROPRIATION.....	\$ 70,906,300
Appropriated from:	
Interdepartmental grant revenues:	
IDG-MDOC	32,400
Federal revenues:	
CNS	532,400
DAG, employment and training	258,300
DED, cooperative demonstration, school-to-work	700,000
DED-OPSE, multiple grants.....	615,500
DED-OSERS, centers for independent living	58,200
DED-OSERS, rehabilitation long-term training	566,900
DED-OSERS, rehabilitation services, vocational rehabilitation of state grants	41,327,200
DED-OSERS, state grants for technical related assistance	55,700
DOL-ETA, multiple grants	596,300
DOL-ETA, workforce investment act.....	3,172,400
DOL-NOICC.....	171,900
HHS, temporary assistance for needy families	3,725,100
HHS-SSA, supplemental security income	4,185,500
Special revenue funds:	
Private - gifts, bequests, and donations	1,396,300
Local vocational rehabilitation match	3,247,100
Rehabilitation services fees.....	1,236,900
Second injury fund.....	51,500
Student fees	308,000
Training material fees	256,300
State general fund/general purpose	\$ 8,412,400
(5) CAREER EDUCATION PROGRAMS	
Full-time equated classified positions	64.0
Career and technical education—30.0 FTE positions	\$ 2,969,700
Postsecondary education—22.0 FTE positions	2,359,900
Adult education—12.0 FTE positions	1,753,100
GROSS APPROPRIATION.....	\$ 7,082,700
Appropriated from:	
Federal revenues:	
Federal revenues	5,192,300
Special revenue funds:	
Private - occupational school license fees.....	274,100
Defaulted loan collection fees.....	102,200
State general fund/general purpose	\$ 1,514,100
(6) DEPARTMENT GRANTS	
Council of Michigan foundations.....	\$ 6,000,000
Adult basic education.....	11,004,700
Gear-up program grants	2,000,000
Job training programs subgrantees	111,248,300
Michigan community service commission subgrantees	5,900,000
Personal assistance services	462,000
Pre-college programs in engineering and the sciences	1,044,700
Supported employment grants	1,308,600

	For Fiscal Year Ending Sept. 30, 2001
Technology assistance grants	1,150,000
Vocational education act of 1963	39,500,000
Vocational rehabilitation client services/facilities	50,143,400
Vocational rehabilitation independent living	3,115,700
Welfare-to-work programs	140,499,000
Focus: HOPE	5,494,300
GROSS APPROPRIATION.....	\$ 378,870,700
Appropriated from:	
Interdepartmental grant revenues:	
IDG-MDOC	1,015,600
Federal revenues:	
CNS	4,500,000
DAG, employment and training	13,000,000
DED-OESE, gear up	2,000,000
DED-OSERS, centers for independent living	525,000
DED-OSERS, client assistance for individuals with disabilities	400,000
DED-OSERS, rehabilitation services, vocational rehabilitation of state grants	34,935,200
DED-OSERS, rehabilitation services facilities	2,272,500
DED-OSERS, supported employment	1,308,600
DED-OSERS, state grants for technical related assistance	1,150,000
DED-OVAE, adult education.....	11,004,700
DED-OVAE, basic grants to states	39,500,000
DOL-ETA, workforce investment act.....	104,602,700
DOL-ETA, multiple grants.....	4,430,000
HHS, temporary assistance for needy families	127,499,000
HHS-SSA, supplemental security income	2,362,500
Special revenue funds:	
Private - gifts, bequests, and donations	800,000
Contingent fund, penalty and interest account	1,000,000
Local vocational rehabilitation match	6,437,400
Local vocational rehabilitation facilities match.....	1,278,300
Tobacco settlement revenue	6,000,000
State general fund/general purpose	\$ 12,849,200
(7) EMPLOYMENT SERVICE AGENCY	
Full-time equated classified positions	303.0
Building occupancy charges - property development service	\$ 376,400
Rent	373,500
Worker's compensation	141,300
Employment services—251.0 FTE positions	48,326,600
Labor market information—52.0 FTE positions	4,374,300
GROSS APPROPRIATION.....	\$ 53,592,100
Appropriated from:	
Federal revenues:	
DED-OSERS, rehabilitation services, vocational rehabilitation of state grants	1,300,000
DOL, federal funds	47,149,100
Special revenue funds:	
Contingent fund, penalty and interest account	1,143,000
Local revenue	4,000,000
State general fund/general purpose	\$ 0
Sec. 103. MICHIGAN STRATEGIC FUND	
(1) APPROPRIATION SUMMARY:	
Full-time equated classified positions	235.0
GROSS APPROPRIATION.....	\$ 169,332,800
Interdepartmental grant revenues:	
Total interdepartmental grants and intradepartmental transfers	100,000
ADJUSTED GROSS APPROPRIATION	\$ 169,232,800

	For Fiscal Year Ending Sept. 30, 2001
Federal revenues:	
Total federal revenues	52,673,200
Special revenue funds:	
Total private revenues	656,700
Total other state restricted revenues	50,050,000
State general fund/general purpose	\$ 65,852,900
(2) MICHIGAN STRATEGIC FUND	
Full-time equated classified positions	235.0
Administration—40.0 FTE positions	\$ 5,483,300
Job creation services—195.0 FTE positions	24,557,000
Michigan promotion program	8,042,500
Economic development job training grants	31,000,000
Community development block grants	50,000,000
Health and aging research and development strategies	50,000,000
Small business development center network	250,000
GROSS APPROPRIATION	\$ 169,332,800
Appropriated from:	
Interdepartmental grant revenues:	
IDG-MDEQ, air quality fees	100,000
Federal revenues:	
DOL-ETA, employment service	770,000
HUD-CPD, Community development block grant	51,903,200
Special revenue funds:	
Private-Michigan certified development corporations fees	156,700
Private-special project advances	500,000
Industry support fees	50,000
Tobacco settlement revenue	50,000,000
State general fund/general purpose	\$ 65,852,900

PART 2

PROVISIONS CONCERNING APPROPRIATIONS

GENERAL SECTIONS

Sec. 201. Pursuant to section 30 of article IX of the state constitution of 1963, total state spending from state resources under part 1 for fiscal year 2000-2001 is \$151,857,300.00 and state spending from state resources to be paid to local units of government for fiscal year 2000-2001 is \$0.00.

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

Sec. 203. As used in this appropriation act:

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

- (t) "IDG" means interdepartmental grant.
- (u) "MDEQ" means the Michigan department of environmental quality.
- (v) "MDOC" means the Michigan department of corrections.
- (w) "President" means the president of the Michigan strategic fund.
- (x) "U.S.C." means the United States Code.
- (y) "WIA" means workforce investment act.

Sec. 204. The department of civil service shall bill departments and agencies at the end of the first fiscal quarter for the 1% charge authorized by section 5 of article XI of the state constitution of 1963. Payments shall be made for the total amount of the billing by the end of the second fiscal quarter.

Sec. 205. (1) Beginning October 1, a hiring freeze is imposed on the state classified civil service. State departments and agencies are prohibited from hiring any new full-time state classified civil service employees and prohibited from filling any vacant state classified civil service positions. This hiring freeze does not apply to internal transfers of classified employees from 1 position to another within a department or to positions that are funded with 80% or more federal or restricted funds.

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

Sec. 206. (1) In addition to the funds appropriated for the department and the fund in part 1, there is appropriated an amount not to exceed \$41,000,000.00 for the department and \$7,000,000.00 for the fund for federal contingency funds. These funds are not available for expenditure until they have been transferred to another line item in this act pursuant to section 393(2) of the management and budget act, 1984 PA 431, MCL 18.1393.

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

(3) In addition to the funds appropriated in part 1, there is appropriated an amount not to exceed \$8,000,000.00 for the department for local contingency funds. These funds are not available for expenditure until they have been transferred to another line item in this act pursuant to section 393(2) of the management and budget act, 1984 PA 431, MCL 18.1393.

(4) In addition to the funds appropriated in part 1, there is appropriated an amount not to exceed \$1,000,000.00 for the department and \$500,000.00 for the fund 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. 207. At least 60 days before beginning any effort to privatize, the department and fund shall submit a complete project plan to the appropriate senate and house of representatives appropriations subcommittees and the fiscal agencies. The plan shall include the criteria under which the privatization initiative will be evaluated. The evaluation shall be completed and submitted to the appropriate senate and house of representatives appropriations subcommittees and the fiscal agencies within 30 months.

Sec. 208. The department and fund shall continue to pilot the use of the Internet to fulfill the reporting requirements of this act. This may include transmission of reports via electronic mail to the recipients identified for each reporting requirement or it may include placement of reports on the Internet or legislative Intranet site. The senate and house of representatives appropriations subcommittees and fiscal agencies shall be notified in writing of the Internet or Intranet site of any such report. Quarterly, the department shall provide a cumulative listing of the reports submitted during the most recent 3-month period along with the Internet or Intranet site of each report, and a list of those reports expected to be transmitted during the fourth quarter. The department shall continue to distribute all of these reports to the legislature in the current printed format.

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

Sec. 210. The director of the department and president of the fund receiving appropriations in part 1 shall take all reasonable steps to ensure businesses in deprived and depressed communities compete for and perform contracts to provide services or supplies, or both. Each director or president shall strongly encourage firms with which the department contracts to subcontract with certified businesses in depressed and deprived communities for services, supplies, or both.

Sec. 211. Of the funds appropriated in part 1 that are in units other than the grants unit, the department and the fund shall not provide grants to local government agencies, institutions of higher education, or nonprofit organizations unless the department or the fund provides notice of the grant to the appropriations subcommittees of the house and senate at least 10 days before the grant is issued or at least 72 hours before any announcement to local governmental units or the public.

Sec. 212. The department and the fund shall provide a report prepared by the department's and the fund's internal auditor on the activities of the internal auditor for the prior fiscal year. This report shall include a listing of each audit or investigation performed by the internal auditor pursuant to sections 486(4) and 487 of the management and budget act, 1984 PA 431, MCL 18.1486 and 18.1487. The report shall identify the proportion of time spent on each of the statutory responsibilities listed in sections 485(4), 486(4), and 487 of the management and budget act, 1984 PA 431, MCL 18.1485, 18.1486, and 18.1487, and the time spent on all other activities performed in the internal audit function. The first report shall be due March 1, 2001 and biennially thereafter beginning on May 1 and shall be submitted to the governor, auditor general, the senate and house appropriations committees, the fiscal agencies, and the director and the president.

Sec. 213. The department and the fund shall establish and maintain affirmative action programs based on guidelines developed by the state equal opportunity workforce planning council which was created by Executive Order No. 1996-13 in order to receive general fund/general purpose dollars.

DEPARTMENT OF CAREER DEVELOPMENT

Sec. 301. The Michigan career and technical institute may receive equipment and in-kind contributions for the direct support of staff services through the Pine Lake fund, the Delton-Kellogg school district or other local or intermediate school district, or any combination of local or intermediate school districts in addition to those authorized in part 1.

Sec. 302. The Michigan rehabilitation service shall make every effort to ensure that all sources of matching funds in this state are used to obtain federal vocational rehabilitation funds. All sources include, but are not limited to, privately raised funds to support public nonprofit rehabilitation centers as permitted by the rehabilitation act of 1973, Public Law 93-112, 29 U.S.C. 701 to 717, 720 to 724, 730 to 732, 740 to 741, 750, 752, 760 to 762, 770 to 777b, 777d to 777f, 780, 781 to 785, 790 to 794d, 795 to 795q, and 796 to 796i.

Sec. 303. The local match requirements for vocational rehabilitation facilities establishment grants shall not exceed 21.3% for the fiscal year ending September 30, 2001.

Sec. 304. (1) Of the funds appropriated in part 1 for vocational rehabilitation independent living, all general fund/general purpose revenue not used to match federal funds shall be used for the support of centers for independent living which are in compliance with federal standards for such centers, for the development of new centers in areas presently unserved or underserved, for technical assistance to centers, and for projects to build capacity of centers to deliver independent living services. Applications for such funds shall be reviewed in accordance with criteria and procedures established by the statewide independent living council, the Michigan rehabilitation services unit within the department, and the Michigan commission for the blind. Funds must be used in a manner consistent with the priorities established in the state plan for independent living. The department is directed to work with the Michigan association of centers for independent living and the local workforce development boards to identify other competitive sources of funding.

(2) The statewide independent living council and the Michigan association of centers for independent living shall jointly produce a report providing the following information:

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

(i) Total number of persons assisted by the centers and a comparison to the number assisted in the previous year.

(ii) Number of persons moved out of nursing homes into independent living situations and a comparison to the number assisted in the previous year.

(iii) Number of persons for whom accommodations were provided to enable independent living or access to employment and a comparison to the number assisted in the previous year.

(iv) The total number of disabled individuals served by personal care attendants and the number of personal care attendants provided through the use of any funds appropriated in part 1 administered by a center for independent living and a comparison to the number served in the previous year.

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

(c) Savings to state taxpayers in other specific areas that can be shown to be the direct result of activities funded from the vocational rehabilitation independent living grant program during the most recently completed state fiscal year.

(3) The report required in subsection (2) shall be submitted to the appropriate appropriations subcommittees, the fiscal agencies, and the state budget director on or before January 15, 2001.

Sec. 305. (1) The appropriation in part 1 to the department for the work first program shall be expended for grants which provide employment and training services to family independence program applicants and recipients and may be expended for grants which provide employment and training services to former family independence program recipients, as well as to recipients of noncash public assistance, specifically child day care, Medicaid, or food stamp benefits. The work first program, however, shall not be construed to be an entitlement to services.

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

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

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

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

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

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

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

(9) The department shall submit to the fiscal agencies and the state budget director by March 15, 2001, a report on the work first program, including the number of participants served under this section, the number of persons who located employment through work first, the average wage of participants who found employment, the number of persons who retained jobs for 90 days, the number of participants placed in employment training and education programs, the number of clients referred to work first who failed to report, a compilation of barriers to employment by incidence and type experienced by participants, and the number of participants referred back to the family independence agency.

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

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

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

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

(12) The department and the family independence agency shall continue to collaborate on refining and making available to work first participants clear joint guidelines on the eligibility of work first participants for postemployment training support and on how training/education hours can be applied toward federal work participation requirements. These guidelines shall balance the ability of participants to obtain training and subsequent long-term, high-wage employment with the need to connect participants with the workplace. Any and all training/education, with the exception of high school completion and GED preparation, must be occupationally relevant and in demand in the labor market as determined by the workforce development board. Participants must make satisfactory progress while in training/education. The department shall submit a progress report on these continuing efforts to the house and senate appropriations subcommittees with jurisdiction over the department and the family independence agency and to the fiscal agencies by October 1, 2000.

(13) Work first participants may meet the work participation requirement by combining a minimum of 10 hours per week of work with training/education. Training/education may last up to 12 months and the calculated hours may include actual classroom seat time up to 10 hours per week plus up to 1 hour of study time for each hour of classroom seat time. The combined work and training/education hours must equal the minimum number of hours required to meet

the federal work participation requirements, 30 hours per week for a single parent, 35 hours per week for 2-parent families, 55 hours if utilizing federally funded day care, and 20 hours per week for single parents with a child under the age of 6. Work first participants may enroll in additional hours of classroom seat time beyond 10 hours. However, these hours and the related study time will not count toward the work participation requirement. The training may be no longer than a 1-year program, or the final year of a 2- or 4-year undergraduate program which is designed to lead to immediate labor force attachment.

(14) Work first participants may meet the federal work participation requirement through enrollment in a short-term vocational program requiring 30 hours of classroom seat time per week for a period not to exceed 6 months, or by enrollment in full-time internships, practicums, or clinicals required by an academic or training institution for licensure, professional certification, or degree completion, without an additional work requirement. Two-parent families who receive federally funded day care must work an additional 25 hours per week to meet the federal work participation requirement. In cases where a short-term vocational program lasts less than 6 months, the participant shall be eligible to enroll in 1 additional short-term vocational program for a combined period not to exceed a total of 6 months.

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

Sec. 306. (1) Using all relevant state data sources, the department shall acquire data on former work first participants, whose family independence program cases closed due to earnings during fiscal year 1999, for the second year in the continuing longitudinal study started in fiscal year 2000. In addition, first-year data will also be compiled on former work first participants whose family independence program cases were closed due to earnings during fiscal year 2000. The data will include the following:

- (a) The number and percentage employed.
- (b) The average hourly wage of those employed.
- (c) The current hourly wage of those employed.
- (d) The range of wages earned by those employed.
- (e) The number of individuals that earned each wage amount.
- (f) The number and percentage receiving health care benefits from their employer.
- (g) The number and percentage receiving tuition reimbursement from their employer.
- (h) The number and percentage receiving training benefits from their employer.
- (i) The type of jobs obtained by former participants in general categories.
- (j) The length of time former participants have retained their jobs, or if participants have had more than 1 job, the length of time employed at each job.
- (k) The number and percentage continuing to receive any type of public assistance.
- (l) If the former recipient has children, whether the children are enrolled in and attending school.
- (m) The extent to which the former participant feels that they and their family are better off now than when they were on cash assistance with regard to household income, housing, food and nutritional needs, child health care, and access to health insurance coverage.

(2) The department shall file a report containing the identified data with the appropriate house and senate appropriation subcommittees and fiscal agencies by March 15, 2001.

(3) The department shall cooperate with the family independence agency in formulating and acquiring the identified data.

(4) The department may retain a third party to conduct the studies to obtain the data identified under this section.

Sec. 307. The department shall work cooperatively with the department of civil service to identify state employees who will lose their jobs as a result of an agency or program being reorganized, modified, or eliminated and shall develop training programs and provide training to these individuals that will provide them an opportunity and skills necessary to secure new employment within state government or the private sector. It shall be a priority of the department to provide training and employment opportunities to these individuals through their employment service locations.

Sec. 308. State and federal funds allocated to local workforce development boards for disbursement shall not be appropriated unless the local workforce development boards maintain a partnership with governmental agencies, public school districts, and public colleges located within the local service delivery area. Each board shall appoint an education advisory group made up of high-level administrators within local educational institutions, workforce development board members, other employers, labor, academic educators, and parents of public school pupils.

Sec. 309. From the funds appropriated in part 1 to job training programs subgrantees, the department shall allocate sufficient funds to the Michigan works! service centers to allow these centers to remain fully operational.

Sec. 310. (1) Of the funds appropriated in part 1 for precollege programs in engineering and the sciences, \$620,000.00 shall be provided in the form of a grant to the Detroit precollege engineering program, incorporated and \$424,700.00 shall be provided in the form of a grant to the Grand Rapids area precollege engineering program.

(2) The department shall submit a report to the appropriate house and senate appropriations subcommittees and the fiscal agencies by February 1, 2001 regarding dropout rates, grade point averages, enrollment in science, engineering, and math-based curricula, and employment in science, engineering, and math-based fields for students within the programs. The report shall continue to evaluate the effectiveness of the precollege programs in engineering and sciences funded through part 1 appropriations and shall make recommendations on whether state support to expand such programs to other areas of the state is warranted in future fiscal years.

Sec. 311. Funds earned or authorized by the United States department of labor in excess of the gross appropriation in part 1 for the employment service agency from the United States department of labor are appropriated and may be expended for staffing and related expenses incurred in the operation of its programs. These funds may be spent after the department notifies the appropriations subcommittees of the house and senate of the purpose and amount of each grant award.

Sec. 312. (1) The department shall have at least 1 disabled veterans outreach program specialist or local veterans employment representative present, if able and willing to serve, at each Michigan works! employment services office on a full- or part-time basis during hours of operation.

(2) The department shall ensure that each Michigan works! employment services office shall have the necessary equipment to allow the disabled veterans outreach specialist or local veterans employment representative to perform his or her duties in the same manner they were performed prior to February 1, 1999.

(3) The department shall require each Michigan works! employment services office to have an employee available to ask each individual who enters the office for service whether that individual is a veteran and to refer each veteran to the disabled veterans outreach program specialist or local veterans employment representative on duty at the time.

(4) The department shall require that each Michigan works! employment services office shall have posted in a conspicuous place within the office a notice advising veterans that a disabled veterans outreach program specialist or a local veterans employment representative is available to assist him or her.

(5) The department shall require each Michigan works! employment services office to provide free mediated services to employers wishing to hire a veteran.

(6) The department shall continue to make the appropriate placement of veterans and disabled veterans a priority.

Sec. 313. The department shall report to the appropriations subcommittees of the house and senate by September 30, 2001, on the distribution of the Michigan community service commission volunteer investment grants.

Sec. 315. The funds appropriated in part 1 for the council of Michigan foundations from tobacco settlement revenue shall be distributed to the council of Michigan foundations as a grant to support local community efforts to address youth and senior health needs. The council may distribute the funds according to a formula determined by the council or may invest these funds. Any investment earnings from this appropriation shall be used for the same purpose as the original appropriation.

Sec. 316. The department may carry into the succeeding fiscal year unexpended federal pass-through funds to local institutions and governments that do not require additional state matching funds. Federal pass-through funds to local institutions and governments that are received in amounts in addition to those included in part 1 and that do not require additional state matching funds are appropriated for the purposes intended.

Sec. 317. Of the amounts appropriated in part 1 for postsecondary education, \$250,000.00 of private occupational school license fees shall fund 3.0 FTE positions and related administrative costs of the proprietary schools oversight unit within the department.

Sec. 318. Money in the school loan exception fee fund that is unexpended at the end of the fiscal year shall not revert to the general fund but shall be carried over to the succeeding fiscal year.

Sec. 319. The department is appropriated an amount not to exceed \$100,000.00 from collection of defaulted loans under the future faculty program in the Martin Luther King, Jr. - Cesar Chavez - Rosa Parks programs to offset costs of administering the loan collections.

Sec. 320. From the funds appropriated in part 1 for postsecondary education, the department shall compile data from each university that receives funding for the future faculty program within the King-Chavez-Parks initiative on employment outcomes for program participants. The report shall be distributed to the house and senate appropriations committees by February 1 of each year. The report shall include data from each participating university covering the most recently completed fiscal year. The data shall include all of the following:

(a) The number of participants receiving support under the program.

(b) The number of participants obtaining full-time employment.

(c) The number of participants obtaining full-time employment in college faculty positions.

(d) The number of participants obtaining full-time employment in college faculty positions within the university through which they received future faculty program support for graduate studies.

Sec. 321. The appropriation in part 1 for adult education shall be utilized to support the administration of up to \$100,000,000.00 in general fund/general purpose revenue for adult education programs. It is the intent of the legislature that department staff funded through the appropriation in part 1 ensure that at least \$80,000,000.00 in adult education program funding be distributed through the existing grant process as outlined in section 107 of the state school aid act of 1979, 1979 PA 94, MCL 388.1707. No more than \$20,000,000.00 may be administered through any alternative process.

Sec. 323. The department shall work with the department of community health to establish a Medicaid buy-in program for the working disabled through the options available under the federal ticket to work and work incentives improvement act of 1999.

Sec. 324. It is the intent of the legislature that the King-Chavez-Parks initiative is marketed by the department to Michigan parents and high school and college students, to promote the benefits and the availability of its various programs. It is further the intent of the legislature that the department administer the King-Chavez-Parks initiative in the same manner as when it was previously contained in the department of education.

MICHIGAN STRATEGIC FUND

Sec. 401. (1) The appropriation in part 1 to the fund for economic development job training shall be expended for competitive grants that ensure employers have the trained workers they need to compete in the global economy. The fund shall expedite grant awards for employers locating or expanding in Michigan and thereby creating significant numbers of new jobs in the state.

(2) Not more than 5% of the total grant, administration, and operating funds appropriated in part 1 for the fund's economic development job training grants program may be expended for administrative costs. Not more than 12% of the total grant awarded to recipients may be expended for administration costs.

(3) No funds appropriated in part 1 to the fund for economic development job training grants may be expended for the training of permanent striker replacement workers.

(4) At least 70% of the economic development job training grant funds shall be awarded to community colleges or a consortium of community colleges and other eligible applicants pursuant to the requirements of this section.

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

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

(7) On or before October 1, 2000, the fund shall publish proposed application criteria, instructions, and forms for use by eligible applicants. The fund shall provide at least a 2-week period for public comment prior to finalization of the application criteria, instructions, and forms.

(8) The award process will include a simple notice of intent to be reviewed to see if the application merits further consideration. If so, a full application may be submitted. Applications for all grants shall be submitted to the fund, and each application shall contain at least all of the following:

(a) The name, address, and total number of employees of each business organization whose employees are receiving job training.

(b) A description of the specific job skills that will be taught.

(c) A clear statement of the project's scope of activities and number of participants to be involved.

(d) A commitment to maintain participant records in a form and manner required by the fund.

(e) A budget which relates to the proposed activities and various program components.

(9) Priority in the fund's awarding of grants shall be based on the following criteria:

(a) Demonstrated need for the type of training offered.

(b) Creation and/or retention of high wage and high skilled level jobs.

(c) Other criteria determined by the fund to be important.

(10) Not more than \$5,000,000.00 of the amount appropriated in part 1 for economic development job training may be allocated to rapid response grants for employee training programs which maintain or attract permanent jobs for Michigan residents. A grant under this subsection shall be awarded to eligible applicants under subsection (1)(a).

(11) Participants in economic development job training programs shall be 16 years or older and not enrolled and counted in membership in a school district or intermediate school district.

(12) Funds allocated under this section shall be for the purpose of ensuring that employers have trained workers they need to compete in the global economy. The fund shall have on file a specific plan to accomplish its objectives. The program estimated completion cost is the total amount appropriated to the fund and shall have an estimated completion date of September 30, 2005.

(13) A recipient of a grant under this section shall not charge tuition or fees to participants in the program funded by the grant. However, a nonprofit organization may charge tuition or fees if the tuition plan or fees are recognized by the state and the nonprofit organization receives additional funding from other governmental or private funding sources for its programs.

(14) For incumbent worker training, the business organization shall provide 25% of the program costs in matching funds as determined by the program.

(15) Grant funds shall be expended on a cost reimbursement basis.

(16) A recipient of a grant under this section shall allow the fund or the agency's designee to audit all records related to the grant for all entities that receive money, either directly or indirectly through a contract, from the grant funds. A grant recipient or contractor shall reimburse the state for all disallowances found in the audit.

(17) The fund shall provide to the state budget director and the fiscal agencies by April 15 and November 1 of each year a report on the economic development job training grants. The report due by April 15 shall provide the information described in this subsection for each grant or contract awarded during the preceding 2 quarters of the state fiscal year. The report due by November 1 shall provide this information for each grant or contract awarded during the preceding full fiscal year. The report shall contain all of the following:

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

(b) The number of participants under each grant or contract and the number of new hires who are in training under the grant.

(c) The names, addresses, and total number of employees of all business organizations for whom training is or will be provided.

(d) The matching funds, if any, to be provided by a business organization.

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

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

(20) Of the funds appropriated in part 1, \$1,000,000.00 may be used for a recruitment program. This will be a pilot program that provides worker recruitment assistance to companies in Michigan. Priority for using the funds shall be to recruit workers from outside the state of Michigan. However, in the event funds are available for in-state recruitment efforts, the Michigan works! agencies shall be utilized unless they indicate they are unable to provide the service.

Sec. 402. The travel administration may establish and collect a fee to cover the cost of materials and processing of photographic prints, slides, videotapes, and travel product database information that are requested by the media and other segments of the public and private sectors. The fees collected shall be appropriated for all expenses necessary to purchase and distribute these photographic prints, slides, videotapes, and travel product database information. The funds are available for expenditure when they are received by the department of treasury.

Sec. 403. The fund shall submit an annual status report to the appropriations subcommittees of the house of representatives and senate on all activities, grants, and investment programs financed from the strategic fund/renaissance fund using investment or Indian gaming revenues. The report shall provide a list of individual grants and loans made from the fund.

Sec. 404. The travel administration may receive and expend private revenue related to the use of the "Michigan Great Lakes. Great Times." copyrighted slogan and image. This revenue may come from the direct licensing of the name and image or from the royalty payments from various merchandise sales. Revenue collected is appropriated for the marketing of the state as a travel destination. The funds are available for expenditure when they are received by the department of treasury.

Sec. 405. Of the funds appropriated in part 1 for the Michigan promotion program, at least 25% of all program funds shall be used to promote cultural tourism opportunities in Michigan. In addition, \$200,000.00 shall be used to promote tourism activities in the northeast region of the state.

Sec. 406. The fund shall submit on or before May 1, 2001 and November 1, 2001 to the senate and house of representatives appropriations subcommittees and the fiscal agencies a listing of all grants which have been awarded by the fund or by the Michigan economic development corporation from the funds appropriated in part 1. The list shall include all of the following:

(a) The name of the recipient.

(b) The amount awarded to the recipient.

(c) The purpose of the grant.

Sec. 407. (1) The fund shall provide reports to the relevant senate and house of representatives appropriations subcommittees and the fiscal agencies concerning the activities of the Michigan economic development corporation. The report shall include, but not be limited to, the following programs funded in part 1:

(a) Travel Michigan bureau.

(b) National business development.

(c) International business development.

(d) Small, minority, and disabled business services.

(e) CDBG.

(f) Strategic/renaissance fund administration.

(g) Renaissance zones.

(h) Business roundtables.

(i) Business and clean air ombudsman.

- (j) Economic development job training grants.
- (k) Film office.
- (l) Health and aging research and development initiative.
- (m) Any other programs of the fund.

(2) The reports in subsection (1) shall be submitted by January 1, 2001. The report for each program in subsection (1)(a) through (m) shall include details on the actual spending and number of FTEs for that program for the previous fiscal year.

Sec. 408. As a condition of receiving funds under part 1, any interlocal agreement entered into by the fund shall include language which states that if a local unit of government has a contract or memorandum of understanding with a private economic development agency, the Michigan economic development corporation will work cooperatively with that private organization in that local area.

Sec. 409. (1) Of the funds appropriated to the fund or through grants to the Michigan economic development corporation, no funds shall be expended for the purchase of options on land or the purchase of land unless at least 1 of the following conditions applies:

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

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

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

Sec. 410. (1) From the funds appropriated in part 1 for the fund, \$50,000,000.00 is appropriated for a health and aging research and development initiative to support basic and applied research in health-related areas, with emphasis on issues related to aging. The program shall be administered by the Michigan economic development corporation.

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

(3) Of the funds appropriated, 40% is allocated for a basic research fund, to be distributed on a competitive basis to Michigan universities or Michigan nonprofit research institutes, or both, for basic research in health-related areas. Not less than \$5,000,000.00 is allocated to research related to aging diseases and health problems. Fifty percent of the appropriated funds are earmarked for a collaborative research fund to support peer-reviewed collaborative grants among Michigan universities and/or private research facilities, with emphasis on testing or developing emerging discoveries. Up to 10% of the appropriated funds may be used to support a commercial development fund to support commercialization opportunities for life science research in Michigan. Appropriated funds must be matched with other university, private, or federal funding. Not more than 1% of the appropriated funds may be used for administrative costs of administering the initiative.

Sec. 411. (1) The appropriation in part 1 for the Michigan small business development center network shall be awarded to the Michigan small business development center state headquarters, located at Wayne State University, for distribution to the small business development centers' offices located throughout Michigan. The Michigan small business development center state headquarters shall establish criteria for awarding these grant funds, which shall include, but are not limited to, all of the following:

(a) The ability to demonstrate a clear and effective plan to deliver small business management assistance services in this state.

(b) How small business management assistance services will enhance and expand basic services provided by the Michigan small business development center network under its existing cooperative agreement with the United States small business administration.

(2) The Michigan small business development center state headquarters shall compile a summary report to the fund that shall include a financial statement identifying all encumbrances on or expenditures from these grant funds. The summary report shall be submitted by September 30, 2001. The summary report shall include an economic impact analysis resulting from expenditure of the funds. All financial and impact reports shall be made available to the appropriate subcommittee of the house and senate appropriations committee upon request.

Sec. 412. The fund shall inform the members of the appropriate appropriations subcommittees of the house and senate of any decisions to eliminate any foreign outreach personnel.

Sec. 413. The money appropriated in part 1 to the fund is subject to the condition that none is spent for premiums or advertising material involving personal effects or apparel including, but not limited to, T-shirts, hats, coffee mugs, or other promotional items, except Travel Michigan.

Sec. 414. (1) From the general fund/general purpose appropriations in part 1 to the fund and granted or transferred to the Michigan economic development corporation, any unexpended or unencumbered balance shall be returned to the general fund at the end of the fiscal year, unless carryforward authorization has been otherwise provided for in this act.

(2) Any encumbered funds shall be used for the same purposes for which funding was originally appropriated in this act.

Sec. 415. As a condition of receiving funds under part 1, the fund shall ensure that a public body corporate, created under section 28 of article VII of the state constitution of 1963, and the urban cooperation act of 1967, 1967 (Ex Sess) PA 7, MCL 124.501 to 124.512, by a contractual interlocal agreement between local participating economic development corporations formed under the economic development corporations act, 1974 PA 338, MCL 125.1601 to 125.1636, and the Michigan strategic fund, complies with all of the following:

(a) The freedom of information act, 1976 PA 442, MCL 15.231 to 15.246.

(b) The open meetings act, 1976 PA 267, MCL 15.261 to 15.275.

(c) Annual audits of all financial records by the auditor general or his or her designee.

(d) All reports required by law to be submitted to the legislature.

Sec. 417. As a condition for receiving the appropriations in part 1, any staff of the Michigan economic development corporation involved in private fund-raising activities shall not be party to any decisions regarding the awarding of grants or tax abatements from the Michigan strategic fund, Michigan economic development corporation, or the Michigan economic growth authority.

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

A bill to make appropriations for the department of career development and the Michigan strategic fund and certain other state purposes for the fiscal year ending September 30, 2001; to provide for the expenditure of the appropriations; and to provide for the disposition of fees and other income received by the state agencies.

Janet Kukuk
Patricia Godchaux
Conferees for the House

Shirley Johnson
Leon Stille
Conferees for the Senate

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

First Conference Report

The Committee of Conference on the matters of difference between the two Houses concerning
House Bill No. 5275, entitled

A bill to make appropriations for the department of consumer and industry services and certain other state purposes for the fiscal year ending September 30, 2001; to provide for the expenditure of those appropriations; to provide for the imposition of certain fees; to provide for the disposition of fees and other income received by the state agencies; to provide for reports to certain persons; and to prescribe powers and duties of certain state departments and certain state and local agencies and officers.

Recommends:

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

A bill to make appropriations for the department of consumer and industry services and certain other state purposes for the fiscal year ending September 30, 2001; to provide for the expenditure of those appropriations; to provide for the imposition of certain fees; to provide for the disposition of fees and other income received by the state agencies; to provide for reports to certain persons; and to prescribe powers and duties of certain state departments and certain state and local agencies and officers.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:
PART 1

LINE-ITEM APPROPRIATIONS

Sec. 101. The amounts listed in this part are appropriated for the department of consumer and industry services, subject to the conditions set forth in this act, for the fiscal year ending September 30, 2001, from the funds identified in this part. The following is a summary of the appropriations in this part:

For Fiscal Year
Ending Sept. 30,
2001

DEPARTMENT OF CONSUMER AND INDUSTRY SERVICES**APPROPRIATION SUMMARY:**

Full-time equated unclassified positions	64.5	
Full-time equated classified positions	3,905.9	
GROSS APPROPRIATION.....		\$ 529,806,600
Interdepartmental grant revenues:		
Total interdepartmental grants and intradepartmental transfers		109,200
ADJUSTED GROSS APPROPRIATION		\$ 529,697,400
Federal revenues:		
Total federal revenues		237,626,000
Special revenue funds:		
Total local revenues		0
Total private revenues		745,900
Total other state restricted revenues		207,067,200
State general fund/general purpose		\$ 84,258,300
Sec. 102. EXECUTIVE DIRECTION		
Full-time equated unclassified positions	64.5	
Full-time equated classified positions	94.0	
Unclassified salaries		\$ 5,511,000
Energy office—9.0 FTE positions		2,558,800
Executive director programs—13.0 FTE positions		2,091,400
Policy development—10.0 FTE positions		1,442,000
Utility consumer representation		550,000
Regulatory efficiency improvements/backlog reduction initiative		750,000
MES board of review program—21.0 FTE positions		1,703,400
Bureau of hearings—41.0 FTE positions.....		4,236,700
GROSS APPROPRIATION.....		\$ 18,843,300
Appropriated from:		
Federal revenues:		
DOE-OEERE, multiple grants.....		2,127,900
DOL-ETA, unemployment insurance		2,109,300
DOL, multiple grants for safety and health.....		154,300
Special revenue funds:		
Bank fees		177,800
Boiler fee revenue.....		84,600
Construction code fund		406,700
Consumer finance fees		91,500
Corporation fees.....		305,200
Credit union fees.....		136,100
Elevator fees		38,600
Fees and collections/asbestos		10,900
Fire service fees		23,800
Health professions regulatory fund		1,330,600
Health systems fees and collections		66,000
Insurance regulatory fees		629,700
Licensing and regulation fees.....		451,100
Liquor license fees.....		100,000
Liquor purchase revolving fund		1,222,200
Manufactured housing commission fees.....		155,000
Michigan state housing development authority fees and charges		313,800
Motor carrier fees		27,600
Property development fees		4,500
Public utility assessments		1,973,300
Safety education and training fund.....		199,300
Second injury fund.....		68,100
Securities fees		170,500

	For Fiscal Year Ending Sept. 30, 2001
Self-insurers' security fund.....	17,900
Silicosis and dust disease fund.....	26,100
Utility consumer representation fund	550,000
Worker's compensation administrative revolving fund.....	60,100
State general fund/general purpose	\$ 5,810,800
Sec. 103. COUNCIL FOR ARTS AND CULTURAL AFFAIRS	
Full-time equated classified positions	9.0
Administration—9.0 FTE positions.....	\$ 887,500
Arts and cultural grants.....	25,844,700
GROSS APPROPRIATION.....	\$ 26,732,200
Appropriated from:	
Federal revenues:	
NFAH-NEA, promotion of the arts, state and regional programs	700,000
State restricted revenues:	
State general fund/general purpose	\$ 26,032,200
Sec. 104. FIRE SAFETY	
Full-time equated classified positions	57.0
Office of fire safety—57.0 FTE positions	\$ 4,885,800
GROSS APPROPRIATION.....	\$ 4,885,800
Appropriated from:	
Interdepartmental grant revenues:	
IDG from department of community health, inspection contract.....	109,200
Federal revenues:	
Federal funds	1,298,300
Special revenue funds:	
Fire alarm regulation fees	89,300
Fire service fees	1,802,500
State general fund/general purpose	\$ 1,586,500
Sec. 105. MANAGEMENT SERVICES	
Full-time equated classified positions	178.0
Administrative services—84.0 FTE positions	\$ 5,884,100
Technology support—94.0 FTE positions	13,724,200
Insurance automation	750,000
Health services information systems	750,000
Rent	7,143,900
Building occupancy charges - property development services.....	6,683,400
Worker's compensation	1,055,000
Special project advances	740,000
GROSS APPROPRIATION.....	\$ 36,730,600
Appropriated from:	
Federal revenues:	
DOL-ETA, unemployment insurance	296,300
DOL, multiple grants for safety and health.....	549,900
Federal funds	426,700
HHS, federal funds	37,000
Special revenue funds:	
Private-special project advances	740,000
Bank fees	356,300
Boiler fee revenue.....	227,100
Construction code fund	1,165,300
Consumer finance fees	148,600
Corporation fees.....	1,938,000
Credit union fees.....	250,800
Elevator fees	267,000
Fees and collections/asbestos	88,200
Fire service fees	31,700

	For Fiscal Year Ending Sept. 30, 2001
Health professions regulatory fund	4,350,800
Health systems fees and collections	464,700
Insurance regulatory fees	2,441,300
Licensing and regulation fees	2,031,800
Liquor purchase revolving fund	7,931,400
Manufactured housing commission fees	121,800
Michigan state housing development authority fees and charges	2,560,900
Motor carrier fees	198,600
Property development fees	29,000
Public utility assessments	2,323,700
Safety education and training fund	677,900
Second injury fund	303,300
Securities fees	666,300
Self-insurers' security fund	79,000
Silicosis and dust disease fund	113,100
Tax tribunal fees	41,000
Worker's compensation administrative revolving fund	1,333,600
State general fund/general purpose	\$ 4,539,500

Sec. 106. CORPORATIONS AND LAND DEVELOPMENT BUREAU

Full-time equated classified positions	101.0	
Manufactured housing commission, per diem \$50.00		\$ 7,800
Manufactured housing and land resources program—15.0 FTE positions		1,502,400
Corporate services—61.0 FTE positions		5,030,200
Investment oversight—12.0 FTE positions		1,104,500
Local manufactured housing communities inspections		250,000
Property development group—13.0 FTE positions		1,420,400
Remonumentation grants		5,000,000
GROSS APPROPRIATION		\$ 14,315,300

Appropriated from:

Federal revenues:

Special revenue funds:

Corporation fees	6,555,900
Limited liability partnership revenue	10,000
Manufactured housing commission fees	1,916,800
Property development fees	237,400
Remonumentation fees	5,595,200
State general fund/general purpose	\$ 0

Sec. 107. FINANCIAL SERVICES AND CORPORATIONS

Full-time equated classified positions	278.0	
Administration—27.0 FTE positions		\$ 3,203,200
Policy and consumer services—37.0 FTE positions		2,956,900
Securities regulation—18.0 FTE positions		1,511,200
Bank regulation—50.0 FTE positions		5,362,000
Credit union regulation—43.0 FTE positions		3,713,900
Consumer finance regulation—21.0 FTE positions		1,909,300
Insurance financial evaluation—46.0 FTE positions		5,553,800
Insurance licensing and enforcement—36.0 FTE positions		3,477,500
GROSS APPROPRIATION		\$ 27,687,800

Appropriated from:

Federal revenues:

Federal funds	50,600
Special revenue funds:	
Private-travel funds	5,900
Bank fees	6,224,800
Consumer finance fees	2,255,700
Credit union fees	4,451,300

	For Fiscal Year Ending Sept. 30, 2001
Insurance continuing education fees.....	532,400
Insurance licensing and regulation fees.....	2,619,500
Insurance regulatory fees	9,504,200
Multiple employer welfare arrangement.....	66,000
Securities fees.....	1,977,400
State general fund/general purpose	\$ 0
Sec. 108. PUBLIC SERVICE COMMISSION	
Full-time equated classified positions	143.0
Administration, planning and regulation—143.0 FTE positions.....	\$ 15,411,200
GROSS APPROPRIATION.....	\$ 15,411,200
Appropriated from:	
Federal revenues:	
DOE-OEERE, multiple grants.....	146,000
DOT-RSPA, gas pipeline safety	274,100
Special revenue funds:	
Motor carrier fees	1,849,500
Public utility assessments	13,141,600
State general fund/general purpose	\$ 0
Sec. 109. LIQUOR CONTROL COMMISSION	
Full-time equated classified positions	179.0
Management support services—39.0 FTE positions.....	\$ 2,873,900
Liquor licensing and enforcement—140.0 FTE positions.....	10,698,000
Liquor law enforcement grants.....	6,000,000
Grant to department of agriculture for wine industry council.....	457,200
GROSS APPROPRIATION.....	\$ 20,029,100
Appropriated from:	
Special revenue funds:	
Liquor license revenue	10,953,100
Liquor purchase revolving fund	8,618,800
Nonretail liquor license revenue	457,200
State general fund/general purpose	\$ 0
Sec. 110. MICHIGAN STATE HOUSING DEVELOPMENT AUTHORITY	
Full-time equated classified positions	234.0
Payments on behalf of tenants	\$ 70,000,000
Housing and rental assistance program—227.0 FTE positions	22,662,700
Automatic data processing—7.0 FTE positions.....	989,600
Homeless program	5,290,800
GROSS APPROPRIATION.....	\$ 98,943,100
Appropriated from:	
Federal revenues:	
HUD, lower income housing assistance program	84,272,800
Special revenue funds:	
Michigan state housing development authority fees and charges	14,670,300
State general fund/general purpose	\$ 0
Sec. 111. TAX TRIBUNAL	
Full-time equated classified positions	14.0
Operations—14.0 FTE positions	\$ 1,638,700
GROSS APPROPRIATION.....	\$ 1,638,700
Appropriated from:	
Special revenue funds:	
Tax tribunal fees	629,400
State general fund/general purpose	\$ 1,009,300
Sec. 112. GRANTS	
Fire protection grants	\$ 6,975,000
GROSS APPROPRIATION.....	\$ 6,975,000

For Fiscal Year
Ending Sept. 30,
2001

Appropriated from:	
Special revenue funds:	
Liquor purchase revolving fund	6,975,000
State general fund/general purpose	\$ 0
Sec. 113. HEALTH REGULATORY SYSTEMS	
Full-time equated classified positions	344.0
Health systems administration—181.0 FTE positions	\$ 16,768,400
Nursing home quality incentive grants	10,300,000
Emergency medical services program state staff—7.0 FTE positions	888,600
Radiological health administration and projects—24.0 FTE positions	1,948,900
Substance abuse program administration—4.0 FTE positions	401,500
Emergency medical services grants and contracts	1,062,100
Health services—125.0 FTE positions	13,027,800
GROSS APPROPRIATION	\$ 44,397,300
Appropriated from:	
Federal revenues:	
Federal funds	18,096,500
Special revenue funds:	
Controlled substance license fees	1,343,300
Health professions regulatory fund	10,422,800
Health systems fees and collections	3,687,100
Nurse professional fund	450,000
State general fund/general purpose	\$ 10,397,600
Sec. 114. REGULATORY SERVICES	
Full-time equated classified positions	313.0
AFC, children's welfare and day care licensure—313.0 FTE positions	\$ 25,580,400
GROSS APPROPRIATION	\$ 25,580,400
Appropriated from:	
Federal revenues:	
HHS, federal funds	10,973,200
Special revenue funds:	
Health systems fees and collections	152,700
Licensing fees	482,800
State general fund/general purpose	\$ 13,971,700
Sec. 115. OCCUPATIONAL REGULATION	
Full-time equated classified positions	239.5
Commissions and boards	\$ 41,900
Code enforcement—99.0 FTE positions	7,724,700
Code enforcement flexibility	1,155,500
Boiler inspection program—18.0 FTE positions	1,509,700
Elevator inspection program—23.0 FTE positions	1,817,500
Commercial services—98.0 FTE positions	9,056,700
GROSS APPROPRIATION	\$ 21,306,000
Appropriated from:	
Special revenue funds:	
Boiler fee revenue	1,653,800
Construction code fund	8,672,200
Elevator fees	1,923,300
Homeowner construction lien recovery fund	1,528,900
Licensing and regulation fees	7,003,300
Real estate appraiser continuing education fund	45,000
Real estate education fund	217,500
State general fund/general purpose	\$ 262,000
Sec. 116. EMPLOYMENT RELATIONS	
Full-time equated classified positions	28.0
Fact finding and arbitration	\$ 154,300

	For Fiscal Year Ending Sept. 30, 2001
Employment and labor relations—28.0 FTE positions	2,935,500
GROSS APPROPRIATION.....	\$ 3,089,800
Appropriated from:	
Federal revenues:	
EEOC, federal funds	30,000
Special revenue funds:	
Publication revenue.....	10,000
State general fund/general purpose	\$ 3,049,800
Sec. 117. SAFETY AND REGULATION	
Full-time equated classified positions282.0	
Commissions and boards.....	\$ 27,700
Employment standards enforcement—38.0 FTE positions	2,539,800
Subgrantees.....	1,076,900
Occupational safety and health—244.0 FTE positions	22,287,200
GROSS APPROPRIATION.....	\$ 25,931,600
Appropriated from:	
Federal revenues:	
DOL, multiple grants for safety and health.....	12,252,300
Special revenue funds:	
Fees and collections/asbestos	694,200
Safety education and training fund.....	5,608,700
State general fund/general purpose	\$ 7,376,400
Sec. 118. WORKER'S DISABILITY COMPENSATION	
Full-time equated classified positions171.4	
Administration—119.0 FTE positions	\$ 8,345,700
Board of magistrates administration—8.0 FTE positions	1,822,500
Appellate commission administration—11.4 FTE positions	847,400
Supplemental benefit fund	1,300,000
Insurance funds administration—33.0 FTE positions	10,175,900
Automatic data processing	506,000
Grant to department of career development, hire the handicapped program.....	50,000
GROSS APPROPRIATION.....	\$ 23,047,500
Appropriated from:	
Special revenue funds:	
Second injury fund.....	6,471,300
Self-insurers' security fund.....	1,724,900
Silicosis and dust disease fund.....	2,535,700
Worker's compensation administrative revolving fund.....	2,093,100
State general fund/general purpose	\$ 10,222,500
Sec. 119. UNEMPLOYMENT AGENCY	
Full-time equated classified positions1,519.0	
Worker's compensation.....	\$ 765,000
Rent	6,087,000
Building occupancy charges - property development service	3,725,800
Unemployment program—1,441.7 FTE positions	94,742,800
Advocacy assistance program—8.0 FTE positions.....	1,536,200
Special audit and collections program—34.0 FTE positions	2,157,400
Testing program for agency staff—2.1 FTE positions	2,779,600
Expanded fraud control program—33.2 FTE positions	2,468,100
GROSS APPROPRIATION.....	\$ 114,261,900
Appropriated from:	
Federal revenues:	
DOL, employment and training administration	518,600
DOL, unemployment insurance.....	99,163,400
Federal Reed act funds.....	4,148,800

For Fiscal Year
Ending Sept. 30,
2001

Special revenue funds:	
Contingent fund, penalty and interest account	10,431,100
State general fund/general purpose	\$ 0

PART 2

PROVISIONS CONCERNING APPROPRIATIONS

GENERAL SECTIONS

Sec. 201. Pursuant to section 30 of article IX of the state constitution of 1963, total state spending from state resources under part 1 for fiscal year 2000-2001 is \$291,325,500.00 and state spending from state resources to be paid to local units of government for fiscal year 2000-2001 is \$33,475,000.00. The itemized statement below identifies appropriations from which spending to units of local government will occur:

DEPARTMENT OF CONSUMER AND INDUSTRY SERVICES

Arts and cultural grants.....	\$ 15,000,000
Fire protection grants.....	6,975,000
Liquor law enforcement	6,000,000
Local manufactured housing inspections.....	250,000
Remonumentation grants.....	5,000,000
Subgrantees.....	250,000
Total department of consumer and industry services.....	\$ 33,475,000

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

Sec. 203. As used in this appropriation act:

- (a) "AFC" means adult foster care.
- (b) "Department" means the department of consumer and industry services.
- (c) "DOE" means the United States department of energy.
- (d) "DOE-OEERE" means the DOE office of energy efficiency and renewable energy.
- (e) "DOL" means the United States department of labor.
- (f) "DOL-OSHA" means the DOL occupational safety and health administration.
- (g) "DOT" means the United States department of transportation.
- (h) "DOT-RSPA" means the DOT research and special programs administration.
- (i) "Fiscal agencies" means Michigan house fiscal agency and Michigan senate fiscal agency.
- (j) "FTE" means full-time equated.
- (k) "HHS" means the United States department of health and human services.
- (l) "HHS-HCFA" means the HHS health care financing administration.
- (m) "HHS-SSA" means HHS social security administration.
- (n) "HUD" means the United States department of housing and urban development.
- (o) "IDG" means interdepartmental grant.
- (p) "MIOSHA" means the Michigan occupational safety and health administration.
- (q) "NFAH" means the national foundation of the arts and the humanities.
- (r) "NFAH-NEA" means the NFAH national endowment for the arts.

Sec. 204. The department of civil service shall bill departments and agencies at the end of the first fiscal quarter for the 1% charge authorized by section 5 of article XI of the state constitution of 1963. Payments shall be made for the total amount of the billing by the end of the second fiscal quarter.

Sec. 205. (1) Beginning October 1, a hiring freeze is imposed on the state classified civil service. State departments and agencies are prohibited from hiring any new full-time state classified civil service employees and prohibited from filling any vacant state classified civil service positions. This hiring freeze does not apply to internal transfers of classified employees from 1 position to another within a department or to positions that are funded with 80% or more federal or restricted funds.

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

Sec. 206. (1) In addition to the funds appropriated in part 1, there is appropriated an amount not to exceed \$23,500,000.00 for federal contingency funds. These funds are not available for expenditure until they have been transferred to another line item in this act pursuant to section 393(2) of the management and budget act, 1984 PA 431, MCL 18.1393.

(2) In addition to the funds appropriated in part 1, there is appropriated an amount not to exceed \$12,200,000.00 for state restricted contingency funds. These funds are not available for expenditure until they have been transferred to another line item in this act pursuant to section 393(2) of the management and budget act, 1984 PA 431, MCL 18.1393.

(3) In addition to the funds appropriated in part 1, there is appropriated an amount not to exceed \$180,800.00 for local contingency funds. These funds are not available for expenditure until they have been transferred to another line item in this act pursuant to section 393(2) of the management and budget act, 1984 PA 431, MCL 18.1393.

(4) In addition to the funds appropriated in part 1, there is appropriated an amount not to exceed \$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 pursuant to section 393(2) of the management and budget act, 1984 PA 431, MCL 18.1393.

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

Sec. 208. The department shall continue to pilot the use of the Internet to fulfill the reporting requirements of this act. This may include transmission of reports via electronic mail to the recipients identified for each reporting requirement or it may include placement of reports on the Internet or legislative Intranet site. All members of the senate and house of representatives appropriations subcommittees and senate and house fiscal agencies shall be notified in writing of the Internet or Intranet site of any such report. Quarterly, the department shall provide a cumulative listing of the reports submitted during the most recent 3-month period along with the Internet or Intranet site of each report. The department shall continue to distribute all of these reports to the legislature in the current printed format.

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

Sec. 210. The director of each department receiving appropriations in part 1 shall take all reasonable steps to ensure businesses in deprived and depressed communities compete for and perform contracts to provide services or supplies, or both. Each director shall strongly encourage firms with which the department contracts to subcontract with certified businesses in depressed and deprived communities for services, supplies, or both.

Sec. 211. Of the funds appropriated in part 1 that are in units other than the grants unit, the department shall not provide grants to local government agencies, institutions of higher education, or nonprofit organizations unless the department or the fund provides notice of the grant to all members of the appropriations subcommittees of the house and senate at least 10 days before the grant is issued or at least 72 hours before any announcement to local governmental units or the public.

Sec. 213. The department shall establish and maintain affirmative action programs based on guidelines developed by the state equal opportunity workforce planning council which was created by Executive Order No. 1996-13 in order to receive general fund/general purpose dollars.

DEPARTMENT OF CONSUMER AND INDUSTRY SERVICES

Sec. 301. The appropriation in part 1 for fire protection grants from the liquor purchase revolving fund shall be appropriated to cities, villages, and townships with state-owned facilities for fire services, instead of taxes, in accordance with 1977 PA 289, MCL 141.951 to 141.956.

Sec. 302. The funds collected by the office of financial and insurance services in connection with a conservatorship pursuant to section 32 of the mortgage brokers, lenders, and servicers licensing act, 1987 PA 173, MCL 445.1682, shall be appropriated for all expenses necessary to provide for the required services. Funds are available for expenditure when they are received by the department of treasury and shall not lapse to the general fund at the end of the fiscal year.

Sec. 303. The funds collected by the department from corporations being liquidated pursuant to the insurance code of 1956, 1956 PA 218, MCL 500.100 to 500.8302, shall be appropriated for all expenses necessary to provide for the required services. Funds are available for expenditure when they are received by the department of treasury and shall not lapse to the general fund at the end of the fiscal year.

Sec. 304. The department may make available to interested entities otherwise unavailable customized listings of nonconfidential information in its possession, such as names and addresses of licensees, and charge for this information as follows: base fee for 1 to 1,000 records at the cost to the department; 1,001 to 10,000 records at 2.5 cents per record; and 10,001 or more records at .5 cents per record. The revenue received from this service may be used to offset expenses of programs as appropriated in part 1. The balance of this revenue collected and unexpended at the end of the fiscal year shall revert to the appropriate restricted revenue account or fund or, in absence of such an account or fund, to the general fund. The department shall submit an annual report on or before June 1, 2001 to all members of the appropriate subcommittees of the house and senate appropriations committees that states the amount of revenue received from the sale of information.

Sec. 305. The appropriation in part 1 may be used for per diem payments to the members of commissions or boards for a full day of committee work at which a quorum is present or for performing official business as authorized by each respective commission or board. The per diem payments shall be at a rate as follows:

(a) Michigan board of chiropractic medicine	\$50.00 per day
(b) Michigan board of dentistry	\$50.00 per day
(c) Michigan board of medicine	\$50.00 per day
(d) Board of nursing	\$50.00 per day
(e) Michigan board of optometry	\$50.00 per day
(f) Michigan board of osteopathic medicine and surgery	\$50.00 per day
(g) Michigan board of pharmacy	\$50.00 per day
(h) Michigan board of podiatric medicine and surgery	\$50.00 per day
(i) Michigan board of psychology	\$50.00 per day
(j) Michigan board of physical therapy	\$50.00 per day
(k) Physicians' assistants task force	\$50.00 per day
(l) Michigan board of veterinary medicine	\$50.00 per day
(m) Michigan board of occupational therapists	\$50.00 per day
(n) Michigan board of professional counselors	\$50.00 per day
(o) Health occupations council	\$50.00 per day
(p) Board of accountancy	\$50.00 per day
(q) Board of architects	\$50.00 per day
(r) Athletic board of control	\$50.00 per day
(s) Board of barber examiners	\$50.00 per day
(t) Residential builders' and maintenance and alteration contractor's board	\$50.00 per day
(u) Carnival-amusement safety board	\$50.00 per day
(v) Collection practices board	\$50.00 per day
(w) Board of cosmetology	\$50.00 per day
(x) Employment agency board	\$50.00 per day
(y) Board of professional engineers	\$50.00 per day
(z) Board of land surveyors	\$50.00 per day
(aa) Board of landscape architects	\$50.00 per day
(bb) Board of marriage counselors	\$50.00 per day
(cc) Board of examiners in mortuary science	\$50.00 per day
(dd) Nursing home administrators' board	\$50.00 per day
(ee) Board of real estate brokers and salespersons	\$50.00 per day
(ff) Ski area safety board	\$50.00 per day
(gg) Board of examiners of social workers	\$50.00 per day
(hh) Commission on professional and occupational licensure	\$50.00 per day
(ii) Board of real estate appraisers	\$50.00 per day
(jj) Utility consumer participation board	\$50.00 per day
(kk) Construction code commission	\$50.00 per day
(ll) Plumbing board	\$50.00 per day
(mm) Electrical board	\$50.00 per day
(nn) Barrier free design board	\$50.00 per day
(oo) Mechanical board	\$50.00 per day
(pp) Boiler board	\$50.00 per day
(qq) Elevator board	\$50.00 per day
(rr) General industry safety standards commission	\$50.00 per day
(ss) General industry safety standards advisory committees	\$50.00 per day
(tt) Construction safety standards commission	\$50.00 per day
(uu) Construction safety standards advisory committees	\$50.00 per day
(vv) Board of health and safety compliance appeals	\$50.00 per day
(ww) Occupation health standards commission	\$50.00 per day
(xx) Fire safety board	\$50.00 per day
(yy) Occupational health standards advisory committee	\$50.00 per day

Sec. 306. (1) The Michigan council for arts and cultural affairs in the department shall administer the arts and cultural grants appropriated in part 1. The council shall provide for fair and independent decisions on arts and cultural grant requests based upon published criteria to evaluate program quality. This criteria shall include a prohibition of art projects that include displays of human wastes on religious symbols, displays of sex acts, and depictions of flag desecration. The council shall seek to award grants on an equitable geographic basis to the extent possible given the

quality of grant applications received. Priority shall be given to projects that serve multiple counties and that leverage significant additional public and private investment. Counties, cities, villages, townships, community foundations, and organizations, including science museums/centers, may apply for the following categories of grants:

(a) Anchor organization program for organizations that serve a statewide audience. Anchor organizations shall demonstrate a commitment to education, to mentoring smaller organizations, and to reaching underserved audiences.

(b) Arts projects program.

(c) Arts and learning program.

(d) Artists in schools program.

(e) Arts organization development program.

(f) Capitol improvement projects for cities, villages, and townships (CTV) program.

(g) Local, regional, or statewide arts agencies services program.

(h) Regional regranting program.

(i) Partnership program.

(j) Discretionary grants program.

(k) Rural arts and cultural projects.

(2) The council shall establish a regional services provider subcategory within the arts projects program to serve mid-level and larger organizations that serve a regional audience. Organizations receiving grants within this subcategory shall demonstrate that they have regional impact as well as a commitment to education, to mentoring smaller organizations, and to reaching underserved audiences.

(3) Potential applicants, including anchor organizations, that are considered ineligible to apply for grants and applicants that are unsuccessful in obtaining a grant shall be provided by the council with the following:

(a) A written rationale as to why the potential applicant was considered ineligible or why the applicant's grant was not funded.

(b) A description of actions the potential applicant or applicant needs to take in order to become eligible or to receive funding in future years.

(4) The council shall distribute the funds appropriated in part 1 in a manner which achieves the following criteria:

(a) Supports the development of the regional services provider subcategory and provides sufficient funding to organizations meeting the criteria for this subcategory as described in subsection (2) and the council's guidelines.

(b) Preserves the funding capacity for the council to provide sufficient funding to new applicants for the anchor organization program that meet the criteria for this category as described in subsection (1)(a) and the council's guidelines.

(5) Funds allocated outside of the categories described in subsection (4)(a) and (b) shall be allocated to the remaining grant categories in the same general proportions as the council has allocated funding to these categories in recent fiscal years.

(6) The appropriation for arts and cultural grants in part 1 and disbursed under this section shall, at a minimum, be matched on an equal dollar-for-dollar basis from local and private contributions paid and received by each awardee receiving grants under this section. The dollar-for-dollar match may include the reasonable value of services, materials, and equipment as allowed under the federal internal revenue code for charitable contributions subject also to the preapproval of such a match by the Michigan council for arts and cultural affairs. The council shall receive proof of the entire amount of the matching funds, services, materials, or equipment by the end of the award period. The council shall submit a report to all members of the appropriate subcommittees of the house and senate appropriations committees regarding those counties, cities, villages, townships, community foundations, and organizations failing to meet their matching requirements by the end of the award period.

(7) Before any amount appropriated for arts and cultural grants in part 1 may be expended for a grant to eligible applicants for the purposes in this section, the department shall execute a grant agreement with each grantee. The grant agreement shall specify the criteria included in this section with which the application complies. The grant agreement shall include a list of the projects funded. All members of the appropriate subcommittees of the house and senate appropriations committees shall receive a summary of the projects funded for each grant recipient by November 1, 2000.

(8) By February 1, 2001, the department shall report to all members of the appropriate subcommittees of the house and senate appropriations committees on how the council intends to implement the arts and cultural grants program for the following fiscal year, including the process for evaluating organization quality, efforts to achieve an equitable geographic distribution of grants, and a summary of any revisions to the guidelines for the council's grant programs. The department shall submit copies of the guidelines for each grant category to all members of the appropriate subcommittees by February 1, 2001.

(9) The department shall submit a report to all members of the appropriate house and senate appropriations subcommittees and the fiscal agencies by October 1, 2000, listing the grant applicants under this section. The report shall include the following:

(a) The amount requested by the applicant.

- (b) Any amount awarded to the applicant.
- (c) The grant category under which the applicant applied.
- (d) The county in which the organization resides.
- (e) The expected number of patrons during the grant period.
- (f) The amount of matching funds proposed to be contributed by the applicant.
- (g) The organization's score as determined by the relevant peer review panel during the application evaluation process.

(10) By September 1, 2001, the department shall submit to the fiscal agencies and to all members of the appropriate house and senate appropriations subcommittees a summary of the regranted awards made by regranteeing organizations from funds appropriated in part 1. For each regranteeing organization, the report shall include the following:

- (a) The name of each grantee.
- (b) The amount received by the grantee.
- (c) The county in which the grantee resides.

(11) Counties, cities, villages, townships, community foundations, and organizations receiving funds under this section shall provide the following reports to the Michigan council for arts and cultural affairs and to all members of the appropriate subcommittees of the house and senate appropriations committees and the fiscal agencies:

(a) A final report covering the grant period and due within 30 days after the end of the grant period indicating at least the following:

- (i) Revenues and expenditures, indicating whether revenues are from private donations or fees.
- (ii) Number of employees.
- (iii) Number of new hires.
- (iv) Number of patrons attracted during the grant period.

(b) For awardees receiving grants greater than \$100,000.00, a copy of the awardee's annual report and audit report for the fiscal year in which the majority of the grant took place due within 90 days after the end of the awardee's fiscal year. The audit report shall include an audit of grant funds. A representative sampling of grant agreements shall be audited by the state auditor general. The audit report shall be submitted to all members of the appropriate subcommittees of the house and senate appropriations committees for review. These awardees shall also submit the information in subdivision (a) on a quarterly basis for the immediately preceding quarter due on January 7, April 7, July 7, and October 7 of each year.

(12) The recipients of grant funds under this section shall be announced by the department by October 1, 2000. The department shall, within 1 day following the final council vote, provide all members of the appropriate subcommittees of the house and senate appropriations committees and each legislator whose district is receiving a grant with a list of grant awardees.

(13) A grant awarded under this section and the matching funds which conferred eligibility for the grant award shall be used by the recipient of the grant award and shall not be redistributed by that recipient to any other entity unless specifically provided for in the grant agreement between the funded grant awardee and the Michigan council for arts and cultural affairs.

(14) The applicants for arts and cultural grant funds shall be charged a nonrefundable application fee of \$100.00 or 1% of the grant, whichever is less. The application fee may be used by the department to recover direct and indirect costs as appropriated in part 1.

(15) It is the intent of the legislature that the Michigan council for arts and cultural affairs continue to take appropriate steps to ensure that all organizations receiving state arts anchor organization grants have combined grant awards, as defined above, of no more than 15.0% of operating revenue for the fiscal year ending September 30, 2005 and beyond. As used in this subsection, "operating revenue" is defined in the same manner as it was defined during the fiscal year 2000 state arts anchor organization application process.

(16) The council shall continue and expand its efforts to encourage and support nonprofit arts and cultural organizations transitioning from solely volunteer-based organizations to professional directed operations. This includes the provision of funds and services from the arts organization development, partnership, arts projects, regional services provider, and regional regranteeing programs as well as the rural arts and culture initiative to support professional development within these organizations. Criteria for support include the requirement of collaboration between these organizations and other community organizations.

(17) Any organizations receiving grants within the anchor organization program category in excess of 10.0% of their operating revenue, as defined in subsection (15), for the fiscal year ending September 30, 2000, shall not receive a combined grant award from all grant categories, except the partnership program, that is greater than the combined grant award from these categories that the organization received for the fiscal year ending September 30, 2000.

(18) The council shall make available to an awardee any written comments that are available regarding that awardee's application and peer review process.

(19) The council shall provide for fair, equitable, and efficient distribution of funds granted through the regional regranteeing program. The council shall provide for an annual assessment of grant management and distribution of mini-grant awards by designated regional regranteeing agencies and review the methodology employed and report these findings to all members of the appropriate house and senate subcommittees of the appropriations committee.

(20) The council shall use its best efforts to reestablish an arts organization development program which provides funding for organizations that deliver services to cultural groups and individual artists in all disciplines and that foster long-term development of a community or region. Projects and programs funded through this program shall be designed to strengthen Michigan families and communities by ensuring full public access to quality arts and cultural activities, promoting cultural tourism, and providing for quality arts and cultural education.

(21) The council shall use its best efforts to provide total grant awards in the anchor organization program at a level not to exceed 65% of the total amount appropriated for arts and cultural grants.

(22) The council shall assess its granting processes and procedures to strengthen consumer and industry access to arts and cultural information, services, and funding opportunities and shall explore new technology applications. The council shall report these findings to all members of the appropriate subcommittees of the house and senate appropriations committee.

Sec. 307. The department may receive and expend contributions from public, private, and federal sources, except state agencies, for the purpose of acquiring or constructing art objects or promoting or preserving the arts in or on state properties. Expenditures of any funds received shall be consistent with the purposes of the Faxon-McNamee art in public places act, 1980 PA 105, MCL 18.71 to 18.81. Any funds received under this section are considered a work project account and may be carried forward into the succeeding fiscal year.

Sec. 308. The Michigan state housing development authority shall annually present a report to all members of the appropriate subcommittees of the house and senate appropriations committees on the status of the authority's housing production goals under all financing programs established or administered by the authority. The report shall give special attention to efforts to raise affordable multifamily housing production goals.

Sec. 309. The department shall assess and collect fees in the licensing and regulation of child care organizations as defined in 1973 PA 116, MCL 722.111 to 722.128, and adult foster care facilities as defined in the adult foster care facility licensing act, 1979 PA 218, MCL 400.701 to 400.737. Fees collected by the department shall not exceed the deducts in part 1 and shall be used exclusively for the purpose of licensing and regulating child care organizations and adult foster care facilities.

Sec. 310. The appropriation in part 1 for the department, bureau of safety and regulation, safety education and training division, includes funding for on-site consultation and education and training programs. The appropriation in part 1 anticipates that 90% of the on-site consultation program costs and 50% of the education and training program costs will be supported by federal OSHA funds and the remaining 10% and 50% respectively will be supported by safety education and training funds. If federal OSHA funding does not become available to cover up to 90% of the program costs for on-site consultation and 50% for education and training, up to 50% of the program costs for on-site consultation and 90% of the program costs for education and training may be paid from the safety education and training fund as a match for available federal funds.

Sec. 311. The funds collected by the department for licenses, permits, and other elevator regulation fees set forth in R 408.8151 of the Michigan administrative code and as determined under section 8 of 1976 PA 333, MCL 338.2158, and section 16 of 1967 PA 227, MCL 408.816, that are unexpended at the end of the fiscal year shall carry forward to the subsequent fiscal year. The department shall submit a report on an annual basis to all members of the appropriate subcommittees of the house and senate appropriations committees on the amount of funds available under this section.

Sec. 312. If the revenue collected by the department for occupational safety and health, health systems administration, or radiological health administration and projects from fees and collections exceeds the amount appropriated in part 1, the revenue may be carried forward into the subsequent fiscal year. The revenue carried forward under this section shall be used as the first source of funds in the subsequent fiscal year.

Sec. 313. Money appropriated under this act for fire safety programs shall not be expended unless, in accordance with section 2c of the fire prevention code, 1941 PA 207, MCL 29.2c, inspection and plan review fees will be charged according to the following schedule:

<u>Operation and maintenance inspection fee</u>		
<u>Facility type</u>	<u>Facility size</u>	<u>Fee</u>
Hospitals	Any	\$8.00 per bed
<u>Plan review and construction inspection fees for hospitals and schools</u>		
<u>Project cost range</u>	<u>Fee</u>	
\$101,000.00 or less	minimum fee of \$125.00	
\$101,001.00 to \$1,500,000.00	\$1.24 per \$1,000.00	
\$1,500,001.00 to \$10,000,000.00	\$0.90 per \$1,000.00	
\$10,000,001.00 or more	\$0.70 per \$1,000.00	
	or a maximum fee of \$50,000.00.	

Sec. 314. The department shall furnish the clerk of the house, the secretary of the senate, and all members of the house and senate appropriations committees with a summary of any evaluation reports and subsequent approvals or disapprovals of juvenile residential facilities operated by the family independence agency, as required by 1973 PA 116, MCL 722.116. If no evaluations are conducted during the fiscal year, the department shall notify the fiscal agencies and all members of the appropriate subcommittees of the house and senate appropriation committees.

Sec. 315. (1) From the amount appropriated in part 1 to health systems administration, the department shall provide funding for not less than 113 inspectors to annually survey and investigate the care and services delivered in nursing homes, county medical care facilities, and hospital long-term care units in accordance with provisions in the public health code, 1978 PA 368, MCL 333.1101 to 333.25211, and federal Medicare and Medicaid certification standards.

(2) The department, in keeping with the severity of the allegations, shall investigate complaints alleging poor care and services occurring on nights or weekends in nursing homes, county medical care facilities, and hospital long-term care units by conducting on-site investigations on nights or weekends.

Sec. 316. If the revenue collected by the department from licensing and regulation fees exceeds the amount appropriated in part 1, the revenue may be carried forward into the subsequent fiscal year. The revenue carried forward under this section shall be used as the first source of funds in the subsequent fiscal year.

Sec. 317. Funds earned or authorized by the United States department of labor in excess of the gross appropriation in part 1 for the Michigan unemployment agency from the United States department of labor are appropriated and may be expended for staffing and related expenses incurred in the operation of its programs. These funds may be spent after the department notifies all members of the appropriate subcommittees of the house and senate appropriations committees of the purpose and amount of each grant award.

Sec. 319. The department shall sell documents at a price not to exceed the cost of production and distribution. Money received from the sale of these documents shall revert to the department. The funds are available for expenditure when they are received by the department of treasury and may only be used for costs directly related to the continued updating and distribution of the documents pursuant to this section. This section applies only for the following documents:

(a) Corporation and securities division documents, reports, and papers required or permitted by law pursuant to section 1060(5) of the business corporation act, 1972 PA 284, MCL 450.2060.

(b) The subdivision control manual, the state boundary commission operations manual, and other local government assistance manuals.

(c) The Michigan liquor control code of 1998, 1998 PA 58, MCL 436.1101 to 436.2303, with amendments.

(d) The mobile home commission act, 1987 PA 96, MCL 125.2301 to 125.2349; the business corporation act, 1972 PA 284, MCL 450.1101 to 450.2098; the nonprofit corporation act, 1982 PA 162, MCL 450.2101 to 450.3192; and the uniform securities act, 1964 PA 265, MCL 451.501 to 451.818.

(e) Labor law books.

(f) Worker's compensation health care services rules.

(g) Minimum design standards for health care facilities.

Sec. 320. (1) The department shall develop a nursing home quality care incentive program. The purpose of the program will be to provide financial incentives for nursing homes to develop high quality care services. Grants shall be awarded to nursing homes that can demonstrate an existing commitment to providing high quality care.

(2) The department shall develop the specific criteria for the awarding of these grants. At a minimum, these criteria shall include some measure of resident satisfaction with the level of care provided. The criteria may also include the results of the facility's annual survey conducted by the department. The department shall post criteria for this grant program on the Internet and shall make the criteria available in written format upon request.

(3) The department shall notify nursing home care providers of the criteria to be used in awarding grants by January 1, 2001.

(4) The appropriation in part 1 for nursing home quality incentive grants includes \$300,000.00 in general fund/general purpose revenue above the level appropriated for fiscal year 1999-2000. The department shall utilize this general fund/general purpose revenue in a manner which maximizes all federal resources available for this grant program.

Sec. 321. The department shall report to the fiscal agencies and all members of the appropriations subcommittees on March 1, 2001 and September 1, 2001 on the initial and follow-up surveys conducted on all nursing homes in this state. The report shall include all of the following information:

(a) The number of surveys conducted.

(b) The number requiring follow-up surveys.

(c) The number referred to the Michigan public health institute for remediation.

(d) The number of citations per home.

(e) The number of night and weekend complaints filed.

(f) The number of night and weekend responses to complaints conducted by the department.

(g) The average length of time for the department to respond to a complaint filed against a nursing home.

(h) The number and percentage of citations appealed.

(i) The number and percentage of citations overturned and/or modified.

Sec. 322. The department, bureau of safety and regulation, shall provide an annual report by February 1 of each year to the fiscal agencies and to all members of the appropriate house and senate appropriations subcommittees on the number of individuals killed and the number of individuals injured on the job within industries regulated by the bureau during the preceding calendar year.

Sec. 323. The department shall report by November 1, 2000 to the legislature and the fiscal agencies the status of the nursing home complaint investigation backlog and any suggested revisions to current statute or promulgated rules that will assist in improving the effectiveness of the nursing home survey and complaint investigation process.

Sec. 324. As a condition for receiving the general fund/general purpose appropriations in part 1 for health systems administration, the department shall provide assistance to any person making an oral request for a nursing home investigation in putting his or her request into writing, shall initiate investigations on all written nursing home complaints filed with the department within 15 days of receipt of the complaint, and shall provide a written response to the complainant within 30 days of receipt of the written complaint.

Sec. 326. It is the intent of the legislature that the unemployment agency, during its transition to the remote initial claims system, operate a sufficient number of unemployment agency offices, including itinerant or satellite offices, within Michigan's Upper Peninsula to ensure that the citizens of the Upper Peninsula can access these offices without excessive travel or, in cases where unemployment claims are filed or renewed by phone, without excessive long distance toll charges.

Sec. 328. The department shall continue to work with grantees supported through the appropriation in part 1 for emergency medical services grants and contracts to ensure that a sufficient number of qualified emergency medical services personnel exist to serve rural areas of the state.

Sec. 329. (1) Of the funds appropriated in part 1 to the office of financial and insurance services created under Executive Order No. 4 of 2000, the funds allocated to the office of financial and insurance services and the commissioner of the office of financial and insurance services under the insurance code of 1956, 1956 PA 218, MCL 500.100 to 500.8302, shall be accounted for separately by the department from any other funds of the office of financial and insurance services and shall be separated and allocated as restricted funds to be held and expended only in the manner provided for under section 225 of the insurance code of 1956, 1956 PA 218, MCL 500.225, and this act.

(2) The director shall report to all members of the appropriate house and senate appropriations subcommittee by February 1, 2001 regarding the expenditures for the previous fiscal year from insurance regulatory fees for the following:

- (a) The executive direction unit.
- (b) The management services unit.
- (c) The salary and expenditures of the commissioner of financial and insurance services.

Sec. 330. In response to recent changes in the administrative rules governing day care facilities, the appropriation in part 1 for AFC, children's welfare and day care licensure, shall allow the department to add up to 20 additional staff above the level appropriated as of September 30, 2000. These new positions shall support day care licensing activities that promote a higher quality environment for children in day care facilities.

Sec. 331. (1) The department in consultation with nursing home provider groups, the department of community health, the state long-term care ombudsman, and the federal health care finance administration shall clarify the following terms as those terms are used in title XVIII and title XIX and applied by the department to provide more consistent regulation of nursing homes in Michigan:

- (a) Immediate jeopardy.
- (b) Harm.
- (c) Potential harm.
- (d) Avoidable.
- (e) Unavoidable.

(2) The department shall semiannually provide for joint training with nursing home surveyors and providers on at least 1 of the 10 most frequently issued federal citations in this state during the past calendar year. The department shall provide a mechanism to measure the effect of the training and shall report to the legislature on the effect of the training by January 15, 2001.

Sec. 332. From the appropriations in part 1 for occupational safety and health, the department shall provide funding for 31 general industry safety inspectors, 24 construction industry safety inspectors, and 27 industrial hygienists.

Sec. 333. Of the funds appropriated in part 1 for nursing home quality incentive grants, no funds shall be distributed to a nursing home under the program unless that nursing home posts the executive summary of the nursing home's last annual inspection in a conspicuous place within the nursing home for public review.

Sec. 334. It is the intent of the legislature that the unemployment agency work collaboratively with the department of career development to ensure each 1-stop center has the ability to assist individuals or respond to inquiries regarding unemployment benefits and the remote initial claims system.

Sec. 339. (1) The department shall post on the Internet the executive summary of the latest inspection for each licensed nursing home.

(2) It is the intent of the legislature that the department work toward posting inspection summaries for licensed day care centers on the Internet.

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

A bill to make appropriations for the department of consumer and industry services and certain other state purposes for the fiscal year ending September 30, 2001; to provide for the expenditure of those appropriations; to provide for the imposition of certain fees; to provide for the disposition of fees and other income received by the state agencies; to provide for reports to certain persons; and to prescribe powers and duties of certain state departments and certain state and local agencies and officers.

Patricia Godchaux
Janet Kukuk
Conferees for the House

Loren Bennett
Leon Stille
Conferees for the Senate

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

Messages from the Senate

Senate Bill No. 988, entitled

A bill to amend 1933 PA 167, entitled "General sales tax act," by amending section 1 (MCL 205.51), as amended by 1999 PA 116.

The Senate has passed the bill.

The bill was read a first time by its title and referred to the Committee on Tax Policy.

Senate Bill No. 989, entitled

A bill to amend 1937 PA 94, entitled "Use tax act," by amending section 2 (MCL 205.92), as amended by 1998 PA 366.

The Senate has passed the bill.

The bill was read a first time by its title and referred to the Committee on Tax Policy.

Senate Bill No. 1244, entitled

A bill to amend 1970 PA 91, entitled "Child custody act of 1970," (MCL 722.21 to 722.30) by adding section 11.

The Senate has passed the bill.

The bill was read a first time by its title and referred to the Committee on Family and Civil Law.

Rep. Kilpatrick moved that the House adjourn.
The motion prevailed, the time being 11:10 p.m.

Associate Speaker Pro Tempore Scranton declared the House adjourned until Thursday, June 8, at 10:00 a.m.

GARY L. RANDALL
Clerk of the House of Representatives.

