

SUBSTITUTE FOR  
HOUSE BILL NO. 5365

A bill to make, supplement, adjust, and consolidate appropriations for various state departments and agencies, capital outlay, the judicial branch, and the legislative branch for the fiscal year ending September 30, 2013; to provide for certain conditions on appropriations; to provide for the expenditure of the appropriations; and to repeal acts and parts of acts.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 ARTICLE I  
2 DEPARTMENT OF AGRICULTURE AND RURAL DEVELOPMENT  
3 PART 1  
4 LINE-ITEM APPROPRIATIONS  
5 FOR FISCAL YEAR 2012-2013  
6 Sec. 101. There is appropriated for the department of

1 agriculture and rural development for the fiscal year ending  
 2 September 30, 2013, from the following funds:

3 **DEPARTMENT OF AGRICULTURE AND RURAL DEVELOPMENT**

4 APPROPRIATION SUMMARY

5	Full-time equated unclassified positions.....	2.0	
6	Full-time equated classified positions.....	422.0	
7	GROSS APPROPRIATION.....		\$ 74,814,600
8	Interdepartmental grant revenues:		
9	IDG from MDELEG (LCC), liquor quality testing fees ...		209,900
10	IDG from MDNRE, biosolids.....		107,000
11	One-time interdepartmental grant revenues.....		2,400
12	Total interdepartmental grants and intradepartmental		
13	transfers .....		319,300
14	ADJUSTED GROSS APPROPRIATION.....		\$ 74,495,300
15	Federal revenues:		
16	USDA, multiple grants.....		7,629,800
17	EPA, multiple grants.....		1,704,400
18	HHS-FDA.....		1,780,400
19	One-time federal revenues.....		85,000
20	Total federal revenues.....		11,199,600
21	Special revenue funds:		
22	Total local revenues.....		0
23	Private - slow-the-spread foundation.....		86,800
24	Private - commodity group revenue.....		87,500
25	One-time private revenues.....		1,500
26	Total private revenues.....		175,800
27	Agricultural preservation fund.....		1,395,300

1	Agriculture equine industry development fund.....	3,834,900
2	Animal welfare fund.....	209,600
3	Commodity inspection fees.....	566,300
4	Consumer and industry food safety education fund.....	306,200
5	Dairy and food safety fund.....	3,159,800
6	Freshwater protection fund.....	5,095,500
7	Gasoline inspection and testing fund.....	2,570,200
8	Grain dealer fee fund.....	535,200
9	Horticulture fund.....	75,800
10	Industry support funds.....	549,100
11	Licensing and inspection fees.....	4,266,800
12	Migratory labor housing fund.....	157,000
13	Nonretail liquor fees.....	782,900
14	Refined petroleum fund.....	4,012,000
15	Renewable fuels fund.....	50,000
16	Testing fees.....	475,300
17	Weights and measures regulation fees.....	771,400
18	One-time state restricted revenues.....	146,100
19	Total other state restricted revenues.....	28,959,400
20	State general fund/general purpose.....	\$ 34,160,500
21	<b>Sec. 102. DEPARTMENTWIDE</b>	
22	Full-time equated unclassified positions..... 2.0	
23	Full-time equated classified positions..... 27.0	
24	Commissions and boards.....	\$ 23,800
25	Unclassified positions--2.0 FTE positions.....	213,300
26	Executive direction--9.0 FTE positions.....	1,287,300
27	Management services--15.0 FTE positions.....	995,200

1	Statistical reporting service--1.0 FTE positions .....	157,300
2	Emergency management--2.0 FTE positions .....	770,500
3	Accounting service center.....	920,200
4	Rent and building occupancy.....	<u>1,008,700</u>
5	GROSS APPROPRIATION.....	\$ 5,376,300
6	Appropriated from:	
7	Federal revenues:	
8	USDA, multiple grants.....	228,400
9	EPA, multiple grants.....	177,000
10	HHS-FDA.....	552,300
11	Special revenue funds:	
12	Private - commodity group revenue.....	87,500
13	Agricultural preservation fund.....	23,100
14	Freshwater protection fund.....	34,100
15	Industry support funds.....	49,500
16	Licensing and inspection fees.....	159,500
17	Nonretail liquor fees.....	38,100
18	Refined petroleum fund.....	320,300
19	State general fund/general purpose.....	\$ 3,706,500
20	<b>Sec. 103. INFORMATION AND TECHNOLOGY</b>	
21	Information technology services and projects.....	\$ <u>1,384,900</u>
22	GROSS APPROPRIATION.....	\$ 1,384,900
23	Appropriated from:	
24	Interdepartmental grant revenues:	
25	IDG from LARA (LCC), liquor quality testing fees .....	3,000
26	Special revenue funds:	
27	Agricultural preservation fund.....	200

1	Agriculture equine industry development fund.....	80,800
2	Freshwater protection fund.....	100
3	Gasoline inspection testing fund.....	29,500
4	Licensing and inspection fees.....	30,400
5	Nonretail liquor fees.....	500
6	State general fund/general purpose.....	\$ 1,240,400
7	<b>Sec. 104. FOOD AND DAIRY</b>	
8	Full-time equated classified positions.....	98.0
9	Food safety and quality assurance--75.0 FTE positions	\$ 10,167,500
10	Milk safety and quality assurance--23.0 FTE positions	<u>3,174,800</u>
11	GROSS APPROPRIATION.....	\$ 13,342,300
12	Appropriated from:	
13	Federal revenues:	
14	USDA, multiple grants.....	247,500
15	HHS-FDA.....	476,400
16	Special revenue funds:	
17	Consumer and industry food safety education fund.....	306,200
18	Dairy and food safety fund.....	3,159,800
19	State general fund/general purpose.....	\$ 9,152,400
20	<b>Sec. 105. ANIMAL INDUSTRY</b>	
21	Full-time equated classified positions.....	60.0
22	Animal disease prevention and response--60.0 FTE	
23	positions .....	\$ <u>8,956,700</u>
24	GROSS APPROPRIATION.....	\$ 8,956,700
25	Appropriated from:	
26	Federal revenues:	
27	USDA, multiple grants.....	836,200

1	HHS-FDA.....	44,200
2	Special revenue funds:	
3	Animal welfare fund.....	209,600
4	Licensing and inspection fees.....	123,100
5	State general fund/general purpose.....	\$ 7,743,600
6	<b>Sec. 106. PESTICIDE AND PLANT PEST MANAGEMENT</b>	
7	Full-time equated classified positions.....	81.0
8	Pesticide and plant pest management--77.0 FTE	
9	positions .....	\$ 10,540,100
10	Producer security/grain dealers--4.0 FTE positions ...	<u>574,200</u>
11	GROSS APPROPRIATION.....	\$ 11,114,300
12	Appropriated from:	
13	Federal revenues:	
14	USDA, multiple grants.....	1,166,100
15	EPA, multiple grants.....	769,500
16	HHS-FDA.....	113,700
17	Special revenue funds:	
18	Private - slow-the-spread foundation.....	86,800
19	Commodity inspection fees.....	566,300
20	Grain dealers fee fund.....	535,200
21	Horticulture fund.....	75,800
22	Industry support funds.....	350,800
23	Licensing and inspection fees.....	3,866,700
24	State general fund/general purpose.....	\$ 3,583,400
25	<b>Sec. 107. ENVIRONMENTAL STEWARDSHIP</b>	
26	Full-time equated classified positions.....	50.0
27	Environmental stewardship--18.0 FTE positions .....	\$ 6,146,500

1	Michigan agriculture environmental assurance program--	
2	7.0 FTE positions .....	1,621,500
3	Farmland and open space preservation--9.0 FTE	
4	positions .....	872,000
5	Local conservation districts.....	100
6	Migrant labor housing--9.0 FTE positions.....	1,156,900
7	Right-to-farm--3.0 FTE positions.....	555,100
8	Intercounty drain--4.0 FTE positions.....	<u>453,100</u>
9	GROSS APPROPRIATION.....	\$ 10,805,200
10	Appropriated from:	
11	Interdepartmental grant revenues:	
12	IDG from MDNRE, biosolids.....	107,000
13	Federal revenues:	
14	USDA, multiple grants.....	1,035,200
15	EPA, multiple grants.....	373,800
16	Special revenue funds:	
17	Agricultural preservation fund.....	872,000
18	Freshwater protection fund.....	5,061,300
19	Migratory labor housing fund.....	157,000
20	State general fund/general purpose.....	\$ 3,198,900
21	<b>Sec. 108. LABORATORY PROGRAM</b>	
22	Full-time equated classified positions..... 90.0	
23	Laboratory services--38.0 FTE positions.....	\$ 5,686,400
24	USDA monitoring--13.0 FTE positions.....	2,548,700
25	Consumer protection program--39.0 FTE positions.....	<u>5,667,300</u>
26	GROSS APPROPRIATION.....	\$ 13,902,400
27	Appropriated from:	

1	Interdepartmental grant revenues:	
2	IDG from LARA (LCC), liquor quality testing fees .....	206,900
3	Federal revenues:	
4	USDA, multiple grants .....	2,549,600
5	EPA, multiple grants .....	384,100
6	HHS-FDA .....	593,800
7	Special revenue funds:	
8	Agriculture equine industry development fund .....	592,400
9	Gasoline inspection and testing fund .....	2,540,700
10	Licensing and inspection fees .....	87,100
11	Refined petroleum fund .....	3,691,700
12	Renewable fuels fund .....	50,000
13	Testing fees .....	475,300
14	Weights and measures regulation fees .....	771,400
15	State general fund/general purpose .....	\$ 1,959,400
16	<b>Sec. 109. AGRICULTURE DEVELOPMENT</b>	
17	Full-time equated classified positions .....	13.0
18	Agriculture development--10.0 FTE positions .....	\$ 2,712,000
19	Grape and wine program--3.0 FTE positions .....	<u>788,600</u>
20	GROSS APPROPRIATION .....	\$ 3,500,600
21	Appropriated from:	
22	Federal revenues:	
23	USDA, multiple grants .....	1,566,800
24	Special revenue funds:	
25	Industry support funds .....	148,800
26	Nonretail liquor fees .....	744,300
27	State general fund/general purpose .....	\$ 1,040,700



1     **Sec. 110. FAIRS AND EXPOSITIONS**

2	Full-time equated classified positions.....	3.0	
3	Fairs and racing--3.0 FTE positions.....	\$	351,100
4	Building and track improvement - county fairs.....		299,900
5	Purses and supplements - fairs/licensed tracks.....		708,300
6	Licensed tracks - light horse racing.....		40,300
7	Light horse racing - breeders awards.....		20,000
8	Standardbred breeders' awards.....		285,900
9	Standardbred purses and supplements - licensed tracks		527,800
10	Standardbred sire stakes.....		239,000
11	Thoroughbred supplements - licensed tracks.....		385,900
12	Thoroughbred breeders' awards.....		358,600
13	Thoroughbred sire stakes.....		<u>244,800</u>
14	GROSS APPROPRIATION.....	\$	3,461,600

15     Appropriated from:

16     Special revenue funds:

17	Agriculture equine industry development fund.....		3,161,700
18	State general fund/general purpose.....	\$	299,900

19     **Sec. 111. CAPITAL OUTLAY**

20	Farmland and open space development acquisition.....	\$	<u>500,000</u>
21	GROSS APPROPRIATION.....	\$	500,000

22     Appropriated from:

23     Special revenue funds:

24	Agriculture preservation fund.....		500,000
25	State general fund/general purpose.....	\$	0

26     **Sec. 112. ONE-TIME BASIS ONLY**

27	State employee lump-sum payments.....	\$	470,300
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1	Private forestry program.....	500,000
2	Heathy food program.....	<u>1,500,000</u>
3	GROSS APPROPRIATION.....	\$ 2,470,300
4	Appropriated from:	
5	One-time interdepartmental grant revenues.....	2,400
6	One-time federal revenues.....	85,000
7	One-time private revenues.....	1,500
8	One-time state restricted revenues.....	146,100
9	State general fund/general purpose.....	\$ 2,235,300

## PART 2

## PROVISIONS CONCERNING APPROPRIATIONS

FOR FISCAL YEAR 2012-2013

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 2012-2013 is \$63,119,900.00 and state spending from state resources to be paid to local units of government for fiscal year 2012-2013 is \$1,500,000.00. The itemized statement below identifies appropriations from which spending to local units of government will occur:

## DEPARTMENT OF AGRICULTURE AND RURAL DEVELOPMENT

22	Environmental protection.....	\$ <u>1,500,000</u>
23	TOTAL.....	\$ 1,500,000

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

1 to 18.1594.

2 Sec. 203. As used in this article:

3 (a) "Department" means the department of agriculture and rural  
4 development.

5 (b) "Director" means the director of the department.

6 (c) "EPA" means the United States environmental protection  
7 agency.

8 (d) "FTE" means full-time equated.

9 (e) "HHS-FDA" means the United States department of health and  
10 human services - food and drug administration.

11 (f) "IDG" means interdepartmental grant.

12 (g) "LARA" means the Michigan department of licensing and  
13 regulatory affairs.

14 (h) "MDEQ" means the Michigan department of environmental  
15 quality.

16 (i) "USDA" means the United States department of agriculture.

17 Sec. 204. The civil service commission shall bill departments  
18 and agencies at the end of the first fiscal quarter for the charges  
19 authorized by section 5 of article XI of the state constitution of  
20 1963. Payments shall be made for the total amount of the billing by  
21 the end of the second fiscal quarter.

22 Sec. 206. (1) In addition to the funds appropriated in part 1,  
23 there is appropriated an amount not to exceed \$5,000,000.00 for  
24 federal contingency funds. These funds are not available for  
25 expenditure until they have been transferred to another line item  
26 in this article under section 393(2) of the management and budget  
27 act, 1984 PA 431, MCL 18.1393.

1           (2) In addition to the funds appropriated in part 1, there is  
2 appropriated an amount not to exceed \$6,000,000.00 for state  
3 restricted contingency funds. These funds are not available for  
4 expenditure until they have been transferred to another line item  
5 in this article under section 393(2) of the management and budget  
6 act, 1984 PA 431, MCL 18.1393.

7           (3) In addition to the funds appropriated in part 1, there is  
8 appropriated an amount not to exceed \$100,000.00 for local  
9 contingency funds. These funds are not available for expenditure  
10 until they have been transferred to another line item in this  
11 article under section 393(2) of the management and budget act, 1984  
12 PA 431, MCL 18.1393.

13           (4) In addition to the funds appropriated in part 1, there is  
14 appropriated an amount not to exceed \$100,000.00 for private  
15 contingency funds. These funds are not available for expenditure  
16 until they have been transferred to another line item in this  
17 article under section 393(2) of the management and budget act, 1984  
18 PA 431, MCL 18.1393.

19           Sec. 207. The department shall maintain a searchable website  
20 accessible by the public at no cost that includes, but is not  
21 limited to, all of the following:

22           (a) Fiscal year-to-date expenditures by category.

23           (b) Fiscal year-to-date expenditures by appropriation unit.

24           (c) Fiscal year-to-date payments to a selected vendor,  
25 including the vendor name, payment date, payment amount, and  
26 payment description.

27           (d) The number of active department employees by job

1 classification.

2 (e) Job specifications and wage rates.

3 Sec. 208. Unless otherwise specified, the departments shall  
4 use the Internet to fulfill the reporting requirements of this  
5 article. This requirement may include transmission of reports via  
6 electronic mail to the recipients identified for each reporting  
7 requirement, or it may include placement of reports on an Internet  
8 or Intranet site.

9 Sec. 209. Funds appropriated in part 1 shall not be used for  
10 the purchase of foreign goods or services, or both, if  
11 competitively priced and of comparable quality American goods or  
12 services, or both, are available. Preference shall be given to  
13 goods or services, or both, manufactured or provided by Michigan  
14 businesses, if they are competitively priced and of comparable  
15 quality. In addition, preference shall be given to goods or  
16 services, or both, that are manufactured or provided by Michigan  
17 businesses owned and operated by veterans, if they are  
18 competitively priced and of comparable quality.

19 Sec. 211. Amounts appropriated in part 1 for information  
20 technology may be designated as work projects and carried forward  
21 to support technology projects under the direction of the  
22 department of technology, management, and budget. Funds designated  
23 in this manner are not available for expenditure until approved as  
24 work projects under section 451a of the management and budget act,  
25 1984 PA 431, MCL 18.1451a.

26 Sec. 212. The department and agencies receiving appropriations  
27 in part 1 shall receive and retain copies of all reports funded

1 from appropriations in part 1. Federal and state guidelines for  
2 short-term and long-term retention of records shall be followed.  
3 The department may electronically retain copies of reports unless  
4 otherwise required by federal and state guidelines.

5       Sec. 214. From the funds appropriated in part 1 for  
6 information technology, departments and agencies shall pay user  
7 fees to the department of technology, management, and budget for  
8 technology-related services and projects. The user fees shall be  
9 subject to provisions of an interagency agreement between the  
10 department and agencies and the department of technology,  
11 management, and budget.

12       Sec. 215. The department shall not take disciplinary action  
13 against an employee for communicating with a member of the  
14 legislature or his or her staff.

15       Sec. 218. The departments and agencies receiving  
16 appropriations in part 1 shall prepare a report on out-of-state  
17 travel expenses not later than January 1 of each year. The travel  
18 report shall be a listing of all travel by classified and  
19 unclassified employees outside this state in the immediately  
20 preceding fiscal year that was funded in whole or in part with  
21 funds appropriated in the department's budget. The report shall be  
22 submitted to the house and senate standing committees on  
23 appropriations, the house and senate fiscal agencies, and the state  
24 budget director. The report shall include the following  
25 information:

26       (a) The dates of each travel occurrence.

27       (b) The total transportation and related costs of each travel

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1 occurrence, including the proportion funded with state general  
2 fund/general purpose revenues, the proportion funded with state  
3 restricted revenues, the proportion funded with federal revenues,  
4 and the proportion funded with other revenues.

5 Sec. 219. It is the intent of the legislature that all  
6 principal executive departments and agencies cooperate with the  
7 development and implementation of the department of technology,  
8 management, and budget statewide office space consolidation plan.

9 Sec. 228. Not later than November 15, the department shall  
10 prepare and transmit a report that provides for estimates of the  
11 total general fund/general purpose appropriation lapses at the  
12 close of the fiscal year. This report shall summarize the projected  
13 year-end general fund/general purpose appropriation lapses by major  
14 departmental program or program areas. The report shall be  
15 transmitted to the office of the state budget, the chairpersons of  
16 the senate and house of representatives standing committees on  
17 appropriations, and the senate and house fiscal agencies.

18 Sec. 229. Within 14 days after the release of the executive  
19 budget recommendation, the department shall provide the state  
20 budget director, the senate and house appropriations chairs, the  
21 senate and house appropriations subcommittees on agriculture and  
22 rural development, respectively, and the senate and house fiscal  
23 agencies with an annual report on estimated state restricted fund  
24 balances, state restricted fund projected revenues, and state  
25 restricted fund expenditures for the fiscal years ending September  
26 30, 2012 and September 30, 2013.

[Sec. 230. By October 31, 2012, the department shall identify 10 principal measurable outcomes to be affected by expenditure of the funds appropriated in part 1 of this article and submit a report to the house and senate appropriations committees, the house and senate fiscal agencies, and the state budget director that ranks the outcomes by level of importance and contains current data on those outcomes. Beginning on April 1, 2013, the department shall provide biannual updates to the house and senate appropriations committees on changes in those measurable outcomes and departmental efforts to improve the outcomes.]

1    **EXECUTIVE**

2           Sec. 301. (1) Pursuant to the appropriations in part 1, the  
3 department may receive and expend revenue and use that revenue to  
4 cover necessary expenses related to publications, audit and  
5 licensing functions, livestock sales, certification of nursery  
6 stock, and laboratory analyses as specified in the following:

7           (a) Management services publications.

8           (b) Management services audit and licensing functions.

9           (c) Pesticide and plant pest management propagation and  
10 certification of virus-free foundation stock.

11          (d) Pesticide and plant pest management grading services.

12          (e) Laboratory support testing for testing horses in draft  
13 horse pulling contests at county fairs when local jurisdictions  
14 request state assistance.

15          (f) Laboratory support analyses to determine foreign  
16 substances in horses engaged in racing or pulling contests at  
17 tracks.

18          (g) Laboratory support analyses of food, livestock, and  
19 agricultural products for disease, foreign products for disease,  
20 toxic materials, foreign substances, and quality standards.

21          (h) Laboratory support test samples for other agencies and  
22 organizations.

23          (i) Fruit and vegetable inspection at shipping and termination  
24 points and processing plants.

25          (2) The department shall notify the senate and house  
26 appropriations subcommittees on agriculture and rural development  
27 and the senate and house fiscal agencies 30 days prior to proposing



1 changes in fees authorized under this section or under section 5 of  
2 1915 PA 91, MCL 285.35.

3 (3) Annually, before February 1, the department shall provide  
4 a report to the senate and house appropriations subcommittees on  
5 agriculture and rural development and the senate and house fiscal  
6 agencies detailing all the fees charged by the department under the  
7 authorization provided in this section, including, but not limited  
8 to, rates, number of individuals paying each fee, and the revenue  
9 generated by each fee in the previous fiscal year.

10 Sec. 302. Of the funds appropriated in part 1 that are other  
11 than line-item grants, the department shall not provide grants to  
12 local government agencies, institutions of higher education, or  
13 nonprofit organizations unless the department provides notice of  
14 the grant to the senate and house appropriations subcommittees on  
15 agriculture and rural development at least 10 days before the grant  
16 is issued. The grants shall be used to support research or other  
17 related activities for the purpose of enhancing the agricultural  
18 industries in this state.

19 **FOOD AND DAIRY**

20 Sec. 402. Not later than April 1, 2013, the department shall  
21 provide a report to the senate and house appropriations  
22 subcommittees on agriculture and rural development and the senate  
23 and house fiscal agencies describing significant food-borne  
24 outbreaks and emergencies, including any enforcement actions taken  
25 related to food safety during the 2011-2012 fiscal year.

1    **ANIMAL INDUSTRY**

2           Sec. 454. The department shall use its resources to  
3 collaborate with the United States department of agriculture to  
4 obtain TB-free status for the area of the Lower Peninsula that is  
5 zoned as modified accredited advanced. The department shall also  
6 aggressively work toward eradicating bovine TB in the modified  
7 accredited zone. The department shall also convene a workgroup to  
8 work toward eradicating bovine TB in the modified accredited zone.

9           Sec. 456. Of the funds appropriated in part 1, no funds shall  
10 be used to enforce the mandatory electronic animal identification  
11 program for any domestic animals other than cattle until specific  
12 procedures and guidelines for electronic animal identification are  
13 outlined in statute.

14          Sec. 457. On or before October 15, 2012, and on a quarterly  
15 basis thereafter, the department shall report to the senate and  
16 house agriculture committees, the senate and house appropriations  
17 subcommittees on agriculture and rural development, and the senate  
18 and house fiscal agencies on the department's progress toward  
19 meeting the USDA requirements as outlined in the March 2007 bovine  
20 TB program review. The report shall include, but is not limited to,  
21 information and data on: wildlife risk mitigation plan  
22 implementation in the modified accredited zone; implementation of a  
23 movement certificate process; progress toward annual surveillance  
24 test requirements set out in the June 2007 MOU; efforts to work  
25 with slaughter facilities in Michigan, as well as those that  
26 slaughter a significant number of animals from Michigan;  
27 educational programs and information for Michigan's livestock

1 community; any other item the legislature should be aware of that  
2 will promote or hinder efforts to achieve bovine TB-free status for  
3 Michigan.

4 Sec. 458. From the funds appropriated in part 1 for animal  
5 industry, the department shall provide inspection and testing of  
6 aquaculture facilities and aquaculture researchers as provided  
7 under section 7 of the Michigan aquaculture development act, 1996  
8 PA 199, MCL 286.877. It is the intent of the legislature that the  
9 department shall work with aquaculture facilities and aquaculture  
10 researchers to identify, contain, and eradicate viral hemorrhagic  
11 septicemia in this state.

#### 12 **PESTICIDE AND PLANT PEST MANAGEMENT**

13 Sec. 551. (1) It is the intent of the legislature that the  
14 department work with the fruit and vegetable industry to ensure the  
15 development of a sustainable system of third-party inspections of  
16 fruits and vegetables.

17 (2) From the funds appropriated in part 1 for pesticide and  
18 plant pest management, not less than \$200,000.00 shall be used for  
19 the purpose to ensure that Michigan commodities receive  
20 departmental inspections required by other governments to ship  
21 commodities out of Michigan. The department shall devise a plan to  
22 provide these required government inspections in a timely manner.

23 Sec. 552. The department is encouraged to work with local  
24 public health departments and with the USDA to maintain and expand  
25 the clean sweep program for the safe disposal of hazardous  
26 household chemicals and prescription drugs. The department shall

1 report to the house and senate appropriations subcommittees on  
2 agriculture and rural development and the house and senate fiscal  
3 agencies by March 1, 2013 on clean sweep locations in this state  
4 and on factors affecting program success and expansion including  
5 funding requirements.

6 **ENVIRONMENTAL STEWARDSHIP**

7 Sec. 601. The part 1 appropriation line item environmental  
8 stewardship shall be used to support department agriculture  
9 pollution prevention programs, including groundwater and freshwater  
10 protection programs under part 87 of the Michigan natural resources  
11 and environmental protection act, 1994 PA 451, MCL 324.8701 to  
12 324.8717, and technical assistance in implementing conservation  
13 grants available under the federal farm bill of 2008.

14 Sec. 607. (1) It is the intent of the legislature that the  
15 department continue its activities in support of intercounty  
16 drainage districts as provided in chapter 5 of the drain code of  
17 1956, 1956 PA 40, MCL 280.101 to 280.106.

18 (2) The department shall work with representatives of  
19 intercounty drainage districts to develop a mutually agreeable  
20 method of funding department costs associated with the intercounty  
21 drainage program.

22 Sec. 608. From the funds appropriated in part 1 for Michigan  
23 agriculture environmental assurance program, the department shall  
24 work to address water quality issues affecting Lake St. Clair,  
25 including efforts to reduce nonpoint source pollution.

House Bill No. 5365 (H-2) as amended April 25, 2012

**AGRICULTURE DEVELOPMENT**

Sec. 706. Not later than April 1, 2013, the department shall provide a report to the senate and house appropriations subcommittees on agriculture and rural development and the senate and house fiscal agencies describing the department's agriculture development and export market development activities. The report shall identify grants awarded during the prior fiscal year, including a description of federal or private funds made available as a result of department activities.

Sec. 709. (1) Not later than April 1, 2013, the department shall provide a report to the senate and house appropriations subcommittees on agriculture and rural development and the senate and house fiscal agencies describing the activities of the grape and wine industry council established under section 303 of the Michigan liquor control act of 1998, 1998 PA 58, MCL 436.1303.

(2) The report shall include all of the following:

(a) Council activities and accomplishments for the previous fiscal year.

(b) Council expenditures for the previous fiscal year by category of administration, industry support, research and education grants, and promotion and consumer education.

(c) Grants awarded during the prior fiscal year and the results of research grant projects completed during the prior fiscal year.

[Sec. 710. The department shall work with the Michigan department of transportation to facilitate the use of welcome centers and highway rest areas for farmer's markets.]

**FAIRS AND EXPOSITIONS**

Sec. 801. All appropriations from the agricultural equine

1 industry development fund shall be spent on equine-related  
2 purposes. No funds from the agriculture equine industry development  
3 fund shall be expended for nonequine-related purposes without prior  
4 approval of the legislature.

5 Sec. 802. All appropriations from the agriculture equine  
6 industry development fund, except for the racing commission and  
7 laboratory analysis program appropriations, shall be reduced  
8 proportionately if revenues to the agriculture equine industry  
9 development fund decline during the fiscal year ending September  
10 30, 2012 to a level lower than the amounts appropriated in part 1.

11 Sec. 803. In the event there is no live thoroughbred race meet  
12 in 2011 or 2012, all purse money and program money appropriated for  
13 the thoroughbred industry in fiscal year 2010-2011 and fiscal year  
14 2011-2012 shall be held in escrow for a period not to exceed 18  
15 months, or until a thoroughbred race meet license is applied for  
16 and granted by the Michigan gaming control board. In the event  
17 there is no thoroughbred meet in 2011 or 2012, the purse pool  
18 distribution order to be issued by the Michigan gaming control  
19 board in 2012 that delineates distribution between the thoroughbred  
20 meet that has been held at pinnacle race course and the joint  
21 thoroughbred/quarterhorse meet held in Mt. Pleasant shall be the  
22 same distribution formula as issued in 2011, with the thoroughbred  
23 portion being held in escrow.

24 Sec. 804. The Michigan gaming control board shall use actual  
25 expenditure data in determining the actual regulatory costs of  
26 conducting racing dates and shall provide that data to the senate  
27 and house of representatives appropriations subcommittees on

1 agriculture and rural development and general government and the  
2 senate and house fiscal agencies. The Michigan gaming control board  
3 shall not be reimbursed for more than the actual regulatory cost of  
4 conducting race dates. If a certified horsemen's organization funds  
5 more than the actual regulatory cost, the balance shall remain in  
6 the agriculture equine industry development fund to be used to fund  
7 subsequent race dates conducted by race meeting licensees with  
8 which the certified horsemen's organization has contracts. If a  
9 certified horsemen's organization funds less than the actual  
10 regulatory costs of the additional horse racing dates, the Michigan  
11 gaming control board shall reduce the number of future race dates  
12 conducted by race meeting licensees with which the certified  
13 horsemen's organization has contracts. Prior to the reduction in  
14 the number of authorized race dates due to budget deficits, the  
15 executive director of the Michigan gaming control board shall  
16 provide notice to the certified horsemen's organizations with an  
17 opportunity to respond with alternatives. In determining actual  
18 costs, the Michigan gaming control board shall take into account  
19 that each specific breed may require different regulatory  
20 mechanisms.

21       Sec. 805. From the funds appropriated in part 1, for building  
22 and track improvement - county fairs, the department shall  
23 implement a grant program for the purpose of assisting county fairs  
24 in making capital improvements. Grants under this program shall  
25 provide not more than 50% of total project cost. The department  
26 shall report to the house and senate appropriations subcommittees  
27 on agriculture and rural development and the house and senate

1   fiscal agencies by September 1, 2013 on grants awarded.

2   **CAPITAL OUTLAY**

3       Sec. 1002. (1) The director shall allocate lump-sum  
4   appropriations made in this article consistent with statutory  
5   provisions and the purposes for which funds were appropriated.  
6   Lump-sum allocations shall address priority program or facility  
7   needs and may include, but are not limited to, design,  
8   construction, remodeling and addition, special maintenance, major  
9   special maintenance, energy conservation, and demolition.

10       (2) The state budget director may authorize that funds  
11   appropriated for lump-sum appropriations shall be available for no  
12   more than 3 fiscal years following the fiscal year in which the  
13   original appropriation was made. Any remaining balance from  
14   allocations made in this section shall lapse to the fund from which  
15   it was appropriated pursuant to the lapsing of funds as provided in  
16   the management and budget act, 1984 PA 431, MCL 18.1101 to 18.1594.

17       Sec. 1003. The appropriations in part 1 for capital outlay  
18   shall be carried forward at the end of the fiscal year consistent  
19   with the provisions of section 248 of the management and budget  
20   act, 1984 PA 431, MCL 18.1248.

21   **ONE-TIME BASIS ONLY**

22       Sec. 1101. From the funds appropriated in part 1 for healthy  
23   food program, \$1,000,000.000 shall be used to develop and expand  
24   regional food systems through a food hub grant program. The  
25   department shall develop criteria for evaluating and awarding



grants under this program in cooperation with representatives of agriculture, business, and regional economic development agencies. Individual grants shall be no more than \$200,000.00. The department shall report to the house and senate appropriations subcommittees on agriculture and rural development and the house and senate fiscal agencies by October 1, 2012 on grants awarded and project evaluation criteria.

## PART 2A

### PROVISIONS CONCERNING ANTICIPATED APPROPRIATIONS FOR FISCAL YEAR 2013-2014

#### GENERAL SECTIONS

Sec. 1201. It is the intent of the legislature to provide appropriations for the fiscal year ending on September 30, 2014 for the line items listed in part 1. The fiscal year 2013-2014 appropriations are anticipated to be the same as those for fiscal year 2012-2013, excluding appropriations designated as 1-time appropriations and adjusting for changes in caseload and related costs, federal fund match rates, economic factors, and available revenue. Specific anticipated adjustments are as follows, subject to adjustment after the May 2013 consensus revenue estimating conference:

Active and retiree insurance and pension

adjustment .....	\$	<u>1,356,500</u>
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GROSS APPROPRIATION.....	\$	1,356,500
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Appropriated from:

1	Federal revenues:	
2	Federal revenues.....	373,900
3	State restricted revenues.....	300,000
4	State general fund/general purpose.....	\$ 682,600

5 ARTICLE IV

6 DEPARTMENT OF COMMUNITY HEALTH

7 PART 1

8 LINE-ITEM APPROPRIATIONS

9 FOR FISCAL YEAR 2012-2013

10 Sec. 101. Subject to the conditions set forth in this article,

11 the amounts listed in this part are appropriated for the department

12 of community health for the fiscal year ending September 30, 2013,

13 from the funds indicated in this part. The following is a summary

14 of the appropriations in this part:

15 **DEPARTMENT OF COMMUNITY HEALTH**

16 APPROPRIATION SUMMARY

17	Full-time equated unclassified positions.....	6.0
18	Full-time equated classified positions.....	3,529.6
19	Average population .....	893.0
20	GROSS APPROPRIATION.....	\$ 15,018,797,100
21	Interdepartmental grant revenues:	
22	Total interdepartmental grants and intradepartmental	
23	transfers .....	10,023,800
24	ADJUSTED GROSS APPROPRIATION.....	\$ 15,008,773,300
25	Federal revenues:	

1	Total federal revenues.....	9,663,796,300
2	Social security act, temporary assistance for needy	
3	families .....	22,341,500
4	Special revenue funds:	
5	Total local revenues.....	256,951,300
6	Total private revenues.....	93,364,000
7	Merit award trust fund.....	81,202,200
8	Total other state restricted revenues.....	2,065,336,300
9	State general fund/general purpose.....	\$ 2,825,781,700
10	<b>Sec. 102. DEPARTMENTWIDE ADMINISTRATION</b>	
11	Full-time equated unclassified positions..... 6.0	
12	Full-time equated classified positions..... 171.2	
13	Director and other unclassified--6.0 FTE positions ...	\$ 583,900
14	Departmental administration and management--161.2 FTE	
15	positions .....	23,903,200
16	Worker's compensation program.....	7,612,800
17	Rent and building occupancy.....	9,386,500
18	Developmental disabilities council and projects--10.0	
19	FTE positions .....	<u>2,986,900</u>
20	GROSS APPROPRIATION.....	\$ 44,473,300
21	Appropriated from:	
22	Federal revenues:	
23	Total federal revenues.....	14,522,300
24	Special revenue funds:	
25	Total private revenues.....	34,600
26	Total other state restricted revenues.....	780,500
27	State general fund/general purpose.....	\$ 29,135,900

1	<b>Sec. 103. MENTAL HEALTH/SUBSTANCE ABUSE SERVICES</b>		
2	<b>ADMINISTRATION AND SPECIAL PROJECTS</b>		
3	Full-time equated classified positions.....	99.0	
4	Behavioral health program administration--98.0 FTE		
5	positions .....	\$	17,310,400
6	Gambling addiction--1.0 FTE position.....		3,000,000
7	Protection and advocacy services support .....		194,400
8	Community residential and support services .....		1,549,100
9	Federal and other special projects .....		3,541,600
10	Family support subsidy.....		19,161,000
11	Housing and support services .....		<u>11,322,500</u>
12	GROSS APPROPRIATION.....	\$	56,079,000
13	Appropriated from:		
14	Federal revenues:		
15	Total federal revenues.....		20,210,000
16	Social security act, temporary assistance for needy		
17	families .....		19,341,500
18	Special revenue funds:		
19	Total private revenues.....		400,000
20	Total other state restricted revenues .....		3,000,000
21	State general fund/general purpose .....	\$	13,127,500
22	<b>Sec. 104. COMMUNITY MENTAL HEALTH/SUBSTANCE ABUSE</b>		
23	<b>SERVICES PROGRAMS</b>		
24	Full-time equated classified positions.....	9.5	
25	Medicaid mental health services.....	\$	2,193,680,100
26	Community mental health non-Medicaid services .....		274,136,200
27	Medicaid adult benefits waiver.....		32,056,100

1	Mental health services for special populations .....	5,842,800
2	Medicaid substance abuse services .....	48,071,700
3	CMHSP, purchase of state services contracts .....	144,422,000
4	Civil service charges .....	1,499,300
5	Federal mental health block grant--2.5 FTE positions .	15,424,900
6	State disability assistance program substance abuse	
7	services .....	2,018,800
8	Community substance abuse prevention, education, and	
9	treatment programs .....	80,093,000
10	Children's waiver home care program .....	19,444,800
11	Nursing home PAS/ARR-OBRA--7.0 FTE positions .....	12,233,600
12	Children with serious emotional disturbance waiver ...	<u>12,651,000</u>
13	GROSS APPROPRIATION .....	\$ 2,841,574,300
14	Appropriated from:	
15	Interdepartmental grant revenues:	
16	Interdepartmental grant from the department of human	
17	services .....	6,194,900
18	Federal revenues:	
19	Total federal revenues .....	1,622,885,500
20	Special revenue funds:	
21	Total local revenues .....	25,228,900
22	Total other state restricted revenues .....	22,261,900
23	State general fund/general purpose .....	\$ 1,165,003,100
24	<b>Sec. 105. STATE PSYCHIATRIC HOSPITALS AND FORENSIC</b>	
25	<b>MENTAL HEALTH SERVICES</b>	
26	Total average population .....	893.0
27	Full-time equated classified positions .....	2,130.9

1	Caro regional mental health center - psychiatric	
2	hospital - adult--461.3 FTE positions.....	\$ 62,226,900
3	Average population .....	185.0
4	Kalamazoo psychiatric hospital - adult--466.1 FTE	
5	positions .....	60,049,000
6	Average population .....	189.0
7	Walter P. Reuther psychiatric hospital - adult--420.8	
8	FTE positions .....	55,587,400
9	Average population .....	234.0
10	Hawthorn Center - psychiatric hospital - children and	
11	adolescents--226.4 FTE positions.....	28,620,800
12	Average population .....	75.0
13	Center for forensic psychiatry--556.3 FTE positions..	69,064,800
14	Average population .....	210.0
15	Revenue recapture.....	750,000
16	IDEA, federal special education.....	120,000
17	Special maintenance.....	332,500
18	Purchase of medical services for residents of	
19	hospitals and centers .....	445,600
20	Gifts and bequests for patient living and treatment	
21	environment .....	<u>1,000,000</u>
22	GROSS APPROPRIATION.....	\$ 278,197,000
23	Appropriated from:	
24	Federal revenues:	
25	Total federal revenues.....	33,705,400
26	Special revenue funds:	
27	CMHSP, purchase of state services contracts .....	144,422,000

1	Other local revenues.....	18,690,600
2	Total private revenues.....	1,000,000
3	Total other state restricted revenues.....	16,523,000
4	State general fund/general purpose.....	\$ 63,856,000
5	<b>Sec. 106. PUBLIC HEALTH ADMINISTRATION</b>	
6	Full-time equated classified positions.....	101.9
7	Public health administration--7.3 FTE positions.....	\$ 1,594,000
8	Health and wellness initiatives--10.7 FTE positions..	6,146,600
9	Minority health grants and contracts--2.5 FTE	
10	positions .....	612,700
11	Vital records and health statistics--81.4 FTE	
12	positions .....	<u>9,643,300</u>
13	GROSS APPROPRIATION.....	\$ 17,996,600
14	Appropriated from:	
15	Interdepartmental grant revenues:	
16	Interdepartmental grant from the department of human	
17	services .....	1,181,200
18	Federal revenues:	
19	Total federal revenues.....	4,229,700
20	Special revenue funds:	
21	Total other state restricted revenues.....	10,301,600
22	State general fund/general purpose.....	\$ 2,284,100
23	<b>Sec. 107. HEALTH POLICY</b>	
24	Full-time equated classified positions.....	64.8
25	Emergency medical services program state staff--23.0	
26	FTE positions .....	\$ 4,502,400
27	Emergency medical services grants and services .....	660,000

1	Health policy administration--24.1 FTE positions .....	4,304,600
2	Nurse education and research program--3.0 FTE	
3	positions .....	762,300
4	Certificate of need program administration--12.3 FTE	
5	positions .....	2,021,900
6	Rural health services--1.0 FTE position .....	1,504,100
7	Michigan essential health provider .....	491,300
8	Primary care services--1.4 FTE positions .....	<u>2,905,700</u>
9	GROSS APPROPRIATION .....	\$ 17,152,300
10	Appropriated from:	
11	Interdepartmental grant revenues:	
12	Interdepartmental grant from the department of	
13	treasury, Michigan state hospital finance authority.	112,400
14	Interdepartmental grant from the department of	
15	licensing and regulatory affairs .....	2,058,800
16	Federal revenues:	
17	Total federal revenues .....	5,426,600
18	Special revenue funds:	
19	Total private revenues .....	255,000
20	Total other state restricted revenues .....	5,783,000
21	State general fund/general purpose .....	\$ 3,516,500
22	<b>Sec. 108. INFECTIOUS DISEASE CONTROL</b>	
23	Full-time equated classified positions .....	44.5
24	AIDS prevention, testing, and care programs--12.7 FTE	
25	positions .....	\$ 58,558,700
26	Immunization local agreements .....	11,975,200
27	Immunization program management and field support--	



1	12.8 FTE positions .....	1,835,300
2	Pediatric AIDS prevention and control--1.0 FTE	
3	position .....	1,233,100
4	Sexually transmitted disease control local agreements	3,360,700
5	Sexually transmitted disease control management and	
6	field support--18.0 FTE positions.....	<u>3,794,100</u>
7	GROSS APPROPRIATION.....	\$ 80,757,100
8	Appropriated from:	
9	Federal revenues:	
10	Total federal revenues.....	42,597,900
11	Special revenue funds:	
12	Total private revenues.....	27,707,700
13	Total other state restricted revenues.....	7,605,200
14	State general fund/general purpose.....	\$ 2,846,300
15	<b>Sec. 109. LABORATORY SERVICES</b>	
16	Full-time equated classified positions..... 100.0	
17	Laboratory services--100.0 FTE positions.....	\$ <u>18,023,400</u>
18	GROSS APPROPRIATION.....	\$ 18,023,400
19	Appropriated from:	
20	Interdepartmental grant revenues:	
21	Interdepartmental grant from the department of	
22	environmental quality .....	456,800
23	Federal revenues:	
24	Total federal revenues.....	2,730,500
25	Special revenue funds:	
26	Total other state restricted revenues.....	8,310,400
27	State general fund/general purpose.....	\$ 6,525,700

1       **Sec. 110.   EPIDEMIOLOGY**

2       Full-time equated classified positions..... 115.1

3       AIDS surveillance and prevention program..... \$       2,254,100

4       Bioterrorism preparedness--55.0 FTE positions ..... 35,201,400

5       Epidemiology administration--41.6 FTE positions ..... 9,253,000

6       Healthy homes program--8.0 FTE positions ..... 2,932,100

7       Newborn screening follow-up and treatment services--

8       10.5 FTE positions ..... 5,629,000

9       Tuberculosis control and prevention..... 867,000

10      GROSS APPROPRIATION..... \$       56,136,600

11      Appropriated from:

12      Federal revenues:

13      Total federal revenues..... 47,078,200

14      Special revenue funds:

15      Total private revenues..... 100,000

16      Total other state restricted revenues ..... 7,007,500

17      State general fund/general purpose ..... \$       1,950,900

18      **Sec. 111.   LOCAL HEALTH ADMINISTRATION AND GRANTS**

19      Full-time equated classified positions..... 2.0

20      Essential local public health services ..... \$       37,386,100

21      Implementation of 1993 PA 133, MCL 333.17015 ..... 20,000

22      Local health services--2.0 FTE positions ..... 524,400

23      Medicaid outreach cost reimbursement to local health

24      departments ..... 9,000,000

25      GROSS APPROPRIATION..... \$       46,930,500

26      Appropriated from:

27      Federal revenues:

1	Total federal revenues.....	9,524,400
2	Special revenue funds:	
3	Total local revenues.....	5,150,000
4	State general fund/general purpose.....	\$ 32,256,100
5	<b>Sec. 112. CHRONIC DISEASE AND INJURY PREVENTION AND</b>	
6	<b>HEALTH PROMOTION</b>	
7	Full-time equated classified positions..... 64.3	
8	Cancer prevention and control program--11.0 FTE	
9	positions .....	\$ 14,932,600
10	Chronic disease control and health promotion	
11	administration--29.4 FTE positions.....	6,833,800
12	Diabetes and kidney program--8.0 FTE positions .....	1,855,700
13	Public health traffic safety coordination--1.0 FTE	
14	position .....	93,800
15	Smoking prevention program--12.0 FTE positions .....	2,172,100
16	Violence prevention--2.9 FTE positions .....	<u>2,158,000</u>
17	GROSS APPROPRIATION.....	\$ 28,046,000
18	Appropriated from:	
19	Federal revenues:	
20	Total federal revenues.....	25,083,400
21	Special revenue funds:	
22	Total private revenues.....	500,000
23	Total other state restricted revenues .....	721,200
24	State general fund/general purpose.....	\$ 1,741,400
25	<b>Sec. 113. FAMILY, MATERNAL, AND CHILDREN'S HEALTH</b>	
26	<b>SERVICES</b>	
27	Full-time equated classified positions..... 49.6	

1	Childhood lead program--2.5 FTE positions .....	\$	653,900
2	Dental programs--3.0 FTE positions .....		1,134,300
3	Dental program for persons with developmental		
4	disabilities .....		151,000
5	Family, maternal, and children's health services		
6	administration--41.6 FTE positions.....		6,030,800
7	Family planning local agreements.....		9,085,700
8	Local MCH services.....		7,018,100
9	Pregnancy prevention program.....		602,100
10	Prenatal care outreach and service delivery support ..		11,724,600
11	Special projects--2.5 FTE positions.....		7,921,700
12	Sudden infant death syndrome program.....		<u>321,300</u>
13	GROSS APPROPRIATION.....	\$	44,643,500
14	Appropriated from:		
15	Federal revenues:		
16	Total federal revenues.....		35,518,100
17	Social security act, temporary assistance for needy		
18	families .....		3,000,000
19	Special revenue funds:		
20	Total local revenues.....		75,000
21	Total private revenues.....		873,200
22	State general fund/general purpose.....	\$	5,177,200
23	<b>Sec. 114. WOMEN, INFANTS, AND CHILDREN FOOD AND</b>		
24	<b>NUTRITION PROGRAM</b>		
25	Full-time equated classified positions..... 45.0		
26	Women, infants, and children program administration		
27	and special projects--45.0 FTE positions.....	\$	16,294,500

1	Women, infants, and children program local agreements	
2	and food costs .....	<u>253,825,500</u>
3	GROSS APPROPRIATION.....	\$ 270,120,000
4	Appropriated from:	
5	Federal revenues:	
6	Total federal revenues.....	211,501,600
7	Special revenue funds:	
8	Total private revenues.....	58,618,400
9	State general fund/general purpose.....	\$ 0
10	<b>Sec. 115. CHILDREN'S SPECIAL HEALTH CARE SERVICES</b>	
11	Full-time equated classified positions.....	46.8
12	Children's special health care services	
13	administration--44.0 FTE positions.....	\$ 5,299,100
14	Bequests for care and services--2.8 FTE positions....	1,511,400
15	Outreach and advocacy.....	5,510,000
16	Nonemergency medical transportation.....	2,679,300
17	Medical care and treatment.....	<u>285,615,800</u>
18	GROSS APPROPRIATION.....	\$ 300,615,600
19	Appropriated from:	
20	Federal revenues:	
21	Total federal revenues.....	167,555,500
22	Special revenue funds:	
23	Total private revenues.....	996,800
24	Total other state restricted revenues.....	3,848,500
25	State general fund/general purpose.....	\$ 128,214,800
26	<b>Sec. 116. CRIME VICTIM SERVICES COMMISSION</b>	
27	Full-time equated classified positions.....	13.0

1	Grants administration services--13.0 FTE positions ...	\$	2,460,000
2	Justice assistance grants.....		19,106,100
3	Crime victim rights services grants.....		<u>16,570,000</u>
4	GROSS APPROPRIATION.....	\$	38,136,100
5	Appropriated from:		
6	Federal revenues:		
7	Total federal revenues.....		24,083,800
8	Special revenue funds:		
9	Total other state restricted revenues.....		14,052,300
10	State general fund/general purpose.....	\$	0
11	<b>Sec. 117. OFFICE OF SERVICES TO THE AGING</b>		
12	Full-time equated classified positions.....		40.0
13	Office of services to aging administration--40.0 FTE		
14	positions .....	\$	6,724,100
15	Community services.....		35,314,400
16	Nutrition services.....		35,430,200
17	Foster grandparent volunteer program.....		2,233,600
18	Retired and senior volunteer program.....		627,300
19	Senior companion volunteer program.....		1,604,400
20	Employment assistance.....		3,500,000
21	Respite care program.....		<u>5,868,700</u>
22	GROSS APPROPRIATION.....	\$	91,302,700
23	Appropriated from:		
24	Federal revenues:		
25	Total federal revenues.....		57,029,700
26	Special revenue funds:		
27	Total private revenues.....		677,500

1	Merit award trust fund.....	4,468,700
2	Total other state restricted revenues.....	1,400,000
3	State general fund/general purpose.....	\$ 27,726,800
4	<b>Sec. 118. MEDICAL SERVICES ADMINISTRATION</b>	
5	Full-time equated classified positions.....	432.0
6	Medical services administration--432.0 FTE positions .	\$ 65,861,200
7	Facility inspection contract.....	132,800
8	MIChild administration.....	4,327,800
9	Electronic health record incentive program.....	<u>144,081,400</u>
10	GROSS APPROPRIATION.....	\$ 214,403,200
11	Appropriated from:	
12	Federal revenues:	
13	Total federal revenues.....	190,286,800
14	Special revenue funds:	
15	Total local revenues.....	105,900
16	Total private revenues.....	100,000
17	Total other state restricted revenues.....	115,400
18	State general fund/general purpose.....	\$ 23,795,100
19	<b>Sec. 119. MEDICAL SERVICES</b>	
20	Hospital services and therapy.....	\$ 1,294,379,200
21	Hospital disproportionate share payments.....	45,000,000
22	Physician services.....	357,854,200
23	Medicare premium payments.....	412,142,400
24	Pharmaceutical services.....	274,352,200
25	Home health services.....	4,385,000
26	Hospice services.....	103,278,800
27	Transportation.....	16,892,900

1	Auxiliary medical services.....	3,537,400
2	Dental services.....	183,267,600
3	Ambulance services.....	12,789,900
4	Long-term care services.....	1,731,358,900
5	Medicaid home- and community-based services waiver...	241,015,700
6	Adult home help services.....	295,217,600
7	Personal care services.....	13,682,800
8	Program of all-inclusive care for the elderly.....	34,792,800
9	Essential services for children age 2-5.....	20,519,900
10	Health plan services.....	4,410,770,700
11	MIChild program.....	81,002,600
12	Plan first family planning waiver.....	14,295,500
13	Medicaid adult benefits waiver.....	105,877,700
14	Special indigent care payments.....	95,738,900
15	Federal Medicare pharmaceutical program.....	192,209,800
16	Maternal and child health.....	20,279,500
17	Subtotal basic medical services program.....	9,964,642,000
18	School-based services.....	131,502,700
19	Special Medicaid reimbursement.....	390,962,100
20	Subtotal special medical services payments.....	<u>522,464,800</u>
21	GROSS APPROPRIATION.....	\$ 10,487,106,800
22	Appropriated from:	
23	Federal revenues:	
24	Total federal revenues.....	7,092,728,300
25	Special revenue funds:	
26	Total local revenues.....	63,128,500
27	Total private revenues.....	2,100,000



1	Merit award trust fund.....	76,733,500
2	Total other state restricted revenues.....	1,961,421,700
3	State general fund/general purpose.....	\$ 1,290,994,800
4	<b>Sec. 120. INFORMATION TECHNOLOGY</b>	
5	Information technology services and projects.....	\$ 35,028,300
6	Michigan Medicaid information system.....	<u>16,801,100</u>
7	GROSS APPROPRIATION.....	\$ 51,829,400
8	Appropriated from:	
9	Federal revenues:	
10	Total federal revenues.....	37,280,800
11	Special revenue funds:	
12	Total other state restricted revenues.....	1,940,600
13	State general fund/general purpose.....	\$ 12,608,000
14	<b>Sec. 121. ONE-TIME BASIS ONLY</b>	
15	Mental health services for special populations.....	\$ 3,000,000
16	Hospital services and therapy - graduate medical	
17	education .....	17,988,400
18	State employee lump-sum payments.....	4,285,300
19	Outstate hospital uncompensated care - disproportionate	
20	share hospital payment .....	<u>10,000,000</u>
21	GROSS APPROPRIATION.....	\$ 35,273,700
22	Appropriated from:	
23	Interdepartmental grant revenues:	
24	Interdepartmental grants and intradepartmental	
25	transfers .....	19,700
26	Federal revenues:	
27	Total federal revenues.....	19,817,800

1 Special revenue funds:

2	Total local revenues .....	150,400
3	Total private revenues .....	800
4	Total other state restricted revenues .....	263,500
5	State general fund/general purpose .....	\$ 15,021,500

6 PART 2

7 PROVISIONS CONCERNING APPROPRIATIONS

8 FOR FISCAL YEAR 2012-2013

9 GENERAL SECTIONS

10 Sec. 201. Pursuant to section 30 of article IX of the state  
 11 constitution of 1963, total state spending from state resources  
 12 under part 1 for fiscal year 2012-2013 is \$4,972,320,200.00 and  
 13 state spending from state resources to be paid to local units of  
 14 government for fiscal year 2012-2013 is \$1,245,711,100.00. The  
 15 itemized statement below identifies appropriations from which  
 16 spending to local units of government will occur:

17 DEPARTMENT OF COMMUNITY HEALTH

18 MENTAL HEALTH/SUBSTANCE ABUSE SERVICES ADMINISTRATION

19 AND SPECIAL PROJECTS

20	Community residential and support services .....	\$ 215,800
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21	Housing and support services .....	645,600
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22 COMMUNITY MENTAL HEALTH/SUBSTANCE ABUSE SERVICES PROGRAMS

23 State disability assistance program substance abuse

24	services .....	\$ 2,018,000
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25 Community substance abuse prevention, education, and

1	treatment programs .....		12,762,600
2	Medicaid mental health services .....		709,306,800
3	Community mental health non-Medicaid services .....		274,136,200
4	Mental health services for special populations .....		8,842,800
5	Medicaid adult benefits waiver .....		10,774,100
6	Medicaid substance abuse services .....		16,156,900
7	Children's waiver home care program .....		5,857,500
8	Nursing home PASARR .....		2,703,800
9	PUBLIC HEALTH ADMINISTRATION		
10	Health and wellness initiatives .....		1,803,000
11	HEALTH POLICY		
12	Primary care services .....	\$	88,900
13	INFECTIOUS DISEASE CONTROL		
14	AIDS prevention, testing, and care programs .....	\$	830,400
15	Immunization local agreements .....		1,352,000
16	Sexually transmitted disease control local agreements		235,200
17	LABORATORY SERVICES		
18	Laboratory services .....	\$	161,600
19	LOCAL HEALTH ADMINISTRATION AND GRANTS		
20	Implementation of 1993 PA 133, MCL 333.17015 .....	\$	6,200
21	Essential local public health services .....		32,236,100
22	CHRONIC DISEASE AND INJURY PREVENTION AND HEALTH PROMOTION		
23	Cancer prevention and control program .....	\$	109,800
24	Chronic disease control and health promotion		
25	administration .....		184,800
26	Diabetes and kidney program .....		60,000
27	FAMILY, MATERNAL, AND CHILDREN'S HEALTH SERVICES		

1	Childhood lead program.....	\$	54,300
2	Prenatal care outreach and service delivery support ..		1,500,000
3	CHILDREN'S SPECIAL HEALTH CARE SERVICES		
4	Medical care and treatment.....	\$	1,935,000
5	Outreach and advocacy.....		1,185,900
6	CRIME VICTIM SERVICES COMMISSION		
7	Crime victim rights services grants.....	\$	5,936,000
8	OFFICE OF SERVICES TO THE AGING		
9	Community services.....	\$	12,233,500
10	Nutrition services.....		8,787,000
11	Foster grandparent volunteer program.....		679,800
12	Retired and senior volunteer program.....		175,000
13	Senior companion volunteer program.....		215,000
14	Respite care program.....		5,384,800
15	MEDICAL SERVICES		
16	Dental services.....	\$	1,803,200
17	Long-term care services.....		88,294,300
18	Transportation.....		4,943,700
19	Medicaid adult benefits waiver.....		8,999,600
20	Hospital services and therapy.....		2,615,100
21	Physician services.....		<u>10,180,800</u>
22	TOTAL OF PAYMENTS TO LOCAL UNITS		
23	OF GOVERNMENT.....	\$	1,245,711,100
24	Sec. 202. The appropriations authorized under this article are		
25	subject to the management and budget act, 1984 PA 431, MCL 18.1101		
26	to 18.1594.		
27	Sec. 203. As used in this article:		

1 (a) "AIDS" means acquired immunodeficiency syndrome.

2 (b) "CMHSP" means a community mental health services program  
3 as that term is defined in section 100a of the mental health code,  
4 1974 PA 258, MCL 330.1100a.

5 (c) "Current fiscal year" means the fiscal year ending  
6 September 30, 2013.

7 (d) "Department" means the department of community health.

8 (e) "Director" means the director of the department.

9 (f) "DSH" means disproportionate share hospital.

10 (g) "EPSDT" means early and periodic screening, diagnosis, and  
11 treatment.

12 (h) "Federal health care reform legislation" means the patient  
13 protection and affordable care act, Public Law 111-148, and the  
14 health care and education reconciliation act of 2010, Public Law  
15 111-152.

16 (i) "Federal poverty level" means the poverty guidelines  
17 published annually in the federal register by the United States  
18 department of health and human services under its authority to  
19 revise the poverty line under 42 USC 9902.

20 (j) "GME" means graduate medical education.

21 (k) "Health plan" means, at a minimum, an organization that  
22 meets the criteria for delivering the comprehensive package of  
23 services under the department's comprehensive health plan.

24 (l) "HEDIS" means healthcare effectiveness data and information  
25 set.

26 (m) "HIV" means human immunodeficiency virus.

27 (n) "HMO" means health maintenance organization.

1 (o) "IDEA" means the individuals with disabilities education  
2 act, 20 USC 1400 to 1482.

3 (p) "MCH" means maternal and child health.

4 (q) "MICHild" means the program described in section 1670.

5 (r) "PASARR" means the preadmission screening and annual  
6 resident review required under the omnibus budget reconciliation  
7 act of 1987, section 1919(e)(7) of the social security act, and 42  
8 USC 1396r.

9 (s) "PIHP" means a specialty prepaid inpatient health plan for  
10 Medicaid mental health services, services to individuals with  
11 developmental disabilities, and substance abuse services. Specialty  
12 prepaid inpatient health plans are described in section 232b of the  
13 mental health code, 1974 PA 258, MCL 330.1232b.

14 (t) "Temporary assistance for needy families" means part A of  
15 title IV of the social security act, 42 USC 601 to 619.

16 (u) "Title XVIII" and "Medicare" mean title XVIII of the  
17 social security act, 42 USC 1395 to 1395kkk.

18 (v) "Title XIX" and "Medicaid" mean title XIX of the social  
19 security act, 42 USC 1396 to 1396w-5.

20 (w) "Title XX" means title XX of the social security act, 42  
21 USC 1397 to 1397m-5.

22 Sec. 206. (1) In addition to the funds appropriated in part 1,  
23 there is appropriated an amount not to exceed \$200,000,000.00 for  
24 federal contingency funds. These funds are not available for  
25 expenditure until they have been transferred to another line item  
26 in this article under section 393(2) of the management and budget  
27 act, 1984 PA 431, MCL 18.1393.

## House Bill No. 5365 (H-2) as amended April 25, 2012

1           (2) In addition to the funds appropriated in part 1, there is  
2 appropriated an amount not to exceed \$40,000,000.00 for state  
3 restricted contingency funds. These funds are not available for  
4 expenditure until they have been transferred to another line item  
5 in this article under section 393(2) of the management and budget  
6 act, 1984 PA 431, MCL 18.1393.

7           (3) In addition to the funds appropriated in part 1, there is  
8 appropriated an amount not to exceed \$20,000,000.00 for local  
9 contingency funds. These funds are not available for expenditure  
10 until they have been transferred to another line item in this  
11 article under section 393(2) of the management and budget act, 1984  
12 PA 431, MCL 18.1393.

13           (4) In addition to the funds appropriated in part 1, there is  
14 appropriated an amount not to exceed \$20,000,000.00 for private  
15 contingency funds. These funds are not available for expenditure  
16 until they have been transferred to another line item in this  
17 article under section 393(2) of the management and budget act, 1984  
18 PA 431, MCL 18.1393.

[Sec. 207. By October 31, 2012, the department shall identify 10 principal measurable outcomes to be affected by expenditure of the funds appropriated in part 1 of this article and submit a report to the house and senate appropriations committees, the house and senate fiscal agencies, and the state budget director that ranks the outcomes by level of importance and contains current data on those outcomes. Beginning on April 1, 2013, the department shall provide biannual updates to the house and senate appropriations committees on changes in those measurable outcomes and departmental efforts to improve the outcomes.]

19           Sec. 208. Unless otherwise specified, the departments shall  
20 use the Internet to fulfill the reporting requirements of this  
21 article. This requirement may include transmission of reports via  
22 electronic mail to the recipients identified for each reporting  
23 requirement, or it may include placement of reports on the Internet  
24 or Intranet site.

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

1 services, or both, are available. Preference shall be given to  
2 goods or services, or both, manufactured or provided by Michigan  
3 businesses if they are competitively priced and of comparable  
4 quality. In addition, preference shall be given to goods or  
5 services, or both, that are manufactured or provided by Michigan  
6 businesses owned and operated by veterans if they are competitively  
7 priced and of comparable quality.

8       Sec. 211. If the revenue collected by the department from fees  
9 and collections exceeds the amount appropriated in part 1, the  
10 revenue may be carried forward with the approval of the state  
11 budget director into the subsequent fiscal year. The revenue  
12 carried forward under this section shall be used as the first  
13 source of funds in the subsequent fiscal year.

14       Sec. 212. (1) On or before February 1 of the current fiscal  
15 year, the department shall report to the house and senate  
16 appropriations subcommittees on community health, the house and  
17 senate fiscal agencies, and the state budget director on the  
18 detailed name and amounts of federal, restricted, private, and  
19 local sources of revenue that support the appropriations in each of  
20 the line items in part 1.

21       (2) Upon the release of the next fiscal year executive budget  
22 recommendation, the department shall report to the same parties in  
23 subsection (1) on the amounts and detailed sources of federal,  
24 restricted, private, and local revenue proposed to support the  
25 total funds appropriated in each of the line items in part 1 of the  
26 next fiscal year executive budget proposal.

27       Sec. 213. The state departments, agencies, and commissions



1 receiving tobacco tax funds and healthy Michigan funds from part 1  
2 shall report by April 1 of the current fiscal year to the senate  
3 and house appropriations committees, the senate and house fiscal  
4 agencies, and the state budget director on the following:

5 (a) Detailed spending plan by appropriation line item  
6 including description of programs and a summary of organizations  
7 receiving these funds.

8 (b) Description of allocations or bid processes including need  
9 or demand indicators used to determine allocations.

10 (c) Eligibility criteria for program participation and maximum  
11 benefit levels where applicable.

12 (d) Outcome measures used to evaluate programs, including  
13 measures of the effectiveness of these programs in improving the  
14 health of Michigan residents.

15 (e) Any other information considered necessary by the house of  
16 representatives or senate appropriations committees or the state  
17 budget director.

18 Sec. 216. (1) In addition to funds appropriated in part 1 for  
19 all programs and services, there is appropriated for write-offs of  
20 accounts receivable, deferrals, and for prior year obligations in  
21 excess of applicable prior year appropriations, an amount equal to  
22 total write-offs and prior year obligations, but not to exceed  
23 amounts available in prior year revenues.

24 (2) The department's ability to satisfy appropriation  
25 deductions in part 1 shall not be limited to collections and  
26 accruals pertaining to services provided in the current fiscal  
27 year, but shall also include reimbursements, refunds, adjustments,

1 and settlements from prior years.

2 Sec. 218. The department shall include the following in its  
3 annual list of proposed basic health services as required in part  
4 23 of the public health code, 1978 PA 368, MCL 333.2301 to  
5 333.2321:

6 (a) Immunizations.

7 (b) Communicable disease control.

8 (c) Sexually transmitted disease control.

9 (d) Tuberculosis control.

10 (e) Prevention of gonorrhea eye infection in newborns.

11 (f) Screening newborns for the conditions listed in section  
12 5431 of the public health code, 1978 PA 368, MCL 333.5431, or  
13 recommended by the newborn screening quality assurance advisory  
14 committee created under section 5430 of the public health code,  
15 1978 PA 368, MCL 333.5430.

16 (g) Community health annex of the Michigan emergency  
17 management plan.

18 (h) Prenatal care.

19 Sec. 219. (1) The department may contract with the Michigan  
20 public health institute for the design and implementation of  
21 projects and for other public health-related activities prescribed  
22 in section 2611 of the public health code, 1978 PA 368, MCL  
23 333.2611. The department may develop a master agreement with the  
24 institute to carry out these purposes for up to a 3-year period.  
25 The department shall report to the house and senate appropriations  
26 subcommittees on community health, the house and senate fiscal  
27 agencies, and the state budget director on or before January 1 of

1 the current fiscal year all of the following:

2 (a) A detailed description of each funded project.

3 (b) The amount allocated for each project, the appropriation  
4 line item from which the allocation is funded, and the source of  
5 financing for each project.

6 (c) The expected project duration.

7 (d) A detailed spending plan for each project, including a  
8 list of all subgrantees and the amount allocated to each  
9 subgrantee.

10 (2) On or before September 30 of the current fiscal year, the  
11 department shall provide to the same parties listed in subsection  
12 (1) a copy of all reports, studies, and publications produced by  
13 the Michigan public health institute, its subcontractors, or the  
14 department with the funds appropriated in part 1 and allocated to  
15 the Michigan public health institute.

16 Sec. 223. The department may establish and collect fees for  
17 publications, videos and related materials, conferences, and  
18 workshops. Collected fees shall be used to offset expenditures to  
19 pay for printing and mailing costs of the publications, videos and  
20 related materials, and costs of the workshops and conferences. The  
21 department shall not collect fees under this section that exceed  
22 the cost of the expenditures.

23 Sec. 259. From the funds appropriated in part 1 for  
24 information technology, departments and agencies shall pay user  
25 fees to the department of technology, management, and budget for  
26 technology-related services and projects. The user fees shall be  
27 subject to provisions of an interagency agreement between the

1 department and agencies and the department of technology,  
2 management, and budget.

3       Sec. 264. (1) Upon submission of a Medicaid waiver, a Medicaid  
4 state plan amendment, or a similar proposal to the centers for  
5 Medicare and Medicaid services, the department shall notify the  
6 house and senate appropriations subcommittees on community health  
7 and the house and senate fiscal agencies of the submission.

8       (2) The department shall provide written or verbal biannual  
9 reports to the senate and house appropriations subcommittees on  
10 community health and the senate and house fiscal agencies  
11 summarizing the status of any new or ongoing discussions with the  
12 centers for Medicare and Medicaid services or the federal  
13 department of health and human services regarding potential or  
14 future Medicaid waiver applications.

15       Sec. 265. The department and agencies receiving appropriations  
16 in part 1 shall receive and retain copies of all reports funded  
17 from appropriations in part 1. Federal and state guidelines for  
18 short-term and long-term retention of records shall be followed.  
19 The department may electronically retain copies of reports unless  
20 otherwise required by federal and state guidelines.

21       Sec. 266. (1) The departments and agencies receiving  
22 appropriations in part 1 shall prepare a report on out-of-state  
23 travel expenses not later than January 1 of each year. The travel  
24 report shall be a listing of all travel by classified and  
25 unclassified employees outside this state in the immediately  
26 preceding fiscal year that was funded in whole or in part with  
27 funds appropriated in the department's budget. The report shall be

1 submitted to the house and senate standing committees on  
2 appropriations, the house and senate fiscal agencies, and the state  
3 budget director. The report shall include the following  
4 information:

5 (a) The dates of each travel occurrence.

6 (b) The total transportation and related costs of each travel  
7 occurrence, including the proportion funded with state general  
8 fund/general purpose revenues, the proportion funded with state  
9 restricted revenues, the proportion funded with federal revenues,  
10 and the proportion funded with other revenues.

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

17 Sec. 267. The department shall not take disciplinary action  
18 against an employee for communicating with a member of the  
19 legislature or his or her staff.

20 Sec. 270. Within 180 days after receipt of the notification  
21 from the attorney general's office of a legal action in which  
22 expenses had been recovered pursuant to section 106(4) of the  
23 social welfare act, 1939 PA 280, MCL 400.106, or any other statute  
24 under which the department has the right to recover expenses, the  
25 department shall submit a written report to the house and senate  
26 appropriations subcommittees on community health, the house and  
27 senate fiscal agencies, and the state budget office which includes,

1 at a minimum, all of the following:

2 (a) The total amount recovered from the legal action.

3 (b) The program or service for which the money was originally  
4 expended.

5 (c) Details on the disposition of the funds recovered such as  
6 the appropriation or revenue account in which the money was  
7 deposited.

8 (d) A description of the facts involved in the legal action.

9 Sec. 276. Funds appropriated in part 1 shall not be used by a  
10 principal executive department, state agency, or authority to hire  
11 a person to provide legal services that are the responsibility of  
12 the attorney general. This prohibition does not apply to legal  
13 services for bonding activities and for those outside activities  
14 that the attorney general authorizes.

15 Sec. 282. (1) The department, through its organizational units  
16 responsible for departmental administration, operation, and  
17 finance, shall establish uniform definitions, standards, and  
18 instructions for the classification, allocation, assignment,  
19 calculation, recording, and reporting of administrative costs by  
20 the following entities:

21 (a) Coordinating agencies on substance abuse and the Salvation  
22 Army harbor light program that receive payment or reimbursement  
23 from funds appropriated under section 104.

24 (b) Area agencies on aging and local providers that receive  
25 payment or reimbursement from funds appropriated under section 117.

26 (2) By May 15 of the current fiscal year, the department shall  
27 provide a written draft of its proposed definitions, standards, and

1 instructions to the house of representatives and senate  
2 appropriations subcommittees on community health, the house and  
3 senate fiscal agencies, and the state budget director.

4       Sec. 287. Not later than November 15, the department shall  
5 prepare and transmit a report that provides for estimates of the  
6 total general fund/general purpose appropriation lapses at the  
7 close of the previous fiscal year. This report shall summarize the  
8 projected year-end general fund/general purpose appropriation  
9 lapses by major departmental program or program areas. The report  
10 shall be transmitted to the office of the state budget, the  
11 chairpersons of the senate and house of representatives standing  
12 appropriations committees, and the senate and house fiscal  
13 agencies.

14       Sec. 292. (1) The department shall maintain a searchable  
15 website accessible by the public at no cost that includes, but is  
16 not limited to, all of the following:

17       (a) Fiscal year-to-date expenditures by category.

18       (b) Fiscal year-to-date expenditures by appropriation unit.

19       (c) Fiscal year-to-date payments to a selected vendor,  
20 including the vendor name, payment date, payment amount, and  
21 payment description.

22       (d) The number of active department employees by job  
23 classification.

24       (e) Job specifications and wage rates.

25       (2) The department may develop and operate its own website to  
26 provide this information or may reference the state's central  
27 transparency website as the source for this information.

House Bill No. 5365 (H-2) as amended April 25, 2012

1       Sec. 294. Amounts appropriated in part 1 for information

2       technology may be designated as work projects and carried forward

3       to support technology projects under the direction of the

4       department of technology, management, and budget. Funds designated

5       in this manner are not available for expenditure until approved as

6       work projects under section 451a of the management and budget act,

7       1984 PA 431, MCL 18.1451a.

8       Sec. 296. Within 14 days after the release of the executive

9       budget recommendation, the department shall provide the state

10      budget director, the senate and house appropriations chairs, the

11      senate and house appropriations subcommittees on community health,

12      respectively, and the senate and house fiscal agencies with an

13      annual report on estimated state restricted fund balances, state

14      restricted fund projected revenues, and state restricted fund

15      expenditures for the fiscal years ending September 30, 2012 and

16      September 30, 2013.

17      Sec. 297. It is the intent of the legislature that all  
18      principal executive departments and agencies cooperate with the  
19      development and implementation of the department of technology,  
20      management, and budget statewide office space consolidation plan.

      [Sec. 298. (1) The department shall verify, using the e-verify  
system, that all new department employees, and new hire employees of  
contractors and subcontractors paid from funds appropriated in this  
article, are legally present in the United States. The department may  
verify this information directly or may require contractors and  
subcontractors to verify the information and submit a certification to  
the department.]

      (2) By March 1 of the current fiscal year, the department shall  
submit to the house and senate appropriations subcommittees on community  
health, the house and senate fiscal agencies, and state budget office, a  
report certifying that it has verified, or has required contractors and  
subcontractors to verify, using the e-verify system, that all new  
department employees and new hire employees of contractors and  
subcontractors are legally present in the United States.]

## 21      BEHAVIORAL HEALTH SERVICES

22      Sec. 403. (1) From the funds appropriated in part 1 for mental  
23      health services for special populations, the department shall  
24      ensure that CMHSPs or PIHPs meet with multicultural service  
25      providers to develop a workable framework for contracting, service  
26      delivery, and reimbursement.



1           (2) Funds appropriated in part 1 for mental health services  
2 for special populations shall not be utilized for services provided  
3 to illegal immigrants, fugitive felons, and individuals who are not  
4 residents of this state. The department shall maintain contracts  
5 with recipients of multicultural services grants that mandate  
6 grantees establish that recipients of services are legally residing  
7 in the United States. An exception to the contractual provision  
8 shall be allowed to address individuals presenting with emergent  
9 mental health conditions.

10           (3) The department shall require an annual report from the  
11 independent organizations that receive mental health services for  
12 special populations funding. The annual report, due January 1 of  
13 the current fiscal year, shall include specific information on  
14 services and programs provided, the client base to which the  
15 services and programs were provided, information on any wraparound  
16 services provided, and the expenditures for those services. The  
17 department shall provide the annual reports to the senate and house  
18 appropriations subcommittees on community health and the senate and  
19 house fiscal agencies.

20           Sec. 404. (1) Not later than May 31 of the current fiscal  
21 year, the department shall provide a report on the community mental  
22 health services programs to the members of the house and senate  
23 appropriations subcommittees on community health, the house and  
24 senate fiscal agencies, and the state budget director that includes  
25 the information required by this section.

26           (2) The report shall contain information for each CMHSP or  
27 PIHP and a statewide summary, each of which shall include at least

1 the following information:

2 (a) A demographic description of service recipients which,  
3 minimally, shall include reimbursement eligibility, client  
4 population, age, ethnicity, housing arrangements, and diagnosis.

5 (b) Per capita expenditures by client population group.

6 (c) Financial information that, minimally, includes a  
7 description of funding authorized; expenditures by client group and  
8 fund source; and cost information by service category, including  
9 administration. Service category includes all department-approved  
10 services.

11 (d) Data describing service outcomes that includes, but is not  
12 limited to, an evaluation of consumer satisfaction, consumer  
13 choice, and quality of life concerns including, but not limited to,  
14 housing and employment.

15 (e) Information about access to community mental health  
16 services programs that includes, but is not limited to, the  
17 following:

18 (i) The number of people receiving requested services.

19 (ii) The number of people who requested services but did not  
20 receive services.

21 (f) The number of second opinions requested under the code and  
22 the determination of any appeals.

23 (g) An analysis of information provided by CMHSPs in response  
24 to the needs assessment requirements of the mental health code,  
25 1974 PA 258, MCL 330.1001 to 330.2106, including information about  
26 the number of individuals in the service delivery system who have  
27 requested and are clinically appropriate for different services.

1 (h) Lapses and carryforwards during the immediately preceding  
2 fiscal year for CMHSPs or PIHPs.

3 (i) Information about contracts for mental health services  
4 entered into by CMHSPs or PIHPs with providers, including, but not  
5 limited to, all of the following:

6 (i) The amount of the contract, organized by type of service  
7 provided.

8 (ii) Payment rates, organized by the type of service provided.

9 (iii) Administrative costs for services provided to CMHSPs or  
10 PIHPs.

11 (j) Information on the community mental health Medicaid  
12 managed care program, including, but not limited to, both of the  
13 following:

14 (i) Expenditures by each CMHSP or PIHP organized by Medicaid  
15 eligibility group, including per eligible individual expenditure  
16 averages.

17 (ii) Performance indicator information required to be submitted  
18 to the department in the contracts with CMHSPs or PIHPs.

19 (k) An estimate of the number of direct care workers in local  
20 residential settings and paraprofessional and other nonprofessional  
21 direct care workers in settings where skill building, community  
22 living supports and training, and personal care services are  
23 provided by CMHSPs or PIHPs as of September 30 of the prior fiscal  
24 year employed directly or through contracts with provider  
25 organizations.

26 (3) The department shall include data reporting requirements  
27 listed in subsection (2) in the annual contract with each

1 individual CMHSP or PIHP.

2 (4) The department shall take all reasonable actions to ensure  
3 that the data required are complete and consistent among all CMHSPs  
4 or PIHPs.

5 Sec. 406. (1) The funds appropriated in part 1 for the state  
6 disability assistance substance abuse services program shall be  
7 used to support per diem room and board payments in substance abuse  
8 residential facilities. Eligibility of clients for the state  
9 disability assistance substance abuse services program shall  
10 include needy persons 18 years of age or older, or emancipated  
11 minors, who reside in a substance abuse treatment center.

12 (2) The department shall reimburse all licensed substance  
13 abuse programs eligible to participate in the program at a rate  
14 equivalent to that paid by the department of human services to  
15 adult foster care providers. Programs accredited by department-  
16 approved accrediting organizations shall be reimbursed at the  
17 personal care rate, while all other eligible programs shall be  
18 reimbursed at the domiciliary care rate.

19 Sec. 407. (1) The amount appropriated in part 1 for substance  
20 abuse prevention, education, and treatment grants shall be expended  
21 for contracting with coordinating agencies. Coordinating agencies  
22 shall work with CMHSPs or PIHPs to coordinate care and services  
23 provided to individuals with severe and persistent mental illness  
24 and substance abuse diagnoses.

25 (2) The department shall approve coordinating agency fee  
26 schedules for providing substance abuse services and charge  
27 participants in accordance with their ability to pay.

1           (3) It is the intent of the legislature that the coordinating  
2 agencies continue current efforts to collaborate on the delivery of  
3 services to those clients with mental illness and substance abuse  
4 diagnoses.

5           (4) Coordinating agencies that are located completely within  
6 the boundary of a PIHP shall conduct a study of the administrative  
7 costs and efficiencies associated with consolidation with that  
8 PIHP. If that coordinating agency realizes an administrative cost  
9 savings of 5% or greater of their current costs, then that  
10 coordinating agency shall initiate discussions regarding a  
11 potential merger in accordance with section 6226 of the public  
12 health code, 1978 PA 368, MCL 333.6226. The department shall report  
13 to the legislature by April 1 of the current fiscal year on any  
14 such discussions.

15           Sec. 408. (1) By April 1 of the current fiscal year, the  
16 department shall report the following data from the prior fiscal  
17 year on substance abuse prevention, education, and treatment  
18 programs to the senate and house appropriations subcommittees on  
19 community health, the senate and house fiscal agencies, and the  
20 state budget office:

21           (a) Expenditures stratified by coordinating agency, by central  
22 diagnosis and referral agency, by fund source, by subcontractor, by  
23 population served, and by service type. Additionally, data on  
24 administrative expenditures by coordinating agency shall be  
25 reported.

26           (b) Expenditures per state client, with data on the  
27 distribution of expenditures reported using a histogram approach.

1 (c) Number of services provided by central diagnosis and  
2 referral agency, by subcontractor, and by service type.  
3 Additionally, data on length of stay, referral source, and  
4 participation in other state programs.

5 (d) Collections from other first- or third-party payers,  
6 private donations, or other state or local programs, by  
7 coordinating agency, by subcontractor, by population served, and by  
8 service type.

9 (2) The department shall take all reasonable actions to ensure  
10 that the required data reported are complete and consistent among  
11 all coordinating agencies.

12 Sec. 410. The department shall assure that substance abuse  
13 treatment is provided to applicants and recipients of public  
14 assistance through the department of human services who are  
15 required to obtain substance abuse treatment as a condition of  
16 eligibility for public assistance.

17 Sec. 411. (1) The department shall ensure that each contract  
18 with a CMHSP or PIHP requires the CMHSP or PIHP to implement  
19 programs to encourage diversion of individuals with serious mental  
20 illness, serious emotional disturbance, or developmental disability  
21 from possible jail incarceration when appropriate.

22 (2) Each CMHSP or PIHP shall have jail diversion services and  
23 shall work toward establishing working relationships with  
24 representative staff of local law enforcement agencies, including  
25 county prosecutors' offices, county sheriffs' offices, county  
26 jails, municipal police agencies, municipal detention facilities,  
27 and the courts. Written interagency agreements describing what

1 services each participating agency is prepared to commit to the  
2 local jail diversion effort and the procedures to be used by local  
3 law enforcement agencies to access mental health jail diversion  
4 services are strongly encouraged.

5 Sec. 412. The department shall contract directly with the  
6 Salvation Army harbor light program to provide non-Medicaid  
7 substance abuse services.

8 Sec. 418. On or before the tenth of each month, the department  
9 shall report to the senate and house appropriations subcommittees  
10 on community health, the senate and house fiscal agencies, and the  
11 state budget director on the amount of funding paid to PIHPs to  
12 support the Medicaid managed mental health care program in the  
13 preceding month. The information shall include the total paid to  
14 each PIHP, per capita rate paid for each eligibility group for each  
15 PIHP, and number of cases in each eligibility group for each PIHP,  
16 and year-to-date summary of eligibles and expenditures for the  
17 Medicaid managed mental health care program.

18 Sec. 424. Each PIHP that contracts with the department to  
19 provide services to the Medicaid population shall adhere to the  
20 following timely claims processing and payment procedure for claims  
21 submitted by health professionals and facilities:

22 (a) A "clean claim" as described in section 111i of the social  
23 welfare act, 1939 PA 280, MCL 400.111i, shall be paid within 45  
24 days after receipt of the claim by the PIHP. A clean claim that is  
25 not paid within this time frame shall bear simple interest at a  
26 rate of 12% per annum.

27 (b) A PIHP shall state in writing to the health professional

1 or facility any defect in the claim within 30 days after receipt of  
2 the claim.

3 (c) A health professional and a health facility have 30 days  
4 after receipt of a notice that a claim or a portion of a claim is  
5 defective within which to correct the defect. The PIHP shall pay  
6 the claim within 30 days after the defect is corrected.

7 Sec. 428. Each PIHP shall provide, from internal resources,  
8 local funds to be used as a bona fide part of the state match  
9 required under the Medicaid program in order to increase capitation  
10 rates for PIHPs. These funds shall not include either state funds  
11 received by a CMHSP for services provided to non-Medicaid  
12 recipients or the state matching portion of the Medicaid capitation  
13 payments made to a PIHP.

14 Sec. 435. A county required under the provisions of the mental  
15 health code, 1974 PA 258, MCL 330.1001 to 330.2106, to provide  
16 matching funds to a CMHSP for mental health services rendered to  
17 residents in its jurisdiction shall pay the matching funds in equal  
18 installments on not less than a quarterly basis throughout the  
19 fiscal year, with the first payment being made by October 1 of the  
20 current fiscal year.

21 Sec. 458. By April 15 of the current fiscal year, the  
22 department shall provide each of the following to the house and  
23 senate appropriations subcommittees on community health, the house  
24 and senate fiscal agencies, and the state budget director:

25 (a) An updated plan for implementing each of the  
26 recommendations of the Michigan mental health commission made in  
27 the commission's report dated October 15, 2004.



1 (b) A report that evaluates the cost-benefit of establishing  
2 secure residential facilities of fewer than 17 beds for adults with  
3 serious mental illness, modeled after such programming in Oregon or  
4 other states. This report shall examine the potential impact that  
5 utilization of secure residential facilities would have upon the  
6 state's need for adult mental health facilities.

7 (c) In conjunction with the state court administrator's  
8 office, a report that evaluates the cost-benefit of establishing a  
9 specialized mental health court program that diverts adults with  
10 serious mental illness alleged to have committed an offense deemed  
11 nonserious into treatment prior to the filing of any charges.

12 Sec. 470. (1) For those substance abuse coordinating agencies  
13 that have voluntarily incorporated into community mental health  
14 authorities and accepted funding from the department for  
15 administrative costs incurred pursuant to section 468, the  
16 department shall establish written expectations for those CMHSPs,  
17 PIHPs, and substance abuse coordinating agencies and counties with  
18 respect to the integration of mental health and substance abuse  
19 services. At a minimum, the written expectations shall provide for  
20 the integration of those services as follows:

21 (a) Coordination and consolidation of administrative functions  
22 and redirection of efficiencies into service enhancements.

23 (b) Consolidation of points of 24-hour access for mental  
24 health and substance abuse services in every community.

25 (c) Alignment of coordinating agencies and PIHPs boundaries to  
26 maximize opportunities for collaboration and integration of  
27 administrative functions and clinical activities.

1           (2) By May 1 of the current fiscal year, the department shall  
2 report to the house and senate appropriations subcommittees on  
3 community health, the house and senate fiscal agencies, and the  
4 state budget office on the impact and effectiveness of this section  
5 and the status of the integration of mental health and substance  
6 abuse services.

7           Sec. 490. (1) The department shall develop a plan to maximize  
8 uniformity and consistency in the standards required of providers  
9 contracting directly with PIHPs and CMHSPs. The standards shall  
10 include, but are not limited to, contract language, training  
11 requirements for direct support staff, performance indicators,  
12 financial and program audits, and billing procedures.

13           (2) The department shall provide a status report to the senate  
14 and house appropriations subcommittees on community health, the  
15 senate and house fiscal agencies, and the state budget director on  
16 implementation of the plan by July 1 of the current fiscal year.

17           Sec. 491. The department shall explore changes in program  
18 policy in the habilitation supports waiver for persons with  
19 developmental disabilities that would permit the movement of a slot  
20 that has become available to a county that has demonstrated a  
21 greater need for the services.

22           Sec. 492. If a CMHSP has entered into an agreement with a  
23 county or county sheriff to provide mental health services to the  
24 inmates of the county jail, the department shall not prohibit the  
25 use of state general fund/general purpose dollars by CMHSPs to  
26 provide mental health services to inmates of a county jail.

27           Sec. 494. (1) In order to avoid duplication of efforts, the

1 department shall utilize applicable national accreditation review  
2 criteria to determine compliance with corresponding state  
3 requirements for CMHSPs, PIHPs, or subcontracting provider agencies  
4 that have been reviewed and accredited by a national accrediting  
5 entity for behavioral health care services.

6 (2) Upon a coordinated submission by the CMHSPs, PIHPs, or  
7 subcontracting provider agencies, a listing of program requirements  
8 that are part of the state program review criteria but are not  
9 reviewed by an applicable national accrediting entity, the  
10 department shall review the listing and provide a recommendation to  
11 the house and senate appropriations subcommittees on community  
12 health, the house and senate fiscal agencies, and the state budget  
13 office as to whether or not state program review should continue.  
14 The CMHSPs, PIHPs, or subcontracting agencies may request the  
15 department to convene a workgroup to fulfill this section.

16 (3) The department shall continue to comply with state and  
17 federal law and shall not initiate an action that negatively  
18 impacts beneficiary safety.

19 (4) As used in this section, "national accrediting entity"  
20 means the joint commission on accreditation of healthcare  
21 organizations, the commission on accreditation of rehabilitation  
22 facilities, the council of accreditation, or other appropriate  
23 entity, as approved by the department.

24 (5) By July 1 of the current fiscal year, the department shall  
25 provide a progress report to the house and senate appropriations  
26 subcommittees on community health, the house and senate fiscal  
27 agencies, and the state budget office on implementation of this

1 section.

2       Sec. 495. It is the intent of the legislature that the  
3 department begin working with the centers for Medicare and Medicaid  
4 services to develop a program that creates a medical home for the  
5 individuals receiving Medicaid mental health benefits.

6       Sec. 496. CMHSPs and PIHPs are permitted to offset state  
7 funding reductions by limiting the administrative component of  
8 their contracts with providers and case management to a maximum of  
9 9%.

10       Sec. 497. The population data used in determining the  
11 distribution of substance abuse block grant funds shall be from the  
12 most recent federal census.

13       Sec. 498. (1) From the funds appropriated in part 1 for the  
14 treatment of substance use disorders, the department shall use  
15 standard program evaluation measures to assess the effectiveness of  
16 treatment programs provided through coordinating agencies and  
17 service providers in reducing and preventing the incidence of  
18 substance use disorders. The measures established by the department  
19 shall be modeled after the program outcome measures and best  
20 practice guidelines for the treatment of substance use disorders as  
21 prescribed by the federal substance abuse and mental health  
22 services administration. As used in this section, "substance use  
23 disorders" includes abuse of alcohol, marihuana, heroin, and other  
24 opiates and includes abuse of illicit methadone, cocaine, crack,  
25 and methamphetamine.

26       (2) By May 15 of the current fiscal year, the department shall  
27 provide a report to the house and senate appropriations

1 subcommittees on community health, the house and senate fiscal  
2 agencies, and the state budget office on the effectiveness of  
3 treatment programs for substance use disorders.

4 **STATE PSYCHIATRIC HOSPITALS AND FORENSIC MENTAL HEALTH SERVICES**

5       Sec. 601. The department shall continue a revenue recapture  
6 project to generate additional revenues from third parties related  
7 to cases that have been closed or are inactive. A portion of  
8 revenues collected through project efforts may be used for  
9 departmental costs and contractual fees associated with these  
10 retroactive collections and to improve ongoing departmental  
11 reimbursement management functions.

12       Sec. 602. The purpose of gifts and bequests for patient living  
13 and treatment environments is to use additional private funds to  
14 provide specific enhancements for individuals residing at state-  
15 operated facilities. Use of the gifts and bequests shall be  
16 consistent with the stipulation of the donor. The expected  
17 completion date for the use of gifts and bequests donations is  
18 within 3 years unless otherwise stipulated by the donor.

19       Sec. 605. (1) The department shall not implement any closures  
20 or consolidations of state hospitals, centers, or agencies until  
21 CMHSPs or PIHPs have programs and services in place for those  
22 individuals currently in those facilities and a plan for service  
23 provision for those individuals who would have been admitted to  
24 those facilities.

25       (2) All closures or consolidations are dependent upon adequate  
26 department-approved CMHSP and PIHP plans that include a discharge

1 and aftercare plan for each individual currently in the facility. A  
2 discharge and aftercare plan shall address the individual's housing  
3 needs. A homeless shelter or similar temporary shelter arrangements  
4 are inadequate to meet the individual's housing needs.

5 (3) Four months after the certification of closure required in  
6 section 19(6) of the state employees' retirement act, 1943 PA 240,  
7 MCL 38.19, the department shall provide a closure plan to the house  
8 and senate appropriations subcommittees on community health and the  
9 state budget director.

10 (4) Upon the closure of state-run operations and after  
11 transitional costs have been paid, the remaining balances of funds  
12 appropriated for that operation shall be transferred to CMHSPs or  
13 PIHPs responsible for providing services for individuals previously  
14 served by the operations.

15 Sec. 606. The department may collect revenue for patient  
16 reimbursement from first- and third-party payers, including  
17 Medicaid and local county CMHSP payers, to cover the cost of  
18 placement in state hospitals and centers. The department is  
19 authorized to adjust financing sources for patient reimbursement  
20 based on actual revenues earned. If the revenue collected exceeds  
21 current year expenditures, the revenue may be carried forward with  
22 approval of the state budget director. The revenue carried forward  
23 shall be used as a first source of funds in the subsequent year.

24 Sec. 608. Effective October 1, 2012, the department, in  
25 consultation with the department of technology, management, and  
26 budget, may maintain a bid process to identify 1 or more private  
27 contractors to provide food service and custodial services for the

1 administrative areas at any state hospital identified by the  
2 department as capable of generating savings through the outsourcing  
3 of such services.

4 **PUBLIC HEALTH ADMINISTRATION**

5 Sec. 650. The department shall report to the senate and house  
6 appropriations subcommittees on community health by April 1 of the  
7 current fiscal year on its criteria and methodology used to derive  
8 the information provided to residents in the annual Michigan fish  
9 advisory.

10 Sec. 654. From the funds appropriated in part 1 for health and  
11 wellness initiatives, \$1,000,000.00 shall be allocated for a pilot  
12 before- and after-school healthy exercise program to promote and  
13 advance physical health for school children in kindergarten through  
14 grade 6. The department shall develop a model for program sites  
15 that incorporates evidence-based best practices. The department  
16 shall establish guidelines for program sites, which may include  
17 public schools, community-based organizations, private facilities,  
18 recreation centers, or other similar sites. The program format  
19 shall encourage local determination of site activities and shall  
20 encourage local inclusion of youth in the decision-making regarding  
21 site activities. Program goals shall include children experiencing  
22 good physical health, the reduction of obesity, providing a safe  
23 place to play and exercise, and nutrition education. To be eligible  
24 to participate in the pilot, program sites shall provide a 20%  
25 match to the state funding. The department shall seek financial  
26 support from corporate, foundation, or other private partners for

1 the program or for individual program sites.

2 **HEALTH POLICY**

3 Sec. 704. The department shall continue to contract with  
4 grantees supported through the appropriation in part 1 for the  
5 emergency medical services grants and contracts to ensure that a  
6 sufficient number of qualified emergency medical services personnel  
7 exist to serve rural areas of the state.

8 Sec. 709. The funds appropriated in part 1 for the Michigan  
9 essential health care provider program may also provide loan  
10 repayment for dentists that fit the criteria established by part 27  
11 of the public health code, 1978 PA 368, MCL 333.2701 to 333.2727.

12 Sec. 712. From the funds appropriated in part 1 for primary  
13 care services, \$250,000.00 shall be allocated to free health  
14 clinics operating in the state. The department shall distribute the  
15 funds equally to each free health clinic. For the purpose of this  
16 appropriation, "free health clinics" means nonprofit organizations  
17 that use volunteer health professionals to provide care to  
18 uninsured individuals.

19 Sec. 713. The department shall continue support of  
20 multicultural agencies that provide primary care services from the  
21 funds appropriated in part 1.

22 Sec. 715. The department shall evaluate options for  
23 incentivizing students attending medical schools in this state to  
24 meet their primary care residency requirements in this state and  
25 ultimately, for some period of time, to remain in this state and  
26 serve as primary care physicians.



1    **INFECTIOUS DISEASE CONTROL**

2           Sec. 804. The department, in conjunction with efforts to  
3   implement the Michigan prisoner reentry initiative, shall cooperate  
4   with the department of corrections to share data and information as  
5   they relate to prisoners being released who are HIV positive or  
6   positive for the hepatitis C antibody.

7    **LOCAL HEALTH ADMINISTRATION AND GRANTS**

8           Sec. 901. The amount appropriated in part 1 for implementation  
9   of the 1993 additions of or amendments to sections 9161, 16221,  
10   16226, 17014, 17015, and 17515 of the public health code, 1978 PA  
11   368, MCL 333.9161, 333.16221, 333.16226, 333.17014, 333.17015, and  
12   333.17515, shall be used to reimburse local health departments for  
13   costs incurred related to implementation of section 17015(18) of  
14   the public health code, 1978 PA 368, MCL 333.17015.

15          Sec. 902. If a county that has participated in a district  
16   health department or an associated arrangement with other local  
17   health departments takes action to cease to participate in such an  
18   arrangement after October 1 of the current fiscal year, the  
19   department shall have the authority to assess a penalty from the  
20   local health department's operational accounts in an amount equal  
21   to no more than 6.25% of the local health department's essential  
22   local public health services funding. This penalty shall only be  
23   assessed to the local county that requests the dissolution of the  
24   health department.

25          Sec. 904. (1) Funds appropriated in part 1 for essential local

1 public health services shall be prospectively allocated to local  
2 health departments to support immunizations, infectious disease  
3 control, sexually transmitted disease control and prevention,  
4 hearing screening, vision services, food protection, public water  
5 supply, private groundwater supply, and on-site sewage management.  
6 Food protection shall be provided in consultation with the  
7 department of agriculture and rural development. Public water  
8 supply, private groundwater supply, and on-site sewage management  
9 shall be provided in consultation with the department of  
10 environmental quality.

11 (2) Local public health departments shall be held to  
12 contractual standards for the services in subsection (1).

13 (3) Distributions in subsection (1) shall be made only to  
14 counties that maintain local spending in the current fiscal year of  
15 at least the amount expended in fiscal year 1992-1993 for the  
16 services described in subsection (1).

#### 17 **CHRONIC DISEASE AND INJURY PREVENTION AND HEALTH PROMOTION**

18 Sec. 1004. It is the intent of the legislature that the  
19 department continue to collaborate with the county of St. Clair and  
20 the city of Detroit southwest community to investigate and evaluate  
21 cancer rates.

#### 22 **FAMILY, MATERNAL, AND CHILDREN'S HEALTH SERVICES**

23 Sec. 1103. By January 3 of the current fiscal year, the  
24 department shall issue to the legislature, and to the public on the  
25 Internet, an annual report providing estimated public funds

1 administered by the department for family planning, sexually  
2 transmitted infection prevention and treatment, and pregnancies and  
3 births, as well as demographics collected by the department as  
4 self-reported by individuals utilizing those services.

5       Sec. 1104. (1) Before April 1 of the current fiscal year, the  
6 department shall submit a report to the house and senate fiscal  
7 agencies and the state budget director on planned allocations from  
8 the amounts appropriated in part 1 for local MCH services, prenatal  
9 care outreach and service delivery support, family planning local  
10 agreements, and pregnancy prevention programs. Using applicable  
11 federal definitions, the report shall include information on all of  
12 the following:

13       (a) Funding allocations.

14       (b) Actual number of women, children, and adolescents served  
15 and amounts expended for each group for the immediately preceding  
16 fiscal year.

17       (c) A breakdown of the expenditure of these funds between  
18 urban and rural communities.

19       (2) The department shall ensure that the distribution of funds  
20 through the programs described in subsection (1) takes into account  
21 the needs of rural communities.

22       (3) For the purposes of this section, "rural" means a county,  
23 city, village, or township with a population of 30,000 or less,  
24 including those entities if located within a metropolitan  
25 statistical area.

26       Sec. 1106. Each family planning program receiving federal  
27 title X family planning funds under 42 USC 300 to 300a-8 shall be

1 in compliance with all performance and quality assurance indicators  
2 that the office of family planning within the United States  
3 department of health and human services specifies in the family  
4 planning annual report. An agency not in compliance with the  
5 indicators shall not receive supplemental or reallocated funds.

6 Sec. 1108. The funds appropriated in part 1 for pregnancy  
7 prevention programs shall not be used to provide abortion  
8 counseling, referrals, or services.

9 Sec. 1109. (1) From the amounts appropriated in part 1 for  
10 dental programs, funds shall be allocated to the Michigan dental  
11 association for the administration of a volunteer dental program  
12 that provides dental services to the uninsured.

13 (2) Not later than December 1 of the current fiscal year, the  
14 department shall report to the senate and house appropriations  
15 subcommittees on community health and the senate and house standing  
16 committees on health policy the number of individual patients  
17 treated, number of procedures performed, and approximate total  
18 market value of those procedures from the immediately preceding  
19 fiscal year.

20 Sec. 1117. Contingent upon the availability of federal or  
21 state restricted funds, the department may pursue efforts to reduce  
22 the incidence of stillbirth. Efforts shall include the  
23 establishment of a program to increase public awareness of  
24 stillbirth, promote education to monitor fetal movements counting  
25 kicks, promote a uniform definition of stillbirth, standardize data  
26 collection of stillbirths, and collaborate with appropriate federal  
27 agencies and statewide organizations. The department shall seek

1 federal or other grant funds to assist in implementing this  
2 program.

3 Sec. 1119. From the funds appropriated in part 1 for family  
4 planning local agreements or pregnancy prevention programs, no  
5 state funds shall be used to encourage or support abortion  
6 services.

7 Sec. 1135. (1) If funds become available, provision of the  
8 school health education curriculum, such as the Michigan model for  
9 health or another comprehensive school health education curriculum,  
10 shall be in accordance with the health education goals established  
11 by the Michigan model steering committee. The steering committee  
12 shall be composed of a representative from each of the following  
13 offices and departments:

14 (a) The department of education.

15 (b) The department of community health.

16 (c) The health administration in the department of community  
17 health.

18 (d) The behavioral health and developmental disabilities  
19 administration in the department of community health.

20 (e) The department of human services.

21 (f) The department of state police.

22 (2) Upon written or oral request, a pupil not less than 18  
23 years of age or a parent or legal guardian of a pupil less than 18  
24 years of age, within a reasonable period of time after the request  
25 is made, shall be informed of the content of a course in the health  
26 education curriculum and may examine textbooks and other classroom  
27 materials that are provided to the pupil or materials that are

1 presented to the pupil in the classroom. This subsection does not  
2 require a school board to permit pupil or parental examination of  
3 test questions and answers, scoring keys, or other examination  
4 instruments or data used to administer an academic examination.

5       Sec. 1136. From the funds appropriated in part 1 for prenatal  
6 care outreach and service delivery support, \$2,000,000.00 shall be  
7 allocated for a real alternatives pregnancy and parenting support  
8 services program as a pilot project. Funding for the program shall  
9 be from the federal temporary assistance for needy families grant.  
10 The department shall establish a fee-for-service contract with 1 or  
11 more qualified agencies to provide free counseling, support, and  
12 referral services to eligible women during pregnancy through 12  
13 months after birth. As appropriate, the goals for client outcomes  
14 shall include an increase of counseling support, childbirth choice,  
15 and adoption knowledge and an improvement in parenting skills and  
16 knowledge of reproductive health. The department shall provide for  
17 counselor training, client educational material, program marketing,  
18 and annual provider site monitoring.

19       Sec. 1137. From the funds appropriated in part 1 for prenatal  
20 care outreach and service delivery support, not less than  
21 \$1,000,000.00 shall be allocated for the nurse family partnership  
22 program from federal temporary assistance for needy families grant  
23 funds. The funds shall be used for enhanced support and education  
24 to nursing teams and for client recruitment in high-need  
25 communities. The funds shall also be used for a nurse family  
26 partnership program in a city with a population of 600,000 or more  
27 for strategic planning to expand and sustain the program and for

1 marketing and communications of the program to raise awareness,  
2 engage stakeholders, and recruit nurses.

3       Sec. 1138. If an organization that provides abortion services  
4 is a candidate for a contract to provide services from the funds  
5 appropriated in section 113 of part 1 for family, maternal, and  
6 children's health services, the department shall pursue all other  
7 contractual opportunities in order to maximize utilization of  
8 organizations that do not provide abortion services. Preference  
9 shall be given to services provided by organizations that do not  
10 provide abortion services.

#### 11 **CHILDREN'S SPECIAL HEALTH CARE SERVICES**

12       Sec. 1202. The department may do 1 or more of the following:

13       (a) Provide special formula for eligible clients with  
14 specified metabolic and allergic disorders.

15       (b) Provide medical care and treatment to eligible patients  
16 with cystic fibrosis who are 21 years of age or older.

17       (c) Provide medical care and treatment to eligible patients  
18 with hereditary coagulation defects, commonly known as hemophilia,  
19 who are 21 years of age or older.

20       (d) Provide human growth hormone to eligible patients.

21       Sec. 1204. By October 1, 2012, the department shall report to  
22 the senate and house appropriations committees on community health  
23 and the senate and house fiscal agencies on its plan for enrolling  
24 Medicaid eligible children's special health care services  
25 recipients in the Medicaid health plans. The report shall include  
26 information on which Medicaid health plans are participating, the

1 methods used to assure continuity of care and continuity of ongoing  
2 relationships with providers, and projected savings from the  
3 implementation of the proposal.

#### 4 **CRIME VICTIM SERVICES COMMISSION**

5 Sec. 1302. From the funds appropriated in part 1 for justice  
6 assistance grants, up to \$200,000.00 shall be allocated for  
7 expansion of forensic nurse examiner programs to facilitate  
8 training for improved evidence collection for the prosecution of  
9 sexual assault. The funds shall be used for program coordination  
10 and training.

#### 11 **OFFICE OF SERVICES TO THE AGING**

12 Sec. 1401. The appropriation in part 1 to the office of  
13 services to the aging for community services and nutrition services  
14 shall be restricted to eligible individuals at least 60 years of  
15 age who fail to qualify for home care services under title XVIII,  
16 XIX, or XX.

17 Sec. 1403. (1) By February 1 of the current fiscal year, the  
18 office of services to the aging shall require each region to report  
19 to the office of services to the aging and to the legislature home-  
20 delivered meals waiting lists based upon standard criteria.  
21 Determining criteria shall include all of the following:

22 (a) The recipient's degree of frailty.

23 (b) The recipient's inability to prepare his or her own meals  
24 safely.

25 (c) Whether the recipient has another care provider available.



1 (d) Any other qualifications normally necessary for the  
2 recipient to receive home-delivered meals.

3 (2) Data required in subsection (1) shall be recorded only for  
4 individuals who have applied for participation in the home-  
5 delivered meals program and who are initially determined as likely  
6 to be eligible for home-delivered meals.

7 Sec. 1417. The department shall provide to the senate and  
8 house appropriations subcommittees on community health, senate and  
9 house fiscal agencies, and state budget director a report by March  
10 30 of the current fiscal year that contains all of the following:

11 (a) The total allocation of state resources made to each area  
12 agency on aging by individual program and administration.

13 (b) Detail expenditure by each area agency on aging by  
14 individual program and administration including both state-funded  
15 resources and locally funded resources.

16 **MEDICAL SERVICES ADMINISTRATION**

17 Sec. 1501. The unexpended funds appropriated in part 1 for the  
18 electronic health records incentive program are considered work  
19 project appropriations and any unencumbered or unallotted funds are  
20 carried forward into the following fiscal year. The following is in  
21 compliance with section 451a(1) of the management and budget act,  
22 1984 PA 431, MCL 18.1451a:

23 (a) The purpose of the project to be carried forward is to  
24 implement the Medicaid electronic health record program that  
25 provides financial incentive payments to Medicaid health care  
26 providers to encourage the adoption and meaningful use of

1 electronic health records to improve quality, increase efficiency,  
2 and promote safety.

3 (b) The projects will be accomplished according to the  
4 approved federal advanced planning document.

5 (c) The estimated cost of this project phase is identified in  
6 the appropriation line item.

7 (d) The tentative completion date for the work project is  
8 September 30, 2017.

#### 9 **MEDICAL SERVICES**

10 Sec. 1601. The cost of remedial services incurred by residents  
11 of licensed adult foster care homes and licensed homes for the aged  
12 shall be used in determining financial eligibility for the  
13 medically needy. Remedial services include basic self-care and  
14 rehabilitation training for a resident.

15 Sec. 1603. (1) The department may establish a program for  
16 individuals to purchase medical coverage at a rate determined by  
17 the department.

18 (2) The department may receive and expend premiums for the  
19 buy-in of medical coverage in addition to the amounts appropriated  
20 in part 1.

21 (3) The premiums described in this section shall be classified  
22 as private funds.

23 (4) The department shall modify program policies to permit  
24 individuals eligible for the transitional medical assistance plus  
25 program, as structured in fiscal year 2009-2010, to access medical  
26 assistance coverage through a 100% cost share.

1       Sec. 1605. The protected income level for Medicaid coverage  
2 determined pursuant to section 106(1)(b)(iii) of the social welfare  
3 act, 1939 PA 280, MCL 400.106, shall be 100% of the related public  
4 assistance standard.

5       Sec. 1606. For the purpose of guardian and conservator  
6 charges, the department of community health may deduct up to \$60.00  
7 per month as an allowable expense against a recipient's income when  
8 determining medical services eligibility and patient pay amounts.

9       Sec. 1607. (1) An applicant for Medicaid, whose qualifying  
10 condition is pregnancy, shall immediately be presumed to be  
11 eligible for Medicaid coverage unless the preponderance of evidence  
12 in her application indicates otherwise. The applicant who is  
13 qualified as described in this subsection shall be allowed to  
14 select or remain with the Medicaid participating obstetrician of  
15 her choice.

16       (2) An applicant qualified as described in subsection (1)  
17 shall be given a letter of authorization to receive Medicaid  
18 covered services related to her pregnancy. All qualifying  
19 applicants shall be entitled to receive all medically necessary  
20 obstetrical and prenatal care without preauthorization from a  
21 health plan. All claims submitted for payment for obstetrical and  
22 prenatal care shall be paid at the Medicaid fee-for-service rate in  
23 the event a contract does not exist between the Medicaid  
24 participating obstetrical or prenatal care provider and the managed  
25 care plan. The applicant shall receive a listing of Medicaid  
26 physicians and managed care plans in the immediate vicinity of the  
27 applicant's residence.

1           (3) In the event that an applicant, presumed to be eligible  
2 pursuant to subsection (1), is subsequently found to be ineligible,  
3 a Medicaid physician or managed care plan that has been providing  
4 pregnancy services to an applicant under this section is entitled  
5 to reimbursement for those services until such time as they are  
6 notified by the department that the applicant was found to be  
7 ineligible for Medicaid.

8           (4) If the preponderance of evidence in an application  
9 indicates that the applicant is not eligible for Medicaid, the  
10 department shall refer that applicant to the nearest public health  
11 clinic or similar entity as a potential source for receiving  
12 pregnancy-related services.

13           (5) The department shall develop an enrollment process for  
14 pregnant women covered under this section that facilitates the  
15 selection of a managed care plan at the time of application.

16           (6) The department shall mandate enrollment of women, whose  
17 qualifying condition is pregnancy, into Medicaid managed care  
18 plans.

19           (7) The department shall encourage physicians to provide  
20 women, whose qualifying condition for Medicaid is pregnancy, with a  
21 referral to a Medicaid participating dentist at the first  
22 pregnancy-related appointment.

23           Sec. 1611. (1) For care provided to medical services  
24 recipients with other third-party sources of payment, medical  
25 services reimbursement shall not exceed, in combination with such  
26 other resources, including Medicare, those amounts established for  
27 medical services-only patients. The medical services payment rate

1 shall be accepted as payment in full. Other than an approved  
2 medical services co-payment, no portion of a provider's charge  
3 shall be billed to the recipient or any person acting on behalf of  
4 the recipient. Nothing in this section shall be considered to  
5 affect the level of payment from a third-party source other than  
6 the medical services program. The department shall require a  
7 nonenrolled provider to accept medical services payments as payment  
8 in full.

9 (2) Notwithstanding subsection (1), medical services  
10 reimbursement for hospital services provided to dual  
11 Medicare/medical services recipients with Medicare part B coverage  
12 only shall equal, when combined with payments for Medicare and  
13 other third-party resources, if any, those amounts established for  
14 medical services-only patients, including capital payments.

15 Sec. 1627. (1) The department shall use procedures and rebate  
16 amounts specified under section 1927 of title XIX, 42 USC 1396r-8,  
17 to secure quarterly rebates from pharmaceutical manufacturers for  
18 outpatient drugs dispensed to participants in the MIChild program,  
19 maternal outpatient medical services program, and children's  
20 special health care services.

21 (2) For products distributed by pharmaceutical manufacturers  
22 not providing quarterly rebates as listed in subsection (1), the  
23 department may require preauthorization.

24 Sec. 1629. The department shall utilize maximum allowable cost  
25 pricing for generic drugs that is based on wholesaler pricing to  
26 providers that is available from at least 2 wholesalers who deliver  
27 in the state of Michigan.

1       Sec. 1631. (1) The department shall require co-payments on  
2 dental, podiatric, and vision services provided to Medicaid  
3 recipients, except as prohibited by federal or state law or  
4 regulation.

5       (2) Except as otherwise prohibited by federal or state law or  
6 regulations, the department shall require Medicaid recipients to  
7 pay the following co-payments:

8       (a) Six dollars for a hospital emergency room visit.

9       (b) Fifty dollars for the first day of an inpatient hospital  
10 stay.

11       (c) One dollar for an outpatient hospital visit.

12       Sec. 1641. An institutional provider that is required to  
13 submit a cost report under the medical services program shall  
14 submit cost reports completed in full within 5 months after the end  
15 of its fiscal year.

16       Sec. 1657. (1) Reimbursement for medical services to screen  
17 and stabilize a Medicaid recipient, including stabilization of a  
18 psychiatric crisis, in a hospital emergency room shall not be made  
19 contingent on obtaining prior authorization from the recipient's  
20 HMO. If the recipient is discharged from the emergency room, the  
21 hospital shall notify the recipient's HMO within 24 hours of the  
22 diagnosis and treatment received.

23       (2) If the treating hospital determines that the recipient  
24 will require further medical service or hospitalization beyond the  
25 point of stabilization, that hospital shall receive authorization  
26 from the recipient's HMO prior to admitting the recipient.

27       (3) Subsections (1) and (2) do not require an alteration to an

1 existing agreement between an HMO and its contracting hospitals and  
2 do not require an HMO to reimburse for services that are not  
3 considered to be medically necessary.

4 Sec. 1659. The following sections of this article are the only  
5 ones that shall apply to the following Medicaid managed care  
6 programs, including the comprehensive plan, MIChoice long-term care  
7 plan, and the mental health, substance abuse, and developmentally  
8 disabled services program: 404, 411, 418, 428, 474, 494, 1607,  
9 1657, 1662, 1689, 1699, 1740, 1764, 1820, and 1850.

10 Sec. 1662. (1) The department shall assure that an external  
11 quality review of each contracting HMO is performed that results in  
12 an analysis and evaluation of aggregated information on quality,  
13 timeliness, and access to health care services that the HMO or its  
14 contractors furnish to Medicaid beneficiaries.

15 (2) The department shall require Medicaid HMOs to provide  
16 EPSDT utilization data through the encounter data system, and HEDIS  
17 well child health measures in accordance with the national  
18 committee for quality assurance prescribed methodology.

19 (3) The department shall provide a copy of the analysis of the  
20 Medicaid HMO annual audited HEDIS reports and the annual external  
21 quality review report to the senate and house of representatives  
22 appropriations subcommittees on community health, the senate and  
23 house fiscal agencies, and the state budget director, within 30  
24 days of the department's receipt of the final reports from the  
25 contractors.

26 Sec. 1670. (1) The appropriation in part 1 for the MIChild  
27 program is to be used to provide comprehensive health care to all

1 children under age 19 who reside in families with income at or  
2 below 200% of the federal poverty level, who are uninsured and have  
3 not had coverage by other comprehensive health insurance within 6  
4 months of making application for MICHild benefits, and who are  
5 residents of this state. The department shall develop detailed  
6 eligibility criteria through the medical services administration  
7 public concurrence process, consistent with the provisions of this  
8 article. Health coverage for children in families between 150% and  
9 200% of the federal poverty level shall be provided through a  
10 state-based private health care program.

11 (2) The department may provide up to 1 year of continuous  
12 eligibility to children eligible for the MICHild program unless the  
13 family fails to pay the monthly premium, a child reaches age 19, or  
14 the status of the children's family changes and its members no  
15 longer meet the eligibility criteria as specified in the federally  
16 approved MICHild state plan.

17 (3) Children whose category of eligibility changes between the  
18 Medicaid and MICHild programs shall be assured of keeping their  
19 current health care providers through the current prescribed course  
20 of treatment for up to 1 year, subject to periodic reviews by the  
21 department if the beneficiary has a serious medical condition and  
22 is undergoing active treatment for that condition.

23 (4) To be eligible for the MICHild program, a child must be  
24 residing in a family with an adjusted gross income of less than or  
25 equal to 200% of the federal poverty level. The department's  
26 verification policy shall be used to determine eligibility.

27 (5) The department shall enter into a contract to obtain



1 MICHild services from any HMO, dental care corporation, or any  
2 other entity that offers to provide the managed health care  
3 benefits for MICHild services at the MICHild capitated rate. As  
4 used in this subsection:

5 (a) "Dental care corporation", "health care corporation",  
6 "insurer", and "prudent purchaser agreement" mean those terms as  
7 defined in section 2 of the prudent purchaser act, 1984 PA 233, MCL  
8 550.52.

9 (b) "Entity" means a health care corporation or insurer  
10 operating in accordance with a prudent purchaser agreement.

11 (6) The department may enter into contracts to obtain certain  
12 MICHild services from community mental health service programs.

13 (7) The department may make payments on behalf of children  
14 enrolled in the MICHild program from the line-item appropriation  
15 associated with the program as described in the MICHild state plan  
16 approved by the United States department of health and human  
17 services, or from other medical services.

18 (8) The department shall assure that an external quality  
19 review of each MICHild contractor, as described in subsection (5),  
20 is performed, which analyzes and evaluates the aggregated  
21 information on quality, timeliness, and access to health care  
22 services that the contractor furnished to MICHild beneficiaries.

23 (9) The department shall develop an automatic enrollment  
24 algorithm that is based on quality and performance factors.

25 (10) MICHild services shall include treatments for autism  
26 spectrum disorders for children who are eligible for MICHild and  
27 are aged 2 through 5.

1       Sec. 1673. The department may establish premiums for MICHild  
2 eligible individuals in families with income above 150% of the  
3 federal poverty level. The monthly premiums shall not be less than  
4 \$10.00 or exceed \$15.00 for a family.

5       Sec. 1677. The MICHild program shall provide all benefits  
6 available under the state employee insurance plan that are  
7 delivered through contracted providers and consistent with federal  
8 law, including, but not limited to, the following medically  
9 necessary services:

10       (a) Inpatient mental health services, other than substance  
11 abuse treatment services, including services furnished in a state-  
12 operated mental hospital and residential or other 24-hour  
13 therapeutically planned structured services.

14       (b) Outpatient mental health services, other than substance  
15 abuse services, including services furnished in a state-operated  
16 mental hospital and community-based services.

17       (c) Durable medical equipment and prosthetic and orthotic  
18 devices.

19       (d) Dental services as outlined in the approved MICHild state  
20 plan.

21       (e) Substance abuse treatment services that may include  
22 inpatient, outpatient, and residential substance abuse treatment  
23 services.

24       (f) Care management services for mental health diagnoses.

25       (g) Physical therapy, occupational therapy, and services for  
26 individuals with speech, hearing, and language disorders.

27       (h) Emergency ambulance services.

1       Sec. 1682. (1) The department shall implement enforcement  
2 actions as specified in the nursing facility enforcement provisions  
3 of section 1919 of title XIX, 42 USC 1396r.

4       (2) In addition to the appropriations in part 1, the  
5 department is authorized to receive and spend penalty money  
6 received as the result of noncompliance with medical services  
7 certification regulations. Penalty money, characterized as private  
8 funds, received by the department shall increase authorizations and  
9 allotments in the long-term care accounts.

10       (3) The department is authorized to provide civil monetary  
11 penalty funds to the disability network/Michigan to be distributed  
12 to the 15 centers for independent living for the purpose of  
13 assisting individuals with disabilities who reside in nursing homes  
14 to return to their own homes.

15       (4) The department is authorized to use civil monetary penalty  
16 funds to conduct a survey evaluating consumer satisfaction and the  
17 quality of care at nursing homes. Factors can include, but are not  
18 limited to, the level of satisfaction of nursing home residents,  
19 their families, and employees. The department may use an  
20 independent contractor to conduct the survey.

21       (5) Any unexpended penalty money, at the end of the year,  
22 shall carry forward to the following year.

23       Sec. 1689. The department shall develop a system to collect  
24 and analyze information regarding individuals on the home- and  
25 community-based services waiver program waiting list to identify  
26 the community supports they receive, including, but not limited to,  
27 adult home help, food assistance, and housing assistance services

1 and to determine the extent to which these community supports help  
2 individuals remain in their home and avoid entry into a nursing  
3 home. The department shall provide a progress report on  
4 implementation to the senate and house appropriations subcommittees  
5 on community health and the senate and house fiscal agencies by  
6 June 1 of the current fiscal year.

7       Sec. 1692. (1) The department is authorized to pursue  
8 reimbursement for eligible services provided in Michigan schools  
9 from the federal Medicaid program. The department and the state  
10 budget director are authorized to negotiate and enter into  
11 agreements, together with the department of education, with local  
12 and intermediate school districts regarding the sharing of federal  
13 Medicaid services funds received for these services. The department  
14 is authorized to receive and disburse funds to participating school  
15 districts pursuant to such agreements and state and federal law.

16       (2) From the funds appropriated in part 1 for medical services  
17 school-based services payments, the department is authorized to do  
18 all of the following:

19       (a) Finance activities within the medical services  
20 administration related to this project.

21       (b) Reimburse participating school districts pursuant to the  
22 fund-sharing ratios negotiated in the state-local agreements  
23 authorized in subsection (1).

24       (c) Offset general fund costs associated with the medical  
25 services program.

26       Sec. 1693. The special Medicaid reimbursement appropriation in  
27 part 1 may be increased if the department submits a medical

1 services state plan amendment pertaining to this line item at a  
2 level higher than the appropriation. The department is authorized  
3 to appropriately adjust financing sources in accordance with the  
4 increased appropriation.

5 Sec. 1694. The department shall distribute \$1,122,300.00 for  
6 poison control services to an academic health care system that  
7 includes a children's hospital that has a high indigent care  
8 volume.

9 Sec. 1699. (1) The department may make separate payments in  
10 the amount of \$45,000,000.00 directly to qualifying hospitals  
11 serving a disproportionate share of indigent patients and to  
12 hospitals providing GME training programs. If direct payment for  
13 GME and DSH is made to qualifying hospitals for services to  
14 Medicaid clients, hospitals shall not include GME costs or DSH  
15 payments in their contracts with HMOs.

16 (2) The department shall allocate \$45,000,000.00 in DSH  
17 funding using the distribution methodology used in fiscal year  
18 2003-2004.

19 (3) By September 30 of the current fiscal year, the department  
20 shall report to the senate and house appropriations subcommittees  
21 on community health and the senate and house fiscal agencies on the  
22 new distribution of funding to each eligible hospital from the GME  
23 and DSH pools.

24 Sec. 1740. From the funds appropriated in part 1 for health  
25 plan services, the department shall assure that all GME funds  
26 continue to be promptly distributed to qualifying hospitals using  
27 the methodology developed in consultation with the graduate medical

1 education advisory group during fiscal year 2006-2007.

2 Sec. 1741. The department shall continue to provide nursing  
3 homes the opportunity to receive interim payments upon their  
4 request. The department may disapprove requests or discontinue  
5 interim payments that result in financial risk to this state. The  
6 department shall make reasonable efforts to ensure that the interim  
7 payments are as similar in amount to expected cost-settled  
8 payments.

9 Sec. 1756. The department shall develop a plan to expand and  
10 improve the beneficiary monitoring program. The department shall  
11 submit this plan to the house and senate appropriations  
12 subcommittees on community health, the house and senate fiscal  
13 agencies, and the state budget director by April 1 of the current  
14 fiscal year.

15 Sec. 1757. The department shall direct the department of human  
16 services to obtain proof from all Medicaid recipients that they are  
17 legal United States citizens or otherwise legally residing in this  
18 country and that they are residents of this state before approving  
19 Medicaid eligibility.

20 Sec. 1764. The department shall annually certify rates paid to  
21 Medicaid health plans and specialty prepaid inpatient health plans  
22 as being actuarially sound in accordance with federal requirements  
23 and shall provide a copy of the rate certification and approval  
24 immediately to the house and senate appropriations subcommittees on  
25 community health and the house and senate fiscal agencies.

26 Sec. 1770. In conjunction with the consultation requirements  
27 of the social welfare act, 1939 PA 280, MCL 400.1 to 400.119b, and

1 except as otherwise provided in this section, the department shall  
2 attempt to make the effective date for a proposed Medicaid policy  
3 bulletin or adjustment to the Medicaid provider manual on October  
4 1, January 1, April 1, or July 1 after the end of the consultation  
5 period. The department may provide an effective date for a proposed  
6 Medicaid policy bulletin or adjustment to the Medicaid provider  
7 manual other than provided for in this section if necessary to be  
8 in compliance with federal or state law, regulations, or rules or  
9 with an executive order of the governor.

10       Sec. 1775. If the state's application for a waiver to  
11 implement managed care for dual Medicare/Medicaid eligible is  
12 approved by the federal government, by April 1, 2013 the department  
13 shall provide a report to the senate and house appropriations  
14 subcommittees on community health and the senate and house fiscal  
15 agencies. This report shall include information on the amount of  
16 Medicare funding that would be provided to the state, the number of  
17 individuals who would be enrolled in the program, which health  
18 plans would be among those providing the services, and the  
19 estimated savings from the new program.

20       Sec. 1777. From the funds appropriated in part 1 for long-term  
21 care services, the department shall permit, in accordance with  
22 applicable federal and state law, nursing homes to use dining  
23 assistants to feed eligible residents if legislation to permit the  
24 use of dining assistants is enacted into law. The department shall  
25 not be responsible for costs associated with training dining  
26 assistants.

27       Sec. 1793. The department shall consider the development of a

1 pilot project that focuses on the prevention of preventable  
2 hospitalizations from nursing homes.

3 Sec. 1804. The department, in cooperation with the department  
4 of human services, shall work with the federal public assistance  
5 reporting information system to identify Medicaid recipients who  
6 are veterans and who may be eligible for federal veterans health  
7 care benefits or other benefits.

8 Sec. 1820. (1) In order to avoid duplication of efforts, the  
9 department shall utilize applicable national accreditation review  
10 criteria to determine compliance with corresponding state  
11 requirements for Medicaid health plans that have been reviewed and  
12 accredited by a national accrediting entity for health care  
13 services.

14 (2) Upon submission by Medicaid health plans of a listing of  
15 program requirements that are part of the state program review  
16 criteria but are not reviewed by an applicable national accrediting  
17 entity, the department shall review the listing and provide a  
18 recommendation to the house and senate appropriations subcommittees  
19 on community health, the house and senate fiscal agencies, and the  
20 state budget office as to whether or not state program review  
21 should continue. The Medicaid health plans may request the  
22 department to convene a workgroup to fulfill this section.

23 (3) The department shall continue to comply with state and  
24 federal law and shall not initiate an action that negatively  
25 impacts beneficiary safety.

26 (4) As used in this section, "national accrediting entity"  
27 means the national committee for quality assurance, the utilization



1 review accreditation committee, or other appropriate entity, as  
2 approved by the department.

3 (5) By July 1 of the current fiscal year, the department shall  
4 provide a progress report to the house and senate appropriations  
5 subcommittees on community health, the house and senate fiscal  
6 agencies, and the state budget office on implementation of this  
7 section.

8 Sec. 1822. The department, the department's contracted  
9 Medicaid pharmacy benefit manager, and all Medicaid health plans  
10 shall implement coverage for a mental health prescription drug  
11 within 30 days of that drug's approval by the department's pharmacy  
12 and therapeutics committee.

13 Sec. 1832. (1) The department shall continue efforts to  
14 standardize billing formats, referral forms, electronic  
15 credentialing, primary source verification, electronic billing and  
16 attachments, claims status, eligibility verification, and reporting  
17 of accepted and rejected encounter records received in the  
18 department data warehouse.

19 (2) The department shall convene a workgroup on making e-  
20 billing mandatory for the Medicaid program. The workgroup shall  
21 include representatives from medical provider organizations,  
22 Medicaid HMOs, and the department. The department shall report to  
23 the legislature on the findings of the workgroup by April 1 of the  
24 current fiscal year.

25 (3) The department shall provide a report by April 1 of the  
26 current fiscal year to the senate and house appropriations  
27 subcommittees on community health and the senate and house fiscal

1 agencies detailing the percentage of claims for Medicaid  
2 reimbursement provided to the department that were initially  
3 rejected in the first quarter of fiscal year 2011-2012.

4       Sec. 1836. In addition to the guidelines established in  
5 Medical Services Administration Bulletin MSA 09-28, medically  
6 necessary optical devices and other treatment services for adult  
7 Medicaid patients shall be covered when conventional treatments do  
8 not provide functional vision correction. Such ocular conditions  
9 include, but are not limited to, congenital or acquired ocular  
10 disease or eye trauma.

11       Sec. 1837. The department shall explore utilization of  
12 telemedicine and telepsychiatry as strategies to increase access to  
13 services for Medicaid recipients in medically underserved areas.

14       Sec. 1846. (1) The department shall establish a workgroup on  
15 graduate medical education funding. The workgroup shall include  
16 representatives of teaching hospitals, the Michigan health and  
17 hospital association, and other interested parties.

18       (2) The workgroup shall do all of the following:

19       (a) Identify physician specialties where there is a current or  
20 potential shortage of practitioners and identify the geographic  
21 areas of this state where those shortages exist or potentially  
22 could develop.

23       (b) Research efforts by other states to address practitioner  
24 shortages by adjusting their graduate medical education payments.

25       (c) Recommend potential policy changes to the graduate medical  
26 education program to help reduce practitioner shortages.

27       Sec. 1847. The department shall meet with the Michigan

1 association of ambulance services to discuss the possible structure  
2 of an ambulance quality assurance assessment program.

3 Sec. 1850. The department may allow Medicaid health plans to  
4 assist with the redetermination process through outreach activities  
5 to ensure continuation of Medicaid eligibility and enrollment in  
6 managed care. This may include mailings, telephone contact, or  
7 face-to-face contact with beneficiaries enrolled in the individual  
8 Medicaid health plan. Health plans may offer assistance in  
9 completing paperwork for beneficiaries enrolled in their plan.

10 Sec. 1854. The department shall work with providers of kidney  
11 dialysis services and renal care as authorized under section 2703  
12 of the patient protection and affordable care act, Public Law 111-  
13 148, to develop a chronic condition health home program for  
14 Medicaid enrollees identified with chronic kidney disease and who  
15 are beginning dialysis. If initiated, the department shall develop  
16 metrics that evaluate program effectiveness and submit a report by  
17 February 1 of the current fiscal year to the senate and house  
18 appropriations subcommittees on community health. Metrics shall  
19 include cost savings and clinical outcomes.

20 Sec. 1857. It is the intent of the legislature that the  
21 department not reduce Medicaid reimbursement for wheelchairs.

22 Sec. 1858. Medicaid services shall include treatments for  
23 autism spectrum disorders for children who are eligible for  
24 Medicaid and are aged 2 through 5.

25 Sec. 1859. The department shall work with the department of  
26 human services to conduct a pilot project in 3 counties in this  
27 state to demonstrate whether privatizing Medicaid eligibility

1 determination is cost-effective.

2 **ONE-TIME BASIS ONLY**

3 Sec. 1904. (1) From the funds appropriated in the outstate  
4 hospital uncompensated care-disproportionate share hospital line,  
5 \$10,000,000.00 is appropriated, of which \$3,361,000.00 shall be  
6 from general fund/general purpose revenue, in order to increase  
7 hospital uncompensated care payments. The distribution of those  
8 payments shall be allocated to make payments to hospitals and  
9 hospital systems meeting the criteria outlined in subsection (2).

10 (2) Hospitals and hospital systems eligible for payments under  
11 subsection (1) shall receive their Medicaid reimbursements via  
12 diagnosis related group payments, shall meet the medical services  
13 administration disproportionate share hospital requirements for  
14 obstetrical services, shall have received less than \$1,800,000.00  
15 in disproportionate share hospital payments in fiscal year 2010-  
16 2011 from the \$45,000,000.00 disproportionate share hospital pool,  
17 and shall have at least 1.0% of the statewide total indigent  
18 volume.

19 (3) As used in this section, "indigent volume" means the  
20 indigent volume reported by hospitals in their cost reports  
21 provided to the department of community health for reporting  
22 periods ending during fiscal year 2009-2010.

23 PART 2A  
24 PROVISIONS CONCERNING ANTICIPATED APPROPRIATIONS  
25 FOR FISCAL YEAR 2013-2014

1       Sec. 2001. It is the intent of the legislature to provide  
 2       appropriations for the fiscal year ending on September 30, 2014 for  
 3       the line items listed in part 1. The fiscal year 2013-2014  
 4       appropriations are anticipated to be the same as those for fiscal  
 5       year 2012-2013, excluding appropriations designated as 1-time  
 6       appropriations and adjusting for changes in caseload and related  
 7       costs, federal fund match rates, economic factors, and available  
 8       revenue. Specific anticipated adjustments are as follows, subject  
 9       to adjustment after the May 2013 consensus revenue estimating  
 10      conference:

11	Medicaid caseload/utilization/inflation costs .....	\$	379,424,300
12	Replacement of revenue shortfalls with general		
13	fund/general purpose .....		0
14	Healthy kids dental expansion phase-in .....		7,910,400
15	Active/early retiree insurance and pension costs .....		<u>4,304,200</u>
16	GROSS APPROPRIATION .....	\$	391,638,900
17	Appropriated from:		
18	Federal revenues:		
19	Federal revenues .....		259,595,500
20	Special revenue funds:		
21	Total other state restricted revenues .....		(15,110,400)
22	State general fund/general purpose .....	\$	147,153,800

## 23                                   ARTICLE V

### 24                                   DEPARTMENT OF CORRECTIONS

#### 25                                   PART 1

LINE-ITEM APPROPRIATIONS

FOR FISCAL YEAR 2012-2013

Sec. 101. Subject to the conditions set forth in this article, the amounts listed in this part are appropriated for the department of corrections for the fiscal year ending September 30, 2013, from the funds indicated in this part. The following is a summary of the appropriations in this part:

**DEPARTMENT OF CORRECTIONS**

APPROPRIATION SUMMARY

Average population .....	43,609	
Full-time equated unclassified positions.....	16.0	
Full-time equated classified positions.....	14,421.3	
GROSS APPROPRIATION.....		\$ 2,025,246,200
Appropriated from:		
Interdepartmental grant revenues:		
Total interdepartmental grants and intradepartmental transfers .....		992,100
ADJUSTED GROSS APPROPRIATION.....		\$ 2,024,254,100
Federal revenues:		
Total federal revenues.....		8,784,400
Special revenue funds:		
Total local revenues.....		264,300
Total private revenues.....		0
Total other state restricted revenues.....		69,751,500
State general fund/general purpose.....		\$ 1,945,453,900
<b>Sec. 102. EXECUTIVE</b>		
Full-time equated unclassified positions.....	16.0	

1	Full-time equated classified positions.....	5.0	
2	Unclassified positions--16.0 FTE positions.....		\$ 1,493,000
3	Executive direction--5.0 FTE positions.....		1,379,500
4	Neal, et al. settlement agreement.....		<u>20,000,000</u>
5	GROSS APPROPRIATION.....		\$ 22,872,500
6	Appropriated from:		
7	State general fund/general purpose.....		\$ 22,872,500
8	<b>Sec. 103. PRISONER RE-ENTRY AND COMMUNITY SUPPORT</b>		
9	Prisoner re-entry local service providers.....		\$ 26,583,500
10	Prisoner re-entry MDOC programs.....		24,226,200
11	Prisoner re-entry federal grants.....		1,035,000
12	Prisoner re-entry reintegration, training, and		
13	employment .....		600,000
14	Public safety initiative.....		<u>4,750,000</u>
15	GROSS APPROPRIATION.....		\$ 57,194,700
16	Appropriated from:		
17	Federal revenues:		
18	DOJ, prisoner reintegration.....		1,035,000
19	Special revenue funds:		
20	State general fund/general purpose.....		\$ 56,159,700
21	<b>Sec. 104. OPERATIONS SUPPORT ADMINISTRATION</b>		
22	Full-time equated classified positions.....	184.9	
23	Operations support administration--97.0 FTE positions		\$ 10,721,200
24	New custody staff training.....		8,140,800
25	Compensatory buyout and union leave bank.....		100
26	Worker's compensation.....		18,566,200
27	Bureau of fiscal management--65.9 FTE positions.....		8,122,400

1	Office of legal services--15.0 FTE positions .....	2,137,700
2	Internal affairs--7.0 FTE positions .....	1,173,800
3	Rent.....	2,095,200
4	Equipment and special maintenance.....	10,225,500
5	Administrative hearings officers.....	3,013,600
6	Judicial data warehouse user fees.....	50,000
7	Sheriffs' coordinating and training office.....	500,000
8	Prosecutorial and detainer expenses.....	4,551,000
9	County jail reimbursement program.....	<u>15,072,100</u>
10	GROSS APPROPRIATION.....	\$ 84,369,600
11	Appropriated from:	
12	Interdepartmental grant revenues:	
13	IDG-MDSP, Michigan justice training fund.....	328,200
14	Special revenue funds:	
15	Jail reimbursement program fund.....	5,900,000
16	Special equipment fund.....	5,800,000
17	Local corrections officer training fund.....	500,000
18	Correctional industries revolving fund.....	572,100
19	State general fund/general purpose.....	\$ 71,269,300
20	<b>Sec. 105. FIELD OPERATIONS ADMINISTRATION</b>	
21	Full-time equated classified positions.....	1,981.9
22	Field operations--1,812.9 FTE positions.....	\$ 188,843,400
23	Parole board operations--41.0 FTE positions.....	4,691,200
24	Parole/probation services.....	2,243,500
25	Community re-entry centers--48.0 FTE positions.....	13,420,200
26	Electronic monitoring center--56.0 FTE positions.....	15,969,200
27	Community corrections administration--10.0 FTE	



1	positions .....	1,730,000
2	Substance abuse testing and treatment services--14.0	
3	FTE positions .....	25,272,000
4	Residential services.....	16,075,500
5	Community corrections comprehensive plans and services	12,758,000
6	Regional jail program.....	100
7	Felony drunk driver jail reduction and community	
8	treatment program .....	<u>1,440,100</u>
9	GROSS APPROPRIATION.....	\$ 282,443,200
10	Appropriated from:	
11	Special revenue funds:	
12	Local - community tether program reimbursement .....	263,000
13	Re-entry center offender reimbursements .....	23,400
14	Parole and probation oversight fees .....	5,995,600
15	Parole and probation oversight fees set-aside .....	2,657,000
16	Tether program participant contributions .....	2,200,700
17	DOJ, office of justice programs, RSAT.....	574,200
18	State general fund/general purpose .....	\$ 270,729,300
19	<b>Sec. 106. CORRECTIONAL FACILITIES-ADMINISTRATION</b>	
20	Average population .....	1,284
21	Full-time equated classified positions.....	1,111.3
22	Correctional facilities administration--30.0 FTE	
23	positions .....	\$ 9,140,400
24	Prison food service--371.0 FTE positions .....	55,777,800
25	Transportation--203.2 FTE positions .....	18,565,000
26	Central records--52.5 FTE positions .....	4,596,900
27	Inmate legal services .....	715,900

1	Loans to parolees.....	179,400
2	Housing inmates in federal institutions.....	993,800
3	Prison store operations--65.0 FTE positions.....	5,436,500
4	Prison industries operations--145.0 FTE positions....	17,647,900
5	Federal school lunch program.....	812,800
6	Leased beds and alternatives to leased beds.....	10,000,100
7	Public works programs--5.0 FTE positions.....	10,000,000
8	Cost-effective housing initiative.....	35,149,500
9	Average population ..... 1,284	
10	Inmate housing fund.....	100
11	Education program--239.6 FTE positions.....	<u>31,634,100</u>
12	GROSS APPROPRIATION.....	\$ 200,650,200
13	Appropriated from:	
14	Interdepartmental grant revenues:	
15	IDG-MDCH, forensic center food service.....	660,000
16	Federal revenues:	
17	DAG-FNS, national school lunch.....	812,800
18	DED-OESE, title 1.....	538,000
19	DED-OVAE, adult education.....	919,000
20	DED-OSERS.....	111,100
21	DED, vocational education equipment.....	286,800
22	DED, youthful offender/Specter grant.....	1,329,600
23	DOJ-BOP, federal prisoner reimbursement.....	411,000
24	DOJ-OJP, serious and violent offender reintegration	
25	initiative .....	10,600
26	DOJ, prison rape elimination act grant.....	646,000
27	SSA-SSI, incentive payment.....	262,400

1	Federal education revenues.....	152,300
2	Special revenue funds:	
3	Correctional industries revolving fund.....	17,647,900
4	Public works user fees.....	10,000,000
5	Resident stores.....	5,436,500
6	State general fund/general purpose.....	\$ 161,426,200
7	<b>Sec. 107. HEALTH CARE</b>	
8	Full-time equated classified positions.....	1,633.0
9	Health care administration--17.0 FTE positions.....	\$ 3,280,700
10	Prisoner health care services.....	91,851,700
11	Vaccination program.....	691,200
12	Interdepartmental grant to human services, eligibility	
13	specialists .....	100,000
14	Mental health services and support--494.0 FTE	
15	positions .....	62,454,500
16	Clinical complexes--1,122.0 FTE positions.....	<u>150,818,400</u>
17	GROSS APPROPRIATION.....	\$ 309,196,500
18	Appropriated from:	
19	Special revenue funds:	
20	Prisoner health care copayments.....	278,700
21	State general fund/general purpose.....	\$ 308,917,800
22	<b>Sec. 108. NORTHERN REGION CORRECTIONAL FACILITIES</b>	
23	Average population .....	19,393
24	Full-time equated classified positions.....	4,194.1
25	Alger correctional facility - Munising--258.8 FTE	
26	positions .....	\$ 27,536,200
27	Average population .....	889

1	Baraga correctional facility - Baraga--309.9 FTE	
2	positions .....	32,783,000
3	Average population .....	884
4	Earnest C. Brooks correctional facility - Muskegon--	
5	442.8 FTE positions .....	48,050,600
6	Average population .....	2,512
7	Chippewa correctional facility - Kincheloe--455.2 FTE	
8	positions .....	47,365,200
9	Average population .....	2,282
10	Kinross correctional facility - Kincheloe--329.8 FTE	
11	positions .....	35,054,300
12	Average population .....	1,799
13	Marquette branch prison - Marquette--336.0 FTE	
14	positions .....	38,323,900
15	Average population .....	1,201
16	Newberry correctional facility - Newberry--261.7 FTE	
17	positions .....	26,881,500
18	Average population .....	978
19	Oaks correctional facility - Eastlake--305.6 FTE	
20	positions .....	35,922,600
21	Average population .....	1,156
22	Ojibway correctional facility - Marenisco--201.7 FTE	
23	positions .....	20,471,900
24	Average population .....	1,090
25	Central Michigan correctional facility - St. Louis--	
26	398.7 FTE positions .....	41,842,700
27	Average population .....	2,554

1	Pugsley correctional facility - Kingsley--212.0 FTE	
2	positions .....	22,312,800
3	Average population .....	1,342
4	Saginaw correctional facility - Freeland--307.6 FTE	
5	positions .....	32,343,200
6	Average population .....	1,480
7	St. Louis correctional facility - St. Louis--319.3 FTE	
8	positions .....	34,296,400
9	Average population .....	1,226
10	Northern region administration and support--55.0 FTE	
11	positions .....	<u>4,914,400</u>
12	GROSS APPROPRIATION.....	\$ 448,098,700
13	Appropriated from:	
14	State general fund/general purpose .....	\$ 448,098,700
15	<b>Sec. 109. SOUTHERN REGION CORRECTIONAL FACILITIES</b>	
16	Average population .....	22,932
17	Full-time equated classified positions.....	5,311.1
18	Bellamy Creek correctional facility - Ionia--392.2 FTE	
19	positions .....	\$ 41,582,700
20	Average population .....	1,850
21	Carson City correctional facility - Carson City--438.9	
22	FTE positions .....	46,745,400
23	Average population .....	2,440
24	Cooper street correctional facility - Jackson--255.7	
25	FTE positions .....	28,310,600
26	Average population .....	1,799
27	G. Robert Cotton correctional facility - Jackson--	

1	396.3 FTE positions .....	40,441,500
2	Average population ..... 1,841	
3	Charles E. Egeler correctional facility - Jackson--	
4	356.3 FTE positions .....	40,806,400
5	Average population ..... 1,376	
6	Richard A. Handlon correctional facility - Ionia--	
7	225.2 FTE positions .....	23,947,200
8	Average population ..... 1,373	
9	Gus Harrison correctional facility - Adrian--426.5 FTE	
10	positions .....	46,024,500
11	Average population ..... 2,342	
12	Women's Huron Valley correctional complex - Ypsilanti--	
13	558.5 FTE positions .....	61,373,900
14	Average population ..... 1,872	
15	Ionia correctional facility - Ionia--291.3 FTE	
16	positions .....	31,424,400
17	Average population ..... 654	
18	Lakeland correctional facility - Coldwater--258.6 FTE	
19	positions .....	24,811,100
20	Average population ..... 1,336	
21	Macomb correctional facility - New Haven--299.1 FTE	
22	positions .....	32,722,300
23	Average population ..... 1,376	
24	Maxey/Woodland Center correctional facility - Whitmore	
25	Lake--271.2 FTE positions .....	24,645,100
26	Average population ..... `328	
27	Parnall correctional facility - Jackson--267.2 FTE	

1	positions .....	28,488,400
2	Average population ..... 1,678	
3	Ryan correctional facility - Detroit--301.8 FTE	
4	positions .....	31,499,000
5	Average population ..... 1,048	
6	Thumb correctional facility - Lapeer--283.3 FTE	
7	positions .....	30,862,200
8	Average population ..... 1,219	
9	Special alternative incarceration program (Camp	
10	Cassidy Lake)--120.0 FTE positions.....	12,034,700
11	Average population ..... 400	
12	Southern region administration and support--169.0 FTE	
13	positions .....	<u>24,580,400</u>
14	GROSS APPROPRIATION.....	\$ 570,299,800
15	Appropriated from:	
16	Federal revenues:	
17	DOJ, state criminal alien assistance program.....	1,612,200
18	Special revenue funds:	
19	Public works user fees.....	283,900
20	State general fund/general purpose.....	\$ 568,403,700
21	<b>Sec. 110. INFORMATION TECHNOLOGY</b>	
22	Information technology services and projects.....	<u>\$ 24,403,600</u>
23	GROSS APPROPRIATION.....	\$ 24,403,600
24	Appropriated from:	
25	Special revenue funds:	
26	Correctional industries revolving fund.....	168,600
27	Parole and probation oversight fees set-aside.....	661,600

1	State general fund/general purpose .....	\$	23,573,400
2	<b>Sec. 111. CAPITAL OUTLAY</b>		
3	Multiple facilities - personal protection systems		
4	replacement .....	\$	<u>11,362,000</u>
5	GROSS APPROPRIATION .....	\$	11,362,000
6	Appropriated from:		
7	Special revenue funds:		
8	Special equipment fund .....		11,362,000
9	State general fund/general purpose .....	\$	0
10	<b>Sec. 112. ONE-TIME APPROPRIATIONS</b>		
11	Information technology services and projects .....	\$	1,129,500
12	State employee lump-sum payments .....		<u>13,225,900</u>
13	GROSS APPROPRIATION .....	\$	14,355,400
14	Appropriated from:		
15	Interdepartmental grant revenues:		
16	Interdepartmental grant revenues .....		3,900
17	Federal revenues:		
18	Federal revenues and reimbursements .....		83,400
19	Special revenue funds:		
20	Local revenues .....		1,300
21	State restricted revenues and reimbursements .....		263,500
22	State general fund/general purpose .....	\$	14,003,300

23 PART 2

24 PROVISIONS CONCERNING APPROPRIATIONS

25 FOR FISCAL YEAR 2012-2013



**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 2012-2013 is \$2,015,205,400.00 and state spending from state resources to be paid to local units of government for fiscal year 2012-2013 is \$89,966,400.00. The itemized statement below identifies appropriations from which spending to local units of government will occur:

DEPARTMENT OF CORRECTIONS

Field operations - assumption of county probation		
staff .....	\$	55,192,700
Community corrections comprehensive plans and services		12,758,000
Community corrections residential services .....		16,075,500
Felony drunk driver jail reduction and community		
treatment program .....		1,440,100
Public safety initiative .....		4,500,000
Regional jail program .....		<u>100</u>
TOTAL .....	\$	89,966,400

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

Sec. 203. As used in this article:

(a) "Administrative segregation" means confinement for maintenance of order or discipline to a cell or room apart from accommodations provided for inmates who are participating in programs of the facility.

(b) "Cost per prisoner" means the sum total of the funds

1 appropriated under part 1 for the following, divided by the  
2 projected prisoner population in fiscal year 2010-2011:

3 (i) Northern and southern region correctional facilities.

4 (ii) Northern and southern region administration and support.

5 (iii) Northern and southern region clinical complexes.

6 (iv) Prisoner health care services.

7 (v) Health care administration.

8 (vi) Vaccination program.

9 (vii) Prison food service and federal school lunch program.

10 (viii) Transportation.

11 (ix) Inmate legal services.

12 (x) Correctional facilities administration.

13 (xi) Central records.

14 (xii) DOJ psychiatric plan.

15 (xiii) Worker's compensation.

16 (xiv) New custody staff training.

17 (xv) Prison store operations.

18 (xvi) Education services and federal education grants.

19 (xvii) Education program.

20 (c) "DAG" means the United States department of agriculture.

21 (d) "DAG-FNS" means the DAG food and nutrition service.

22 (e) "DED" means the United States department of education.

23 (f) "DED-OESE" means the DED office of elementary and  
24 secondary education.

25 (g) "DED-OSERS" means the DED office of special education and  
26 rehabilitative services.

27 (h) "DED-OVAE" means the DED office of vocational and adult

1 education.

2 (i) "Department" or "MDOC" means the Michigan department of  
3 corrections.

4 (j) "DOJ" means the United States department of justice.

5 (k) "DOJ-BOP" means the DOJ bureau of prisons.

6 (l) "DOJ-OJP" means the DOJ office of justice programs.

7 (m) "Evidence-based practices" or "EBP" means a decision-  
8 making process that integrates the best available research,  
9 clinician expertise, and client characteristics.

10 (n) "FTE" means full-time equated.

11 (o) "GED" means general educational development certificate.

12 (p) "Goal" means the intended or projected result of a  
13 comprehensive corrections plan or community corrections program to  
14 reduce repeat offending, criminogenic and high-risk behaviors,  
15 prison commitment rates, to reduce the length of stay in a jail, or  
16 to improve the utilization of a jail.

17 (q) "GPS" means global positioning system.

18 (r) "HIV" means human immunodeficiency virus.

19 (s) "IDG" means interdepartmental grant.

20 (t) "IDT" means intradepartmental transfer.

21 (u) "Jail" means a facility operated by a local unit of  
22 government for the physical detention and correction of persons  
23 charged with or convicted of criminal offenses.

24 (v) "MDCH" means the Michigan department of community health.

25 (w) "Medicaid benefit" means a benefit paid or payable under a  
26 program for medical assistance under the social welfare act, 1939  
27 PA 280, MCL 400.1 to 400.119b.

1 (x) "MDSP" means the Michigan department of state police.

2 (y) "MPRI" means the Michigan prisoner reentry initiative.

3 (z) "Objective risk and needs assessment" means an evaluation  
4 of an offender's criminal history; the offender's noncriminal  
5 history; and any other factors relevant to the risk the offender  
6 would present to the public safety, including, but not limited to,  
7 having demonstrated a pattern of violent behavior, and a criminal  
8 record that indicates a pattern of violent offenses.

9 (aa) "Offender eligibility criteria" means particular criminal  
10 violations, state felony sentencing guidelines descriptors, and  
11 offender characteristics developed by advisory boards and approved  
12 by local units of government that identify the offenders suitable  
13 for community corrections programs funded through the office of  
14 community corrections.

15 (bb) "Offender success" means that an offender has done all of  
16 the following:

17 (i) Regularly reported to his or her assigned field agent.

18 (ii) Is participating in or has successfully completed all  
19 required substance abuse, mental health, sex offender, or other  
20 treatment as approved by the field agent.

21 (iii) Not sent or returned to prison for the conviction of a new  
22 crime or the revocation of probation or parole.

23 (iv) Not been sentenced to a jail term for a new criminal  
24 offense.

25 (v) Obtained employment, has enrolled or participated in a  
26 program of education or job training, or has investigated all bona  
27 fide employment opportunities.

1 (vi) Obtained housing.

2 (cc) "Offender target population" means felons or  
3 misdemeanants who would likely be sentenced to imprisonment in a  
4 state correctional facility or jail, who would not likely increase  
5 the risk to the public safety based on an objective risk and needs  
6 assessment that indicates that the offender can be safely treated  
7 and supervised in the community.

8 (dd) "Offender who would likely be sentenced to imprisonment"  
9 means either of the following:

10 (i) A felon or misdemeanor who receives a sentencing  
11 disposition that appears to be in place of incarceration in a state  
12 correctional facility or jail, according to historical local  
13 sentencing patterns.

14 (ii) A currently incarcerated felon or misdemeanor who is  
15 granted early release from incarceration to a community corrections  
16 program or who is granted early release from incarceration as a  
17 result of a community corrections program.

18 (ee) "Programmatic success" means that the department program  
19 or initiative has ensured that the offender has accomplished all of  
20 the following:

21 (i) Obtained employment, has enrolled or participated in a  
22 program of education or job training, or has investigated all bona  
23 fide employment opportunities.

24 (ii) Obtained housing.

25 (iii) Obtained a state identification card.

26 (ff) "Recidivism" means any of the following:

27 (i) The arrest and conviction of a supervised individual for a

1 new offense while under community supervision.

2 (ii) The adjudication of a supervised individual for a  
3 violation of the conditions of supervision while under community  
4 supervision.

5 (iii) A sanction resulting from a violation of terms of  
6 supervision that results in a return to prison without being  
7 adjudicated.

8 (gg) "RSAT" means residential substance abuse treatment.

9 (hh) "Serious emotional disturbance" means that term as  
10 defined in section 100d(2) of the mental health code, 1974 PA 328,  
11 MCL 330.1100d.

12 (ii) "Serious mental illness" means that term as defined in  
13 section 100d(3) of the mental health code, 1974 PA 328, MCL  
14 330.1100d.

15 (jj) "SSA" means the United States social security  
16 administration.

17 (kk) "SSA-SSI" means SSA supplemental security income.

18 Sec. 204. (1) The department shall collaborate with the civil  
19 service commission and the department of civil service to review  
20 the compensation rates for health care professionals who provide  
21 direct health care services to prisoners within the corrections  
22 system, including, but not limited to, doctors, all nursing  
23 professionals, pharmacists, pharmacy technicians, and  
24 psychologists. The review shall include health care professionals  
25 employed by the state as well as those employed through state  
26 contractors. These rates shall be compared to available data on  
27 compensation rates for comparable medical professionals in the

1 private sectors who provide services to the general public to  
2 estimate any disparity in compensation.

3 (2) Following the review, the department shall make  
4 recommendations on changes needed to the state compensation plan  
5 for health care professional positions and to department contracts  
6 with health care providers so that compensation levels are  
7 sufficient to ensure that needed health care professional positions  
8 with vacancies are filled, that the department experiences adequate  
9 retention levels for these positions, and that necessary health  
10 care services are delivered in a timely manner to the prisoner  
11 population. A report outlining these recommendations shall be  
12 submitted to the senate and house appropriations subcommittees on  
13 corrections, the senate and house fiscal agencies, and the state  
14 budget office by May 1.

15 Sec. 206. The department shall not take disciplinary action  
16 against an employee for communicating with a member of the  
17 legislature or his or her staff.

18 Sec. 207. State employees shall be given the opportunity to  
19 bid on contracts that privatize services that are or were provided  
20 by state employees. If the contract is awarded to any state  
21 employee, he or she ceases being an employee of the state.

22 Sec. 208. Unless otherwise specified, the department shall use  
23 the Internet to fulfill the reporting requirements of this article.  
24 This requirement may include transmission of reports via electronic  
25 mail to the recipients identified for each reporting requirement or  
26 it may include placement of reports on an Internet or Intranet  
27 site.

1       Sec. 209. Funds appropriated in part 1 shall not be used for  
2 the purchase of foreign goods or services, or both, if  
3 competitively priced and of comparable quality American goods or  
4 services, or both, are available. Preference shall be given to  
5 goods or services, or both, manufactured or provided by Michigan  
6 businesses, if they are competitively priced and of comparable  
7 quality. In addition, preference should be given to goods or  
8 services, or both, that are manufactured or provided by Michigan  
9 businesses owned and operated by veterans, if they are  
10 competitively priced and of comparable quality.

11       Sec. 211. The department may charge fees and collect revenues  
12 in excess of appropriations in part 1 not to exceed the cost of  
13 offender services and programming, employee meals, parolee loans,  
14 academic/vocational services, custody escorts, compassionate  
15 visits, union steward activities, and public works programs and  
16 services provided to local units of government. The revenues and  
17 fees collected are appropriated for all expenses associated with  
18 these services and activities.

19       Sec. 212. On a quarterly basis, each executive branch  
20 department and agency receiving appropriations in part 1 shall  
21 report on the number of full-time equated positions in pay status  
22 by civil service classification to the senate and house  
23 appropriations subcommittees on corrections and the senate and  
24 house fiscal agencies. This report shall include a detailed  
25 accounting of the long-term vacancies that exist within each  
26 department. As used in this subsection, "long-term vacancy" means  
27 any full-time equated position that has not been filled at any time



1 during the past 24 calendar months.

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

8       Sec. 215. Amounts appropriated in part 1 for information  
9 technology may be designated as work projects and carried forward  
10 to support technology projects under the direction of the  
11 department of technology, management, and budget. Funds designated  
12 in this manner are not available for expenditure until approved as  
13 work projects under section 451a of the management and budget act,  
14 1984 PA 431, MCL 18.1451a.

15       Sec. 216. The departments and agencies receiving  
16 appropriations in part 1 shall prepare a report on out-of-state  
17 travel expenses not later than January 1 of each year. The travel  
18 report shall be a listing of all travel by classified and  
19 unclassified employees outside this state in the immediately  
20 preceding fiscal year that was funded in whole or in part with  
21 funds appropriated in the department's budget. The report shall be  
22 submitted to the house and senate standing committees on  
23 appropriations, the house and senate fiscal agencies, and the state  
24 budget director. The report shall include the following  
25 information:

26       (a) The dates of each travel occurrence.

27       (b) The total transportation and related costs of each travel

1 occurrence, including the proportion funded with state general  
2 fund/general purpose revenues, the proportion funded with state  
3 restricted revenues, the proportion funded with federal revenues,  
4 and the proportion funded with other revenues.

5 Sec. 217. It is the intent of the legislature that all  
6 principal executive departments and agencies cooperate with the  
7 development and implementation of the department of technology,  
8 management, and budget statewide office space consolidation plan.

9 Sec. 218. The department and agencies receiving appropriations  
10 in part 1 shall receive and retain copies of all reports funded  
11 from appropriations in part 1. Federal and state guidelines for  
12 short-term and long-term retention of records shall be followed.  
13 The department may electronically retain copies of reports unless  
14 otherwise required by federal and state guidelines.

15 Sec. 219. (1) Any contract for prisoner telephone services  
16 entered into after the effective date of this article shall include  
17 a condition that fee schedules for prisoner telephone calls,  
18 including rates and any surcharges other than those necessary to  
19 meet special equipment costs, be the same as fee schedules for  
20 calls placed from outside of correctional facilities.

21 (2) Revenues appropriated and collected for special equipment  
22 funds shall be considered state restricted revenue and shall be  
23 used for special equipment and security projects to facilitate the  
24 replacement of personal protection systems, and the acquisition of  
25 contraband detection systems. Unexpended funds remaining at the  
26 close of the fiscal year shall not lapse to the general fund but  
27 shall be carried forward and be available for appropriation in

1 subsequent fiscal years.

2 (3) The department shall submit a report to the house and  
3 senate appropriations subcommittees on corrections, the house and  
4 senate fiscal agencies, and the state budget director by February 1  
5 outlining revenues and expenditures from special equipment funds.  
6 The report shall include all of the following:

7 (a) A list of all individual projects and purchases financed  
8 with special equipment funds in the immediately preceding fiscal  
9 year and the amounts expended on each project or purchase.

10 (b) A list of planned projects and purchases to be financed  
11 with special equipment funds during the current fiscal year and the  
12 amounts to be expended on each project or purchase.

13 (c) A review of projects and purchases planned for future  
14 fiscal years from special equipment funds.

15 Sec. 220. Not later than November 15, the department shall  
16 prepare and transmit a report that provides for estimates of the  
17 total general fund/general purpose appropriation lapses at the  
18 close of the prior fiscal year. This report shall summarize the  
19 projected year-end general fund/general purpose appropriation  
20 lapses by major departmental program or program areas. The report  
21 shall be transmitted to the office of the state budget, the  
22 chairpersons of the senate and house of representatives standing  
23 committees on appropriations, and the senate and house fiscal  
24 agencies.

25 Sec. 221. The department shall maintain a searchable website  
26 accessible by the public at no cost that includes, but is not  
27 limited to, all of the following:

1 (a) Fiscal year-to-date expenditures by category.

2 (b) Fiscal year-to-date expenditures by appropriation unit.

3 (c) Fiscal year-to-date payments to a selected vendor,  
4 including the vendor name, payment date, payment amount, and  
5 payment description.

6 (d) The number of active department employees by job  
7 classification.

8 (e) Job specifications and wage rates.

9 Sec. 223. (1) In addition to the funds appropriated in part 1,  
10 there is appropriated an amount not to exceed \$10,000,000.00 for  
11 federal contingency funds. These funds are not available for  
12 expenditure until they have been transferred to another line item  
13 in this article under section 393(2) of the management and budget  
14 act, 1984 PA 431, MCL 18.1393.

15 (2) In addition to the funds appropriated in part 1, there is  
16 appropriated an amount not to exceed \$5,000,000.00 for state  
17 restricted contingency funds. These funds are not available for  
18 expenditure until they have been transferred to another line item  
19 in this article under section 393(2) of the management and budget  
20 act, 1984 PA 431, MCL 18.1393.

21 (3) In addition to the funds appropriated in part 1, there is  
22 appropriated an amount not to exceed \$2,000,000.00 for local  
23 contingency funds. These funds are not available for expenditure  
24 until they have been transferred to another line item in this  
25 article under section 393(2) of the management and budget act, 1984  
26 PA 431, MCL 18.1393.

27 (4) In addition to the funds appropriated in part 1, there is

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1 appropriated an amount not to exceed \$2,000,000.00 for private  
2 contingency funds. These funds are not available for expenditure  
3 until they have been transferred to another line item in this  
4 article under section 393(2) of the management and budget act, 1984  
5 PA 431, MCL 18.1393.

6 Sec. 224. By March 1, the department shall provide a  
7 litigation report to the senate and house appropriations  
8 subcommittees on corrections, the senate and house fiscal agencies,  
9 and the state budget director. The report shall identify all  
10 lawsuits adjudicated through the trial court phase in which the  
11 department or an employee acting on behalf of the department was a  
12 defendant and in which trial court proceedings resulted in a  
13 decision of \$250,000.00 or more against the department.

14 Sec. 229. Within 14 days after the release of the executive  
15 budget recommendation, the department shall provide the state  
16 budget director, the senate and house appropriations chairs, the  
17 senate and house appropriations subcommittees on corrections,  
18 respectively, and the senate and house fiscal agencies with an  
19 annual report on estimated state restricted fund balances, state  
20 restricted fund projected revenues, and state restricted fund  
21 expenditures for the fiscal years ending September 30, 2012 and  
22 September 30, 2013.

[Sec. 230. By October 31, 2012, the department shall identify 10  
principal measurable outcomes to be affected by expenditure of the funds  
appropriated in part 1 of this article and submit a report to the house  
and senate appropriations committees, the house and senate fiscal  
agencies, and the state budget director that ranks the outcomes by level  
of importance and contains current data on those outcomes. Beginning on  
April 1, 2013, the department shall provide biannual updates to the house  
and senate appropriations committees on changes in those measurable  
outcomes and departmental efforts to improve the outcomes.]

23 Sec. 237. The department shall follow all requirements set  
24 forth in statute and administrative rules related to procurement  
25 requests and shall ensure that proper communication is maintained  
26 with the department of technology, management, and budget regarding  
27 the use of delegated purchasing authority granted by the department

1 of technology, management, and budget. The department shall not  
2 pursue the procurement of any good or service on its own that falls  
3 outside its delegated authority from the department of technology,  
4 management, and budget. If any requests for proposal or requests  
5 for qualifications are delayed due to the department's improper use  
6 of purchasing authority under statute and administrative rules, the  
7 department shall report on the improper use to the house and senate  
8 appropriations subcommittees on corrections within 15 days after  
9 determining that the improper use occurred. The report shall review  
10 the purpose of the relevant procurement effort, explain why the  
11 improper use of delegated authority occurred, and outline steps  
12 being taken to ensure that improper use of delegated authority does  
13 not occur again in the future.

14       Sec. 238. It is the intent of the legislature that the  
15 department make additional efforts to sell, rent, or otherwise  
16 repurpose closed correctional facilities.

17       **EXECUTIVE**

18       Sec. 301. (1) For 3 years after a felony offender is released  
19 from the department's jurisdiction, the department shall maintain  
20 the offender's file on the offender tracking information system and  
21 make it publicly accessible in the same manner as the file of the  
22 current offender. However, the department shall immediately remove  
23 the offender's file from the offender tracking information system  
24 upon determination that the offender was wrongfully convicted and  
25 the offender's file is not otherwise required to be maintained on  
26 the offender tracking information system.

1           (2) Information removed from the offender tracking information  
2 system due to the expiration of 3 years following release of an  
3 offender from the department's jurisdiction shall be retained by  
4 the department and maintained in a password-protected archive.  
5 Effective October 1, 2009, information in the archive shall be made  
6 available upon payment of a fee as determined by the department.  
7 Revenue collected under this section is appropriated for the costs  
8 of the offender tracking information system, and any revenue  
9 collected in excess of the costs of maintaining the offender  
10 tracking information system is appropriated for information  
11 technology costs. The department shall report on March 1 to the  
12 senate and house appropriations subcommittees on corrections, the  
13 senate and house fiscal agencies, and the state budget director on  
14 the fees charged and revenue collected under this section.

15           Sec. 302. The department shall provide a report to the members  
16 of the senate and house appropriations subcommittees on corrections  
17 and community health, the senate and house fiscal agencies, MDCH,  
18 and the state budget director by May 1, reviewing actions taken to  
19 implement the recommendations of the mental health study required  
20 under section 302 of 2007 PA 124 with which it agrees and an  
21 explanation of any disagreements with recommendations. It is the  
22 intent of the legislature to review the department's implementation  
23 plan and, in coordination with the department, to identify funds  
24 with which to implement the plan, as appropriate.

25           Sec. 304. The director of the department shall maintain a  
26 staff savings initiative program to invite employees to submit  
27 suggestions for saving costs for the department. If a suggested

1 initiative is implemented and is estimated to save at least  
2 \$10,000.00, the suggesting employee shall be awarded a 1-time  
3 \$1,000.00 bonus payment. The department shall report semiannually  
4 to the senate and house appropriations subcommittees on  
5 corrections, the senate and house fiscal agencies, and the state  
6 budget director on the suggestions submitted under this section,  
7 the implementation plan for those suggestions with which the  
8 department agrees, an explanation of any disagreements with  
9 suggestions, and whether a bonus payment was awarded for that  
10 suggestion.

11 Sec. 305. By March 1, the department shall report to the  
12 senate and house appropriations subcommittees on corrections, the  
13 senate and house fiscal agencies, and the state budget director on  
14 the number of prisoners who committed suicide during the previous  
15 calendar year. To the extent permitted by law, the report shall  
16 include all of the following information:

17 (a) The prisoner's age, offense, sentence, and admission date.

18 (b) Each prisoner's facility and unit.

19 (c) A description of the circumstances of the suicide.

20 (d) The date of the suicide.

21 (e) Whether the suicide occurred in a housing unit, a  
22 segregation unit, a mental health unit, or elsewhere on the grounds  
23 of the facility.

24 (f) Whether the prisoner had been denied parole and the date  
25 of any denial.

26 (g) Whether the prisoner had received a mental health  
27 evaluation or assessment.



1 (h) Details on the department's responses to each suicide,  
2 including immediate on-site responses and subsequent internal  
3 investigations.

4 (i) A description of any monitoring and psychiatric  
5 interventions that had been undertaken prior to the prisoner's  
6 suicide, including any changes in placement or mental health care.

7 (j) Whether the prisoner had previously attempted suicide.

8 **PLANNING AND COMMUNITY SUPPORT**

9 Sec. 401. The department shall submit 3-year and 5-year prison  
10 population projection updates concurrent with submission of the  
11 executive budget to the senate and house appropriations  
12 subcommittees on corrections, the senate and house fiscal agencies,  
13 and the state budget director. The report shall include  
14 explanations of the methodology and assumptions used in developing  
15 the projection updates.

16 Sec. 402. It is the intent of the legislature that the funds  
17 appropriated in part 1 for prisoner re-entry programs be expended  
18 for the purpose of reducing victimization by reducing repeat  
19 offending through the following prisoner reintegration programming:

20 (a) The provision of employment or employment services and job  
21 training.

22 (b) The provision of housing assistance.

23 (c) Referral to mental health services.

24 (d) Referral to substance abuse services.

25 (e) Referral to public health services.

26 (f) Referral to education.

1 (g) Referral to any other services necessary for successful  
2 reintegration.

3 Sec. 403. By March 1, the department shall provide a report on  
4 MPRI expenditures and allocations to the members of the senate and  
5 house appropriations subcommittees on corrections, the senate and  
6 house fiscal agencies, and the state budget director. At a minimum,  
7 the report shall include information on both of the following:

8 (a) Details on prior-year expenditures, including amounts  
9 spent on each project funded, itemized by service provided and  
10 service provider.

11 (b) Allocations and planned expenditures for each project  
12 funded and for each project to be funded, itemized by service to be  
13 provided and service provider.

14 Sec. 403a. (1) In collaboration with a technical committee  
15 composed of representatives from the department, designees of the  
16 senate and house appropriations subcommittees on corrections, the  
17 senate and house fiscal agencies, and the justice center of the  
18 council of state governments, the department shall develop a  
19 performance-based dashboard tracking and reporting system that  
20 establishes key indicators of the success and failure of offenders.  
21 Indicators shall reflect the status of and trends in key program  
22 elements, behavior improvements on the part of offenders, and  
23 whether targeted goals are being met.

24 (2) By April 1, the department shall report dashboard data to  
25 the senate and house appropriations subcommittees on corrections,  
26 the senate and house fiscal agencies, and the state budget  
27 director.

1           Sec. 404. The department shall screen and assess each prisoner  
2 for alcohol and other drug involvement to determine the need for  
3 further treatment. The assessment process shall be designed to  
4 identify the severity of alcohol and other drug addiction and  
5 determine the treatment plan, if appropriate.

6           Sec. 405. (1) In expending residential substance abuse  
7 treatment services funds appropriated under this article, the  
8 department shall ensure to the maximum extent possible that  
9 residential substance abuse treatment services are available  
10 statewide.

11           (2) By March 1, the department shall report to the senate and  
12 house appropriations subcommittees on corrections, the senate and  
13 house fiscal agencies, and the state budget director on the  
14 allocation, distribution, and expenditure of all funds appropriated  
15 by the substance abuse testing and treatment line item during  
16 fiscal year 2011-2012 and projected for fiscal year 2012-2013. The  
17 report shall include, but not be limited to, an explanation of an  
18 anticipated year-end balance, the number of participants in  
19 substance abuse programs, and the number of offenders on waiting  
20 lists for residential substance abuse programs. Information  
21 required under this subsection shall, where possible, be separated  
22 by MDOC administrative region and by offender type, including, but  
23 not limited to, a distinction between prisoners, parolees, and  
24 probationers.

25           (3) By March 1, the department shall report to the senate and  
26 house appropriations subcommittees on corrections, the senate and  
27 house fiscal agencies, and the state budget director on substance

1 abuse testing and treatment program objectives, outcome measures,  
2 and results, including program impact on offender success and  
3 programmatic success as those terms are defined in section 203.

4 Sec. 405a. The department shall work cooperatively with MDCH and  
5 substance abuse coordinating agencies in referring offenders as  
6 appropriate to intensive substance abuse services, including  
7 residential services.

8 Sec. 406. As a condition for expending any money appropriated  
9 in part 1 for reinvestment in prisoner re-entry programs, the  
10 department shall establish a pilot program with an allocation of at  
11 least \$2,000,000.00 from the funding appropriated to prisoner  
12 reintegration programs to contract with faith-based nonprofit  
13 agencies with established programs that assist prisoners exiting  
14 the prison system to reintegrate into the community. The department  
15 shall report to the house and senate appropriations subcommittees  
16 on corrections, the house and senate fiscal agencies, and the state  
17 budget director by December 1 on the contracts awarded under the  
18 pilot program, including the faith-based, nonprofit agencies  
19 selected and the contract amounts awarded to each agency. The  
20 department shall analyze and compare the success and failure rates  
21 of prisoners served under the pilot program and those served  
22 through other department reintegration programs and shall report  
23 this information to the legislature during budget hearings on the  
24 fiscal year 2013-2014 budget.

25 Sec. 407. (1) By June 30, the department shall place the 2011  
26 statistical report on an Internet site. The statistical report  
27 shall include, but not be limited to, the information as provided

1 in the 2004 statistical report.

2 (2) It is the intent of the legislature that starting with  
3 calendar year 2010, the statistical report be placed on an Internet  
4 site within 6 months after the end of each calendar year.

5 Sec. 408. The department shall measure the recidivism rates of  
6 offenders using at least a 3-year period following their release  
7 from prison. Any time spent in a county jail or otherwise  
8 incarcerated shall be included in the recidivism rates.

9 Sec. 410. Funds awarded for residential services in part 1  
10 shall provide for a per diem reimbursement of not more than \$47.50  
11 for nonaccredited facilities, or of not more than \$48.50 for  
12 facilities that have been accredited by the American corrections  
13 association or a similar organization as approved by the  
14 department.

15 Sec. 411. The comprehensive corrections plans shall also  
16 include, where appropriate, descriptive information on the full  
17 range of sanctions and services that are available and utilized  
18 within the local jurisdiction and an explanation of how jail beds,  
19 residential services, the special alternative incarceration  
20 program, probation detention centers, the electronic monitoring  
21 program for probationers, and treatment and rehabilitative services  
22 will be utilized to support the objectives and priorities of the  
23 comprehensive corrections plans and the purposes and priorities of  
24 section 8(4) of the community corrections act, 1988 PA 511, MCL  
25 791.408, that contribute to the success of offenders. The plans  
26 shall also include, where appropriate, provisions that detail how  
27 the local communities plan to respond to sentencing guidelines

1 found in chapter XVII of the code of criminal procedure, 1927 PA  
2 175, MCL 777.1 to 777.69, and use the county jail reimbursement  
3 program under section 414. The state community corrections board  
4 shall encourage local community corrections advisory boards to  
5 include in their comprehensive corrections plans strategies to  
6 collaborate with local alcohol and drug treatment agencies of the  
7 MDCH for the provision of alcohol and drug screening, assessment,  
8 case management planning, and delivery of treatment to alcohol- and  
9 drug-involved offenders.

10 Sec. 412. (1) As part of the March biannual report specified  
11 in section 12(2) of the community corrections act, 1988 PA 511, MCL  
12 791.412, that requires an analysis of the impact of that act on  
13 prison admissions and jail utilization, the department shall submit  
14 to the senate and house appropriations subcommittees on  
15 corrections, the senate and house fiscal agencies, and the state  
16 budget director the following information for each county and  
17 counties consolidated for comprehensive corrections plans:

18 (a) Approved technical assistance grants and comprehensive  
19 corrections plans including each program and level of funding, the  
20 utilization level of each program, and profile information of  
21 enrolled offenders.

22 (b) If federal funds are made available, the number of  
23 participants funded, the number served, the number successfully  
24 completing the program, and a summary of the program activity.

25 (c) Status of the community corrections information system and  
26 the jail population information system.

27 (d) Data on residential services, including participant data,

1 participant sentencing guideline scores, program expenditures,  
2 average length of stay, and bed utilization data.

3 (e) Offender disposition data by sentencing guideline range,  
4 by disposition type, by prior record variable score, by number and  
5 percent statewide and by county, current year, and comparisons to  
6 the previous 3 years.

7 (f) Data on the use of funding made available under the felony  
8 drunk driver jail reduction and community treatment program.

9 (2) The report required under subsection (1) shall include the  
10 total funding allocated, program expenditures, required program  
11 data, and year-to-date totals.

12 Sec. 413. (1) The department shall identify and coordinate  
13 information regarding the availability of and the demand for  
14 community corrections programs, jail-based community corrections  
15 programs, jail-based probation violation sanctions, and all state-  
16 required jail data.

17 (2) The department is responsible for the collection,  
18 analysis, and reporting of all state-required jail data.

19 (3) As a prerequisite to participation in the programs and  
20 services offered through the department, counties shall provide  
21 necessary jail data to the department.

22 Sec. 414. (1) The department shall administer a county jail  
23 reimbursement program from the funds appropriated in part 1 for the  
24 purpose of reimbursing counties for housing in jails certain felons  
25 who otherwise would have been sentenced to prison.

26 (2) The county jail reimbursement program shall reimburse  
27 counties for convicted felons in the custody of the sheriff if the

1 conviction was for a crime committed on or after January 1, 1999  
2 and 1 of the following applies:

3 (a) The felon's sentencing guidelines recommended range upper  
4 limit is more than 18 months, the felon's sentencing guidelines  
5 recommended range lower limit is 12 months or less, the felon's  
6 prior record variable score is 35 or more points, and the felon's  
7 sentence is not for commission of a crime in crime class G or crime  
8 class H or a nonperson crime in crime class F under chapter XVII of  
9 the code of criminal procedure, 1927 PA 175, MCL 777.1 to 777.69.

10 (b) The felon's minimum sentencing guidelines range minimum is  
11 more than 12 months under the sentencing guidelines described in  
12 subdivision (a).

13 (c) The felon was sentenced to jail for a felony committed  
14 while he or she was on parole and under the jurisdiction of the  
15 parole board and for which the sentencing guidelines recommended  
16 range for the minimum sentence has an upper limit of more than 18  
17 months.

18 (3) State reimbursement under this subsection shall be \$60.00  
19 per diem per diverted offender for offenders with a presumptive  
20 prison guideline score, \$50.00 per diem per diverted offender for  
21 offenders with a straddle cell guideline for a group 1 crime, and  
22 \$35.00 per diem per diverted offender for offenders with a straddle  
23 cell guideline for a group 2 crime. Reimbursements shall be paid  
24 for sentences up to a 1-year total.

25 (4) As used in this subsection:

26 (a) "Group 1 crime" means a crime in 1 or more of the  
27 following offense categories: arson, assault, assaultive other,



1 burglary, criminal sexual conduct, homicide or resulting in death,  
2 other sex offenses, robbery, and weapon possession as determined by  
3 the department of corrections based on specific crimes for which  
4 counties received reimbursement under the county jail reimbursement  
5 program in fiscal year 2007 and fiscal year 2008, and listed in the  
6 county jail reimbursement program document titled "FY 2007 and FY  
7 2008 Group One Crimes Reimbursed", dated March 31, 2009.

8 (b) "Group 2 crime" means a crime that is not a group 1 crime,  
9 including larceny, fraud, forgery, embezzlement, motor vehicle,  
10 malicious destruction of property, controlled substance offense,  
11 felony drunk driving, and other nonassaultive offenses.

12 (c) "In the custody of the sheriff" means that the convicted  
13 felon has been sentenced to the county jail and is either housed in  
14 the county jail or has been released from jail and is being  
15 monitored through the use of the sheriff's electronic monitoring  
16 system.

17 (5) County jail reimbursement program expenditures shall not  
18 exceed the amount appropriated in part 1 for the county jail  
19 reimbursement program. Payments to counties under the county jail  
20 reimbursement program shall be made in the order in which properly  
21 documented requests for reimbursements are received. A request  
22 shall be considered to be properly documented if it meets MDOC  
23 requirements for documentation. By October 15, 2012, the department  
24 shall distribute the documentation requirements to all counties.

25 (6) Of the funds appropriated in part 1 for the county jail  
26 reimbursement program, \$500,000.00 shall be utilized to reimburse  
27 county jails for housing individuals who violate terms of probation

1 under the swift-and-sure sanctions pilot program.

2       Sec. 415. (1) The department shall create a database for use  
3 by the department and MPRI service providers. The database shall be  
4 available to both the department and the service provider in real  
5 time. The department, in consultation with the service providers,  
6 shall issue a policy defining each field in the database so that  
7 there will be common usage of all terms and fields.

8       (2) The department, in consultation with the service  
9 providers, shall publish financial guidelines for administration of  
10 this program.

11       Sec. 416. Allowable uses for the felony drunk driver jail  
12 reduction and community treatment program shall include reimbursing  
13 counties for transportation, treatment costs, and housing felony  
14 drunk drivers during a period of assessment for treatment and case  
15 planning. Reimbursements for housing during the assessment process  
16 shall be at the rate of \$43.50 per day per offender, up to a  
17 maximum of 5 days per offender.

18       Sec. 417. (1) By March 1, the department shall report to the  
19 members of the senate and house appropriations subcommittees on  
20 corrections, the senate and house fiscal agencies, and the state  
21 budget director on each of the following programs from the previous  
22 fiscal year:

23       (a) The county jail reimbursement program.

24       (b) The felony drunk driver jail reduction and community  
25 treatment program.

26       (c) Any new initiatives to control prison population growth  
27 funded or proposed to be funded under part 1.

1           (2) For each program listed under subsection (1), the report  
2 shall include information on each of the following:

3           (a) Program objectives and outcome measures, including, but  
4 not limited to, the number of offenders who successfully completed  
5 the program, and the number of offenders who successfully remained  
6 in the community during the 3 years following termination from the  
7 program.

8           (b) Expenditures by location.

9           (c) The impact on jail utilization.

10          (d) The impact on prison admissions.

11          (e) Other information relevant to an evaluation of the  
12 program.

13          Sec. 418. (1) The department shall collaborate with the state  
14 court administrative office on facilitating changes to Michigan  
15 court rules that would require the court to collect at the time of  
16 sentencing the state operator's license, state identification card,  
17 or other documentation used to establish the identity of the  
18 individual to be admitted to the department. The department shall  
19 maintain those documents in the prisoner's personal file.

20          (2) The department shall cooperate with MDCH to create and  
21 maintain a process by which prisoners can obtain their Michigan  
22 birth certificates if necessary. The department shall describe a  
23 process for obtaining birth certificates from other states, and in  
24 situations where the prisoner's effort fails, the department shall  
25 assist in obtaining the birth certificate.

26          Sec. 419. (1) The department shall provide weekly electronic  
27 mail reports to the senate and house appropriations subcommittees

1 on corrections, the senate and house fiscal agencies, and the state  
2 budget director on prisoner, parolee, and probationer populations  
3 by facility, and prison capacities.

4 (2) The department shall provide monthly electronic mail  
5 reports to the senate and house appropriations subcommittees on  
6 corrections, the senate and house fiscal agencies, and the state  
7 budget director. The reports shall include information on end-of-  
8 month prisoner populations in county jails, the net operating  
9 capacity according to the most recent certification report,  
10 identified by date, and end-of-month data, year-to-date data, and  
11 comparisons to the prior year for the following:

12 (a) Community residential program populations, separated by  
13 centers and electronic monitoring.

14 (b) Parole populations.

15 (c) Probation populations, with identification of the number  
16 in special alternative incarceration.

17 (d) Prison and camp populations, with separate identification  
18 of the number in special alternative incarceration and the number  
19 of lifers.

20 (e) Parole board activity, including the numbers and  
21 percentages of parole grants and parole denials.

22 (f) Prisoner exits, identifying transfers to community  
23 placement, paroles from prisons and camps, paroles from community  
24 placement, total movements to parole, prison intake, prisoner  
25 deaths, prisoners discharging on the maximum sentence, and other  
26 prisoner exits.

27 (g) Prison intake and returns, including probation violators,

1 new court commitments, violators with new sentences, escaper new  
2 sentences, total prison intake, returns from court with additional  
3 sentences, community placement returns, technical parole violator  
4 returns, and total returns to prison and camp.

5       Sec. 420. By March 1, the department shall report to the  
6 senate and house appropriations subcommittees on corrections, the  
7 senate and house judiciary committees, the senate and house fiscal  
8 agencies, and the state budget director on performance data and  
9 efforts to improve efficiencies relative to departmental staffing,  
10 health care services, food service, prisoner transportation, mental  
11 health care services, and pharmaceutical costs.

12       Sec. 422. It is the intent of the legislature that MPRI  
13 programs from prisoner entry into the corrections system to reentry  
14 into the community and as measured by offender success and  
15 programmatic success as those terms are defined in section 203  
16 shall be maintained as standard operating procedure in the  
17 department. In particular, services should be focused on moderate-  
18 to high-risk individuals. Special in-prison programming shall be  
19 directed to those prisoners who were paroled and have returned to  
20 prison and who will subsequently be eligible for parole again in  
21 the future. In addition, MPRI services provided to prisoners shall  
22 include basic computer skills training.

23       Sec. 424. (1) From the funds appropriated in part 1 for  
24 residential services, the department shall develop and implement,  
25 in collaboration with the judiciary and as approved by the state  
26 court administrative office, a demonstration project based on  
27 evidence-based practices related to judicial and case management

1 interventions that have been proven to increase public safety for  
2 high-risk, high-need probationers as determined by a validated risk  
3 and need assessment instrument. As used in this section,  
4 "probationer" means a circuit court probationer serving a probation  
5 sentence for a crime.

6 (2) The demonstration project shall be implemented in 4 areas  
7 of the state identified jointly by the department and the state  
8 court administrative office. Preference shall be given to locations  
9 that are representative of areas with high rates of violent crimes  
10 as described in the council of state governments' justice center  
11 report on analyses of crime, community corrections, and sentencing  
12 policies in this state.

13 (3) The primary goal of the demonstration project is to reduce  
14 crime and revictimization by high-risk, high-need probationers. The  
15 secondary goal of the demonstration project is to reduce  
16 expenditures for long-term incarceration.

17 (4) The demonstration project may provide up to 6 months of  
18 residential services, and treatment methods, and interventions that  
19 are evidence-based, including, but not limited to, the following:

20 (a) Risk/needs assessment.

21 (b) Motivational techniques.

22 (c) Type, intensity, and duration of treatment based on each  
23 probationer's risk and needs and delivered consistent with  
24 evidence-based practices.

25 (5) The department shall implement the evidence-based practice  
26 of collaborative case management and utilize the services of the  
27 department and of local community corrections consistent with the

1 local comprehensive corrections plan developed under the community  
2 corrections act, 1988 PA 511, MCL 791.401 to 791.414.

3 (6) The department shall assign a probation officer to the  
4 demonstration project to supervise a specialized caseload for high-  
5 risk, high-need probationers. All probation officers supervising a  
6 specialized caseload under this section shall receive substantial  
7 education and training on issues of substance abuse, mental health,  
8 and drug and alcohol testing.

9 (7) The probation officer shall work in cooperation with the  
10 local judiciary and the community corrections advisory board in a  
11 collaborative effort toward the goals of promoting probationer  
12 success and reducing crime and revictimization.

13 (8) The probation officer assigned to the demonstration  
14 project shall comply with supervision requirements established for  
15 the demonstration project by the field operations administration  
16 deputy director.

17 (9) The department shall identify and coordinate information  
18 for each local jurisdiction selected for the demonstration project  
19 regarding the rate of incarceration of high-risk, high-need  
20 probationers to ensure that appropriate probationers are targeted  
21 for the demonstration project.

22 (10) From the funds appropriated in part 1 for public  
23 education and training, the department shall collaborate with the  
24 local judiciary, community corrections advisory board, and service  
25 providers to develop and provide appropriate training for all local  
26 stakeholders involved in the demonstration project described in  
27 this section.

1           (11) From the funds provided to the local jurisdiction for the  
2 demonstration project, the department shall collaborate with the  
3 local judiciary and the community corrections advisory board to  
4 develop and implement an evaluation of the demonstration project  
5 that will show the impact of the project on the arrests,  
6 convictions, technical violations, and commitments to prison of the  
7 demonstration project participants. This evaluation shall be  
8 performed in accordance with department of corrections policy and  
9 procedure on evaluation design in cooperation with the office of  
10 research and planning.

11           (12) By May 1, the department shall report to the senate and  
12 house appropriations subcommittees on corrections, the senate and  
13 house fiscal agencies, and the state budget director on the status  
14 of the demonstration project prescribed under this section,  
15 including information on all of the following:

16           (a) Demonstration project locations and participating courts.

17           (b) The number of probationers participating in the pilot  
18 categorized by location and offense.

19           (c) Evaluation status and methodology.

20           (d) Preliminary results, if any.

21           Sec. 429. It is the intent of the legislature that the  
22 department work with other state departments and agencies to  
23 implement the policy options provided to the state by the council  
24 of state governments in January 2009 and March 2011.

25           Sec. 430. The department shall ensure that each prisoner has  
26 the opportunity to meet with his or her transition team prior to  
27 release from prison. If applicable, community providers shall enter



1 the prison to meet with the prisoner prior to release.

2 Sec. 431. The department shall ensure that prior to release  
3 from prison, each offender has possession of all of the following:

4 (a) All documents necessary to obtain a state operator's  
5 license or state identification card.

6 (b) A set of clothing that would be appropriate and suitable  
7 for wearing to an interview for employment.

8 Sec. 433. The department shall report quarterly on January 1,  
9 April 1, July 1, and September 30 to the senate and house  
10 appropriations subcommittees on corrections, the senate and house  
11 fiscal agencies, and the state budget director on the status of any  
12 contracts entered into under the June 2009 request for proposals  
13 for the re-entry initiative project for offenders with special  
14 needs. The report shall include information on all of the  
15 following:

16 (a) The number of prisoners and participating parolees in each  
17 of the target population subgroups, including medically fragile,  
18 mentally ill, developmentally disabled, and youthful offenders.

19 (b) Descriptions of the key services being provided to each  
20 subgroup under the contract or contracts.

21 (c) Estimates of the average per-offender costs of services  
22 for each target population subgroup under each contract, compared  
23 to the average cost of prison incarceration for those populations.

#### 24 **OPERATIONS AND SUPPORT ADMINISTRATION**

25 Sec. 501. From the funds appropriated in part 1 for  
26 prosecutorial and detainer expenses, the department shall reimburse

1 counties for housing and custody of parole violators and offenders  
2 being returned by the department from community placement who are  
3 available for return to institutional status and for prisoners who  
4 volunteer for placement in a county jail.

5       Sec. 502. Funds included in part 1 for the sheriffs'  
6 coordinating and training office are appropriated for and may be  
7 expended to defray costs of continuing education, certification,  
8 recertification, decertification, and training of local corrections  
9 officers, the personnel and administrative costs of the sheriffs'  
10 coordinating and training office, the local corrections officers  
11 advisory board, and the sheriffs' coordinating and training council  
12 under the local corrections officers training act, 2003 PA 125, MCL  
13 791.531 to 791.546.

14       Sec. 503. Funds appropriated in part 1 for administrative  
15 hearings officers are appropriated as an interdepartmental grant to  
16 the department of licensing and regulatory affairs for the purpose  
17 of funding administrative hearings officers for adjudication of  
18 grievances pertaining to the department of corrections. The  
19 department shall not expend appropriations from part 1 to satisfy  
20 charges from the department of licensing and regulatory affairs for  
21 administrative hearings officers in excess of the amount expressly  
22 appropriated by this article for the administrative hearings  
23 officers unless funding is transferred into this line under section  
24 393(2) of the management and budget act, 1984 PA 431, MCL 18.1393.

25       Sec. 504. Of the funds appropriated in part 1, \$50,000.00 is  
26 appropriated to provide an interdepartmental grant to the judiciary  
27 for use of the judicial data warehouse by department employees.

1       Sec. 505. The department shall provide for the training of all  
2 custody staff in effective and safe ways of handling prisoners with  
3 mental illness and referring prisoners to mental health treatment  
4 programs. Mental health awareness training shall be incorporated  
5 into the training of new custody staff.

6       **FIELD OPERATIONS ADMINISTRATION**

7       Sec. 601. (1) From the funds appropriated in part 1, the  
8 department shall conduct a statewide caseload audit of field  
9 agents. The audit shall address public protection issues and assess  
10 the ability of the field agents to complete their professional  
11 duties. The complete audit shall be submitted to the senate and  
12 house appropriations subcommittees on corrections and the senate  
13 and house fiscal agencies, and the state budget office by March 1.

14       (2) It is the intent of the legislature that the department  
15 maintain a number of field agents sufficient to meet supervision  
16 and workload standards.

17       Sec. 602. (1) Of the amount appropriated in part 1 for field  
18 operations, a sufficient amount shall be allocated for the  
19 community service work program and shall be used for salaries and  
20 wages and fringe benefit costs of community service coordinators  
21 employed by the department to supervise offenders participating in  
22 work crew assignments. Funds shall also be used to cover motor  
23 transport division rates on state vehicles used to transport  
24 offenders to community service work project sites.

25       (2) The community service work program shall provide offenders  
26 with community service work of tangible benefit to a community

1 while fulfilling court-ordered community service work sanctions and  
2 other postconviction obligations.

3 (3) As used in this section, "community service work" means  
4 work performed by an offender in an unpaid position with a  
5 nonprofit or tax-supported or government agency for a specified  
6 number of hours of work or service within a given time period.

7 Sec. 603. (1) All prisoners, probationers, and parolees  
8 involved with the electronic tether program shall reimburse the  
9 department for costs associated with their participation in the  
10 program. The department may require community service work  
11 reimbursement as a means of payment for those able-bodied  
12 individuals unable to pay for the costs of the equipment.

13 (2) Program participant contributions and local community  
14 tether program reimbursement for the electronic tether program  
15 appropriated in part 1 are related to program expenditures and may  
16 be used to offset expenditures for this purpose.

17 (3) Included in the appropriation in part 1 is adequate  
18 funding to implement the community tether program to be  
19 administered by the department. The community tether program is  
20 intended to provide sentencing judges and county sheriffs in  
21 coordination with local community corrections advisory boards  
22 access to the state's electronic tether program to reduce prison  
23 admissions and improve local jail utilization. The department shall  
24 determine the appropriate distribution of the tether units  
25 throughout the state based upon locally developed comprehensive  
26 corrections plans under the community corrections act, 1988 PA 511,  
27 MCL 791.401 to 791.414.

1           (4) For a fee determined by the department, the department  
2 shall provide counties with the tether equipment, replacement  
3 parts, administrative oversight of the equipment's operation,  
4 notification of violators, and periodic reports regarding county  
5 program participants. Counties are responsible for tether equipment  
6 installation and service. For an additional fee as determined by  
7 the department, the department shall provide staff to install and  
8 service the equipment. Counties are responsible for the  
9 coordination and apprehension of program violators.

10           (5) Any county with tether charges outstanding over 60 days  
11 shall be considered in violation of the community tether program  
12 agreement and lose access to the program.

13           Sec. 608. By March 1, the department shall report to the  
14 senate and house appropriations subcommittees on corrections, the  
15 senate and house fiscal agencies, and the state budget director on  
16 the use of electronic monitoring. At a minimum, the report shall  
17 include all of the following:

18           (a) Details on the failure rate of parolees for whom GPS  
19 tether is utilized, including the number and rate of parolee  
20 technical violations, including specifying failures due to  
21 committing a new crime that is uncharged but leads to parole  
22 termination, and the number and rate of parolee violators with new  
23 sentences.

24           (b) Information on the factors considered in determining  
25 whether an offender is placed on active GPS tether, passive GPS  
26 tether, radio frequency tether, or some combination of these or  
27 other types of electronic monitoring.

1 (c) Monthly data on the number of offenders on active GPS  
2 tether, passive GPS tether, radio frequency tether, and any other  
3 type of tether.

4 Sec. 611. By March 1, the department shall prepare individual  
5 reports for the community re-entry program, the electronic tether  
6 program, and the special alternative to incarceration program. The  
7 reports shall be submitted to the house and senate appropriations  
8 subcommittees on corrections, the house and senate fiscal agencies,  
9 and the state budget director. Each program's report shall include  
10 information on all of the following:

11 (a) Monthly new participants by type of offender. Community  
12 re-entry program participants shall be categorized by reason for  
13 placement. For technical rule violators, the report shall sort  
14 offenders by length of time since release from prison, by the most  
15 recent violation, and by the number of violations occurring since  
16 release from prison.

17 (b) Monthly participant unsuccessful terminations, including  
18 cause.

19 (c) Number of successful terminations.

20 (d) End month population by facility or program.

21 (e) Average length of placement.

22 (f) Return to prison statistics.

23 (g) Description of each program location or locations,  
24 capacity, and staffing.

25 (h) Sentencing guideline scores and actual sentence statistics  
26 for participants, if applicable.

27 (i) Comparison with prior year statistics.

1           (j) Analysis of the impact on prison admissions and jail  
2 utilization and the cost effectiveness of the program.

3           Sec. 612. (1) The department shall review and revise as  
4 necessary policy proposals that provide alternatives to prison for  
5 offenders being sentenced to prison as a result of technical  
6 probation violations and technical parole violations. To the extent  
7 the department has insufficient policies or resources to affect the  
8 continued increase in prison commitments among these offender  
9 populations, the department shall explore other policy options to  
10 allow for program alternatives, including department or OCC-funded  
11 programs, local level programs, and programs available through  
12 private agencies that may be used as prison alternatives for these  
13 offenders.

14           (2) To the extent policies or programs described in subsection  
15 (1) are used, developed, or contracted for, the department may  
16 request that funds appropriated in part 1 be transferred under  
17 section 393(2) of the management and budget act, 1984 PA 431, MCL  
18 18.1393, for their operation.

19           (3) The department shall continue to utilize parole violator  
20 processing guidelines that require parole agents to utilize all  
21 available appropriate community-based, nonincarcerative postrelease  
22 sanctions and services when appropriate. The department shall  
23 periodically evaluate those guidelines for modification, in  
24 response to emerging information from the demonstration projects  
25 for substance abuse treatment provided under this article and  
26 applicable provisions of prior budget acts for the department.

27           (4) The department shall provide quarterly reports to the

1 senate and house appropriations subcommittees on corrections, the  
2 senate and house fiscal agencies, and the state budget director on  
3 the number of all parolees returned to prison and probationers  
4 sentenced to prison for either a technical violation or a new  
5 sentence during the preceding calendar quarter. The reports shall  
6 include the following information each for probationers, parolees  
7 after their first parole, and parolees who have been paroled more  
8 than once:

9 (a) The numbers of parole and probation violators returned to  
10 or sent to prison for a new crime with a comparison of original  
11 versus new offenses by major offense type: assaultive,  
12 nonassaultive, drug, and sex.

13 (b) The numbers of parole and probation violators returned to  
14 or sent to prison for a technical violation and the type of  
15 violation, including, but not limited to, zero firearm tolerance  
16 and substance abuse violations. For parole technical rule  
17 violators, the report shall list violations by type, by length of  
18 time since release from prison, by the most recent violation, and  
19 by the number of violations occurring since release from prison.

20 (c) The educational history of those offenders, including how  
21 many had a GED or high school diploma prior to incarceration in  
22 prison, how many received a GED while in prison, and how many  
23 received a vocational certificate while in prison.

24 (d) The number of offenders who participated in the MPRI  
25 versus the number of those who did not.

26 (e) The unduplicated number of offenders who participated in  
27 substance abuse treatment programs, mental health treatment



1 programs, or both, while in prison, itemized by diagnosis.

2       Sec. 613. Subject to the appropriations in part 1, the  
3 department is encouraged to expand the use of continuous remote  
4 alcohol monitors for parolees and probationers who test positive  
5 for alcohol abuse or have alcohol-abuse-related violations of their  
6 community supervision.

7       Sec. 615. After the parole board has reviewed the cases of all  
8 inmates sentenced to life with the possibility of parole who have  
9 good institutional records and pose low-risk to the community, the  
10 parole board shall provide the legislature with a detailed  
11 explanation of why an inmate who scores "high probability of  
12 release" is not being paroled. A report containing this explanation  
13 shall be submitted to the house and senate appropriations  
14 subcommittees on corrections, the house and senate fiscal agencies,  
15 and the state budget director by January 1.

## 16    HEALTH CARE

17       Sec. 801. As a condition of expenditure of the funds  
18 appropriated in part 1, the department shall provide the senate and  
19 house of representatives appropriations subcommittees on  
20 corrections, the senate and house fiscal agencies, and the state  
21 budget director with all of the following:

22       (a) Quarterly reports on physical and mental health care  
23 detailing the average number of days between a prisoner's diagnosis  
24 and commencement of treatment for that diagnosis, quarterly and  
25 fiscal year-to-date expenditures itemized by vendor, allocations,  
26 status of payments from contractors to vendors, and projected year-

1 end expenditures from accounts for prisoner health care, mental  
2 health care, pharmaceutical services, and durable medical  
3 equipment.

4 (b) Regular updates on progress on requests for proposals and  
5 requests for information pertaining to prisoner health care and  
6 mental health care, until the applicable contract is approved.

7 Sec. 802. The department shall report quarterly to the senate  
8 and house appropriations subcommittees on corrections, the senate  
9 and house fiscal agencies, and the state budget director on  
10 prisoner health care utilization. The report shall include the  
11 number of inpatient hospital days, outpatient visits, and emergency  
12 room visits in the previous quarter and since October 1, 2009, by  
13 facility.

14 Sec. 803. The department shall ensure that all medications for  
15 a prisoner be transported with that prisoner when the prisoner is  
16 transferred from 1 correctional facility to another. Prisoners  
17 being released shall be provided with at least a 30-day supply of  
18 medication and a prescription for refills to allow for continuity  
19 of care in the community.

20 Sec. 804. From the funds appropriated in part 1, the  
21 department shall require a hepatitis C antibody test and an HIV  
22 test for each prisoner prior to release to the community by parole,  
23 transfer to community residential placement, or discharge on the  
24 maximum sentence. The department shall require an HIV test and a  
25 hepatitis C risk factor screening for each prisoner at the health  
26 screening at admissions. If hepatitis C risk factors are  
27 identified, the department shall offer the prisoner a hepatitis C

1 antibody test. An explanation of results of the tests shall be  
2 provided confidentially to the prisoner, and if appropriate based  
3 on the test results, the prisoner shall also be provided a  
4 recommendation to seek follow-up medical attention.

5 Sec. 805. The department, in conjunction with efforts to  
6 implement the MPRI, shall cooperate with the MDCH to share data and  
7 information as they relate to prisoners being released who are HIV  
8 positive or positive for the hepatitis C antibody. By March 1, the  
9 department shall report to the senate and house appropriations  
10 subcommittees on corrections, the senate and house fiscal agencies,  
11 and the state budget director on all of the following:

12 (a) Programs and the location of programs implemented as a  
13 result of the work under this section.

14 (b) The number of prisoners released to the community by  
15 parole, discharge on the maximum sentence, or transfer to community  
16 residential placement who are HIV positive, positive for the  
17 hepatitis C antibody, or both.

18 (c) The number of parolees and offenders discharged on the  
19 maximum sentence who are HIV or hepatitis C positive by paroling  
20 office as reported to the state department of community health for  
21 referral to the local public health department.

22 Sec. 806. (1) The department shall provide the department of  
23 human services with a monthly list of prisoners newly committed to  
24 the department of corrections. The department and the department of  
25 human services shall enter into an interagency agreement under  
26 which the department of human services provides the department of  
27 corrections with monthly lists of newly committed prisoners who are

1 eligible for Medicaid benefits in order to maintain the process by  
2 which Medicaid benefits are suspended rather than terminated. The  
3 department shall assist prisoners who may be eligible for Medicaid  
4 benefits after release from prison with the Medicaid enrollment  
5 process prior to release from prison.

6 (2) The department shall provide the senate and house  
7 appropriations subcommittees on corrections, the senate and house  
8 fiscal agencies, and the state budget director with quarterly  
9 updates on the utilization of Medicaid benefits for prisoners.

10 Sec. 807. By April 1, the department shall provide the members  
11 of the senate and house appropriations subcommittees on  
12 corrections, the senate and house fiscal agencies, the state budget  
13 director, and the legislative corrections ombudsman with a report  
14 on pharmaceutical expenditures and prescribing practices. In  
15 particular, the report shall provide the following information:

16 (a) A detailed accounting of expenditures on antipsychotic  
17 medications.

18 (b) Any changes that have been made to the prescription drug  
19 formularies.

20 (c) A progress report on the department's efforts to address  
21 various findings outlined in audit report 471-0325-09L issued in  
22 March 2011 by the Michigan office of the auditor general.

23 Sec. 808. The department shall assure that psychotropic  
24 medications are available, when deemed medically necessary by that  
25 prisoner's physician, to prisoners who have mental illness  
26 diagnoses but are not enrolled in the corrections mental health  
27 program.

1    **CORRECTIONAL FACILITIES ADMINISTRATION**

2           Sec. 905. (1) Savings in the inmate housing fund shall be  
3 achieved through competitive bidding of facility operations or  
4 other measures to reduce the custody, treatment, clinical, and  
5 administrative costs associated with the housing of prisoners.  
6 Savings shall be distributed as necessary into separate accounts  
7 created to separately identify savings through specific cost  
8 savings measures.

9           (2) Quarterly reports on all expenditures from the inmate  
10 housing fund shall be submitted by the department to the state  
11 budget director, the senate and house appropriations subcommittees  
12 on corrections, and the senate and house fiscal agencies.

13          Sec. 906. It is the intent of the legislature that the  
14 department maintain or expand upon existing public works  
15 programming by contracting with local units of government or  
16 private organizations. Any local unit of government or private  
17 organization that contracts with the department for public works  
18 services shall be responsible for financing the entire cost of such  
19 an agreement.

20          Sec. 907. The department shall report by March 1 to the senate  
21 and house appropriations subcommittees on corrections, the senate  
22 and house fiscal agencies, and the state budget director on  
23 academic and vocational programs. The report shall provide  
24 information relevant to an assessment of the department's academic  
25 and vocational programs, including, but not limited to, all of the  
26 following:

1 (a) The number of instructors and the number of instructor  
2 vacancies, by program and facility.

3 (b) The number of prisoners enrolled in each program, the  
4 number of prisoners completing each program, the number of  
5 prisoners who fail each program, the number of prisoners who do not  
6 complete each program and the reason for not completing the  
7 program, the number of prisoners transferred to another facility  
8 while enrolled in a program and the reason for transfer, the number  
9 of prisoners enrolled who are repeating the program by reason, and  
10 the number of prisoners on waiting lists for each program, all  
11 itemized by facility.

12 (c) The steps the department has undertaken to improve  
13 programs, track records, accommodate transfers and prisoners with  
14 health care needs, and reduce waiting lists.

15 (d) The number of prisoners paroled without a high school  
16 diploma and the number of prisoners paroled without a GED.

17 (e) An explanation of the value and purpose of each program,  
18 for example, to improve employability, reduce recidivism, reduce  
19 prisoner idleness, or some combination of these and other factors.

20 (f) An identification of program outcomes for each academic  
21 and vocational program.

22 (g) An explanation of the department's plans for academic and  
23 vocational programs, including plans to contract with intermediate  
24 school districts for GED and high school diploma programs.

25 (h) The number of prisoners not paroled at their earliest  
26 release date due to lack of a GED, and the reason those prisoners  
27 have not obtained a GED.

1       Sec. 908. The department shall submit a report to the house  
2 and senate subcommittees on corrections, the house and senate  
3 fiscal agencies, and the state budget director by February 1 on the  
4 continued expansion of the incentives in segregation program. The  
5 report shall note all new correctional facilities in which the  
6 program is being utilized.

7       Sec. 910. The department shall allow the Michigan Braille  
8 transcribing fund to operate at its current location. The donation  
9 of the building by the Michigan Braille transcribing fund at the G.  
10 Robert Cotton correctional facility in Jackson is acknowledged and  
11 appreciated. The department shall continue to encourage the  
12 Michigan Braille transcribing fund to produce high-quality  
13 materials for use by the visually impaired.

14       Sec. 911. By March 1, the department shall report to the  
15 senate and house appropriations subcommittees on corrections, the  
16 senate and house fiscal agencies, the legislative corrections  
17 ombudsman, and the state budget director the number of critical  
18 incidents occurring each month by type and the number and severity  
19 of assaults occurring each month at each facility during calendar  
20 year 2012.

21       Sec. 912. The department shall report to the senate and house  
22 appropriations subcommittees on corrections, the senate and house  
23 fiscal agencies, and the state budget director by March 1 on the  
24 ratio of correctional officers to prisoners for each correctional  
25 institution, the ratio of shift command staff to line custody  
26 staff, and the ratio of noncustody institutional staff to prisoners  
27 for each correctional institution.

1       Sec. 913. (1) It is the intent of the legislature that any  
2 prisoner required to complete an assaultive offender program,  
3 sexual offender program, or other program as a condition of parole  
4 shall be transferred to a facility where that program is available  
5 in order to accomplish timely completion of that program prior to  
6 the expiration of his or her minimum sentence and eligibility for  
7 parole. Nothing in this section should be deemed to make parole  
8 denial appealable in court.

9       (2) The department shall submit a quarterly report to the  
10 members of the senate and house appropriations subcommittees on  
11 corrections, the senate and house fiscal agencies, the state budget  
12 director, and the legislative corrections ombudsman detailing  
13 enrollment in sex offender programming and assaultive offender  
14 programming. At a minimum, the report shall include the following:

15       (a) A full accounting of the number of individuals who are  
16 required to complete either sex offender programming or assaultive  
17 offender programming, but have not yet done so.

18       (b) The number of individuals who have reached their earliest  
19 release date, but who have not completed required sex offender  
20 and/or assaultive offender programming.

21       (c) A plan of action for addressing any waiting lists or  
22 backlogs for sex offender programming or assaultive offender  
23 programming that may exist.

24       Sec. 916. The department shall report by February 1 to the  
25 senate and house appropriations subcommittees on corrections, the  
26 senate and house fiscal agencies, and the state budget director on  
27 the number of computers available for use by prisoners within each



1 prison facility. The report shall summarize the purpose and  
2 frequency of use of these computers within each facility.

3       Sec. 923. (1) The department shall cooperate with the  
4 department of education to evaluate the feasibility of local  
5 intermediate school districts providing education programming to  
6 targeted prisoners under the age of 20 who have not received a high  
7 school diploma. By June 1, the department shall report to the  
8 senate and house appropriations subcommittees on corrections, the  
9 senate and house fiscal agencies, and the state budget director on  
10 any plans or evaluations developed under this section.

11       (2) The department shall make efforts to encourage retired  
12 school teachers to provide education services in correctional  
13 facilities through volunteerism.

14       Sec. 924. The department shall evaluate all prisoners at  
15 intake for substance abuse disorders, developmental disorders,  
16 serious mental illness, and other mental health disorders.  
17 Prisoners with serious mental illness shall not be confined in  
18 administrative segregation due to serious mental illness. Under the  
19 supervision of a mental health professional, a prisoner with  
20 serious mental illness may be secluded in a therapeutic environment  
21 for the safety of the prisoner or others. A prisoner in therapeutic  
22 seclusion shall be evaluated by a mental health professional at a  
23 frequency defined in the mental health code, 1974 PA 258, MCL  
24 330.1001 to 330.2106, to remain in therapeutic seclusion.

25       Sec. 925. By March 1, the department shall report to the  
26 senate and house appropriations subcommittees on corrections, the  
27 senate and house fiscal agencies, and the state budget director on

1 the annual number of prisoners in administrative segregation  
2 between October 1, 2003 and September 30, 2012, and the annual  
3 number of prisoners in administrative segregation between October  
4 1, 2003 and September 30, 2012 who at any time during the current  
5 or prior prison term were diagnosed with serious mental illness or  
6 have a developmental disorder and the number of days each of the  
7 prisoners with serious mental illness or a developmental disorder  
8 have been confined to administrative segregation.

9 Sec. 929. From the funds appropriated in part 1, the  
10 department shall do all of the following:

11 (a) Ensure that any inmate care and control staff in contact  
12 with prisoners less than 19 years of age are adequately trained  
13 with regard to the developmental and mental health needs of  
14 prisoners less than 19 years of age. By April 1, the department  
15 shall report to the senate and house appropriations subcommittees  
16 on corrections, the senate and house fiscal agencies, and the state  
17 budget director on the training curriculum used and the number and  
18 types of staff receiving training under this curriculum since  
19 October 2009.

20 (b) Provide appropriate placement for prisoners less than 19  
21 years of age who have serious mental illness, serious emotional  
22 disturbance, or a developmental disorder and need to be housed  
23 separately from the general population. Prisoners less than 19  
24 years of age who have serious mental illness, serious emotional  
25 disturbance, or a developmental disorder shall not be placed in  
26 administrative segregation due to serious mental illness or serious  
27 emotional disturbance. Under the supervision of a mental health

1 professional, a prisoner less than 19 years of age with serious  
2 mental illness or serious emotional disturbance may be secluded in  
3 a therapeutic environment for the safety of the prisoner or others.  
4 A prisoner in therapeutic seclusion shall be evaluated every 12  
5 hours by a mental health professional in order to remain in  
6 therapeutic seclusion.

7 (c) Implement a specialized re-entry program that recognizes  
8 the needs of prisoners less than 19 years old for supervised re-  
9 entry.

10 Sec. 930. As a condition for expending appropriations in part  
11 1, the department shall expand therapeutic programming such as the  
12 prisoner canine program within correctional facilities with the  
13 goal of helping prisoners to address emotional problems in a manner  
14 that reduces their future criminal risk. The department shall  
15 submit a report to the house and senate subcommittees on  
16 corrections, the house and senate fiscal agencies, and the state  
17 budget director by February 1 on the use and expansion of such  
18 programs.

19 Sec. 935. The department shall regularly evaluate each  
20 correctional facility in terms of cost effectiveness and make a  
21 determination as to how long each facility should remain open based  
22 upon the age of the facility, the costs of its continued operation,  
23 and the relative costs of alternative bed space that could be  
24 utilized. When it is determined that a facility is no longer cost-  
25 effective to operate due to the age of the facility or that the  
26 facility has become functionally obsolete, or both, the department  
27 should analyze the economic impact of the facility on the

1 surrounding community. If the department determines that the  
2 facility is critical to the economic viability of the surrounding  
3 community, the department shall work with the Michigan economic  
4 development corporation and any other relevant state or local  
5 agencies to encourage private sector investment in that community.

6       Sec. 936. The department shall contract with third-party  
7 providers to complete an assessment of energy utilization at each  
8 state correctional facility. In particular, the department shall  
9 endeavor to identify and implement energy-saving initiatives in the  
10 various correctional facilities. By April 1, the department shall  
11 provide the members of the senate and house appropriations  
12 subcommittees on corrections, the senate and house fiscal agencies,  
13 the state budget director, and the legislative corrections  
14 ombudsman with a report on these efforts.

15       Sec. 937. The funds appropriated in part 1 for the cost-  
16 effective housing initiative shall be utilized to ensure more cost-  
17 effective housing of prisoners. The department shall use this  
18 funding to house prisoners in the most cost-effective manner  
19 possible. This shall include exploring the use of public-private  
20 partnerships, the use of privately owned facilities in Michigan,  
21 and the use of state facilities by third-party contractors. The use  
22 of cost-effective housing from this initiative shall be used to  
23 achieve general prison operations savings budgeted in the inmate  
24 housing fund line item. The department shall work cooperatively  
25 with the chairpersons of the senate and house appropriations  
26 subcommittees on corrections in identifying appropriate reductions  
27 to prison facility line items to achieve the budgeted savings in

## House Bill No. 5365 (H-2) as amended April 25, 2012

1 the inmate housing fund line item.

2 Sec. 939. (1) By October 1, 2012, the department shall release  
3 a request for proposal seeking competitive bids for the prison  
4 stores, the food service operations, and 1,750 custody beds.

5 (2) The department, working with the department of technology,  
6 management, and budget, shall issue a quarterly report detailing  
7 the current status of any requests for proposal required under this  
8 section. If the status of any item listed in the report remains  
9 unchanged for more than 2 consecutive reporting periods, the report  
10 shall provide an explanation of the delay.

[Sec. 940. It is the intent of the legislature that the department maintains sufficient perimeter security measures at department prison facilities to ensure the safety of communities surrounding such facilities.]

11 Sec. 942. The department shall ensure that any contract with a  
12 public or private party to operate a facility to house state  
13 prisoners includes a provision to allow access by both the office  
14 of the legislative auditor general and the office of the  
15 legislative corrections ombudsman to the facility and to  
16 appropriate records and documents related to the operation of the  
17 facility. These access rights for both offices shall be the same  
18 for the contracted facility as for a general state-operated  
19 correctional facility.

[Sec. 943. (1) By January 1, April 1, July 1, and October 1, the department shall provide a report to the house and senate appropriations subcommittees on corrections, the house and senate fiscal agencies, and the state budget director containing the following information:

(a) The number of perimeter cameras installed and functioning at department prison facilities.

(b) The number of potential escapes prevented with direct assistance from perimeter cameras during the preceding 12-month period.

(c) The total number of attempted escapes from department prison facilities during the preceding 12-month period.

(d) The number of successful escapes from department prison facilities during the preceding 12-month period.

(2) For comparison purposes, the report in subsection (1) shall also include the same information for fiscal year 2010-11, which represents the last full fiscal year during which continuous alert response vehicles patrols were utilized at most prison facilities.]

20 **CAPITAL OUTLAY**

21 Sec. 1001. (1) The director shall allocate lump-sum  
22 appropriations made in section 111 consistent with statutory  
23 provisions and the purposes for which funds were appropriated.  
24 Lump-sum allocations shall address program or facility needs that  
25 are consistent with the provisions of section 219.

26 (2) The state budget director may authorize that funds

appropriated in section 111 for lump-sum appropriations shall be available for no more than 3 fiscal years following the fiscal year in which the original appropriation was made. Any remaining balance from allocations made in this section shall lapse to the fund from which it was appropriated as provided in the management and budget act, 1984 PA 431, MCL 18.1101 to 18.1594.

(3) The appropriations in section 111 of part 1 for capital outlay shall be carried forward at the end of the fiscal year consistent with section 248 of the management and budget act, 1984 PA 431, MCL 18.1248.

## PART 2A

### PROVISIONS CONCERNING ANTICIPATED APPROPRIATIONS

#### FOR FISCAL YEAR 2013-2014

#### GENERAL SECTIONS

Sec. 1201. It is the intent of the legislature to provide appropriations for the fiscal year ending on September 30, 2014 for the line items listed in part 1. The fiscal year 2013-2014 appropriations are anticipated to be the same as those for fiscal year 2012-2013, excluding appropriations designated as 1-time appropriations and adjusting for changes in caseload and related costs, federal fund match rates, economic factors, and available revenue. Specific anticipated adjustments are as follows, subject to adjustment after the May 2013 consensus revenue estimating conference:

Capital outlay adjustment .....	\$	(6,362,000)
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1	Facility utility cost adjustment .....	(436,200)
2	Economic adjustments .....	<u>44,422,500</u>
3	GROSS APPROPRIATION .....	\$ 37,624,300
4	Appropriated from:	
5	Federal revenues:	
6	Federal revenues .....	230,900
7	Local revenues .....	4,800
8	State restricted revenues .....	712,000
9	Special equipment fund .....	(6,362,000)
10	State general fund/general purpose .....	\$ 43,038,600

11 ARTICLE VI  
 12 DEPARTMENT OF EDUCATION  
 13 PART 1  
 14 LINE-ITEM APPROPRIATIONS  
 15 FOR FISCAL YEAR 2012-2013

16 Sec. 101. There is appropriated for the department of  
 17 education for the fiscal year ending September 30, 2013, from the  
 18 following funds:

19 **DEPARTMENT OF EDUCATION**

20 APPROPRIATION SUMMARY

21	Full-time equated unclassified positions .....	6.0
22	Full-time equated classified positions .....	580.5
23	GROSS APPROPRIATION .....	\$ 327,930,600
24	Interdepartmental grant revenues:	
25	Total interdepartmental grants and intradepartmental	

1	transfers .....	0
2	ADJUSTED GROSS APPROPRIATION.....	\$ 327,930,600
3	Federal revenues:	
4	Total federal revenues.....	244,551,300
5	Special revenue funds:	
6	Total local revenues.....	5,560,400
7	Total private revenues.....	2,828,700
8	Total other state restricted revenues.....	7,626,300
9	State general fund/general purpose.....	\$ 67,363,900
10	<b>Sec. 102. STATE BOARD OF EDUCATION/OFFICE OF THE</b>	
11	<b>SUPERINTENDENT</b>	
12	Full-time equated unclassified positions..... 6.0	
13	Full-time equated classified positions..... 14.0	
14	State board of education, per diem payments.....	\$ 24,400
15	Unclassified positions--6.0 FTE positions.....	777,600
16	State board/superintendent operations--14.0 FTE	
17	positions .....	<u>2,364,400</u>
18	GROSS APPROPRIATION.....	\$ 3,166,400
19	Appropriated from:	
20	Federal revenues:	
21	Federal revenues.....	360,000
22	Special revenue funds:	
23	Private foundations.....	28,100
24	Certification fees.....	682,700
25	State general fund/general purpose.....	\$ 2,095,600
26	<b>Sec. 103. CENTRAL SUPPORT</b>	
27	Full-time equated classified positions..... 21.6	



1	Central support--21.6 FTE positions .....	\$	3,262,000
2	Worker's compensation .....		43,500
3	Building occupancy charges - property management		
4	services .....		2,842,700
5	Training and orientation workshops .....		150,000
6	Terminal leave payments .....		<u>554,700</u>
7	GROSS APPROPRIATION .....	\$	6,852,900
8	Appropriated from:		
9	Federal revenues:		
10	Federal revenues .....		1,441,700
11	Federal indirect funds .....		2,389,500
12	Special revenue funds:		
13	Certification fees .....		474,100
14	Teacher testing fees .....		14,100
15	Training and orientation workshop fees .....		150,000
16	State general fund/general purpose .....	\$	2,383,500
17	<b>Sec. 104. INFORMATION TECHNOLOGY SERVICES</b>		
18	Information technology operations .....	\$	<u>3,890,900</u>
19	GROSS APPROPRIATION .....	\$	3,890,900
20	Appropriated from:		
21	Federal revenues:		
22	Federal revenues .....		558,600
23	Federal indirect funds .....		1,650,700
24	Special revenue funds:		
25	Local cost sharing (schools for deaf/blind) .....		76,500
26	Certification fees .....		354,900
27	State general fund/general purpose .....	\$	1,250,200

1	<b>Sec. 105. SPECIAL EDUCATION SERVICES</b>		
2	Full-time equated classified positions.....	47.0	
3	Special education operations--47.0 FTE positions .....	\$	<u>8,686,900</u>
4	GROSS APPROPRIATION.....	\$	8,686,900
5	Appropriated from:		
6	Federal revenues:		
7	Federal revenues.....		8,218,400
8	Special revenue funds:		
9	Private foundations.....		110,100
10	Certification fees.....		42,900
11	State general fund/general purpose .....	\$	315,500
12	<b>Sec. 106. MICHIGAN SCHOOLS FOR THE DEAF AND BLIND</b>		
13	Full-time equated classified positions.....	77.0	
14	Michigan schools for the deaf and blind operations--		
15	76.0 FTE positions .....	\$	12,280,100
16	Camp Tuhsmeheeta--1.0 FTE position.....		295,100
17	Private gifts - blind.....		200,000
18	Private gifts - deaf.....		<u>50,000</u>
19	GROSS APPROPRIATION.....	\$	12,825,200
20	Appropriated from:		
21	Federal revenues:		
22	Federal revenues.....		6,605,800
23	Special revenue funds:		
24	Local cost sharing (schools for deaf/blind) .....		5,143,200
25	Local school district service fees.....		312,500
26	Gifts, bequests, and donations.....		545,100
27	Student insurance revenue.....		218,600

1	State general fund/general purpose .....	\$	0
2	<b>Sec. 107. PROFESSIONAL PREPARATION SERVICES</b>		
3	Full-time equated classified positions.....	34.0	
4	Professional preparation operations--34.0 FTE		
5	positions .....	\$	5,976,400
6	Department of attorney general.....		<u>50,000</u>
7	GROSS APPROPRIATION.....	\$	6,026,400
8	Appropriated from:		
9	Federal revenues:		
10	Federal revenues.....		1,401,600
11	Special revenue funds:		
12	Certification fees.....		3,766,800
13	Teacher college review fees.....		55,300
14	Teacher testing fees.....		348,600
15	State general fund/general purpose .....	\$	454,100
16	<b>Sec. 108. OFFICE OF GREAT START</b>		
17	Full-time equated classified positions.....	62.0	
18	Office of great start operations--61.0 FTE positions .	\$	21,861,500
19	Child development and care external support .....		29,958,500
20	Head start collaboration office--1.0 FTE positions ...		300,200
21	Child development care public assistance .....		<u>156,155,700</u>
22	GROSS APPROPRIATION.....	\$	208,275,900
23	Appropriated from:		
24	Federal revenues:		
25	Federal revenues.....		156,092,600
26	HHS, temporary assistance for needy families .....		11,820,600
27	Special revenue funds:		

1	Certification fees.....		62,900
2	State general fund/general purpose.....	\$	40,299,800
3	<b>Sec. 109. STATE AID AND SCHOOL FINANCE SERVICES</b>		
4	Full-time equated classified positions.....	7.5	
5	State aid and school finance operations--7.5 FTE		
6	positions .....	\$	<u>1,057,800</u>
7	GROSS APPROPRIATION.....	\$	1,057,800
8	Appropriated from:		
9	Federal revenues:		
10	Special revenue funds:		
11	State general fund/general purpose.....	\$	1,057,800
12	<b>Sec. 110. AUDIT SERVICES</b>		
13	Full-time equated classified positions.....	4.5	
14	Audit operations--4.5 FTE positions.....	\$	<u>578,800</u>
15	GROSS APPROPRIATION.....	\$	578,800
16	Appropriated from:		
17	Federal revenues:		
18	Federal indirect funds.....		460,100
19	Special revenue funds:		
20	Certification fees.....		58,800
21	State general fund/general purpose.....	\$	59,900
22	<b>Sec. 111. ADMINISTRATIVE LAW SERVICES</b>		
23	Full-time equated classified positions.....	2.0	
24	Administrative law operations--2.0 FTE positions .....	\$	<u>1,161,200</u>
25	GROSS APPROPRIATION.....	\$	1,161,200
26	Appropriated from:		
27	Federal revenues:		

1	Federal revenues.....	547,000
2	Special revenue funds:	
3	Certification fees.....	562,400
4	State general fund/general purpose.....	\$ 51,800
5	<b>Sec. 112. EDUCATION ASSESSMENT AND ACCOUNTABILITY</b>	
6	Full-time equated classified positions..... 67.6	
7	Educational assessment operations--67.6 FTE positions	\$ <u>13,610,900</u>
8	GROSS APPROPRIATION.....	\$ 13,610,900
9	Appropriated from:	
10	Federal revenues:	
11	Federal revenues.....	11,101,500
12	State general fund/general purpose.....	\$ 2,509,400
13	<b>Sec. 113. GRANTS ADMINISTRATION AND SCHOOL SUPPORT</b>	
14	<b>SERVICES</b>	
15	Full-time equated classified positions..... 82.6	
16	Grants administration and school support services	
17	operations--82.6 FTE positions.....	\$ 11,940,300
18	College access grant program.....	2,000,000
19	Federal and private grants.....	<u>3,000,000</u>
20	GROSS APPROPRIATION.....	\$ 16,940,300
21	Appropriated from:	
22	Federal revenues:	
23	Federal revenues.....	13,116,300
24	Special revenue funds:	
25	Local school district service fees.....	11,700
26	Private foundations.....	1,000,000
27	Commodity distribution fees.....	71,700

1	Certification fees.....	83,100
2	State general fund/general purpose.....	\$ 2,657,500
3	<b>Sec. 114. FIELD SERVICES</b>	
4	Full-time equated classified positions.....	44.0
5	Field services operations--44.0 FTE positions.....	\$ <u>10,768,000</u>
6	GROSS APPROPRIATION.....	\$ 10,768,000
7	Appropriated from:	
8	Federal revenues:	
9	Federal revenues.....	9,971,500
10	Special revenue funds:	
11	Private foundations.....	572,100
12	Certification fees.....	73,800
13	State general fund/general purpose.....	\$ 150,600
14	<b>Sec. 115. EDUCATIONAL IMPROVEMENT AND INNOVATION</b>	
15	<b>SERVICES</b>	
16	Full-time equated classified positions.....	56.7
17	Educational improvement and innovation operations--	
18	56.7 FTE positions .....	\$ <u>11,439,200</u>
19	GROSS APPROPRIATION.....	\$ 11,439,200
20	Appropriated from:	
21	Federal revenues:	
22	Federal revenues.....	9,083,700
23	Special revenue funds:	
24	Private foundations.....	573,300
25	Certification fees.....	541,000
26	State general fund/general purpose.....	\$ 1,241,200
27	<b>Sec. 116. CAREER AND TECHNICAL EDUCATION</b>	

1	Full-time equated classified positions.....	27.0	
2	Career and technical education operations--27.0 FTE		
3	positions .....		\$ <u>4,569,800</u>
4	GROSS APPROPRIATION.....		\$ 4,569,800
5	Appropriated from:		
6	Federal revenues:		
7	Federal revenues.....		3,706,100
8	State general fund/general purpose .....		\$ 863,700
9	<b>Sec. 117. LIBRARY OF MICHIGAN</b>		
10	Full-time equated classified positions.....	33.0	
11	Library of Michigan operations--32.0 FTE positions ...		\$ 4,192,800
12	Library services and technology program--1.0 FTE		
13	position .....		5,596,500
14	State aid to libraries.....		5,916,400
15	Michigan elibrary.....		<u>1,750,000</u>
16	GROSS APPROPRIATION.....		\$ 17,455,700
17	Appropriated from:		
18	Federal revenues:		
19	IMLS, library services and technology act .....		5,596,500
20	State general fund/general purpose .....		\$ 11,859,200
21	<b>Sec. 118. ONE-TIME APPROPRIATIONS</b>		
22	State employee lump-sum payments .....		\$ <u>624,300</u>
23	GROSS APPROPRIATION.....		\$ 624,300
24	Appropriated from:		
25	Federal revenues:		
26	Federal revenues.....		429,100
27	Special revenue funds:		

1	Local revenues.....	16,500
2	Restricted revenues.....	64,600
3	State general fund/general purpose.....	\$ 114,100

4 PART 2

5 PROVISIONS CONCERNING APPROPRIATIONS

6 FOR FISCAL YEAR 2012-2013

7 GENERAL SECTIONS

8 Sec. 201. Pursuant to section 30 of article IX of the state  
 9 constitution of 1963, total state spending from state resources  
 10 under part 1 for the fiscal year ending September 30, 2013 is  
 11 \$74,990,200.00 and state spending from state resources to be paid  
 12 to local units of government for the fiscal year ending September  
 13 30, 2013 is \$5,916,400.00. The itemized statement below identifies  
 14 appropriations from which spending to local units of government  
 15 will occur:

16 DEPARTMENT OF EDUCATION

17	State aid to libraries.....	\$	<u>5,916,400</u>
18	Total department of education.....	\$	5,916,400

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

22 Sec. 203. As used in this article:

23 (a) "Department" means the Michigan department of education.

24 (b) "District" means a local school district as defined in  
 25 section 6 of the revised school code, 1976 PA 451, MCL 380.6, or a



1 public school academy as defined in section 5 of the revised school  
2 code, 1976 PA 451, MCL 380.5.

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

4 (d) "HHS" means the United States department of health and  
5 human services.

6 (e) "IMLS" means institute of museum and library services.

7 Sec. 204. The civil service commission shall bill departments  
8 and agencies at the end of the first fiscal quarter for the charges  
9 authorized by section 5 of article XI of the state constitution of  
10 1963. Payments shall be made for the total amount of the billing by  
11 the end of the second fiscal quarter.

12 Sec. 205. Unless otherwise specified, the departments shall  
13 use the Internet to fulfill the reporting requirements of this  
14 article. This requirement may include transmission of reports via  
15 electronic mail to the recipients identified for each reporting  
16 requirement, or it may include placement of reports on an Internet  
17 or Intranet site.

18 Sec. 206. The department shall provide through the Internet  
19 the state board of education agenda and all supporting documents,  
20 and shall notify the state budget director and the senate and house  
21 fiscal agencies that the agenda and supporting documents are  
22 available on the Internet, at the time the agenda and supporting  
23 documents are provided to state board of education members.

24 Sec. 207. (1) The department shall maintain a searchable  
25 website accessible by the public at no cost that includes, but is  
26 not limited to, all of the following:

27 (a) Fiscal year-to-date expenditures by category.

1 (b) Fiscal year-to-date expenditures by appropriation unit.

2 (c) Fiscal year-to-date payments to a selected vendor,  
3 including the vendor name, payment date, payment amount, and  
4 payment description.

5 (d) The number of active department employees by job  
6 classification.

7 (e) Job specifications and wage rates.

8 (2) The department may develop and operate its own website to  
9 provide this information or may reference the state's central  
10 transparency website as the source for this information.

11 Sec. 208. The department shall require all public school  
12 districts to maintain complete records within the personnel file of  
13 a teacher or school employee of any disciplinary actions taken by  
14 the local school board against the teacher or employee for sexual  
15 misconduct. The records shall not be destroyed or removed from the  
16 teacher's or employee's personnel file except as required by a  
17 court order.

18 Sec. 209. From the funds appropriated in part 1 for  
19 information technology, departments and agencies shall pay user  
20 fees to the department of technology, management, and budget for  
21 technology-related services and projects. The user fees shall be  
22 subject to provisions of an interagency agreement between the  
23 departments and agencies and the department of technology,  
24 management, and budget.

25 Sec. 210. Amounts appropriated in part 1 for information  
26 technology may be designated as work projects and carried forward  
27 to support technology projects under the direction of the

1 department of technology, management, and budget. Funds designated  
2 in this manner are not available for expenditure until approved as  
3 work projects under section 451a of the management and budget act,  
4 1984 PA 431, MCL 18.1451a.

5 Sec. 211. Before publishing a list of schools or districts  
6 determined to have failed to make adequate yearly progress as  
7 required by the no child left behind act of 2001, Public Law 107-  
8 110, the department shall allow a school or district to appeal that  
9 determination. The department shall consider and act upon the  
10 appeal within 30 days after it is submitted and shall not publish  
11 the list until after all appeals have been considered and decided.

12 Sec. 212. Funds appropriated in part 1 shall not be used for  
13 the purchase of foreign goods or services, or both, if  
14 competitively priced and comparable quality American goods or  
15 services, or both, are available. Preference shall be given to  
16 goods or services, or both, manufactured or provided by Michigan  
17 businesses if they are competitively priced and of comparable  
18 quality. In addition, preference should be given to goods or  
19 services, or both, manufactured or provided by Michigan businesses  
20 owned and operated by veterans if they are competitively priced and  
21 of comparable quality.

22 Sec. 214. (1) The departments and agencies receiving  
23 appropriations in part 1 shall prepare a report on out-of-state  
24 travel expenses not later than January 1 of each year. The travel  
25 report shall be a listing of all travel by classified and  
26 unclassified employees outside this state in the immediately  
27 preceding fiscal year that was funded in whole or in part with

1 funds appropriated in the department's budget. The report shall be  
2 submitted to the house and senate standing committees on  
3 appropriations, the house and senate fiscal agencies, and the state  
4 budget director. The report shall include the following  
5 information:

6 (a) The dates of each travel occurrence.

7 (b) The total transportation and related costs of each travel  
8 occurrence, including the proportion funded with state general  
9 fund/general purpose revenues, the proportion funded with state  
10 restricted revenues, the proportion funded with federal revenues,  
11 and the proportion funded with other revenues.

12 Sec. 216. The department shall not take disciplinary action  
13 against an employee who communicates truthfully and factually with  
14 a member of the legislature or his or her staff.

15 Sec. 218. The department and agencies receiving appropriations  
16 in part 1 shall receive and retain copies of all reports funded  
17 from appropriations in part 1. Federal and state guidelines for  
18 short-term and long-term retention of records shall be followed.  
19 The department may electronically retain copies of reports unless  
20 otherwise required by federal and state guidelines.

21 Sec. 219. (1) In addition to the funds appropriated in part 1,  
22 there is appropriated an amount not to exceed \$5,000,000.00 for  
23 federal contingency funds. These funds are not available for  
24 expenditure until they have been transferred to another line item  
25 in this article under section 393(2) of the management and budget  
26 act, 1984 PA 431, MCL 18.1393.

27 (2) In addition to the funds appropriated in part 1, there is

1 appropriated an amount not to exceed \$700,000.00 for state  
2 restricted contingency funds. These funds are not available for  
3 expenditure until they have been transferred to another line item  
4 in this article under section 393(2) of the management and budget  
5 act, 1984 PA 431, MCL 18.1393.

6 (3) In addition to the funds appropriated in part 1, there is  
7 appropriated an amount not to exceed \$250,000.00 for local  
8 contingency funds. These funds are not available for expenditure  
9 until they have been transferred to another line item in this  
10 article under section 393(2) of the management and budget act, 1984  
11 PA 431, MCL 18.1393.

12 (4) In addition to the funds appropriated in part 1, there is  
13 appropriated an amount not to exceed \$3,000,000.00 for private  
14 contingency funds. These funds are not available for expenditure  
15 until they have been transferred to another line item in this  
16 article under section 393(2) of the management and budget act, 1984  
17 PA 431, MCL 18.1393.

18 Sec. 220. The department shall provide data requested by a  
19 member of the legislature, his or her staff, or the house and  
20 senate fiscal agencies in a timely manner. If a departmental office  
21 fails to provide reasonably requested data within 30 days after the  
22 request, the office shall have 1% of its appropriation withheld.

23 Sec. 221. Funds appropriated in part 1 shall not be used by a  
24 principal executive department, state agency, or authority to hire  
25 a person to provide legal services that are the responsibility of  
26 the attorney general. This prohibition does not apply to legal  
27 services for bonding activities and for those activities that the

1 attorney general authorizes.

2       Sec. 225. It is the intent of the legislature that not later  
3 than 60 days after the state receives audited membership counts  
4 from intermediate school districts, the state superintendent of  
5 public instruction shall investigate and report to the legislature  
6 on the scope of and proposed solutions to pupil membership fraud  
7 and the incidence of students counted in membership in a district  
8 and not remaining in that district for the balance of the school  
9 year.

10       Sec. 226. Not later than November 15, the department shall  
11 prepare and transmit a report that provides for estimates of the  
12 total general fund/general purpose appropriation lapses at the  
13 close of the fiscal year. This report shall summarize the projected  
14 year-end general fund/general purpose appropriation lapses by major  
15 departmental program or program areas. The report shall be  
16 transmitted to the office of the state budget, the chairpersons of  
17 the senate and house appropriations committees, and the senate and  
18 house fiscal agencies.

19       Sec. 227. Within 14 days after the release of the executive  
20 budget recommendation, the department shall provide the state  
21 budget director, the senate and house appropriations chairs, the  
22 senate and house appropriations subcommittees responsible for the  
23 department budget, respectively, and the senate and house fiscal  
24 agencies with an annual report on estimated state restricted fund  
25 balances, state restricted fund projected revenues, and state  
26 restricted fund expenditures for the fiscal years ending September  
27 30, 2012 and September 30, 2013.

## House Bill No. 5365 (H-2) as amended April 25, 2012

1       Sec. 228. It is the intent of the legislature that all  
2       principal executive departments and agencies cooperate with the  
3       development and implementation of the department of technology,  
4       management, and budget statewide office space consolidation plan.

5       Sec. 229. The department and the superintendent of public  
6       instruction shall use funds appropriated in part 1 to ensure that  
7       all of the activities and duties required to be carried out by the  
8       department and the superintendent of public instruction under  
9       section 1280c of the revised school code, 1976 PA 451, MCL  
10      380.1280c, are completed not later than the deadlines prescribed in  
11      that section.

[Sec. 230. By October 31, 2012, the department shall identify 10  
principal measurable outcomes to be affected by expenditure of the funds  
appropriated in part 1 of this article and submit a report to the house  
and senate appropriations committees, the house and senate fiscal  
agencies, and the state budget director that ranks the outcomes by level  
of importance and contains current data on those outcomes. Beginning on  
April 1, 2013, the department shall provide biannual updates to the house  
and senate appropriations committees on changes in those measurable  
outcomes and departmental efforts to improve the outcomes.]

12      STATE BOARD/OFFICE OF THE SUPERINTENDENT

13      Sec. 301. (1) The appropriations in part 1 may be used for per  
14      diem payments to the state board for meetings at which a quorum is  
15      present or for performing official business authorized by the state  
16      board. The per diem payments shall be at a rate as follows:

17      (a) State board of education - president - \$110.00 per day.

18      (b) State board of education - member other than president -  
19      \$100.00 per day.

20      (2) A state board of education member shall not be paid a per  
21      diem for more than 30 days per year.

22      Sec. 302. From the amount appropriated in part 1 to the state  
23      board of education, not more than \$35,000.00 shall be expended for  
24      in-state travel and out-of-state travel directly related to the  
25      duties of the state board of education.

1    **MICHIGAN SCHOOLS FOR THE DEAF AND BLIND**

2           Sec. 402. For each student enrolled at the Michigan schools  
3 for the deaf and blind, the department shall assess the  
4 intermediate school district of residence 100% of the cost of  
5 operating the student's instructional program. The amount shall  
6 exclude room and board related costs and the cost of weekend  
7 transportation between the school and the student's home.

8           Sec. 405. The department may assist the department of  
9 community health, other departments, and local school districts to  
10 secure reimbursement for eligible services provided in Michigan  
11 schools from the federal Medicaid program. The department may  
12 submit reports of direct expenses related to this effort to the  
13 department of community health for reimbursement.

14          Sec. 406. (1) The Michigan schools for the deaf and blind may  
15 promote its residential program as a possible appropriate option  
16 for children who are deaf or hard of hearing or who are blind or  
17 visually impaired. The Michigan schools for the deaf and blind  
18 shall distribute information detailing its services to all  
19 intermediate school districts in the state.

20          (2) Upon knowledge of or recognition by an intermediate school  
21 district that a child in the district is deaf or hard of hearing or  
22 blind or visually impaired, the intermediate school district shall  
23 provide to the parents of the child the literature distributed by  
24 the Michigan schools for the deaf and blind to intermediate school  
25 districts under subsection (1).

26          (3) Parents will continue to have a choice regarding the  
27 educational placement of their deaf or hard-of-hearing children.



1       Sec. 407. Revenue received by the Michigan schools for the  
2 deaf and blind from gifts, bequests, and donations that is  
3 unexpended at the end of the state fiscal year may be carried over  
4 to the succeeding fiscal year and shall not revert to the general  
5 fund.

6       **PROFESSIONAL PREPARATION SERVICES**

7       Sec. 501. From the funds appropriated in part 1 for  
8 professional preparation services, the department shall maintain  
9 the professional personnel register and certificate  
10 revocation/felony conviction files.

11       Sec. 502. The department shall authorize teacher preparation  
12 institutions to provide an alternative program by which up to 1/2  
13 of the required student internship or student teaching credits may  
14 be earned through substitute teaching. The department shall require  
15 that teacher preparation institutions collaborate with school  
16 districts to ensure that the quality of instruction provided to  
17 student teachers is comparable to that required in a traditional  
18 student teaching program.

19       Sec. 506. Revenue received from teacher testing fees that is  
20 unexpended at the end of the state fiscal year may be carried over  
21 to the succeeding fiscal year and shall not revert to the general  
22 fund.

23       **LIBRARY OF MICHIGAN**

24       Sec. 801. In addition to the funds appropriated in part 1, the  
25 funds collected by the department for document reproduction and

1 services; conferences, workshops, and training classes; and the use  
2 of specialized equipment, facilities, and software are appropriated  
3 for all expenses necessary to provide the required services. These  
4 funds are available for expenditure when they are received and may  
5 be carried forward into the next succeeding fiscal year.

6 Sec. 803. It is the intent of the legislature that the library  
7 of Michigan and the component programs currently within the library  
8 of Michigan shall be kept together in a state department.

9 Sec. 804. From the funds appropriated in part 1 and other  
10 funding available, the department and library of Michigan shall  
11 maintain custody of the non-Michigan genealogy and all Michigan-  
12 specific collections. These collections shall continue to be made  
13 available to the public.

#### 14 **GRANTS ADMINISTRATION AND SCHOOL SUPPORT SERVICES**

15 Sec. 901. Within 10 days of the receipt of a grant  
16 appropriated in the federal and private grants line item in part 1,  
17 the department shall notify the house and senate chairpersons of  
18 the appropriations subcommittees responsible for the department  
19 budget, the house and senate fiscal agencies, and the state budget  
20 director of the receipt of the grant, including the funding source,  
21 purpose, and amount of the grant.

22 Sec. 902. The funds appropriated in part 1 for the college  
23 access grant program shall be used for efforts to support college  
24 access. Allowable uses include the following:

25 (a) Michigan college access network operations, programming,  
26 and services to local college access networks.

1 (b) Local college access networks, which are community-based  
2 college access/success partnerships committed to increasing the  
3 college participation and completion rates within geographically  
4 defined communities through a coordinated strategy.

5 (c) Michigan college access portal, an online 1-stop portal to  
6 help students and families plan and apply for college.

7 (d) Public awareness campaigns to encourage low-income and  
8 first-generation students to take necessary steps toward college.

9 (e) Subgrants to postsecondary institutions to recruit, hire,  
10 and train college student mentors and college advisors to assist  
11 high school students in navigating the postsecondary planning and  
12 enrollment process.

13 Sec. 903. By not later than March 1, 2013, the department  
14 shall work with districts that operate as a school of excellence  
15 cyber school as defined in section 551 of the revised school code,  
16 1976 PA 451, MCL 380.551, and districts that operate an alternative  
17 education program with a seat-time waiver under section 101 of the  
18 state school aid act of 1979, 1979 PA 94, MCL 388.1701, to provide  
19 a report to the house and senate chairpersons of the appropriations  
20 subcommittees responsible for the department budget, the house and  
21 senate fiscal agencies, and the state budget director on all of the  
22 following:

23 (a) Each district operating a program and the districts that  
24 enroll students in their program.

25 (b) The total number of students and membership pupils  
26 enrolled in each program.

27 (c) The district in which each pupil is enrolled if other than

1 the district with the seat-time wavier or the cyber school.

2 (d) The district in which the pupil was enrolled prior to  
3 enrolling in the cyber school or the district with a seat-time  
4 waiver program.

5 (e) The number of participating students who had previously  
6 dropped out of school.

7 (f) The number of participating students who had previously  
8 been expelled from school.

9 (g) The cost per pupil paid to each online education provider.

10 (h) The cost per pupil charged to school districts that enroll  
11 their students in the program.

12 (i) The name of each online education provider contracted by a  
13 district with a seat-time waiver or a cyber school and the state in  
14 which the online education provider is located.

15 **OFFICE OF GREAT START**

16 Sec. 1001. By November 1, 2012, the department shall submit a  
17 report to the house and senate appropriations subcommittees on the  
18 human services budget and the house and senate fiscal agencies on  
19 the number of eligible child care providers by type receiving  
20 payment for child care services from the department on October 1,  
21 2012.

22 Sec. 1003. By March 1 of the current fiscal year, the  
23 department shall submit a report to the house and senate  
24 subcommittees on the department budget and house and senate fiscal  
25 agencies and policy offices regarding child development and care  
26 program activities in the previous fiscal year. The report shall

1 include the following:

2 (a) The amount of child care payments made by the parents for  
3 child care charges, by provider type, not paid by the department's  
4 child development and care subsidy.

5 (b) The number of enrolled child care providers with a  
6 reported annual household income of \$15,000.00 or less.

7 (c) The number of enrolled child care providers with a  
8 reported annual household income of more than \$15,000.00 but not  
9 more than \$25,000.00.

10 (d) The number of enrolled child care providers with a  
11 reported annual household income of more than \$25,000.00 but not  
12 more than \$35,000.00.

13 (e) The number of enrolled child care providers with a  
14 reported annual household income of more than \$35,000.00.

15 Sec. 1005. (1) The department shall immediately send  
16 notification to a client participating in the state child  
17 development and care program and his or her child care provider if  
18 the client's eligibility is reduced or eliminated.

19 (2) If the department fails to notify a provider as required  
20 by subsection (1), the department shall continue to pay for  
21 services by the provider to the day of the notice.

22 (3) By March 1 of the current fiscal year, the department  
23 shall submit a report to the senate and house appropriations  
24 subcommittees for the department budget and the senate and house  
25 fiscal agencies and policy offices on any additional expenditures  
26 paid to child care providers as a result of the requirements in  
27 subsection (2).

PART 2A

PROVISIONS CONCERNING ANTICIPATED APPROPRIATIONS

FOR FISCAL YEAR 2013-2014

Sec. 1201. It is the intent of the legislature to provide appropriations for the fiscal year ending on September 30, 2014 for the line items listed in part 1. The fiscal year 2013-2014 appropriations are anticipated to be the same as those for fiscal year 2012-2013, excluding appropriations designated as 1-time appropriations and adjusting for changes in caseload and related costs, federal fund match rates, economic factors, and available revenue. Specific anticipated adjustments are as follows, subject to adjustment after the May 2013 consensus revenue estimating conference:

Economic adjustments.....	\$	<u>1,491,100</u>
GROSS APPROPRIATION.....	\$	1,491,100
Appropriated from:		
Federal revenues:		
Federal revenues.....		1,061,000
Local revenues.....		46,000
Restricted revenues.....		130,800
State general fund/general purpose.....	\$	253,300

ARTICLE VII

DEPARTMENT OF ENVIRONMENTAL QUALITY

## PART 1

## LINE-ITEM APPROPRIATIONS

FOR FISCAL YEAR 2012-2013

Sec. 101. There is appropriated for the department of environmental quality for the fiscal year ending September 30, 2013, from the following funds:

**DEPARTMENT OF ENVIRONMENTAL QUALITY**

## APPROPRIATION SUMMARY

Full-time equated unclassified positions.....	6.0	
Full-time equated classified positions.....	1,321.5	
GROSS APPROPRIATION.....		\$ 430,766,300
Interdepartmental grant revenues:		
Total interdepartmental grants and intradepartmental transfers .....		9,021,200
ADJUSTED GROSS APPROPRIATION.....		\$ 421,745,100
Federal revenues:		
Total federal revenues.....		161,687,500
Special revenue funds:		
Total local revenues.....		0
Total private revenues.....		533,200
Total other state restricted revenues.....		230,452,400
State general fund/general purpose.....		\$ 29,072,000
FUND SOURCE SUMMARY		
Full-time equated unclassified positions.....	6.0	
Full-time equated classified positions.....	1,321.5	
GROSS APPROPRIATION.....		\$ 430,766,300
Interdepartmental grant revenues:		

1	IDG, MDSP.....	1,157,100
2	IDG, MDOT - Michigan transportation fund.....	1,231,400
3	IDG funds.....	48,800
4	IDT, interdivisional charges.....	2,053,400
5	IDT, laboratory services.....	4,530,500
6	Total interdepartmental grants and intradepartmental	
7	transfers .....	9,021,200
8	ADJUSTED GROSS APPROPRIATION.....	\$ 421,745,100
9	Federal revenues:	
10	Federal funds.....	161,687,500
11	Total federal revenues.....	161,687,500
12	Special revenue funds:	
13	Private funds.....	533,200
14	Total private revenues.....	533,200
15	Aboveground storage tank fees.....	521,700
16	Air emissions fees.....	10,258,500
17	Campground fund.....	340,900
18	Clean Michigan initiative - clean water fund.....	3,785,300
19	Cleanup and redevelopment fund.....	22,872,400
20	Community pollution prevention fund.....	250,000
21	Electronic waste recycling fund.....	287,000
22	Environmental education fund.....	50,700
23	Environmental pollution prevention fund.....	2,647,900
24	Environmental protection fund.....	2,743,100
25	Environmental response fund.....	5,996,300
26	Fees and collections.....	371,800
27	Financial instruments.....	5,000,000



1	Great Lakes protection fund.....	695,800
2	Groundwater discharge permit fees.....	1,859,400
3	Hazardous materials transportation permit fund.....	950,300
4	Infrastructure construction fund.....	458,700
5	Land and water permit fees.....	3,277,300
6	Landfill maintenance trust fund.....	29,300
7	Medical waste emergency response fund.....	330,700
8	Metallic mining surveillance fee revenue.....	147,700
9	Mineral well regulatory fee revenue.....	240,800
10	Nonferrous metallic mineral surveillance.....	100,000
11	NPDES fees.....	5,005,500
12	Oil and gas regulatory fund.....	11,003,200
13	Orphan well fund.....	2,318,200
14	Public swimming pool fund.....	743,500
15	Public utility assessments.....	272,400
16	Public water supply fees.....	5,109,700
17	Refined petroleum fund.....	48,951,800
18	Retired engineers technical assistance fund.....	991,900
19	Revitalization revolving loan fund.....	97,300
20	Revolving loan revenue bonds.....	11,400,000
21	Sand extraction fee revenue.....	95,300
22	Scrap tire regulatory fund.....	5,149,000
23	Septage waste contingency fund.....	17,400
24	Septage waste program fund.....	687,700
25	Settlement funds.....	625,500
26	Sewage sludge land application fee.....	1,084,900
27	Small business pollution prevention revolving loan	

1	fund .....	165,100
2	Soil erosion and sedimentation control training fund.	150,000
3	Solid waste management fund - staff account .....	5,301,800
4	Stormwater permit fees.....	3,979,800
5	Strategic water quality initiatives fund.....	45,743,800
6	Underground storage tank fees.....	2,616,100
7	Waste reduction fee revenue.....	6,340,400
8	Wastewater operator training fees.....	571,200
9	Water analysis fees.....	3,595,600
10	Water pollution control revolving fund.....	3,679,200
11	Water quality protection fund.....	100,000
12	Water use reporting fees.....	520,100
13	Restricted funds.....	920,400
14	Total other state restricted revenues.....	230,452,400
15	State general fund/general purpose.....	\$ 29,072,000
16	<b>Sec. 102. EXECUTIVE OPERATIONS</b>	
17	Full-time equated unclassified positions..... 6.0	
18	Full-time equated classified positions..... 13.0	
19	Unclassified salaries.....	\$ 497,300
20	Executive direction--13.0 FTE positions.....	<u>1,957,800</u>
21	GROSS APPROPRIATION.....	\$ 2,455,100
22	Appropriated from:	
23	Federal revenues:	
24	Federal funds.....	37,700
25	Special revenue funds:	
26	Environmental response fund.....	202,100
27	Oil and gas regulatory fund.....	332,000

1	Refined petroleum fund.....	483,100
2	Settlement funds.....	65,300
3	State general fund/general purpose.....	\$ 1,334,900
4	<b>Sec. 103. OFFICE OF THE GREAT LAKES</b>	
5	Full-time equated classified positions.....	18.0
6	Office of the Great Lakes--18.0 FTE positions.....	\$ <u>2,799,600</u>
7	GROSS APPROPRIATION.....	\$ 2,799,600
8	Appropriated from:	
9	Federal revenues:	
10	Federal funds.....	1,626,200
11	Special revenue funds:	
12	Great Lakes protection fund.....	695,800
13	Settlement funds.....	108,800
14	State general fund/general purpose.....	\$ 368,800
15	<b>Sec. 104. GREAT LAKES RESTORATION INITIATIVE</b>	
16	Great Lakes restoration initiative.....	\$ <u>25,000,000</u>
17	GROSS APPROPRIATION.....	\$ 25,000,000
18	Appropriated from:	
19	Special revenue funds:	
20	Federal funds.....	25,000,000
21	State general fund/general purpose.....	\$ 0
22	<b>Sec. 105. DEPARTMENT SUPPORT SERVICES</b>	
23	Full-time equated classified positions.....	34.0
24	Central support services--34.0 FTE positions.....	\$ 3,916,200
25	Accounting service center.....	1,212,900
26	Administrative hearings.....	549,400
27	Automated data processing.....	2,053,400

1	Building occupancy charges.....	6,082,800
2	Environmental support projects.....	5,000,000
3	Rent - privately owned property.....	<u>1,960,800</u>
4	GROSS APPROPRIATION.....	\$ 20,775,500
5	Appropriated from:	
6	Interdepartmental grant revenues:	
7	IDG, MDSP.....	135,400
8	IDT, interdivisional charges.....	2,053,400
9	IDT, laboratory services.....	493,200
10	Federal revenues:	
11	Federal funds.....	5,300
12	Special revenue funds:	
13	Aboveground storage tank fees.....	68,700
14	Air emissions fees.....	1,328,000
15	Campground fund.....	38,400
16	Cleanup and redevelopment fund.....	1,614,300
17	Environmental pollution prevention fund.....	238,100
18	Environmental response fund.....	560,900
19	Fees and collections.....	46,200
20	Financial instruments.....	5,000,000
21	Groundwater discharge permit fees.....	149,400
22	Hazardous materials transportation permit fund.....	35,500
23	Land and water permit fees.....	429,800
24	Medical waste emergency response fund.....	29,700
25	Metallic mining surveillance fee revenue.....	7,400
26	Mineral well regulatory fee revenue.....	29,400
27	NPDES fees.....	173,200

1	Oil and gas regulatory fund.....	857,900
2	Orphan well fund.....	63,400
3	Public swimming pool fund.....	65,100
4	Public utility assessments.....	36,600
5	Public water supply fees.....	426,500
6	Refined petroleum fund.....	1,710,800
7	Sand extraction fee revenue.....	9,200
8	Scrap tire regulatory fund.....	241,900
9	Septage waste program fund.....	74,100
10	Settlement funds.....	199,500
11	Sewage sludge land application fee.....	120,200
12	Small business pollution prevention revolving loan	
13	fund .....	24,800
14	Soil erosion and sedimentation control training fund.	11,400
15	Solid waste management fund - staff account .....	649,000
16	Stormwater permit fees.....	165,400
17	Underground storage tank fees.....	234,600
18	Waste reduction fee revenue.....	561,800
19	Wastewater operator training fees.....	2,900
20	Water analysis fees.....	313,000
21	Water use reporting fees.....	48,000
22	State general fund/general purpose.....	\$ 2,523,100
23	<b>Sec. 106. OFFICE OF ENVIRONMENTAL ASSISTANCE</b>	
24	Full-time equated classified positions.....	44.0
25	Office of environmental assistance--44.0 FTE positions	\$ <u>6,832,600</u>
26	GROSS APPROPRIATION.....	\$ 6,832,600
27	Appropriated from:	

1	Federal revenues:	
2	Federal funds.....	902,700
3	Special revenue funds:	
4	Private funds.....	348,700
5	Air emissions fees.....	130,700
6	Environmental education fund.....	50,700
7	Retired engineers technical assistance fund.....	991,900
8	Settlement funds.....	251,900
9	Small business pollution prevention revolving loan	
10	fund .....	128,700
11	Waste reduction fee revenue.....	4,027,300
12	State general fund/general purpose.....	\$ 0
13	<b>Sec. 107. WATER RESOURCES DIVISION</b>	
14	Full-time equated classified positions.....	321.0
15	Land and water interface permit programs--85.0 FTE	
16	positions .....	\$ 10,772,700
17	Program direction and project assistance--30.0 FTE	
18	positions .....	2,912,000
19	Water withdrawal assessment program--4.0 FTE positions	458,300
20	Expedited water/wastewater permits--3.0 FTE positions	458,700
21	Fish contaminant monitoring contracts.....	316,100
22	NPDES nonstormwater program--89.0 FTE positions .....	13,140,600
23	Surface water--88.0 FTE positions.....	16,855,300
24	Groundwater discharge--22.0 FTE positions.....	<u>3,160,200</u>
25	GROSS APPROPRIATION.....	\$ 48,073,900
26	Appropriated from:	
27	Interdepartmental grant revenues:	

1	IDG, MDOT - Michigan transportation fund.....	1,170,200
2	Federal revenues:	
3	Federal funds.....	15,587,300
4	Special revenue funds:	
5	Clean Michigan initiative fund - clean water fund....	3,785,300
6	Environmental protection fund.....	646,400
7	Environmental response fund.....	195,600
8	Groundwater discharge permit fees.....	1,640,100
9	Infrastructure construction fund.....	458,700
10	Land and water permit fees.....	2,572,400
11	NPDES Fees.....	4,748,000
12	Refined petroleum fund.....	436,800
13	Soil erosion and sedimentation control training fund.	133,400
14	Stormwater permit fees.....	3,737,400
15	Water pollution control revolving fund.....	784,900
16	Water use reporting fees.....	449,700
17	State general fund/general purpose.....	\$ 11,727,700
18	<b>Sec. 108. LAW ENFORCEMENT DIVISION</b>	
19	Full-time equated classified positions..... 14.0	
20	Environmental investigations--14.0 FTE positions.....	\$ <u>2,701,000</u>
21	GROSS APPROPRIATION.....	\$ 2,701,000
22	Appropriated from:	
23	Federal revenues:	
24	Federal funds.....	795,200
25	Special revenue funds:	
26	Aboveground storage tank fees.....	7,800
27	Air emissions fees.....	54,100

1	Campground fund.....	4,200
2	Cleanup and redevelopment fund.....	182,000
3	Environmental pollution prevention fund.....	27,100
4	Environmental response fund.....	89,400
5	Fees and collections.....	5,000
6	Groundwater discharge permit fees.....	16,700
7	Hazardous materials transportation permit fund.....	4,100
8	Land and water permit fees.....	57,400
9	Medical waste emergency response fund.....	3,300
10	Metallic mining surveillance fee revenue.....	900
11	Mineral well regulatory fee revenue.....	3,300
12	NPDES fees.....	18,700
13	Oil and gas regulatory fund.....	143,000
14	Orphan well fund.....	7,200
15	Public swimming pool fund.....	7,400
16	Public utility assessments.....	4,200
17	Public water supply fees.....	48,100
18	Refined petroleum fund.....	393,100
19	Sand extraction fee revenue.....	1,000
20	Scrap tire regulatory fund.....	44,600
21	Septage waste program fund.....	8,300
22	Sewage sludge land application fee.....	13,800
23	Small business pollution prevention revolving loan	
24	fund .....	2,800
25	Soil erosion and sedimentation control training fund.	1,200
26	Solid waste management fund - staff account.....	74,300
27	Stormwater permit fees.....	18,400



1	Underground storage tank fees.....	26,300
2	Waste reduction fee revenue.....	73,400
3	Water analysis fees.....	28,400
4	Water use reporting fees.....	5,300
5	State general fund/general purpose.....	\$ 531,000
6	<b>Sec. 109. AIR QUALITY DIVISION</b>	
7	Full-time equated classified positions.....	203.0
8	Air quality programs--203.0 FTE positions.....	\$ <u>24,880,600</u>
9	GROSS APPROPRIATION.....	\$ 24,880,600
10	Appropriated from:	
11	Federal revenues:	
12	Federal funds.....	7,261,800
13	Special revenue funds:	
14	Air emissions fees.....	8,243,000
15	Fees and collections.....	271,400
16	Oil and gas regulatory fund.....	129,500
17	Refined petroleum fund.....	3,368,500
18	Waste reduction fee revenue.....	1,283,400
19	State general fund/general purpose.....	\$ 4,323,000
20	<b>Sec. 110. RESOURCE MANAGEMENT DIVISION</b>	
21	Full-time equated classified positions.....	325.5
22	Drinking water and environmental health--104.5 FTE	
23	positions .....	\$ 15,327,400
24	Sewage sludge land application program--6.0 FTE	
25	positions .....	907,600
26	Hazardous waste management program--51.0 FTE positions	
27	Low-level radioactive waste authority--2.0 FTE	

1	positions .....	218,500
2	Medical waste program--2.0 FTE positions .....	287,100
3	Municipal assistance--39.0 FTE positions .....	6,922,900
4	Radiological protection program--12.0 FTE positions ..	1,310,500
5	Scrap tire regulatory program--11.0 FTE positions ....	1,275,500
6	Oil, gas and mineral services--61.0 FTE positions ....	11,670,400
7	Solid waste management program--37.0 FTE positions ...	<u>4,746,900</u>
8	GROSS APPROPRIATION.....	\$ 49,436,500
9	Appropriated from:	
10	Interdepartmental grant revenues:	
11	IDG, MDSP.....	993,300
12	Federal revenues:	
13	Federal funds.....	16,372,500
14	Special revenue funds:	
15	Campground fund.....	284,700
16	Electronic waste recycling fund.....	287,000
17	Environmental pollution prevention fund.....	2,298,100
18	Fees and collections.....	32,900
19	Hazardous materials transportation permit fund.....	897,200
20	Medical waste emergency response fund.....	287,100
21	Metallic mining surveillance fee revenue.....	136,800
22	Mineral well regulatory fee revenue.....	197,700
23	Nonferrous metallic mineral surveillance.....	100,000
24	Oil and gas regulatory fund.....	8,928,800
25	Orphan well fund.....	2,225,100
26	Public swimming pool fund.....	648,200
27	Public utility assessments.....	218,500

1	Public water supply fees.....	2,139,500
2	Refined petroleum fund.....	646,900
3	Sand extraction fee revenue.....	82,000
4	Scrap tire regulatory fund.....	1,275,500
5	Septage waste contingency fund.....	17,400
6	Septage waste program fund.....	304,000
7	Sewage sludge land application fee.....	907,600
8	Solid waste management fund - staff account.....	4,287,000
9	Strategic water quality initiatives fund.....	1,143,800
10	Waste reduction fee revenue.....	172,900
11	Wastewater operator training fees.....	567,300
12	Water pollution control revolving fund.....	2,744,000
13	State general fund/general purpose.....	\$ 1,240,700
14	<b>Sec. 111. REMEDIATION DIVISION</b>	
15	Full-time equated classified positions.....	349.0
16	Contaminated site investigations, cleanup and	
17	revitalization--204.0 FTE positions.....	\$ 27,020,000
18	Federal cleanup project management--60.0 FTE positions	9,308,400
19	Laboratory services--48.0 FTE positions.....	7,381,400
20	Aboveground storage tank program--8.0 FTE positions..	877,700
21	Underground storage tank program--29.0 FTE positions.	4,048,000
22	Emergency cleanup action.....	4,000,000
23	Environmental cleanup and redevelopment program.....	30,000,000
24	Environmental cleanup support.....	1,840,000
25	Refined petroleum product cleanup program.....	30,000,000
26	Superfund cleanup.....	3,000,000
27	Brownfield grants and loans program.....	<u>5,000,000</u>

1	GROSS APPROPRIATION.....	\$	122,475,500
2	Appropriated from:		
3	Interdepartmental grant revenues:		
4	IDT, laboratory services.....		3,939,200
5	Federal revenues:		
6	Federal funds.....		10,071,400
7	Special revenue funds:		
8	Private funds.....		180,300
9	Aboveground storage tank fees.....		420,700
10	Cleanup and redevelopment fund.....		20,467,900
11	Environmental protection fund.....		2,085,300
12	Environmental response fund.....		4,630,700
13	Landfill maintenance trust fund.....		29,300
14	Public water supply fees.....		294,300
15	Refined petroleum fund.....		39,887,400
16	Revitalization revolving loan fund.....		97,300
17	Strategic water quality initiatives fund.....		35,000,000
18	Underground storage tank fees.....		2,223,800
19	Water analysis fees.....		3,147,900
20	State general fund/general purpose.....	\$	0
21	<b>Sec. 112. GRANTS</b>		
22	Coastal management grants.....	\$	1,750,000
23	Drinking water program grants.....		1,330,000
24	Federal - Great Lakes remedial action plan grants....		700,000
25	Federal - nonpoint source water pollution grants.....		6,500,000
26	Grant to counties - air pollution.....		83,700
27	Noncommunity water grants.....		2,000,000

1	Pollution prevention local grants .....	250,000
2	Radon grants .....	90,000
3	Scrap tire grants .....	3,500,000
4	Septage waste compliance grants .....	275,000
5	Strategic water quality initiative loans .....	9,600,000
6	Water pollution control and drinking water revolving	
7	funds .....	85,396,500
8	Water quality protection grants .....	<u>100,000</u>
9	GROSS APPROPRIATION .....	\$ 111,575,200
10	Appropriated from:	
11	Federal revenues:	
12	Federal funds .....	81,913,000
13	Special revenue funds:	
14	Community pollution prevention fund .....	250,000
15	Public water supply fees .....	2,000,000
16	Refined petroleum fund .....	83,700
17	Revolving loan revenue bonds .....	11,400,000
18	Scrap tire regulatory fund .....	3,500,000
19	Septage waste program fund .....	275,000
20	Strategic water quality initiatives fund .....	9,600,000
21	Water quality protection fund .....	100,000
22	State general fund/general purpose .....	\$ 2,453,500
23	<b>Sec. 113. INFORMATION TECHNOLOGY</b>	
24	Information technology services and projects .....	\$ <u>8,211,600</u>
25	GROSS APPROPRIATION .....	\$ 8,211,600
26	Appropriated from:	
27	Interdepartmental grant revenues:	

1	IDG, MDSP.....	28,400
2	IDG, MDOT - Michigan transportation fund.....	61,200
3	IDT, laboratory services.....	98,100
4	Federal revenues:	
5	Federal funds.....	1,698,700
6	Special revenue funds:	
7	Aboveground storage tank fees.....	24,500
8	Air emission fees.....	502,700
9	Campground fund.....	13,600
10	Cleanup and redevelopment fund.....	608,200
11	Environmental pollution prevention fund.....	84,600
12	Environmental protection fund.....	11,400
13	Environmental response fund.....	317,600
14	Fees and collections.....	16,300
15	Groundwater discharge permit fees.....	53,200
16	Hazardous materials transportation permit fund.....	13,500
17	Land and water permit fees.....	217,700
18	Medical waste emergency response fund.....	10,600
19	Metallic mining surveillance fee revenue.....	2,600
20	Mineral well regulatory fee revenue.....	10,400
21	NPDES fees.....	65,600
22	Oil and gas regulatory fund.....	612,000
23	Orphan well fund.....	22,500
24	Public swimming pool fund.....	22,800
25	Public utility assessments.....	13,100
26	Public water supply fees.....	201,300
27	Refined petroleum fund.....	1,941,500

1	Sand extraction fee revenue.....		3,100
2	Scrap tire regulatory fund.....		87,000
3	Septage waste program fund.....		26,300
4	Sewage sludge land application fee.....		43,300
5	Small business pollution prevention revolving loan		
6	fund .....		8,800
7	Soil erosion and sedimentation control training fund.		4,000
8	Solid waste management fund - staff account.....		291,500
9	Stormwater permit fees.....		58,600
10	Underground storage tank fees.....		131,400
11	Waste reduction fee revenue.....		221,600
12	Wastewater operator training fees.....		1,000
13	Water analysis fees.....		106,300
14	Water pollution control revolving fund.....		150,300
15	Water use reporting fees.....		17,100
16	State general fund/general purpose.....	\$	409,200
17	<b>Sec. 114. ONE-TIME BASIS APPROPRIATIONS</b>		
18	State employee lump-sum payments.....	\$	1,549,200
19	Drinking water revolving fund state match.....		2,500,000
20	Wetlands program.....		<u>1,500,000</u>
21	GROSS APPROPRIATION.....	\$	5,549,200
22	Appropriated from:		
23	Interdepartmental grant revenues:		
24	IDG funds.....		48,800
25	Federal revenues:		
26	Federal funds.....		415,700
27	Special revenue funds:		

1	Private funds.....	4,200
2	Restricted funds.....	920,400
3	State general fund/general purpose.....	\$ 4,160,100

## PART 2

## PROVISIONS CONCERNING APPROPRIATIONS

FOR FISCAL YEAR 2012-2013

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 2012-2013 is \$259,524,400.00 and state spending from state resources to be paid to local units of government for fiscal year 2012-2013 is \$2,775,000.00. The itemized statement below identifies appropriations from which spending to local units of government will occur:

## GRANTS

Noncommunity water grants.....	\$ 2,000,000
Scrap tire grants.....	500,000
Septage waste compliance program.....	<u>275,000</u>
TOTAL.....	\$ 2,775,000

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

Sec. 203. As used in this article:

(a) "Department" means the department of environmental quality.



1 (b) "Director" means the director of the department.

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

3 (d) "IDG" means interdepartmental grant.

4 (e) "IDT" means intradepartmental transfer.

5 (f) "MDOT" means the state transportation department.

6 (g) "MDSP" means the department of state police.

7 (h) "NPDES" means national pollution discharge elimination  
8 system.

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

14 Sec. 205. Unless otherwise specified, the department shall use  
15 the Internet to fulfill the reporting requirements of this article.  
16 This requirement may include transmission of reports via electronic  
17 mail to the recipients identified for each reporting requirement,  
18 or it may include placement of reports on an Internet or Intranet  
19 site.

20 Sec. 206. Amounts appropriated in part 1 for information  
21 technology may be designated as work projects and carried forward  
22 to support technology projects under the direction of the  
23 department of technology, management, and budget. Funds designated  
24 in this manner are not available for expenditure until approved as  
25 work projects under section 451a of the management and budget act,  
26 1984 PA 431, MCL 18.1451a.

27 Sec. 207. The department and agencies receiving appropriations

1 in part 1 shall receive and retain copies of all reports funded  
2 from appropriations in part 1. Federal and state guidelines for  
3 short-term and long-term retention of records shall be followed.  
4 The department may electronically retain copies of reports unless  
5 otherwise required by federal and state guidelines.

6 Sec. 208. From the funds appropriated in part 1 for  
7 information technology, departments and agencies shall pay user  
8 fees to the department of technology, management, and budget for  
9 technology-related services and projects. The user fees shall be  
10 subject to provisions of an interagency agreement between the  
11 department and agencies and the department of technology,  
12 management, and budget.

13 Sec. 209. The departments and agencies receiving  
14 appropriations in part 1 shall prepare a report on out-of-state  
15 travel expenses not later than January 1 of each year. The travel  
16 report shall be a listing of all travel by classified and  
17 unclassified employees outside this state in the immediately  
18 preceding fiscal year that was funded in whole or in part with  
19 funds appropriated in the department's budget. The report shall be  
20 submitted to the house and senate standing committees on  
21 appropriations, the house and senate fiscal agencies, and the state  
22 budget director. The report shall include the following  
23 information:

24 (a) The dates of each travel occurrence.

25 (b) The total transportation and related costs of each travel  
26 occurrence, including the proportion funded with state general  
27 fund/general purpose revenues, the proportion funded with state

1 restricted revenues, the proportion funded with federal revenues,  
2 and the proportion funded with other revenues.

3       Sec. 210. Funds appropriated in part 1 shall not be used for  
4 the purchase of foreign goods or services, or both, if  
5 competitively priced and of comparable quality American goods or  
6 services, or both, are available. Preference shall be given to  
7 goods or services, or both, manufactured or provided by Michigan  
8 businesses if they are competitively priced and of comparable  
9 quality. In addition, preference shall be given to goods or  
10 services, or both, that are manufactured or provided by Michigan  
11 businesses owned and operated by veterans, if they are  
12 competitively priced and of comparable quality.

13       Sec. 211. The director shall take all reasonable steps to  
14 ensure businesses in deprived and depressed communities compete for  
15 and perform contracts to provide services or supplies, or both. The  
16 director shall strongly encourage firms with which the department  
17 contracts to subcontract with certified businesses in depressed and  
18 deprived communities for services, supplies, or both.

19       Sec. 212. The department shall not take disciplinary action  
20 against an employee for communicating with a member of the  
21 legislature or his or her staff.

22       Sec. 213. (1) Funds appropriated in part 1 shall not be used  
23 by the department to promulgate a rule that will apply to a small  
24 business and that will have a disproportionate economic impact on  
25 small businesses because of the size of those businesses if the  
26 department fails to reduce the disproportionate economic impact of  
27 the rule on small businesses as provided under section 40 of the

1 administrative procedures act of 1969, 1969 PA 306, MCL 24.240.

2 (2) As used in this section:

3 (a) "Rule" means that term as defined under section 7 of the  
4 administrative procedures act of 1969, 1969 PA 306, MCL 24.207.

5 (b) "Small business" means that term as defined under section  
6 7a of the administrative procedures act of 1969, 1969 PA 306, MCL  
7 24.207a.

8 Sec. 214. Funds appropriated in part 1 shall not be used by a  
9 principal executive department, state agency, or authority to hire  
10 a person to provide legal services that are the responsibility of  
11 the attorney general. This prohibition does not apply to legal  
12 services for bonding activities and for those activities that the  
13 attorney general authorizes.

14 Sec. 215. (1) In addition to the funds appropriated in part 1,  
15 there is appropriated an amount not to exceed \$30,000,000.00 for  
16 federal contingency funds. These funds are not available for  
17 expenditure until they have been transferred to another line item  
18 in this article under section 393(2) of the management and budget  
19 act, 1984 PA 431, MCL 18.1393.

20 (2) In addition to the funds appropriated in part 1, there is  
21 appropriated an amount not to exceed \$5,000,000.00 for state  
22 restricted contingency funds. These funds are not available for  
23 expenditure until they have been transferred to another line item  
24 in this article under section 393(2) of the management and budget  
25 act, 1984 PA 431, MCL 18.1393.

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

1 contingency funds. These funds are not available for expenditure  
2 until they have been transferred to another line item in this  
3 article under section 393(2) of the management and budget act, 1984  
4 PA 431, MCL 18.1393.

5 (4) In addition to the funds appropriated in part 1, there is  
6 appropriated an amount not to exceed \$500,000.00 for private  
7 contingency funds. These funds are not available for expenditure  
8 until they have been transferred to another line item in this  
9 article under section 393(2) of the management and budget act, 1984  
10 PA 431, MCL 18.1393.

11 Sec. 216. (1) The department shall report all of the following  
12 information relative to allocations made from appropriations for  
13 the environmental cleanup and redevelopment program, state cleanup,  
14 emergency actions, superfund cleanup, the revitalization revolving  
15 loan program, the brownfield grants and loans program, the leaking  
16 underground storage tank cleanup program, the contaminated lake and  
17 river sediments cleanup program, the refined petroleum product  
18 cleanup program, and the environmental protection bond projects  
19 under section 19508(7) of the natural resources and environmental  
20 protection act, 1994 PA 451, MCL 324.19508, to the state budget  
21 director, the senate and house appropriations subcommittees on  
22 environmental quality, and the senate and house fiscal agencies:

23 (a) The name and location of the site for which an allocation  
24 is made.

25 (b) The nature of the problem encountered at the site.

26 (c) A brief description of how the problem will be resolved if  
27 the allocation is made for a response activity.

1 (d) The estimated date that site closure activities will be  
2 completed.

3 (e) The amount of the allocation, or the anticipated financing  
4 for the site.

5 (f) A summary of the sites and the total amount of funds  
6 expended at the sites at the conclusion of the fiscal year.

7 (g) The number of brownfield projects that were successfully  
8 redeveloped.

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

11 (a) The status of all state-owned facilities that are on the  
12 list compiled under part 201 of the natural resources and  
13 environmental protection act, 1994 PA 451, MCL 324.20101 to  
14 324.20142.

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

18 (c) The total amount of bonds issued for the environmental  
19 protection bond program pursuant to part 193 of the natural  
20 resources and environmental protection act, 1994 PA 451, MCL  
21 324.19301 to 324.19306, and bonds issued pursuant to the clean  
22 Michigan initiative act, 1998 PA 284, MCL 324.95101 to 324.95108.

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

25 Sec. 217. (1) The department may expend amounts remaining from  
26 the current and prior fiscal year appropriations to meet funding  
27 needs of legislatively approved sites for the environmental cleanup

1 and redevelopment program, the leaking underground storage tank  
2 cleanup program, and the refined petroleum product cleanup program.

3 (2) Unexpended and unencumbered amounts remaining from  
4 appropriations from the environmental protection bond fund  
5 contained in 1993 PA 353, 2003 PA 173, 2006 PA 343, and 2011 PA 63  
6 are appropriated for expenditure for any site listed in this  
7 article and any site listed in the public acts referenced in this  
8 section.

9 (3) Unexpended and unencumbered amounts remaining from  
10 appropriations from the cleanup and redevelopment fund contained in  
11 2000 PA 275 and 2002 PA 520 are appropriated for expenditure for  
12 any site listed in this article and any site listed in the public  
13 acts referenced in this section.

14 (4) Unexpended and unencumbered amounts remaining from  
15 appropriations from the clean Michigan initiative fund - response  
16 activities contained in 2000 PA 506, 2001 PA 120, 2004 PA 309, 2004  
17 PA 350, 2005 PA 11, 2006 PA 343, 2007 PA 121, and 2011 PA 63 are  
18 appropriated for expenditure for any site listed in this article  
19 and any site listed in the public acts referenced in this section.

20 (5) Unexpended and unencumbered amounts remaining from  
21 appropriations from the environmental protection fund contained in  
22 2001 PA 43, 2002 PA 520, and 2003 PA 171 are appropriated for  
23 expenditure for any site listed in this article and any site listed  
24 in the public acts referenced in this section.

25 (6) Unexpended and unencumbered amounts remaining from  
26 appropriations from the refined petroleum fund activities contained  
27 in 2005 PA 154, 2007 PA 121, 2008 PA 247, 2009 PA 118, 2010 PA 189,

1 and 2011 PA 63 are appropriated for expenditure for any site listed  
2 in this article and any site listed in the public acts referenced  
3 in this section.

4 (7) Unexpended and unencumbered amounts remaining from the  
5 appropriations from the strategic water quality initiatives fund  
6 contained in 2011 PA 50 and 2011 PA 63 are appropriated for  
7 expenditure for any site listed in this article and any site listed  
8 in the public acts referenced in this section.

9 Sec. 218. It is the intent of the legislature that all  
10 principal executive departments and agencies cooperate with the  
11 development and implementation of the department of technology,  
12 management, and budget statewide office space consolidation plan.

13 Sec. 219. Unexpended settlement revenues at the end of the  
14 fiscal year may be carried forward into the settlement fund in the  
15 succeeding fiscal year up to a maximum carryforward of  
16 \$2,500,000.00.

17 Sec. 221. Not later than November 15, the department shall  
18 prepare and transmit a report that provides for estimates of the  
19 total general fund/general purpose appropriation lapses at the  
20 close of the previous fiscal year. This report shall summarize the  
21 projected year-end general fund/general purpose appropriation  
22 lapses by major departmental program or program areas. The report  
23 shall be transmitted to the office of the state budget, the  
24 chairpersons of the senate and house of representatives standing  
25 committees on appropriations, and the senate and house fiscal  
26 agencies.

27 Sec. 222. Within 14 days after the release of the executive



1 budget recommendation, the department shall provide the state  
2 budget director, the senate and house appropriations chairs, the  
3 senate and house appropriations subcommittees on environmental  
4 quality, respectively, and the senate and house fiscal agencies  
5 with an annual report on estimated state restricted fund balances,  
6 state restricted fund projected revenues, and state restricted fund  
7 expenditures for the fiscal years ending September 30, 2012 and  
8 September 30, 2013.

9       Sec. 223. Part 1 provides authorizations to fund 1,321.5 FTE  
10 classified positions during the fiscal year ending September 30,  
11 2013. Line-item appropriations include limitations on the number of  
12 payroll hours to be funded, on the basis of 2,088 hours per each  
13 FTE position. The department shall report the number of funded FTE  
14 positions within 15 days after the effective date of this article.  
15 The number of classified employees compensated through each line  
16 item is limited by the authorized FTE positions indicated in this  
17 article, as adjusted for the number of reported funded FTE  
18 positions. The report shall be provided to the house and senate  
19 appropriations subcommittees on environmental quality and the house  
20 and senate fiscal agencies.

21       Sec. 224. On a quarterly basis, the department shall report on  
22 the number of FTEs in pay status by civil service classification to  
23 the senate and house appropriations subcommittees on environmental  
24 quality and the senate and house fiscal agencies.

25       Sec. 225. The department shall maintain a searchable website  
26 accessible by the public at no cost that includes, but is not  
27 limited to, all of the following:

1 (a) Fiscal year-to-date expenditures by category.

2 (b) Fiscal year-to-date expenditures by appropriation unit.

3 (c) Fiscal year-to-date payments to a selected vendor,  
4 including the vendor name, payment date, payment amount, and  
5 payment description.

6 (d) The number of active department employees by job  
7 classification.

8 (e) Job specifications and wage rates.

9 Sec. 227. The department shall provide a report on the  
10 implementation of a permit application status tracking tool on the  
11 department's public internet website to the house and senate  
12 appropriations subcommittees on environmental quality, the standing  
13 committees of the house and senate with primary responsibility for  
14 environmental quality issues, and the house and senate fiscal  
15 agencies by December 31, 2012. This permit application status  
16 tracking tool shall allow permit applicants and the general public  
17 to track and review pending permit applications. Searchable  
18 parameters shall include, but are not limited to, applicant name  
19 and address, county of request, date of application, most recent  
20 activity, and status of the permit application. The report shall  
21 include a list of all actions and program changes taken to  
22 implement the tracking tool, the department's plan and timeline for  
23 implementation of the tool, and any estimated costs associated with  
24 that implementation plan.

25 Sec. 228. The department shall provide a report on the  
26 customer satisfaction evaluation program and the feedback that the  
27 department received through that program to the house and senate

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1 appropriations subcommittees on environmental quality and the house  
2 and senate fiscal agencies by July 1, 2013.

3 Sec. 229. The department shall provide a report on the  
4 expedited permitting program to the house and senate appropriations  
5 subcommittees on environmental quality and the house and senate  
6 fiscal agencies by July 1, 2013. The report shall include a list of  
7 all actions and program changes taken to implement the expedited  
8 permitting program, the department's plan and timeline for  
9 implementation of the program, and any estimated costs associated  
10 with that implementation plan.

[Sec. 230. By October 31, 2012, the department shall identify 10  
principal measurable outcomes to be affected by expenditure of the funds  
appropriated in part 1 of this article and submit a report to the house  
and senate appropriations committees, the house and senate fiscal  
agencies, and the state budget director that ranks the outcomes by level  
of importance and contains current data on those outcomes. Beginning on  
April 1, 2013, the department shall provide biannual updates to the house  
and senate appropriations committees on changes in those measurable  
outcomes and departmental efforts to improve the outcomes.]

#### 11 REMEDICATION DIVISION

12 Sec. 301. Revenues remaining in the interdepartmental  
13 transfers, laboratory services at the end of the fiscal year shall  
14 carry forward into the succeeding fiscal year.

15 Sec. 302. The unexpended funds appropriated in part 1 for  
16 emergency cleanup actions and the refined petroleum product cleanup  
17 program are considered work project appropriations and any  
18 unencumbered or unallotted funds are carried forward into the  
19 succeeding fiscal year. The following is in compliance with section  
20 451a(1) of the management and budget act, 1984 PA 431, MCL  
21 18.1451a:

22 (a) The purpose of the projects to be carried forward is to  
23 provide contaminated site cleanup.

24 (b) The projects will be accomplished by contract.

25 (c) The total estimated cost of all projects is identified in  
26 each line-item appropriation.

(d) The tentative completion date is September 30, 2017.

Sec. 303. Effective October 1, 2012, surplus funds not to exceed \$1,000,000.00 in the cleanup and redevelopment trust fund are appropriated to the environmental protection fund created in section 503a of the natural resources and environmental protection act, 1994 PA 451, MCL 324.503a.

Sec. 304. Effective October 1, 2012, surplus funds not to exceed \$1,000,000.00 in the community pollution prevention fund created in section 3f of 1976 IL 1, MCL 445.573f, are appropriated to the environmental protection fund created in section 503a of the natural resources and environmental protection act, 1994 PA 451, MCL 324.503a.

Sec. 305. It is the intent of the legislature to repay the refined petroleum fund for the \$70,000,000.00 that was transferred to the environmental protection fund created in section 503a of the natural resources and environmental protection act, 1994 PA 451, MCL 324.503a, as part of the resolution for the fiscal year 2006-2007 budget.

Sec. 306. The funds appropriated in part 1 for the refined petroleum product cleanup program shall be used to fund cleanup activities on the following sites:

Site Name	County
Former Tavern and Gas Station	Alcona
Midway Resort Inc	Alger
Country Party Store	Alpena
Hubbard Lake Garage	Alpena
Hubbard Lake General Store	Alpena

1	Res. Wells Torch Lake Twp.	Antrim
2	Torch River Pit Stop	Antrim
3	Freeport Auto Service	Barry
4	Bud's in Honor	Benzie
5	Coloma Citgo	Berrien
6	Nyes Shell Service	Berrien
7	Randy's Amoco	Berrien
8	Clark #767 (Marshall)	Calhoun
9	Clark #768 (Albion)	Calhoun
10	Clark Service Station #500	Calhoun
11	Helmer I-94	Calhoun
12	Korner Krossroads Party Store	Calhoun
13	Logan's Gas & Deli	Calhoun
14	Unocal 76, Edwardsburg (Energy Oil)	Cass
15	Arnold's Bait and Tackle	Charlevoix
16	J.J.'s General Store	Charlevoix
17	Northern Oil (former)	Charlevoix
18	Club Rd Property	Cheboygan
19	Corner Store	Cheboygan
20	Ackels Car Care	Clinton
21	State Road Service	Clinton
22	D & L Fuels	Eaton
23	South End Mobil	Eaton
24	Beckon & Larks Lake Rd.	Emmet
25	Farmers Petroleum Coop - Petoskey	Emmet
26	Action Auto #10	Genesee
27	Central Distributing	Genesee

1	City of Flint Fire Department	Genesee
2	Odyssey House, Flint	Genesee
3	Spartan Express (truck terminal)	Genesee
4	Tabers Oil Co., Inc.	Genesee
5	United Cleaners, Inc	Genesee
6	Watkins & Himelhoch Inc	Genesee
7	Howard Jameson A+H Racing	Gladwin
8	Sportsmans Landing	Gladwin
9	Winegar's Trading Post	Gladwin
10	4 Corners	Grand Traverse
11	Stop N Shop	Grand Traverse
12	Wilson's Grocery	Gratiot
13	Engelhardt Petroleum, Inc. Gas Station	Huron
14	Mouch's Auto Sales	Huron
15	Action Auto Inc	Ingham
16	Action Auto Store #30	Ingham
17	Bay Gas Station, 3306 N. East St.	Ingham
18	Bay Petroleum, S. MLK	Ingham
19	Bay Petroleum, W. Willow	Ingham
20	Citgo #7	Ingham
21	Clark Station #1995	Ingham
22	Fresh-Up Car Wash	Ingham
23	Miller Oil Company	Ingham
24	Don Bessemer/Haight's Garage	Ionia
25	Bublitz Oil Full Service Oscoda	Iosco
26	Graham Oil Bulk Plant	Iosco
27	Firstbank-Winn Branch	Isabella

1	Clark #501	Jackson
2	McDonald's Crosstown Service	Kalamazoo
3	Meijers Thrifty Acres	Kalamazoo
4	Dutton Mill Properties	Kent
5	Great Northern Packaging	Kent
6	Hurley's Lodge	Lake
7	Church & Sons Gas Station	Lapeer
8	E.J. Green	Lapeer
9	Lakeside Resort and Party Store	Leelanau
10	Blissfield Marathon	Lenawee
11	Blissfield Vacant Lot	Lenawee
12	Clark 1457 Adrian	Lenawee
13	Lakeland Montessori School	Livingston
14	Leon Bonner Prop	Livingston
15	The Pit	Livingston
16	Action Auto (former)	Macomb
17	Sokana Mobil	Macomb
18	Red Barn Market	Manistee
19	Airport Road, 1933 East	Midland
20	Dutch Hutch	Missaukee
21	A.N. Russell & Son Inc	Montcalm
22	R.V. Jensen Inc.	Montcalm
23	A-1 Party Mart	Montmorency
24	Mary D's Restaurant	Montmorency
25	Pointe Bait	Montmorency
26	Sports Center, Inc.	Montmorency
27	Strolle Oil	Montmorency

1	Williams Service Station	Montmorency
2	Bennett Pump	Muskegon
3	Bernie's Amoco	Muskegon
4	Reliable Truck & Crane	Muskegon
5	Hardy Grocery	Newaygo
6	Clark #903, Keego Harbor	Oakland
7	DOC Optical	Oakland
8	Jenny Enterprises/Wine Basket, Highland	Oakland
9	South Lyon Service Station Inc	Oakland
10	Wayne Oakland Oil Company	Oakland
11	Shady Shores Restaurant	Ogemaw
12	Andy's Standard	Osceola
13	Eagle Village	Osceola
14	Hersey Party Store	Osceola
15	Neal's Service	Osceola
16	Tiel Oil Co.	Osceola
17	Don's Marathon	Oscoda
18	Charlie's Place	Roscommon
19	AMCO Group	Sanilac
20	Sangster property	Sanilac
21	Frank's Service	Shiawassee
22	Raymond Ayotte	Shiawassee
23	Decker Service	St. Joseph
24	Gagetown Gas and Oil, former	Tuscola
25	One Stop Party Store	Tuscola
26	Jimmie's Filling Station	Washtenaw
27	B & H Food & Gas/Dix-Toledo Petro Mart	Wayne



1	Cal's Car Care, Incorporated - BTEX	Wayne
2	City of Detroit - DOT - 14044 Schaefer	Wayne
3	City of Detroit - DOT - 5600 Wabash St.	Wayne
4	City of Detroit - DOT - 5800 Russell St.	Wayne
5	Hail Investments Inc.	Wayne
6	JJ Curran Crane	Wayne
7	K & A Gas	Wayne
8	Master Petroleum	Wayne
9	Micks Auto	Wayne
10	Speedy's Gas & Goodies	Wayne

11       Sec. 307. For the state fiscal year ending September 30, 2013,  
 12 there is appropriated from clean Michigan initiative - response  
 13 activities revenue \$300,000.00 for an engineering study pertaining  
 14 to the Wickes Manufacturing TCE plume site.

15       **WATER RESOURCES DIVISION**

16       Sec. 401. From the funds appropriated in part 1 for surface  
 17 water, \$100,000.00 shall be allocated to support the 1 additional  
 18 FTE position for the aquatic nuisance control program that was  
 19 added in the fiscal year ending September 30, 2011. The department  
 20 shall report to the house and senate appropriations subcommittees  
 21 on environmental quality and the house and senate fiscal agencies  
 22 by September 30, 2013 on the use of this funding and the number of  
 23 permit applications processed by the program in fiscal year 2012-  
 24 2013.

25       Sec. 403. From the funds appropriated in part 1, the  
 26 department shall support funding for the aquatic invasive species

1 advisory council to provide recommendations to appropriate parties  
2 and bodies for a basin-wide approach to managing invasive species.

### 3 GRANTS

4 Sec. 501. If a certified health department does not exist in a  
5 city, county, or district or does not fulfill its responsibilities  
6 under part 117 of the natural resources and environmental  
7 protection act, 1994 PA 451, MCL 324.11701 to 324.11720, then the  
8 department may spend funds appropriated in part 1 under the septage  
9 waste compliance program in accordance with section 11716 of the  
10 natural resources and environmental protection act, 1994 PA 451,  
11 MCL 324.11716.

### 12 RESOURCE MANAGEMENT DIVISION

13 Sec. 601. (1) The department shall provide a report on the  
14 state's solid waste policy that includes the department's plan for  
15 long-term funding for the solid waste management program and all  
16 actions and program changes taken, including progress on the  
17 feasibility of contracting out landfill inspections, to implement  
18 the recommendations of the June 30, 2012 report to the legislature  
19 required by section 601 of article VII of 2011 PA 63.

20 (2) The department shall provide the report prepared under  
21 subsection (1) to the state budget director, the house and senate  
22 appropriations subcommittees on environmental quality, and the  
23 house and senate fiscal agencies by June 30, 2013.

24 Sec. 602. The department is encouraged to work with local  
25 public health departments, the department of agriculture and rural

development, and the United States department of agriculture to maintain and expand the clean sweep program for the safe disposal of hazardous household chemicals and prescription drugs. The department shall report to the house and senate appropriations subcommittees on environmental quality and the house and senate fiscal agencies by March 1, 2013 on clean sweep locations in this state and on factors affecting program success and expansion including funding requirements.

# PART 2A

## PROVISIONS CONCERNING ANTICIPATED APPROPRIATIONS

### FOR FISCAL YEAR 2013-2014

Sec. 1201. It is the intent of the legislature to provide appropriations for the fiscal year ending on September 30, 2014 for the line items listed in part 1. The fiscal year 2013-2014 appropriations are anticipated to be the same as those for fiscal year 2012-2013, excluding appropriations designated as 1-time appropriations and adjusting for changes in caseload and related costs, federal fund match rates, economic factors, and available revenue. Specific anticipated adjustments are as follows, subject to adjustment after the May 2013 consensus revenue estimating conference:

MiWaters data system.....	\$(2,000,000)
Economic adjustments.....	<u>4,481,800</u>
GROSS APPROPRIATION.....	\$ 2,481,800

Appropriated from:

1 State restricted revenues..... 1,991,400  
 2 State general fund/general purpose.....\$ 490,400

3 ARTICLE VIII

4 GENERAL GOVERNMENT

5 PART 1

6 LINE-ITEM APPROPRIATIONS

7 FOR FISCAL YEAR 2012-2013

8 Sec. 101. Subject to the conditions set forth in this article,  
 9 the amounts listed in this part are appropriated for the  
 10 departments of attorney general, civil rights, state, technology,  
 11 management, and budget, and treasury, the executive office, the  
 12 legislative branch, and certain other state purposes, for the  
 13 fiscal year ending September 30, 2013, from the funds indicated in  
 14 this part. The following is a summary of the appropriations in this  
 15 part:

16 **TOTAL GENERAL GOVERNMENT**

17 APPROPRIATION SUMMARY

18 Full-time equated unclassified positions..... 43.0  
 19 Full-time equated classified positions..... 7,742.7  
 20 GROSS APPROPRIATION..... \$ 4,200,278,800  
 21 Interdepartmental grant revenues:  
 22 Total interdepartmental grants and intradepartmental  
 23 transfers ..... 692,338,500  
 24 ADJUSTED GROSS APPROPRIATION..... \$ 3,507,940,300  
 25 Federal revenues:

1	Total federal revenues.....	722,234,100
2	Special revenue funds:	
3	Total local revenues.....	8,007,000
4	Total private revenues.....	5,989,000
5	Total other state restricted revenues.....	1,882,956,100
6	State general fund/general purpose.....	\$ 888,754,100
7	<b>Sec. 102. DEPARTMENT OF ATTORNEY GENERAL</b>	
8	<b>(1) APPROPRIATION SUMMARY</b>	
9	Full-time equated unclassified positions..... 6.0	
10	Full-time equated classified positions..... 507.0	
11	GROSS APPROPRIATION.....	\$ 84,614,200
12	Interdepartmental grant revenues:	
13	Total interdepartmental grants and intradepartmental	
14	transfers .....	24,082,100
15	ADJUSTED GROSS APPROPRIATION.....	\$ 60,532,100
16	Federal revenues:	
17	Total federal revenues.....	9,932,600
18	Special revenue funds:	
19	Total local revenues.....	0
20	Total private revenues.....	0
21	Total other state restricted revenues.....	17,242,000
22	State general fund/general purpose.....	\$ 33,357,500
23	<b>(2) ATTORNEY GENERAL OPERATIONS</b>	
24	Full-time equated unclassified positions..... 6.0	
25	Full-time equated classified positions..... 507.0	
26	Attorney general.....	\$ 112,500

1	Unclassified positions--5.0 FTE positions .....	564,700
2	Attorney general operations--470.0 FTE positions .....	75,241,300
3	Child support enforcement--25.0 FTE positions .....	3,402,300
4	Prosecuting attorneys coordinating council--12.0 FTE	
5	positions .....	2,019,400
6	Public safety initiative.....	<u>890,800</u>
7	GROSS APPROPRIATION.....	\$ 82,231,000
8	Appropriated from:	
9	Interdepartmental grant revenues:	
10	IDG from MDCH, WIC.....	87,200
11	IDG from MDCH, health policy.....	187,000
12	IDG from department of corrections.....	598,200
13	IDG from MDE.....	359,300
14	IDG from MDEQ.....	2,174,000
15	IDG from MDHS.....	4,129,300
16	IDG from Michigan state housing development authority	612,300
17	IDG from MDLARA, children's protection registry.....	44,300
18	IDG from MDLARA, financial and insurance regulation..	1,308,600
19	IDG from MDLARA, licensing and regulation fees .....	224,100
20	IDG from MDLARA, Michigan occupational safety and	
21	health administration .....	106,000
22	IDG from MDLARA, remonumentation fees.....	96,300
23	IDG from MDLARA, health professions.....	2,153,400
24	IDG from MDMVA.....	148,800
25	IDG from MDOT, comprehensive transportation fund.....	200,900
26	IDG from MDOT, state aeronautics fund.....	174,400
27	IDG from MDOT, state trunkline fund.....	2,387,000

1	IDG from MDSP.....	352,700
2	IDG from MDSP, Michigan justice training fund.....	150,100
3	IDG from MDTMB.....	235,600
4	IDG from MDTMB, civil service commission.....	300,600
5	IDG from MDTMB, risk management revolving fund.....	1,442,900
6	IDG from MSF, workforce development agency.....	232,800
7	IDG from treasury.....	5,917,500
8	IDG from treasury, Michigan strategic fund.....	161,500
9	Federal revenues:	
10	DAG, state administrative match grant/food stamps....	434,500
11	Federal funds.....	2,999,200
12	HHS, medical assistance, medigra nt.....	678,200
13	HHS-OS, state Medicaid fraud control units.....	5,590,000
14	National criminal history improvement program.....	108,100
15	Special revenue funds:	
16	Antitrust enforcement collections.....	690,300
17	Assigned claims assessments.....	150,600
18	Attorney general's operations fund.....	1,117,200
19	Auto repair facilities fees.....	296,300
20	Franchise fees.....	375,900
21	Game and fish protection fund.....	838,000
22	Liquor purchase revolving fund.....	1,321,400
23	Manufactured housing fees.....	246,200
24	Merit award trust fund.....	463,100
25	Michigan employment security act - administrative fund	2,024,400
26	Prisoner reimbursement.....	584,000
27	Prosecuting attorneys training fees.....	405,300

1	Public utility assessments.....	2,141,300
2	Real estate enforcement fund.....	474,300
3	Reinstatement fees.....	198,700
4	Retirement funds.....	943,400
5	Second injury fund.....	807,500
6	Self-insurers security fund.....	561,400
7	Silicosis and dust disease fund.....	221,700
8	State building authority revenue.....	109,500
9	State casino gaming fund.....	1,578,000
10	State lottery fund.....	312,500
11	Utility consumers fund.....	706,900
12	Waterways fund.....	126,700
13	Worker's compensation administrative revolving fund..	334,700
14	State general fund/general purpose.....	\$ 31,606,900
15	<b>(3) INFORMATION TECHNOLOGY</b>	
16	Information technology services and projects.....	\$ <u>1,357,300</u>
17	GROSS APPROPRIATION.....	\$ 1,357,300
18	Appropriated from:	
19	State general fund/general purpose.....	\$ 1,357,300
20	<b>(4) ONE-TIME APPROPRIATIONS</b>	
21	State employee lump-sum payments.....	\$ <u>1,025,900</u>
22	GROSS APPROPRIATION.....	\$ 1,025,900
23	Appropriated from:	
24	Interdepartmental grant revenues:	
25	Interdepartmental grant revenues.....	297,300
26	Federal revenues:	
27	Federal revenues.....	122,600



1	Special revenue funds:		
2	State restricted revenues.....		212,700
3	State general fund/general purpose.....	\$	393,300
4	<b>Sec. 103. DEPARTMENT OF CIVIL RIGHTS</b>		
5	<b>(1) APPROPRIATION SUMMARY</b>		
6	Full-time equated unclassified positions.....	5.0	
7	Full-time equated classified positions.....	121.0	
8	GROSS APPROPRIATION.....	\$	14,218,400
9	Interdepartmental grant revenues:		
10	Total interdepartmental grants and intradepartmental		
11	transfers .....		0
12	ADJUSTED GROSS APPROPRIATION.....	\$	14,218,400
13	Federal revenues:		
14	Total federal revenues.....		2,641,300
15	Special revenue funds:		
16	Total local revenues.....		0
17	Total private revenues.....		18,700
18	Total other state restricted revenues.....		151,900
19	State general fund/general purpose.....	\$	11,406,500
20	<b>(2) CIVIL RIGHTS OPERATIONS</b>		
21	Full-time equated unclassified positions.....	5.0	
22	Full-time equated classified positions.....	121.0	
23	Unclassified positions--5.0 FTE positions.....	\$	267,100
24	Civil rights operations--114.0 FTE positions.....		12,233,500
25	Commission on disability concerns--5.0 FTE positions .		649,200
26	Hispanic/Latino commission of Michigan--1.0 FTE		

1	position .....	194,500
2	Asian Pacific American commission--1.0 FTE position ..	<u>99,000</u>
3	GROSS APPROPRIATION.....	\$ 13,443,300
4	Appropriated from:	
5	Interdepartmental grant revenues:	
6	Federal revenues:	
7	EEOC, state and local antidiscrimination agency	
8	contracts .....	1,142,600
9	HUD, grant.....	1,459,100
10	Special revenue funds:	
11	Private revenues.....	18,700
12	Division on deafness fund.....	93,400
13	State restricted indirect funds.....	58,500
14	State general fund/general purpose.....	\$ 10,671,000
15	<b>(3) INFORMATION TECHNOLOGY</b>	
16	Information technology services and projects .....	\$ <u>646,200</u>
17	GROSS APPROPRIATION.....	\$ 646,200
18	Appropriated from:	
19	Federal revenues:	
20	EEOC, state and local antidiscrimination agency	
21	contracts .....	15,000
22	State general fund/general purpose.....	\$ 631,200
23	<b>(4) ONE-TIME APPROPRIATIONS</b>	
24	State employee lump-sum payments.....	\$ <u>128,900</u>
25	GROSS APPROPRIATION.....	\$ 128,900
26	Appropriated from:	
27	Federal revenues:	

1	Federal revenues.....		24,600
2	State general fund/general purpose.....	\$	104,300
3	<b>Sec. 104. EXECUTIVE OFFICE</b>		
4	<b>(1) APPROPRIATION SUMMARY</b>		
5	Full-time equated unclassified positions.....	10.0	
6	Full-time equated classified positions.....	74.2	
7	GROSS APPROPRIATION.....	\$	4,887,900
8	Interdepartmental grant revenues:		
9	Total interdepartmental grants and intradepartmental		
10	transfers .....		0
11	ADJUSTED GROSS APPROPRIATION.....	\$	4,887,900
12	Federal revenues:		
13	Total federal revenues.....		0
14	Special revenue funds:		
15	Total local revenues.....		0
16	Total private revenues.....		0
17	Total other state restricted revenues.....		0
18	State general fund/general purpose.....	\$	4,887,900
19	<b>(2) EXECUTIVE OFFICE OPERATIONS</b>		
20	Full-time equated unclassified positions.....	10.0	
21	Full-time equated classified positions.....	74.2	
22	Governor.....	\$	159,300
23	Lieutenant governor.....		111,600
24	Executive office--74.2 FTE positions.....		3,708,500
25	Unclassified positions--8.0 FTE positions.....		<u>849,800</u>
26	GROSS APPROPRIATION.....	\$	4,829,200

1	Appropriated from:	
2	State general fund/general purpose .....	\$ 4,829,200
3	<b>(3) ONE-TIME APPROPRIATIONS</b>	
4	State employee lump-sum payments .....	\$ <u>58,700</u>
5	GROSS APPROPRIATION .....	\$ 58,700
6	Appropriated from:	
7	State general fund/general purpose .....	\$ 58,700
8	<b>Sec. 105. LEGISLATURE</b>	
9	<b>(1) APPROPRIATION SUMMARY</b>	
10	GROSS APPROPRIATION .....	\$ 128,410,200
11	Interdepartmental grant revenues:	
12	Total interdepartmental grants and intradepartmental	
13	transfers .....	3,792,100
14	ADJUSTED GROSS APPROPRIATION .....	\$ 124,618,100
15	Federal revenues:	
16	Total federal revenues .....	0
17	Special revenue funds:	
18	Total local revenues .....	0
19	Total private revenues .....	400,000
20	Total other state restricted revenues .....	3,000,500
21	State general fund/general purpose .....	\$ 121,217,600
22	<b>(2) LEGISLATURE</b>	
23	Senate .....	\$ 26,946,400
24	Senate automated data processing .....	2,264,600
25	Senate fiscal agency .....	3,105,200
26	House of representatives .....	42,195,600

1	House automated data processing.....	1,797,900
2	House fiscal agency.....	<u>3,105,200</u>
3	GROSS APPROPRIATION.....	\$ 79,414,900
4	Appropriated from:	
5	State general fund/general purpose.....	\$ 79,414,900
6	<b>(3) LEGISLATIVE COUNCIL</b>	
7	Legislative council.....	\$ 9,975,200
8	Legislative service bureau automated data processing .	1,221,800
9	Worker's compensation.....	132,600
10	National association dues.....	425,000
11	Legislative corrections ombudsman.....	624,500
12	Michigan veterans' facility ombudsman.....	<u>200,000</u>
13	GROSS APPROPRIATION.....	\$ 12,579,100
14	Appropriated from:	
15	Special revenue funds:	
16	Private - gifts and bequests revenues.....	400,000
17	State general fund/general purpose.....	\$ 12,179,100
18	<b>(4) LEGISLATIVE RETIREMENT SYSTEM</b>	
19	General nonretirement expenses.....	\$ <u>4,410,000</u>
20	GROSS APPROPRIATION.....	\$ 4,410,000
21	Appropriated from:	
22	Special revenue funds:	
23	Court fees.....	1,109,800
24	State general fund/general purpose.....	\$ 3,300,200
25	<b>(5) PROPERTY MANAGEMENT</b>	
26	Capitol building.....	\$ 2,680,400
27	Cora Anderson building.....	8,731,600

1	Farnum building and other properties .....	<u>1,906,500</u>
2	GROSS APPROPRIATION .....	\$ 13,318,500
3	Appropriated from:	
4	State general fund/general purpose .....	\$ 13,318,500
5	<b>(6) OFFICE OF THE AUDITOR GENERAL</b>	
6	Unclassified positions .....	\$ 313,500
7	Field operations .....	<u>18,103,300</u>
8	GROSS APPROPRIATION .....	\$ 18,416,800
9	Appropriated from:	
10	Interdepartmental grant revenues:	
11	IDG from MDLARA, liquor purchase revolving fund .....	14,500
12	IDG from MDOT, comprehensive transportation fund .....	32,900
13	IDG from MDOT, Michigan transportation fund .....	267,400
14	IDG from MDOT, state aeronautics fund .....	25,600
15	IDG from MDOT, state trunkline fund .....	620,700
16	IDG from MDTMB, civil service commission .....	141,100
17	IDG, single audit act .....	2,630,900
18	Special revenue funds:	
19	21st century jobs trust fund .....	60,600
20	Clean Michigan initiative implementation bond fund ...	46,400
21	Commercial mobile radio system emergency telephone	
22	fund .....	46,400
23	Contract audit administration fees .....	65,200
24	Correctional industries revolving fund .....	38,500
25	Fee adequacy, air quality delegated authority .....	11,800
26	Game and fish protection fund .....	26,500
27	Legislative retirement system .....	23,000

1	Michigan economic development corporation.....	65,700
2	Michigan education trust fund.....	37,100
3	Michigan justice training commission fund.....	34,800
4	Michigan state housing development authority fees....	27,300
5	Michigan strategic fund.....	107,700
6	Michigan tobacco settlement authority.....	32,600
7	Michigan veterans' trust fund.....	30,000
8	Motor transport revolving fund.....	6,400
9	Office services revolving fund.....	8,400
10	State disbursement unit, office of child support.....	33,300
11	State services fee fund.....	1,152,400
12	Waterways fund.....	9,500
13	State general fund/general purpose.....	\$ 12,820,100
14	<b>(7) ONE-TIME APPROPRIATIONS - AUDITOR GENERAL</b>	
15	State employee lump-sum payments.....	\$ <u>270,900</u>
16	GROSS APPROPRIATION.....	\$ 270,900
17	Appropriated from:	
18	Interdepartmental grant revenues:	
19	Interdepartmental grant revenues.....	59,000
20	Special revenue funds:	
21	State restricted revenues.....	27,100
22	State general fund/general purpose.....	\$ 184,800
23	<b>Sec. 106. DEPARTMENT OF STATE</b>	
24	<b>(1) APPROPRIATION SUMMARY</b>	
25	Full-time equated unclassified positions.....	6.0
26	Full-time equated classified positions.....	1,689.0

1	GROSS APPROPRIATION.....	\$	220,286,400
2	Interdepartmental grant revenues:		
3	Total interdepartmental grants and intradepartmental		
4	transfers .....		20,000,000
5	ADJUSTED GROSS APPROPRIATION.....	\$	200,286,400
6	Federal revenues:		
7	Total federal revenues.....		1,810,000
8	Special revenue funds:		
9	Total local revenues.....		0
10	Total private revenues.....		100
11	Total other state restricted revenues.....		183,971,100
12	State general fund/general purpose.....	\$	14,505,200
13	<b>(2) EXECUTIVE DIRECTION</b>		
14	Full-time equated unclassified positions..... 6.0		
15	Full-time equated classified positions..... 30.0		
16	Secretary of state.....	\$	112,500
17	Unclassified positions--5.0 FTE positions.....		453,200
18	Operations--30.0 FTE positions.....		<u>3,797,700</u>
19	GROSS APPROPRIATION.....	\$	4,363,400
20	Appropriated from:		
21	Special revenue funds:		
22	Auto repair facilities fees.....		69,200
23	Driver fees.....		254,200
24	Expedient service fees.....		66,800
25	Parking ticket court fines.....		9,300
26	Personal identification card fees.....		29,900
27	Reinstatement fees - operator licenses.....		234,000



1	Transportation administration collection fund.....		2,363,600
2	Vehicle theft prevention fees.....		40,700
3	State general fund/general purpose.....	\$	1,295,700
4	<b>(3) DEPARTMENT SERVICES</b>		
5	Full-time equated classified positions.....	157.0	
6	Operations--150.0 FTE positions.....	\$	23,106,200
7	Assigned claims assessments--7.0 FTE positions.....		<u>1,098,600</u>
8	GROSS APPROPRIATION.....	\$	24,204,800
9	Appropriated from:		
10	Special revenue funds:		
11	Abandoned vehicle fees.....		481,900
12	Assigned claims assessments.....		1,098,600
13	Auto repair facilities fees.....		426,700
14	Child support clearance fees.....		35,200
15	Driver fees.....		786,100
16	Expedient service fees.....		264,100
17	Marine safety fund.....		81,900
18	Off-road vehicle title fees.....		8,200
19	Parking ticket court fines.....		54,300
20	Personal identification card fees.....		122,600
21	Reinstatement fees - operator licenses.....		705,800
22	Scrap tire fund.....		75,100
23	Snowmobile registration fee revenue.....		18,300
24	Transportation administration collection fund.....		19,337,500
25	Unlicensed dealer fees fund.....		309,100
26	Vehicle theft prevention fees.....		250,300
27	State general fund/general purpose.....	\$	149,100

1       **(4) REGULATORY SERVICES**

2	Full-time equated classified positions.....	175.5	
3	Operations--173.5 FTE positions.....		\$ 19,887,900
4	Motorcycle safety education administration--2.0 FTE		
5	positions .....		321,800
6	Motorcycle safety education grants.....		<u>1,500,000</u>
7	GROSS APPROPRIATION.....		\$ 21,709,700
8	Appropriated from:		
9	Special revenue funds:		
10	Auto repair facilities fees.....		4,265,300
11	Commercial driver training school fees.....		75,100
12	Driver fees.....		2,615,700
13	Expedient service fees.....		36,200
14	Motorcycle safety fund.....		1,821,800
15	Notary fee fund.....		14,100
16	Parking ticket court fines.....		21,300
17	Personal identification card fees.....		108,100
18	Reinstatement fees - operator licenses.....		2,108,200
19	Transportation administration collection fund.....		9,262,700
20	Vehicle theft prevention fees.....		1,369,600
21	State general fund/general purpose.....		\$ 11,600

22       **(5) CUSTOMER DELIVERY SERVICES**

23	Full-time equated classified positions.....	1,283.5	
24	Branch operations--909.5 FTE positions.....		\$ 80,178,100
25	Central operations--347.0 FTE positions.....		41,526,100
26	Commemorative license plates--24.0 FTE positions .....		2,147,300
27	Specialty license plates--3.0 FTE positions .....		1,000,000

1	Credit and debit assessment service fees .....	5,000,000
2	Olympic center plate .....	75,700
3	Organ donor program .....	<u>78,000</u>
4	GROSS APPROPRIATION .....	\$ 130,005,200
5	Appropriated from:	
6	Interdepartmental grant revenues:	
7	IDG from MDOT, Michigan transportation fund .....	20,000,000
8	Federal revenues:	
9	Federal funds .....	1,460,000
10	Special revenue funds:	
11	Private funds .....	100
12	Abandoned vehicle fees .....	204,800
13	Auto repair facilities fees .....	100,400
14	Child support clearance fees .....	311,800
15	Credit and debit assessment service fees .....	5,000,000
16	Driver fees .....	24,849,900
17	Driver improvement course fund .....	1,248,400
18	Enhanced driver license and enhanced official state	
19	personal identification card fund .....	5,222,900
20	Expedient service fees .....	2,555,800
21	Marine safety fund .....	1,355,600
22	Michigan state police auto theft fund .....	123,700
23	Mobile home commission fees .....	508,100
24	Off-road vehicle title fees .....	152,200
25	Parking ticket court fines .....	1,545,400
26	Personal identification card fees .....	2,205,000
27	Recreation passport fee revenue .....	1,079,500

1	Reinstatement fees - operator licenses .....	1,554,500
2	Snowmobile registration fee revenue .....	372,000
3	Transportation administration collection fund .....	57,876,600
4	Vehicle theft prevention fees .....	219,000
5	State general fund/general purpose .....	\$ 2,059,500
6	<b>(6) ELECTION REGULATION</b>	
7	Full-time equated classified positions.....	43.0
8	Election administration and services--43.0 FTE	
9	positions .....	\$ 5,944,200
10	Fees to local units .....	109,800
11	County clerk education and training .....	100,000
12	Help America vote act .....	<u>350,000</u>
13	GROSS APPROPRIATION .....	\$ 6,504,000
14	Appropriated from:	
15	Federal revenues:	
16	Federal funds - HAVA HHS .....	350,000
17	Special revenue funds:	
18	Notary fee fund .....	330,000
19	Notary education and training fund .....	100,000
20	State general fund/general purpose .....	\$ 5,724,000
21	<b>(7) DEPARTMENTWIDE APPROPRIATIONS</b>	
22	Building occupancy charges/rent .....	\$ 9,686,400
23	Worker's compensation .....	<u>290,200</u>
24	GROSS APPROPRIATION .....	\$ 9,976,600
25	Appropriated from:	
26	Special revenue funds:	
27	Auto repair facilities fees .....	135,200

1	Driver fees.....	728,900
2	Expedient service fees.....	26,000
3	Parking ticket court fines.....	447,500
4	Transportation administration collection fund.....	5,923,700
5	State general fund/general purpose.....	\$ 2,715,300
6	<b>(8) INFORMATION TECHNOLOGY</b>	
7	Information technology services and projects.....	\$ <u>21,228,300</u>
8	GROSS APPROPRIATION.....	\$ 21,228,300
9	Appropriated from:	
10	Special revenue funds:	
11	Administrative order processing fee.....	11,600
12	Auto repair facilities fees.....	186,100
13	Child support clearance fees.....	16,900
14	Driver fees.....	771,000
15	Expedient service fees.....	1,063,000
16	Parking ticket court fines.....	85,800
17	Personal identification card fees.....	166,200
18	Reinstatement fees - operator licenses.....	580,400
19	Transportation administration collection fund.....	16,655,000
20	Vehicle theft prevention fees.....	177,200
21	State general fund/general purpose.....	\$ 1,515,100
22	<b>(9) ONE-TIME APPROPRIATIONS</b>	
23	State employee lump-sum payments.....	\$ 1,544,400
24	Executive direction.....	150,000
25	Central operations.....	<u>600,000</u>
26	GROSS APPROPRIATION.....	\$ 2,294,400
27	Appropriated from:	

1 Special revenue funds:

2 State restricted funds..... 1,259,500

3 State general fund/general purpose..... \$ 1,034,900

4 **Sec. 107. DEPARTMENT OF TECHNOLOGY, MANAGEMENT, AND**

5 **BUDGET**

6 **(1) APPROPRIATION SUMMARY**

7 Full-time equated unclassified positions..... 6.0

8 Full-time equated classified positions..... 2,808.0

9 GROSS APPROPRIATION..... \$ 1,117,099,300

10 Interdepartmental grant revenues:

11 Total interdepartmental grants and intradepartmental

12 transfers ..... 635,564,900

13 ADJUSTED GROSS APPROPRIATION..... \$ 481,534,400

14 Federal revenues:

15 Total federal revenues..... 9,464,300

16 Special revenue funds:

17 Total local revenues..... 1,320,800

18 Total private revenues..... 190,200

19 Total other state restricted revenues..... 90,517,200

20 State general fund/general purpose..... \$ 380,041,900

21 **(2) EXECUTIVE DIRECTION**

22 Full-time equated unclassified positions..... 6.0

23 Full-time equated classified positions..... 12.0

24 Unclassified positions--6.0 FTE positions..... \$ 796,500

25 Executive operations--12.0 FTE positions..... 1,994,100

26 GROSS APPROPRIATION..... \$ 2,790,600

1	Appropriated from:		
2	Interdepartmental grant revenues:		
3	IDG from building occupancy and parking charges .....		178,200
4	IDG from technology user fees .....		1,537,600
5	Special revenue funds:		
6	Special revenue, internal service, and pension trust		
7	funds .....		267,500
8	State general fund/general purpose .....	\$	807,300
9	<b>(3) DEPARTMENT SERVICES</b>		
10	Full-time equated classified positions.....	714.5	
11	Administrative services--134.5 FTE positions .....	\$	16,353,600
12	Budget and financial management--135.0 FTE positions .		16,551,200
13	Office of the state employer--23.0 FTE positions .....		3,223,100
14	Design and construction services--40.0 FTE positions .		6,376,700
15	Business support services--95.0 FTE positions .....		9,990,800
16	Building operation services--210.0 FTE positions .....		89,263,600
17	Building occupancy charges, rent, and utilities .....		5,095,800
18	Motor vehicle fleet--35.0 FTE positions .....		57,624,000
19	Information technology services and projects .....		27,302,100
20	Bureau of labor market information and strategies--		
21	42.0 FTE positions .....		<u>5,587,900</u>
22	GROSS APPROPRIATION.....	\$	237,368,800
23	Appropriated from:		
24	Interdepartmental grant revenues:		
25	IDG from accounting service centers user charges .....		2,716,100
26	IDG from building occupancy and parking charges .....		91,927,000
27	IDG from MDCH.....		470,900

1	IDG from MDHS.....	203,200
2	IDG from MDLARA.....	100,000
3	IDG from motor transport fund.....	57,624,000
4	IDG from technology user fees.....	7,437,000
5	IDG from user fees.....	6,489,300
6	Federal revenues:	
7	Federal funds.....	100
8	Federal revenues.....	5,930,100
9	Special revenue funds:	
10	Deferred compensation.....	2,600
11	Health management funds.....	2,122,400
12	MAIN user charges.....	4,404,400
13	Pension trust funds.....	7,060,700
14	Special revenue, internal service, and pension trust	
15	funds .....	16,351,900
16	State building authority revenue.....	686,000
17	State restricted indirect funds.....	2,874,500
18	State general fund/general purpose.....	\$ 30,968,600
19	<b>(4) TECHNOLOGY SERVICES</b>	
20	Full-time equated classified positions.....	1,459.5
21	Education services--29.0 FTE positions.....	\$ 3,815,800
22	Health and human services--617.5 FTE positions.....	261,710,500
23	Public protection--254.5 FTE positions.....	61,653,600
24	Resources services--146.5 FTE positions.....	18,389,500
25	Transportation services--89.5 FTE positions.....	29,547,400
26	General services--322.5 FTE positions.....	82,075,300
27	Information technology innovation fund.....	2,469,100



1	Enterprisewide information technology investments ....	<u>29,629,800</u>
2	GROSS APPROPRIATION.....	\$ 489,291,000
3	Appropriated from:	
4	Interdepartmental grant revenues:	
5	IDG from technology user fees.....	457,192,100
6	State general fund/general purpose.....	\$ 32,098,900
7	<b>(5) STATEWIDE APPROPRIATIONS</b>	
8	Professional development fund - AFSCME.....	\$ 50,000
9	Professional development fund - MPE, SEIU, scientific,	
10	and engineering unit .....	<u>125,000</u>
11	GROSS APPROPRIATION.....	\$ 175,000
12	Appropriated from:	
13	Interdepartmental grant revenues:	
14	IDG from employer contributions.....	175,000
15	State general fund/general purpose.....	\$ 0
16	<b>(6) SPECIAL PROGRAMS</b>	
17	Full-time equated classified positions.....	172.0
18	Building occupancy charges - property management	
19	services for executive/legislative building	
20	occupancy .....	\$ 1,138,600
21	Retirement services--162.0 FTE positions.....	23,873,200
22	Office of children's ombudsman--10.0 FTE positions ...	<u>1,179,300</u>
23	GROSS APPROPRIATION.....	\$ 26,191,100
24	Appropriated from:	
25	Special revenue funds:	
26	Deferred compensation.....	1,542,400
27	Pension trust funds.....	18,398,200

1	State general fund/general purpose .....	\$	6,250,500
2	<b>(7) STATE BUILDING AUTHORITY RENT</b>		
3	State building authority rent - state agencies .....	\$	68,305,800
4	State building authority rent - department of		
5	corrections .....		47,379,900
6	State building authority rent - universities .....		117,225,300
7	State building authority rent - community colleges ...		<u>23,959,600</u>
8	GROSS APPROPRIATION .....	\$	256,870,600
9	Appropriated from:		
10	State general fund/general purpose .....	\$	256,870,600
11	<b>(8) CIVIL SERVICE COMMISSION</b>		
12	Full-time equated classified positions .....		450.0
13	Agency services--81.5 FTE positions .....	\$	12,160,900
14	Executive direction--32.5 FTE positions .....		9,118,500
15	Employee benefits--16.0 FTE positions .....		5,587,900
16	Training .....		1,300,000
17	Human resources operations--320.0 FTE positions .....		34,185,800
18	Information technology services and projects .....		<u>4,164,000</u>
19	GROSS APPROPRIATION .....	\$	66,517,100
20	Appropriated from:		
21	Interdepartmental grant revenues:		
22	IDG, training charges .....		1,300,000
23	IDG, 1% special funds .....		3,110,400
24	Federal revenues:		
25	Federal funds 1% .....		3,107,400
26	Special revenue funds:		
27	Local funds 1% .....		1,320,800

1	Private funds 1%.....		190,200
2	State restricted funds 1%.....		21,182,700
3	State restricted indirect funds.....		6,789,100
4	State sponsored group insurance.....		2,743,100
5	State sponsored group insurance, flexible spending		
6	accounts, and COBRA .....		5,734,500
7	State general fund/general purpose.....	\$	21,038,900
8	<b>(9) CAPITAL OUTLAY</b>		
9	Major special maintenance, remodeling and addition for		
10	state agencies .....	\$	2,000,000
11	Enterprisewide special maintenance for state		
12	facilities .....		<u>14,814,900</u>
13	GROSS APPROPRIATION.....	\$	16,814,900
14	Appropriated from:		
15	Interdepartmental grant revenues:		
16	IDG from building occupancy charges.....		2,000,000
17	State general fund/general purpose.....	\$	14,814,900
18	<b>(10) ONE-TIME APPROPRIATIONS</b>		
19	State employee lump-sum payments.....	\$	4,680,200
20	Special maintenance, remodeling and addition - state		
21	facilities .....		10,000,000
22	Space consolidation fund.....		<u>6,400,000</u>
23	GROSS APPROPRIATION.....	\$	21,080,200
24	Appropriated from:		
25	Interdepartmental grant revenues:		
26	Interdepartmental grant revenue.....		3,104,100
27	Federal revenues:		

1	Federal revenues.....	426,700
2	Special revenue funds:	
3	State restricted revenues.....	357,200
4	State general fund/general purpose.....	\$ 17,192,200
5	<b>Sec. 108. DEPARTMENT OF TREASURY</b>	
6	<b>(1) APPROPRIATION SUMMARY</b>	
7	Full-time equated unclassified positions..... 10.0	
8	Full-time equated classified positions..... 2,543.5	
9	GROSS APPROPRIATION.....	\$ 2,630,762,400
10	Interdepartmental grant revenues:	
11	Total interdepartmental grants and intradepartmental	
12	transfers .....	8,899,400
13	ADJUSTED GROSS APPROPRIATION.....	\$ 2,621,863,000
14	Federal revenues:	
15	Total federal revenues.....	698,385,900
16	Special revenue funds:	
17	Total local revenues.....	6,686,200
18	Total private revenues.....	5,380,000
19	Total other state restricted revenues.....	1,588,073,400
20	State general fund/general purpose.....	\$ 323,337,500
21	<b>(2) EXECUTIVE DIRECTION</b>	
22	Full-time equated unclassified positions..... 10.0	
23	Full-time equated classified positions..... 5.0	
24	Unclassified positions--10.0 FTE positions.....	\$ 924,000
25	Office of the director--5.0 FTE positions.....	<u>1,479,800</u>
26	GROSS APPROPRIATION.....	\$ 2,403,800

1	Appropriated from:	
2	Federal revenues:	
3	DED-OPSE, federal lenders allowance .....	20,000
4	DED-OPSE, higher education act of 1965 insured loans .	45,000
5	Special revenue funds:	
6	State lottery fund.....	255,700
7	State services fee fund.....	459,300
8	State general fund/general purpose .....	\$ 1,623,800
9	<b>(3) DEPARTMENTWIDE APPROPRIATIONS</b>	
10	Travel.....	\$ 1,207,600
11	Rent and building occupancy charges - property	
12	management services .....	5,488,300
13	Worker's compensation insurance premium.....	<u>158,600</u>
14	GROSS APPROPRIATION.....	\$ 6,854,500
15	Appropriated from:	
16	Special revenue funds:	
17	Delinquent tax collection revenue .....	3,885,000
18	State general fund/general purpose .....	\$ 2,969,500
19	<b>(4) LOCAL GOVERNMENT PROGRAMS</b>	
20	Full-time equated classified positions.....	100.0
21	Supervision of the general property tax law--75.0 FTE	
22	positions .....	\$ 20,436,100
23	Property tax assessor training--4.0 FTE positions ....	509,100
24	Local finance--21.0 FTE positions .....	<u>2,431,900</u>
25	GROSS APPROPRIATION.....	\$ 23,377,100
26	Appropriated from:	
27	Special revenue funds:	

1	Local - assessor training fees .....		1,344,100
2	Local - audit charges .....		768,600
3	Local - equalization study charge-backs .....		40,000
4	Local - revenue from local government .....		100,000
5	Land reutilization fund .....		5,156,300
6	Municipal finance fees .....		521,400
7	Public-private partnership investment fund .....		1,513,700
8	Delinquent tax collection revenue .....		1,448,400
9	State general fund/general purpose .....	\$	12,484,600
10	<b>(5) TAX PROGRAMS</b>		
11	Full-time equated classified positions .....	812.0	
12	Customer contact--108.0 FTE positions .....		\$ 10,853,100
13	Tax compliance--333.0 FTE positions .....		41,640,100
14	Tax and economic policy--121.0 FTE positions .....		14,959,200
15	Tax processing--148.0 FTE positions .....		15,938,700
16	Health insurance claims fund program--15.0 FTE		
17	positions .....		1,948,400
18	Home heating assistance .....		2,887,300
19	Bottle act implementation .....		250,000
20	Tobacco tax enforcement--13.0 FTE positions .....		1,476,800
21	Tax plan implementation--74.0 FTE positions .....		<u>10,725,800</u>
22	GROSS APPROPRIATION .....	\$	100,679,400
23	Appropriated from:		
24	Interdepartmental grant revenues:		
25	IDG, data/collection services fees .....		50,900
26	IDG from MDOT, Michigan transportation fund .....		2,500,000
27	IDG from MDOT, state aeronautics fund .....		68,700

1	Federal revenues:	
2	HHS-SSA, low-income energy assistance .....	2,887,300
3	Special revenue funds:	
4	Bottle deposit fund.....	250,000
5	Delinquent tax collection revenue.....	71,857,500
6	Emergency 911 fund.....	148,800
7	Health insurance claims fund.....	1,948,400
8	Tobacco tax revenue.....	975,600
9	Waterways fund.....	101,700
10	State general fund/general purpose.....	\$ 19,890,500
11	<b>(6) BANKING AND MANAGEMENT SERVICES</b>	
12	Full-time equated classified positions.....	341.0
13	Departmental and budget services--51.0 FTE positions .	\$ 4,764,000
14	Unclaimed property--26.0 FTE positions .....	4,614,800
15	Collections--203.0 FTE positions .....	26,013,300
16	Finance and accounting--23.0 FTE positions .....	2,201,900
17	Receipts processing--38.0 FTE positions .....	<u>4,000,600</u>
18	GROSS APPROPRIATION.....	\$ 41,594,600
19	Appropriated from:	
20	Interdepartmental grant revenues:	
21	IDG, levy/warrant cost assessment fees .....	2,000,000
22	IDG, state agency collection fees .....	2,513,500
23	IDG from MDHS, title IV-D.....	735,900
24	IDG data/collection service fees .....	229,600
25	IDG from accounting service center user charges .....	454,600
26	Special revenue funds:	
27	Delinquent tax collection revenue.....	23,274,100

1	Escheats revenue.....		4,614,900
2	Justice system fund.....		696,100
3	Garnishment fees.....		2,405,200
4	State restricted indirect funds.....		258,500
5	Treasury fees.....		43,900
6	State general fund/general purpose.....	\$	4,368,300
7	<b>(7) FINANCIAL PROGRAMS</b>		
8	Full-time equated classified positions.....	207.5	
9	Investments--82.0 FTE positions.....	\$	19,147,400
10	Common cash and debt management--22.5 FTE positions ..		1,537,400
11	Student financial assistance programs--30.5 FTE		
12	positions .....		3,795,600
13	Michigan finance authority - bond finance--72.5 FTE		
14	positions .....		38,032,400
15	John R. Justice grant program.....		<u>287,000</u>
16	GROSS APPROPRIATION.....	\$	62,799,800
17	Appropriated from:		
18	Interdepartmental grant revenues:		
19	IDG, fiscal agent service fees.....		195,800
20	Federal revenues:		
21	DED-OPSE, federal lenders allowance.....		11,332,300
22	DED-OPSE, higher education act of 1965, insured loans		25,025,400
23	Federal - John R. Justice grant.....		287,000
24	Special revenue funds:		
25	Defined contribution administrative fee revenue .....		100,000
26	Michigan finance authority bond and loan program		
27	revenue .....		2,918,000



1	Michigan merit award trust fund.....		1,092,500
2	Retirement funds.....		17,847,700
3	School bond fees.....		791,300
4	Treasury fees.....		1,401,300
5	State general fund/general purpose.....	\$	1,808,500
6	<b>(8) DEBT SERVICE</b>		
7	Water pollution control bond and interest redemption.	\$	2,054,000
8	Quality of life bond.....		77,694,800
9	Clean Michigan initiative.....		54,300,900
10	Great Lakes water quality bond.....		<u>6,505,200</u>
11	GROSS APPROPRIATION.....	\$	140,554,900
12	Appropriated from:		
13	Special revenue funds:		
14	Refined petroleum fund.....		5,514,500
15	State general fund/general purpose.....	\$	135,040,400
16	<b>(9) GRANTS</b>		
17	Convention facility development distribution.....	\$	74,850,000
18	Senior citizen cooperative housing tax exemption		
19	program .....		12,020,000
20	Emergency 911 payments.....		27,000,000
21	Health and safety fund grants.....		9,000,000
22	Facility for rare isotope beams.....		<u>2,339,900</u>
23	GROSS APPROPRIATION.....	\$	125,209,900
24	Appropriated from:		
25	Special revenue funds:		
26	Emergency 911 fund.....		27,000,000
27	Convention facility development fund.....		74,850,000

1	Health and safety fund.....	9,000,000
2	State general fund/general purpose.....	\$ 14,359,900
3	<b>(10) BUREAU OF STATE LOTTERY</b>	
4	Full-time equated classified positions.....	183.0
5	Lottery operations--183.0 FTE positions.....	\$ 23,294,500
6	Promotion and advertising.....	18,622,000
7	Lottery information technology services and projects .	<u>5,083,600</u>
8	GROSS APPROPRIATION.....	\$ 47,000,100
9	Appropriated from:	
10	Special revenue funds:	
11	State lottery fund.....	47,000,100
12	State general fund/general purpose.....	\$ 0
13	<b>(11) CASINO GAMING</b>	
14	Full-time equated classified positions.....	126.0
15	Michigan gaming control board.....	\$ 50,000
16	Casino gaming control operations--116.0 FTE positions	24,437,100
17	Casino gaming information technology services and	
18	projects .....	1,743,600
19	Racing commission--10.0 FTE positions.....	<u>2,352,200</u>
20	GROSS APPROPRIATION.....	\$ 28,582,900
21	Appropriated from:	
22	Special revenue funds:	
23	Casino gambling agreements.....	719,300
24	Equine development fund.....	2,475,200
25	Laboratory fees.....	700,000
26	State services fee fund.....	24,688,400
27	State general fund/general purpose.....	\$ 0

1	<b>(12) PAYMENTS IN LIEU OF TAXES</b>		
2	Commercial forest reserve.....	\$	1,991,600
3	Purchased lands.....		5,097,900
4	Swamp and tax reverted lands.....		<u>5,293,200</u>
5	GROSS APPROPRIATION.....	\$	12,382,700
6	Appropriated from:		
7	Special revenue funds:		
8	Game and fish protection fund.....		1,201,500
9	Michigan natural resources trust fund.....		2,505,500
10	Michigan state waterways fund.....		94,700
11	State general fund/general purpose.....	\$	8,581,000
12	<b>(13) MICHIGAN STRATEGIC FUND</b>		
13	Full-time equated classified positions.....		422.0
14	Administration--22.0 FTE positions.....	\$	2,989,200
15	Job creation services--137.0 FTE positions.....		18,124,400
16	Pure Michigan.....		25,000,000
17	Innovation and entrepreneurship.....		25,000,000
18	Business attraction and economic gardening.....		90,000,000
19	Community development block grants.....		47,000,000
20	Arts and cultural program.....		6,150,000
21	Michigan film office --6.0 FTE positions.....		859,400
22	GEAR-UP program grants.....		3,000,000
23	Carl D. Perkins grants.....		19,000,000
24	Adult basic education.....		20,000,000
25	Adult education--16.0 FTE positions.....		2,751,100
26	Bureau of energy systems.....		4,610,900
27	Postsecondary education--9.0 FTE positions.....		2,738,700

1	Employment services--146.0 FTE positions .....	50,901,500
2	Wage and hour division--1.0 FTE position .....	132,300
3	Workforce development agency administrative services--	
4	22.0 FTE positions .....	2,239,400
5	Workforce program administration--57.0 FTE positions .	13,848,200
6	Workforce training programs .....	250,798,500
7	Welfare-to-work programs .....	93,158,800
8	Workforce development agency rent and property	
9	management .....	1,483,500
10	Land bank fast track authority - bond finance--6.0 FTE	
11	positions .....	2,993,900
12	Information technology services and projects .....	<u>2,951,400</u>
13	GROSS APPROPRIATION .....	\$ 685,731,200
14	Appropriated from:	
15	Interdepartmental grant revenues:	
16	IDG-MDEQ, air quality fees .....	37,600
17	Federal revenues:	
18	DAG, employment and training .....	7,308,500
19	DED-OESE, gear-up .....	3,000,000
20	DED-OSERS, rehabilitation services, vocational	
21	rehabilitation state grants .....	1,497,300
22	DED-OVAE, adult education .....	20,000,000
23	DED-OVAE, basic grants to states .....	19,000,000
24	DOE-OEERE, multiple grants .....	4,796,800
25	DOL, federal funds .....	127,237,700
26	DOL-ETA, workforce investment act .....	184,003,300
27	Federal funds .....	7,179,000

1	HUD-CPD, community development block grants .....	49,780,700
2	US-EPA, revolving loan fund .....	1,000,000
3	NFAH-NEA, promotion of the arts, partnership	
4	agreements .....	1,050,000
5	Social security act, temporary assistance for needy	
6	families .....	64,898,800
7	Special revenue funds:	
8	Local revenues .....	4,433,500
9	Private - special project advances .....	250,000
10	Private - Michigan council for the arts fund .....	100,000
11	Private funds .....	5,000,000
12	Private - oil overcharge .....	30,000
13	Contingent fund, penalty and interest account .....	2,814,700
14	Defaulted loan collection fees .....	100,000
15	Industry support fees .....	5,500
16	Land bank fast track fund .....	2,151,400
17	21st century jobs trust fund .....	75,000,000
18	Michigan film promotion fund .....	631,000
19	Public utility assessments .....	864,700
20	State general fund/general purpose .....	\$ 103,560,700
21	<b>(14) REVENUE SHARING</b>	
22	Constitutional state general revenue sharing grants ..	\$ 711,119,700
23	County revenue sharing payments .....	91,420,000
24	County incentive program .....	39,180,000
25	Economic vitality incentive program .....	220,000,000
26	Competitive grant assistance program .....	<u>5,000,000</u>
27	GROSS APPROPRIATION .....	\$ 1,066,719,700

1	Appropriated from:		
2	Special revenue funds:		
3	Sales tax.....	1,066,719,700	
4	State general fund/general purpose.....	\$	0
5	<b>(15) MICHIGAN STRATEGIC FUND - MICHIGAN STATE</b>		
6	<b>HOUSING DEVELOPMENT AUTHORITY</b>		
7	Full-time equated classified positions.....	347.0	
8	Payments on behalf of tenants.....	\$	166,860,000
9	Housing and rental assistance--322.0 FTE positions ...		52,588,900
10	State historic preservation program--25.0 FTE		
11	positions .....		3,411,500
12	Lighthouse preservation program.....		307,500
13	Rent and administrative support.....		3,846,100
14	Michigan state housing development authority		
15	technology services and projects.....		<u>3,368,200</u>
16	GROSS APPROPRIATION.....	\$	230,382,200
17	Appropriated from:		
18	Federal revenues:		
19	HUD, lower income housing assistance.....		166,860,000
20	Special revenue funds:		
21	Michigan state housing development authority fees and		
22	charges .....		63,214,700
23	Michigan lighthouse preservation fund.....		307,500
24	State general fund/general purpose.....	\$	0
25	<b>(16) INFORMATION TECHNOLOGY</b>		
26	Treasury operations information technology services		
27	and projects .....	\$	<u>17,611,200</u>

## House Bill No. 5365 (H-2) as amended April 25, 2012

1	GROSS APPROPRIATION.....	\$	17,611,200
2	Appropriated from:		
3	Federal revenues:		
4	DED-OPSE, federal lender allowance.....		596,600
5	Special revenue funds:		
6	Delinquent tax collection revenue.....		12,960,300
7	Retirement funds.....		730,800
8	Tobacco tax revenue.....		125,600
9	State general fund/general purpose.....	\$	3,197,900
10	<b>(17) ONE-TIME APPROPRIATIONS</b>		
11	State employee lump-sum payments.....	\$	3,878,400
12	Film incentive funding.....		[11,000,000]
	[Community college renaissance zone grants.....]		4,000,000]
13	Competitive grant assistance program.....		<u>20,000,000</u>
14	GROSS APPROPRIATION.....	\$	38,878,400
15	Appropriated from:		
16	Interdepartmental grant revenues:		
17	Interdepartmental grant revenues.....		112,800
18	Federal revenues:		
19	Federal revenues.....		580,200
20	Special revenue funds:		
21	State restricted revenues.....		22,733,000
22	State general fund/general purpose.....	\$	15,452,400

23 PART 2

24 PROVISIONS CONCERNING APPROPRIATIONS

25 FOR FISCAL YEAR 2012-2013

## House Bill No. 5365 (H-2) as amended April 25, 2012

**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 2012-2013 is \$2,771,710,200.00 and state spending from state resources to be paid to local units of government for fiscal year 2012-2013 is [\$1,253,897,800.00]. The itemized statement below identifies appropriations from which spending to local units of government will occur:

## DEPARTMENT OF STATE

Fees to local units.....	\$	109,800
Motorcycle safety grants.....		<u>1,251,000</u>
Subtotal.....	\$	1,360,800

## DEPARTMENT OF TREASURY

Senior citizen cooperative housing tax exemption.....	\$	12,020,000
Health and safety fund grants.....		9,000,000
Constitutional state general revenue sharing grants ..		711,119,700
Economic vitality incentive program.....		220,000,000
Convention facility development fund distribution....		74,850,000
Emergency 9-1-1 payments.....		23,800,000
County revenue sharing payments.....		91,420,000
County incentive program.....		39,180,000
Airport parking distribution pursuant to section 909 .		14,539,800
Competitive grant assistance program.....		25,000,000
Payments in lieu of taxes.....		12,382,700
<u>[Community college renaissance zone grants.....]</u>		<u>4,000,000</u>
Michigan strategic fund.....		<u>15,224,800</u>
Subtotal.....	\$	<u>[1,252,537,000]</u>



## House Bill No. 5365 (H-2) as amended April 25, 2012

1 TOTAL GENERAL GOVERNMENT..... \$ [1,253,897,800]

2 (2) Pursuant to section 30 of article IX of the state  
3 constitution of 1963, total state spending from state sources for  
4 fiscal year 2012-2013 is estimated at \$27,567,751,500.00 in the  
5 2012-2013 appropriations acts and total state spending from state  
6 sources paid to local units of government for fiscal year 2012-2013  
7 is estimated at [\$15,097,374,700.00]. The state-local proportion is  
8 estimated at 54.8% of total state spending from state resources.

9 (3) If payments to local units of government and state  
10 spending from state sources for fiscal year 2012-2013 are different  
11 than the amounts estimated in subsection (2), the state budget  
12 director shall report the payments to local units of government and  
13 state spending from state sources that were made for fiscal year  
14 2012-2013 to the senate and house of representatives standing  
15 committees on appropriations within 30 days after the final book-  
16 closing for fiscal year 2012-2013.

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

20 Sec. 203. As used in this article:

21 (a) "AFSCME" means American federation of state, county, and  
22 municipal employees.

23 (b) "ATM" means automated teller machine.

24 (c) "CDBG" means community development block grants.

25 (d) "COBRA" means the consolidated omnibus budget  
26 reconciliation act of 1985, Public Law 99-272, 100 Stat. 82.

27 (e) "CPI" means consumer price index.

1 (f) "DAG" means the United States department of agriculture.

2 (g) "DED" means the United States department of education.

3 (h) "DED-OESE" means the DED office of elementary and  
4 secondary education.

5 (i) "DED-OPSE" means the DED, office of postsecondary  
6 education.

7 (j) "DED-OSERS" means the DED office of special education  
8 rehabilitation services.

9 (k) "DED-OVAE" means the DED office of vocational and adult  
10 education.

11 (l) "DOE-OEERE" means the United States department of energy,  
12 office of energy efficiency and renewable energy.

13 (m) "DOI-NPS" means the United State department of interior,  
14 national park service.

15 (n) "DOL-ETA" means the United States department of labor,  
16 employment and training administration.

17 (o) "DOL-OSHA" means the United States department of labor,  
18 occupational safety and health administration.

19 (p) "EEOC" means the United States equal employment  
20 opportunity commission.

21 (q) "EPA" means the United States environmental protection  
22 agency.

23 (r) "FTE" means full-time equated.

24 (s) "Fund" means the Michigan strategic fund.

25 (t) "GEAR-UP" means gaining early awareness and readiness for  
26 undergraduate programs.

27 (u) "GF/GP" means general fund/general purpose.

1 (v) "HAVA" means help America vote act.

2 (w) "HHS" means the United States department of health and  
3 human services.

4 (x) "HHS-OS" means the HHS office of the secretary.

5 (y) "HHS-SSA" means the HHS social security administration.

6 (z) "HUD" means the United States department of housing and  
7 urban development.

8 (aa) "HUD-CPD" means the United States department of housing  
9 and urban development - community planning and development.

10 (bb) "IDG" means interdepartmental grant.

11 (cc) "IDT" means intradepartmental transfer.

12 (dd) "JCOS" means the joint capital outlay subcommittee.

13 (ee) "MAIN" means the Michigan administrative information  
14 network.

15 (ff) "MCL" means the Michigan Compiled Laws.

16 (gg) "MDCH" means the Michigan department of community health.

17 (hh) "MDE" means the Michigan department of education.

18 (ii) "MDEQ" means the Michigan department of environmental  
19 quality.

20 (jj) "MDHS" means the Michigan department of human services.

21 (kk) "MDLARA" means the Michigan department of licensing and  
22 regulatory affairs.

23 (ll) "MDMVA" means the Michigan department of military and  
24 veterans affairs.

25 (mm) "MDOC" means the Michigan department of corrections.

26 (nn) "MDOT" means the Michigan department of transportation.

27 (oo) "MDSP" means the Michigan department of state police.

1           (pp) "MDTMB" means the Michigan department of technology,  
2 management, and budget.

3           (qq) "MEDC" means the Michigan economic development  
4 corporation, which is the public body corporate created under  
5 section 28 of article VII of the state constitution of 1963 and the  
6 urban cooperation act of 1967, 1967 (Ex Sess) PA 7, MCL 124.501 to  
7 124.512, by contractual interlocal agreement effective April 5,  
8 1999, between local participating economic development corporations  
9 formed under the economic development corporations act, 1974 PA  
10 338, MCL 125.1601 to 125.1636, and the Michigan strategic fund.

11           (rr) "MFA" means the Michigan finance authority.

12           (ss) "MPE" means the Michigan public employees.

13           (tt) "MSC" means managerial, supervisory, and confidential.

14           (uu) "MSF" means Michigan strategic fund.

15           (vv) "MSHDA" means Michigan state housing development  
16 authority.

17           (ww) "NERE" means nonexclusively represented employees.

18           (xx) "NFAH-NEA" means the national foundation of the arts and  
19 the humanities - national endowment for the arts.

20           (yy) "PA" means public act.

21           (zz) "PACC" means the prosecuting attorneys coordinating  
22 council.

23           (aaa) "RS" means Revised Statutes.

24           (bbb) "SEIU" means service employees international union.

25           (ccc) "WIC" means women, infants, and children.

26           Sec. 206. The departments and agencies receiving  
27 appropriations in this article shall maintain a searchable website

1 accessible by the public at no cost that includes, but is not  
2 limited to, all of the following:

3 (a) Fiscal year-to-date expenditures by category.

4 (b) Fiscal year-to-date expenditures by appropriation unit.

5 (c) Fiscal year-to-date payments to a selected vendor,  
6 including the vendor name, payment date, payment amount, and  
7 payment description.

8 (d) The number of active department employees by job  
9 classification.

10 (e) Job specifications and wage rates.

11 Sec. 207. Amounts appropriated in part 1 for information  
12 technology may be designated as work project accounts and carried  
13 forward to support technology projects under the direction of the  
14 department of technology, management, and budget. Funds designated  
15 in this manner are not available for expenditure until approved as  
16 work projects under section 451a of the management and budget act,  
17 1984 PA 431, MCL 18.1451a.

18 Sec. 208. Unless otherwise specified, the departments and  
19 agencies receiving appropriations in part 1 shall use the Internet  
20 to fulfill the reporting requirements of this article. This  
21 requirement may include transmission of reports via electronic mail  
22 to the recipients identified for each reporting requirement, or it  
23 may include placement of reports on an Internet or Intranet site.

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

goods or services, or both, manufactured or provided by Michigan businesses, if they are competitively priced and of comparable quality. In addition, preference should be given to goods or services, or both, that are manufactured or provided by Michigan businesses owned and operated by veterans, if they are competitively priced and of comparable quality.

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. Pursuant to section 352 of the management and budget act, 1984 PA 431, MCL 18.1352, which provides for a transfer of state general funds into or out of the countercyclical budget and economic stabilization fund, there is appropriated for the fiscal year ending September 30, 2013, from general fund/general purpose revenue for deposit into the countercyclical budget and economic stabilization fund the sum of \$130,000,000.00. The calculation required by section 352 of the management and budget act, 1984 PA 431, MCL 18.1352, is determined as follows:

	2012	2013
Michigan personal income (millions) .....	\$372,355	\$382,781
less: transfer payments .....	<u>84,544</u>	<u>87,080</u>
Subtotal .....	\$287,811	\$295,701
Divided by: Detroit CPI for 12 months		

1	ending June 30 .....	2.153	2.192
2	Equals: real adjusted Michigan personal		
3	income .....	\$133,692	\$134,928
4	Percentage change .....		0.9%
5	Percentage change in excess of 2% .....		0.0%
6	Multiplied by: estimated GF/GP revenue in		
7	fiscal year 2012-2013 (millions) .....		9,034.6
8	Equals: countercyclical budget and		
9	economic stabilization fund payout		
10	calculation for the fiscal year ending		
11	September 30, 2013 (millions) .....		\$0.0

12       Sec. 212. The departments and agencies receiving  
13 appropriations in part 1 shall receive and retain copies of all  
14 reports funded from appropriations in part 1. Federal and state  
15 guidelines for short-term and long-term retention of records shall  
16 be followed. The department may electronically retain copies of  
17 reports unless otherwise required by federal and state guidelines.

18       Sec. 213. Funds appropriated in part 1 shall not be used by  
19 this state, a department, an agency, or an authority of this state  
20 to purchase an ownership interest in a casino enterprise or a  
21 gambling operation as those terms are defined in the Michigan  
22 gaming control and revenue act, 1996 IL 1, MCL 432.201 to 432.226.

23       Sec. 214. From the funds appropriated in part 1 for  
24 information technology, departments and agencies shall pay user  
25 fees to the department of technology, management, and budget for  
26 technology-related services and projects. Such user fees shall be  
27 subject to provisions of an interagency agreement between the

1 departments and agencies and the department of technology,  
2 management, and budget.

3 Sec. 215. A department or state agency shall not take  
4 disciplinary action against an employee for communicating with a  
5 member of the legislature or his or her staff.

6 Sec. 216. The departments and agencies receiving  
7 appropriations in part 1 shall prepare a report on out-of-state  
8 travel expenses not later than January 1 of each year. The travel  
9 report shall be a listing of all travel by classified and  
10 unclassified employees outside this state in the immediately  
11 preceding fiscal year that was funded in whole or in part with  
12 funds appropriated in the department's budget. The report shall be  
13 submitted to the house and senate standing committees on  
14 appropriations, the house and senate fiscal agencies, and the state  
15 budget director. The report shall include the following  
16 information:

17 (a) The dates of each travel occurrence.

18 (b) The total transportation and related costs of each travel  
19 occurrence, including the proportion funded with state general  
20 fund/general purpose revenues, the proportion funded with state  
21 restricted revenues, the proportion funded with federal revenues,  
22 and the proportion funded with other revenues.

23 Sec. 217. General fund appropriations in this article shall  
24 not be expended for items in cases where federal funding is  
25 available for the same expenditures.

26 Sec. 219. It is the intent of the legislature that all  
27 principal executive departments and agencies cooperate with the



1 development and implementation of the department of technology,  
2 management, and budget statewide office space consolidation plan.

3 Sec. 220. Funds appropriated in this article shall not be used  
4 to administer a committee or to solicit or obtain contributions for  
5 a committee. As used in this section, "committee" means that term  
6 as defined in section 3 of the Michigan campaign finance act, 1976  
7 PA 388, MCL 169.203.

8 Sec. 221. (1) Each department shall report no later than April  
9 1 on each specific policy change made to implement a public act  
10 affecting the department that took effect during the prior calendar  
11 year to the senate and house of representatives standing committees  
12 on appropriations subcommittees on general government, the joint  
13 committee on administrative rules, and the senate and house fiscal  
14 agencies.

15 (2) Funds appropriated in part 1 shall not be used by a  
16 department to adopt a rule that will apply to a small business and  
17 that will have a disproportionate economic impact on small  
18 businesses because of the size of those businesses if the  
19 department fails to reduce the disproportionate economic impact of  
20 the rule on small businesses as provided under section 40 of the  
21 administrative procedures act of 1969, 1969 PA 306, MCL 24.240.

22 (3) As used in this section:

23 (a) "Rule" means that term as defined under section 7 of the  
24 administrative procedures act of 1969, 1969 PA 306, MCL 24.207.

25 (b) "Small business" means that term as defined under section  
26 7a of the administrative procedures act of 1969, 1969 PA 306, MCL  
27 24.207a.

1       Sec. 226. Funds appropriated in part 1 shall not be used by a  
2 principal executive department, state agency, or authority to hire  
3 a person to provide legal services that are the responsibility of  
4 the attorney general. This prohibition does not apply to legal  
5 services for bonding activities and for those activities that the  
6 attorney general authorizes.

7       Sec. 227. Within 14 days after the release of the executive  
8 budget recommendation, the departments and agencies receiving  
9 appropriations in this article shall provide the state budget  
10 director, the chairs of the senate and house of representatives  
11 standing committees on appropriations, the senate and house of  
12 representatives standing committees on appropriations subcommittees  
13 on general government, and the senate and house fiscal agencies  
14 with an annual report on estimated state restricted fund balances,  
15 state restricted fund projected revenues, and state restricted fund  
16 expenditures for the fiscal years ending September 30, 2012 and  
17 September 30, 2013.

18       Sec. 228. Not later than November 15, each department or  
19 agency receiving appropriations in part 1 shall prepare and  
20 transmit a report that provides for estimates of the total general  
21 fund/general purpose appropriation lapses at the close of the  
22 fiscal year. This report shall summarize the projected year-end  
23 general fund/general purpose appropriation lapses by major  
24 departmental program or program areas. The report shall be  
25 transmitted to the office of the state budget, the chairpersons of  
26 the senate and house of representatives standing committees on  
27 appropriations, and the senate and house fiscal agencies.

1       Sec. 229. If the office of the auditor general has identified  
2 an initiative or made a recommendation that is related to savings  
3 and efficiencies in an audit report for an executive branch  
4 department or agency, the department or agency shall report within  
5 6 months of the release of the audit on their efforts and progress  
6 made toward achieving the savings and efficiencies identified in  
7 the audit report. The report shall be submitted to the chairpersons  
8 of the senate and house of representatives standing committees on  
9 appropriations, the chairpersons of the senate and house of  
10 representatives standing committees with jurisdiction over matters  
11 relating to the department that is audited, and the senate and  
12 house fiscal agencies.

13       Sec. 230. The departments and agencies receiving  
14 appropriations in part 1 shall work together to implement and  
15 maintain courteous, efficient, and quality services to all  
16 customers of this state, and to all principal executive departments  
17 and agencies, the legislative branch, and the judicial branch.

18       Sec. 231. (1) It is the intent of the legislature that the  
19 departments and agencies receiving appropriations in part 1 not  
20 expend appropriations associated with vacant, full-time equated  
21 positions until the vacant, full-time equated position is occupied.

22       (2) The departments and agencies receiving appropriations  
23 under part 1 shall provide a quarterly report to the legislature,  
24 beginning October 1, specifying the number of actual, full-time  
25 equated positions. When reporting on the number of actual, full-  
26 time equated positions, the department or agency shall provide the  
27 maximum number of actual, full-time equated positions, by

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appropriation line item, in pay status during the quarter. The report shall also include the following:

(a) A listing of all funded, full-time equated positions, listed by position title.

(b) A listing of positions that are funded and filled, including the total compensation appropriated for each position.

(c) A listing of positions that are funded, but unfilled, including the total compensation appropriated for each position.

(d) A listing of all funded, part-time positions, both filled and unfilled, and the total compensation appropriated for each position.

(3) For purposes of this section, full-time equated position is the equivalent of an employee scheduled to work 80 hours biweekly as defined in the annual workforce report. Total compensation is defined to include wages and benefits.

[Sec. 232. (1) Except as provided in subsection (2), by October 31, 2012, each principal executive department and agency receiving funds in part 1 of this article shall identify 10 principal measurable outcomes to be affected by expenditure of the funds appropriated in part 1 of this article and submit a report to the house and senate appropriations committees, the house and senate fiscal agencies, and the state budget director that ranks the outcomes by level of importance and contains current data on those outcomes. Beginning on April 1, 2013, each principal executive department and agency shall provide biannual updates to the house and senate appropriations committees on changes in those measurable outcomes and departmental efforts to improve the outcomes.

(2) For purposes of the requirements of subsection (1), the department of attorney general, the department of civil rights, the bureau of state lottery, and the Michigan gaming control board shall identify and report on 5, rather than 10, principal measurable outcomes.]

#### **DEPARTMENT OF ATTORNEY GENERAL**

Sec. 301. (1) In addition to the funds appropriated in part 1, there is appropriated an amount not to exceed \$1,500,000.00 for federal contingency funds. These funds are not available for expenditure until they have been transferred to another line item in this article 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 \$1,500,000.00 for state restricted contingency funds. These funds are not available for expenditure until they have been transferred to another line item

1 in this article under section 393(2) of the management and budget  
2 act, 1984 PA 431, MCL 18.1393.

3 (3) In addition to the funds appropriated in part 1, there is  
4 appropriated an amount not to exceed \$100,000.00 for local  
5 contingency funds. These funds are not available for expenditure  
6 until they have been transferred to another line item in this  
7 article under section 393(2) of the management and budget act, 1984  
8 PA 431, MCL 18.1393.

9 (4) In addition to the funds appropriated in part 1, there is  
10 appropriated an amount not to exceed \$100,000.00 for private  
11 contingency funds. These funds are not available for expenditure  
12 until they have been transferred to another line item in this  
13 article under section 393(2) of the management and budget act, 1984  
14 PA 431, MCL 18.1393.

15 Sec. 302. (1) The attorney general shall perform all legal  
16 services, including representation before courts and administrative  
17 agencies rendering legal opinions and providing legal advice to a  
18 principal executive department or state agency. A principal  
19 executive department or state agency shall not employ or enter into  
20 a contract with any other person for services described in this  
21 section.

22 (2) The attorney general shall defend judges of all state  
23 courts if a claim is made or a civil action is commenced for  
24 injuries to persons or property caused by the judge through the  
25 performance of the judge's duties while acting within the scope of  
26 his or her authority as a judge.

27 (3) The attorney general shall perform the duties specified in

1 1846 RS 12, MCL 14.28 to 14.35, and 1919 PA 232, MCL 14.101 to  
2 14.102, and as otherwise provided by law.

3       Sec. 303. The attorney general may sell copies of the biennial  
4 report in excess of the 350 copies that the attorney general may  
5 distribute on a gratis basis. Gratis copies shall not be provided  
6 to members of the legislature. Electronic copies of biennial  
7 reports shall be made available on the department of attorney  
8 general's website. The attorney general shall sell copies of the  
9 report at not less than the actual cost of the report and shall  
10 deposit the money received into the general fund.

11       Sec. 304. The department of attorney general is responsible  
12 for the legal representation for state of Michigan state employee  
13 worker's disability compensation cases. The risk management  
14 revolving fund revenue appropriation in part 1 is to be satisfied  
15 by billings from the department of attorney general for the actual  
16 costs of legal representation, including salaries and support  
17 costs.

18       Sec. 305. In addition to the funds appropriated in part 1, not  
19 more than \$400,000.00 shall be reimbursed per fiscal year for food  
20 stamp fraud cases heard by the third circuit court of Wayne County  
21 that were initiated by the department of attorney general pursuant  
22 to the existing contract between the department of human services,  
23 the prosecuting attorneys association of Michigan, and the  
24 department of attorney general. The source of this funding is money  
25 earned by the department of attorney general under the agreement  
26 after the allowance for reimbursement to the department of attorney  
27 general for costs associated with the prosecution of food stamp

1 fraud cases. It is recognized that the federal funds are earned by  
2 the department of attorney general for its documented progress on  
3 the prosecution of food stamp fraud cases according to the United  
4 States department of agriculture regulations and that, once earned  
5 by this state, the funds become state funds.

6 Sec. 306. Any proceeds from a lawsuit initiated by or  
7 settlement agreement entered into on behalf of this state against a  
8 manufacturer of tobacco products by the attorney general are state  
9 funds and are subject to appropriation as provided by law.

10 Sec. 307. (1) In addition to the antitrust revenues in part 1,  
11 antitrust, securities fraud, consumer protection or class action  
12 enforcement revenues, or attorney fees recovered by the department,  
13 not to exceed \$250,000.00, are appropriated to the department for  
14 antitrust, securities fraud, and consumer protection or class  
15 action enforcement cases.

16 (2) Any unexpended funds from antitrust, securities fraud, or  
17 consumer protection or class action enforcement revenues at the end  
18 of the fiscal year, including antitrust funds in part 1, may be  
19 carried forward for expenditure in the following fiscal year up to  
20 the maximum authorization of \$250,000.00.

21 Sec. 308. (1) In addition to the funds appropriated in part 1,  
22 there is appropriated up to \$500,000.00 from litigation expense  
23 reimbursements awarded to the state.

24 (2) The funds may be expended for the payment of court  
25 judgments or settlements, attorney fees, and litigation expenses  
26 not including salaries and support costs, assessed against the  
27 office of the governor, the department of the attorney general, the

1 governor, or the attorney general when acting in an official  
2 capacity as the named party in litigation against the state. The  
3 funds may also be expended for the payment of state costs incurred  
4 under section 16 of chapter X of the code of criminal procedure,  
5 1927 PA 175, MCL 770.16.

6 (3) Unexpended funds at the end of the fiscal year may be  
7 carried forward for expenditure in the following year, up to a  
8 maximum authorization of \$500,000.00.

9 Sec. 309. From the prisoner reimbursement funds appropriated  
10 in part 1, the department may spend up to \$497,900.00 on activities  
11 related to the state correctional facilities reimbursement act,  
12 1935 PA 253, MCL 800.401 to 800.406. In addition to the funds  
13 appropriated in part 1, if the department collects in excess of  
14 \$1,131,000.00 in gross annual prisoner reimbursement receipts  
15 provided to the general fund, the excess, up to a maximum of  
16 \$1,000,000.00, is appropriated to the department of attorney  
17 general and may be spent on the representation of the department of  
18 corrections and its officers, employees, and agents, including, but  
19 not limited to, the defense of litigation against the state, its  
20 departments, officers, employees, or agents in civil actions filed  
21 by prisoners.

22 Sec. 310. (1) For the purposes of providing title IV-D child  
23 support enforcement funding, the department of human services, as  
24 the state IV-D agency, shall maintain a cooperative agreement with  
25 the attorney general for federal IV-D funding to support the child  
26 support enforcement activities within the office of the attorney  
27 general.



1           (2) The attorney general or his or her designee shall, to the  
2 extent allowable under federal law, have access to any information  
3 used by the state to locate parents who fail to pay court-ordered  
4 child support.

5           Sec. 312. The department of attorney general shall not receive  
6 and expend funds in addition to those authorized in part 1 for  
7 legal services provided specifically to other state departments or  
8 agencies except for costs for expert witnesses, court costs, or  
9 other nonsalary litigation expenses associated with a pending legal  
10 action.

11           Sec. 313. Any proceeds from a lawsuit initiated by or  
12 settlement agreement entered into on behalf of this state by the  
13 attorney general relative to mortgage foreclosure fraud are state  
14 funds and are subject to appropriation by the legislature as  
15 provided by law.

16           Sec. 314. (1) Any proceeds from lawsuits initiated by or  
17 settlement agreements entered into on behalf of this state by the  
18 attorney general are state funds and are subject to appropriation  
19 by the legislature as provided by law.

20           (2) The attorney general shall submit a report by November 1  
21 to the senate and house of representatives standing committees on  
22 appropriations subcommittees on general government and the senate  
23 and house fiscal agencies which lists all proceeds from lawsuits  
24 and settlement agreements obtained by the attorney general in the  
25 prior fiscal year. The report shall include details on how the  
26 funding was or will be expended once appropriated by the  
27 legislature.

1           (3) The attorney general shall submit a quarterly report to  
2 the senate and house of representatives standing committees on  
3 appropriations subcommittees on general government and the senate  
4 and house fiscal agencies which lists all proceeds from lawsuits  
5 and settlement agreements obtained by the attorney general in the  
6 prior quarter. The report shall include details on how the funding  
7 was or will be expended once appropriated by the legislature.

8           Sec. 315. From the funds appropriated in part 1, the  
9 department of attorney general shall submit a report which details  
10 funds that could be recovered by the attorney general but for the  
11 prohibition on actions against a drug manufacturer under section  
12 2946(5) of the revised judicature act of 1961, 1961 PA 236, MCL  
13 600.2946. The report shall be submitted to the senate and house of  
14 representatives standing committees on appropriations subcommittees  
15 on general government and to the senate and house fiscal agencies  
16 by April 1.

17   DEPARTMENT OF CIVIL RIGHTS

18           Sec. 401. (1) In addition to the funds appropriated in part 1,  
19 there is appropriated an amount not to exceed \$2,000,000.00 for  
20 federal contingency funds. These funds are not available for  
21 expenditure until they have been transferred to another line item  
22 in this article under section 393(2) of the management and budget  
23 act, 1984 PA 431, MCL 18.1393.

24           (2) In addition to the funds appropriated in part 1, there is  
25 appropriated an amount not to exceed \$750,000.00 for private  
26 contingency funds. These funds are not available for expenditure

1 until they have been transferred to another line item in this  
2 article under section 393(2) of the management and budget act, 1984  
3 PA 431, MCL 18.1393.

4 Sec. 402. (1) In addition to the appropriations contained in  
5 part 1, the department of civil rights may receive and expend funds  
6 from local or private sources for all of the following purposes:

7 (a) Developing and presenting training for employers on equal  
8 employment opportunity law and procedures.

9 (b) The publication and sale of civil rights related  
10 informational material.

11 (c) The provision of copy material made available under  
12 freedom of information requests.

13 (d) Other copy fees, subpoena fees, and witness fees.

14 (e) Developing, presenting, and participating in mediation  
15 processes for certain civil rights cases.

16 (f) Workshops, seminars, and recognition or award programs  
17 consistent with the programmatic mission of the individual unit  
18 sponsoring or coordinating the programs.

19 (g) Staffing costs for all activities included in this  
20 subsection.

21 (2) The department of civil rights shall annually report to  
22 the state budget director, the senate and house of representatives  
23 standing committees on appropriations, and the senate and house  
24 fiscal agencies the amount of funds received and expended for  
25 purposes authorized under this section.

26 Sec. 403. The department of civil rights may contract with  
27 local units of government to review equal employment opportunity

1 compliance of potential contractors and may charge for and expend  
2 amounts received from local units of government for the purpose of  
3 developing and providing these contractual services.

#### 4 **LEGISLATURE**

5       Sec. 600. The senate, the house of representatives, or an  
6 agency within the legislative branch may receive, expend, and  
7 transfer funds in addition to those authorized in part 1.

8       Sec. 601. (1) Funds appropriated in part 1 to an entity within  
9 the legislative branch shall not be expended or transferred to  
10 another account without written approval of the authorized agent of  
11 the legislative entity. If the authorized agent of the legislative  
12 entity notifies the state budget director of its approval of an  
13 expenditure or transfer before the year-end book-closing date for  
14 that legislative entity, the state budget director shall  
15 immediately make the expenditure or transfer. The authorized  
16 legislative entity agency shall be designated by the speaker of the  
17 house of representatives for house entities, the senate majority  
18 leader for senate entities, and the legislative council for  
19 legislative council entities.

20       (2) Funds appropriated within the legislative branch, to a  
21 legislative council component, shall not be expended by any agency  
22 or other subgroup included in that component without the approval  
23 of the legislative council.

24       Sec. 602. The senate may charge rent and assess charges for  
25 utility costs. The amounts received for rent charges and utility  
26 assessments are appropriated to the senate for the renovation,

1 operation, and maintenance of the Farnum building and other  
2 properties.

3 Sec. 603. The appropriation contained in part 1 for national  
4 association dues is to be distributed by the legislative council.  
5 From the funding appropriated, \$51,000.00 shall be paid as annual  
6 dues to the national conference of commissioners on uniform state  
7 laws.

8 Sec. 604. (1) The appropriation in part 1 to the legislative  
9 council includes funds to operate the legislative parking  
10 facilities in the capitol area. The legislative council shall  
11 establish rules regarding the operation of the legislative parking  
12 facilities.

13 (2) The legislative council shall collect a fee from state  
14 employees and the general public using certain legislative parking  
15 facilities. The revenues received from the parking fees shall be  
16 allocated by the legislative council.

17 Sec. 605. The appropriation in part 1 to the legislative  
18 council for publication of the Michigan manual is a work project  
19 account. The unexpended portion remaining on September 30 shall not  
20 lapse and shall be carried forward into the subsequent fiscal year  
21 for use in paying the associated biennial costs of publication of  
22 the Michigan manual.

23 Sec. 606. The appropriations in part 1 to the legislative  
24 branch, for property management, shall be used to purchase  
25 equipment and services for building maintenance in order to ensure  
26 a safe and productive work environment. These funds are designated  
27 as work project appropriations and shall not lapse at the end of

1 the fiscal year, and shall continue to be available for expenditure  
2 until the project has been completed. The total cost is estimated  
3 at \$500,000.00, and the tentative completion date is September 30,  
4 2017.

5 Sec. 607. The appropriations in part 1 to the legislative  
6 branch, for automated data processing, shall be used to purchase  
7 equipment, software, and services in order to support and implement  
8 data processing requirements and technology improvements. These  
9 funds are designated as work project appropriations and shall not  
10 lapse at the end of the fiscal year, and shall continue to be  
11 available for expenditure until the project has been completed. The  
12 total cost is estimated at \$500,000.00, and the tentative  
13 completion date is September 30, 2017.

14 Sec. 608. In addition to funds appropriated in part 1, the  
15 Michigan capitol committee publications save the flags fund account  
16 may accept contributions, gifts, bequests, devises, grants, and  
17 donations. Those funds that are not expended in the fiscal year  
18 ending September 30 shall not lapse at the close of the fiscal  
19 year, and shall be carried forward for expenditure in the following  
20 fiscal years.

21 Sec. 609. (1) The funds appropriated in part 1 to the  
22 legislative council for the Michigan veterans' facility ombudsman  
23 shall be used to create the office of the Michigan veterans'  
24 facility ombudsman. The ombudsman shall be appointed by and serve  
25 at the pleasure of the legislative council.

26 (2) The legislative council shall establish procedures for  
27 approving the budget of the office, for expending funds of the

1 office, and for the employment of personnel for the office.

2 (3) The purpose of the ombudsman is to conduct investigations,  
3 when deemed necessary, upon his or her own initiative or upon  
4 receipt of a complaint from a resident veteran, family member of a  
5 resident veteran, or legislator who files a complaint concerning an  
6 action, omission, decision, recommendation, practice, or other  
7 procedure of the department of military and veterans affairs or a  
8 condition existing at a Michigan veterans' facility that is alleged  
9 to be contrary to law or departmental policy or that poses a  
10 significant health or safety issue for which there is no effective  
11 administrative remedy.

12 (4) Subject to approval of the legislative council, the  
13 ombudsman shall establish procedures for receiving and processing  
14 complaints, conducting investigations, holding hearings, and  
15 reporting the findings resulting from the investigations.

16 (5) Upon request and without the requirement of any release,  
17 the ombudsman shall be given access to all information, records,  
18 and documents in the possession of the department of military and  
19 veterans affairs or a Michigan veterans' facility that the  
20 ombudsman deems necessary in an investigation.

21 (6) Upon request and without notice, the ombudsman shall be  
22 granted entrance to inspect at any time any Michigan veterans'  
23 facility.

24 (7) The ombudsman may hold informal hearings and may request  
25 that any person appear before the ombudsman or at a hearing and  
26 give testimony or produce documentary or other evidence that the  
27 ombudsman deems relevant to an investigation.

1           (8) The ombudsman shall advise a complainant to pursue all  
2 administrative remedies open to the complainant. The ombudsman may  
3 request and shall receive from the department of military and  
4 veterans affairs or from a Michigan veterans' facility a progress  
5 report concerning the administrative processing of a complaint.  
6 After administrative action on a complaint, the ombudsman may  
7 conduct further investigation on the request of a complainant or on  
8 his or her own initiative.

9           (9) The ombudsman is not required to conduct an investigation  
10 on a complaint brought before the ombudsman. A complainant is not  
11 entitled as a right to be heard by the ombudsman.

12          (10) Upon receiving a complaint and deciding to investigate  
13 the complaint, the ombudsman shall notify the complainant, the  
14 resident veteran or resident veterans affected, and the department  
15 of military and veterans affairs. If the ombudsman declines to  
16 investigate, the ombudsman shall notify the complainant, in  
17 writing, and inform the resident veteran or veterans affected of  
18 the reasons for the ombudsman's decision.

19          (11) Correspondence between the ombudsman and a complainant is  
20 confidential and is privileged communication. A report prepared and  
21 recommendations made by the ombudsman and submitted to the  
22 legislative council are exempt from disclosure under the freedom of  
23 information act, 1976 PA 442, MCL 15.231 to 15.246.

24          (12) The ombudsman shall prepare and submit a report of the  
25 findings of an investigation and make recommendations to the  
26 legislative council within 30 days after completing the  
27 investigation if the ombudsman finds any of the following:



1 (a) A matter that should be considered by the department.

2 (b) An act that should be modified or canceled.

3 (c) A statute or rule that should be altered.

4 (d) Acts for which justification is necessary.

5 (e) Significant resident veteran health and safety issues as  
6 determined by the council.

7 (f) Any other significant concerns as determined by the  
8 council.

9 (13) Before announcing a conclusion or recommendation that  
10 expressly or by implication criticizes a person or Michigan  
11 veterans' facility or the department of military and veterans  
12 affairs, the ombudsman shall consult with that person or facility  
13 or the department.

14 (14) The ombudsman may request to be notified by a person or  
15 Michigan veterans' facility or the department of military and  
16 veterans affairs, within a specified time, of any action taken on  
17 any recommendation presented. The ombudsman shall notify the  
18 complainant of the actions taken by the person, the facility, or  
19 the department of military and veterans affairs.

20 (15) The ombudsman shall submit to the legislative council and  
21 the legislature an annual report on the conduct of the office.

22 (16) A resident veteran shall not be penalized in any way by a  
23 person or Michigan veterans' facility or the department of military  
24 and veterans affairs as a result of filing a complaint, complaining  
25 to a legislator, or cooperating with the ombudsman in investigating  
26 a complaint. A person or facility or the department shall not  
27 hinder the lawful actions of the ombudsman or employees of the

1 office or willfully refuse to comply with any lawful demand of the  
2 office.

3 **LEGISLATIVE AUDITOR GENERAL**

4 Sec. 620. Pursuant to section 53 of article IV of the state  
5 constitution of 1963, the auditor general shall conduct audits of  
6 the judicial branch. The audits may include the supreme court and  
7 its administrative units, the court of appeals, and trial courts.

8 Sec. 621. (1) The auditor general shall take all reasonable  
9 steps to ensure that certified minority- and women-owned and  
10 operated accounting firms, and accounting firms owned and operated  
11 by persons with disabilities participate in the audits of the  
12 books, accounts, and financial affairs of each principal executive  
13 department, branch, institution, agency, and office of this state.

14 (2) The auditor general shall strongly encourage firms with  
15 which the auditor general contracts to perform audits of the  
16 principal executive departments and state agencies to subcontract  
17 with certified minority- and women-owned and operated accounting  
18 firms, and accounting firms owned and operated by persons with  
19 disabilities.

20 (3) The auditor general shall compile an annual report  
21 regarding the number of contracts entered into with certified  
22 minority- and women-owned and operated accounting firms, and  
23 accounting firms owned and operated by persons with disabilities.  
24 The auditor general shall deliver the report to the state budget  
25 director and the senate and house of representatives standing  
26 committees on appropriations subcommittees on general government by

1 November 1 of each year.

2       Sec. 622. From the funds appropriated in part 1 to the  
3 legislative auditor general, the auditor general's salary and the  
4 salaries of the remaining 2.0 FTE unclassified positions shall be  
5 set by the speaker of the house of representatives, the senate  
6 majority leader, the house of representatives minority leader, and  
7 the senate minority leader.

8       Sec. 623. Any audits, reviews, or investigations requested of  
9 the auditor general by the legislature or by legislative  
10 leadership, legislative committees, or individual legislators shall  
11 include an estimate of the additional costs involved and, when  
12 those costs exceed \$50,000.00, should provide supplemental funding.  
13 The auditor general shall determine whether to perform those  
14 activities in keeping with Audit Directive No. 29, which describes  
15 the office of the auditor general's policy on responding to  
16 legislative requests.

17 **DEPARTMENT OF STATE**

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

24       (2) In addition to the funds appropriated in part 1, there is  
25 appropriated an amount not to exceed \$7,500,000.00 for state  
26 restricted contingency funds. These funds are not available for

1 expenditure until they have been transferred to another line item  
2 in this article under section 393(2) of the management and budget  
3 act, 1984 PA 431, MCL 18.1393.

4 (3) In addition to the funds appropriated in part 1, there is  
5 appropriated an amount not to exceed \$50,000.00 for local  
6 contingency funds. These funds are not available for expenditure  
7 until they have been transferred to another line item in this  
8 article under section 393(2) of the management and budget act, 1984  
9 PA 431, MCL 18.1393.

10 (4) In addition to the funds appropriated in part 1, there is  
11 appropriated an amount not to exceed \$100,000.00 for private  
12 contingency funds. These funds are not available for expenditure  
13 until they have been transferred to another line item in this  
14 article under section 393(2) of the management and budget act, 1984  
15 PA 431, MCL 18.1393.

16 Sec. 702. All funds made available by section 3171 of the  
17 insurance code of 1956, 1956 PA 218, MCL 500.3171, are appropriated  
18 and made available to the department of state to be expended only  
19 for the uses and purposes for which the funds are received as  
20 provided by sections 3171 to 3177 of the insurance code of 1956,  
21 1956 PA 218, MCL 500.3171 to 500.3177.

22 Sec. 703. From the funds appropriated in part 1, the  
23 department of state shall sell copies of records including, but not  
24 limited to, records of motor vehicles, off-road vehicles,  
25 snowmobiles, watercraft, mobile homes, personal identification  
26 cardholders, drivers, and boat operators and shall charge \$7.00 per  
27 record sold only as authorized in section 208b of the Michigan

1 vehicle code, 1949 PA 300, MCL 257.208b, section 7 of 1972 PA 222,  
2 MCL 28.297, and sections 80130, 80315, 81114, and 82156 of the  
3 natural resources and environmental protection act, 1994 PA 451,  
4 MCL 324.80130, 324.80315, 324.81114, and 324.82156. The revenue  
5 received from the sale of records shall be credited to the  
6 transportation administration collection fund created under section  
7 810b of the Michigan vehicle code, 1949 PA 300, MCL 257.810b.

8       Sec. 704. From the funds appropriated in part 1, the secretary  
9 of state may enter into agreements with the department of  
10 corrections for the manufacture of vehicle registration plates 15  
11 months before the registration year in which the registration  
12 plates will be used.

13       Sec. 705. (1) The department of state may accept gifts,  
14 donations, contributions, and grants of money and other property  
15 from any private or public source to underwrite, in whole or in  
16 part, the cost of a departmental publication that is prepared and  
17 disseminated under the Michigan vehicle code, 1949 PA 300, MCL  
18 257.1 to 257.923. A private or public funding source may receive  
19 written recognition in the publication and may furnish a traffic  
20 safety message, subject to departmental approval, for inclusion in  
21 the publication. The department may reject a gift, donation,  
22 contribution, or grant. The department may furnish copies of a  
23 publication underwritten, in whole or in part, by a private source  
24 to the underwriter at no charge.

25       (2) The department of state may sell and accept paid  
26 advertising for placement in a departmental publication that is  
27 prepared and disseminated under the Michigan vehicle code, 1949 PA

1 300, MCL 257.1 to 257.923. The department may charge and receive a  
2 fee for any advertisement appearing in a departmental publication  
3 and shall review and approve the content of each advertisement. The  
4 department may refuse to accept advertising from any person or  
5 organization. The department may furnish a reasonable number of  
6 copies of a publication to an advertiser at no charge.

7 (3) Pending expenditure, the funds received under this section  
8 shall be deposited in the Michigan department of state publications  
9 fund created by section 211 of the Michigan vehicle code, 1949 PA  
10 300, MCL 257.211. Funds given, donated, or contributed to the  
11 department from a private source are appropriated and allocated for  
12 the purpose for which the revenue is furnished. Funds granted to  
13 the department from a public source are allocated and may be  
14 expended upon receipt. The department shall not accept a gift,  
15 donation, contribution, or grant if receipt is conditioned upon a  
16 commitment of state funding at a future date. Revenue received from  
17 the sale of advertising is appropriated and may be expended upon  
18 receipt.

19 (4) Any unexpended revenues received under this section shall  
20 be carried over into subsequent fiscal years and shall be available  
21 for appropriation for the purposes described in this section.

22 (5) On March 1 of each year, the department of state shall  
23 file a report with the senate and house of representatives standing  
24 committees on appropriations, the senate and house fiscal agencies,  
25 and the state budget director. The report shall include all of the  
26 following information:

27 (a) The amount of gifts, contributions, donations, and grants

1 of money received by the department under this section for the  
2 prior fiscal year.

3 (b) A listing of the expenditures made from the amounts  
4 received by the department as reported in subdivision (a).

5 (c) A listing of any gift, donation, contribution, or grant of  
6 property other than funding received by the department under this  
7 section for the prior year.

8 (d) The total revenue received from the sale of paid  
9 advertising accepted under this section and a statement of the  
10 total number of advertising transactions.

11 (6) In addition to copies delivered without charge as the  
12 secretary of state considers necessary, the department of state may  
13 sell copies of manuals and other publications regarding the sale,  
14 ownership, or operation or regulation of motor vehicles, with  
15 amendments, at prices to be established by the secretary of state.  
16 As used in this subsection, the term "manuals and other  
17 publications" includes videos and proprietary electronic  
18 publications. All funds received from sales of these manuals and  
19 other publications shall be credited to the Michigan department of  
20 state publications fund.

21 Sec. 707. Funds collected by the department of state under  
22 section 211 of the Michigan vehicle code, 1949 PA 300, MCL 257.211,  
23 are appropriated for all expenses necessary to provide for the  
24 costs of the publication. Funds are allotted for expenditure when  
25 they are received by the department of treasury and shall not lapse  
26 to the general fund at the end of the fiscal year.

27 Sec. 708. From the funds appropriated in part 1, the

1 department of state shall use available balances at the end of the  
2 state fiscal year to provide payment to the department of state  
3 police in the amount of \$332,000.00 for the services provided by  
4 the traffic accident records program as first appropriated in 1990  
5 PA 196 and 1990 PA 208.

6 Sec. 709. From the funds appropriated in part 1, the  
7 department of state may restrict funds from miscellaneous revenue  
8 to cover cash shortages created from normal branch office  
9 operations. This amount shall not exceed \$50,000.00 of the total  
10 funds available in miscellaneous revenue.

11 Sec. 710. (1) Commemorative and specialty license plate fee  
12 revenue collected by the department of state and deposited into the  
13 transportation administration collection fund is authorized for  
14 expenditure up to the amount of revenue collected but not to exceed  
15 the amount appropriated to the department of state in part 1 to  
16 administer commemorative and specialty license plate programs.

17 (2) Commemorative and specialty license plate fee revenue  
18 collected by the department of state and deposited in the  
19 transportation administration collection fund, in addition to the  
20 amount appropriated in part 1 to the department of state, shall  
21 remain in the transportation administration collection fund and be  
22 available for future appropriation.

23 Sec. 711. Collector plate and fund-raising registration plate  
24 revenues collected by the department of state are appropriated and  
25 allotted for distribution to the recipient university or public or  
26 private agency overseeing a state-sponsored goal when received.  
27 Distributions shall occur on a quarterly basis or as otherwise



1 authorized by law. Any revenues remaining at the end of the fiscal  
2 year shall not lapse to the general fund but shall remain available  
3 for distribution to the university or agency in the next fiscal  
4 year.

5       Sec. 712. The department of state may produce and sell copies  
6 of a training video designed to inform registered automotive repair  
7 facilities of their obligations under Michigan law. The price shall  
8 not exceed the cost of production and distribution. The money  
9 received from the sale of training videos shall revert to the  
10 department of state and be placed in the auto repair facility  
11 account.

12       Sec. 713. (1) The department of state, in collaboration with  
13 the gift of life transplantation society or its successor federally  
14 designated organ procurement organization, may develop and  
15 administer a public information campaign concerning the Michigan  
16 organ donor program.

17       (2) The department may solicit funds from any private or  
18 public source to underwrite, in whole or in part, the public  
19 information campaign authorized by this section. The department may  
20 accept gifts, donations, contributions, and grants of money and  
21 other property from private and public sources for this purpose. A  
22 private or public funding source underwriting the public  
23 information campaign, in whole or in substantial part, shall  
24 receive sponsorship credit for its financial backing.

25       (3) Funds received under this section, including grants from  
26 state and federal agencies, shall not lapse to the general fund at  
27 the end of the fiscal year but shall remain available for

1 expenditure for the purposes described in this section.

2 (4) Funding appropriated in part 1 for the organ donor program  
3 shall be used for producing a pamphlet to be distributed with  
4 driver licenses and personal identification cards regarding organ  
5 donations. The funds shall be used to update and print a pamphlet  
6 that will explain the organ donor program and encourage people to  
7 become donors by marking a checkoff on driver license and personal  
8 identification card applications.

9 (5) The pamphlet shall include a return reply form addressed  
10 to the gift of life organization. Funding appropriated in part 1  
11 for the organ donor program shall be used to pay for return postage  
12 costs.

13 (6) In addition to the appropriations in part 1, the  
14 department of state may receive and expend funds from the organ and  
15 tissue donation education fund for administrative expenses.

16 Sec. 714. At least 180 days before closing or consolidating a  
17 branch office and at least 60 days before relocating a branch  
18 office, the department of state shall inform members of the senate  
19 and house of representatives standing committees on appropriations  
20 and legislators who represent affected areas regarding the details  
21 of the proposal. The information provided shall be in written form  
22 and include all analyses done regarding criteria for changes in the  
23 location of branch offices, including, but not limited to, branch  
24 transactions, revenue, and the impact on citizens of the affected  
25 area. The impact on citizens shall include information regarding  
26 additional distance to branch office locations resulting from the  
27 plan. The written notice provided by the department of state shall

1 also include detailed estimates of costs and savings that will  
2 result from the overall changes made to the branch office structure  
3 and the same level of detail regarding costs for new leased  
4 facilities and expansions of current leased space.

5       Sec. 715. (1) Any service assessment collected by the  
6 department of state from the user of a credit or debit card under  
7 section 3 of 1995 PA 144, MCL 11.23, may be used by the department  
8 for necessary expenses related to that service and may be remitted  
9 to a credit or debit card company, bank, or other financial  
10 institution.

11       (2) The service assessment imposed by the department of state  
12 for credit and debit card services may be based either on a  
13 percentage of each individual credit or debit card transaction, or  
14 on a flat rate per transaction, or both, scaled to the amount of  
15 the transaction. However, the department shall not charge any  
16 amount for a service assessment which exceeds the costs billable to  
17 the department for service assessments.

18       (3) If there is a balance of service assessments received from  
19 credit and debit card services remaining on September 30, the  
20 balance may be carried forward to the following fiscal year and  
21 appropriated for the same purpose.

22       (4) As used in this section, "service assessment" means and  
23 includes costs associated with service fees imposed by credit and  
24 debit card companies and processing fees imposed by banks and other  
25 financial institutions.

26       Sec. 717. (1) The department of state may accept nonmonetary  
27 gifts, donations, or contributions of property from any private or

1 public source to support, in whole or in part, the operation of a  
2 departmental function relating to licensing, regulation, or safety.  
3 The department may recognize a private or public contributor for  
4 making the contribution. The department may reject a gift,  
5 donation, or contribution.

6 (2) The department of state shall not accept a gift, donation,  
7 or contribution under subsection (1) if receipt of the gift,  
8 donation, or contribution is conditioned upon a commitment of  
9 future state funding.

10 (3) On March 1 of each year, the department of state shall  
11 file a report with the senate and house of representatives standing  
12 committees on appropriations, the senate and house fiscal agencies,  
13 and the state budget director. The report shall list any gift,  
14 donation, or contribution received by the department under  
15 subsection (1) for the prior calendar year.

16 Sec. 718. From the funds appropriated in part 1 to the  
17 department of state, branch operations, the department shall  
18 maintain a full service secretary of state branch office in Buena  
19 Vista Township.

20 Sec. 719. From the funds appropriated in part 1 for the  
21 department of state, the department shall first use restricted  
22 funding for expenditures, when available for that purpose, before  
23 using general fund dollars.

24 Sec. 721. From the funds appropriated in part 1, the  
25 department of state may collect ATM commission fees from companies  
26 that have ATMs located in secretary of state branch offices. The  
27 commission received from the use of these ATMs shall be credited to

1 the transportation administration collection fund created under  
2 section 810b of the Michigan vehicle code, 1949 PA 300, MCL  
3 257.810b.

4 **DEPARTMENT OF TECHNOLOGY, MANAGEMENT, AND BUDGET**

5 Sec. 801. (1) In addition to the funds appropriated in part 1,  
6 there is appropriated an amount not to exceed \$4,000,000.00 for  
7 federal contingency funds. These funds are not available for  
8 expenditure until they have been transferred to another line item  
9 in this article under section 393(2) of the management and budget  
10 act, 1984 PA 431, MCL 18.1393.

11 (2) In addition to the funds appropriated in part 1, there is  
12 appropriated an amount not to exceed \$8,000,000.00 for state  
13 restricted contingency funds. These funds are not available for  
14 expenditure until they have been transferred to another line item  
15 in this article under section 393(2) of the management and budget  
16 act, 1984 PA 431, MCL 18.1393.

17 (3) In addition to the funds appropriated in part 1, there is  
18 appropriated an amount not to exceed \$150,000.00 for local  
19 contingency funds. These funds are not available for expenditure  
20 until they have been transferred to another line item in this  
21 article under section 393(2) of the management and budget act, 1984  
22 PA 431, MCL 18.1393.

23 (4) In addition to the funds appropriated in part 1, there is  
24 appropriated an amount not to exceed \$100,000.00 for private  
25 contingency funds. These funds are not available for expenditure  
26 until they have been transferred to another line item in this

1 article under section 393(2) of the management and budget act, 1984  
2 PA 431, MCL 18.1393.

3 Sec. 802. Proceeds in excess of necessary costs incurred in  
4 the conduct of transfers or auctions of state surplus, salvage, or  
5 scrap property made pursuant to section 267 of the management and  
6 budget act, 1984 PA 431, MCL 18.1267, are appropriated to the  
7 department of technology, management, and budget to offset costs  
8 incurred in the acquisition and distribution of federal surplus  
9 property. The department of technology, management, and budget  
10 shall provide consolidated Internet auction services through the  
11 state's contractors for all local units of government.

12 Sec. 803. (1) The department of technology, management, and  
13 budget may receive and expend funds in addition to those authorized  
14 by part 1 for maintenance and operation services provided  
15 specifically to other principal executive departments or state  
16 agencies, the legislative branch, the judicial branch, or private  
17 tenants, or provided in connection with facilities transferred to  
18 the operational jurisdiction of the department of technology,  
19 management, and budget.

20 (2) The department of technology, management, and budget may  
21 receive and expend funds in addition to those authorized by part 1  
22 for real estate, architectural, design, and engineering services  
23 provided specifically to other principal executive departments or  
24 state agencies, the legislative branch, or the judicial branch.

25 (3) The department of technology, management, and budget may  
26 receive and expend funds in addition to those authorized in part 1  
27 for mail pickup and delivery services provided specifically to

1 other principal executive departments and state agencies, the  
2 legislative branch, or the judicial branch.

3 (4) The department of technology, management, and budget may  
4 receive and expend funds in addition to those authorized in part 1  
5 for purchasing services provided specifically to other principal  
6 executive departments and state agencies, the legislative branch,  
7 or the judicial branch.

8 (5) The department of technology, management, and budget may  
9 not expend funds for the purchase of new office furniture for  
10 principal executive departments and state agencies, the legislative  
11 branch, or the judicial branch without first examining the  
12 possibility of using existing inventory that can be reused or  
13 refurbished. The department of technology, management, and budget  
14 may utilize its existing refurbished open space office furniture,  
15 lateral files, design and installation services statewide contract  
16 to work with a vendor that specializes in inventory management and  
17 product reutilization and that is not a seller of new furniture to  
18 the state of Michigan to supplement any additional office furniture  
19 needs. If the department purchases new office furniture for a  
20 principal executive department or state agency, the department  
21 shall provide a report, not later than 30 days following the  
22 purchase of new furniture, describing why the purchase of new  
23 office furniture was necessary.

24 Sec. 804. (1) The source of financing in part 1 for statewide  
25 appropriations shall be funded by assessments against longevity and  
26 insurance appropriations throughout state government in a manner  
27 prescribed by the department of technology, management, and budget.

1 Funds shall be used as specified in joint labor/management  
2 agreements or through the coordinated compensation hearings  
3 process. Any deposits made under this subsection and any  
4 unencumbered funds are restricted revenues, may be carried over  
5 into the succeeding fiscal years, and are appropriated.

6 (2) In addition to the funds appropriated in part 1 for  
7 statewide appropriations, the department of technology, management,  
8 and budget may receive and expend funds in such additional amounts  
9 as may be specified in joint labor/management agreements or through  
10 the coordinated compensation hearings process in the same manner  
11 and subject to the same conditions as prescribed in subsection (1).

12 Sec. 805. To the extent a specific appropriation is required  
13 for a detailed source of financing included in part 1 for the  
14 department of technology, management, and budget appropriations  
15 financed from special revenue and internal service and pension  
16 trust funds, or MAIN user charges, the specific amounts are  
17 appropriated within the special revenue internal service and  
18 pension trust funds in portions not to exceed the aggregate amount  
19 appropriated in part 1.

20 Sec. 806. In addition to the funds appropriated in part 1 to  
21 the department of technology, management, and budget, the  
22 department may receive and expend funds from other principal  
23 executive departments and state agencies to implement  
24 administrative leave bank transfer provisions as may be specified  
25 in joint labor/management agreements. The amounts may also be  
26 transferred to other principal executive departments and state  
27 agencies under the joint agreement and any amounts transferred



1 under the joint agreement are authorized for receipt and  
2 expenditure by the receiving principal executive department or  
3 state agency. Any amounts received by the department of technology,  
4 management, and budget under this section and intended, under the  
5 joint labor/management agreements, to be available for use beyond  
6 the close of the fiscal year and any unencumbered funds may be  
7 carried over into the succeeding fiscal year.

8       Sec. 807. The source of financing in part 1 for the Michigan  
9 administrative information network shall be funded by proportionate  
10 charges assessed against the respective state funds benefiting from  
11 this project in the amounts determined by the department.

12       Sec. 808. (1) Deposits against the interdepartmental grant  
13 from building occupancy and parking charges appropriated in part 1  
14 shall be collected, in part, from state agencies, the legislative  
15 branch, and the judicial branch based on estimated costs associated  
16 with maintenance and operation of buildings managed by the  
17 department of technology, management, and budget. To the extent  
18 excess revenues are collected due to estimates of building  
19 occupancy charges exceeding actual costs, the excess revenues may  
20 be carried forward into succeeding fiscal years for the purpose of  
21 returning funds to state agencies.

22       (2) Appropriations in part 1 to the department of technology,  
23 management, and budget, for management and budget services from  
24 building occupancy charges and parking charges, may be increased to  
25 return excess revenue collected to state agencies.

26       Sec. 809. The department of technology, management, and budget  
27 shall notify the chairpersons of the senate and house of

1 representatives standing committees on appropriations and the  
2 chairpersons of the senate and house of representatives standing  
3 committees on appropriations subcommittees on general government on  
4 any revisions that increase or decrease current contracts by more  
5 than \$500,000.00 for computer software development, hardware  
6 acquisition, or quality assurance at least 14 days before the  
7 department of technology, management, and budget finalizes the  
8 revisions.

9       Sec. 810. The department of technology, management, and budget  
10 shall maintain an Internet website that contains notice of all  
11 invitations for bids and requests for proposals over \$50,000.00  
12 issued by the department or by any state agency operating under  
13 delegated authority. The department shall not accept an invitation  
14 for bid or request for proposal in less than 14 days after the  
15 notice is made available on the Internet website, except in  
16 situations where it would be in the best interest of the state and  
17 documented by the department. In addition to the requirements of  
18 this section, the department may advertise the invitations for bids  
19 and requests for proposals in any manner the department determines  
20 appropriate, in order to give the greatest number of individuals  
21 and businesses the opportunity to make bids or requests for  
22 proposals.

23       Sec. 811. The department of technology, management, and budget  
24 may receive and expend funds from the Vietnam veterans memorial  
25 monument fund as provided in the Michigan Vietnam veterans memorial  
26 act, 1988 PA 234, MCL 35.1051 to 35.1057. Funds are appropriated  
27 and allocated when received and may be expended upon receipt.

1       Sec. 812. The Michigan veterans' memorial park commission may  
2 receive and expend money from any source, public or private,  
3 including, but not limited to, gifts, grants, donations of money,  
4 and government appropriations, for the purposes described in  
5 Executive Order No. 2001-10. Funds are appropriated and allocated  
6 when received and may be expended upon receipt. Any deposits made  
7 under this section and unencumbered funds are restricted revenues  
8 and may be carried over into succeeding fiscal years.

9       Sec. 813. (1) Funds in part 1 for motor vehicle fleet are  
10 appropriated to the department of technology, management, and  
11 budget for administration and for the acquisition, lease,  
12 operation, maintenance, repair, replacement, and disposal of state  
13 motor vehicles.

14       (2) The appropriation in part 1 for motor vehicle fleet shall  
15 be funded by revenue from rates charged to principal executive  
16 departments and agencies for utilizing vehicle travel services  
17 provided by the department. Revenue in excess of the amount  
18 appropriated in part 1 from the motor transport fund and any  
19 unencumbered funds are restricted revenues and may be carried over  
20 into the succeeding fiscal year.

21       (3) Pursuant to the department of technology, management, and  
22 budget's authority under sections 213 and 215 of the management and  
23 budget act, 1984 PA 431, MCL 18.1213 and 18.1215, the department  
24 shall maintain a plan regarding the operation of the motor vehicle  
25 fleet. The plan shall include the number of vehicles assigned to,  
26 or authorized for use by, state departments and agencies, efforts  
27 to reduce vehicle expenditures, the number of cars in the motor

1 vehicle fleet, the number of miles driven by fleet vehicles, and  
2 the number of gallons of fuel consumed by fleet vehicles. The plan  
3 shall include a calculation of the amount of state motor vehicle  
4 fuel taxes that would have been incurred by fleet vehicles if fleet  
5 vehicles were required by law to pay motor fuel taxes. The plan  
6 shall include a description of fleet garage operations, the goods  
7 sold and services provided by the fleet garage, the cost to operate  
8 the fleet garage, the number of fleet garage locations, and the  
9 number of employees assigned to each fleet garage. The plan may be  
10 adjusted during the fiscal year based on needs and cost savings to  
11 achieve the maximum value and efficiency from the state motor  
12 fleet. Within 60 days after the close of the fiscal year, the  
13 department shall provide a report to the senate and house of  
14 representatives standing committees on appropriations and the  
15 senate and house fiscal agencies detailing the current plan and  
16 changes made to the plan during the fiscal year.

17 (4) The department of technology, management, and budget may  
18 charge state agencies for fuel cost increases that exceed \$3.04 net  
19 of tax. The department shall notify state agencies, in writing or  
20 by electronic mail, at least 30 days before implementing additional  
21 charges for fuel cost increases. Revenues received from these  
22 charges are appropriated upon receipt.

23 (5) In order to reduce costs and maintain quality, it is the  
24 intent of the legislature that, excluding the fleet of motor  
25 vehicles for the department of state police, when economically  
26 feasible, the department of technology, management, and budget will  
27 prioritize the utilization of remanufactured parts as the primary

1 means of maintenance and repair for the state of Michigan's fleet  
2 of motor vehicles.

3       Sec. 814. The department of technology, management, and budget  
4 shall develop a plan regarding the use of the funds appropriated in  
5 part 1 for the enterprisewide information technology investments.  
6 The plan shall include, but not be limited to, a description of  
7 proposed information technology investments, the time frame for  
8 completion of the information technology investments, the proposed  
9 cost of the information technology investments, the number of  
10 employees assigned to implement each information technology  
11 investment, the contracts entered into for each information  
12 technology investment, and any other information the department  
13 deems necessary. The plan shall be distributed to the senate and  
14 house of representatives standing committees on appropriations  
15 subcommittees on general government, as well as the senate and  
16 house fiscal agencies, by February 1.

17       Sec. 815. The department of technology, management, and budget  
18 shall not enter into a contract for goods or services with a vendor  
19 unless the vendor certifies with the department of technology,  
20 management, and budget that the vendor does not employ a former  
21 employee of the department of technology, management, and budget  
22 purchasing operations who has been severed from state employment  
23 with department of technology, management, and budget purchasing  
24 operations for less than 1 year.

25       Sec. 816. The department of technology, management, and budget  
26 shall be required to institute competitive bidding for any contract  
27 for goods or services exceeding \$250,000.00. Any renegotiated

1 contract entered into by the department of technology, management,  
2 and budget shall post the percentage savings on the department of  
3 technology, management, and budget dashboard.

4 Sec. 817. The department of technology, management, and budget  
5 may require that any vendor or subcontractor providing call or  
6 contact center services to the state of Michigan disclose to  
7 inbound callers the location from which the call or contact center  
8 services are being provided.

9 Sec. 818. In addition to the funds appropriated in part 1, the  
10 department of technology, management, and budget may receive and  
11 expend money from the Michigan law enforcement officers memorial  
12 monument fund as provided in the Michigan law enforcement officers  
13 memorial act, 2004 PA 177, MCL 28.781 to 28.787.

14 Sec. 819. In addition to the funds appropriated in part 1, the  
15 department of technology, management, and budget may receive and  
16 expend money from the Ronald Wilson Reagan memorial monument fund  
17 as provided in the Ronald Wilson Reagan memorial monument fund  
18 commission act, 2004 PA 489, MCL 399.261 to 399.266.

19 Sec. 820. The department shall make available to the public a  
20 list of all parcels of real property owned by the state that are  
21 available for purchase. The list shall be posted on the Internet  
22 through the department's website.

23 Sec. 822. The department of technology, management, and budget  
24 shall compile a report by January 1 pertaining to the salaries of  
25 unclassified employees, as well as gubernatorial appointees, within  
26 all state departments and agencies. The report shall enumerate each  
27 unclassified employee and gubernatorial appointee and his or her

1 annual salary individually. The report shall be distributed to the  
2 chairs of the senate and house of representatives standing  
3 committees on appropriations subcommittees on general government,  
4 as well as the senate and house fiscal agencies.

5 **INFORMATION TECHNOLOGY**

6 Sec. 823. (1) The department of technology, management, and  
7 budget may sell and accept paid advertising for placement on any  
8 state website under its jurisdiction. The department shall review  
9 and approve the content of each advertisement. The department may  
10 refuse to accept advertising from any person or organization or  
11 require modification to advertisements based upon criteria  
12 determined by the department. Revenue received under this  
13 subsection shall be used for operating costs of the department and  
14 for future technology enhancements to state of Michigan e-  
15 government initiatives. Funds received under this subsection shall  
16 be limited to \$250,000.00. Any funds in excess of \$250,000.00 shall  
17 be deposited in the state general fund.

18 (2) The department of technology, management, and budget may  
19 accept gifts, donations, contributions, bequests, and grants of  
20 money from any public or private source to assist with the  
21 underwriting or sponsorship of state webpages or services offered  
22 on those webpages. A private or public funding source may receive  
23 recognition in the webpage. The department of technology,  
24 management, and budget may reject any gift, donation, contribution,  
25 bequest, or grant.

26 (3) Funds accepted by the department of technology,

1 management, and budget under subsection (1) are appropriated and  
2 allotted when received and may be expended upon approval of the  
3 state budget director. The state budget office shall notify the  
4 senate and house of representatives standing committees on  
5 appropriations subcommittees on general government and the senate  
6 and house fiscal agencies within 10 days after the approval is  
7 given.

8 (4) By April 1, the department of technology, management, and  
9 budget shall report to the senate and house of representatives  
10 standing committees on appropriations and the senate and house  
11 fiscal agencies that a statement of the total revenue received from  
12 the sale of paid advertising accepted under this section and a  
13 statement of the total number of advertising transactions are  
14 available on the department's website.

15 Sec. 824. The department of technology, management, and budget  
16 may enter into agreements to supply spatial information and  
17 technical services to other principal executive departments, state  
18 agencies, local units of government, and other organizations. The  
19 department of technology, management, and budget may receive and  
20 expend funds in addition to those authorized in part 1 for  
21 providing information and technical services, publications, maps,  
22 and other products. The department of technology, management, and  
23 budget may expend amounts received for salaries, supplies, and  
24 equipment necessary to provide informational products and technical  
25 services. Prior to December 1 of each year, the department shall  
26 provide a report to the senate and house of representatives  
27 standing committees on appropriations subcommittees on general



1 government, detailing the sources of funding and expenditures made  
2 under this section.

3 Sec. 825. The legislature shall have access to all historical  
4 and current data contained within MAIN pertaining to state  
5 departments. State departments shall have access to all historical  
6 and current data contained within MAIN.

7 Sec. 826. When used in this article, "information technology  
8 services" means services involving all aspects of managing and  
9 processing information, including, but not limited to, all of the  
10 following:

11 (a) Application development and maintenance.

12 (b) Desktop computer support and management.

13 (c) Mainframe computer support and management.

14 (d) Server support and management.

15 (e) Local area network support and management, including, but  
16 not limited to, wireless networking.

17 (f) Information technology project management.

18 (g) Information technology planning and budget management.

19 (h) Telecommunication services, security, infrastructure, and  
20 support.

21 Sec. 827. (1) Funds appropriated in part 1 for the Michigan  
22 public safety communications system shall be expended upon approval  
23 of an expenditure plan by the state budget director.

24 (2) The department of technology, management, and budget shall  
25 assess all subscribers of the Michigan public safety communications  
26 system reasonable access and maintenance fees.

27 (3) All money received by the department of technology,

1 management, and budget under this section shall be expended for the  
2 support and maintenance of the Michigan public safety  
3 communications system.

4 (4) The department of technology, management, and budget shall  
5 provide a report to the senate and house of representatives  
6 standing committees on appropriations, the senate and house fiscal  
7 agencies, and the state budget director on April 15 and on October  
8 15, indicating the amount of revenue collected under this section  
9 and expended for support and maintenance of the Michigan public  
10 safety communications system for the immediately preceding 6-month  
11 period. Any deposits made under this section and unencumbered funds  
12 are restricted revenues and may be carried forward into succeeding  
13 fiscal years.

14 Sec. 828. The department of technology, management, and budget  
15 shall submit a report for the immediately preceding fiscal year  
16 ending September 30 to the senate and house of representatives  
17 standing committees on appropriations subcommittees on general  
18 government and the senate and house fiscal agencies by March 1. The  
19 report shall include the following:

20 (a) The total amount of funding appropriated for information  
21 technology services and projects, by funding source, for all  
22 principal executive departments and agencies.

23 (b) A listing of the expenditures made from the amounts  
24 received by the department of technology, management, and budget as  
25 reported in subdivision (a).

26 Sec. 830. By December 31, the department shall provide a  
27 report that lists all information technology-related change orders

1 and follow-on contracts, greater than \$50,000.00, whether they are  
2 bid, exercise options, or no-bid, and the amount of each change  
3 order or contract extension contract entered into by the department  
4 to the senate and house of representatives standing committees on  
5 appropriations subcommittees on general government, the senate and  
6 house fiscal agencies, and the state budget director.

7       Sec. 832. The department shall provide a report that  
8 calculates the total amount of funds expended for the child support  
9 enforcement system to date from the inception of the program. The  
10 report shall contain information on the original start and  
11 completion dates for the project, the original cost to complete the  
12 project, and a listing of all revisions to project completion dates  
13 and costs. The report shall include the total amount of funds paid  
14 to the federal government for penalties. The report shall be  
15 submitted to the senate and house of representatives standing  
16 committees on government operations, the senate and house of  
17 representatives standing committees on appropriations subcommittees  
18 on general government, and the senate and house fiscal agencies by  
19 January 1.

20       Sec. 833. (1) The state budget director, upon notification to  
21 the senate and house of representatives standing committees on  
22 appropriations, may adjust spending authorization and user fees in  
23 the department of technology, management, and budget budget in  
24 order to ensure that the appropriations for information technology  
25 in the department budget equal the appropriations for information  
26 technology in the budgets for all executive branch agencies.

27       (2) If during the course of the fiscal year a transfer or

1 supplemental to or from the information technology line item within  
2 an agency budget is made under section 393 of the management and  
3 budget act, 1984 PA 431, MCL 18.1393, there is appropriated an  
4 equal amount of user fees in the department of technology,  
5 management, and budget budget to accommodate an increase or  
6 decrease in spending authorization.

7       Sec. 834. (1) Revenue collected from licenses issued under the  
8 antenna site management project shall be deposited into the antenna  
9 site management revolving fund created for this purpose in the  
10 department of technology, management, and budget. The department  
11 may receive and expend money from the fund for costs associated  
12 with the antenna site management project, including the cost of a  
13 third-party site manager. Any excess revenue remaining in the fund  
14 at the close of the fiscal year shall be proportionately  
15 transferred to the appropriate state restricted funds as designated  
16 in statute or by constitution.

17       (2) An antenna shall not be placed on any site pursuant to  
18 this section without complying with the respective local zoning  
19 codes and local unit of government processes.

20       Sec. 835. In addition to the funds appropriated in part 1, the  
21 funds collected by the department for supplying census-related  
22 information and technical services, publications, statistical  
23 studies, population projections and estimates, and other  
24 demographic products area appropriated for all expenses necessary  
25 to provide the required services. These funds are available for  
26 expenditure when they are received and may be carried forward into  
27 the next succeeding fiscal year.

1     **STATE BUILDING AUTHORITY**

2           Sec. 840. (1) Subject to section 242 of the management and  
3 budget act, 1984 PA 431, MCL 18.1242, and upon the approval of the  
4 state building authority, the department may expend from the  
5 general fund of the state during the fiscal year an amount to meet  
6 the cash flow requirements of those state building authority  
7 projects solely for lease to a state agency identified in both part  
8 1 and this section, and for which state building authority bonds or  
9 notes have not been issued, and for the sole acquisition by the  
10 state building authority of equipment and furnishings for lease to  
11 a state agency as permitted by 1964 PA 183, MCL 830.411 to 830.425,  
12 for which the issuance of bonds or notes is authorized by a  
13 legislative concurrent resolution that is effective for the fiscal  
14 year ending September 30, 2013. Any general fund advances for which  
15 state building authority bonds have not been issued shall bear an  
16 interest cost to the state building authority at a rate not to  
17 exceed that earned by the state treasurer's common cash fund during  
18 the period in which the advances are outstanding and are repaid to  
19 the general fund of the state.

20           (2) Upon sale of bonds or notes for the projects identified in  
21 part 1 or for equipment as authorized by legislative concurrent  
22 resolution and in this section, the state building authority shall  
23 credit the general fund of the state an amount equal to that  
24 expended from the general fund plus interest, if any, as defined in  
25 this section.

26           (3) For state building authority projects for which bonds or

1 notes have been issued and upon the request of the state building  
2 authority, the state treasurer shall make advances without interest  
3 from the general fund as necessary to meet cash flow requirements  
4 for the projects, which advances shall be reimbursed by the state  
5 building authority when the investments earmarked for the financing  
6 of the projects mature.

7 (4) In the event that a project identified in part 1 is  
8 terminated after final design is complete, advances made on behalf  
9 of the state building authority for the costs of final design shall  
10 be repaid to the general fund in a manner recommended by the  
11 director and approved by the JCOS.

12 Sec. 841. (1) State building authority funding to finance  
13 construction or renovation of a facility that collects revenue in  
14 excess of money required for the operation of that facility shall  
15 not be released to a university or community college unless the  
16 institution agrees to reimburse that excess revenue to the state  
17 building authority. The excess revenue shall be credited to the  
18 general fund to offset rent obligations associated with the  
19 retirement of bonds issued for that facility. The auditor general  
20 shall annually identify and present an audit of those facilities  
21 that are subject to this section. Costs associated with the  
22 administration of the audit shall be charged against money  
23 recovered pursuant to this section.

24 (2) As used in this section, "revenue" includes state  
25 appropriations, facility opening money, other state aid, indirect  
26 cost reimbursement, and other revenue generated by the activities  
27 of the facility.

1       Sec. 842. (1) The state building authority rent appropriations  
2 in part 1 may also be expended for the payment of required premiums  
3 for insurance on facilities owned by the state building authority  
4 or payment of costs that may be incurred as the result of any  
5 deductible provisions in such insurance policies.

6       (2) If the amount appropriated in part 1 for state building  
7 authority rent is not sufficient to pay the rent obligations and  
8 insurance premiums and deductibles identified in subsection (1) for  
9 state building authority projects, there is appropriated from the  
10 general fund of the state the amount necessary to pay such  
11 obligations.

12       Sec. 843. The state building authority shall provide to the  
13 JCOS, state budget director, and senate and house fiscal agencies a  
14 report relative to the status of construction projects associated  
15 with state building authority bonds as of September 30 of each  
16 year, on or before October 15, or not more than 30 days after a  
17 refinancing or restructuring bond issue is sold. The report shall  
18 include, but is not limited to, the following:

19       (a) A list of all completed construction projects for which  
20 state building authority bonds have been sold, and which bonds are  
21 currently active.

22       (b) A list of all projects under construction for which sale  
23 of state building authority bonds is pending.

24       (c) A list of all projects authorized for construction or  
25 identified in an appropriations act for which approval of  
26 schematic/preliminary plans or total authorized cost is pending  
27 that have state building authority bonds identified as a source of

1 financing.

2 **CIVIL SERVICE**

3       Sec. 850. (1) In accordance with section 5 of article XI of  
4 the state constitution of 1963, all restricted funds shall be  
5 assessed a sum not less than 1% of the total aggregate payroll paid  
6 from those funds for financing the civil service commission on the  
7 basis of actual 1% restricted sources total aggregate payroll of  
8 the classified service for the fiscal year 2012. This includes, but  
9 is not limited to, restricted funds appropriated in part 1 of any  
10 appropriations act. Unexpended 1% appropriated funds shall be  
11 returned to each 1% fund source at the end of the fiscal year.

12       (2) The appropriations in part 1 are estimates of actual  
13 charges based on payroll appropriations. With the approval of the  
14 state budget director, the commission is authorized to adjust  
15 financing sources for civil service charges based on actual payroll  
16 expenditures, provided that such adjustments do not increase the  
17 total appropriation for the civil service commission.

18       (3) The financing from restricted sources shall be credited to  
19 the civil service commission by the end of the second fiscal  
20 quarter.

21       Sec. 851. Except where specifically appropriated for this  
22 purpose, financing from restricted sources shall be credited to the  
23 civil service commission. For restricted sources of funding within  
24 the general fund that have the legislative authority for carryover,  
25 if current spending authorization or revenues are insufficient to  
26 accept the charge, the shortage shall be taken from carryforward



1 balances of that funding source. Restricted revenue sources that do  
2 not have carryforward authority shall be utilized to satisfy  
3 commission operating deducts first and civil service obligations  
4 second. General fund dollars are appropriated for any shortfall,  
5 pursuant to approval by the state budget director.

6       Sec. 852. The appropriation in part 1 to the civil service  
7 commission, for state-sponsored group insurance, flexible spending  
8 accounts, and COBRA, represents amounts, in part, included within  
9 the various appropriations throughout state government for the  
10 current fiscal year to fund the flexible spending account program  
11 included within the civil service commission. Deposits against  
12 state-sponsored group insurance, flexible spending accounts, and  
13 COBRA for the flexible spending account program shall be made from  
14 assessments levied during the current fiscal year in a manner  
15 prescribed by the civil service commission. Unspent employee  
16 contributions to the flexible spending accounts may be used to  
17 offset administrative costs for the flexible spending account  
18 program, with any remaining balance of unspent employee  
19 contributions to be lapsed to the general fund.

## 20 CAPITAL OUTLAY

21       Sec. 860. As used in sections 861 through 865:

22       (a) "Board" means the state administrative board.

23       (b) "Community college" does not include a state agency or  
24 university.

25       (c) "Department" means the department of technology,  
26 management, and budget.

1 (d) "Director" means the director of the department of  
2 technology, management, and budget.

3 (e) "Fiscal agencies" means the senate fiscal agency and the  
4 house fiscal agency.

5 (f) "State agency" means an agency of state government. State  
6 agency does not include a community college or university.

7 (g) "State building authority" means the authority created  
8 under 1964 PA 183, MCL 830.411 to 830.425.

9 (h) "University" means a 4-year university supported by the  
10 state. University does not include a community college or a state  
11 agency.

12 Sec. 861. Each capital outlay project authorized in this  
13 article or any previous capital outlay act shall comply with the  
14 procedures required by the management and budget act, 1984 PA 431,  
15 MCL 18.1101 to 18.1594.

16 Sec. 862. (1) The department shall provide the JCOS, state  
17 budget director, and the senate and house fiscal agencies with  
18 reports as considered necessary relative to the status of each  
19 planning or construction project financed by the state building  
20 authority, by this article, or by previous acts.

21 (2) Before the end of each fiscal year, the department shall  
22 report to the JCOS, state budget director, and the senate and house  
23 fiscal agencies for each capital outlay project other than lump  
24 sums all of the following:

25 (a) The account number and name of each construction project.

26 (b) The balance remaining in each account.

27 (c) The date of the last expenditure from the account.

1 (d) The anticipated date of occupancy if the project is under  
2 construction.

3 (e) The appropriations history for the project.

4 (f) The professional service contractor.

5 (g) The amount of the project financed with federal funds.

6 (h) The amount of the project financed through the state  
7 building authority.

8 (i) The total authorized cost for the project and the state  
9 authorized share if different than the total.

10 (3) Before the end of each fiscal year, the department shall  
11 report the following for each project by a state agency,  
12 university, or community college that is authorized for planning  
13 but is not yet authorized for construction:

14 (a) The name of the project and account number.

15 (b) Whether a program statement is approved.

16 (c) Whether schematics are approved by the department.

17 (d) Whether preliminary plans are approved by the department.

18 (e) The name of the professional service contractor.

19 (4) As used in this section, "project" includes appropriation  
20 line items made for purchase of real estate.

21 Sec. 863. (1) The director of the department of technology,  
22 management, and budget shall allocate lump-sum appropriations made  
23 in this article consistent with statutory provisions and the  
24 purposes for which funds were appropriated. Lump-sum allocations  
25 shall address priority program or facility needs and may include,  
26 but are not limited to, design, construction, remodeling and  
27 addition, special maintenance, major special maintenance, energy

1 conservation, and demolition.

2 (2) The state budget director may authorize that funds  
3 appropriated for lump-sum appropriations shall be available for no  
4 more than 3 fiscal years following the fiscal year in which the  
5 original appropriation was made. Any remaining balance from  
6 allocations made in this section shall lapse to the fund from which  
7 it was appropriated pursuant to the lapsing of funds as provided in  
8 the management and budget act, 1984 PA 431, MCL 18.1101 to 18.1594.

9 Sec. 864. The appropriations in part 1 for capital outlay  
10 shall be carried forward at the end of the fiscal year consistent  
11 with the provisions of section 248 of the management and budget  
12 act, 1984 PA 431, MCL 18.1248.

13 Sec. 865. (1) A site preparation economic development fund is  
14 created in the department of technology, management, and budget. As  
15 used in this section, "economic development sites" means those  
16 state-owned sites declared as surplus property pursuant to section  
17 251 of the management and budget act, 1984 PA 431, MCL 18.1251,  
18 that would provide economic benefit to the area or to the state.  
19 The Michigan economic development corporation board and the state  
20 budget director shall determine whether or not a specific state-  
21 owned site qualifies for inclusion in the fund created under this  
22 subsection.

23 (2) Proceeds from the sale of any sites designated in  
24 subsection (1) shall be deposited into the fund created in  
25 subsection (1) and shall be available for site preparation  
26 expenditures, unless otherwise provided by law. The economic  
27 development sites authorized in subsection (1) are authorized for

1 sale consistent with state law. Expenditures from the fund are  
2 authorized for site preparation activities that enhance the  
3 marketable sale value of the sites. Site preparation activities  
4 include, but are not limited to, demolition, environmental studies  
5 and abatement, utility enhancement, and site excavation.

6 (3) A cash advance in an amount of not more than  
7 \$25,000,000.00 is authorized from the general fund to the site  
8 preparation economic development fund.

9 (4) An annual report shall be transmitted to the senate and  
10 house of representatives standing committees on appropriations not  
11 later than December 31 of each year. This report shall detail both  
12 of the following:

13 (a) The revenue and expenditure activity in the fund for the  
14 preceding fiscal year.

15 (b) The sites identified as economic development sites under  
16 subsection (1).

17 **CAPITAL OUTLAY - UNIVERSITIES AND COMMUNITY COLLEGES**

18 Sec. 870. A statement of a proposed facility's operating cost  
19 shall be included with the facility's program statement and  
20 planning documents when the plans are presented to JCOS for  
21 approval.

22 Sec. 871. (1) Before proceeding with final planning and  
23 construction for projects at community colleges and universities  
24 included in an appropriations act, the community college or  
25 university shall sign an agreement with the department that  
26 includes the following provisions:

1           (a) The university or community college agrees to construct  
2 the project within the total authorized cost established by the  
3 legislature pursuant to the management and budget act, 1984 PA 431,  
4 MCL 18.1101 to 18.1594, and an appropriations act.

5           (b) The design and program scope of the project shall not  
6 deviate from the design and program scope represented in the  
7 program statement and preliminary planning documents approved by  
8 the department.

9           (c) Any other items as identified by the department that are  
10 necessary to complete the project.

11           (2) The department retains the authority and responsibility  
12 normally associated with the prudent maintenance of the public's  
13 financial and policy interests relative to the state-financed  
14 construction projects managed by a community college or university.

15           Sec. 872. A state agency, community college, or university  
16 shall take steps necessary to make available federal and other  
17 money indicated in this article, to make available federal or other  
18 money that may become available for the purposes for which  
19 appropriations are made in this article, and to use any part or all  
20 of the appropriations to meet matching requirements that are  
21 considered to be in the best interest of this state. However, the  
22 purpose, scope, and total estimated cost of a project shall not be  
23 altered to meet the matching requirements. Any federal matching  
24 revenues received to support the construction of the project shall  
25 be applied to the total authorized project cost, with the state and  
26 community college or university financing shares proportionately  
27 adjusted.

1       Sec. 873. (1) This section applies only to projects for  
2 community colleges.

3       (2) State support is directed towards the remodeling and  
4 additions, special maintenance, or construction of certain  
5 community college buildings. The community college shall obtain or  
6 provide for site acquisition and initial main utility installation  
7 to operate the facility. Funding shall be composed of local and  
8 state shares and not more than 50% of a capital outlay project, not  
9 including a lump-sum special maintenance project or remodeling and  
10 addition project, for a community college shall be appropriated  
11 from state and federal funds, unless otherwise appropriated by the  
12 legislature.

13       (3) An expenditure under this article is authorized when the  
14 release of the appropriation is approved by the board upon the  
15 recommendation of the director. The director may recommend to the  
16 board the release of any appropriation in part 1 only after the  
17 director is assured that the legal entity operating the community  
18 college to which the appropriation is made has complied with this  
19 article and has matched the amounts appropriated as required by  
20 this article. A release of funds in part 1 shall not exceed 50% of  
21 the total cost of planning and construction of any project, not  
22 including lump-sum remodeling and additions and special  
23 maintenance, unless otherwise appropriated by the legislature.  
24 Further planning and construction of a project authorized by this  
25 article or applicable sections of the management and budget act,  
26 1984 PA 431, MCL 18.1101 to 18.1594, shall be in accordance with  
27 the purpose and scope as defined and delineated in the approved

1 program statements and planning documents. This article is  
2 applicable to all projects for which planning appropriations were  
3 made in previous acts.

4 (4) The community college shall take the steps necessary to  
5 secure available federal construction and equipment money for  
6 projects funded for construction in this article if an application  
7 was not previously made. If there is a reasonable expectation that  
8 a prior year unfunded application may receive federal money in a  
9 subsequent year, the college shall take whatever action necessary  
10 to keep the application active.

11 Sec. 874. If university and community college matching  
12 revenues are received in an amount less than the appropriations for  
13 capital projects contained in this article, the state funds shall  
14 be reduced in proportion to the amount of matching revenue  
15 received.

16 Sec. 875. (1) The director may require that community colleges  
17 and universities that have an authorized project listed in part 1  
18 submit documentation regarding the project match and governing  
19 board approval of the authorized project not more than 60 days  
20 after the beginning of the fiscal year.

21 (2) If the documentation required by the director under  
22 subsection (1) is not submitted, or does not adequately  
23 authenticate the availability of the project match or board  
24 approval of the authorized project, the authorization may  
25 terminate. The authorization terminates 30 days after the director  
26 notifies the JCOS of the intent to terminate the project unless the  
27 JCOS convenes to extend the authorization.



1       Sec. 880. In addition to the part 1 general fund/general  
2 purpose appropriations for special maintenance, remodeling, and  
3 addition - state facilities, there is also appropriated related  
4 federal and state restricted funds up to the amounts that will be  
5 earned based upon the initiatives undertaken with the funds in part  
6 1.

7       Sec. 881. In addition to the part 1 general fund/general  
8 purpose appropriations for enterprisewide information technology  
9 investments, there is also appropriated related federal and state  
10 restricted funds up to the amounts that will be earned based upon  
11 the initiatives undertaken with the funds in part 1.

12       DEPARTMENT OF TREASURY

13       OPERATIONS

14       Sec. 901. (1) In addition to the funds appropriated in part 1,  
15 there is appropriated an amount not to exceed \$1,000,000.00 for  
16 federal contingency funds. These funds are not available for  
17 expenditure until they have been transferred to another line item  
18 in this article under section 393(2) of the management and budget  
19 act, 1984 PA 431, MCL 18.1393.

20       (2) In addition to the funds appropriated in part 1, there is  
21 appropriated an amount not to exceed \$10,000,000.00 for state  
22 restricted contingency funds. These funds are not available for  
23 expenditure until they have been transferred to another line item  
24 in this article under section 393(2) of the management and budget  
25 act, 1984 PA 431, MCL 18.1393.

26       (3) In addition to the funds appropriated in part 1, there is

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

6 (4) In addition to the funds appropriated in part 1, there is  
7 appropriated an amount not to exceed \$40,000.00 for private  
8 contingency funds. These funds are not available for expenditure  
9 until they have been transferred to another line item in this  
10 article under section 393(2) of the management and budget act, 1984  
11 PA 431, MCL 18.1393.

12 Sec. 902. (1) Amounts needed to pay for interest, fees,  
13 principal, mandatory and optional redemptions, arbitrage rebates as  
14 required by federal law, and costs associated with the payment,  
15 registration, trustee services, credit enhancements, and issuing  
16 costs in excess of the amount appropriated to the department of  
17 treasury in part 1 for debt service on notes and bonds that are  
18 issued by the state under sections 14, 15, and 16 of article IX of  
19 the state constitution of 1963 as implemented by 1967 PA 266, MCL  
20 17.451 to 17.455, are appropriated.

21 (2) In addition to the amount appropriated to the department  
22 of treasury for debt service in part 1, there is appropriated an  
23 amount for fiscal year cash-flow borrowing costs to pay for  
24 interest on interfund borrowing made under 1967 PA 55, MCL 12.51 to  
25 12.53.

26 (3) In addition to the amount appropriated to the department  
27 of treasury for debt service in part 1, there is appropriated all

1 repayments received by the state on loans made from the school bond  
2 loan fund not required to be deposited in the school loan revolving  
3 fund by or pursuant to section 4 of 1961 PA 112, MCL 388.984, to  
4 the extent determined by the state treasurer, for the payment of  
5 debt service, including, without limitation, optional and mandatory  
6 redemptions, on bonds, notes or commercial paper issued by the  
7 state pursuant to 1961 PA 112, MCL 388.981 to 388.985.

8       Sec. 902a. The department of treasury shall notify the senate  
9 and house of representatives standing committees on appropriations,  
10 the senate and house fiscal agencies, and the state budget office  
11 not more than 30 days after a refunding or restructuring bond issue  
12 is sold. The notification shall compare the annual debt service  
13 prior to the refinancing or restructuring, the annual debt service  
14 after the refinancing or restructuring, the change in the principal  
15 and interest over the duration of the debt, and the projected  
16 change in the present value of the debt service due to the  
17 refinancing and restructuring.

18       Sec. 903. (1) From the funds appropriated in part 1, the  
19 department of treasury may contract with private collection  
20 agencies and law firms to collect taxes and other accounts due this  
21 state. In addition to the amounts appropriated in part 1 to the  
22 department of treasury, there are appropriated amounts necessary to  
23 fund collection costs and fees not to exceed 25% of the collections  
24 or 2.5% plus operating costs, whichever amount is prescribed by  
25 each contract. The appropriation to fund collection costs and fees  
26 for the collection of taxes or other accounts due this state are  
27 from the fund or account to which the revenues being collected are

1 recorded or dedicated. However, if the taxes collected are  
2 constitutionally dedicated for a specific purpose, the  
3 appropriation of collection costs and fees are from the general  
4 purpose account of the general fund.

5 (2) From the funds appropriated in part 1, the department of  
6 treasury may contract with private collections agencies and law  
7 firms to collect defaulted student loans and other accounts due the  
8 Michigan guaranty agency. In addition to the amounts appropriated  
9 in part 1 to the department of treasury, there are appropriated  
10 amounts necessary to fund collection costs and fees not to exceed  
11 24.34% of the collection or a lesser amount as prescribed by the  
12 contract. The appropriation to fund collection costs and fees for  
13 the auditing and collection of defaulted student loans due the  
14 Michigan guaranty agency is from the fund or account to which the  
15 revenues being collected are recorded or dedicated.

16 (3) The department of treasury shall submit a report for the  
17 immediately preceding fiscal year ending September 30 to the state  
18 budget director and the senate and house of representatives  
19 standing committees on appropriations not later than November 30  
20 stating the agencies or law firms employed, the amount of  
21 collections for each, the costs of collection, and other pertinent  
22 information relating to determining whether this authority should  
23 be continued.

24 Sec. 904. (1) The department of treasury, through its bureau  
25 of investments, may charge an investment service fee against the  
26 applicable retirement funds. The fees may be expended for necessary  
27 salaries, wages, contractual services, supplies, materials,

1 equipment, travel, worker's compensation insurance premiums, and  
2 grants to the civil service commission and state employees'  
3 retirement funds. Service fees shall not exceed the aggregate  
4 amount appropriated in part 1. The department of treasury shall  
5 maintain accounting records in sufficient detail to enable the  
6 retirement funds to be reimbursed periodically for fee revenue that  
7 is determined by the department of treasury to be surplus.

8 (2) In addition to the funds appropriated in part 1 from the  
9 retirement funds to the department of treasury, there is  
10 appropriated from retirement funds an amount sufficient to pay for  
11 the services of money managers, investment advisors, investment  
12 consultants, custodians, and other outside professionals, the state  
13 treasurer considers necessary to prudently manage the retirement  
14 funds' investment portfolios. The state treasurer shall report  
15 annually to the senate and house of representatives standing  
16 committees on appropriations and the state budget office concerning  
17 the performance of each portfolio by investment advisor.

18 Sec. 904a. (1) There is appropriated an amount sufficient to  
19 recognize and pay expenditures for financial services provided by  
20 financial institutions as provided under section 1 of 1861 PA 111,  
21 MCL 21.181.

22 (2) The appropriations under subsection (1) shall be funded by  
23 restricting revenues from common cash interest earnings and  
24 investment earnings in an amount sufficient to record these  
25 expenditures.

26 Sec. 906. (1) The department of treasury shall charge for  
27 audits as permitted by state or federal law or under contractual

1 arrangements with local units of government, other principal  
2 executive departments, or state agencies. A report detailing audits  
3 performed and audit charges for the immediately preceding fiscal  
4 year shall be submitted to the state budget director and the senate  
5 and house fiscal agencies not later than November 30.

6 (2) A revolving fund known as the audit charges fund is  
7 created in the department of treasury. The contractual charges  
8 collected shall be credited to the audit charges fund and may be  
9 carried forward for future appropriations.

10 Sec. 907. A revolving fund known as the assessor certification  
11 and training fund is created in the department of treasury. The  
12 assessor certification and training fund shall be used to organize  
13 and operate a property assessor certification and training program.  
14 Each participant certified and trained shall pay to the department  
15 of treasury an examination fee of \$50.00, an initial certification  
16 fee of \$50.00, an annual renewal fee of \$75.00 for levels 1 and 2,  
17 and \$125.00 for levels 3 and 4 to offset the cost of administering  
18 the certification and training program. Training courses shall be  
19 offered in assessment administration. Each participant shall pay a  
20 fee to cover the expenses incurred in offering the optional  
21 programs to certified assessing personnel and other individuals  
22 interested in an assessment career opportunity. The fees collected  
23 shall be credited to the assessor certification and training fund.

24 Sec. 907a. A revolving fund known as the municipal finance fee  
25 fund is created in the department of treasury. Fees are established  
26 under the revised municipal finance act, 2001 PA 34, MCL 141.2101  
27 to 141.2801, and the fees collected shall be credited to the

1 municipal finance fee fund and may be carried forward for future  
2 appropriation.

3       Sec. 908. The amount appropriated in part 1 to the department  
4 of treasury, home heating assistance program, is to cover the  
5 costs, including data processing, of administering federal home  
6 heating credits to eligible claimants and to administer the  
7 supplemental fuel cost payment program for eligible tax credit and  
8 welfare recipients.

9       Sec. 909. Revenue from the airport parking tax act, 1987 PA  
10 248, MCL 207.371 to 207.383, is appropriated and shall be  
11 distributed under section 7a of the airport parking tax act, 1987  
12 PA 248, MCL 207.377a.

13       Sec. 910. The disbursement by the department of treasury from  
14 the bottle deposit fund to dealers as required by section 3c(2) of  
15 1976 IL 1, MCL 445.573c, is appropriated.

16       Sec. 911. (1) There is appropriated an amount sufficient to  
17 recognize and pay refundable income tax credits as provided by the  
18 management and budget act, 1984 PA 431, MCL 18.1101 to 18.1594.

19       (2) The appropriations under subsection (1) shall be funded by  
20 restricting income tax revenue in an amount sufficient to record  
21 these expenditures.

22       Sec. 912. A plaintiff in a garnishment action involving this  
23 state shall pay to the state treasurer 1 of the following:

24       (a) A fee of \$6.00 at the time a writ of garnishment of  
25 periodic payments is served upon the state treasurer, as provided  
26 in section 4012 of the revised judicature act of 1961, 1961 PA 236,  
27 MCL 600.4012.

1 (b) A fee of \$6.00 at the time any other writ of garnishment  
2 is served upon the state treasurer, except that the fee shall be  
3 reduced to \$5.00 for each writ of garnishment for individual income  
4 tax refunds or credits filed by magnetic media.

5 Sec. 913. (1) The department of treasury may contract with  
6 private firms to appraise and, if necessary, appeal the assessments  
7 of senior citizen cooperative housing units. Payment for this  
8 service shall be from savings resulting from the appraisal or  
9 appeal process.

10 (2) Of the funds appropriated in part 1 to the department of  
11 treasury for the senior citizens' cooperative housing tax exemption  
12 program, a portion may be utilized for a program audit of the  
13 program. The department of treasury shall forward copies of any  
14 audit report completed to the senate and house of representatives  
15 standing committees on appropriations subcommittees on general  
16 government and to the state budget office. The department of  
17 treasury may utilize up to 1% of the funds for program  
18 administration and auditing.

19 Sec. 914. The department of treasury may provide a \$200.00  
20 annual prize from the Ehlers internship award account in the gifts,  
21 bequests, and deposit fund to the runner-up of the Rosenthal prize  
22 for interns. The Ehlers internship award account is interest  
23 bearing.

24 Sec. 915. Pursuant to section 61 of the Michigan campaign  
25 finance act, 1976 PA 388, MCL 169.261, there is appropriated from  
26 the general fund to the state campaign fund an amount equal to the  
27 amounts designated for tax year 2011. Except as otherwise provided



1 in this section, the amount appropriated shall not revert to the  
2 general fund and shall remain in the state campaign fund. Any  
3 amounts remaining in the state campaign fund in excess of  
4 \$10,000,000.00 on December 31 shall revert to the general fund.

5 Sec. 916. The department of treasury may make available to  
6 interested entities otherwise unavailable customized unclaimed  
7 property listings of nonconfidential information in its possession.  
8 The charge for this information is as follows: 1 to 100,000 records  
9 at 2.5 cents per record and 100,001 or more records at .5 cents per  
10 record. The revenue received from this service shall be deposited  
11 to the appropriate revenue account or fund. The department shall  
12 submit an annual report on or before June 1 to the state budget  
13 director and the senate and house of representatives standing  
14 committees on appropriations that states the amount of revenue  
15 received from the sale of information.

16 Sec. 917. (1) There is appropriated for write-offs and  
17 advances an amount equal to total write-offs and advances for  
18 departmental programs, but not to exceed current year  
19 authorizations that would otherwise lapse to the general fund.

20 (2) The department of treasury shall submit a report for the  
21 immediately preceding fiscal year to the state budget director and  
22 the senate and house fiscal agencies not later than November 30  
23 stating the amounts appropriated for write-offs and advances under  
24 subsection (1).

25 Sec. 918. In addition to funds appropriated in part 1, the  
26 department of treasury may receive and expend funds for conducting  
27 tax orientation workshops and seminars. Funds received may not

1 exceed costs incurred in conducting the workshops and seminars.

2       Sec. 919. (1) From funds appropriated in part 1, the  
3 department of treasury may contract with private auditing firms to  
4 audit for and collect unclaimed property due this state in  
5 accordance with the uniform unclaimed property act, 1995 PA 29, MCL  
6 567.221 to 567.265. In addition to the amounts appropriated in part  
7 1 to the department of treasury, there are appropriated amounts  
8 necessary to fund auditing and collection costs and fees not to  
9 exceed 12% of the collections, or a lesser amount as prescribed by  
10 the contract. The appropriation to fund collection costs and fees  
11 for the auditing and collection of unclaimed property due this  
12 state is from the fund or account to which the revenues being  
13 collected are recorded or dedicated.

14       (2) The department of treasury shall submit a report for the  
15 immediately preceding fiscal year ending September 30 to the state  
16 budget director and the senate and house of representatives  
17 standing committees on appropriations not later than November 30  
18 stating the auditing firms employed, the amount of collections for  
19 each, the costs of collection, and other pertinent information  
20 relating to determining whether this authority should be continued.

21       Sec. 922. The department of treasury shall submit a report for  
22 the immediately preceding fiscal year ending September 30 to the  
23 senate and house of representatives standing committees on  
24 appropriations subcommittees on general government, the senate and  
25 house fiscal agencies, and the state budget director by November 30  
26 stating the amount of Michigan transportation fund revenue  
27 collected and the cost of collection. The cost of collection may be

1 determined by proration of costs in fiscal year 2012-2013 only. Not  
2 later than April 1, 2013, the department of treasury shall provide  
3 an analysis of the actual costs of tax administration in order to  
4 justify continuation of the proration approach.

5       Sec. 924. (1) In addition to the funds appropriated in part 1,  
6 the department of treasury may receive and expend principal  
7 residence audit fund revenue for administration of principal  
8 residence audits under the general property tax act, 1893 PA 206,  
9 MCL 211.1 to 211.155.

10       (2) The department of treasury shall submit a report for the  
11 immediately preceding fiscal year to the state budget director and  
12 the senate and house fiscal agencies not later than December 31  
13 stating the amount of exemptions denied and the revenue received  
14 under the program.

15       Sec. 925. (1) A public-private partnership investment fund is  
16 created in the department of treasury. Subject to subsections (2)  
17 and (3), public-private partnership investments shall include, but  
18 are not limited to, all of the following:

19       (a) Capital asset improvements including buildings, land, or  
20 structures.

21       (b) Energy resource exploration, extraction, generation, and  
22 sales.

23       (c) Financial and investment incentive opportunities.

24       (d) Infrastructure construction, maintenance, and operation.

25       (e) Public-private sector joint ventures that provide economic  
26 benefit to an area or to the state.

27       (2) Public-private investments shall not include projects,

1 consultant expenses, staff effort, or any other activity related to  
2 the development, financing, construction, operation, or  
3 implementation of the Detroit River International Crossing or any  
4 successor project unless the project is approved by the legislature  
5 and signed into law.

6 (3) The state treasurer and the state budget director shall  
7 determine whether or not a specific public-private partnership  
8 investment opportunity qualifies for funding under subsection (1).

9 (4) Investment development revenue, including a portion of the  
10 proceeds from the sale of any public-private partnership investment  
11 designated in subsection (1), shall be deposited into the fund  
12 created in subsection (1) and shall be available for  
13 administration, development, financing, marketing, and operating  
14 expenditures associated with public-private partnerships, unless  
15 otherwise provided by law. Public-private partnership investments  
16 authorized in subsection (1) are authorized for public or private  
17 operation or sale consistent with state law. Expenditures from the  
18 fund are authorized for investment purposes as designated in  
19 subsection (1) to enhance the marketable value of each investment.  
20 The unencumbered balance remaining in the fund at the end of the  
21 fiscal year may be carried forward for appropriation in future  
22 years.

23 (5) The department of treasury shall monitor the revenue  
24 deposited in the public-private partnership investment fund created  
25 in subsection (1). If the revenue in the fund is insufficient to  
26 pay the amount appropriated in part 1 for public-private  
27 partnership investment, then treasury shall propose a legislative

1 transfer to fund the line from the appropriations in part 1.

2 Sec. 925a. The funds appropriated in part 1 shall not be used  
3 to support any staff effort, projects, consultant expenses, or any  
4 other activity related to the development, financing, construction,  
5 operation, or implementation of the Detroit River International  
6 Crossing or any successor project unless the project is approved by  
7 the legislature and signed into law.

8 Sec. 926. Unexpended appropriations of the John R. Justice  
9 grant program are designated as work project appropriations and  
10 shall not lapse at the end of the fiscal year and shall continue to  
11 be available for expenditure until the project has been completed.  
12 The following is in compliance with section 451a of the management  
13 and budget act, 1984 PA 431, MCL 18.1451a:

14 (a) The purpose of the project is to provide student loan  
15 forgiveness to qualified public defenders and prosecutors.

16 (b) The project will be accomplished by utilizing state  
17 employees or contracts with private vendors, or both.

18 (c) The total estimated cost of the project is \$287,000.00.

19 (d) The tentative completion date is September 30, 2014.

20 Sec. 927. The department of treasury shall submit annual  
21 progress reports to the senate and house of representatives  
22 standing committees on appropriations subcommittees on general  
23 government and the senate and house fiscal agencies, regarding  
24 personal property tax audits. The report shall include the number  
25 of audits, revenue generated, and number of complaints received by  
26 the department related to the audits.

27 Sec. 928. The department of treasury may provide receipt,

1 warrant and cash processing, data, collection, investment, fiscal  
2 agent, levy and warrant cost assessment, writ of garnishment, and  
3 other user services on a contractual basis for other principal  
4 executive departments and state agencies. Funds for the services  
5 provided are appropriated and shall be expended for salaries and  
6 wages, fees, supplies, and equipment necessary to provide the  
7 services. Any unobligated balance of the funds received shall  
8 revert to the general fund of this state as of September 30.

9       Sec. 930. (1) The department of treasury shall provide  
10 accounts receivable collections services to other principal  
11 executive departments and state agencies under 1927 PA 375, MCL  
12 14.131 to 14.134. The department of treasury shall deduct a fee  
13 equal to the cost of collections from all receipts except  
14 unrestricted general fund collections. Fees shall be credited to a  
15 restricted revenue account and appropriated to the department of  
16 treasury to pay for the cost of collections. The department of  
17 treasury shall maintain accounting records in sufficient detail to  
18 enable the respective accounts to be reimbursed periodically for  
19 fees deducted that are determined by the department of treasury to  
20 be surplus to the actual cost of collections.

21       (2) The department of treasury shall submit a report for the  
22 immediately preceding fiscal year to the state budget director and  
23 the senate and house fiscal agencies not later than November 30  
24 stating the principal executive departments and state agencies  
25 served, funds collected, and costs of collection under subsection  
26 (1).

27       Sec. 931. (1) The appropriation in part 1 to the department of

1 treasury for treasury fees shall be assessed against all restricted  
2 funds that receive common cash earnings or other investment income.  
3 Treasury fees include all costs, including administrative overhead,  
4 relating to the investment of each restricted fund. The fee  
5 assessed against each restricted fund will be based on the size of  
6 the restricted fund (the absolute value of the average daily cash  
7 balance plus the market value of investments in the prior fiscal  
8 year) and the level of effort necessary to maintain the restricted  
9 fund as required by each department. The department of treasury  
10 shall provide a report to the state budget director, the senate and  
11 house of representatives standing committees on appropriations  
12 subcommittees on general government, and the senate and house  
13 fiscal agencies by November 30 of each year identifying the fees  
14 assessed against each restricted fund and the methodology used for  
15 assessment.

16 (2) In addition to the funds appropriated in part 1, the  
17 department of treasury may receive and expend investment fees  
18 relating to new restricted funding sources that participate in  
19 common cash earnings or other investment income during the current  
20 fiscal year. When a new restricted fund is created starting on or  
21 after October 1, that restricted fund shall be assessed a fee using  
22 the same criteria identified in subsection (1).

23 Sec. 932. Revenue received under the Michigan education trust  
24 act, 1986 PA 316, MCL 390.1421 to 390.1442, may be expended by the  
25 board of directors of the Michigan education trust for necessary  
26 salaries, wages, supplies, contractual services, equipment,  
27 worker's compensation insurance premiums, and grants to the civil

1 service commission and state employees' retirement fund.

2       Sec. 934. (1) The department of treasury may expend revenues  
3 received under the hospital finance authority act, 1969 PA 38, MCL  
4 331.31 to 331.84, the shared credit rating act, 1985 PA 227, MCL  
5 141.1051 to 141.1076, the higher education facilities authority  
6 act, 1969 PA 295, MCL 390.921 to 390.934, the Michigan public  
7 educational facilities authority, Executive Reorganization Order  
8 No. 2002-3, MCL 12.192, the Michigan tobacco settlement finance  
9 authority act, 2005 PA 226, MCL 129.261 to 129.279, the land bank  
10 fast track act, 2003 PA 258, MCL 124.751 to 124.774, part 505 of  
11 the natural resources and environmental protection act, 1994 PA  
12 451, MCL 324.50501 to 324.50522, the state housing development  
13 authority act of 1966, 1966 PA 346, MCL 125.1401 to 125.1499c, and  
14 the Michigan finance authority, Executive Reorganization Order No.  
15 2010-2, MCL 12.194, for necessary salaries, wages, supplies,  
16 contractual services, equipment, worker's compensation insurance  
17 premiums, grants to the civil service commission and state  
18 employees' retirement fund, and other expenses as allowed under  
19 those acts.

20       (2) The department of treasury shall report by January 31 to  
21 the senate and house appropriations subcommittees, the senate and  
22 house fiscal agencies, and the state budget director on the amount  
23 and purpose of expenditures made under subsection (1) from funds  
24 received in addition to those appropriated in part 1. The report  
25 also shall include a listing of reimbursement of revenue, if any.  
26 The report shall cover the 2011-2012 fiscal year.

27       Sec. 943. (1) The department of treasury shall work



1 cooperatively with the Michigan state police and attorney general  
2 to improve tobacco tax enforcement.

3 (2) The department of treasury shall submit a report on the  
4 proposed use of the funds appropriated in part 1 for tobacco tax  
5 enforcement. The report shall be submitted by February 1 to the  
6 senate and house of representatives standing committees on  
7 appropriations subcommittees on general government, the senate and  
8 house fiscal agencies, and the state budget director.

9 Sec. 944. If the department hires a pension plan consultant  
10 using any of the funds appropriated in part 1, the department shall  
11 annually forward any report provided to the department by that  
12 consultant to the senate and house of representatives standing  
13 committees on appropriations subcommittees on general government,  
14 the senate and house fiscal agencies, and the state budget  
15 director.

16 Sec. 945. The assessment and certification division of the  
17 department of treasury shall conduct a review of local unit  
18 assessment administration practices, procedures, and records, also  
19 known as the 14-point review, in at least 1 assessment jurisdiction  
20 per county.

## 21 **REVENUE SHARING**

22 Sec. 950. The funds appropriated in part 1 for constitutional  
23 revenue sharing shall be distributed by the department to cities,  
24 villages, and townships, as required under section 10 of article IX  
25 of the state constitution of 1963. Revenue collected in accordance  
26 with section 10 of article IX of the state constitution of 1963 in  
27 excess of the amount appropriated in part 1 for constitutional

1 revenue sharing is appropriated for distribution to cities,  
2 villages, and townships, on a population basis as required under  
3 section 10 of article IX of the state constitution of 1963.

4       Sec. 951. From the funds appropriated in part 1 to the  
5 competitive grant assistance program, \$25,000,000.00 is to be used  
6 for assistance grants to cities, villages, townships, counties,  
7 school districts, and intermediate school districts to offset the  
8 costs associated with mergers, interlocal agreements, and  
9 cooperative efforts for those cities, villages, townships,  
10 counties, school districts, and intermediate school districts that  
11 elect to combine operations. For a school district or intermediate  
12 school district to qualify for grant funding under this section,  
13 the school district or intermediate school district must combine  
14 operations with a city, village, township, or county. The  
15 department of treasury shall develop an application process and  
16 method of grant distribution.

17       Sec. 952. (1) All of the following apply to funds appropriated  
18 in part 1:

19       (a) From the funds appropriated in part 1 to the economic  
20 vitality incentive program, \$220,000,000.00 is to be used for  
21 grants to cities, villages, and townships such that, subject to  
22 fulfilling the requirements under subsection (2)(a), (b), or (c),  
23 each city, village, or township that received a payment under  
24 section 950(2) of 2009 PA 128 greater than \$4,500.00 will be  
25 eligible to receive a maximum of 71.0677% of its total payment  
26 received under section 950(2) of 2009 PA 128, rounded to the  
27 nearest dollar. For the purposes of this subdivision, any city or

1 village that according to the 2010 federal decennial census is  
2 determined to have population in more than 1 county will be treated  
3 as a single entity when determining the payment received under  
4 section 950(2) of 2009 PA 128.

5 (b) From the funds appropriated in part 1 for the county  
6 incentive program, \$39,180,000.00 is to be used for grants to  
7 counties such that each county is eligible to receive an amount  
8 equal to the amount by which the balance in its revenue sharing  
9 reserve fund under section 44a of the general property tax act,  
10 1893 PA 206, MCL 211.44a, for the county's most recent fiscal year  
11 that ends prior to the January 1 of the state's fiscal year is less  
12 than the amount calculated under section 44a(13) of the general  
13 property tax act, 1893 PA 206, MCL 211.44a, for the county fiscal  
14 year that begins in the state's fiscal year. The amount calculated  
15 under this subsection shall be adjusted as necessary to reflect  
16 partial county fiscal years and prorated based on the total amount  
17 appropriated for distribution to all eligible counties. Payments  
18 under this subsection will be distributed to an eligible county  
19 subject to the county fulfilling the requirements under subsection  
20 (2)(a), (b), or (c).

21 (2) Cities, villages, townships, and counties eligible to  
22 receive a potential payment from the allocation under subsection  
23 (1)(a) or (b) may qualify to receive payments under 1 or more of  
24 the following 3 categories:

25 (a) Category 1, accountability and transparency, requires each  
26 eligible city, village, township, and county to certify that by  
27 October 1, 2012, or the first day of a payment month, it has

1 produced a citizen's guide of its most recent local finances,  
2 including a recognition of its unfunded liabilities, a performance  
3 dashboard, and a projected budget report including, at a minimum,  
4 the current fiscal year and a projection for the immediately  
5 following fiscal year. The projected budget report shall contain an  
6 explanation of the assumptions used in the projections. The  
7 citizen's guide, performance dashboard, and projected budget report  
8 shall be made available for public viewing in the city, village,  
9 township, or county clerk's office or posted on a publicly  
10 accessible Internet site. Each city, village, township, and county  
11 applying for a payment under this category shall submit a copy of  
12 the citizen's guide, a copy of the performance dashboard, and a  
13 copy of the projected budget report to the department of treasury.

14 (b) Category 2, consolidation of services, requires each  
15 eligible city, village, township, and county to certify that by  
16 February 1, 2013, or the first day of a payment month, it has  
17 produced a consolidation plan. The consolidation plan shall be made  
18 readily available for public viewing in the city, village,  
19 township, or county clerk's office or posted on a publicly  
20 accessible Internet site. Each city, village, township, and county  
21 applying for a payment under this category shall submit a copy of  
22 the consolidation plan to the department of treasury. At a minimum,  
23 the consolidation plan shall include the following:

24 (i) For a city, village, township, or county that is submitting  
25 a consolidation plan for the first time, the plan shall include a  
26 listing of any previous services consolidated with an estimated  
27 cost savings amount for each consolidation. In addition, the plan

1 shall include 1 or more new proposals to increase its existing  
2 level of cooperation, collaboration, and consolidation either  
3 within the jurisdiction or with other jurisdictions, an estimate of  
4 the potential savings amount, and a timeline for implementing the  
5 new proposal.

6 (ii) For a city, village, or township that submitted a  
7 consolidation plan in the previous fiscal year, the plan shall  
8 include an update on the status of the new proposals that were in  
9 the previous year's consolidation plan, including whether or not  
10 the previously proposed plan has been fully implemented, a listing  
11 of the barriers experienced implementing the proposal, and a  
12 timeline outlining the steps to accomplish the proposed plan. In  
13 addition, the plan shall include 1 or more new proposals to  
14 increase its existing level of cooperation, collaboration, and  
15 consolidation either within the jurisdiction or with other  
16 jurisdictions, or a detailed explanation of why increasing its  
17 existing level of cooperation, collaboration, and consolidation is  
18 not feasible.

19 (c) Category 3, employee compensation, requires each eligible  
20 city, village, township, and county to meet the following  
21 conditions:

22 (i) Any eligible city, village, township, or county that offers  
23 health care benefits to its employees or elected public officials  
24 shall certify to the department of treasury by June 1, 2013, or the  
25 first day of a payment month, that it is in compliance with the  
26 publicly funded health insurance contribution act, 2011 PA 152, MCL  
27 15.561 to 15.569. Dental and vision coverage are not considered

1 health care benefits. The department shall develop a certification  
2 process and method for cities, villages, townships and counties to  
3 follow.

4 (ii) Any city, village, township, or county that does not offer  
5 health care benefits to its employees or elected public officials  
6 shall certify to the department of treasury by June 1, 2013, or the  
7 first day of a payment month, that it does not offer health care  
8 benefits to its employees or elected public officials. Dental and  
9 vision coverage are not considered health care benefits. The  
10 department shall develop a certification process and method for  
11 cities, villages, townships and counties to follow.

12 (3) Economic vitality incentive program payments and county  
13 incentive program payments are subject to the following conditions:

14 (a) For a city, village, township, or county to qualify for a  
15 category under subsection (2)(a), (b), or (c), the city, village,  
16 township, or county shall meet every criteria for that category  
17 including a certification to the department that it has met the  
18 required criteria for that category and submission of the required  
19 citizen's guide, performance dashboard, and projected budget  
20 report; consolidation plan; or certification of compliance with the  
21 publicly funded health insurance contribution act, 2011 PA 152, MCL  
22 15.561 to 15.569, as required by subsection (2)(a), (b), or (c),  
23 respectively. A department of treasury review of the citizen's  
24 guide, performance dashboard, projected budget report,  
25 consolidation plan, or compliance with the publicly funded health  
26 insurance contribution act, 2011 PA 152, MCL 15.561 to 15.569, is  
27 not required for a city, village, township, or county to receive a

1 payment under subsection (1). The department shall develop a  
2 certification process and method for cities, villages, townships,  
3 and counties to follow.

4 (b) For each category that a city, village, township, or  
5 county qualifies for in subsection (2), the city, village,  
6 township, or county shall receive 1/3 of its potential economic  
7 vitality incentive program payment amount or 1/3 of its potential  
8 county incentive program payment calculated in subsection (1).

9 (c) Payments under this section shall be issued to cities,  
10 villages, and townships as follows:

11 (i) Category 1, an eligible city, village, or township that  
12 certifies with the department of treasury that it has qualified for  
13 a payment under subsection (2)(a) by October 1, 2012 shall receive  
14 1/6 of its available distribution on the last business day of  
15 October 2012 and 1/6 of its available distribution on the last  
16 business day of December 2012. If an eligible city, village, or  
17 township certifies with the department of treasury that it has  
18 qualified for a payment under subsection (2)(a) after October 1,  
19 2012, but prior to December 1, 2012, the city, village, or township  
20 shall receive 1/6 of its available distribution on the last  
21 business day of December 2012.

22 (ii) Category 2, an eligible city, village, or township that  
23 certifies with the department of treasury that it has qualified for  
24 a payment under subsection (2)(b) by February 1, 2013 shall receive  
25 1/6 of its available distribution on the last business day of  
26 February 2013 and 1/6 of its available distribution on the last  
27 business day of April 2013. If an eligible city, village, or

1 township certifies with the department of treasury that it has  
2 qualified for a payment under subsection (2)(b) after February 1,  
3 2013, but prior to April 1, 2013, the city, village, or township  
4 shall receive 1/6 of its available distribution on the last  
5 business day of April 2013.

6 (iii) Category 3, an eligible city, village, or township that  
7 certifies with the department of treasury that it has qualified for  
8 a payment under subsection (2)(c) by June 1, 2013 shall receive 1/6  
9 of its available distribution on the last business day of June 2013  
10 and 1/6 of its available distribution on the last business day of  
11 August 2013. If an eligible city, village, or township certifies  
12 with the department of treasury that it has qualified for a payment  
13 under subsection (2)(c) after June 1, 2013, but prior to August 1,  
14 2013, the city, village, or township shall receive 1/6 of its  
15 available distribution on the last business day of August 2013.

16 (d) Payments under this section shall be issued to counties  
17 for each category in subsection (2) until the specified due date  
18 for the category. After the specified due date for the category,  
19 payments shall be made to a county only if that county has complied  
20 with subsection (3)(a).

21 (e) If a county does not provide the required certification or  
22 fails to submit the required citizen's guide, performance  
23 dashboard, projected budget report, consolidation plan, or  
24 certification of compliance with the publicly funded health  
25 insurance contribution act, 2011 PA 152, MCL 15.561 to 15.569, by  
26 the first day of a payment month, the county shall forfeit the  
27 payment in that payment month for the uncertified category in



1 subsection (2).

2 (f) Any city, village, township, or county that falsifies  
3 certification documents shall forfeit any future economic vitality  
4 incentive program payments or county incentive program payments and  
5 shall repay to this state all economic vitality incentive program  
6 payments or county incentive program payments it has received.

7 (g) Economic vitality incentive program payments and county  
8 incentive program payments under this section shall be distributed  
9 on the last business day of October, December, February, April,  
10 June, and August.

11 (h) Payments distributed under this section may be withheld  
12 pursuant to sections 17a and 21 of the Glenn Steil state revenue  
13 sharing act of 1971, 1971 PA 140, MCL 141.917a and 141.921.

14 (i) The department of treasury shall develop detailed guidance  
15 for an eligible city, village, township, or county to follow to  
16 qualify for a payment under subsections (2)(a), (b), and (c). The  
17 detailed guidance shall be posted on the department of treasury  
18 website and distributed to eligible cities, villages, townships,  
19 and counties by October 1, 2012.

20 (4) The unexpended funds appropriated in part 1 for the  
21 economic vitality incentive program and the county incentive  
22 program shall be available for expenditure for competitive grant  
23 assistance projects under section 951.

24 Sec. 955. (1) The funds appropriated in part 1 for county  
25 revenue sharing shall be distributed by the department to eligible  
26 counties pursuant to the Glenn Steil state revenue sharing act of  
27 1971, 1971 PA 140, MCL 141.901 to 141.921.

1           (2) The department of treasury shall annually certify to the  
2 state budget director the amount each county is authorized to  
3 expend from its revenue sharing reserve fund.

4       **LOTTERY**

5           Sec. 960. In addition to the funds appropriated in part 1 to  
6 the bureau of state lottery, there is appropriated from lottery  
7 revenues the amount necessary for, and directly related to,  
8 implementing and operating lottery games. Appropriations under this  
9 section shall only be expended for contractually mandated payments  
10 for vendor commissions, contractually mandated payments for instant  
11 tickets intended for resale, the contractual costs of providing and  
12 maintaining the online system communications network, and incentive  
13 and bonus payments to lottery retailers.

14          Sec. 963. The bureau of state lottery shall inform all lottery  
15 retailers that the cash side of department of human services bridge  
16 cards cannot be used to purchase lottery tickets.

17       **CASINO GAMING**

18          Sec. 971. From the revenue collected by the Michigan gaming  
19 control board regarding the total annual assessment of each casino  
20 licensee, \$2,000,000.00 is appropriated and shall be deposited in  
21 the compulsive gaming prevention fund as described in section  
22 12a(5) of the Michigan gaming control and revenue act, 1996 IL 1,  
23 MCL 432.212a.

24          Sec. 973. (1) Funds appropriated in part 1 for local  
25 government programs may be used to provide assistance to a local  
26 revenue sharing board referenced in an agreement authorized by the  
27 Indian gaming regulatory act, Public Law 100-497.

1           (2) A local revenue sharing board described in subsection (1)  
2 shall comply with the open meetings act, 1976 PA 267, MCL 15.261 to  
3 15.275, and the freedom of information act, 1976 PA 442, MCL 15.231  
4 to 15.246.

5           (3) A county treasurer is authorized to receive and administer  
6 funds received for and on behalf of a local revenue sharing board.  
7 Funds appropriated in part 1 for local government programs may be  
8 used to audit local revenue sharing board funds held by a county  
9 treasurer. This section does not limit the ability of local units  
10 of government to enter into agreements with federally recognized  
11 Indian tribes to provide financial assistance to local units of  
12 government or to jointly provide public services.

13           (4) A local revenue sharing board described in subsection (1)  
14 shall comply with all applicable provisions of any agreement  
15 authorized by the Indian gaming regulatory act, Public Law 100-497,  
16 in which the local revenue sharing board is referenced, including,  
17 but not limited to, the disbursement of tribal casino payments  
18 received under applicable provisions of the tribal-state class III  
19 gaming compact in which those funds are received.

20           (5) The director of the department of state police and the  
21 executive director of the Michigan gaming control board are  
22 authorized to assist the local revenue sharing boards in  
23 determining allocations to be made to local public safety  
24 organizations.

25           (6) The department of treasury shall submit a report by  
26 September 30 to the senate and house of representatives standing  
27 committees on appropriations and the state budget director on the

1 receipts and distribution of revenues by local revenue sharing  
2 boards.

3       Sec. 974. If revenues collected in the state services fee fund  
4 are less than the amounts appropriated from the fund, available  
5 revenues shall be used to fully fund the appropriation in part 1  
6 for casino gaming regulation activities before distributions are  
7 made to other state departments and agencies. If the remaining  
8 revenue in the fund is insufficient to fully fund appropriations to  
9 other state departments or agencies, the shortfall shall be  
10 distributed proportionally among those departments and agencies.

11       Sec. 976. The executive director of the Michigan gaming  
12 control board may pay rewards of not more than \$5,000.00 to a  
13 person who provides information that results in the arrest and  
14 conviction on a felony or misdemeanor charge for a crime that  
15 involves the horse racing industry. A reward paid pursuant to this  
16 section shall be paid out of the appropriation in part 1 for the  
17 racing commission.

18       Sec. 977. All appropriations from the Michigan agriculture  
19 equine industry development fund, except for the racing commission  
20 and laboratory analysis program appropriations, shall be reduced  
21 proportionately if revenues to the Michigan agriculture equine  
22 industry development fund decline during the fiscal year ending  
23 September 30, 2013 to a level lower than the amount appropriated in  
24 part 1.

25       Sec. 978. The Michigan gaming control board shall use actual  
26 expenditure data in determining the actual regulatory costs of  
27 conducting racing dates and shall provide that data to the senate

1 and house appropriations subcommittees on agriculture and general  
2 government and the senate and house fiscal agencies. The Michigan  
3 gaming control board shall not be reimbursed for more than the  
4 actual regulatory cost of conducting race dates. If a certified  
5 horsemen's organization funds more than the actual regulatory cost,  
6 the balance shall remain in the agriculture equine industry  
7 development fund to be used to fund subsequent race dates conducted  
8 by race meeting licensees with which the certified horsemen's  
9 organization has contracts. If a certified horsemen's organization  
10 funds less than the actual regulatory costs of the additional horse  
11 racing dates, the Michigan gaming control board shall reduce the  
12 number of future race dates conducted by race meeting licensees  
13 with which the certified horsemen's organization has contracts.  
14 Prior to the reduction in the number of authorized race dates due  
15 to budget deficits, the executive director of the Michigan gaming  
16 control board shall provide notice to the certified horsemen's  
17 organizations with an opportunity to respond with alternatives. In  
18 determining actual costs, the Michigan gaming control board shall  
19 take into account that each specific breed may require different  
20 regulatory mechanisms.

21 **MICHIGAN STRATEGIC FUND - HOUSING AND COMMUNITY DEVELOPMENT**

22 Sec. 980. MSHDA shall annually present a report to the state  
23 budget office and the subcommittees on the status of the  
24 authority's housing production goals under all financing programs  
25 established or administered by the authority. The report shall give  
26 special attention to efforts to raise affordable multifamily  
27 housing production goals.

1       Sec. 981. MSHDA shall report to the subcommittees, the state  
2 budget director, and the fiscal agencies by December 1 on the  
3 status of the loans entered into by the Michigan broadband  
4 development authority.

5       Sec. 983. In addition to the amounts appropriated in part 1  
6 for the administration of the land bank fast track authority, the  
7 authority may expend revenues received under the land bank fast  
8 track act, 2003 PA 258, MCL 124.751 to 124.774, for the purposes  
9 authorized by the act including, but not limited to, the  
10 acquisition, lease, management, demolition, maintenance, or  
11 rehabilitation of real or personal property, payment of debt  
12 service for notes or bonds issued by the authority, and other  
13 expenses to clear or quiet title property held by the authority.

14       Sec. 984. In addition to the funds appropriated in part 1, the  
15 funds collected by state historic preservation programs for  
16 document reproduction and services and application fees are  
17 appropriated for all expenses necessary to provide the required  
18 services. These funds are available for expenditure when they are  
19 received and may be carried forward into the succeeding fiscal  
20 year.

21       **MICHIGAN STRATEGIC FUND**

22       Sec. 1001. (1) In addition to the funds appropriated in part  
23 1, there is appropriated an amount not to exceed \$50,000,000.00 for  
24 federal contingency funds. These funds are not available for  
25 expenditure until they have been transferred to another line item  
26 in this article under section 393(2) of the management and budget  
27 act, 1984 PA 431, MCL 18.1393.

1           (2) In addition to the funds appropriated in part 1, there is  
2 appropriated an amount not to exceed \$5,000,000.00 for state  
3 restricted contingency funds. These funds are not available for  
4 expenditure until they have been transferred to another line item  
5 in this article under section 393(2) of the management and budget  
6 act, 1984 PA 431, MCL 18.1393.

7           (3) In addition to the funds appropriated in part 1, there is  
8 appropriated an amount not to exceed \$5,000,000.00 for private  
9 contingency funds. These funds are not available for expenditure  
10 until they have been transferred to another line item in this  
11 article under section 393(2) of the management and budget act, 1984  
12 PA 431, MCL 18.1393.

13           Sec. 1005. In addition to the appropriations in part 1, Travel  
14 Michigan may receive and expend private revenue related to the use  
15 of "Pure Michigan" and all other copyrighted slogans and images.  
16 This revenue may come from the direct licensing of the name and  
17 image or from the royalty payments from various merchandise sales.  
18 Revenue collected is appropriated for the marketing of the state as  
19 a travel destination. The funds are available for expenditure when  
20 they are received by the department of treasury.

21           Sec. 1006. The fund shall submit on February 15 to the  
22 subcommittees, the state budget office, and the fiscal agencies a  
23 listing of all grants which have been awarded by the fund or by the  
24 MEDC from the funds appropriated in part 1. The list shall include  
25 all of the following:

26           (a) The name of the recipient.

27           (b) The amount awarded to the recipient.

1 (c) The purpose of the grant.

2 Sec. 1007. (1) The fund shall provide reports to the relevant  
3 subcommittees, the state budget director, and the fiscal agencies  
4 concerning the activities of the MEDC grants and investment  
5 programs financed from the fund using investment or Indian gaming  
6 revenues. The report shall provide a list of individual grants and  
7 loans made from the fund. The report shall include, but not be  
8 limited to, the following programs funded in part 1:

9 (a) Travel Michigan, including any expenditures authorized  
10 under section 89b of the Michigan strategic fund act, 1984 PA 270,  
11 MCL 125.2089b, to supplement the Michigan promotion program. The  
12 report shall include the number of commercials produced, the  
13 markets in which media buys have been made, and any web-based  
14 products that were created with these funds.

15 (b) Business attraction, retention, and growth, including any  
16 expenditures authorized under section 89b of the Michigan strategic  
17 fund act, 1984 PA 270, MCL 125.2089b, to supplement the Michigan  
18 business marketing program. The report shall include the number of  
19 commercials produced, the markets in which media buys have been  
20 made, and any web-based products that were created as a result of  
21 this appropriation.

22 (c) Business services.

23 (d) Community development block grants.

24 (e) Strategic fund administration.

25 (f) Renaissance zones.

26 (g) 21st century investment program.

27 (h) Business and clean air ombudsman.



1 (i) Any other programs of the fund.

2 (2) The reports in subsection (1) shall be submitted by  
3 January 15. The report for each program in subsection (1)(a)  
4 through (i) shall include details on all revenue sources, actual  
5 expenditures, and number of FTEs for that program for the previous  
6 fiscal year.

7 Sec. 1008. As a condition of receiving funds under part 1, any  
8 interlocal agreement entered into by the fund shall include  
9 language which states that if a local unit of government has a  
10 contract or memorandum of understanding with a private economic  
11 development agency, the MEDC will work cooperatively with that  
12 private organization in that local area.

13 Sec. 1009. (1) Of the funds appropriated to the fund or  
14 through grants to the MEDC, no funds shall be expended for the  
15 purchase of options on land or the purchase of land unless at least  
16 1 of the following conditions applies:

17 (a) The land is located in an economically distressed area.

18 (b) The land is obtained through a purchase or exercise of an  
19 option at the invitation of the local unit of government and local  
20 economic development agency.

21 (2) Consideration may be given to purchases where the proposed  
22 use of the land is consistent with a regional land use plan, will  
23 result in the redevelopment of an economically distressed area, can  
24 be supported by existing infrastructure, and will not cause shifts  
25 in population away from the area's population centers.

26 (3) As used in this section, "economically distressed area"  
27 means an area in a city, village, or township that has been

1 designated as blighted; a city, village, or township that shows  
2 negative population change from 1970 and a poverty rate and  
3 unemployment rate greater than the statewide average; or an area  
4 certified as a neighborhood enterprise zone under the neighborhood  
5 enterprise zone act, 1992 PA 147, MCL 207.771 to 207.786.

6       Sec. 1011. (1) From the general fund/general purpose  
7 appropriations in part 1 to the fund and granted or transferred to  
8 the MEDC, any unexpended or unencumbered balance shall be disposed  
9 of in accordance with the requirements in the management and budget  
10 act, 1984 PA 431, MCL 18.1101 to 18.1594, unless carryforward  
11 authorization has been otherwise provided for.

12       (2) Any encumbered funds shall be used for the same purposes  
13 for which funding was originally appropriated in this article.

14       Sec. 1012. (1) As a condition of receiving funds under part 1,  
15 the fund shall ensure that the MEDC and the fund comply with all of  
16 the following:

17       (a) The freedom of information act, 1976 PA 442, MCL 15.231 to  
18 15.246.

19       (b) The open meetings act, 1976 PA 267, MCL 15.261 to 15.275.

20       (c) Annual audits of all financial records by the auditor  
21 general or his or her designee.

22       (d) All reports required by law to be submitted to the  
23 legislature.

24       (2) If the MEDC is unable for any reason to perform duties  
25 under this article, the fund may exercise those duties.

26       Sec. 1013. As a condition for receiving the appropriations in  
27 part 1, any staff of the MEDC involved in private fund-raising

1 activities shall not be party to any decisions regarding the  
2 awarding of grants or tax abatements from the fund, the MEDC, or  
3 the Michigan economic growth authority.

4       Sec. 1020. Federal pass-through funds to local institutions  
5 and governments that are received in amounts in addition to those  
6 included in part 1 and that do not require additional state  
7 matching funds are appropriated for the purposes intended. The fund  
8 may carry forward into the succeeding fiscal year unexpended  
9 federal pass-through funds to local institutions and governments  
10 that do not require additional state matching funds. The fund shall  
11 report the amount and source of the funds to the senate  
12 appropriation subcommittee on economic development, the house  
13 appropriation subcommittee on general government, the senate and  
14 house fiscal agencies, and the state budget office within 10  
15 business days after receiving any additional pass-through funds.

16       Sec. 1023. The fund shall coordinate tourism promotion with  
17 the tourism industry. The fund shall submit a report by July 1 to  
18 the senate and house of representatives standing committees on  
19 appropriations subcommittees on general government and the senate  
20 and house fiscal agencies on the geographical locations and  
21 recreational activities used in Michigan tourism promotional  
22 material.

23       Sec. 1024. From the funds appropriated in part 1 for business  
24 attraction and economic gardening, not less than \$20,000,000.00  
25 shall be granted by the Michigan strategic fund board for  
26 brownfield redevelopment incentives and historic preservation  
27 incentives.

1       Sec. 1031. The Michigan strategic fund shall report to the  
2 senate and house of representatives appropriations subcommittees on  
3 general government, the senate and house fiscal agencies, and the  
4 state budget office by April 15 on the spending plan for the line  
5 items for innovation and entrepreneurship and business attraction  
6 and economic gardening.

7       Sec. 1032. (1) The Michigan film office shall report to the  
8 subcommittees and the fiscal agencies on the status of the film  
9 incentives at the same time as it submits the annual report  
10 required under section 455 of the Michigan business tax act, 2007  
11 PA 36, MCL 208.1455. The department of treasury and the Michigan  
12 strategic fund shall provide the Michigan film office with the data  
13 necessary to prepare the report. Incentives included in the report  
14 shall include all of the following:

15       (a) The tax credit provided under section 455 of the Michigan  
16 business tax act, 2007 PA 36, MCL 208.1455.

17       (b) The tax credit provided under section 457 of the Michigan  
18 business tax act, 2007 PA 36, MCL 208.1457.

19       (c) The tax credit provided under section 459 of the Michigan  
20 business tax act, 2007 PA 36, MCL 208.1459.

21       (d) The amount of any tax credit claimed under former section  
22 367 of the income tax act of 1967, 1967 PA 281.

23       (e) Any tax credits provided for film and digital media  
24 production under the Michigan economic growth authority act, 1995  
25 PA 24, MCL 207.801 to 207.810.

26       (f) Loans to an eligible production company or film and  
27 digital media private equity fund authorized under section 88d(3),

1 (4), and (5) of the Michigan strategic fund act, 2005 PA 225, MCL  
2 125.2088d.

3 (g) Grants authorized under section 29a of the Michigan  
4 strategic fund act, 1984 PA 270, MCL 125.2029a.

5 (2) The report shall include all of the following information:

6 (a) For each tax credit or grant, the number of contracts  
7 signed, the projected expenditures qualifying for the credit or  
8 grant, and the estimated value of the credits or grants. For loans,  
9 the number of loans made under each section, the interest rate of  
10 those loans, the loan amount, the percent of the projected budget  
11 of each production financed by those loans, and the estimated  
12 interest earnings from the loan.

13 (b) For credits authorized under section 455 of the Michigan  
14 business tax act, 2007 PA 36, MCL 208.1455, and grants authorized  
15 under section 29a of the Michigan strategic fund act, 1984 PA 270,  
16 MCL 125.2029a, for productions completed by December 31, the  
17 expenditures of each production eligible for the credit or grant  
18 that has filed a request for certificate of completion with the  
19 film office, broken down into expenditures for goods, services, or  
20 salaries and wages and showing separately expenditures in each  
21 local unit of government, including expenditures for personnel,  
22 whether or not they were made to a Michigan entity, and whether or  
23 not they were taxable under the laws of this state. For loans, the  
24 report shall include the number of loans that have been fully  
25 repaid, with principal and interest shown separately, and the  
26 number of loans that are delinquent or in default, and the amount  
27 of principal that is delinquent or is in default.

1 (c) For each of the tax credit incentives, grants, and loan  
2 incentives listed in subsection (1), a breakdown for each project  
3 or production showing each of the following:

4 (i) The number of temporary jobs created.

5 (ii) The number of permanent jobs created.

6 (iii) The number of persons employed in Michigan as a result of  
7 the incentive, on a full-time equated basis.

8 (3) For any information not included in the report due to the  
9 provisions of sections 455(6), 457(6), or 459(6) of the Michigan  
10 business tax act, 2007 PA 36, MCL 208.1455, 208.1457, and 208.1459,  
11 the report shall do all of the following:

12 (a) Indicate how the information would describe the commercial  
13 and financial operations or intellectual property of the company.

14 (b) Attest that the information has not been publicly  
15 disseminated at any time.

16 (c) Describe how disclosure of the information may put the  
17 company at a competitive disadvantage.

18 (4) Any information not disclosed due to the provisions of  
19 sections 455(6), 457(6), or 459(6) of the Michigan business tax  
20 act, 2007 PA 36, MCL 208.1455, 208.1457, and 208.1459, shall be  
21 presented at the lowest level of aggregation that would no longer  
22 describe the commercial and financial operations or intellectual  
23 property of the company.

24 Sec. 1035. (1) From the appropriation in part 1, the Michigan  
25 council for arts and cultural affairs shall administer an arts and  
26 cultural grant program that maintains an equitable geographic  
27 distribution of funding and utilizes past arts and cultural grant

1 programs as a guideline for administering this program. The council  
2 shall do all of the following:

3 (a) On or before October 1, the fund shall publish proposed  
4 application criteria, instructions, and forms for use by eligible  
5 applicants. The fund shall provide at least a 2-week period for  
6 public comment before finalizing the application criteria,  
7 instructions, and forms.

8 (b) A nonrefundable application fee may be assessed for each  
9 application. Application fees shall be deposited in the council for  
10 the arts fund and are appropriated for expenses necessary to  
11 administer the programs. These funds are available for expenditure  
12 when they are received and may be carried forward to the following  
13 fiscal year.

14 (c) Grants are to be made to public and private arts and  
15 cultural entities.

16 (d) Within 1 business day after the award announcements, the  
17 council shall provide to each member of the legislature and the  
18 fiscal agencies a list of all grant recipients and the total award  
19 given to each recipient, sorted by county.

20 (2) Up to \$100,000.00 from the appropriation in part 1 for  
21 arts and cultural program may be used for the administration of  
22 this grant program.

23 **MICHIGAN STRATEGIC FUND - CAREER EDUCATION**

24 Sec. 1050. (1) The fund shall publish the "activities  
25 classification structure data book" for Michigan community colleges  
26 on or before March 1.

27 (2) The fund shall compile information received from community

1 colleges on North American Indian tuition waivers granted pursuant  
2 to 1976 PA 174, MCL 390.1251 to 390.1253, and shall submit this  
3 compilation to the house and senate appropriations subcommittees on  
4 community colleges, the fiscal agencies, and the state budget  
5 director by March 1.

6 (3) The fund shall compile information received from community  
7 colleges on the number and types of associate degrees and other  
8 certificates awarded during the previous fiscal year and shall  
9 submit this compilation to the house and senate appropriations  
10 subcommittees on community colleges, the fiscal agencies, and the  
11 state budget director by March 1.

12 (4) The fund shall place the reports required in this section  
13 on a publicly accessible Internet site.

14 Sec. 1054. From the funds appropriated in part 1 for workforce  
15 programs subgrantees, the fund may allocate funding for grants to  
16 nonprofit organizations that offer programs to workforce investment  
17 act - eligible youth focusing on entrepreneurship, work-readiness  
18 skills, job shadowing, and financial literacy. Organizations  
19 eligible for funding under this section must have the capacity to  
20 provide similar programs in urban areas, as determined by the  
21 United States bureau of the census according to the most recent  
22 federal decennial census. Additionally, programs eligible for  
23 funding under this section must include the participation of local  
24 business partners. The fund shall develop other appropriate  
25 eligibility requirements to ensure compliance with applicable  
26 federal rules and regulations.

27 **MICHIGAN STRATEGIC FUND - WORKFORCE DEVELOPMENT**



1       Sec. 1060. The fund shall administer the jobs, education, and  
2 training program in accordance with the requirements of section  
3 407(d) of title IV of the social security act, 42 USC 607, the  
4 state social welfare act, 1939 PA 280, MCL 400.1 to 400.119b, and  
5 all other applicable laws and regulations.

6       Sec. 1061. State and federal funds allocated to local  
7 workforce development boards for disbursement shall not be expended  
8 unless the local workforce development boards maintain a  
9 partnership with governmental agencies, public school districts,  
10 and public colleges located within the local service delivery area.  
11 Each board shall appoint an education advisory group made up of  
12 high-level administrators within local educational institutions,  
13 workforce development board members, other employers, labor,  
14 academic educators, parents of public school pupils, and, at the  
15 board's discretion, representatives of organizations that provide  
16 school-based curriculum and youth programs focusing on  
17 entrepreneurship, work-readiness skills, and financial literacy.

18       Sec. 1062. The fund shall make available, in person or by  
19 telephone, 1 disabled veterans outreach program specialist or local  
20 veterans employment representative to Michigan works! service  
21 centers, as resources permit, during hours of operation, and shall  
22 continue to make the appropriate placement of veterans and disabled  
23 veterans a priority.

24       Sec. 1063. (1) In addition to the funds appropriated in part  
25 1, any unencumbered and unrestricted federal workforce investment  
26 act or trade adjustment assistance funds available from prior  
27 fiscal years are appropriated for the purposes originally intended.

1           (2) The fund shall report by January 15 to the subcommittees,  
2 the fiscal agencies, and the state budget office on the amount by  
3 fiscal year of federal workforce investment act funds appropriated  
4 under this section.

5           Sec. 1065. Local Michigan works! agencies shall utilize a  
6 portion of the funds received under part 1 for services provided by  
7 local libraries that serve as access points, service centers, or  
8 local partners serving high-demand service areas or underserved  
9 areas.

10          Sec. 1068. (1) Of the funds appropriated in part 1 for the  
11 workforce training programs, the fund shall provide a report by  
12 December 15 to the house and senate chairs of the subcommittees,  
13 the state budget director, and the fiscal agencies on the status of  
14 the no-worker-left-behind program. The report shall include the  
15 following:

16           (a) The amount of funding allocated to each Michigan works!  
17 agency and the total funding allocated to the no-worker-left-behind  
18 program statewide by fund source.

19           (b) The number of participants enrolled in the program by each  
20 Michigan works! agency.

21           (c) The average duration of training for program participants  
22 by each Michigan works! agency.

23           (d) The number of participants enrolled in remedial education  
24 programs and the number of participants enrolled in literacy  
25 programs.

26           (e) The number of participants enrolled in programs at 2-year  
27 institutions.

(f) The number of participants enrolled in 4-year institutions.

(g) The number of participants enrolled in proprietary schools or other technical training programs.

(h) The number of participants that have completed education or training programs.

(i) The number of participants who secured employment in Michigan within 1 year of completing a no-worker-left-behind training program.

(j) The number of participants who completed a no-worker-left-behind training program and secured employment in a field related to their training.

(k) The average wage earned by participants who completed a no-worker-left-behind training program and secured employment within 1 year.

(2) Data collection for the report shall be for the period October 1, 2012 through September 30, 2013.

#### **REVENUE STATEMENT**

Sec. 1101. Pursuant to section 18 of article V of the state constitution of 1963, fund balances and estimates are presented in the following statement:

#### **BUDGET RECOMMENDATIONS BY OPERATING FUNDS**

(Amounts in millions)

Fiscal Year 2012-2013

Beginning

		Fund	Available		
			Fund	Estimated	Ending
			Balance	Revenue	Balance
1					
2					
3					
4	OPERATING FUNDS				
5	General fund/general purpose	0110	541.9	8,684.0	73.9
6	General fund/special purpose		910.0	22,462.3	213.3
7	Special Revenue Funds:				
8	Countercyclical budget and				
9	economic stabilization	0111	261.1	3.1	264.2
10	Game and fish protection	0112	3.3	62.5	2.9
11	Michigan employment security act				
12	administration	0113	10.9	5.1	18.6
13	State aeronautics	0114	5.0	106.0	0.0
14	Michigan veterans' benefit				
15	trust	0115	0.0	5.2	0.0
16	State trunkline	0116	0.0	1,838.8	0.0
17	Michigan state waterways	0117	2.0	26.7	2.4
18	Blue Water Bridge	0118	0.0	23.6	0.0
19	Michigan transportation	0119	0.0	1,865.7	0.0
20	Comprehensive transportation	0120	18.7	322.7	0.0
21	School aid	0122	0.0	12,956.0	0.0
22	Game and fish protection trust	0124	0.0	7.0	0.0
23	State park improvement	0125	0.1	5.2	0.1
24	Forest development	0126	2.5	31.2	0.0
25	Michigan natural resources				
26	trust	0129	28.3	25.7	27.6
27	Michigan state parks endowment	0130	5.3	40.1	1.1

1	Safety education and training	0131	5.3	8.1	4.4
2	Bottle deposit	0136	0.0	13.4	0.0
3	State construction code	0138	3.8	13.1	5.9
4	Children's trust	0139	1.1	2.9	1.1
5	State casino gaming	0140	2.3	34.7	2.4
6	Michigan nongame fish and				
7	wildlife	0143	0.1	0.3	0.0
8	Michigan merit award trust	0154	0.0	113.6	0.0
9	Outdoor recreation legacy	0162	0.2	2.9	0.0
10	Off-road vehicle account	0163	0.1	3.3	0.0
11	Snowmobile account	0164	1.4	11.4	1.2
12	Silicosis dust disease				
13	and logging	0870	2.0	0.9	1.4
14	Utility consumer representation	0893	2.6	1.1	2.3
15	TOTALS		\$1,808.0	\$48,676.6	\$622.8

16 PART 2A

17 PROVISIONS CONCERNING ANTICIPATED APPROPRIATIONS

18 FOR FISCAL YEAR 2013-2014

19 Sec. 1201. It is the intent of the legislature to provide

20 appropriations for the fiscal year ending on September 30, 2014 for

21 the line items listed in part 1. The fiscal year 2013-2014

22 appropriations are anticipated to be the same as those for fiscal

23 year 2012-2013, excluding appropriations designated as 1-time

24 appropriations and adjusting for changes in caseload and related

25 costs, federal fund match rates, economic factors, and available

1 revenue. Specific anticipated adjustments are as follows, subject  
 2 to adjustment after the May 2013 consensus revenue estimating  
 3 conference:

4 **DEPARTMENT OF ATTORNEY GENERAL**

5	Economic adjustments.....	\$	<u>2,022,600</u>
6	GROSS APPROPRIATION.....	\$	2,022,600
7	Appropriated from:		
8	Interdepartmental grant revenues:		
9	Interdepartmental grant revenues.....		615,300
10	Federal revenues:		
11	Federal revenues.....		260,400
12	Special revenue funds:		
13	State restricted revenues.....		401,600
14	State general fund/general purpose.....	\$	745,300

15 **DEPARTMENT OF CIVIL RIGHTS**

16	Economic adjustments.....	\$	<u>320,300</u>
17	GROSS APPROPRIATION.....	\$	320,300
18	Appropriated from:		
19	Federal revenues:		
20	Federal revenues.....		61,700
21	State general fund/general purpose.....	\$	258,600

22 **LEGISLATIVE AUDITOR GENERAL**

23	Economic adjustments.....	\$	<u>501,100</u>
24	GROSS APPROPRIATION.....	\$	501,100
25	Appropriated from:		

1	Interdepartmental grant revenues:	
2	Interdepartmental grant revenues .....	109,400
3	Special revenue funds:	
4	State restricted revenues .....	54,700
5	State general fund/general purpose .....	\$ 337,000
6	<b>DEPARTMENT OF STATE</b>	
7	Economic adjustments .....	\$ <u>4,004,300</u>
8	GROSS APPROPRIATION .....	\$ 4,004,300
9	Appropriated from:	
10	Special revenue funds:	
11	State restricted revenues .....	3,769,500
12	State general fund/general purpose .....	\$ 234,800
13	<b>DEPARTMENT OF TECHNOLOGY, MANAGEMENT, AND BUDGET</b>	
14	Economic adjustments .....	\$ <u>9,374,900</u>
15	GROSS APPROPRIATION .....	\$ 9,374,900
16	Appropriated from:	
17	Interdepartmental grant revenues:	
18	Interdepartmental grant revenues .....	3,942,000
19	Federal revenues:	
20	Federal revenues .....	1,372,100
21	Special revenue funds:	
22	State restricted revenues .....	678,900
23	State general fund/general purpose .....	\$ 3,381,900
24	<b>DEPARTMENT OF TREASURY</b>	

1	Economic adjustments.....	\$	5,790,500
2	County incentive program.....		9,500,000
3	Constitutional state general revenue sharing grants ..		19,496,300
4	Debt service.....		19,409,100
5	MSF - economic adjustments.....		<u>2,388,800</u>
6	GROSS APPROPRIATION.....	\$	56,584,700
7	Appropriated from:		
8	Interdepartmental grant revenues:		
9	Interdepartmental grant revenues.....		218,700
10	Federal revenues:		
11	Federal revenues.....		1,120,700
12	Special revenue funds:		
13	Local revenues.....		51,600
14	State restricted revenues.....		34,594,000
15	State general fund/general purpose.....	\$	20,599,700

16 ARTICLE X

17 DEPARTMENT OF HUMAN SERVICES

18 PART 1

19 LINE-ITEM APPROPRIATIONS

20 FOR FISCAL YEAR 2012-2013

21 Sec. 101. There is appropriated for the department of human

22 services for the fiscal year ending September 30, 2013, from the

23 following funds:

24 **DEPARTMENT OF HUMAN SERVICES**

25 APPROPRIATION SUMMARY



1	Full-time equated classified positions.....	11,538.2	
2	Full-time equated unclassified positions.....	6.0	
3	Total full-time equated positions.....	11,544.2	
4	GROSS APPROPRIATION.....		\$ 6,700,860,600
5	Interdepartmental grant revenues:		
6	Total interdepartmental grants and intradepartmental		
7	transfers .....		30,581,300
8	ADJUSTED GROSS APPROPRIATION.....		\$ 6,670,279,300
9	Federal revenues:		
10	Federal - supplemental nutrition assistance revenues		
11	(ARRA) .....		510,138,400
12	Social security act, temporary assistance for needy		
13	families .....		619,699,200
14	Total other federal revenues.....		4,400,273,600
15	Special revenue funds:		
16	Total private revenues.....		10,619,700
17	Total local revenues.....		31,182,400
18	Total other state restricted revenues.....		82,476,400
19	State general fund/general purpose.....		\$ 1,015,889,600
20	<b>Sec. 102. EXECUTIVE OPERATIONS</b>		
21	Total full-time equated positions.....	603.7	
22	Full-time equated unclassified positions.....	6.0	
23	Full-time equated classified positions.....	597.7	
24	Unclassified salaries--6.0 FTE positions.....		\$ 647,900
25	Salaries and wages--252.7 FTE positions.....		15,700,300
26	Contractual services, supplies, and materials.....		11,260,700
27	Demonstration projects--2.0 FTE positions.....		6,447,100

1	Inspector general salaries and wages--132.0 FTE	
2	positions .....	7,429,000
3	Electronic benefit transfer EBT.....	12,067,200
4	Michigan community service commission.....	11,348,500
5	AFC, children's welfare and day care licensure--211.0	
6	FTE positions .....	24,513,900
7	State office of administrative hearings and rules ....	<u>6,831,000</u>
8	GROSS APPROPRIATION.....	\$ 96,245,600
9	Appropriated from:	
10	Interdepartmental grant revenues:	
11	IDG from department of education.....	13,874,900
12	Federal revenues:	
13	Social security act, temporary assistance for needy	
14	families .....	8,734,500
15	Total other federal revenues.....	42,694,900
16	Special revenue funds:	
17	Total private revenues.....	4,551,900
18	Total local revenues.....	16,400
19	Total other state restricted revenues.....	5,400
20	State general fund/general purpose.....	\$ 26,367,600
21	<b>Sec. 103. CHILD SUPPORT ENFORCEMENT</b>	
22	Full-time equated classified positions..... 180.7	
23	Child support enforcement operations--174.7 FTE	
24	positions .....	\$ 21,838,700
25	Legal support contracts.....	96,060,300
26	Child support incentive payments.....	32,409,600
27	State disbursement unit--6.0 FTE positions.....	<u>8,289,400</u>

1	GROSS APPROPRIATION.....	\$	158,598,000
2	Appropriated from:		
3	Federal revenues:		
4	Total federal revenues.....		136,093,100
5	State general fund/general purpose.....	\$	22,504,900
6	<b>Sec. 104. COMMUNITY ACTION AND ECONOMIC OPPORTUNITY</b>		
7	Full-time equated classified positions.....		16.0
8	Bureau of community action and economic opportunity		
9	operations--16.0 FTE positions.....	\$	1,989,700
10	Community services block grant.....		25,840,000
11	Weatherization assistance.....		<u>28,340,000</u>
12	GROSS APPROPRIATION.....	\$	56,169,700
13	Appropriated from:		
14	Federal revenues:		
15	Social security act, temporary assistance for needy		
16	families .....		500
17	Total other federal revenues.....		56,169,200
18	State general fund/general purpose.....	\$	0
19	<b>Sec. 105. ADULT AND FAMILY SERVICES</b>		
20	Full-time equated classified positions.....		701.0
21	Executive direction and support--3.0 FTE positions ...	\$	368,900
22	Guardian contract.....		490,200
23	Adult services policy and administration--7.0 FTE		
24	positions .....		688,500
25	Office of program policy--32.0 FTE positions .....		4,372,200
26	Michigan rehabilitation services and Michigan		
27	commission for the blind--657.0 FTE positions.....		174,673,500

1	Employment and training support services .....	5,377,800
2	Wage employment verification reporting .....	547,300
3	Nutrition education--2.0 FTE positions .....	30,025,000
4	Elder law of Michigan MiCAFE contract .....	175,000
5	Elder abuse prosecuting attorney .....	<u>300,000</u>
6	GROSS APPROPRIATION .....	\$ 217,018,400
7	Appropriated from:	
8	Interdepartmental grant revenues:	
9	IDG from department of education .....	22,500
10	Federal revenues:	
11	Social security act, temporary assistance for needy	
12	families .....	5,110,400
13	Total other federal revenues .....	172,563,700
14	Special revenue funds:	
15	Total private revenues .....	2,027,800
16	Total local revenues .....	7,159,900
17	Total other state restricted revenues .....	3,108,500
18	State general fund/general purpose .....	\$ 27,025,600
19	<b>Sec. 106. CHILDREN'S SERVICES</b>	
20	Full-time equated classified positions .....	95.6
21	Salaries and wages--49.0 FTE positions .....	\$ 3,184,200
22	Contractual services, supplies, and materials .....	1,134,900
23	Interstate compact .....	179,600
24	Families first .....	16,005,300
25	Strong families/safe children .....	12,350,100
26	Child protection and permanency--13.0 FTE positions ..	15,316,200
27	Family reunification program .....	3,645,700

1	Family preservation and prevention services	
2	administration--10.0 FTE positions.....	993,900
3	Children's trust fund administration--7.0 FTE	
4	positions .....	759,200
5	Children's trust fund grants.....	1,723,600
6	Attorney general contract.....	3,813,000
7	Prosecuting attorney contracts.....	2,561,700
8	Child protection.....	673,900
9	Domestic violence prevention and treatment--14.6 FTE	
10	positions .....	14,644,200
11	Rape prevention and services--0.5 FTE position.....	2,572,300
12	Child advocacy centers--0.5 FTE position.....	1,000,000
13	Child abuse and neglect - children's justice act--1.0	
14	FTE position .....	613,000
15	Family preservation and prevention services programs .	<u>2,500,000</u>
16	GROSS APPROPRIATION.....	\$ 83,670,800
17	Appropriated from:	
18	Federal revenues:	
19	Social security act, temporary assistance for needy	
20	families .....	45,452,400
21	Total other federal revenues.....	29,119,600
22	Special revenue funds:	
23	Compulsive gaming prevention fund.....	1,040,000
24	Sexual assault victims' prevention and treatment fund	1,000,000
25	Child advocacy centers fund.....	1,000,000
26	Children's trust fund.....	1,514,200
27	State general fund/general purpose.....	\$ 4,544,600

1     **Sec. 107. CHILD WELFARE SERVICES**

2	Full-time equated classified positions.....	3,372.1	
3	Children's services administration--93.0 FTE positions	\$	6,125,900
4	Title IV-E compliance and accountability office--3.5		
5	FTE positions .....		460,000
6	Child welfare institute--35.0 FTE positions .....		5,833,900
7	Child protective services workers--1,451.4 FTE		
8	positions .....		69,913,400
9	Direct care workers--1,003.0 FTE positions .....		49,080,600
10	Education planners--13.1 FTE positions .....		706,600
11	Permanency planning conference coordinators--45.0 FTE		
12	positions .....		3,066,000
13	Child welfare first line supervisors--475.8 FTE		
14	positions .....		33,305,000
15	Administrative support workers--133.0 FTE positions ..		6,091,600
16	Second line supervisors and technical staff--44.3 FTE		
17	positions .....		3,239,500
18	Permanency planning specialists--53.3 FTE positions ..		3,159,000
19	Contractual services, supplies, and materials .....		5,163,900
20	Settlement monitor.....		1,625,800
21	Foster care payments.....		200,341,100
22	Serious emotional disturbance - waiver program .....		3,269,000
23	Serious emotional disturbance - nonwaiver program ....		2,925,900
24	Guardianship assistance program.....		4,247,200
25	Child care fund.....		190,804,400
26	Child care fund administration--6.2 FTE positions ....		815,000
27	Adoption subsidies.....		212,210,600

1	Adoption support services--10.0 FTE positions .....	24,672,700
2	Youth in transition--5.5 FTE positions .....	14,669,200
3	Child welfare medical/psychiatric evaluations .....	6,234,300
4	Psychotropic oversight contracts .....	<u>1,118,200</u>
5	GROSS APPROPRIATION .....	\$ 849,078,800
6	Appropriated from:	
7	Interdepartmental grant revenues:	
8	IDG from department of education .....	237,600
9	Federal revenues:	
10	Social security act, temporary assistance for needy	
11	families .....	198,357,800
12	Total other federal revenues .....	282,466,600
13	Special revenue funds:	
14	Private - collections .....	1,600,000
15	Local funds - county chargeback .....	20,824,500
16	State general fund/general purpose .....	\$ 345,592,300
17	<b>Sec. 108. JUVENILE JUSTICE SERVICES</b>	
18	Full-time equated classified positions..... 17.0	
19	W.J. Maxey training school - closed site costs .....	\$ 1,200,000
20	Bay pines center - closed site costs .....	600,000
21	Shawono center - closed site costs .....	600,000
22	County juvenile officers .....	3,649,600
23	Community support services--2.0 FTE positions .....	941,100
24	Juvenile justice administration and maintenance--10.0	
25	FTE positions .....	2,200,000
26	Juvenile accountability block grant--1.0 FTE position	1,281,300
27	Committee on juvenile justice administration--4.0 FTE	

1	positions .....	331,200
2	Committee on juvenile justice grants .....	<u>5,000,000</u>
3	GROSS APPROPRIATION .....	\$ 15,803,200
4	Appropriated from:	
5	Federal revenues:	
6	Total federal revenues .....	6,642,000
7	State general fund/general purpose .....	\$ 9,161,200
8	<b>Sec. 109. LOCAL OFFICE STAFF AND OPERATIONS</b>	
9	Full-time equated classified positions .....	6,026.0
10	Field staff, salaries and wages--5,835.5 FTE positions	\$ 287,760,700
11	Contractual services, supplies, and materials .....	12,589,800
12	Medical/psychiatric evaluations .....	1,354,200
13	Donated funds positions--160.0 FTE positions .....	13,197,200
14	Training and program support--22.5 FTE positions .....	2,756,400
15	Volunteer services and reimbursement .....	1,142,400
16	SSI advocates--8.0 FTE positions .....	<u>830,300</u>
17	GROSS APPROPRIATION .....	\$ 319,631,000
18	Appropriated from:	
19	Interdepartmental grant revenues:	
20	IDG from department of corrections .....	100,000
21	IDG from department of education .....	7,835,400
22	Federal revenues:	
23	Social security act, temporary assistance for needy	
24	families .....	60,630,600
25	Total other federal revenues .....	121,362,500
26	Special revenue funds:	
27	Local funds .....	3,181,600



1	Private funds - donated funds .....	2,440,000
2	Supplemental security income recoveries .....	680,700
3	State general fund/general purpose .....	\$ 123,400,200
4	<b>Sec. 110. DISABILITY DETERMINATION SERVICES</b>	
5	Full-time equated classified positions.....	525.1
6	Disability determination operations--503.9 FTE	
7	positions .....	\$ 83,048,100
8	Medical consultation program--19.2 FTE positions .....	2,436,200
9	Retirement disability determination--2.0 FTE positions .....	<u>411,300</u>
10	GROSS APPROPRIATION.....	\$ 85,895,600
11	Appropriated from:	
12	Interdepartmental grant revenues:	
13	IDG from DTMB - office of retirement services .....	522,800
14	Federal revenues:	
15	Total federal revenues .....	83,114,000
16	State general fund/general purpose .....	\$ 2,258,800
17	<b>Sec. 111. CENTRAL SUPPORT ACCOUNTS</b>	
18	Rent .....	\$ 43,603,000
19	Occupancy charge .....	8,236,400
20	Travel .....	7,295,600
21	Equipment .....	62,600
22	Worker's compensation .....	1,928,800
23	Payroll taxes and fringe benefits .....	<u>360,842,100</u>
24	GROSS APPROPRIATION.....	\$ 421,968,500
25	Appropriated from:	
26	Interdepartmental grant revenues:	
27	IDG from department of education .....	6,044,500

1	Federal revenues:	
2	Social security act, temporary assistance for needy	
3	families .....	97,594,500
4	Total other federal revenues .....	165,230,200
5	State general fund/general purpose .....	\$ 153,099,300
6	<b>Sec. 112. PUBLIC ASSISTANCE</b>	
7	Full-time equated classified positions..... 7.0	
8	Family independence program.....	\$ 289,288,000
9	State disability assistance payments .....	25,515,100
10	Food assistance program benefits .....	3,007,487,900
11	Food assistance program benefits (ARRA) .....	510,138,400
12	State supplementation .....	62,075,800
13	State supplementation administration .....	2,118,600
14	Low-income home energy assistance program .....	182,951,600
15	Food bank funding .....	1,795,000
16	Homeless programs .....	15,721,900
17	Chaldean community foundation .....	100,000
18	Multicultural integration funding .....	1,515,500
19	Unclaimed bodies .....	1,000,000
20	Emergency services local office allocations .....	16,092,600
21	Veterans programs and assistance .....	10,000,000
22	Refugee assistance program--7.0 FTE positions .....	<u>27,929,900</u>
23	GROSS APPROPRIATION .....	\$ 4,153,730,300
24	Appropriated from:	
25	Federal revenues:	
26	Federal supplemental nutrition assistance revenues	
27	(ARRA) .....	510,138,400

1	Social security act, temporary assistance for needy	
2	families .....	103,756,700
3	Total other federal revenues .....	3,215,501,800
4	Special revenue funds:	
5	Child support collections .....	26,400,000
6	Supplemental security income recoveries .....	10,617,600
7	Merit award trust fund .....	30,100,000
8	Public assistance recoupment revenue .....	7,010,000
9	State general fund/general purpose .....	\$ 250,205,800
10	<b>Sec. 113. INFORMATION TECHNOLOGY</b>	
11	Information technology services and projects .....	\$ 102,858,200
12	Child support automation .....	<u>36,650,600</u>
13	GROSS APPROPRIATION .....	\$ 139,508,800
14	Appropriated from:	
15	Interdepartmental grant revenues:	
16	IDG from department of education .....	1,943,600
17	Federal revenues:	
18	Social security act, temporary assistance for needy	
19	families .....	12,061,800
20	Total other federal revenues .....	81,710,900
21	State general fund/general purpose .....	\$ 43,792,500
22	<b>Sec. 114. ONE-TIME BASIS ONLY</b>	
23	State employee lump-sum payments .....	\$ 10,541,900
24	Inspector general information technology .....	2,500,000
25	Local grants .....	20,000,000
26	Before- or after-school program .....	5,000,000
27	Focus: HOPE .....	3,000,000

1	Juvenile justice behavioral health study .....	500,000
2	Child welfare assessment center .....	2,000,000
3	Tuition incentive program .....	3,000,000
4	Youth in transition homeless programs .....	2,000,000
5	Homeless programs .....	2,000,000
6	Food bank funding .....	1,000,000
7	State emergency relief energy services .....	<u>52,000,000</u>
8	GROSS APPROPRIATION .....	\$ 103,541,900
9	Appropriated from:	
10	Federal revenues:	
11	Social security act, temporary assistance for needy	
12	families .....	88,000,000
13	Total other federal revenues .....	7,605,100
14	State general fund/general purpose .....	\$ 7,936,800

## PART 2

## PROVISIONS CONCERNING APPROPRIATIONS

## FOR FISCAL YEAR 2012-2013

**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 2012-2013 is \$1,098,324,900.00 and state spending from state resources to be paid to local units of government for fiscal year 2012-2013 is \$93,264,100.00. The itemized statement below identifies appropriations from which spending to local units of government will occur:

1	DEPARTMENT OF HUMAN SERVICES	
2	Child care fund.....	\$ 85,338,900
3	County juvenile officers.....	3,401,800
4	State disability assistance payments.....	1,564,100
5	Legal support contracts.....	2,411,700
6	Michigan rehabilitation services and Michigan	
7	commission for the blind .....	451,800
8	Child support enforcement operations.....	13,500
9	Family independence program.....	<u>82,300</u>
10	TOTAL.....	\$ 93,264,100

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

14       Sec. 203. As used in this article:

15       (a) "AFC" means adult foster care.

16       (b) "ARRA" means the American recovery and reinvestment act of  
17 2009, Public Law 111-5.

18       (c) "Children's rights settlement agreement" means the  
19 settlement agreement entered in the case of Dwayne B. vs. Snyder,  
20 docket no. 2:06-cv-13548 in the United States district court for  
21 the eastern district of Michigan.

22       (d) "Current fiscal year" means the fiscal year ending  
23 September 30, 2013.

24       (e) "Department" means the department of human services.

25       (f) "Director" means the director of the department of human  
26 services.

27       (g) "FTE" means full-time equated.

1 (h) "IDG" means interdepartmental grant.

2 (i) "JET" means jobs, education, and training program.

3 (j) "Previous fiscal year" means the fiscal year ending  
4 September 30, 2012.

5 (k) "SSI" means supplemental security income.

6 (l) "Temporary assistance for needy families" or "TANF" or  
7 "title IV-A" means part A of title IV of the social security act,  
8 42 USC 601 to 619.

9 (m) "Title IV-D" means part D of title IV of the social  
10 security act, 42 USC 651 to 669b.

11 (n) "Title IV-E" means part E of title IV of the social  
12 security act, 42 USC 670 to 679c.

13 Sec. 207. (1) Sanctions, suspensions, conditions for  
14 provisional license status, and other penalties shall not be more  
15 stringent for private service providers than for public entities  
16 performing equivalent or similar services.

17 (2) Neither the department nor private service providers or  
18 licensees shall be granted preferential treatment or considered  
19 automatically to be in compliance with administrative rules based  
20 on whether they have collective bargaining agreements with direct  
21 care workers. Private service providers or licensees without  
22 collective bargaining agreements shall not be subjected to  
23 additional requirements or conditions of licensure based on their  
24 lack of collective bargaining agreements.

25 Sec. 208. Unless otherwise specified, the department shall use  
26 the Internet to fulfill the reporting requirements of this article.  
27 This requirement shall include transmission of reports via

1 electronic mail to the recipients identified for each reporting  
2 requirement, and it shall include placement of reports on the  
3 Internet.

4       Sec. 209. Funds appropriated in part 1 shall not be used for  
5 the purchase of foreign goods or services, or both, if  
6 competitively priced and of comparable quality American goods or  
7 services, or both, are available. Preference should be given to  
8 goods or services, or both, manufactured or provided by Michigan  
9 businesses, if they are competitively priced and of comparable  
10 quality. In addition, preference should be given to goods or  
11 services, or both, that are manufactured or provided by Michigan  
12 businesses owned and operated by veterans, if they are  
13 competitively priced and of comparable quality.

14       Sec. 211. Funds appropriated in part 1 shall not be used by a  
15 principal executive department, state agency, or authority to hire  
16 a person to provide legal services that are the responsibility of  
17 the attorney general. This prohibition does not apply to legal  
18 services for bonding activities and for those outside services that  
19 the attorney general authorizes.

20       Sec. 212. (1) In addition to funds appropriated in part 1 for  
21 all programs and services, there is appropriated for write-offs of  
22 accounts receivable, deferrals, and for prior year obligations in  
23 excess of applicable prior year appropriations, an amount equal to  
24 total write-offs and prior year obligations, but not to exceed  
25 amounts available in prior year revenues or current year revenues  
26 that are in excess of the authorized amount.

27       (2) The department's ability to satisfy appropriation fund

1 sources in part 1 shall not be limited to collections and accruals  
2 pertaining to services provided in the current fiscal year, but  
3 shall also include reimbursements, refunds, adjustments, and  
4 settlements from prior years.

5 Sec. 213. The department may retain all of the state's share  
6 of food assistance overissuance collections as an offset to general  
7 fund/general purpose costs. Retained collections shall be applied  
8 against federal funds deductions in all appropriation units where  
9 department costs related to the investigation and recoupment of  
10 food assistance overissuances are incurred. Retained collections in  
11 excess of such costs shall be applied against the federal funds  
12 deducted in the executive operations appropriation unit.

13 Sec. 214. On a bimonthly basis, the department shall report on  
14 the number of FTEs in pay status by type of staff.

15 Sec. 217. The departments and agencies receiving  
16 appropriations in part 1 shall prepare a report on out-of-state  
17 travel expenses not later than January 1 of each year. The travel  
18 report shall be a listing of all travel by classified and  
19 unclassified employees outside this state in the immediately  
20 preceding fiscal year that was funded in whole or in part with  
21 funds appropriated in the department's budget. The report shall be  
22 submitted to the house and senate standing committees on  
23 appropriations, the house and senate fiscal agencies, and the state  
24 budget director. The report shall include the following  
25 information:

26 (a) The dates of each travel occurrence.

27 (b) The total transportation and related costs of each travel



1 occurrence, including the proportion funded with state general  
2 fund/general purpose revenues, the proportion funded with state  
3 restricted revenues, the proportion funded with federal revenues,  
4 and the proportion funded with other revenues.

5 Sec. 218. It is the intent of the legislature that all  
6 principal executive departments and agencies cooperate with the  
7 development and implementation of the department of technology,  
8 management, and budget statewide office space consolidation plan.

9 Sec. 219. The department shall maintain a searchable website  
10 accessible by the public at no cost that includes, but is not  
11 limited to, all of the following:

12 (a) Fiscal year-to-date expenditures by category.

13 (b) Fiscal year-to-date expenditures by appropriation unit.

14 (c) Fiscal year-to-date payments to a selected vendor,  
15 including the vendor name, payment date, payment amount, and  
16 payment description.

17 (d) The number of active department employees by job  
18 classification.

19 (e) Job specifications and wage rates.

20 Sec. 220. The department shall ensure that faith-based  
21 organizations are able to apply and compete for services, programs,  
22 or contracts that they are qualified and suitable to fulfill. The  
23 department shall not disqualify faith-based organizations solely on  
24 the basis of the religious nature of their organization or their  
25 guiding principles or statements of faith.

26 Sec. 221. If the revenue collected by the department from  
27 private and local sources exceeds the amount spent from amounts

House Bill No. 5365 (H-2) as amended April 25, 2012

1 appropriated in part 1, the revenue may be carried forward, with  
2 approval from the state budget director, into the subsequent fiscal  
3 year.

[Sec. 235. By October 31, 2012, the department shall identify 10 principal measurable outcomes to be affected by expenditure of the funds appropriated in part 1 of this article and submit a report to the house and senate appropriations committees, the house and senate fiscal agencies, and the state budget director that ranks the outcomes by level of importance and contains current data on those outcomes. Beginning on April 1, 2013, the department shall provide biannual updates to the house and senate appropriations committees on changes in those measurable outcomes and departmental efforts to improve the outcomes.]

4 Sec. 250. Amounts appropriated in part 1 for information  
5 technology may be designated as work projects and carried forward  
6 to support technology projects under the direction of the  
7 department of technology, management, and budget. Funds designated  
8 in this manner are not available for expenditure until approved as  
9 work projects under section 451a of the management and budget act,  
10 1984 PA 431, MCL 18.1451a.

11 Sec. 251. The department and agencies receiving appropriations  
12 in part 1 shall receive and retain copies of all reports funded  
13 from appropriations in part 1. Federal and state guidelines for  
14 short-term and long-term retention of records shall be followed.  
15 The department may electronically retain copies of reports unless  
16 otherwise required by federal and state guidelines.

17 Sec. 259. From the funds appropriated in part 1 for  
18 information technology, departments and agencies shall pay user  
19 fees to the department of technology, management, and budget for  
20 technology-related services and projects. The user fees shall be  
21 subject to provisions of an interagency agreement between the  
22 department and agencies and the department of technology,  
23 management, and budget.

24 Sec. 264. The department shall not take disciplinary action  
25 against an employee for communicating with a member of the  
26 legislature or his or her staff.

27 Sec. 265. Within 14 days after the release of the executive

1 budget recommendation, the department shall provide the state  
2 budget director, the senate and house appropriations chairs, the  
3 senate and house appropriations subcommittees on the department  
4 budget, respectively, and the senate and house fiscal agencies with  
5 an annual report on estimated state restricted fund balances, state  
6 restricted fund projected revenues, and state restricted fund  
7 expenditures for the fiscal years ending September 30, 2012 and  
8 September 30, 2013.

9       Sec. 274. (1) The department, in collaboration with the state  
10 budget office, shall submit to the house and senate appropriations  
11 subcommittees on the department budget, the house and senate fiscal  
12 agencies, and the house and senate policy offices on the day the  
13 governor submits to the legislature the budget for the ensuing  
14 fiscal year a report on spending and revenue projections for each  
15 of the capped federal funds listed below. The report shall contain  
16 actual spending and revenue in the previous fiscal year, spending  
17 and revenue projections for the current fiscal year as enacted, and  
18 spending and revenue projections within the executive budget  
19 proposal for the fiscal year beginning October 1, 2013 for each  
20 individual line item for the department budget. The report shall  
21 also include federal funds transferred to other departments. The  
22 capped federal funds shall include, but not be limited to, all of  
23 the following:

24       (a) TANF.

25       (b) Title XX social services block grant.

26       (c) Title IV-B part I child welfare services block grant.

27       (d) Title IV-B part II promoting safe and stable families

1 funds.

2 (2) By February 15 of the current fiscal year, the department  
3 shall prepare an annual report of its efforts to identify  
4 additional TANF maintenance of effort sources from all of the  
5 following, but not limited to:

6 (a) Other departments.

7 (b) Local units of government.

8 (c) Private sources.

9 Sec. 284. (1) In addition to the funds appropriated in part 1,  
10 there is appropriated an amount not to exceed \$200,000,000.00 for  
11 federal contingency funds. These funds are not available for  
12 expenditure until they have been transferred to another line item  
13 in this article under section 393(2) of the management and budget  
14 act, 1984 PA 431, MCL 18.1393.

15 (2) In addition to the funds appropriated in part 1, there is  
16 appropriated an amount not to exceed \$5,000,000.00 for state  
17 restricted contingency funds. These funds are not available for  
18 expenditure until they have been transferred to another line item  
19 in this article under section 393(2) of the management and budget  
20 act, 1984 PA 431, MCL 18.1393.

21 (3) In addition to the funds appropriated in part 1, there is  
22 appropriated an amount not to exceed \$20,000,000.00 for local  
23 contingency funds. These funds are not available for expenditure  
24 until they have been transferred to another line item in this  
25 article under section 393(2) of the management and budget act, 1984  
26 PA 431, MCL 18.1393.

27 (4) In addition to the funds appropriated in part 1, there is

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

6 Sec. 290. Any public advertisement for state assistance shall  
7 also inform the public of the welfare fraud hotline operated by the  
8 department.

9 Sec. 291. (1) The department shall verify, using the e-verify  
10 system, that all new department employees, and new hire employees  
11 of contractors and subcontractors paid from funds appropriated in  
12 this article, are legally present in the United States. The  
13 department may verify this information directly or may require  
14 contractors and subcontractors to verify the information and submit  
15 a certification to the department.

16 (2) By March 1 of the current fiscal year, the department  
17 shall submit to the house and senate appropriations committees and  
18 the house and senate fiscal agencies a report certifying that it  
19 has verified, or has required contractors and subcontractors to  
20 verify, using the e-verify system, that all new department  
21 employees and new hire employees of contractors and subcontractors  
22 are legally present in the United States.

23 Sec. 294. Money appropriated in part 1 for the statewide  
24 automated child welfare information system is contingent upon the  
25 approval of an advanced planning document from the administration  
26 for children and families. If the necessary matching funds are  
27 identified and legislatively transferred to the information and

1 technology services and projects line item for this purpose, any  
2 corresponding federal revenue required shall be appropriated at a  
3 50% federal match rate. This appropriation may be designated as a  
4 work project under section 451a of the management and budget act,  
5 1984 PA 431, MCL 18.1451a, and carried forward to support  
6 completion of this project.

7       Sec. 296. Not later than November 15, the department shall  
8 prepare and transmit a report that provides for estimates of the  
9 total general fund/general purpose appropriation lapses at the  
10 close of the fiscal year. This report shall summarize the projected  
11 year-end general fund/general purpose appropriation lapses by major  
12 departmental program or program areas. The report shall be  
13 transmitted to the office of the state budget, the chairpersons of  
14 the senate and house appropriations committees, and the senate and  
15 house fiscal agencies.

#### 16   EXECUTIVE OPERATIONS

17       Sec. 307. (1) From the money appropriated in part 1 for  
18 demonstration projects, \$400,000.00 shall be distributed as  
19 provided in subsection (2). The amount distributed under this  
20 subsection shall not exceed 50% of the total operating expenses of  
21 the program described in subsection (2), with the remaining 50%  
22 paid by local United Way organizations and other nonprofit  
23 organizations and foundations.

24       (2) Money distributed under subsection (1) shall be  
25 distributed to Michigan 2-1-1, a nonprofit corporation organized  
26 under the laws of this state that is exempt from federal income tax

1 under section 501(c)(3) of the internal revenue code, 26 USC  
2 501(c)(3), and whose mission is to coordinate and support a  
3 statewide 2-1-1 system. Michigan 2-1-1 shall use the money only to  
4 fulfill the Michigan 2-1-1 business plan adopted by Michigan 2-1-1  
5 in January 2005.

6 (3) Michigan 2-1-1 shall refer to the department any calls  
7 received reporting fraud, waste, or abuse of state-administered  
8 public assistance.

9 (4) Michigan 2-1-1 shall report annually to the department and  
10 the house and senate standing committees with primary jurisdiction  
11 over matters relating to human services and telecommunications on  
12 2-1-1 system performance, including, but not limited to, call  
13 volume by community health and human service needs and unmet needs  
14 identified through caller data and customer satisfaction metrics.

#### 15 **ADULT AND FAMILY SERVICES**

16 Sec. 420. (1) From the funds appropriated in part 1, the  
17 department shall contract with the prosecuting attorneys  
18 association of Michigan for 2 elder abuse resource prosecuting  
19 attorneys positions to provide the support and services necessary  
20 to increase the capability of the state's prosecutors, adult  
21 protective service system, and criminal justice system to  
22 effectively identify, investigate, and prosecute elder abuse and  
23 financial exploitation.

24 (2) By March 1 of the current fiscal year, the prosecuting  
25 attorneys association shall provide a report on the efficacy of the  
26 contract to the state budget office, the house and senate

1 appropriations subcommittees on the department budget, the house  
2 and senate fiscal agencies, and the house and senate policy  
3 offices.

4       Sec. 423. From the money appropriated in part 1 for elder law  
5 of Michigan MiCAFE contract, the department shall allocate not less  
6 than \$175,000.00 to the elder law of Michigan MiCAFE to assist this  
7 state's elderly population to participate in the food assistance  
8 program. The money may be used as state matching funds to acquire  
9 available United States department of agriculture funding to  
10 provide outreach program activities, such as eligibility screen and  
11 information services, as part of a statewide food stamp hotline.

12       Sec. 424. Not later than April 1, 2013, the department shall  
13 enter into a contract with a nonprofit entity that operates  
14 throughout this state to provide vehicle purchases and vehicle  
15 repairs for all low-income individuals and foster youth in  
16 transition whom the department determines are eligible. The  
17 department shall work in conjunction with the nonprofit entity to  
18 ensure that the barriers to self-sufficiency are removed for each  
19 individual.

20       Sec. 425. From the funds appropriated in part 1, the  
21 department shall provide individuals not more than \$500.00 for  
22 vehicle repairs, including any repairs done in the previous 12  
23 months. The payment maximum shall include the combined total of  
24 payments made by the department and work participation program.

25       Sec. 430. The local match requirements for vocational  
26 rehabilitation facilities establishment grants shall not exceed  
27 21.3% for the current fiscal year.



1       Sec. 431. All funds appropriated in part 1 for independent  
2 living shall be used for the support of centers for independent  
3 living in compliance with federal rules and regulations for such  
4 centers, by existing centers in serving underserved areas, and for  
5 projects to build capacity of centers to deliver independent living  
6 services. Applications for such funds shall be reviewed in  
7 accordance with criteria and procedures established by the  
8 department. Funds must be used in a manner consistent with the  
9 state plan for independent living.

10       Sec. 432. (1) The appropriation in part 1 for the Michigan  
11 commission for the blind includes funds for case services. These  
12 funds may be used for tuition payments for blind clients.

13       (2) Revenue collected by the Michigan commission for the blind  
14 and from private and local sources that is unexpended at the end of  
15 the fiscal year may carry forward to the subsequent fiscal year.

16       Sec. 433. The Michigan commission for the blind and the  
17 Michigan rehabilitation services shall work collaboratively with  
18 service organizations and government entities to identify qualified  
19 match dollars to maximize use of available federal vocational  
20 rehabilitation funds.

21       Sec. 434. (1) The funds appropriated in part 1 for a regional  
22 or subregional library shall not be released until a budget for  
23 that regional or subregional library has been approved by the  
24 department for expenditures for library services directly serving  
25 the blind and persons with disabilities.

26       (2) In order to receive subregional state aid as appropriated  
27 in part 1, a regional or subregional library's fiscal agency shall

1 agree to maintain local funding support at the same level in the  
2 current fiscal year as in the fiscal agency's preceding fiscal  
3 year. If a reduction in expenditures equally affects all agencies  
4 in a local unit of government that is the regional or subregional  
5 library's fiscal agency, that reduction shall not be interpreted as  
6 a reduction in local support and shall not disqualify a regional or  
7 subregional library from receiving state aid under part 1. If a  
8 reduction in income affects a library cooperative or district  
9 library that is a regional or subregional library's fiscal agency  
10 or a reduction in expenditures for the regional or subregional  
11 library's fiscal agency, a reduction in expenditures for the  
12 regional or subregional library shall not be interpreted as a  
13 reduction in local support and shall not disqualify a regional or  
14 subregional library from receiving state aid under part 1.

15       Sec. 435. The department may provide and enter into agreements  
16 to provide general services, training, meetings, information,  
17 special equipment, software, facility use, and technical consulting  
18 services to other principal executive departments, state agencies,  
19 local units of government, the judicial branch of government, other  
20 organizations, and patrons of department facilities. The department  
21 may charge fees for these services that are reasonably related to  
22 the cost of providing the services. In addition to the funds  
23 appropriated in part 1, funds collected by the department for these  
24 services are appropriated for all expenses necessary. The funds  
25 appropriated under this section are allotted for expenditure when  
26 they are received by the department of treasury.

1    **CHILDREN'S SERVICES**

2           Sec. 501. A goal is established that not more than 35% of all  
3 children in foster care at any given time during the current fiscal  
4 year will have been in foster care for 24 months or more. During  
5 the annual budget presentation, the department shall provide a  
6 report describing the steps that will be taken to achieve the  
7 specific goal established in this section.

8           Sec. 502. From the funds appropriated in part 1 for foster  
9 care, the department shall provide 50% reimbursement to Indian  
10 tribal governments for foster care expenditures for children who  
11 are under the jurisdiction of Indian tribal courts and who are not  
12 otherwise eligible for federal foster care cost sharing.

13          Sec. 507. The department's ability to satisfy appropriation  
14 deducts in part 1 for foster care private collections shall not be  
15 limited to collections and accruals pertaining to services provided  
16 only in the current fiscal year but may include revenues collected  
17 during the current fiscal year for services provided in prior  
18 fiscal years.

19          Sec. 508. In addition to the amount appropriated in part 1 for  
20 children's trust fund grants, money granted or money received as  
21 gifts or donations to the children's trust fund created by 1982 PA  
22 249, MCL 21.171 to 21.172, is appropriated for expenditure.

23          Sec. 513. (1) The department shall not expend money  
24 appropriated in part 1 to pay for the direct placement by the  
25 department of a child in an out-of-state facility unless all of the  
26 following conditions are met:

27           (a) There is no appropriate placement available in this state

1 as determined by the department interstate compact office.

2 (b) An out-of-state placement exists that is nearer to the  
3 child's home than the closest appropriate in-state placement as  
4 determined by the department interstate compact office.

5 (c) The out-of-state facility meets all of the licensing  
6 standards of this state for a comparable facility.

7 (d) The out-of-state facility meets all of the applicable  
8 licensing standards of the state in which it is located.

9 (e) The department has done an on-site visit to the out-of-  
10 state facility, reviewed the facility records, reviewed licensing  
11 records and reports on the facility, and believes that the facility  
12 is an appropriate placement for the child.

13 (2) The department shall not expend money for a child placed  
14 in an out-of-state facility without approval of the deputy director  
15 for children's services. The department shall notify the  
16 appropriate state agency in that state including the name of the  
17 out-of-state provider who accepted the placement.

18 (3) The department shall submit a report by February 1 of the  
19 current fiscal year on the number of children who were placed in  
20 out-of-state facilities during the previous fiscal year, the number  
21 of Michigan children residing in such facilities at the time of the  
22 report, the total cost and average per diem cost of these out-of-  
23 state placements to this state, and a list of each such placement  
24 arranged by the Michigan county of residence for each child.

25 Sec. 514. The department shall make a comprehensive report  
26 concerning children's protective services (CPS) to the legislature,  
27 including the senate and house policy offices and the state budget

1 director, by January 1 of the current fiscal year, that shall  
2 include all of the following:

3 (a) Statistical information including, at a minimum, all of  
4 the following:

5 (i) The total number of reports of abuse or neglect  
6 investigated under the child protection law, 1975 PA 238, MCL  
7 722.621 to 722.638, and the number of cases classified under  
8 category I or category II and the number of cases classified under  
9 category III, category IV, or category V.

10 (ii) Characteristics of perpetrators of abuse or neglect and  
11 the child victims, such as age, relationship, race, and ethnicity  
12 and whether the perpetrator exposed the child victim to drug  
13 activity, including the manufacture of illicit drugs, that exposed  
14 the child victim to substance abuse, a drug house, or  
15 methamphetamine.

16 (iii) The mandatory reporter category in which the individual  
17 who made the report fits, or other categorization if the individual  
18 is not within a group required to report under the child protection  
19 law, 1975 PA 238, MCL 722.621 to 722.638.

20 (iv) The number of cases that resulted in the separation of the  
21 child from the parent or guardian and the period of time of that  
22 separation, up to and including termination of parental rights.

23 (v) For the reported complaints of abuse or neglect by  
24 teachers, school administrators, and school counselors, the number  
25 of cases classified under category I or category II and the number  
26 of cases classified under category III, category IV, or category V.

27 (vi) For the reported complaints of abuse or neglect by

1 teachers, school administrators, and school counselors, the number  
2 of cases that resulted in separation of the child from the parent  
3 or guardian and the period of time of that separation, up to and  
4 including termination of parental rights.

5 (b) New policies related to children's protective services  
6 including, but not limited to, major policy changes and court  
7 decisions affecting the children's protective services system  
8 during the immediately preceding 12-month period.

9 (c) The information contained in the report required under  
10 section 8d(5) of the child protection law, 1975 PA 238, MCL  
11 722.628d, on cases classified under category III.

12 (d) The department policy, or changes to the department  
13 policy, regarding children who have been exposed to the production  
14 or manufacture of methamphetamines.

15 Sec. 523. (1) By March 15 of the current fiscal year, the  
16 department shall report on family preservation programs for which  
17 money is appropriated in part 1 to the senate and house  
18 appropriations subcommittees on the department budget. The report  
19 shall contain all of the following for each program:

20 (a) The average cost per recipient served.

21 (b) Measurable performance indicators.

22 (c) Desired outcomes or results and goals that can be measured  
23 on an annual basis, or desired results for a defined number of  
24 years.

25 (d) Monitored results.

26 (e) Innovations that may include savings or reductions in  
27 administrative costs.

1           (2) If money becomes available in part 1 for youth in  
2 transition and domestic violence prevention and treatment, the  
3 department is authorized to make allocations of TANF funds only to  
4 agencies that report necessary data to the department for the  
5 purpose of meeting TANF eligibility reporting requirements.

6           Sec. 532. (1) The department, in collaboration with  
7 representatives of private child and family agencies, shall revise  
8 and improve the annual licensing review process and the annual  
9 contract compliance review process for child placing agencies and  
10 child caring institutions. The improvement goals shall be safety  
11 and care for children. Improvements to the review process shall be  
12 directed toward alleviating administrative burdens so that agency  
13 resources may be focused on children. The revision shall include  
14 identification of duplicative staff activities and information  
15 sought from child placing agencies and child caring institutions in  
16 the annual review process. The department shall report to the  
17 senate and house appropriations subcommittees on the department  
18 budget, the senate and house fiscal agencies and policy offices,  
19 and the state budget director on or before January 15 of the  
20 current fiscal year on the findings of the annual licensing review.

21           (2) The department shall conduct licensing reviews no more  
22 than once every 2 years for child placing agencies and child caring  
23 institutions that are nationally accredited and have no outstanding  
24 violations.

25           Sec. 533. (1) The department shall make payments to child  
26 placing facilities for out-of-home care services within 30 days of  
27 receiving all necessary documentation from those agencies.

1           (2) The department shall explore various types of automated  
2 payments to private nonprofit child placing facilities to improve  
3 speed and accuracy of payments.

4           (3) The department shall provide a report on the activities  
5 under this section by March 1 of the current fiscal year.

6           Sec. 537. The department, in collaboration with child placing  
7 agencies, shall develop a strategy to implement section 115o of the  
8 social welfare act, 1939 PA 280, MCL 400.115o. The strategy shall  
9 include a requirement that a department caseworker responsible for  
10 preparing a recommendation to a court concerning a juvenile  
11 placement shall provide, as part of the recommendation, information  
12 regarding the requirements of section 115o of the social welfare  
13 act, 1939 PA 280, MCL 400.115o.

14          Sec. 539. The department shall work in collaboration with  
15 representatives from child placing agencies to ensure appropriate  
16 placement for children who have been adjudicated abused, neglected,  
17 or delinquent and for whom residential treatment is required. The  
18 department and the representatives from the child placing agencies  
19 shall focus on statewide placement criteria to address the best  
20 interests of the child in need of services. The placement criteria  
21 shall include a continuum of care settings and options as  
22 appropriate for each child and his or her needs at specific times,  
23 including home placements, relative placements, shelter placements,  
24 and other options.

25          Sec. 546. (1) From the money appropriated in part 1 for foster  
26 care payments and from child care fund, the department shall pay  
27 providers of foster care services not less than a \$37.00



1 administrative rate.

2 (2) From the funds appropriated in part 1 for foster care  
3 payments and from child care fund, the department shall pay  
4 providers of general independent living services not less than a  
5 \$28.00 administrative rate.

6 (3) From the funds appropriated in part 1, the department  
7 shall pay providers of foster care services an additional \$5.00  
8 administrative rate, provided that section 117a of the social  
9 welfare act, 1939 PA 280, MCL 400.117a, is amended to eliminate the  
10 county match rate for the additional administrative rate provided  
11 in this subsection.

12 Sec. 574. (1) From the money appropriated in part 1 for foster  
13 care payments, \$2,500,000.00 is allocated to support contracts with  
14 child placing agencies to facilitate the licensure of relative  
15 caregivers as foster parents. Agencies shall receive \$2,300.00 for  
16 each facilitated licensure. The agency facilitating the licensure  
17 would retain the placement and continue to provide case management  
18 services for at least 50% of the newly licensed cases for which the  
19 placement was appropriate to the agency. Up to 50% of the newly  
20 licensed cases would have direct foster care services provided by  
21 the department.

22 (2) From the money appropriated for foster care payments,  
23 \$375,000.00 is allocated to support family incentive grants to  
24 private and community-based foster care service providers to assist  
25 with home improvements or payment for physical exams for applicants  
26 needed by foster families to accommodate foster children.

27 Sec. 585. (1) The department shall allow private nationally

1 accredited foster care and adoption agencies to conduct their own  
2 staff training, based on current department policies and  
3 procedures, provided that the agency trainer and training materials  
4 are accredited by the department and that the agency documents to  
5 the department that the training was provided. The department shall  
6 provide access to any training materials requested by the private  
7 agencies to facilitate this training.

8 (2) The department shall post on the department's website a  
9 list of all relevant departmental training materials available to  
10 private child placing agencies that are allowed to conduct their  
11 own training in accordance with this section. The department shall  
12 also provide to private child placing agencies that are allowed to  
13 conduct their own training any updated training materials as they  
14 become available.

15 Sec. 587. (1) From the funds appropriated in part 1 for the  
16 child care fund, the department shall use not more than  
17 \$15,000,000.00 to establish an in-home care incentive grant program  
18 for counties that develop new or enhanced in-home care and  
19 community-based juvenile justice services. The incentive grant  
20 shall not exceed 25% of the total cost of the in-home care program  
21 and shall be in addition to any other reimbursement the county  
22 receives from the state for new or enhanced services provided after  
23 October 1, 2012.

24 (2) Not later than January 1, 2013, the Michigan committee on  
25 juvenile justice shall establish eligibility, reporting, and data  
26 requirements that counties must meet to qualify for the in-home  
27 care incentive grant. With written notice, the department has the

1 authority to withdraw the in-home care incentive grants for the  
2 requirements established by the committee.

3 (3) By March 1 of the current fiscal year, the department  
4 shall prepare and submit a report to the state budget director and  
5 the senate and house fiscal agencies on the outcomes of the grant  
6 program.

7 Sec. 588. (1) Concurrently with public release, the department  
8 shall transmit all reports from the court-appointed settlement  
9 monitor, including, but not limited to, the needs assessment and  
10 period outcome reporting, to the state budget office, the senate  
11 and house appropriations subcommittees on the department budget,  
12 and the senate and house fiscal agencies, without revision.

13 (2) The department shall report monthly to the state budget  
14 office, the senate and house appropriations subcommittees on the  
15 department budget, and the senate and house fiscal agencies, on the  
16 number of children enrolled in the guardianship assistance and  
17 foster care - children with serious emotional disturbance waiver  
18 programs.

19 Sec. 589. (1) When a new foster care case is opened, the  
20 department shall first contact private providers with whom it has  
21 contracted to provide case management services for the new foster  
22 care case. The department, in collaboration with representatives  
23 from private child placing agencies, shall determine placement  
24 criteria for when private provider case management services would  
25 not be in the best interest of the child.

26 (2) On a monthly basis, the department shall report on the  
27 number of new foster care cases administered by the department and

1 new foster care cases administered by private providers.

2 **PUBLIC ASSISTANCE**

3       Sec. 601. Whenever a client agrees to the release of his or  
4 her name and address to the local housing authority, the department  
5 shall request from the local housing authority information  
6 regarding whether the housing unit for which vendoring has been  
7 requested meets applicable local housing codes. Vendoring shall be  
8 terminated for those units that the local authority indicates in  
9 writing do not meet local housing codes until such time as the  
10 local authority indicates in writing that local housing codes have  
11 been met.

12       Sec. 603. Payments for energy assistance shall be made  
13 directly to service providers and not to the individuals who are  
14 receiving the assistance.

15       Sec. 604. (1) The department shall operate a state disability  
16 assistance program. Except as provided in subsection (3), persons  
17 eligible for this program shall include needy citizens of the  
18 United States or aliens exempted from the supplemental security  
19 income citizenship requirement who are at least 18 years of age or  
20 emancipated minors meeting 1 or more of the following requirements:

21       (a) A recipient of supplemental security income, social  
22 security, or medical assistance due to disability or 65 years of  
23 age or older.

24       (b) A person with a physical or mental impairment which meets  
25 federal supplemental security income disability standards, except  
26 that the minimum duration of the disability shall be 90 days.

1 Substance abuse alone is not defined as a basis for eligibility.

2 (c) A resident of an adult foster care facility, a home for  
3 the aged, a county infirmary, or a substance abuse treatment  
4 center.

5 (d) A person receiving 30-day postresidential substance abuse  
6 treatment.

7 (e) A person diagnosed as having acquired immunodeficiency  
8 syndrome.

9 (f) A person receiving special education services through the  
10 local intermediate school district.

11 (g) A caretaker of a disabled person who meets the  
12 requirements specified in subdivision (a), (b), (e), or (f).

13 (2) Applicants for and recipients of the state disability  
14 assistance program shall be considered needy if they:

15 (a) Meet the same asset test as is applied for the family  
16 independence program.

17 (b) Have a monthly budgetable income that is less than the  
18 payment standards.

19 (3) Except for a person described in subsection (1)(c) or (d),  
20 a person is not disabled for purposes of this section if his or her  
21 drug addiction or alcoholism is a contributing factor material to  
22 the determination of disability. "Material to the determination of  
23 disability" means that, if the person stopped using drugs or  
24 alcohol, his or her remaining physical or mental limitations would  
25 not be disabling. If his or her remaining physical or mental  
26 limitations would be disabling, then the drug addiction or  
27 alcoholism is not material to the determination of disability and

1 the person may receive state disability assistance. Such a person  
2 must actively participate in a substance abuse treatment program,  
3 and the assistance must be paid to a third party or through vendor  
4 payments. For purposes of this section, substance abuse treatment  
5 includes receipt of inpatient or outpatient services or  
6 participation in alcoholics anonymous or a similar program.

7 Sec. 605. The level of reimbursement provided to state  
8 disability assistance recipients in licensed adult foster care  
9 facilities shall be the same as the prevailing supplemental  
10 security income rate under the personal care category.

11 Sec. 606. County department offices shall require each  
12 recipient of family independence program and state disability  
13 assistance who has applied with the social security administration  
14 for supplemental security income to sign a contract to repay any  
15 assistance rendered through the family independence program or  
16 state disability assistance program upon receipt of retroactive  
17 supplemental security income benefits.

18 Sec. 607. (1) The department's ability to satisfy  
19 appropriation deductions in part 1 for state disability  
20 assistance/supplemental security income recoveries and public  
21 assistance recoupment revenues shall not be limited to recoveries  
22 and accruals pertaining to state disability assistance, or family  
23 independence assistance grant payments provided only in the current  
24 fiscal year, but may include revenues collected during the current  
25 year that are prior year related and not a part of the department's  
26 accrued entries.

27 (2) The department may use supplemental security income

1 recoveries to satisfy the deduct in any line in which the revenues  
2 are appropriated, regardless of the source from which the revenue  
3 is recovered.

4       Sec. 608. Adult foster care facilities providing domiciliary  
5 care or personal care to residents receiving supplemental security  
6 income or homes for the aged serving residents receiving  
7 supplemental security income shall not require those residents to  
8 reimburse the home or facility for care at rates in excess of those  
9 legislatively authorized. To the extent permitted by federal law,  
10 adult foster care facilities and homes for the aged serving  
11 residents receiving supplemental security income shall not be  
12 prohibited from accepting third-party payments in addition to  
13 supplemental security income provided that the payments are not for  
14 food, clothing, shelter, or result in a reduction in the  
15 recipient's supplemental security income payment.

16       Sec. 610. (1) In developing good cause criteria for the state  
17 emergency relief program, the department shall grant exemptions if  
18 the emergency resulted from unexpected expenses related to  
19 maintaining or securing employment.

20       (2) For purposes of determining housing affordability  
21 eligibility for state emergency relief, a group is considered to  
22 have sufficient income to meet ongoing housing expenses if their  
23 total housing obligation does not exceed 75% of their total net  
24 income.

25       (3) State emergency relief payments shall not be made to  
26 individuals who have been found guilty of fraud in regard to  
27 obtaining public assistance.

1           (4) State emergency relief payments shall not be made  
2 available to persons who are out-of-state residents or illegal  
3 immigrants.

4           (5) State emergency relief payments for rent assistance shall  
5 be distributed directly to landlords and shall not be added to  
6 Michigan bridge cards.

7           Sec. 611. The department shall partner with community agencies  
8 and other nonprofit entities to provide energy assistance for low-  
9 income individuals and families.

10          Sec. 613. The department shall provide reimbursements for the  
11 final disposition of indigent persons if the deceased's remains  
12 have not been claimed by a person having the right to control the  
13 disposition of the body regardless of whether there is no person  
14 with that right, the person cannot be located, or the person fails  
15 or refuses to exercise that right. The maximum allowable  
16 reimbursement for the final disposition shall be \$800.00. In  
17 addition, reimbursement for a cremation permit fee of up to \$75.00  
18 and for mileage at the standard rate will also be made available  
19 for an eligible cremation. The reimbursements under this section  
20 shall be used for disposal by cremation unless the deceased's  
21 expressed religious preference prohibits cremation.

22          Sec. 615. Except as required by federal law or regulations,  
23 funds appropriated in part 1 shall not be used to provide public  
24 assistance to a person who is an illegal alien. This section shall  
25 not prohibit the department from entering into contracts with food  
26 banks, emergency shelter providers, or other human services  
27 agencies who may, as a normal part of doing business, provide food



1 or emergency shelter.

2       Sec. 619. (1) Subject to subsection (2), the department shall  
3 exempt from the denial of title IV-A assistance and food assistance  
4 benefits under 21 USC 862a any individual who has been convicted of  
5 a felony that included the possession, use, or distribution of a  
6 controlled substance, after August 22, 1996, provided that the  
7 individual is not in violation of his or her probation or parole  
8 requirements. Benefits shall be provided to such individuals as  
9 follows:

10       (a) A third-party payee or vendor shall be required for any  
11 cash benefits provided.

12       (b) An authorized representative shall be required for food  
13 assistance receipt.

14       (2) Subject to federal approval, an individual is not entitled  
15 to the exemption in this section if the individual was convicted in  
16 2 or more separate cases of a felony that included the possession,  
17 use, or distribution of a controlled substance after August 22,  
18 1996.

19       Sec. 620. (1) The department shall conduct a pilot project in  
20 3 Michigan counties to demonstrate whether privatizing Medicaid  
21 eligibility determination is cost-effective. The department shall  
22 work with the Michigan department of community health to accomplish  
23 these pilot projects.

24       (2) One of the 3 pilots shall occur within the following:

25       (a) A county with a population up to 40,000.

26       (b) A county with a population between 40,000 and 250,000.

27       (c) A county with a population of 250,000 or over.

1           (3) The department shall submit to the house and senate  
2 appropriations subcommittees on the community health budget, the  
3 house and senate appropriations subcommittees on the department  
4 budget, the house and senate fiscal agencies, and the house and  
5 senate policy offices the pilot project plans and timelines by  
6 January 1, 2013, and an annual report by September 30, 2013.

7           Sec. 643. As a condition of receipt of federal TANF funds,  
8 homeless shelters and human services agencies shall collaborate  
9 with the department to obtain necessary TANF eligibility  
10 information on families as soon as possible after admitting a  
11 family to the homeless shelter. From the funds appropriated in part  
12 1 for homeless programs, the department is authorized to make  
13 allocations of TANF funds only to the agencies that report  
14 necessary data to the department for the purpose of meeting TANF  
15 eligibility reporting requirements. Homeless shelters or human  
16 services agencies that do not report necessary data to the  
17 department for the purpose of meeting TANF eligibility reporting  
18 requirements will not receive reimbursements which exceed the per  
19 diem amount they received in fiscal year 2000. The use of TANF  
20 funds under this section should not be considered an ongoing  
21 commitment of funding.

22           Sec. 644. The department shall prioritize the money  
23 appropriated in part 1 for homeless programs to support regional  
24 homeless shelters that offer wraparound services in cases where  
25 shelters have a lower cost per night than an alternative emergency  
26 shelter.

27           Sec. 645. An individual or family is considered homeless, for

1 purposes of eligibility for state emergency relief, if living  
2 temporarily with others in order to escape domestic violence. For  
3 purposes of this section, domestic violence is defined and verified  
4 in the same manner as in the department's policies on good cause  
5 for not cooperating with child support and paternity requirements.

6 Sec. 653. From the funds appropriated in part 1 for food  
7 assistance, an individual who is the victim of domestic violence  
8 and does not qualify for any other exemption may be exempt from the  
9 3-month in 36-month limit on receiving food assistance under 7 USC  
10 2015. This exemption can be extended an additional 3 months upon  
11 demonstration of continuing need.

12 Sec. 655. The department shall amend the federal low income  
13 home energy assistance program state plan to allocate not more than  
14 5% of available funds for administrative and planning costs and  
15 shall not allocate any funds for weatherization assistance.

16 Sec. 656. (1) On a quarterly basis, the department shall  
17 compile and make available on its website the information listed as  
18 follows:

19 (a) The number of applications received.

20 (b) The number of applications approved.

21 (c) The number of applications denied.

22 (d) The number of applications pending and neither approved or  
23 denied.

24 (e) The number of cases closed.

25 (2) The information provided in subsection (1) shall be made  
26 available for the state as a whole and for each county, and the  
27 information provided in subsection (1) shall be reported separately

1 for family independence program, state disability assistance, food  
2 assistance program, Medicaid, state emergency relief, and child  
3 development and care.

4 Sec. 657. The department shall notify persons eligible for  
5 extended family independence program benefits under section 57s of  
6 the social welfare act, 1939 PA 280, MCL 400.57s, that receiving  
7 extended family independence program benefits will count toward the  
8 federal and state lifetime limits.

9 Sec. 660. From the funds appropriated in part 1 for food bank  
10 funding, the department is authorized to make allocations of TANF  
11 funds only to the agencies that report necessary data to the  
12 department for the purpose of meeting TANF eligibility reporting  
13 requirements. The agencies that do not report necessary data to the  
14 department for the purpose of meeting TANF eligibility reporting  
15 requirements will not receive allocations in excess of those  
16 received in fiscal year 2000. The use of TANF funds under this  
17 section should not be considered an ongoing commitment of funding.

18 Sec. 669. The department shall allocate up to \$2,880,000.00  
19 for the annual clothing allowance. The allowance shall be granted  
20 to all eligible children in a family independence program group  
21 that does not include an adult.

22 Sec. 672. (1) The department's office of inspector general  
23 shall report to the senate and house of representatives  
24 appropriations subcommittees on the department budget, the senate  
25 and house fiscal agencies, and the senate and house policy offices  
26 by March 1 of the current fiscal year on department efforts to  
27 reduce inappropriate use of Michigan bridge cards. The department

1 shall provide information on the number of recipients of services  
2 who used their electronic benefit transfer card inappropriately and  
3 the current status of each case.

4 (2) As used in this section, "inappropriate use" means not  
5 used to meet a family's ongoing basic needs, including food,  
6 clothing, shelter, utilities, household goods, personal care items,  
7 and general incidentals.

8 Sec. 677. The department shall establish a state goal for the  
9 percentage of family independence program (FIP) cases involved in  
10 employment activities. The percentage established shall not be less  
11 than 50%. On a monthly basis, the department shall report to the  
12 senate and house appropriations subcommittees on the department  
13 budget, the senate and house fiscal agencies and policy offices,  
14 and the state budget director on the current percentage of FIP  
15 cases involved in JET employment activities and an estimate of the  
16 current percentage of FIP cases that meet federal work  
17 participation requirements.

18 Sec. 686. (1) The department shall ensure that program policy  
19 requires caseworkers to confirm that individuals presenting  
20 personal identification issued by another state seeking assistance  
21 through the family independence program, food assistance program,  
22 state disability assistance program, or medical assistance program  
23 are not receiving benefits from any other state.

24 (2) The department shall require caseworkers to confirm the  
25 address provided by any individual seeking family independence  
26 program benefits or state disability assistance benefits.

27 (3) The department shall prohibit individuals with property

1 assets assessed at a value higher than \$500,000.00 from accessing  
2 assistance through department-administered programs, unless such a  
3 prohibition would violate federal rules and guidelines.

4 Sec. 696. From the money appropriated in part 1, the  
5 department shall allocate \$100,000.00 to the Chaldean community  
6 foundation. This money shall be utilized to provide translation  
7 services, health care services, youth tutoring and mentoring  
8 programs, and refugee resettlement services.

#### 9 **JUVENILE JUSTICE SERVICES**

10 Sec. 706. Counties shall be subject to 50% chargeback for the  
11 use of alternative regional detention services, if those detention  
12 services do not fall under the basic provision of section 117e of  
13 the social welfare act, 1939 PA 280, MCL 400.117e, or if a county  
14 operates those detention services programs primarily with  
15 professional rather than volunteer staff.

16 Sec. 707. In order to be reimbursed for child care fund  
17 expenditures, counties are required to submit department-developed  
18 reports to enable the department to document potential federally  
19 claimable expenditures. This requirement is in accordance with the  
20 reporting requirements specified in section 117a(7) of the social  
21 welfare act, 1939 PA 280, MCL 400.117a.

22 Sec. 708. As a condition of receiving money appropriated in  
23 part 1 for the child care fund line item, by December 15 of the  
24 current fiscal year, counties shall have an approved service  
25 spending plan for the current fiscal year. Counties must submit the  
26 service spending plan to the department by October 1 of the current

1 fiscal year for approval. The department shall approve within 30  
2 calendar days after receipt a properly completed service plan that  
3 complies with the requirements of the social welfare act, 1939 PA  
4 280, MCL 400.1 to 400.119b.

5 Sec. 720. Six months after the closure of the state juvenile  
6 justice facilities, the department shall report to the house and  
7 senate appropriations subcommittees on the department budget, the  
8 house and senate fiscal agencies, and house and senate policy  
9 offices on the placement of the youth in the state juvenile justice  
10 facilities and their current status.

#### 11 LOCAL OFFICE SERVICES

12 Sec. 750. The department shall maintain out-stationed  
13 eligibility specialists in community-based organizations, community  
14 mental health agencies, nursing homes, and hospitals unless a  
15 community-based organization, community mental health agency,  
16 nursing home, or hospital requests that the program be discontinued  
17 at its facility.

18 Sec. 753. By January 1, 2012, the department shall implement  
19 the recommendations of the 2004 public private partnership  
20 initiative's training committee to define, design, and implement a  
21 train-the-trainer program to certify private agency staff to  
22 deliver child welfare staff training, explore the use of e-learning  
23 technologies, and include consumers in the design and  
24 implementation of training. The intent of the legislature is to  
25 reduce training and travel costs for both the department and the

1 private agencies. The department shall report no later than  
2 December 1 of the current fiscal year on each specific policy  
3 change made to implement enacted legislation and the plans to  
4 implement the recommendations, including timelines, to the senate  
5 and house appropriations subcommittees on the department budget,  
6 the senate and house standing committees on human services matters,  
7 the senate and house fiscal agencies and policy offices, and the  
8 state budget director.

9 **CHILD SUPPORT ENFORCEMENT**

10 Sec. 901. (1) The appropriations in part 1 assume a total  
11 federal child support incentive payment of \$26,500,000.00.

12 (2) From the federal money received for child support  
13 incentive payments, \$12,000,000.00 shall be retained by the state  
14 and expended for child support program expenses.

15 (3) From the federal money received for child support  
16 incentive payments, \$14,500,000.00 shall be paid to the counties  
17 based on each county's performance level for each of the federal  
18 performance measures as established in 45 CFR 305.2.

19 (4) If the child support incentive payment to the state from  
20 the federal government is greater than \$26,500,000.00, then 100% of  
21 the excess shall be retained by the state and is appropriated until  
22 the total retained by the state reaches \$15,397,400.00.

23 (5) If the child support incentive payment to the state from  
24 the federal government is greater than the amount needed to satisfy  
25 the provisions identified in subsections (1), (2), (3), and (4),  
26 the additional funds shall be subject to appropriation by the



1 legislature.

2 (6) If the child support incentive payment to the state from  
3 the federal government is less than \$26,500,000.00, then the state  
4 and county share shall each be reduced by 50% of the shortfall.

5 Sec. 909. (1) If statewide retained child support collections  
6 exceed \$38,300,000.00, 75% of the amount in excess of  
7 \$38,300,000.00 is appropriated to legal support contracts. This  
8 excess appropriation may be distributed to eligible counties to  
9 supplement and not supplant county title IV-D funding.

10 (2) Each county whose retained child support collections in  
11 the current fiscal year exceed its fiscal year 2004-2005 retained  
12 child support collections, excluding tax offset and financial  
13 institution data match collections in both the current year and  
14 fiscal year 2004-2005, shall receive its proportional share of the  
15 75% excess.

16 Sec. 910. (1) If title IV-D-related child support collections  
17 are escheated, the state budget director is authorized to adjust  
18 the sources of financing for the funds appropriated in part 1 for  
19 legal support contracts to reduce federal authorization by 66% of  
20 the escheated amount and increase general fund/general purpose  
21 authorization by the same amount. This budget adjustment is  
22 required to offset the loss of federal revenue due to the escheated  
23 amount being counted as title IV-D program income in accordance  
24 with federal regulations at 45 CFR 304.50.

25 (2) The department shall notify the chairs of the house and  
26 senate appropriations subcommittees on the department budget and  
27 the house and senate fiscal agencies within 15 days of the

1 authorization adjustment in subsection (1).

2 **COMMUNITY ACTION AND ECONOMIC OPPORTUNITY**

3 Sec. 1105. The department shall report to the house and senate  
4 appropriations subcommittees on the department budget, the house  
5 and senate fiscal agencies, the house and senate policy offices,  
6 and the state budget office by February 1 of the current fiscal  
7 year on the number of homes, the approximate value of each home,  
8 and the square footage of each home weatherized through the  
9 appropriations in section 104 during the preceding quarter of the  
10 calendar year.

11 **ONE-TIME BASIS ONLY**

12 Sec. 1201. From the funds appropriated in part 1, the  
13 department shall allocate \$2,500,000.00 for information technology  
14 improvements that will improve the office of inspector general's  
15 efforts to reduce waste, fraud, and abuse.

16 Sec. 1202. (1) From the funds appropriated from part 1, the  
17 department shall provide grants to nonprofit agencies that provide  
18 assistance to needy families for capital projects that improve the  
19 delivery of services. Total grants to 1 agency shall not exceed  
20 \$2,000,000.00.

21 (2) An agency applying for a grant shall provide information  
22 relating to the nature of the project, how it will improve delivery  
23 of service to needy families, and the total amount necessary to  
24 complete the project.

25 (3) The department shall report quarterly on the grants issued

1 and the information provided by the granting agencies.

2       Sec. 1203. The department shall allocate \$5,000,000.00 for the  
3 operation of a statewide before- or after-school program targeted  
4 to children in kindergarten through ninth grade. Eligible programs  
5 must serve geographic areas near school buildings that do not meet  
6 federal no child left behind annual yearly progress (AYP)  
7 requirements and that include the before- or after-school programs  
8 in the AYP plans as a means to improve outcomes and serve children  
9 living in households with income below 200% of the federal poverty  
10 guidelines as established by the United States department of health  
11 and human services.

12       Sec. 1204. (1) From the funds appropriated in part 1, the  
13 department shall provide funding to Focus: HOPE for a 3-year  
14 temporary assistance for needy families pilot project to help move  
15 families towards self-sufficiency by delivering training, work  
16 readiness, and related services to recipients.

17       (2) Focus: HOPE shall report quarterly on its state and  
18 community partnerships, the number of clients being served, the  
19 demographics of the clients, their barriers to self-sufficiency,  
20 the success of removing those barriers, and the number of families  
21 able to achieve self-sufficiency.

22       Sec. 1205. (1) From the funds appropriated in part 1, the  
23 department shall allocate \$500,000.00 to enter into a contract with  
24 a state university or outside research entity to conduct a  
25 behavioral health study of juvenile justice facilities operated or  
26 contracted for by the state. The study shall utilize diagnostic  
27 clinical interviews with and records reviews for a representative

1 random sample of juvenile justice system detainees to develop a  
2 report on each of the following:

3 (a) The proportion of juvenile justice detainees with a  
4 primary diagnosis of emotional disorder, the percentage of those  
5 detainees considered to currently require mental health treatment,  
6 and the proportion of those detainees currently receiving mental  
7 health services, including a description and breakdown,  
8 encompassing, at a minimum, the categories of inpatient,  
9 residential, and outpatient care, of the type of mental health  
10 services provided to those detainees.

11 (b) The proportion of juvenile justice detainees with a  
12 primary diagnosis of addiction disorder, the percentage of those  
13 detainees considered to currently require substance abuse  
14 treatment, and the proportion of those detainees currently  
15 receiving substance abuse services, including a description and  
16 breakdown, encompassing, at a minimum, the categories of  
17 residential and outpatient care, of the type of substance abuse  
18 services provided to those detainees.

19 (c) The proportion of juvenile justice detainees with a dual  
20 diagnosis of emotional disorder and addiction disorder, the  
21 percentage of those detainees considered to currently require  
22 treatment for their condition, and the proportion of those  
23 detainees currently receiving that treatment, including a  
24 description and breakdown, encompassing, at a minimum, the  
25 categories of mental health inpatient, mental health residential,  
26 mental health outpatient, substance abuse residential, and  
27 substance abuse outpatient, of the type of treatment provided to

1 those detainees.

2 (d) Data indicating whether juvenile justice detainees with a  
3 primary diagnosis of emotional disorder, a primary diagnosis of  
4 addiction disorder, and a dual diagnosis of emotional disorder and  
5 addiction disorder were previously hospitalized in a state  
6 psychiatric hospital for persons with mental illness. These data  
7 shall be broken down according to each of these 3 respective  
8 categories.

9 (e) Data indicating whether and with what frequency juvenile  
10 justice detainees with a primary diagnosis of emotional disorder, a  
11 primary diagnosis of addiction disorder, and a dual diagnosis of  
12 emotional disorder and addiction disorder have been detained  
13 previously. These data shall be broken down according to each of  
14 these 3 respective categories.

15 (f) Data classifying the types of offenses historically  
16 committed by juvenile justice detainees with a primary diagnosis of  
17 emotional disorder, a primary diagnosis of addiction disorder, and  
18 a dual diagnosis of emotional disorder and addiction disorder.  
19 These data shall be broken down according to each of these 3  
20 respective categories.

21 (g) Data indicating whether juvenile justice detainees have  
22 previously received services managed by a community mental health  
23 program or substance abuse coordinating agency. These data shall be  
24 broken down according to the respective categories of detainees  
25 with a primary diagnosis of emotional disorder, a primary diagnosis  
26 of addiction disorder, and a dual diagnosis of emotional disorder  
27 and addiction disorder.

(2) The report referenced under subsection (1) would be provided not later than June 30 of the current fiscal year to the senate and house appropriations subcommittees on human services, the senate and house fiscal agencies and policy offices, and the state budget director.

Sec. 1206. From the funds appropriated in part 1, the department shall allocate \$2,000,000.00 to establish a pilot project in not fewer than 2 counties for a child welfare assessment center for youth entering an out-of-home placement.

## PART 2A

### PROVISIONS CONCERNING ANTICIPATED APPROPRIATIONS

FOR FISCAL YEAR 2013-2014

#### GENERAL SECTIONS

Sec. 1301. It is the intent of the legislature to provide appropriations for the fiscal year ending on September 30, 2014 for the line items listed in part 1. The fiscal year 2013-2014 appropriations are anticipated to be the same as those for fiscal year 2012-2013, excluding appropriations designated as 1-time appropriations and adjusting for changes in caseload and related costs, federal fund match rates, economic factors, and available revenue. Specific anticipated adjustments are as follows, subject to adjustment after the May 2013 consensus revenue estimating conference:

Caseload adjustments.....	\$	(14,736,000)
Economic adjustments.....		<u>31,925,200</u>

1	GROSS APPROPRIATION.....	\$	17,189,200
2	Appropriated from:		
3	Federal revenues:		
4	Social security act, temporary assistance for		
5	needy families .....		(15,365,900)
6	Federal revenues.....		19,719,400
7	State general fund/general purpose.....	\$	12,835,700

8 ARTICLE XI

9 JUDICIARY

10 PART 1

11 LINE-ITEM APPROPRIATIONS

12 FOR FISCAL YEAR 2012-2013

13 Sec. 101. Subject to the conditions set forth in this article,  
 14 the amounts listed in this part are appropriated for the judicial  
 15 branch for the fiscal year ending September 30, 2013, from the  
 16 funds indicated in this part. The following is a summary of the  
 17 appropriations in this part:

18 JUDICIARY

19 APPROPRIATION SUMMARY

20	Full-time equated exempted positions.....	472.0	
21	GROSS APPROPRIATION.....	\$	268,064,800
22	Interdepartmental grant revenues:		
23	Total interdepartmental grants and intradepartmental		
24	transfers .....		2,638,200
25	ADJUSTED GROSS APPROPRIATION.....	\$	265,426,600

1	Federal revenues:	
2	Total federal revenues.....	6,017,100
3	Special revenue funds:	
4	Total local revenues.....	7,049,300
5	Total private revenues.....	921,800
6	Total other state restricted revenues.....	88,582,200
7	State general fund/general purpose.....	\$ 162,856,200
8	<b>Sec. 102. SUPREME COURT</b>	
9	Full-time equated exempted positions.....	237.0
10	Supreme court administration--92.0 FTE positions.....	\$ 12,577,300
11	Judicial institute--13.0 FTE positions.....	2,135,400
12	State court administrative office--61.0 FTE positions	13,518,900
13	Judicial information systems--22.0 FTE positions.....	3,470,400
14	Direct trial court automation support--36.0 FTE	
15	positions .....	6,970,700
16	Foster care review board--10.0 FTE positions.....	1,484,700
17	Community dispute resolution--3.0 FTE positions.....	2,350,900
18	Other federal grants.....	275,100
19	Drug treatment courts.....	8,306,000
20	Community court pilot project.....	<u>19,800</u>
21	GROSS APPROPRIATION.....	\$ 51,109,200
22	Appropriated from:	
23	Interdepartmental grant revenues:	
24	IDG from department of state police.....	1,826,200
25	IDG from department of corrections.....	50,000
26	IDG from state police - Michigan justice training fund	300,000
27	Federal revenues:	



1	DOJ, victims assistance programs.....	54,300
2	DOJ, drug court training and evaluation.....	300,000
3	DOT, national highway traffic safety administration..	1,380,900
4	HHS, access and visitation grant.....	593,800
5	HHS, children's justice grant.....	222,600
6	HHS, court improvement project.....	1,251,900
7	HHS, title IV-D child support program.....	979,700
8	HHS, title IV-E foster care program.....	625,900
9	Other federal grant revenues.....	275,100
10	Special revenue funds:	
11	Local - user fees.....	6,970,700
12	Private.....	182,500
13	Private - interest on lawyers trust accounts.....	251,100
14	Private - state justice institute.....	401,000
15	Community dispute resolution fund.....	2,350,900
16	Law exam fees.....	608,900
17	Drug court fund.....	1,920,500
18	Miscellaneous revenue.....	248,300
19	Justice system fund.....	755,400
20	State court fund.....	365,900
21	State general fund/general purpose.....	\$ 29,193,600
22	<b>Sec. 103. COURT OF APPEALS</b>	
23	Full-time equated exempted positions.....	175.0
24	Court of appeals operations--175.0 FTE positions.....	\$ <u>21,346,600</u>
25	GROSS APPROPRIATION.....	\$ 21,346,600
26	Appropriated from:	
27	Special revenue funds:	

1	Court filing/motion fees.....	1,641,800
2	Miscellaneous revenue.....	87,600
3	State general fund/general purpose.....	\$ 19,617,200
4	<b>Sec. 104. BRANCHWIDE APPROPRIATIONS</b>	
5	Full-time equated exempted positions..... 4.0	
6	Branchwide appropriations--4.0 FTE positions.....	\$ <u>8,365,400</u>
7	GROSS APPROPRIATION.....	\$ 8,365,400
8	Appropriated from:	
9	State general fund/general purpose.....	\$ 8,365,400
10	<b>Sec. 105. JUSTICES' AND JUDGES' COMPENSATION</b>	
11	Full-time judges positions ..... 607.0	
12	Supreme court justices' salaries--7.0 justices.....	\$ 1,152,300
13	Court of appeals judges' salaries--28.0 judges.....	4,240,300
14	District court judges' state base salaries--250.0	
15	judges .....	23,183,300
16	District court judicial salary standardization.....	11,453,900
17	Probate court judges' state base salaries--104.0	
18	judges .....	9,722,100
19	Probate court judicial salary standardization.....	4,715,300
20	Circuit court judges' state base salaries--218.0	
21	judges .....	20,558,100
22	Circuit court judicial salary standardization.....	9,979,300
23	Judges' retirement system defined contributions.....	3,998,400
24	OASI, social security.....	<u>5,559,800</u>
25	GROSS APPROPRIATION.....	\$ 94,562,800
26	Appropriated from:	
27	Special revenue funds:	

1	Court fee fund.....	7,090,200
2	State general fund/general purpose .....	\$ 87,472,600
3	<b>Sec. 106. JUDICIAL AGENCIES</b>	
4	Full-time equated exempted positions.....	7.0
5	Judicial tenure commission--7.0 FTE positions .....	\$ <u>1,075,100</u>
6	GROSS APPROPRIATION.....	\$ 1,075,100
7	Appropriated from:	
8	State general fund/general purpose .....	\$ 1,075,100
9	<b>Sec. 107. INDIGENT DEFENSE - CRIMINAL</b>	
10	Full-time equated exempted positions.....	49.0
11	Appellate public defender program--42.0 FTE positions	\$ 6,109,300
12	Appellate assigned counsel administration--7.0 FTE	
13	positions .....	<u>1,032,100</u>
14	GROSS APPROPRIATION.....	\$ 7,141,400
15	Appropriated from:	
16	Interdepartmental grant revenues:	
17	IDG from state police - Michigan justice training fund	452,900
18	Federal revenues:	
19	Other federal grant revenue.....	281,700
20	Special revenue funds:	
21	Private - interest on lawyers trust accounts .....	79,000
22	Miscellaneous revenue.....	127,500
23	State general fund/general purpose .....	\$ 6,200,300
24	<b>Sec. 108. INDIGENT CIVIL LEGAL ASSISTANCE</b>	
25	Indigent civil legal assistance.....	\$ <u>7,937,000</u>
26	GROSS APPROPRIATION.....	\$ 7,937,000
27	Appropriated from:	

1	Special revenue funds:		
2	State court fund.....		7,937,000
3	State general fund/general purpose.....	\$	0
4	<b>Sec. 109. TRIAL COURT OPERATIONS</b>		
5	Court equity fund reimbursements.....	\$	60,735,100
6	Judicial technology improvement.....		<u>4,815,000</u>
7	GROSS APPROPRIATION.....	\$	65,550,100
8	Appropriated from:		
9	Special revenue funds:		
10	Court equity fund.....		50,440,000
11	Judicial technology improvement fund.....		4,815,000
12	State general fund/general purpose.....	\$	10,295,100
13	<b>Sec. 110. GRANTS AND REIMBURSEMENTS TO LOCAL</b>		
14	<b>GOVERNMENT</b>		
15	Drug case-flow program.....	\$	250,000
16	Drunk driving case-flow program.....		3,300,000
17	Juror compensation reimbursement.....		<u>6,600,000</u>
18	GROSS APPROPRIATION.....	\$	10,150,000
19	Appropriated from:		
20	Special revenue funds:		
21	Drug fund.....		250,000
22	Drunk driving fund.....		3,300,000
23	Juror compensation fund.....		6,600,000
24	State general fund/general purpose.....	\$	0
25	<b>Sec. 111. ONE-TIME BASIS ONLY</b>		
26	State employee lump-sum payments.....	\$	<u>827,200</u>
27	GROSS APPROPRIATION.....	\$	827,200

1	Appropriated from:	
2	Interdepartmental grant revenues:	
3	One-time interdepartmental grant .....	9,100
4	Federal revenues:	
5	One-time federal revenue .....	51,200
6	Special revenue funds:	
7	One-time local revenue .....	78,600
8	One-time private revenue .....	8,200
9	One-time state restricted revenue .....	43,200
10	State general fund/general purpose .....	\$ 636,900

11 PART 2

12 PROVISIONS CONCERNING APPROPRIATIONS

13 FOR FISCAL YEAR 2012-2013

14 **GENERAL SECTIONS**

15 Sec. 201. Pursuant to section 30 of article IX of the state  
 16 constitution of 1963, total state spending from state resources  
 17 under part 1 for fiscal year 2012-2013 is \$251,438,400.00 and state  
 18 spending from state resources to be paid to local units of  
 19 government for fiscal year 2012-2013 is \$121,977,200.00. The  
 20 itemized statement below identifies appropriations from which  
 21 spending to local units of government will occur:

22 JUDICIARY

23 SUPREME COURT

24	State court administrative office .....	\$ 1,461,900
25	Drug treatment courts .....	8,006,000

1 TRIAL COURT OPERATIONS

2 Court equity fund reimbursements..... \$ 60,735,100

3 Judicial technology improvement fund..... 4,815,000

4 JUSTICES' AND JUDGES' COMPENSATION

5 District court judicial salary standardization..... \$ 11,453,900

6 Probate court judges' state base salaries..... 9,722,100

7 Probate court judicial salary standardization..... 4,715,300

8 Circuit court judicial salary standardization..... 9,979,300

9 Grant to OASI contribution fund, employers share,

10 social security ..... 938,600

11 GRANTS AND REIMBURSEMENTS TO LOCAL GOVERNMENT

12 Drunk driving case-flow program..... \$ 3,300,000

13 Drug case-flow program..... 250,000

14 Juror compensation reimbursement..... 6,600,000

15 TOTAL..... \$ 121,977,200

16 Sec. 202. (1) The appropriations authorized under this article  
17 are subject to the management and budget act, 1984 PA 431, MCL  
18 18.1101 to 18.1594.

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

1       Sec. 203. As used in this article:

2       (a) "DOJ" means the United States department of justice.

3       (b) "DOT" means the United States department of  
4 transportation.

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

6       (d) "HHS" means the United States department of health and  
7 human services.

8       (e) "IDG" means interdepartmental grant.

9       (f) "OASI" means old age survivor's insurance.

10      Sec. 204. The judicial branch shall not take disciplinary  
11 action against an employee for communicating with a member of the  
12 legislature or his or her staff.

13      Sec. 208. The reporting requirements of this article shall be  
14 completed with the approval of, and at the direction of, the  
15 supreme court, except as otherwise provided in this article. The  
16 judicial branch shall use the Internet to fulfill the reporting  
17 requirements of this article. This requirement may include  
18 transmission of reports via electronic mail to the recipients  
19 identified for each reporting requirement, or it may include  
20 placement of reports on an Internet or Intranet site.

21      Sec. 212. The judicial branch receiving appropriations in part  
22 1 shall receive and retain copies of all reports funded from  
23 appropriations in part 1. Federal and state guidelines for short-  
24 term and long-term retention of records shall be followed. The  
25 judicial branch may electronically retain copies of reports unless  
26 otherwise required by federal and state guidelines.

27      Sec. 214. Funds appropriated in part 1 shall not be used for

1 the purchase of foreign goods or services, or both, if  
2 competitively priced and of comparable quality American goods or  
3 services, or both, are available. Preference shall be given to  
4 goods or services, or both, manufactured or provided by Michigan  
5 businesses, if they are competitively priced and of comparable  
6 quality. In addition, preference shall be given to goods or  
7 services, or both, that are manufactured or provided by Michigan  
8 businesses owned and operated by veterans, if they are  
9 competitively priced and of comparable quality.

10 Sec. 215. Not later than January 1 of each year, the state  
11 court administrative office shall prepare a travel report listing  
12 all travel by judicial branch employees outside this state in the  
13 immediately preceding fiscal year that was funded in whole or in  
14 part with funds appropriated in the budget for the judicial branch.  
15 The report shall be submitted to the senate and house of  
16 representatives standing committees on appropriations, the senate  
17 and house fiscal agencies, and the state budget director. The  
18 report shall include the following information:

19 (a) The dates of each travel occurrence.

20 (b) The total transportation and related costs of each travel  
21 occurrence, including the proportion funded with state general  
22 fund/general purpose revenues, the proportion funded with state  
23 restricted revenues, the proportion funded with federal revenues,  
24 and the proportion funded with other revenues.

25 Sec. 219. Not later than November 15, 2013, the judiciary  
26 shall prepare and transmit a report that provides for estimates of  
27 the total general fund/general purpose appropriation lapses at the



House Bill No. 5365 (H-2) as amended April 25, 2012

1 close of the fiscal year. This report shall summarize the projected  
2 year-end general fund/general purpose appropriation lapses by major  
3 program or program areas. The report shall be transmitted to the  
4 office of the state budget, the chairpersons of the senate and  
5 house appropriations committees, and the senate and house fiscal  
6 agencies.

7       Sec. 221. From the funds appropriated in part 1, the judicial  
8 branch shall develop, post, and maintain, on a user-friendly and  
9 publicly accessible Internet site, all expenditures made by the  
10 judicial branch within a fiscal year. The posting shall include the  
11 purpose for which each expenditure is made. The judicial branch  
12 shall not provide financial information on its website under this  
13 section if doing so would violate a federal or state law, rule,  
14 regulation, or guideline that establishes privacy or security  
15 standards applicable to that financial information.

16       Sec. 222. Within 14 days after the release of the executive  
17 budget recommendation, the judicial branch shall provide the state  
18 budget director, the senate and house appropriations chairs, the  
19 senate and house appropriations subcommittees on the judiciary,  
20 respectively, and the senate and house fiscal agencies with an  
21 annual report on estimated state restricted fund balances, state  
22 restricted fund projected revenues, and state restricted fund  
23 expenditures for the fiscal years ending September 30, 2012 and  
24 September 30, 2013.

[Sec. 223. By October 31, 2012, the judiciary shall identify 10  
principal measurable outcomes to be affected by expenditure of the funds  
appropriated in part 1 of this article and submit a report to the house  
and senate appropriations committees, the house and senate fiscal  
agencies, and the state budget director that ranks the outcomes by level  
of importance and contains current data on those outcomes. Beginning on  
April 1, 2013, the judiciary shall provide biannual updates to the house  
and senate appropriations committees on changes in those measurable  
outcomes and departmental efforts to improve the outcomes.]

## 25 **JUDICIAL BRANCH**

26       Sec. 301. Pursuant to the appropriations in part 1, the direct

1 trial court automation support program of the state court  
2 administrative office shall recover direct and overhead costs from  
3 trial courts by charging for services rendered. The fee shall cover  
4 the actual costs incurred to the direct trial court automation  
5 support program in providing the service, including development of  
6 future versions of case management systems.

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

10 Sec. 303. Of the amount appropriated in part 1 for the  
11 judicial branch, \$325,000.00 is allocated for circuit court  
12 reimbursement under section 3 of 1978 PA 16, MCL 800.453, and  
13 \$186,900.00 is allocated for court of claims reimbursement under  
14 section 6413 of the revised judicature act of 1961, 1961 PA 236,  
15 MCL 600.6413.

16 Sec. 306. The supreme court and the state court administrative  
17 office shall continue to maintain, as a priority, the assisting of  
18 local trial courts in improving the collection of judgments.

19 Sec. 308. If sufficient funds are not available from the court  
20 fee fund to pay judges' compensation, the difference between the  
21 appropriated amount from that fund for judges' compensation and the  
22 actual amount available after the amount appropriated for trial  
23 court reimbursement is made shall be appropriated from the state  
24 general fund for judges' compensation.

25 Sec. 309. By April 1, 2013, the state court administrative  
26 office shall provide an update on the status of the pilot mental  
27 health courts to the state budget director, the senate and house

1 appropriations subcommittees on the judiciary, and the senate and  
2 house fiscal agencies.

3       Sec. 310. From the funds appropriated in part 1 for drug  
4 treatment court programs, with the approval of and at the  
5 discretion of the supreme court, the state court administrative  
6 office shall evaluate and collect data on the performance of drug  
7 treatment court programs. The state court administrative office  
8 shall provide an annual review of the performance of drug courts as  
9 prescribed in section 1078(6) of the revised judicature act of  
10 1961, 1961 PA 236, MCL 600.1078. All of the following apply to that  
11 annual review:

12       (a) It shall include measures of the impact of drug court  
13 programs in changing offender criminal involvement (recidivism) and  
14 substance abuse and in reducing prison admissions.

15       (b) It shall be completed no later than April 1 of each year  
16 and shall also be provided to the senate and house appropriations  
17 subcommittees on the judiciary, the senate and house fiscal  
18 agencies, and the state budget director.

19       (c) The evaluation of a program funded with federal Byrne  
20 funds shall be consistent with the requirements contained in the  
21 federal Byrne grant for that program.

22       Sec. 311. (1) The funds appropriated in part 1 for drug  
23 treatment courts shall be administered by the state court  
24 administrative office to operate drug treatment court programs. A  
25 drug treatment court shall be responsible for handling cases  
26 involving substance abusing nonviolent offenders through  
27 comprehensive supervision, testing, treatment services, and

1 immediate sanctions and incentives. A drug treatment court shall  
2 use all available county and state personnel involved in the  
3 disposition of cases including, but not limited to, parole and  
4 probation agents, prosecuting attorneys, defense attorneys, and  
5 community corrections providers. The funds may be used in  
6 connection with other federal, state, and local funding sources.

7 (2) From the funds appropriated in part 1, the chief justice  
8 shall allocate sufficient funds for the judicial institute to  
9 provide in-state training for those identified in subsection (1),  
10 including training for new drug treatment court judges.

11 (3) For drug treatment court grants, consideration for  
12 priority may be given to those courts where higher instances of  
13 substance abuse cases are filed.

14 (4) The judiciary shall receive \$1,800,000.00 in Byrne formula  
15 grant funding as an interdepartmental grant from the department of  
16 state police to be used for expansion of drug treatment courts, to  
17 assist in avoiding prison bed space growth for nonviolent offenders  
18 in collaboration with the department of corrections.

19 Sec. 312. From the funds appropriated in part 1, the state  
20 court administrator shall produce a statistical report regarding  
21 the implementation of the parental rights restoration act, 1990 PA  
22 211, MCL 722.901 to 722.908, as it pertains to minors seeking a  
23 court-issued waiver of parental consent. The state court  
24 administrative office shall report the total number of petitions  
25 filed and the total number of petitions granted in accordance with  
26 section 208.

27 Sec. 317. Funds appropriated in part 1 shall not be used for

1 the permanent assignment of state-owned vehicles to justices or  
2 judges or any other judicial branch employee. This section does not  
3 preclude the use of state-owned motor pool vehicles for state  
4 business in accordance with approved guidelines.

5 Sec. 318. The funds appropriated in part 1 for the community  
6 court pilot project shall be used for the purposes of administering  
7 a pilot program of neighborhood-focused community courts. The state  
8 court administrative office shall work collaboratively with the  
9 designated courts when establishing the community courts.

10 Sec. 320. (1) From the funds appropriated in part 1 for drug  
11 treatment courts, \$1,000,000.00 shall be administered by the state  
12 court administrative office to distribute to qualifying counties to  
13 support a swift-and-sure sanctions pilot program. A qualifying  
14 county shall apply to the state court administrative office for a  
15 portion of the funds appropriated in part 1.

16 (2) A qualifying county that receives funding under this  
17 section shall provide a report on the pilot program to the state  
18 budget director, the senate and house appropriations subcommittees  
19 on the judiciary, and the senate and house fiscal agencies. The  
20 report shall include all of the following:

21 (a) The number of offenders who participate in the pilot  
22 program.

23 (b) The criminal history of offenders who participate in the  
24 pilot program.

25 (c) The recidivism rate of offenders who participate in the  
26 pilot program, including the rate of return to jail, prison, or  
27 both.

1 (d) A detailed description of the establishment and parameters  
2 of the pilot program.

3 (3) As used in this section:

4 (a) "Pilot program" means a swift-and-sure sanctions pilot  
5 program.

6 (b) "Qualifying county" means a county that has both of the  
7 following:

8 (i) A drug treatment court.

9 (ii) A unified trial court system.

10 (c) "Unified trial court system" means a trial court district  
11 in which all of the circuit, district, and probate court judges may  
12 be assigned to any division of that trial court district to meet  
13 the demands of the trial court district's caseload.

14 Sec. 321. It is the intent of the legislature that the  
15 judicial branch support a statewide legal self-help Internet  
16 website and local nonprofit self-help centers that use the  
17 statewide website to provide assistance to individuals representing  
18 themselves in civil legal proceedings.

19 Sec. 322. If Byrne formula grant funding is awarded to the  
20 state appellate defender office, the state appellate defender  
21 office may receive and expend Byrne formula grant funds in an  
22 amount not exceeding \$250,000.00 as an interdepartmental grant from  
23 the department of state police.

24 PART 2A

25 PROVISIONS CONCERNING ANTICIPATED APPROPRIATIONS

## FOR FISCAL YEAR 2013-2014

Sec. 1201. It is the intent of the legislature to provide appropriations for the fiscal year ending on September 30, 2014 for the line items listed in part 1. The fiscal year 2013-2014 appropriations are anticipated to be the same as those for fiscal year 2012-2013, excluding appropriations designated as 1-time appropriations and adjusting for changes in caseload and related costs, federal fund match rates, economic factors, and available revenue. Specific anticipated adjustments are as follows, subject to adjustment after the May 2013 consensus revenue estimating conference:

Economics adjustments.....	\$	<u>1,607,900</u>
GROSS APPROPRIATION.....	\$	1,607,900

## Appropriated from:

## Interdepartmental grant revenues:

Interdepartmental grant revenues.....	2,600
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## Federal revenues:

Federal revenues.....	39,700
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Local - user fees.....	65,000
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Private.....	6,100
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State restricted revenues.....	16,900
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State general fund/general purpose.....	\$ 1,477,600
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## ARTICLE XII

## DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS

## PART 1

LINE-ITEM APPROPRIATIONS

FOR FISCAL YEAR 2012-2013

Sec. 101. The amounts listed in this part are appropriated for the department of licensing and regulatory affairs, subject to the conditions set forth in this article, for the fiscal year ending September 30, 2013, from the funds identified in this part. The following is a summary of the appropriations in this part:

**DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS**

APPROPRIATION SUMMARY

Full-time equated unclassified positions.....	57.5	
Full-time equated classified positions.....	3,580.8	
GROSS APPROPRIATION.....	\$	601,096,200
Interdepartmental grant revenues:		
Total interdepartmental grants and intradepartmental transfers .....		13,496,900
ADJUSTED GROSS APPROPRIATION.....	\$	587,599,300
Federal revenues:		
Total federal revenues.....		250,710,900
Special revenue funds:		
Total private revenues.....		1,900,000
Total local revenues.....		0
Total other state restricted revenues.....		324,030,800
State general fund/general purpose.....	\$	10,957,600
<b>Sec. 102. DEPARTMENTAL ADMINISTRATION</b>		
Full-time equated unclassified positions.....	57.5	
Full-time equated classified positions.....	128.0	
Unclassified salaries--57.5 FTE positions.....	\$	4,552,800



1	Executive director programs--33.0 FTE positions .....	4,898,000
2	Property management .....	12,254,100
3	Rent .....	8,485,100
4	Worker's compensation .....	611,600
5	Special project advances .....	200,000
6	Administrative services--91.0 FTE positions .....	8,704,300
7	Office of regulatory reinvention--4.0 FTE positions ..	<u>415,800</u>
8	GROSS APPROPRIATION .....	\$ 40,121,700
9	Appropriated from:	
10	Federal revenues:	
11	DOE-OEERE, multiple grants .....	3,000
12	DOL-ETA, unemployment insurance .....	12,335,400
13	DOL, multiple grants for safety and health .....	797,600
14	Title XVIII Medicare .....	423,100
15	Title XIX Medicaid .....	21,700
16	Title XIX Medicaid, facility certification fees .....	265,800
17	Special revenue funds:	
18	Private - special project advances .....	200,000
19	Bank fees .....	381,700
20	Boiler fee revenue .....	244,400
21	Construction code fund .....	1,239,300
22	Consumer finance fees .....	78,300
23	Contingent fund, penalty and interest, 110 fund .....	39,900
24	Corporation fees .....	4,442,000
25	Credit union fees .....	386,900
26	Deferred presentment service transaction fees .....	25,000
27	Elevator fees .....	251,500

1	Fees and collections/asbestos.....	104,200
2	Fire service fees.....	805,700
3	Health systems fees.....	285,000
4	Insurance bureau fund.....	589,600
5	Insurance licensing and regulation fees.....	1,848,600
6	Licensing and regulation fees.....	1,092,300
7	Liquor license revenue.....	34,500
8	Liquor purchase revolving fund.....	6,872,000
9	MBLSLA fund.....	86,400
10	Mobile home code fund.....	253,400
11	Motor carrier fees.....	238,100
12	Private occupational school license fees.....	14,000
13	Public utility assessments.....	2,519,500
14	Radiological health fees.....	95,600
15	Safety education and training fund.....	798,900
16	Second injury fund.....	255,500
17	Securities fees.....	2,555,500
18	Self-insurers security fund.....	92,300
19	Silicosis and dust disease fund.....	113,900
20	Tax tribunal fund.....	192,600
21	Video franchise assessments.....	4,000
22	Worker's compensation administrative revolving fund..	134,500
23	State general fund/general purpose.....	\$ 0
24	<b>Sec. 103. OFFICE OF FINANCIAL AND INSURANCE</b>	
25	<b>REGULATION</b>	
26	Full-time equated classified positions.....	374.0
27	Administration--45.0 FTE positions.....	\$ 7,956,900

1	Financial evaluation--209.0 FTE positions .....	36,871,300
2	Regulatory compliance and consumer assistance--120.0	
3	FTE positions .....	<u>19,684,400</u>
4	GROSS APPROPRIATION.....	\$ 64,512,600
5	Appropriated from:	
6	Federal revenues:	
7	Federal revenues.....	2,000,000
8	Special revenue funds:	
9	Bank fees.....	8,801,900
10	Captive insurance regulatory and supervision fund....	279,400
11	Consumer finance fees.....	4,673,700
12	Credit union fees.....	6,796,400
13	Deferred presentment service transaction fees .....	2,900,800
14	Insurance bureau fund.....	22,012,300
15	Insurance continuing education fees.....	1,097,400
16	Insurance licensing and regulation fees.....	5,168,300
17	MBLSLA fund.....	4,629,600
18	Multiple employer welfare arrangement .....	72,600
19	Securities fees.....	5,080,200
20	Securities investor education and training fund .....	1,000,000
21	State general fund/general purpose .....	\$ 0
22	<b>Sec. 104. PUBLIC SERVICE COMMISSION</b>	
23	Full-time equated classified positions..... 193.0	
24	Public service commission--190.0 FTE positions .....	\$ 29,265,100
25	METRO authority--3.0 FTE positions .....	<u>367,300</u>
26	GROSS APPROPRIATION.....	\$ 29,632,400
27	Appropriated from:	

1	Federal revenues:		
2	DOE-OEERE, multiple grants.....		9,000
3	DOT-RSPA, gas pipeline safety.....		890,600
4	Special revenue funds:		
5	Children's protection registry fund.....		272,600
6	Motor carrier fees.....		2,520,300
7	Public utility assessments.....		25,099,900
8	Restructing mechanism assessments.....		440,000
9	Video franchise assessments.....		400,000
10	State general fund/general purpose.....	\$	0
11	<b>Sec. 105. LIQUOR CONTROL COMMISSION</b>		
12	Full-time equated classified positions.....	152.0	
13	Management support services--28.0 FTE positions.....	\$	4,185,100
14	Liquor licensing and enforcement--124.0 FTE positions.....		<u>14,523,800</u>
15	GROSS APPROPRIATION.....	\$	18,708,900
16	Appropriated from:		
17	Special revenue funds:		
18	Direct shipper enhancement revolving fund.....		120,000
19	Liquor license revenue.....		7,510,400
20	Liquor purchase revolving fund.....		11,078,500
21	State general fund/general purpose.....	\$	0
22	<b>Sec. 106. OCCUPATIONAL REGULATION</b>		
23	Full-time equated classified positions.....	785.3	
24	Boiler inspection program--23.0 FTE positions.....	\$	3,172,900
25	Bureau of fire services--62.0 FTE positions.....		7,056,000
26	Bureau of construction codes--90.0 FTE positions.....		14,731,600
27	Bureau of commercial services--155.0 FTE positions...		21,299,300

1	Elevator inspection program--30.0 FTE positions .....	3,545,600
2	Bureau of health professions--151.0 FTE positions ....	26,822,000
3	Medical marihuana program--9.0 FTE positions .....	4,200,000
4	Bureau of health systems--211.4 FTE positions .....	27,197,600
5	Radiological health administration--21.4 FTE positions	3,345,400
6	Background check program--5.5 FTE positions .....	2,595,000
7	Manufactured housing and land resources program--18.0	
8	FTE positions .....	2,874,700
9	Property development group--9.0 FTE positions .....	<u>1,767,500</u>
10	GROSS APPROPRIATION.....	\$ 118,607,600
11	Appropriated from:	
12	Interdepartmental grant revenues:	
13	IDG-DCH, inspection contract .....	100,000
14	Federal revenues:	
15	Clinical lab improvement .....	386,700
16	DOT.....	60,000
17	FEMA.....	28,000
18	Mammography quality standards .....	744,500
19	Title XVIII Medicare .....	10,946,600
20	Title XIX Medicaid .....	968,900
21	Title XIX Medicaid, facility certification fees .....	7,483,600
22	Special revenue funds:	
23	Private - civil monetary penalties .....	200,000
24	Accountancy enforcement fund .....	404,800
25	Boiler fee revenue .....	3,627,500
26	Builder enforcement fund .....	450,800
27	Construction code fund .....	13,853,400

1	Corporation fees.....	6,728,000
2	Elevator fees.....	3,969,200
3	Fire alarm fees.....	125,400
4	Fire safety standard and enforcement fund.....	40,000
5	Fire service fees.....	2,346,000
6	Fireworks safety fund.....	652,700
7	Health professions regulatory fund.....	29,292,800
8	Health systems fees.....	2,555,700
9	Licensing and regulation fees.....	11,998,200
10	Liquor purchase revolving fund.....	3,003,900
11	Mobile home code fund.....	2,874,700
12	Nurse professional fees.....	1,883,300
13	Pain management fees.....	1,770,600
14	Private occupational school license fees.....	832,200
15	Property development fees.....	298,900
16	Radiological health fees.....	2,600,900
17	Real estate appraiser continuing education fund.....	47,000
18	Real estate education fund.....	338,100
19	Real estate enforcement fund.....	694,300
20	Security business fund.....	340,100
21	Survey and remonumentation fund.....	809,700
22	Unarmed combat fund.....	124,700
23	State general fund/general purpose.....	\$ 6,026,400
24	<b>Sec. 107. MICHIGAN OCCUPATIONAL SAFETY AND HEALTH</b>	
25	<b>ADMINISTRATION</b>	
26	Full-time equated classified positions.....	250.0
27	Occupational safety and health--219.0 FTE positions..	\$ 30,623,000

1	Wage and hour division--31.0 FTE positions .....	<u>3,388,300</u>
2	GROSS APPROPRIATION.....	\$ 34,011,300
3	Appropriated from:	
4	Federal revenues:	
5	DOL, multiple grants for safety and health.....	14,371,900
6	Special revenue funds:	
7	Corporation fees.....	6,244,900
8	Fees and collections/asbestos.....	984,100
9	Safety education and training fund.....	9,039,600
10	Securities fees.....	3,370,800
11	State general fund/general purpose.....	\$ 0
12	<b>Sec. 108. EMPLOYMENT SERVICES</b>	
13	Full-time equated classified positions.....	1,437.6
14	Worker's compensation administration--59.6 FTE	
15	positions .....	\$ 7,646,100
16	Insurance funds administration--25.0 FTE positions ...	5,138,900
17	Supplemental benefit fund.....	820,000
18	Unemployment insurance agency--1,262.7 FTE positions .	149,999,700
19	Advocacy assistance program.....	1,500,000
20	Special audit and collections program--34.0 FTE	
21	positions .....	3,301,300
22	Training program for agency staff--2.1 FTE positions .	1,849,500
23	Expanded fraud control program--33.2 FTE positions ...	3,811,400
24	Employment and labor relations--21.0 FTE positions ...	<u>3,984,500</u>
25	GROSS APPROPRIATION.....	\$ 178,051,400
26	Appropriated from:	
27	Interdepartmental grant revenues:	

1	Federal revenues:		
2	DOL, employment and training administration .....		1,355,800
3	DOL-ETA, unemployment insurance .....		156,606,100
4	Special revenue funds:		
5	Contingent fund, regular penalty and interest .....		1,500,000
6	Corporation fees .....		1,997,300
7	Second injury fund .....		2,766,400
8	Securities fees .....		4,394,500
9	Self-insurers security fund .....		1,308,200
10	Silicosis and dust disease fund .....		1,064,300
11	Special fraud control fund .....		1,000,000
12	Worker's compensation administrative revolving fund ..		2,383,000
13	State general fund/general purpose .....	\$	3,675,800
14	<b>Sec. 109. MICHIGAN ADMINISTRATIVE HEARING SYSTEM</b>		
15	Full-time equated classified positions .....	260.9	
16	Michigan administrative hearing system--231.4 FTE		
17	positions .....	\$	35,418,100
18	Michigan compensation appellate commission--29.5 FTE		
19	positions .....		<u>3,835,200</u>
20	GROSS APPROPRIATION .....	\$	39,253,300
21	Appropriated from:		
22	Interdepartmental grant revenues:		
23	IDG - administrative hearings and rules .....		13,233,400
24	Federal revenues:		
25	DOL-ETA, unemployment insurance .....		3,552,400
26	Federal revenue, administrative hearings and rules ...		8,531,000
27	Special revenue funds:		



1	State restricted revenue, administrative hearings and	
2	rules .....	12,641,000
3	Worker's compensation administrative revolving fund..	282,800
4	State general fund/general purpose .....	\$ 1,012,700
5	<b>Sec. 110. INFORMATION TECHNOLOGY</b>	
6	Information technology services and projects .....	\$ 45,310,200
7	Liquor control commission IT upgrades .....	<u>5,000,000</u>
8	GROSS APPROPRIATION .....	\$ 50,310,200
9	Appropriated from:	
10	Federal revenues:	
11	DOL, multiple grants for safety and health .....	273,700
12	DOL-ETA, unemployment insurance .....	22,256,000
13	Federal revenues .....	3,584,100
14	Special revenue funds:	
15	Bank fees .....	219,500
16	Boiler fee revenue .....	280,500
17	Construction code fund .....	1,137,800
18	Consumer finance fees .....	95,100
19	Corporation fees .....	5,343,600
20	Credit union fees .....	192,100
21	Deferred presentment service transaction fees .....	85,700
22	Elevator fees .....	271,300
23	Fees and collections/asbestos .....	11,000
24	Fire service fees .....	353,500
25	Health professions regulatory fund .....	873,900
26	Health systems fees .....	186,400
27	Insurance bureau fund .....	545,500

1	Insurance continuing education fees .....	11,700
2	Insurance licensing and regulation fees .....	315,000
3	Licensing and regulation fees .....	1,757,500
4	Liquor purchase revolving fund .....	7,915,400
5	MBLSLA fund .....	104,100
6	Mobile home code fund .....	245,200
7	Motor carrier fees .....	191,300
8	Pain management fees .....	160,000
9	Public utility assessments .....	1,550,800
10	Radiological health fees .....	140,000
11	Safety education and training fund .....	667,100
12	Second injury fund .....	143,600
13	Securities fees .....	990,600
14	Self-insurers security fund .....	71,500
15	Silicosis and dust disease fund .....	61,500
16	Tax tribunal fund .....	210,000
17	State general fund/general purpose .....	\$ 65,200
18	<b>Sec. 111. DEPARTMENT GRANTS</b>	
19	Fire protection grants .....	\$ 8,500,000
20	Liquor law enforcement grants .....	6,600,000
21	Remonumentation grants .....	5,300,000
22	Private grant programs .....	1,500,000
23	Utility consumer representation .....	<u>950,000</u>
24	GROSS APPROPRIATION .....	\$ 22,850,000
25	Appropriated from:	
26	Special revenue funds:	
27	Private revenues .....	1,500,000

1	Fire protection fund.....	8,500,000
2	Liquor license revenue.....	6,600,000
3	Survey and remonumentation fund.....	5,300,000
4	Utility consumer representation fund.....	950,000
5	State general fund/general purpose.....	\$ 0
6	<b>Sec. 112. ONE-TIME BASIS ONLY</b>	
7	State employee lump-sum payments.....	\$ <u>5,036,800</u>
8	GROSS APPROPRIATION.....	\$ 5,036,800
9	Appropriated from:	
10	Interdepartmental grant revenues:	
11	IDG--employee lump-sum payment.....	163,500
12	Federal revenues:	
13	Federal--employee lump-sum payment.....	2,815,400
14	Special revenue funds:	
15	Restricted--employee lump-sum payment.....	1,880,400
16	State general fund/general purpose.....	\$ 177,500

17 PART 2

18 PROVISIONS CONCERNING APPROPRIATIONS

19 FOR FISCAL YEAR 2012-2013

20 **GENERAL SECTIONS**

21 Sec. 201. Pursuant to section 30 of article IX of the state  
 22 constitution of 1963, total state spending from state resources  
 23 under part 1 for fiscal year 2012-2013 is \$334,988,400.00 and state  
 24 spending from state resources to be paid to local units of  
 25 government for fiscal year 2012-2013 is \$20,400,000.00. The

itemized statement below identifies appropriations from which  
 spending to local units of government will occur:

DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS

Department grants..... \$ 20,400,000

Total department of licensing and regulatory

affairs ..... \$ 20,400,000

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

Sec. 203. As used in this article:

(a) "Department" means the department of licensing and  
 regulatory affairs.

(b) "Director" means the director of the department.

(c) "DOL" means the United States department of labor.

(d) "Fiscal agencies" means Michigan house fiscal agency and  
 Michigan senate fiscal agency.

(e) "Subcommittees" means all members of the subcommittees of  
 the house and senate appropriations committees with jurisdiction  
 over the budget for the department.

Sec. 206. (1) In addition to the funds appropriated in part 1,  
 there is appropriated an amount not to exceed \$45,000,000.00 for  
 federal contingency funds. These funds are not available for  
 expenditure until they have been transferred to another line item  
 in this article 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 \$31,000,000.00 for state

1 restricted contingency funds. These funds are not available for  
2 expenditure until they have been transferred to another line item  
3 in this article under section 393(2) of the management and budget  
4 act, 1984 PA 431, MCL 18.1393.

5 (3) In addition to the funds appropriated in part 1, there is  
6 appropriated an amount not to exceed \$8,000,000.00 for local  
7 contingency funds. These funds are not available for expenditure  
8 until they have been transferred to another line item in this  
9 article under section 393(2) of the management and budget act, 1984  
10 PA 431, MCL 18.1393.

11 (4) In addition to the funds appropriated in part 1, there is  
12 appropriated an amount not to exceed \$600,000.00 for private  
13 contingency funds. These funds are not available for expenditure  
14 until they have been transferred to another line item in this  
15 article under section 393(2) of the management and budget act, 1984  
16 PA 431, MCL 18.1393.

17 Sec. 207. The department shall maintain a searchable website  
18 accessible by the public at no cost that includes, but is not  
19 limited to, all of the following:

20 (a) Fiscal year-to-date expenditures by category.

21 (b) Fiscal year-to-date expenditures by appropriation unit.

22 (c) Fiscal year-to-date payments to a selected vendor,  
23 including the vendor name, payment date, payment amount, and  
24 payment description.

25 (d) The number of active department employees by job  
26 classification.

27 (e) Job specifications and wage rates.

1       Sec. 208. Unless otherwise specified, the department shall use  
2 the Internet to fulfill the reporting requirements of this article.  
3 This requirement may include transmission of reports via electronic  
4 mail to the recipients identified for each reporting requirement,  
5 or it may include placement of reports on an Internet or Intranet  
6 site.

7       Sec. 209. Funds appropriated in part 1 shall not be used for  
8 the purchase of foreign goods or services, or both, if  
9 competitively priced and of comparable quality American goods or  
10 services, or both, are available. Preference shall be given to  
11 goods or services, or both, manufactured or provided by Michigan  
12 businesses, if they are competitively priced and of comparable  
13 quality. In addition, preference shall be given to goods or  
14 services, or both, that are manufactured or provided by Michigan  
15 businesses owned and operated by veterans, if they are  
16 competitively priced and of comparable quality.

17       Sec. 211. (1) Amounts appropriated in part 1 for information  
18 technology may be designated as work projects and carried forward  
19 to support technology projects under the direction of the  
20 department of technology, management, and budget. Funds designated  
21 in this manner are not available for expenditure until approved as  
22 work projects under section 451a of the management and budget act,  
23 1984 PA 431, MCL 18.1451a.

24       (2) The funds appropriated in part 1 for liquor control  
25 commission information technology are designated as work project  
26 appropriations and shall not lapse at the end of the fiscal year.  
27 Any unencumbered and unexpended funds shall continue to be

1 available for expenditure until the project has been completed.  
2 Additional appropriations in future budgets are anticipated to  
3 complete the work project within an estimated 3 years.

4       Sec. 212. The department and agencies receiving appropriations  
5 in part 1 shall receive and retain copies of all reports funded  
6 from appropriations in part 1. Federal and state guidelines for  
7 short-term and long-term retention of records shall be followed.  
8 The department may electronically retain copies or reports unless  
9 otherwise required by federal and state guidelines.

10       Sec. 214. From the funds appropriated in part 1 for  
11 information technology, departments and agencies shall pay user  
12 fees to the department of technology, management, and budget for  
13 technology-related services and projects. The user fees shall be  
14 subject to provisions of an interagency agreement between the  
15 departments and agencies and the department of technology,  
16 management, and budget.

17       Sec. 215. The department shall not take disciplinary action  
18 against an employee for communicating with a member of the  
19 legislature or his or her staff.

20       Sec. 218. The department and agencies receiving appropriations  
21 in part 1 shall prepare a report on out-of-state travel expenses  
22 not later than January 1 of each year. The travel report shall be a  
23 listing of all travel by classified and unclassified employees  
24 outside this state in the immediately preceding fiscal year that  
25 was funded in whole or in part with funds appropriated in the  
26 department's budget. The report shall be submitted to the house and  
27 senate standing committees on appropriations, the house and senate

1 fiscal agencies, and the state budget director. The report shall  
2 include the following information:

3 (a) The dates of each travel occurrence.

4 (b) The total transportation and related costs of each travel  
5 occurrence, including the proportion funded with state general  
6 fund/general purpose revenues, the proportion funded with state  
7 restricted revenues, the proportion funded with federal revenues,  
8 and the proportion funded with other revenues.

9 Sec. 219. It is the intent of the legislature that all  
10 principal executive departments and agencies cooperate with the  
11 development and implementation of the department of technology,  
12 management, and budget statewide office space consolidation plan.

13 Sec. 220. The department may carry into the succeeding fiscal  
14 year unexpended federal pass-through funds to local institutions  
15 and governments that do not require additional state matching  
16 funds. Federal pass-through funds to local institutions and  
17 governments that are received in amounts in addition to those  
18 included in part 1 and that do not require additional state  
19 matching funds are appropriated for the purposes intended. Within  
20 14 days after the receipt of federal pass-through funds, the  
21 department shall notify the house and senate chairpersons of the  
22 subcommittees, the fiscal agencies, and the state budget director  
23 of pass-through funds appropriated under this section.

24 Sec. 221. Funds appropriated in part 1 shall not be used by a  
25 principal executive department, state agency, or authority to hire  
26 a person to provide legal services that are the responsibility of  
27 the attorney general. This prohibition does not apply to legal



1 services for bonding activities and for those activities that the  
2 attorney general authorizes.

3 Sec. 225. Within 10 days after the receipt of a grant  
4 appropriated in the private grant funded projects line item in part  
5 1, the department shall notify the house and senate chairpersons of  
6 the subcommittees, the fiscal agencies, and the state budget  
7 director of the receipt of the grant, including the funding source,  
8 purpose, and amount of the grant.

9 Sec. 227. (1) The department shall sell documents at a price  
10 not to exceed the cost of production and distribution. Money  
11 received from the sale of these documents shall revert to the  
12 department. In addition to the funds appropriated in part 1, these  
13 funds are available for expenditure when they are received by the  
14 department of treasury and may only be used for costs directly  
15 related to the continued updating and distribution of the documents  
16 pursuant to this subsection. This subsection applies only for the  
17 following documents:

18 (a) Corporation and securities division documents, reports,  
19 and papers required or permitted by law pursuant to section 1060(5)  
20 of the business corporation act, 1972 PA 284, MCL 450.2060.

21 (b) The subdivision control manual, the state boundary  
22 commission operations manual, and other local government assistance  
23 manuals.

24 (c) The Michigan liquor control code of 1998, 1998 PA 58, MCL  
25 436.1101 to 436.2303.

26 (d) The mobile home commission act, 1987 PA 96, MCL 125.2301  
27 to 125.2349; the business corporation act, 1972 PA 284, MCL

1 450.1101 to 450.2098; the nonprofit corporation act, 1982 PA 162,  
2 MCL 450.2101 to 450.3192; and the uniform securities act (2002),  
3 2008 PA 551, MCL 451.2101 to 451.2703.

4 (e) Worker's compensation health care services rules.

5 (f) Construction code manuals.

6 (g) Copies of transcripts from administrative law hearings.

7 (2) In addition to the funds appropriated in part 1, funds  
8 collected by the department under sections 55, 57, 58, and 59 of  
9 the administrative procedures act of 1969, 1969 PA 306, MCL 24.255,  
10 24.257, 24.258, and 24.259, and section 203 of the legislative  
11 council act, 1986 PA 268, MCL 4.1203, are appropriated for all  
12 expenses necessary to provide for the cost of publication and  
13 distribution. The funds appropriated under this section are  
14 allotted for expenditure when they are received by the department  
15 of treasury and shall not lapse to the general fund at the end of  
16 the fiscal year.

17 Sec. 228. Not later than November 15, the department shall  
18 prepare and transmit a report that provides for estimates of the  
19 total general fund/general purpose appropriation lapses at the  
20 close of the fiscal year. This report shall summarize the projected  
21 year-end general fund/general purpose appropriation lapses by major  
22 departmental program or program areas. The report shall be  
23 transmitted to the office of the state budget, the chairpersons of  
24 the senate and house of representatives standing committees on  
25 appropriations, and the senate and house fiscal agencies.

26 Sec. 229. Within 14 days after the release of the executive  
27 budget recommendation, the department shall provide the state

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budget director, the senate and house appropriations chairs, the senate and house appropriations subcommittees on licensing and regulatory affairs, respectively, and the senate and house fiscal agencies with an annual report on estimated state restricted fund balances, state restricted fund projected revenues, and state restricted fund expenditures for the fiscal years ending September 30, 2012 and September 30, 2013.

[Sec. 230. By October 31, 2012, the department shall identify 10 principal measurable outcomes to be affected by expenditure of the funds appropriated in part 1 of this article and submit a report to the house and senate appropriations committees, the house and senate fiscal agencies, and the state budget director that ranks the outcomes by level of importance and contains current data on those outcomes. Beginning on April 1, 2013, the department shall provide biannual updates to the house and senate appropriations committees on changes in those measurable outcomes and departmental efforts to improve the outcomes.]

Sec. 231. Unless prohibited by law, the department may accept credit card or other electronic means of payment for licenses, fees, or permits.

Sec. 232. The department shall not develop or produce any television productions.

### REGULATORY

Sec. 301. (1) The appropriation in part 1 for fire protection grants 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.

(2) Cities, villages, and townships with state-owned facilities shall report to the department no later than January 1 on a form developed by the department in order to be eligible to receive funds appropriated in part 1 for fire protection grants. The report shall indicate all of the following:

(a) The ability to respond to state facilities in their service area.

(b) The cost for being prepared and able to respond to fire service situations during the most recent fiscal year.

(c) The fire-related activities of police and fire departments on state property.

(d) The costs of these activities.

(e) The expenditures from fire protection grants.

(3) The department shall prepare a summary of the local submissions and provide it to the subcommittees, fiscal agencies, and the state budget director by March 31.

Sec. 302. Money appropriated under this article for the bureau of fire services 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:

Operation and maintenance inspection fee

<u>Facility type</u>	<u>Facility size</u>	<u>Fee</u>
Hospitals	Any	\$10.50 per bed

Plan review and construction inspection fees for  
hospitals and schools

<u>Project cost range</u>	<u>Fee</u>
\$101,000.00 or less	minimum fee of \$195.00
\$101,001.00 to \$1,500,000.00	\$2.00 per \$1,000.00
\$1,500,001.00 to \$10,000,000.00	\$1.65 per \$1,000.00
\$10,000,001.00 or more	\$1.40 per \$1,000.00
	or a maximum fee of \$75,000.00.

Sec. 302a. In addition to the funds appropriated in part 1, the funds credited to the cigarettes fire safety standard and firefighter protection act fund created in section 13 of the fire safety standard and firefighter protection act, 2009 PA 56, MCL

1 29.503, shall be appropriated to be expended for the purposes  
2 provided for in the fire safety standard and firefighter protection  
3 act, 2009 PA 56, MCL 29.491 to 29.513. These funds are appropriated  
4 for expenditure when they are received.

5 Sec. 303. The funds collected by the department for licenses,  
6 permits, and other elevator regulation fees set forth in the  
7 Michigan administrative code and as determined under section 8 of  
8 1976 PA 333, MCL 338.2158, and section 16 of 1967 PA 227, MCL  
9 408.816, that are unexpended at the end of the fiscal year shall  
10 carry forward to the subsequent fiscal year.

11 Sec. 304. The department may make available to interested  
12 entities otherwise unavailable customized listings of  
13 nonconfidential information in its possession, such as names and  
14 addresses of licensees. The department may establish and collect a  
15 reasonable charge to provide this service. The revenue collected  
16 from this service shall be used to offset expenses to provide the  
17 service. Any balance of this revenue collected and unexpended at  
18 the end of the fiscal year shall revert to the appropriate  
19 restricted fund.

20 Sec. 320. If the revenue collected by the department from  
21 licensing and regulation fees collected by the bureau of commercial  
22 services exceeds the amount expended from appropriations in part 1,  
23 the revenue may be carried forward into the subsequent fiscal year.  
24 The revenue carried forward under this section shall be used as the  
25 first source of funds in the subsequent fiscal year.

26 Sec. 330. Funds earned or authorized by the DOL in excess of  
27 the gross appropriation in part 1 for the unemployment insurance

1 agency from the DOL are appropriated and may be expended for  
2 staffing and related expenses incurred in the operation of its  
3 programs. These funds may be spent after the department notifies  
4 the state budget director and the subcommittees of the purpose and  
5 amount of each grant award.

6       Sec. 332. The unemployment insurance agency shall provide the  
7 subcommittees, fiscal agencies, and state budget office with  
8 quarterly status reports on the development of the agency's  
9 integrated system project. The quarterly status reports shall  
10 include, but not be limited to, a summary of the expenditures for  
11 the project, project budget information, a summary of the tasks  
12 completed and milestones reached to date, the percentage of the  
13 total project completed to date, and a summary of the tasks  
14 anticipated to be completed in the subsequent quarter.

15       Sec. 340. MIOSHA shall provide an annual report by February 1  
16 of each year to the state budget director, the fiscal agencies, and  
17 the subcommittees on the number of individuals killed and the  
18 number of individuals injured on the job within industries  
19 regulated by the bureau during the most recent year for which data  
20 are available.

21       Sec. 368. No later than March 1, the department shall submit a  
22 report to the state budget office, the fiscal agencies, and the  
23 subcommittees, providing expenditure and revenue data and  
24 statistical data on licensing and regulatory activities of the  
25 bureau of commercial services and the bureau of construction codes  
26 during the previous fiscal year. To the extent possible, the data  
27 required shall be reported for each individual occupation, trade,

1 or industry regulated.

2       Sec. 380. Funds remaining in the homeowner construction lien  
3 recovery fund are appropriated to the department for payment of  
4 court-ordered homeowner construction lien recovery fund judgments  
5 entered prior to August 23, 2010. Pursuant to available funds, the  
6 payment of final judgments shall be made in the order in which the  
7 final judgments were entered and began accruing interest.

8       Sec. 390. (1) The Michigan tax tribunal within the Michigan  
9 administrative hearing system shall submit a report containing all  
10 of the following for the previous fiscal year:

11       (a) The number of cases heard and the number of cases decided  
12 by MAHS hearings officers, contractual hearings officers, and  
13 tribunal members during the fiscal year.

14       (b) The number of case filings and dispositions and the number  
15 of active and pending cases before the small claims division and  
16 the entire tribunal.

17       (c) The average and maximum time elapsed, both tolled and  
18 untolled, between case filings and final dispositions.

19       (d) The amount and percentage of tax tribunal fees generated  
20 by motions to amend.

21       (2) The report required under subsection (1) shall be  
22 submitted to the subcommittees, fiscal agencies, and state budget  
23 office not later than November 1.

24       Sec. 391. In addition to the funds appropriated in part 1, the  
25 funds collected by the office of financial and insurance regulation  
26 in connection with a conservatorship pursuant to section 32 of the  
27 mortgage brokers, lenders, and servicers licensing act, 1987 PA

1 173, MCL 445.1682, and funds collected by the department from  
2 corporations being liquidated pursuant to the insurance code of  
3 1956, 1956 PA 218, MCL 500.100 to 500.8302, shall be appropriated  
4 for all expenses necessary to provide for the required services.  
5 Funds are available for expenditure when they are received by the  
6 department of treasury and shall not lapse to the general fund at  
7 the end of the fiscal year.

#### 8 HEALTH REGULATION

9 Sec. 714. (1) The department shall report by April 1 to the  
10 subcommittees, fiscal agencies, and state budget director on the  
11 timeliness of nursing facility complaint investigations and the  
12 number of allegations that are substantiated on an annual basis.  
13 The report shall consist of the number of allegations filed by  
14 consumers and the number of facility-reported incidents. The  
15 department shall make every effort to contact every complainant and  
16 the subject of a complaint during an investigation.

17 (2) The department shall gather information on its most  
18 frequently cited complaint deficiencies for the prior 3 fiscal  
19 years and include that information in the report required under  
20 subsection (1). The department shall determine whether there is an  
21 increase in the number of citations from 1 year to the next and  
22 assess the cause of the increase, if any, and whether education and  
23 training of nursing facility staff or department staff is needed.

24 Sec. 726. (1) The department shall submit a report by January  
25 1 to the standing committees on appropriations of the senate and  
26 house of representatives, the fiscal agencies, and the state budget



1 director that includes all of the following information for the  
2 prior fiscal year regarding the medical marihuana program under the  
3 Michigan medical marihuana act, 2008 IL 1, MCL 333.26421 to  
4 333.26430:

5 (a) The number of initial applications received.

6 (b) The number of initial applications approved and the number  
7 of initial applications denied.

8 (c) The average amount of time, from receipt to approval or  
9 denial, to process an initial application.

10 (d) The number of renewal applications received.

11 (e) The number of renewal applications approved and the number  
12 of renewal applications denied.

13 (f) The average amount of time, from receipt to approval or  
14 denial, to process a renewal application.

15 (g) The percentage of initial applications not approved or  
16 denied within the time requirements established in section 6 of the  
17 Michigan medical marihuana act, 2008 IL 1, MCL 333.26426.

18 (h) The percentage of renewal applications not approved or  
19 denied within the time requirements established in section 6 of the  
20 Michigan medical marihuana act, 2008 IL 1, MCL 333.26426.

21 (i) The percentage of registry cards for approved initial  
22 applications not issued within the time requirements established in  
23 section 6 of the Michigan medical marihuana act, 2008 IL 1, MCL  
24 333.26426.

25 (j) The percentage of registry cards for approved renewal  
26 applications not issued within the time requirements established in  
27 section 6 of the Michigan medical marihuana act, 2008 IL 1, MCL

1 333.26426.

2 (k) The amount collected from the medical marihuana program  
3 application and renewal fees authorized in section 5 of the  
4 Michigan medical marihuana act, 2008 IL 1, MCL 333.26425.

5 (l) The costs of administering the medical marihuana program  
6 under the Michigan medical marihuana act, 2008 IL 1, MCL 333.26421  
7 to 333.26430.

8 (2) If the required fees are shown to be insufficient to  
9 offset all expenses of implementing and administering the medical  
10 marihuana program, the department shall review and revise the  
11 application and renewal fees accordingly to ensure that all  
12 expenses of implementing and administering the medical marihuana  
13 program are offset as is permitted under section 5 of the Michigan  
14 medical marihuana act, 2008 IL 1, MCL 333.26425.

15 Sec. 732. From the appropriations made in part 1 for the  
16 bureau of health systems, at least \$530,000.00 must be expended for  
17 activities related to the inspection and licensing of freestanding  
18 surgical outpatient facilities.

19 PART 2A

20 PROVISIONS CONCERNING ANTICIPATED APPROPRIATIONS

21 FOR FISCAL YEAR 2013-2014

22 GENERAL SECTIONS

23 Sec. 1201. It is the intent of the legislature to provide  
24 appropriations for the fiscal year ending on September 30, 2014 for  
25 the line items listed in part 1. The fiscal year 2013-2014

1 appropriations are anticipated to be the same as those for fiscal  
 2 year 2012-2013, excluding appropriations designated as 1-time  
 3 appropriations and adjusting for changes in caseload and related  
 4 costs, federal fund match rates, economic factors, and available  
 5 revenue. Specific anticipated adjustments are as follows, subject  
 6 to adjustment after the May 2013 consensus revenue estimating  
 7 conference:

8	Economic adjustments.....	\$	<u>12,529,000</u>
9	GROSS APPROPRIATION.....	\$	12,529,000

10 Appropriated from:

11 Interdepartmental grant revenues:

12	Interdepartmental grants and intradepartmental transfers	440,300
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13 Federal revenues:

14	Federal revenues.....	7,158,900
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15 State restricted revenues:

16	Total other state restricted revenues.....	4,373,800
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17	State general fund/general purpose.....	\$	556,000
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# 18 ARTICLE XIII

## 19 DEPARTMENT OF MILITARY AND VETERANS AFFAIRS

### 20 PART 1

#### 21 LINE-ITEM APPROPRIATIONS

#### 22 FOR FISCAL YEAR 2012-2013

23 Sec. 101. Subject to the conditions set forth in this article,  
 24 the amounts listed in this part for the department of military and  
 25 veterans affairs are appropriated for the fiscal year ending

September 30, 2013 from the funds indicated in this part. The following is a summary of the appropriations in this part:

**DEPARTMENT OF MILITARY AND VETERANS AFFAIRS**

**APPROPRIATION SUMMARY**

Full-time equated unclassified positions..... 7.0

Full-time equated classified positions..... 819.0

GROSS APPROPRIATION..... \$ 177,517,400

Interdepartmental grant revenues:

Total interdepartmental grants and intradepartmental

transfers ..... 11,166,500

ADJUSTED GROSS APPROPRIATION..... \$ 166,350,900

Federal revenues:

Total federal revenues..... 99,239,400

Special revenue funds:

Total local revenues..... 769,200

Total private revenues..... 1,503,700

Total other state restricted revenues..... 30,427,000

State general fund/general purpose..... \$ 34,411,600

**Sec. 102. MILITARY**

Full-time equated unclassified positions..... 7.0

Full-time equated classified positions..... 284.0

Headquarters and armories--79.0 FTE positions..... \$ 11,958,800

Unclassified military personnel..... 1,165,000

Military appeals tribunal..... 900

State active duty..... 100,100

Homeland security..... 1,000,000

Military training sites and support facilities--205.0

1	FTE positions .....	30,065,500
2	Military training site and support facilities test	
3	projects .....	100,000
4	Departmentwide accounts.....	1,869,100
5	Special maintenance - state.....	2,604,400
6	Special maintenance - federal.....	5,300,000
7	Counter narcotic operations.....	50,000
8	Information technology services and projects .....	<u>1,078,500</u>
9	GROSS APPROPRIATION.....	\$ 55,292,300
10	Appropriated from:	
11	Interdepartmental grant revenues:	
12	IDG, community health.....	100,000
13	IDG, state police.....	900,000
14	Federal revenues:	
15	DOD-DOA-NGB.....	40,099,900
16	DVA-VHA.....	379,900
17	HHS-Medicare.....	11,200
18	Federal counter narcotics revenues.....	50,000
19	Special revenue funds:	
20	Rental fees.....	346,400
21	Mackinac Bridge Authority.....	70,000
22	Test project fees.....	100,000
23	Income and assessments.....	384,800
24	State general fund/general purpose.....	\$ 12,850,100
25	<b>Sec. 103. VETERANS AND COMMUNITY OUTREACH</b>	
26	Full-time equated classified positions..... 34.0	
27	Veterans advice, advocacy and assistance grants .....	\$ 3,029,600

1	Veterans' affairs directorate administration--3.0 FTE	
2	positions .....	649,600
3	Veterans' trust fund administration--6.0 FTE positions	1,420,000
4	Veterans' trust fund grants.....	3,746,500
5	Michigan emergency volunteers.....	5,000
6	Challenge program--25.0 FTE positions.....	4,542,300
7	Military family relief fund.....	600,000
8	Starbase grant.....	<u>2,322,000</u>
9	GROSS APPROPRIATION.....	\$ 16,315,000
10	Appropriated from:	
11	Interdepartmental grant revenues:	
12	IDG, challenge grant.....	165,800
13	Federal revenues:	
14	DOD-DOA-NGB.....	4,973,400
15	Special revenue funds:	
16	Local - school aid revenue.....	765,600
17	Private donations.....	959,500
18	Michigan veterans trust fund.....	5,166,500
19	Michigan family relief fund.....	600,000
20	State general fund/general purpose.....	\$ 3,684,200
21	<b>Sec. 104. HOMES</b>	
22	Full-time equated classified positions.....	501.0
23	Grand Rapids veterans' home--343.0 FTE positions .....	\$ 46,516,500
24	Board of managers.....	665,000
25	D.J. Jacobetti veterans' home--158.0 FTE positions ...	18,095,700
26	Board of managers.....	<u>275,000</u>
27	GROSS APPROPRIATION.....	\$ 65,552,200

1	Appropriated from:	
2	Federal revenues:	
3	DVA-VHA.....	25,780,200
4	HHS-Medicare.....	3,351,800
5	HHS-Medicaid.....	185,500
6	Special revenue funds:	
7	Private - veterans' home post and posthumous funds ...	540,000
8	Income and assessments.....	19,961,100
9	Lease revenue.....	12,200
10	Michigan family relief fund.....	400,000
11	State general fund/general purpose.....	\$ 15,321,400
12	<b>Sec. 105. CAPITAL OUTLAY</b>	
13	Special maintenance, remodeling and additions.....	\$ 15,000,000
14	Land acquisitions and appraisals.....	250,000
15	Flint armory replacement.....	<u>12,000,000</u>
16	GROSS APPROPRIATION.....	\$ 27,250,000
17	Appropriated from:	
18	Federal revenues:	
19	DOD-DOA-NGB.....	24,000,000
20	Special revenue funds:	
21	Military construction fund.....	3,250,000
22	State general fund/general purpose.....	\$ 0
23	<b>Sec. 106. ONE-TIME APPROPRIATIONS</b>	
24	State employee lump-sum payments.....	\$ 707,900
25	Special maintenance - state.....	2,724,800
26	Special maintenance - Grand Rapids veterans' home ....	4,440,000
27	Special maintenance - D.J. Jacobetti veterans' home ..	1,560,000

1	Veterans advice, advocacy and assistance grants .....	2,000,000
2	Michigan veterans coalition initiatives .....	1,675,000
3	Pilot grant program for county incentive - accredited	
4	veterans service officers .....	100
5	Department data upgrades and digitization of records .	<u>100</u>
6	GROSS APPROPRIATION.....	\$ 13,107,900
7	Appropriated from:	
8	Interdepartmental grant revenues:	
9	Interdepartmental grant revenues .....	700
10	IDG, human services .....	10,000,000
11	Federal revenues:	
12	Federal revenues .....	407,500
13	Special revenue funds:	
14	Local revenues .....	3,600
15	Private revenues .....	4,200
16	State restricted revenues .....	136,000
17	State general fund/general purpose .....	\$ 2,555,900

18 PART 2

19 PROVISIONS CONCERNING APPROPRIATIONS

20 FOR FISCAL YEAR 2012-2013

21 **GENERAL SECTIONS**

22 Sec. 201. Pursuant to section 30 of article IX of the state  
 23 constitution of 1963, total state spending from state resources  
 24 under part 1 for fiscal year 2012-2013 is \$64,838,600.00 and state  
 25 spending from state resources to be paid to local units of



government for fiscal year 2012-2013 is \$120,000.00. The itemized statement below identifies appropriations from which spending to local units of government will occur:

DEPARTMENT OF MILITARY AND VETERANS AFFAIRS

Payments in lieu of taxes.....	\$	70,000
County counselor education and training expenses .....		<u>50,000</u>
TOTAL .....	\$	120,000

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

Sec. 203. As used in this article:

(a) "Department" means the department of military and veterans affairs.

(b) "DOD" means the United States department of defense.

(c) "DOD-DOA-NGB" means the DOD department of the army, national guard bureau.

(d) "DVA" means the United States department of veterans affairs.

(e) "DVA-VHA" means the DVA veterans health administration.

(f) "FTE" means full-time equated.

(g) "HHS" means the United States department of health and human services.

(h) "IDG" means interdepartmental grant.

(i) "MCL" means Michigan Compiled Laws.

(j) "PA" means public act.

(k) "Work project" means, except as used in section 211, a group of activities featuring a fixed duration, budget, and scope

1 that is expected to cause a measurable change in the delivery,  
2 efficiency, or effectiveness of 1 or more operations.

3 (l) "Large veterans service organization" means a VSO that can  
4 certify that its membership exceeds 30,000 individuals.

5 (m) "Medium veterans service organization" means a VSO that  
6 can certify that its membership is between 2,500 and 30,000  
7 individuals.

8 (n) "Small veterans service organization" means a VSO that can  
9 certify that its membership is between 1,000 and 2,499 individuals.

10 (o) "VSO" means veterans service organization.

11 Sec. 204. The following shall constitute the appropriations  
12 from part 1 for interdepartmental grant funds received by the  
13 department from sources outside the department: \$165,800.00 from  
14 challenge grant; \$100,000.00 from the department of community  
15 health; and \$900,000.00 from the department of state police.

16 Sec. 206. (1) In addition to the funds appropriated in part 1,  
17 there is appropriated an amount not to exceed \$10,000,000.00 for  
18 federal contingency funds. These funds are not available for  
19 expenditure until they have been transferred to another line item  
20 in this article under section 393(2) of the management and budget  
21 act, 1984 PA 431, MCL 18.1393.

22 (2) In addition to the funds appropriated in part 1, there is  
23 appropriated an amount not to exceed \$2,000,000.00 for state  
24 restricted contingency funds. These funds are not available for  
25 expenditure until they have been transferred to another line item  
26 in this article under section 393(2) of the management and budget  
27 act, 1984 PA 431, MCL 18.1393.

1           (3) In addition to the funds appropriated in part 1, there is  
2 appropriated an amount not to exceed \$100,000.00 for local  
3 contingency funds. These funds are not available for expenditure  
4 until they have been transferred to another line item in this  
5 article under section 393(2) of the management and budget act, 1984  
6 PA 431, MCL 18.1393.

7           (4) In addition to the funds appropriated in part 1, there is  
8 appropriated an amount not to exceed \$100,000.00 for private  
9 contingency funds. These funds are not available for expenditure  
10 until they have been transferred to another line item in this  
11 article under section 393(2) of the management and budget act, 1984  
12 PA 431, MCL 18.1393.

13           Sec. 207. The department shall maintain a searchable website  
14 accessible by the public at no cost that includes, but is not  
15 limited to, all of the following:

16           (a) Fiscal year-to-date expenditures by category.

17           (b) Fiscal year-to-date expenditures by appropriation unit.

18           (c) Fiscal year-to-date payments to a selected vendor,  
19 including the vendor name, payment date, payment amount, and  
20 payment description.

21           (d) The number of active department employees by job  
22 classification.

23           (e) Job specifications and wage rates.

24           Sec. 208. Unless otherwise specified, the department shall use  
25 the Internet to fulfill the reporting requirements of this article.  
26 This requirement may include transmission of reports via electronic  
27 mail to the recipients identified for each reporting requirement,

1 or it may include placement of reports on an Internet or Intranet  
2 site.

3       Sec. 209. Funds appropriated in part 1 shall not be used for  
4 the purchase of foreign goods or services, or both, if  
5 competitively priced and of comparable quality American goods or  
6 services, or both, are available. Preference shall be given to  
7 goods or services, or both, manufactured or provided by Michigan  
8 businesses, if they are competitively priced and of comparable  
9 quality. In addition, preference should be given to goods or  
10 services, or both, that are manufactured or provided by Michigan  
11 businesses owned and operated by veterans, if they are  
12 competitively priced and of comparable quality.

13       Sec. 210. The director of the department shall take all  
14 reasonable steps to ensure businesses in deprived and depressed  
15 communities compete for and perform contracts to provide services  
16 or supplies, or both. The director shall strongly encourage firms  
17 with which the department contracts to subcontract with certified  
18 businesses in depressed and deprived communities for services,  
19 supplies, or both.

20       Sec. 211. Amounts appropriated in part 1 for information  
21 technology may be designated as work projects and carried forward  
22 to support technology projects under the direction of the  
23 department of technology, management, and budget. Funds designated  
24 in this manner are not available for expenditure until approved as  
25 work projects under section 451a of the management and budget act,  
26 1984 PA 431, MCL 18.1451a.

27       Sec. 212. The department shall receive and retain copies of

1 all reports funded from appropriations in part 1. Federal and state  
2 guidelines for short-term and long-term retention of records shall  
3 be followed. The department may electronically retain copies of  
4 reports unless otherwise required by federal and state guidelines.

5 Sec. 214. From the funds appropriated in part 1 for  
6 information technology, the department shall pay user fees to the  
7 department of technology, management, and budget for technology-  
8 related services and projects. The user fees shall be subject to  
9 provisions of an interagency agreement between the department and  
10 the department of technology, management, and budget.

11 Sec. 215. The department shall not take disciplinary action  
12 against an employee for communicating with a member of the  
13 legislature or his or her staff.

14 Sec. 217. The department shall improve its budgetary  
15 efficiency pertaining to the delivery of core services delineated  
16 in section 223 by doing all of the following:

17 (a) Prioritizing personnel over buildings in budgetary  
18 efficiency considerations.

19 (b) Pursuing the physical or virtual consolidation of support  
20 service functions such as information technology, human resources,  
21 and accounting as a means of improving standardization and  
22 efficiency.

23 (c) Seeking expenditure reductions whenever possible through  
24 the streamlining of existing service delivery activities.

25 (d) Identifying efficiencies that can be gained via the  
26 reduction or elimination of programs, policies, and practices which  
27 have outlived their usefulness.

1       Sec. 218. The department shall prepare a report on out-of-  
2 state travel expenses not later than January 1 of each year. The  
3 travel report shall be a listing of all travel by classified and  
4 unclassified employees outside this state in the immediately  
5 preceding fiscal year that was funded in whole or in part with  
6 funds appropriated in the department's budget. The report shall be  
7 submitted to the house and senate standing committees on  
8 appropriations, the house and senate fiscal agencies, and the state  
9 budget director. The report shall include the following  
10 information:

11       (a) The dates of each travel occurrence.

12       (b) The total transportation and related costs of each travel  
13 occurrence, including the proportion funded with state general  
14 fund/general purpose revenues, the proportion funded with state  
15 restricted revenues, the proportion funded with federal revenues,  
16 and the proportion funded with other revenues.

17       Sec. 219. It is the intent of the legislature that the  
18 department cooperate with the development and implementation of the  
19 department of technology, management, and budget statewide office  
20 space consolidation plan.

21       Sec. 220. (1) The department shall be available to meet by  
22 April 1 and September 30 before the appropriate senate and house  
23 appropriations subcommittees.

24       (2) The department shall provide all information necessary to  
25 validate that the requirements of this part have been achieved.

26       (3) The department shall provide a corrective action plan  
27 within 30 days of a biannual report under this section for any

1 requirements of this part that have not been achieved. The  
2 department shall provide a monthly status of corrective action  
3 plans.

4 (4) The department shall provide the following data to the  
5 senate and house appropriations subcommittees:

6 (a) A list of all major work projects, including a status  
7 report of each project.

8 (b) The department's financial status, featuring a report of  
9 budgeted versus actual expenditures by part 1 line item including a  
10 year-end projection of budget requirements. If projected department  
11 budget requirements exceed the allocated budget, the report shall  
12 include a plan to reduce overall expenses while still satisfying  
13 specified service level requirements.

14 (c) Evidence of efficiencies and management of funds within  
15 established appropriations, documented through the department of  
16 technology, management, and budget monthly expenditure report as  
17 described in section 301(3) of this part.

18 (d) A list of projected armory closings from section 302(6) of  
19 this part.

20 (e) A list of property sales as described in section 224 of  
21 this part.

22 (5) The department shall provide a corrective action plan for  
23 any service metrics that do not meet requirements. The department  
24 shall provide a status of correction action plans at the next  
25 biannual review.

26 (6) The Grand Rapids and D.J. Jacobetti veterans' homes shall  
27 provide to the appropriate senate and house appropriations

1 subcommittees the results of the veterans' homes annual veterans'  
2 affairs inspection and their corrective action plans.

3 Sec. 221. The department shall provide the following data to  
4 the appropriate senate and house appropriations subcommittees on an  
5 annual basis:

6 (a) Using information received from the grant recipients in  
7 section 401 of this part, a progress report on metric requirements,  
8 copies of certified financial audits and tax reports of grant  
9 recipients, a listing from grant recipients of expenditures by  
10 spending category, including a listing of individual salaries of  
11 each officer and administrative staff, a listing of volunteer hours  
12 including the hours, series, and donations provided to residents of  
13 the Grand Rapids veterans' home and the D.J. Jacobetti veterans'  
14 home. The department shall provide within the report a specific  
15 notification whether any veterans grant recipients failed to comply  
16 with established reporting requirements.

17 (b) The Grand Rapids veterans' home and the D.J. Jacobetti  
18 veterans' home shall produce a report including an accounting of  
19 member populations and bed space available, a description and  
20 accounting of services and activities provided to members,  
21 financial information, and current state nursing home licensure  
22 status.

23 (c) A detailed report of the Michigan veteran's trust fund  
24 that includes information on grants provided from the emergency  
25 grant program, including details concerning the methodology of  
26 allocations, the selection of emergency grant program authorized  
27 agents, and a detailed breakdown of trust fund expenditures for



1 that year. The report shall also provide an update on the  
2 department's efforts to reduce program administrative costs and  
3 maintain the Michigan veterans' trust fund corpus to its original  
4 amount of at least \$50,000,000.00.

5 Sec. 222. Grant recipients in section 401 of this part shall  
6 submit a report to the department on the number of claims filed for  
7 veterans in this state with the United States department of  
8 veterans affairs and the number of actual claims awarded.

9 Sec. 223. The appropriations in part 1 are for the core  
10 services, support services, and work projects of the department,  
11 including, but not limited to, the following core services:  
12 armories and joint forces readiness, maintenance and operation of  
13 army national guard training facilities, operation and maintenance  
14 of air national guard air bases, veterans affairs directorate and  
15 administration of the veterans trust fund, administration and  
16 oversight of veterans advice, advocacy, and assistance grants,  
17 training support for county veterans counselors, administration of  
18 the military family relief fund, the Michigan youth challenge  
19 academy program, and the administration of the Grand Rapids  
20 veterans' home and the D.J. Jacobetti veterans' home.

21 Sec. 224. Sixty days before the public announcement of the  
22 intention to sell any department property, the department shall  
23 submit notification of that intent to the appropriate senate and  
24 house appropriations subcommittees and the senate and house fiscal  
25 agencies.

26 Sec. 225. The department shall consult with the senate and  
27 house appropriations subcommittees on state police and military and

1 veterans affairs regarding the projected closing or consolidation  
2 of any national guard armories.

3 Sec. 226. Funds appropriated in part 1 shall not be used by  
4 the department to hire a person to provide legal services that are  
5 the responsibility of the attorney general. This prohibition does  
6 not apply to legal services for bonding activities and for those  
7 activities that the attorney general authorizes.

8 Sec. 227. The department shall seek partnerships with United  
9 States armed forces reserve units for the colocation of activities,  
10 including sharing in the acquisition and costs for facilities.

11 Sec. 228. Not later than November 15, the department shall  
12 prepare and transmit a report that provides for estimates of the  
13 total general fund/general purpose appropriations lapses at the  
14 close of the fiscal year. This report shall summarize the projected  
15 year-end general fund/general purpose appropriations lapses by  
16 major departmental program or program areas. The report shall be  
17 transmitted to the office of the state budget, the chairpersons of  
18 the senate and house standing committees on appropriations, and the  
19 senate and house fiscal agencies.

20 Sec. 229. Within 14 days after the release of the executive  
21 budget recommendation, the department shall provide the state  
22 budget director, the chairpersons of the senate and house standing  
23 committees on appropriations, the senate and house appropriations  
24 subcommittees on state police and military and veterans affairs,  
25 respectively, and the senate and house fiscal agencies with an  
26 annual report on estimated state restricted fund balances, state  
27 restricted fund projected revenues, and state restricted fund

1 expenditures for the fiscal years ending September 30, 2012 and  
2 September 30, 2013.

3 Sec. 230. Bids for contract services shall not exclude public  
4 employee unions from the bid process.

5 **MILITARY**

6 Sec. 301. (1) The department shall provide administrative  
7 support for department operations.

8 (2) The department shall maintain the staffing and resources  
9 necessary to ensure proper accountability of state funds.

10 (3) The department shall maintain the staffing and resources  
11 necessary to adhere to the state of Michigan financial management  
12 guide for accounting, contracting, purchasing, budgeting, and  
13 financial reporting and the administrative guide to state  
14 government.

15 (4) The department shall ensure fiscal controls relating to  
16 procurement of goods and services and other expenditures.

17 Sec. 302. (1) The department shall operate and maintain  
18 national guard armories.

19 (2) The department shall provide resources necessary to ensure  
20 that armories are maintained in accordance with army regulation  
21 210-4.

22 (3) The department shall evaluate armories for consolidation,  
23 energy, and utility efficiency and identify work projects that  
24 would improve this efficiency.

25 (4) The department shall provide armory equipment maintenance  
26 by maintaining equipment and tracking and monitoring trends in

1 repair maintenance to determine whether a piece of equipment is to  
2 be retired or kept.

3 (5) The department shall provide security for national guard  
4 armories by ensuring that a passive electronic security system is  
5 in place at all armories.

6 (6) The department shall consult with the senate and house  
7 appropriations subcommittees on state police and military and  
8 veterans affairs regarding the projected closing or consolidation  
9 of any national guard armories.

10 (7) Using individual facility assessments, the department  
11 shall improve the adequacy of utilities and infrastructure of the  
12 armories. The department shall improve quality rating at the armory  
13 facilities based on the number of faults corrected and dollars  
14 available (spent) during the fiscal year.

15 Sec. 303. (1) The department shall provide army national guard  
16 forces, when directed, for state and local emergencies and in  
17 support of national military requirements.

18 (2) The department shall provide resources necessary to train  
19 and equip military forces to standards set by the United States  
20 armed forces.

21 Sec. 304. (1) The department shall operate and maintain army  
22 national guard training facilities, including Fort Custer and Camp  
23 Grayling.

24 (2) The department shall provide resources necessary to meet  
25 building maintenance requirements per performance specifications  
26 established in master cooperative agreement appendix 1, section  
27 104, national guard bureau regulations.

1           (3) Army national guard training facilities security  
2 management shall secure all locations, monitor alarm equipment, and  
3 adhere to state laws, statutes, and army regulation 190-56 and  
4 master cooperative agreement appendix 3, section 308, national  
5 guard bureau regulations.

6           (4) Using individual facility assessments, the department  
7 shall improve the adequacy of utilities and infrastructure of the  
8 air bases. The department shall improve quality rating at the air  
9 base facilities based on the number of faults corrected and dollars  
10 available (spent) during the fiscal year.

11           Sec. 305. (1) The department shall provide air national guard  
12 forces, when directed, for state and local emergencies and in  
13 support of national military requirements.

14           (2) The department shall provide resources necessary to train  
15 and equip military forces to standards set by the United States  
16 armed forces.

17           (3) Using individual facility assessments, the department  
18 shall improve the adequacy of utilities and infrastructure of the  
19 military training sites and support facilities. The department  
20 shall improve quality rating at the facilities based on the number  
21 of faults corrected and dollars available (spent) during the fiscal  
22 year.

23           Sec. 306. (1) The department shall operate and maintain air  
24 national guard air bases, including Selfridge air national guard  
25 base, Battle Creek air national guard base, and Alpena combat  
26 readiness training center.

27           (2) The department shall provide resources necessary to meet

1 facility maintenance at air national guard bases, including  
2 maintenance and preventive maintenance of authorized building and  
3 systems at no less than the minimum standards required by  
4 applicable federal, state, and local agencies.

5 (3) The department shall maintain the staffing and resources  
6 necessary to provide security services at air national guard bases,  
7 including the security of the location and the monitoring of alarm  
8 equipment, in accordance with air force instruction 31-101 and  
9 master cooperative agreement appendix 23, section 2308, national  
10 guard bureau regulations.

#### 11 VETERANS AND COMMUNITY OUTREACH

12 Sec. 401. (1) The department shall provide advice, advocacy,  
13 and assistance services to Michigan veterans.

14 (2) The department shall maintain the staffing and resources  
15 necessary to develop and operate a program that will provide  
16 benefits counseling and representation to veterans of this state  
17 for the purpose of assisting veterans to obtain United States  
18 department of veteran affairs health, financial, and memorial  
19 benefits for which they are eligible.

20 (3) The department shall create a 5-member advisory board  
21 consisting of presidents/commanders from 2 large veterans service  
22 organizations, 2 medium veterans service organizations, and 1 small  
23 veterans service organization. The board shall meet no less than  
24 twice a year, without reimbursement by the department, and have the  
25 following duties:

26 (a) Assist the department in establishing criteria for grant

1 awards. The department, while utilizing advice provided by the  
2 board in establishing grant criteria, is solely responsible for  
3 determination of the amounts and recipients of the grants.

4 (b) Serve as a liaison between the grant recipients, the  
5 department, and the legislature.

6 (c) Assist the department in developing plans, reviewing  
7 service delivery, and identifying goals to better assist veterans  
8 in applying for and receiving benefits from the federal, state, and  
9 local governments.

10 (d) Provide a forum regarding veterans' issues, including  
11 suggesting changes in department programs that address veterans'  
12 changing needs.

13 (4) Of the appropriation in part 1 for veterans advice,  
14 advocacy, and assistance, grants shall be distributed by the  
15 department in the form of 5 grants for the period beginning October  
16 1, 2012, including 1 specialized grant. The specialized grant shall  
17 be awarded to a group specializing in advocacy for paralyzed  
18 veterans.

19 (5) Money used for grants shall be used only for salaries,  
20 wages, related personnel costs, in-state training, and equipment  
21 for accredited veteran service advocacy officers and necessary  
22 support and managerial staff.

23 (6) The department shall take steps to improve the  
24 coordination of veterans' benefits counseling in the state to  
25 maximize the effective and efficient use of taxpayer dollars in  
26 this goal and to ensure that every veteran is served.

27 (7) The department shall increase its responsibility in the

1 administration, management, oversight, and outreach of the delivery  
2 of services to veterans by working with grant recipients, the  
3 veterans advisory board, county veterans counselors, and  
4 representatives from the Michigan veterans trust fund to identify,  
5 implement, and evaluate steps to do all the following:

6 (a) Maximize the coordination between all organizations that  
7 assist veterans and identify areas of redundancy in services to  
8 consolidate.

9 (b) Increase the percentage of veterans in this state who  
10 become aware of their eligibility for service-connected disability  
11 or pension benefits from the United States department of veterans  
12 affairs.

13 (c) Improve national standing with regard to veterans affairs  
14 benefits granted per veteran.

15 (d) Expand training opportunities for veteran service  
16 organization service officers.

17 (e) Increase the percentage of veterans in this state who  
18 become aware of their eligibility for enrollment in the veterans  
19 affairs health care system.

20 (f) Publicize the availability, benefit, and value of burial  
21 in the Fort Custer and Great Lakes national cemeteries.

22 Sec. 402. (1) The Michigan veterans' trust fund board together  
23 with the department shall provide emergency grants for disbursement  
24 from the Michigan veterans' trust fund.

25 (2) The Michigan veterans' trust fund board together with the  
26 department shall maintain the staffing and resources necessary to  
27 provide outreach to veterans who may need and qualify for veterans



1 trust fund emergency grants.

2 (3) The Michigan veterans' trust fund board shall work to  
3 increase the percentage of grant applications that are approved and  
4 received by eligible families by 5% over those approved and  
5 received by eligible families in fiscal year 2010-2011.

6 Sec. 403. (1) The department shall provide grants for  
7 disbursement from the military family relief fund.

8 (2) The department shall maintain the staffing and resources  
9 necessary to provide outreach to the Michigan families of active  
10 members of the armed forces.

11 (3) The department shall work to increase the percentage of  
12 military family relief grant applications that are approved and  
13 received by eligible families by 5% over those approved and  
14 received by eligible families in fiscal year 2010-2011.

15 Sec. 404. (1) The department shall provide training support  
16 for county veterans counselors.

17 (2) The department shall provide resources necessary to  
18 provide county veterans counselors with training to ensure quality  
19 services to veterans.

20 (3) The department shall work with counties towards the goal  
21 of having at least 1 county veterans counselor in every county in  
22 this state.

23 (4) The Michigan veterans' affairs directorate administration  
24 and the Michigan veterans' trust fund administration shall take  
25 steps to assist the county veterans counselors of this state to  
26 obtain training necessary for the execution of their duties.

27 Sec. 405. (1) The department shall maintain the Michigan youth

1 challenge academy to provide values, skills, education, and self-  
2 discipline instruction for at-risk youth.

3 (2) The department shall provide food services for cadets  
4 enrolled in the Michigan youth challenge academy that shall include  
5 3 balanced meals a day in accordance with current dietary  
6 guidelines for Americans and the daily food guide of the United  
7 States department of agriculture.

8 (3) The department shall ensure that at least 65% of the  
9 cadets who enroll in the Michigan youth challenge academy meet the  
10 requirement for graduation from the academy.

11 (4) The department shall ensure that at least 65% of the  
12 cadets who enroll in Michigan youth challenge academy take the  
13 general educational development exam and that at least 70% of those  
14 taking the exam earn a passing grade.

15 (5) The department shall ensure that less than 3% of cadets  
16 who enroll in the Michigan youth challenge academy enter the  
17 correctional system within 5 years of graduation from the academy.

18 (6) The department shall take steps to recruit candidates to  
19 the challenge program from economically disadvantaged areas,  
20 including those with low-income and high-unemployment backgrounds.

21 (7) The department shall partner with the department of human  
22 services to identify youth who may be eligible for the challenge  
23 program from those youth served by department of human services  
24 programs. These eligible youth shall be given priority for  
25 enrollment in the program.

26 (8) The funds appropriated in this article for private  
27 donations to the Michigan youth challenge program shall be

1 considered state restricted revenue, and unexpended funds remaining  
2 at the close of the fiscal year shall not lapse to the general fund  
3 but shall be carried forward to the subsequent fiscal year.

4 Sec. 406. (1) Funding is appropriated in House Bill No. 5382  
5 of the 96th Legislature to the legislative council for the Michigan  
6 veterans' facility ombudsman. The funding shall be used to create  
7 the office of the Michigan veterans' facility ombudsman. The  
8 ombudsman shall be appointed by and serve at the pleasure of the  
9 legislative council.

10 (2) The legislative council shall establish procedures for  
11 approving the budget of the office, for expending funds of the  
12 office, and for the employment of personnel for the office.

13 (3) The purpose of the ombudsman is to conduct investigations,  
14 when deemed necessary, upon his or her own initiative or upon  
15 receipt of a complaint from a resident veteran, family member of a  
16 resident veteran, or legislator who files a complaint concerning an  
17 action, omission, decision, recommendation, practice, or other  
18 procedure of the department of military and veterans affairs or a  
19 condition existing at a Michigan veterans' facility that is alleged  
20 to be contrary to law or departmental policy or that poses a  
21 significant health or safety issue for which there is no effective  
22 administrative remedy.

23 (4) Subject to approval of the legislative council, the  
24 ombudsman shall establish procedures for receiving and processing  
25 complaints, conducting investigations, holding hearings, and  
26 reporting the findings resulting from the investigations.

27 (5) Upon request and without the requirement of any release,

1 the ombudsman shall be given access to all information, records,  
2 and documents in the possession of the department of military and  
3 veterans affairs or a Michigan veterans' facility that the  
4 ombudsman deems necessary in an investigation.

5 (6) Upon request and without notice, the ombudsman shall be  
6 granted entrance to inspect at any time any Michigan veterans'  
7 facility.

8 (7) The ombudsman may hold informal hearings and may request  
9 that any person appear before the ombudsman or at a hearing and  
10 give testimony or produce documentary or other evidence that the  
11 ombudsman deems relevant to an investigation.

12 (8) The ombudsman shall advise a complainant to pursue all  
13 administrative remedies open to the complainant. The ombudsman may  
14 request and shall receive from the department of military and  
15 veterans affairs or from a Michigan veterans' facility a progress  
16 report concerning the administrative processing of a complaint.  
17 After administrative action on a complaint, the ombudsman may  
18 conduct further investigation on the request of a complainant or on  
19 his or her own initiative.

20 (9) The ombudsman is not required to conduct an investigation  
21 on a complaint brought before the ombudsman. A complainant is not  
22 entitled as a right to be heard by the ombudsman.

23 (10) Upon receiving a complaint and deciding to investigate  
24 the complaint, the ombudsman shall notify the complainant, the  
25 resident veteran or resident veterans affected, and the department  
26 of military and veterans affairs. If the ombudsman declines to  
27 investigate, the ombudsman shall notify the complainant, in

1 writing, and inform the resident veteran or veterans affected of  
2 the reasons for the ombudsman's decision.

3 (11) Correspondence between the ombudsman and a complainant is  
4 confidential and is privileged communication. A report prepared and  
5 recommendations made by the ombudsman and submitted to the  
6 legislative council are exempt from disclosure under the freedom of  
7 information act, 1976 PA 442, MCL 15.231 to 15.246.

8 (12) The ombudsman shall prepare and submit a report of the  
9 findings of an investigation and make recommendations to the  
10 legislative council within 30 days after completing the  
11 investigation if the ombudsman finds any of the following:

12 (a) A matter that should be considered by the department.

13 (b) An act that should be modified or canceled.

14 (c) A statute or rule that should be altered.

15 (d) Acts for which justification is necessary.

16 (e) Significant resident veteran health and safety issues as  
17 determined by the council.

18 (f) Any other significant concerns as determined by the  
19 council.

20 (13) Before announcing a conclusion or recommendation that  
21 expressly or by implication criticizes a person or Michigan  
22 veterans' facility or the department of military and veterans  
23 affairs, the ombudsman shall consult with that person or facility  
24 or the department.

25 (14) The ombudsman may request to be notified by a person or  
26 Michigan veterans' facility or the department of military and  
27 veterans affairs, within a specified time, of any action taken on

1 any recommendation presented. The ombudsman shall notify the  
2 complainant of the actions taken by the person, the facility, or  
3 the department of military and veterans affairs.

4 (15) The ombudsman shall submit to the legislative council and  
5 the legislature an annual report on the conduct of the office.

6 (16) A resident veteran shall not be penalized in any way by a  
7 person or Michigan veterans' facility or the department of military  
8 and veterans affairs as a result of filing a complaint, complaining  
9 to a legislator, or cooperating with the ombudsman in investigating  
10 a complaint. A person or facility or the department shall not  
11 hinder the lawful actions of the ombudsman or employees of the  
12 office or willfully refuse to comply with any lawful demand of the  
13 office.

#### 14 HOMES

15 Sec. 501. (1) The department shall provide compassionate,  
16 quality interdisciplinary care at the state's Grand Rapids and D.J.  
17 Jacobetti veterans' homes so that members can achieve their highest  
18 potential of wellness, independence, self-worth, and dignity.

19 (2) The department shall provide resources necessary to  
20 provide adequate nursing care services to veterans in accordance  
21 with federal standards, including the following:

22 (a) Licensed skilled nursing beds at the Grand Rapids  
23 veterans' home.

24 (b) Licensed domiciliary beds at the Grand Rapids veterans'  
25 home.

26 (c) Licensed skilled nursing beds at the D.J. Jacobetti

1 veterans' home.

2 (d) Licensed domiciliary beds at the D.J. Jacobetti veterans'  
3 home.

4 (3) The Grand Rapids and D.J. Jacobetti veterans' homes shall  
5 ensure that their medical staffing is in accordance with United  
6 States department of veterans administration standards.

7 (4) The Grand Rapids and D.J. Jacobetti veterans' homes shall  
8 ensure that transportation is assured for each resident for every  
9 medical appointment outside the veterans' home.

10 (5) The Grand Rapids and D.J. Jacobetti veterans' homes shall  
11 ensure that each member resident receives daily laundry service.

12 (6) The Grand Rapids and D.J. Jacobetti veterans' homes shall  
13 ensure that maintenance and custodial services are provided for  
14 each home in accordance with applicable local, state, and federal  
15 standards.

16 (7) The Grand Rapids and D.J. Jacobetti veterans' homes shall  
17 ensure that each resident receives a medical and care assessment  
18 including a dietary plan upon admission to the home, with meals and  
19 snacks provided in accordance with the plan and R 325.20803 of the  
20 Michigan administrative code.

21 (8) The money appropriated in this article for the boards of  
22 managers may be expended for facility improvements, the purchase  
23 and repair of equipment and furnishings, member services, and other  
24 purposes that benefit the Grand Rapids and D.J. Jacobetti veterans'  
25 homes.

26 (9) Appropriations in this article for the Grand Rapids and  
27 D.J. Jacobetti veterans' homes shall not be used for any purpose

1 other than for veterans and veterans' families.

2 (10) The department shall, before altering the spending plan  
3 by the board of managers of post and posthumous funds, report to  
4 the appropriate senate and house appropriations subcommittees 30  
5 days before that action and shall indicate the rationale for that  
6 decision.

7 (11) Any contractor providing competency evaluated nursing  
8 assistants (CENA) to the Grand Rapids and D.J. Jacobetti veterans'  
9 homes shall ensure that each CENA has at least 8 hours of training  
10 on information provided by the veterans' home.

11 (12) Any contractor providing competency evaluated nursing  
12 assistants to the Grand Rapids and D.J. Jacobetti veterans' homes  
13 shall ensure that each CENA has at least 1 eight-hour shift of  
14 shadowing at the veterans' home.

15 (13) Any contractor providing competency evaluated nursing  
16 assistants to the Grand Rapids and D.J. Jacobetti veterans' homes  
17 shall ensure that each CENA is competent in the basic skills needed  
18 to perform his or her assigned duties at the veterans' home.

19 (14) Any contractor providing competency evaluated nursing  
20 assistants to the Grand Rapids and D.J. Jacobetti veterans' homes  
21 shall ensure that each CENA has at least 1 year of experience in  
22 long-term care.

23 (15) The Grand Rapids and D.J. Jacobetti veterans' homes shall  
24 provide each CENA at least 12 hours of in-service training once  
25 that individual has been assigned to the veterans' home.

26 (16) The Grand Rapids and D.J. Jacobetti veterans' homes shall  
27 ensure that care services are provided to each resident of the



1 veterans' homes in accordance with standards set by the United  
2 States department of veterans' affairs.

3 **CAPITAL OUTLAY**

4 Sec. 601. (1) The director shall allocate lump-sum  
5 appropriations made in this article consistent with statutory  
6 provisions and the purposes for which funds were appropriated.  
7 Lump-sum allocations shall address priority program or facility  
8 needs and may include, but are not limited to, design,  
9 construction, remodeling and addition, special maintenance, major  
10 special maintenance, energy conservation, and demolition.

11 (2) The state budget director may authorize that funds  
12 appropriated for lump-sum appropriations shall be available for no  
13 more than 3 fiscal years following the fiscal year in which the  
14 original appropriation was made. Any remaining balance from  
15 allocations made in this section shall lapse to the fund from which  
16 it was appropriated pursuant to the lapsing of funds as provided in  
17 the management and budget act, 1984 PA 431, MCL 18.1101 to 18.1594.

18 Sec. 602. The appropriations in part 1 for capital outlay  
19 shall be carried forward at the end of the fiscal year consistent  
20 with section 248 of the management and budget act, 1984 PA 431, MCL  
21 18.1248.

22 **ONE-TIME APPROPRIATIONS**

23 Sec. 701. (1) One-time appropriations in part 1 for special  
24 maintenance at the Grand Rapids veterans' home and the D.J.  
25 Jacobetti veterans' home shall be used for maintenance and

1 information technology needs at the homes. Maintenance includes  
2 improvements to the mechanical, electrical, plumbing, and security  
3 systems, roof repairs and replacements, energy conservation  
4 measures, lighting upgrades, repair and replacement of floors, pipe  
5 insulation, windows, boilers, new and upgraded fire detection and  
6 suppression systems, and other repairs, upgrades, and renovation  
7 projects as approved by the senate and house appropriations  
8 subcommittees on state police and military and veterans affairs.

9 (2) The Grand Rapids veterans' home and the D.J. Jacobetti  
10 veterans' home shall report by November 1 to the senate and house  
11 appropriations subcommittees on state police and military and  
12 veterans affairs on their plans for expending the 1-time  
13 appropriations contained in part 1. The plans submitted by the  
14 homes shall be approved by the subcommittees prior to the homes  
15 expending any of the 1-time appropriations contained in part 1.

16 Sec. 702. (1) One-time appropriations in part 1 for Michigan  
17 veterans coalition initiatives shall be used to establish and  
18 implement a college campus initiative, in collaboration with the  
19 United States department of veterans affairs vocational  
20 rehabilitation program, to assist veterans on campus with enrolling  
21 in the veterans affairs health care system or with filing claims  
22 for disabilities with the United States department of veterans  
23 affairs.

24 (2) One-time appropriations in part 1 for Michigan veterans  
25 coalition initiatives shall be used to implement an Internet-based  
26 data system, in collaboration with the Michigan association of  
27 county veterans counselors, to ensure that Michigan's veterans and

1 their families receive professional assistance, advocacy, and  
2 counseling to obtain and receive the benefits to which they are  
3 entitled.

4 Sec. 703. From the funds appropriated in part 1, the  
5 department shall develop an application and grant process to fund  
6 additional accredited veterans service officers. The grants shall  
7 be made available to Kent County, Wayne County, and other  
8 underserved counties, based on need of veterans services.

9 Sec. 704. From the funds appropriated in part 1, the  
10 department shall digitize all medical records and military  
11 discharge documents which are currently on paper and microfilm.

12 PART 2A

13 PROVISIONS CONCERNING ANTICIPATED APPROPRIATIONS  
14 FOR FISCAL YEAR 2013-2014

15 **GENERAL SECTIONS**

16 Sec. 1201. It is the intent of the legislature to provide  
17 appropriations for the fiscal year ending on September 30, 2014 for  
18 the line items listed in part 1. The fiscal year 2013-2014  
19 appropriations are anticipated to be the same as those for fiscal  
20 year 2012-2013, excluding appropriations designated as 1-time  
21 appropriations and adjusting for changes in caseload and related  
22 costs, federal fund match rates, economic factors, and available  
23 revenue. Specific anticipated adjustments are as follows, subject  
24 to adjustment after the May 2013 consensus revenue estimating  
25 conference:

1	Economic adjustments.....	<u>2,396,600</u>
2	GROSS APPROPRIATION.....	\$ 2,396,600
3	Appropriated from:	
4	Federal revenues:	
5	Federal revenues.....	1,861,000
6	State general fund/general purpose.....	\$ 535,600

## ARTICLE XIV

## DEPARTMENT OF NATURAL RESOURCES

## PART 1

## LINE-ITEM APPROPRIATIONS

## FOR FISCAL YEAR 2012-2013

Sec. 101. Subject to the conditions set forth in this article, the amounts listed in this part are appropriated for the department of natural resources for the fiscal year ending September 30, 2013, from the funds indicated in this part. The following is a summary of the appropriations in this part:

**DEPARTMENT OF NATURAL RESOURCES**

## APPROPRIATION SUMMARY

19	Full-time equated unclassified positions.....	6.0
20	Full-time equated classified positions.....	2,093.8
21	GROSS APPROPRIATION.....	\$ 334,140,700
22	Interdepartmental grant revenues:	
23	Total interdepartmental grants and intradepartmental	
24	transfers .....	2,027,200
25	ADJUSTED GROSS APPROPRIATION.....	\$ 332,113,500

1	Federal revenues:	
2	Total federal revenues.....	66,524,800
3	Special revenue funds:	
4	Total local revenues.....	0
5	Total private revenues.....	7,239,200
6	Total other state restricted revenues.....	241,907,000
7	State general fund/general purpose.....	\$ 16,442,500
8	FUND SOURCE SUMMARY	
9	Full-time equated unclassified positions..... 6.0	
10	Full-time equated classified positions..... 2,093.8	
11	GROSS APPROPRIATION.....	\$ 334,140,700
12	Interdepartmental grant revenues:	
13	IDG, land acquisition services to work orders.....	436,500
14	IDG, MacMullan conference center revenue.....	1,579,400
15	IDG funds.....	11,300
16	Total interdepartmental grants and intradepartmental	
17	transfers .....	2,027,200
18	ADJUSTED GROSS APPROPRIATION.....	\$ 332,113,500
19	Federal revenues:	
20	Federal funds.....	66,524,800
21	Total federal revenues.....	66,524,800
22	Special revenue funds:	
23	Private funds.....	7,239,200
24	Total private revenues.....	7,239,200
25	Aircraft fees.....	301,400
26	Cervidae licensing and inspection fees.....	132,300
27	Clean Michigan initiative fund.....	28,200

1	Commercial forest fund.....	52,100
2	Forest development fund.....	36,136,200
3	Forest land user charges.....	573,500
4	Forest recreation account.....	2,173,800
5	Game and fish protection fund.....	63,225,500
6	Game and fish protection fund - deer habitat reserve .	2,574,700
7	Game and fish protection fund - fisheries settlement .	934,800
8	Game and fish protection fund - turkey permit fees ...	1,648,200
9	Game and fish protection fund - waterfowl fees .....	116,800
10	Game and fish - wildlife resource protection fund....	1,140,100
11	Game and fish protection fund - youth hunting and	
12	fishing education and outreach.....	57,100
13	History fees fund.....	311,400
14	Land exchange facilitation fund.....	5,874,400
15	Local public recreation facilities fund.....	858,400
16	Mackinac Island state park fund.....	1,784,400
17	Mackinac Island state park operation fund.....	187,500
18	Marine safety fund.....	3,988,000
19	Michigan heritage publications fund.....	52,200
20	Michigan natural resources trust fund.....	1,217,300
21	Michigan state parks endowment fund.....	27,145,600
22	Michigan state waterways fund.....	20,303,500
23	Michigan trailways fund.....	25,600
24	Museum operations fund.....	575,100
25	Nongame wildlife fund.....	687,400
26	Off-road vehicle safety education fund.....	317,800
27	Off-road vehicle trail improvement fund.....	3,633,200

1	Park improvement fund.....	43,018,500
2	Permanent snowmobile trail easement fund.....	700,000
3	Public use and replacement deed fees fund.....	52,400
4	Recreation improvement account.....	1,276,700
5	Recreation passport fee.....	7,853,900
6	Snowmobile registration fee revenue.....	1,663,900
7	Snowmobile trail improvement fund.....	9,745,700
8	Sportsmen against hunger fund.....	30,300
9	Restricted funds.....	1,509,100
10	Total other state restricted revenues.....	241,907,000
11	State general fund/general purpose.....	\$ 16,442,500
12	<b>Sec. 102. EXECUTIVE OPERATIONS</b>	
13	Full-time equated unclassified positions..... 6.0	
14	Full-time equated classified positions..... 11.6	
15	Unclassified salaries--6.0 FTE positions.....	\$ 303,200
16	Executive direction--11.6 FTE positions.....	2,035,300
17	Natural resources commission.....	<u>76,700</u>
18	GROSS APPROPRIATION.....	\$ 2,415,200
19	Appropriated from:	
20	Special revenue funds:	
21	Forest development fund.....	326,700
22	Forest land user charges.....	6,600
23	Forest recreation account.....	12,500
24	Game and fish protection fund.....	1,001,700
25	Game and fish protection fund - deer habitat reserve .	26,700
26	Game and fish protection fund - turkey permit fees ...	15,600
27	Game and fish protection fund - waterfowl fees .....	200

1	Game and fish - wildlife resource protection fund....	12,300
2	Land exchange facilitation fund.....	14,200
3	Marine safety fund.....	23,300
4	Michigan natural resources trust fund.....	1,400
5	Michigan state parks endowment fund.....	126,200
6	Michigan state waterways fund.....	148,400
7	Nongame wildlife fund.....	5,200
8	Off-road vehicle trail improvement fund.....	41,200
9	Park improvement fund.....	354,800
10	Recreation improvement account.....	3,500
11	Snowmobile registration fee revenue.....	10,300
12	Snowmobile trail improvement fund.....	22,400
13	Sportsmen against hunger fund.....	100
14	State general fund/general purpose.....	\$ 261,900
15	<b>Sec. 103. GREAT LAKES RESTORATION INITIATIVE</b>	
16	Great Lakes restoration initiative.....	\$ <u>5,500,000</u>
17	GROSS APPROPRIATION.....	\$ 5,500,000
18	Appropriated from:	
19	Special revenue funds:	
20	Federal funds.....	5,500,000
21	State general fund/general purpose.....	\$ 0
22	<b>Sec. 104. DEPARTMENT SUPPORT SERVICES</b>	
23	Full-time equated classified positions.....	99.5
24	Finance and operations--95.5 FTE positions.....	\$ 15,626,900
25	Legal services--4.0 FTE positions.....	556,300
26	Building occupancy charges.....	2,961,900
27	Gifts and pass-through transactions.....	5,000,000



1	Rent - privately owned property.....	488,400
2	Accounting service center.....	<u>1,374,600</u>
3	GROSS APPROPRIATION.....	\$ 26,008,100
4	Appropriated from:	
5	Interdepartmental grant revenues:	
6	IDG, land acquisition services to work orders.....	436,500
7	Federal revenues:	
8	Federal funds.....	225,500
9	Special revenue funds:	
10	Private funds.....	5,000,000
11	Clean Michigan initiative fund.....	28,200
12	Commercial forest.....	100
13	Forest development fund.....	2,633,900
14	Forest land user charges.....	26,000
15	Forest recreation account.....	45,000
16	Game and fish protection fund.....	4,863,500
17	Game and fish protection fund - deer habitat reserve .	242,200
18	Game and fish protection fund - turkey permit fees ...	156,800
19	Game and fish protection fund - waterfowl fees .....	800
20	Game and fish - wildlife resource protection fund....	33,100
21	Game and fish - youth hunting and fishing education	
22	and outreach fund .....	100
23	Land exchange facilitation fund.....	5,749,500
24	Local public recreation facilities fund.....	87,100
25	Marine safety fund.....	352,900
26	Michigan natural resources trust fund.....	1,194,900
27	Michigan state parks endowment fund.....	453,900

1	Michigan state waterways fund.....	534,000
2	Nongame wildlife fund.....	16,200
3	Off-road vehicle trail improvement fund.....	38,300
4	Park improvement fund.....	1,161,000
5	Public use and replacement deed fees fund.....	52,400
6	Recreation improvement account.....	17,000
7	Snowmobile registration fee revenue.....	62,600
8	Snowmobile trail improvement fund.....	196,600
9	Sportsmen against hunger fund.....	400
10	State general fund/general purpose.....	\$ 2,399,600
11	<b>Sec. 105. COMMUNICATIONS AND CUSTOMER SERVICES</b>	
12	Full-time equated classified positions.....	127.3
13	Marketing and outreach--77.3 FTE positions.....	\$ 13,405,200
14	Michigan historical center--35.0 FTE positions.....	3,661,000
15	Special programs--1.0 FTE positions.....	43,100
16	Museum stores--6.0 FTE positions.....	575,100
17	Archives--8.0 FTE positions.....	<u>824,600</u>
18	GROSS APPROPRIATION.....	\$ 18,509,000
19	Appropriated from:	
20	Federal revenues:	
21	Federal funds.....	2,068,400
22	Special revenue funds:	
23	Private funds.....	409,900
24	Forest development fund.....	126,900
25	Forest recreation account.....	15,900
26	Game and fish protection fund.....	8,212,400
27	Game and fish - youth hunting and fishing education	

1	and outreach fund .....	51,600
2	History fees fund.....	311,400
3	Land exchange facilitation fund.....	44,200
4	Marine safety fund.....	34,100
5	Michigan heritage publications fund.....	52,200
6	Michigan state parks endowment fund.....	85,400
7	Michigan state waterways fund.....	140,900
8	Museum operations fund.....	575,100
9	Nongame wildlife fund.....	10,400
10	Off-road vehicle safety education fund.....	56,000
11	Off-road vehicle trail improvement fund.....	19,600
12	Park improvement fund.....	2,491,900
13	Recreation passport fee.....	22,800
14	Snowmobile registration fee revenue.....	60,500
15	Snowmobile trail improvement fund.....	43,500
16	Sportsmen against hunger fund.....	29,200
17	State general fund/general purpose.....	\$ 3,646,700
18	<b>Sec. 106. WILDLIFE MANAGEMENT</b>	
19	Full-time equated classified positions.....	205.5
20	Wildlife management--196.5 FTE positions.....	\$ 29,523,300
21	Natural resources heritage--9.0 FTE positions.....	1,145,700
22	State game and wildlife area maintenance.....	<u>750,000</u>
23	GROSS APPROPRIATION.....	\$ 31,419,000
24	Appropriated from:	
25	Federal revenues:	
26	Federal funds.....	15,964,400
27	Special revenue funds:	

1	Private funds.....		180,800
2	Cervidae licensing and inspection fees.....		81,600
3	Forest development fund.....		74,300
4	Game and fish protection fund.....		9,264,600
5	Game and fish protection fund - deer habitat reserve .		2,130,000
6	Game and fish protection fund - turkey permit fees ...		1,387,300
7	Game and fish protection fund - waterfowl fees .....		113,600
8	Nongame wildlife fund.....		611,600
9	State general fund/general purpose.....	\$	1,610,800
10	<b>Sec. 107. FISHERIES MANAGEMENT</b>		
11	Full-time equated classified positions.....	210.0	
12	Aquatic resource mitigation--2.0 FTE positions .....	\$	934,800
13	Fish production--58.0 FTE positions .....		9,115,000
14	Fisheries resource management--150.0 FTE positions ...		<u>19,074,800</u>
15	GROSS APPROPRIATION.....	\$	29,124,600
16	Appropriated from:		
17	Federal revenues:		
18	Federal funds.....		11,105,800
19	Special revenue funds:		
20	Private funds.....		129,200
21	Game and fish protection fund.....		16,954,800
22	Game and fish protection fund - fisheries settlement .		934,800
23	State general fund/general purpose .....	\$	0
24	<b>Sec. 108. LAW ENFORCEMENT</b>		
25	Full-time equated classified positions.....	215.0	
26	General law enforcement--215.0 FTE positions .....	\$	<u>29,018,100</u>
27	GROSS APPROPRIATION.....	\$	29,018,100

1	Appropriated from:	
2	Federal revenues:	
3	Federal funds.....	5,634,100
4	Special revenue funds:	
5	Cervidae licensing and inspection fees.....	50,700
6	Forest development fund.....	42,900
7	Forest recreation account.....	68,800
8	Game and fish protection fund.....	17,308,600
9	Game and fish - wildlife resource protection fund....	1,044,900
10	Marine safety fund.....	1,513,000
11	Michigan state parks endowment fund.....	67,500
12	Michigan state waterways fund.....	20,300
13	Off-road vehicle safety education fund.....	92,300
14	Off-road vehicle trail improvement fund.....	959,000
15	Park improvement fund.....	68,800
16	Snowmobile registration fee revenue.....	861,800
17	State general fund/general purpose.....	\$ 1,285,400
18	<b>Sec. 109. PARKS AND RECREATION DIVISION</b>	
19	Full-time equated classified positions.....	877.9
20	Recreational boating--163.5 FTE positions.....	\$ 16,550,100
21	State parks--651.4 FTE positions.....	56,280,000
22	State park improvement revenue bonds - debt service..	1,157,000
23	MacMullan conference center--15.0 FTE positions .....	1,579,400
24	Forest recreation--48.0 FTE positions.....	<u>5,549,300</u>
25	GROSS APPROPRIATION.....	\$ 81,115,800
26	Appropriated from:	
27	Interdepartmental grant revenues:	

1	IDG, MacMullan conference center revenue .....	1,579,400
2	Federal revenues:	
3	Federal funds .....	3,145,300
4	Special revenue funds:	
5	Private funds .....	405,800
6	Forest recreation account .....	1,977,600
7	Michigan state parks endowment fund .....	18,707,200
8	Michigan state waterways fund .....	13,992,800
9	Michigan trailways fund .....	25,500
10	Off-road vehicle safety education fund .....	7,100
11	Off-road vehicle trail improvement fund .....	814,400
12	Park improvement fund .....	37,733,100
13	Recreation improvement account .....	317,500
14	Recreation passport fee .....	258,300
15	Snowmobile registration fee revenue .....	15,000
16	Snowmobile trail improvement fund .....	1,874,800
17	State general fund/general purpose .....	\$ 262,000
18	<b>Sec. 110. MACKINAC ISLAND STATE PARK COMMISSION</b>	
19	Full-time equated classified positions .....	15.0
20	Mackinac Island park operations--2.0 FTE positions ...	\$ 187,500
21	Historical facilities system--13.0 FTE positions .....	<u>1,784,400</u>
22	GROSS APPROPRIATION .....	\$ 1,971,900
23	Appropriated from:	
24	Special revenue funds:	
25	Mackinac Island state park fund .....	1,784,400
26	Mackinac Island state park operation fund .....	187,500
27	State general fund/general purpose .....	\$ 0

1	<b>Sec. 111. FOREST RESOURCE DIVISION</b>	
2	Full-time equated classified positions.....	332.0
3	Adopt-a-forest program.....	\$ 25,000
4	Cooperative resource programs--10.0 FTE positions ....	1,207,300
5	Forest fire equipment.....	431,500
6	Forest management and timber market development--177.0	
7	FTE positions .....	25,353,900
8	Forest management initiative--10.0 FTE positions .....	987,600
9	Minerals management--25.0 FTE positions .....	3,200,200
10	Wildfire protection--110.0 FTE positions .....	<u>12,728,700</u>
11	GROSS APPROPRIATION.....	\$ 43,934,200
12	Appropriated from:	
13	Federal revenues:	
14	Federal funds.....	2,987,500
15	Special revenue funds:	
16	Private funds.....	998,000
17	Aircraft fees.....	301,400
18	Commercial forest fund.....	47,500
19	Forest development fund.....	31,268,700
20	Forest land user charges.....	486,500
21	Game and fish protection fund.....	1,808,300
22	Michigan state parks endowment fund.....	2,507,300
23	Michigan state waterways fund.....	48,000
24	State general fund/general purpose.....	\$ 3,481,000
25	<b>Sec. 112. GRANTS</b>	
26	Dam management grant program.....	\$ 300,000
27	Deer habitat improvement partnership initiative .....	50,000

1	Federal - clean vessel act grants .....	400,000
2	Federal - forest stewardship grants .....	3,125,000
3	Federal - land and water conservation fund payments ..	2,566,900
4	Federal - rural community fire protection .....	300,000
5	Federal - urban forestry grants .....	3,024,000
6	Game and nongame wildlife fund grants .....	8,900
7	Grants to communities - federal oil, gas, and timber	
8	payments .....	3,450,000
9	Grant to counties - marine safety .....	3,647,400
10	National recreational trails .....	3,900,000
11	Off-road vehicle safety training grants .....	150,000
12	Off-road vehicle trail improvement grants .....	1,742,200
13	Recreation improvement fund grants .....	918,900
14	Recreation passport local grants .....	771,300
15	Snowmobile law enforcement grants .....	604,800
16	Snowmobile local grants program .....	7,489,400
17	Sustainable forestry initiative grant .....	100
18	Trail easements .....	<u>700,000</u>
19	GROSS APPROPRIATION .....	\$ 33,148,900
20	Appropriated from:	
21	Federal revenues:	
22	Federal funds .....	18,333,300
23	Special revenue funds:	
24	Private funds .....	100,000
25	Forest development fund .....	100
26	Game and fish protection fund - deer habitat reserve .	50,000
27	Local public recreation facilities fund .....	771,300



1	Marine safety fund.....	1,980,000
2	Nongame wildlife fund.....	8,900
3	Off-road vehicle safety education fund.....	150,000
4	Off-road vehicle trail improvement fund.....	1,742,200
5	Permanent snowmobile trail easement fund.....	700,000
6	Recreation improvement account.....	918,900
7	Snowmobile registration fee revenue.....	604,800
8	Snowmobile trail improvement fund.....	7,489,400
9	State general fund/general purpose.....	\$ 300,000
10	<b>Sec. 113. INFORMATION TECHNOLOGY</b>	
11	Information technology services and projects.....	\$ <u>9,706,800</u>
12	GROSS APPROPRIATION.....	\$ 9,706,800
13	Appropriated from:	
14	Special revenue funds:	
15	Commercial forest fund.....	4,500
16	Forest development fund.....	1,662,700
17	Forest land user charges.....	54,400
18	Forest recreation account.....	54,000
19	Game and fish protection fund.....	3,811,600
20	Game and fish protection fund - deer habitat reserve.	125,800
21	Game and fish protection fund - turkey permit fees...	88,500
22	Game and fish protection fund - waterfowl fees.....	2,200
23	Game and fish - wildlife resource protection fund....	49,800
24	Game and fish protection fund - youth hunting and	
25	fishing education and outreach.....	5,400
26	Land exchange facilitation fund.....	66,500
27	Marine safety fund.....	84,700

1	Michigan natural resources trust fund.....	21,000
2	Michigan state parks endowment fund.....	645,000
3	Michigan state waterways fund.....	468,500
4	Michigan trailways fund.....	100
5	Nongame wildlife fund.....	35,100
6	Off-road vehicle safety education fund.....	12,400
7	Off-road vehicle trail improvement fund.....	18,500
8	Park improvement fund.....	1,208,900
9	Recreation improvement account.....	19,800
10	Snowmobile registration fee revenue.....	48,900
11	Snowmobile trail improvement fund.....	119,000
12	Sportsmen against hunger fund.....	600
13	State general fund/general purpose.....	\$ 1,098,900
14	<b>Sec. 114. CAPITAL OUTLAY</b>	
15	<b>(a) STATE PARKS</b>	
16	State parks repair and maintenance.....	\$ <u>12,125,900</u>
17	GROSS APPROPRIATION.....	\$ 12,125,900
18	Appropriated from:	
19	Federal revenues:	
20	Special revenue funds:	
21	Michigan state parks endowment fund.....	4,553,100
22	Recreation passport fee.....	7,572,800
23	State general fund/general purpose.....	\$ 0
24	<b>(b) WATERWAYS BOATING PROGRAM</b>	
25	Infrastructure improvements - local projects.....	\$ 737,000
26	State infrastructure improvement and land acquisition	2,091,400
27	Boating program, harbors and docks, state	

1	facilities:	
2	Port Austin state harbor, Huron County, dredging,	
3	utilities, replacement of western docks and finger	
4	piers, phase III (total authorized cost is increased	
5	from \$5,000,000 to \$7,283,600; federal share	
6	\$1,100,000; state share is increased from \$3,900,000	
7	to \$6,183,600). . . . .	2,283,600
8	Boating program, harbors and docks, local	
9	facilities:	
10	Manistique, Schoolcraft County, marina	
11	improvements, floating docks, replacement of bin-	
12	walls, phase II (total authorized cost is increased	
13	from \$1,660,000 to \$2,660,000; state share is	
14	increased from \$830,000 to \$1,330,000; local share	
15	is increased from \$830,000 to \$1,330,000) . . . . .	500,000
16	Presque Isle, Marquette County, marina improvements,	
17	removal and reconstruction of existing boat launch,	
18	phase I (total authorized cost is \$402,400; state	
19	share \$201,200; local share \$201,200) . . . . .	201,200
20	Munising, Alger County, extension of east breakwall,	
21	phase I (total authorized cost is \$874,800; state	
22	share is \$437,400; local share is \$437,400) . . . . .	<u>437,400</u>
23	GROSS APPROPRIATION . . . . .	\$ 6,250,600
24	Appropriated from:	
25	Federal revenues:	
26	Federal funds . . . . .	1,300,000
27	Special revenue funds:	

1	Michigan state waterways fund.....	4,950,600
2	State general fund/general purpose.....	\$ 0
3	<b>Sec. 115. ONE-TIME BASIS APPROPRIATIONS</b>	
4	State employee lump-sum payments.....	\$ 1,892,600
5	Dam management grant program.....	<u>2,000,000</u>
6	GROSS APPROPRIATION.....	\$ 3,892,600
7	Appropriated from:	
8	Interdepartmental grant revenues:	
9	IDG funds.....	11,300
10	Federal revenues:	
11	Federal funds.....	260,500
12	Special revenue funds:	
13	Private funds.....	15,500
14	Restricted funds.....	1,509,100
15	State general fund/general purpose.....	\$ 2,096,200

16 PART 2

17 PROVISIONS CONCERNING APPROPRIATIONS

18 FOR FISCAL YEAR 2012-2013

19 **GENERAL SECTIONS**

20 Sec. 201. Pursuant to section 30 of article IX of the state  
 21 constitution of 1963, total state spending from state resources  
 22 under part 1 for fiscal year 2012-2013 is \$258,349,500.00 and state  
 23 spending from state resources to be paid to local units of  
 24 government for fiscal year 2012-2013 is \$5,896,100.00. The itemized  
 25 statement below identifies appropriations from which spending to

1 local units of government will occur:

2 DEPARTMENT OF NATURAL RESOURCES

3 GRANTS

4	Dam management grant program.....	\$	150,000
5	Grants to counties - marine safety.....		1,980,000
6	Off-road vehicle safety training grants.....		150,000
7	Off-road vehicle trail improvement grants.....		272,500
8	Recreation improvement fund grants.....		91,900
9	Recreation passport local grants.....		771,300
10	Snowmobile law enforcement grants.....		604,800

11 CAPITAL OUTLAY

12	Waterways boating program.....	\$	<u>1,875,600</u>
13	TOTAL.....	\$	5,896,100

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

17 Sec. 203. As used in this article:

- 18 (a) "Commission" means the natural resources commission.
- 19 (b) "Department" means the department of natural resources.
- 20 (c) "FTE" means full-time equated.
- 21 (d) "IDG" means interdepartmental grant.
- 22 (e) "IDT" means intradepartmental transfer.

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

1       Sec. 205. Unless otherwise specified, the department shall use  
 2 the Internet to fulfill the reporting requirements of this article.  
 3 This requirement may include transmission of reports via electronic  
 4 mail to the recipients identified for each reporting requirement,  
 5 or it may include placement of reports on an Internet or Intranet  
 6 site.

7       Sec. 206. Appropriations of state restricted game and fish  
 8 protection funds have been made in the following amounts to the  
 9 following departments and agencies in their respective  
 10 appropriation articles:

11	Legislative auditor general.....	\$	25,800
12	Attorney general.....		838,000
13	Department of technology, management, and budget.....		475,400
14	Department of treasury.....		1,205,500

15       Sec. 207. Pursuant to section 43703(3) of the natural  
 16 resources and environmental protection act, 1994 PA 451, MCL  
 17 324.43703, there is appropriated from the game and fish protection  
 18 trust fund to the game and fish protection account of the Michigan  
 19 conservation and recreation legacy fund, \$6,000,000.00 for fiscal  
 20 year 2012-2013.

21       Sec. 208. From the funds appropriated in part 1 for  
 22 information technology, departments and agencies shall pay user  
 23 fees to the department of technology, management, and budget for  
 24 technology-related services and projects. The user fees shall be  
 25 subject to provisions of an interagency agreement between the  
 26 department and agencies and the department of technology,  
 27 management, and budget.

1       Sec. 210. Funds appropriated in part 1 shall not be used for  
2 the purchase of foreign goods or services, or both, if  
3 competitively priced and of comparable quality American goods or  
4 services, or both, are available. Preference shall be given to  
5 goods or services, or both, manufactured or provided by Michigan  
6 businesses if they are competitively priced and of comparable  
7 quality. In addition, preference should be given to goods or  
8 services, or both, that are manufactured or provided by Michigan  
9 businesses owned and operated by veterans, if they are  
10 competitively priced and of comparable quality.

11       Sec. 211. The director of the department shall take all  
12 reasonable steps to ensure businesses in deprived and depressed  
13 communities compete for and perform contracts to provide services  
14 or supplies, or both. The director shall strongly encourage firms  
15 with which the department contracts to subcontract with certified  
16 businesses in depressed and deprived communities for services,  
17 supplies, or both.

18       Sec. 212. The department shall not take disciplinary action  
19 against an employee for communicating with a member of the  
20 legislature or his or her staff.

21       Sec. 214. Funds appropriated in part 1 shall not be used by a  
22 principal executive department, state agency, or authority to hire  
23 a person to provide legal services that are the responsibility of  
24 the attorney general. This prohibition does not apply to legal  
25 services for bonding activities and for those outside services that  
26 the attorney general authorizes.

27       Sec. 215. (1) In addition to the funds appropriated in part 1,

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

6 (2) In addition to the funds appropriated in part 1, there is  
7 appropriated an amount not to exceed \$10,000,000.00 for state  
8 restricted contingency funds. These funds are not available for  
9 expenditure until they have been transferred to another line item  
10 in this article under section 393(2) of the management and budget  
11 act, 1984 PA 431, MCL 18.1393.

12 (3) In addition to the funds appropriated in part 1, there is  
13 appropriated an amount not to exceed \$100,000.00 for local  
14 contingency funds. These funds are not available for expenditure  
15 until they have been transferred to another line item in this  
16 article under section 393(2) of the management and budget act, 1984  
17 PA 431, MCL 18.1393.

18 (4) In addition to the funds appropriated in part 1, there is  
19 appropriated an amount not to exceed \$1,000,000.00 for private  
20 contingency funds. These funds are not available for expenditure  
21 until they have been transferred to another line item in this  
22 article under section 393(2) of the management and budget act, 1984  
23 PA 431, MCL 18.1393.

24 Sec. 216. Amounts appropriated in part 1 for information  
25 technology may be designated as work projects and carried forward  
26 to support technology projects under the direction of the  
27 department of technology, management, and budget. Funds designated



1 in this manner are not available for expenditure until approved as  
2 work projects under section 451a of the management and budget act,  
3 1984 PA 431, MCL 18.1451a.

4 Sec. 217. The department and agencies receiving appropriations  
5 in part 1 shall receive and retain copies of all reports funded  
6 from appropriations in part 1. Federal and state guidelines for  
7 short-term and long-term retention of records shall be followed.  
8 The department may electronically retain copies of reports unless  
9 otherwise required by federal and state guidelines.

10 Sec. 218. The departments and agencies receiving  
11 appropriations in part 1 shall prepare a report on out-of-state  
12 travel expenses not later than January 1 of each year. The travel  
13 report shall be a listing of all travel by classified and  
14 unclassified employees outside this state in the immediately  
15 preceding fiscal year that was funded in whole or in part with  
16 funds appropriated in the department's budget. The report shall be  
17 submitted to the house and senate standing committees on  
18 appropriations, the house and senate fiscal agencies, and the state  
19 budget director. The report shall include the following  
20 information:

21 (a) The dates of each travel occurrence.

22 (b) The total transportation and related costs of each travel  
23 occurrence, including the proportion funded with state general  
24 fund/general purpose revenues, the proportion funded with state  
25 restricted revenues, the proportion funded with federal revenues,  
26 and the proportion funded with other revenues.

27 Sec. 219. It is the intent of the legislature that all

House Bill No. 5365 (H-2) as amended April 25, 2012

1 principal executive departments and agencies cooperate with the  
2 development and implementation of the department of technology,  
3 management, and budget statewide office space consolidation plan.

4       Sec. 220. Not later than November 15, the department shall  
5 prepare and transmit a report that provides for estimates of the  
6 total general fund/general purpose appropriation lapses at the  
7 close of the fiscal year. This report shall summarize the projected  
8 year-end general fund/general purpose appropriation lapses by major  
9 departmental program or program areas. The report shall be  
10 transmitted to the office of the state budget, the chairpersons of  
11 the senate and house of representatives standing committees on  
12 appropriations, and the senate and house fiscal agencies.

13       Sec. 222. Within 14 days after the release of the executive  
14 budget recommendation, the department shall provide the state  
15 budget director, the senate and house appropriations chairs, the  
16 senate and house appropriations subcommittees on natural resources,  
17 respectively, and the senate and house fiscal agencies with an  
18 annual report on estimated state restricted fund balances, state  
19 restricted fund projected revenues, and state restricted fund  
20 expenditures for fiscal years 2011-2012 and 2012-2013.

21       Sec. 223. Before January 31, 2013, the department, in  
22 cooperation with the Michigan state waterways commission, shall  
23 provide to the state budget director, the senate and house  
24 appropriations subcommittees on natural resources, and the senate  
25 and house fiscal agencies a list of projects completed by the  
26 commission in fiscal year 2011-2012, including the county and  
27 municipality in which each project is located.

[Sec. 230. By October 31, 2012, the department shall identify 10  
principal measurable outcomes to be affected by expenditure of the funds  
appropriated in part 1 of this article and submit a report to the house  
and senate appropriations committees, the house and senate fiscal  
agencies, and the state budget director that ranks the outcomes by level  
of importance and contains current data on those outcomes. Beginning on  
April 1, 2013, the department shall provide biannual updates to the house  
and senate appropriations committees on changes in those measurable  
outcomes and departmental efforts to improve the outcomes.]

1       Sec. 233. On a quarterly basis, the department shall report on  
2 the number of FTEs in pay status by civil service classification to  
3 the senate and house appropriations subcommittees on natural  
4 resources and environment and the senate and house fiscal agencies.

5       Sec. 234. (1) The department shall maintain a searchable  
6 website accessible by the public at no cost that includes, but is  
7 not limited to, all of the following:

8           (a) Fiscal year-to-date expenditures by category.

9           (b) Fiscal year-to-date expenditures by appropriation unit.

10          (c) Fiscal year-to-date payments to a selected vendor,  
11 including the vendor name, payment date, payment amount, and  
12 payment description.

13          (d) The number of active department employees by job  
14 classification.

15          (e) Job specifications and wage rates.

16       **EXECUTIVE OPERATIONS AND DEPARTMENT SUPPORT**

17       Sec. 302. The department may charge land acquisition projects  
18 appropriated for fiscal year 2012-2013, and for prior fiscal years,  
19 a standard percentage fee to recover actual costs, and may use the  
20 revenue derived to support the land acquisition service charges  
21 provided for in part 1.

22       Sec. 303. As appropriated in part 1, the department may charge  
23 both application fees and transaction fees related to the exchange  
24 or sale of state-owned land or rights in land authorized by part 21  
25 of the natural resources and environmental protection act, 1994 PA  
26 451, MCL 324.2101 to 324.2162. The fees shall be set by the

1 director of the department at a rate which allows the department to  
2 recover its costs for providing these services.

3 Sec. 304. For the purposes of administering the museum store  
4 as provided in section 7a of 1913 PA 271, MCL 399.7a, the  
5 department is exempt from section 261 of the management and budget  
6 act, 1984 PA 431, MCL 18.1261.

7 Sec. 305. As appropriated in part 1, proceeds in excess of  
8 costs incurred in the conduct of auctions, sales, or transfers of  
9 artifacts no longer considered suitable for the collections of the  
10 state historical museum may be expended upon receipt for additional  
11 material for the collection. The department shall notify the  
12 chairpersons, vice chairpersons, and minority vice chairpersons of  
13 the senate and house appropriations subcommittees on natural  
14 resources 1 week prior to any auctions or sales. Any unexpended  
15 funds may be carried forward into the next succeeding fiscal year.

16 Sec. 306. As appropriated in part 1, funds collected by the  
17 department for historical markers; document reproduction and  
18 services; conferences, admissions, workshops, and training classes;  
19 and the use of specialized equipment, facilities, exhibits,  
20 collections, and software shall be used for expenses necessary to  
21 provide the required services. The department may charge fees for  
22 the aforementioned services, including admission fees. It is the  
23 intent of the legislature that if sufficient revenues are  
24 available, as a condition of the expenditure of revenue from  
25 admission fees to the Michigan historical museum, admission to the  
26 museum shall be free for children under 18 years of age. The  
27 department may accept voluntary admissions contributions of \$2.00

1 for children under 18 years of age. Any unexpended funds may be  
2 carried forward into the next succeeding fiscal year.

3 Sec. 308. By October 21, 2012, the department shall submit to  
4 the senate and house appropriations subcommittees on natural  
5 resources a report on all land transactions approved by the  
6 commission in fiscal year 2011-2012. For each land transaction, the  
7 report shall include the size of the parcel, the county and  
8 municipality in which the parcel is located, the dollar amount of  
9 the transaction, the fund source affected by the transaction, and  
10 whether the transaction is by purchase, public auction, transfer,  
11 exchange, or conveyance.

#### 12 **FISHERIES DIVISION**

13 Sec. 501. (1) From the appropriation in part 1 for aquatic  
14 resource mitigation, not more than \$758,000.00 shall be allocated  
15 for grants to watershed councils, resource development councils,  
16 soil conservation districts, local governmental units, and other  
17 nonprofit organizations for stream habitat stabilization and soil  
18 erosion control.

19 (2) The fisheries division in the department shall develop  
20 priority and cost estimates for all recommended projects under  
21 subsection (1).

22 Sec. 502. As a condition of expenditure of fisheries  
23 management appropriations under part 1, the department of natural  
24 resources shall not impede the certification process for water  
25 control structures on Michigan waterways. The department of natural  
26 resources shall fund from funds appropriated in part 1 all non-

1 water-quality studies or requirements that the department requests  
2 of either of the following:

3 (a) The department of environmental quality as a condition for  
4 issuance of a certification under section 401 of the federal water  
5 pollution control act, 33 USC 1341.

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

#### 8 **PARKS AND RECREATION DIVISION**

9 Sec. 602. The department shall notify the house and senate  
10 appropriations subcommittees on natural resources and the house and  
11 senate fiscal agencies if it intends to reduce operations or reduce  
12 recreation opportunities in any state park or recreation area.

#### 13 **FOREST RESOURCE DIVISION**

14 Sec. 701. In addition to the funds appropriated in part 1,  
15 \$350,000.00 is appropriated to the department to cover costs  
16 related to any declared emergency involving the collapse of any  
17 abandoned mine shaft located on state land. This appropriation  
18 shall not be expended unless the state budget director recommends  
19 the expenditure and the department notifies the house and senate  
20 committees on appropriations.

21 Sec. 702. Of the funds appropriated in part 1, the department  
22 shall, subject to the forest certification process, prescribe  
23 treatment on 79,000 acres, prepare appropriate treatment for not  
24 less than 67,500 acres at the current average rate of 12.5 to 15  
25 cords per acre, and offer those cords for sale in the 2012-2013

1 fiscal year, provided that the department shall take into  
2 consideration the impact of timber harvesting on wildlife habitat  
3 and recreation uses. The department shall, subject to the forest  
4 certification process, increase marking or treatment of hardwood  
5 timber for sale and harvest by 10% over 2011-2012 fiscal year  
6 levels. In addition, the department shall take into consideration  
7 silvicultural analysis and report annually to the legislature on  
8 plans and efforts to address factors limiting management of timber.  
9 The department shall increase the number of prepared acres if it  
10 appears that regional market demand requires increased volumes of  
11 harvested timber. The department shall provide quarterly reports on  
12 the number of acres treated, pursuant to this section, to the  
13 senate and house appropriations subcommittees on natural resources  
14 and the standing committees of the senate and house of  
15 representatives with primary responsibility for natural resources  
16 issues. The department shall complete and deliver these reports no  
17 later than 45 days after the end of the fiscal quarter.

18       Sec. 703. In addition to the money appropriated in this  
19 article, the department may receive and expend money from federal  
20 sources for the purpose of providing response to wildfires as  
21 required by a compact with the federal government. If additional  
22 expenditure authorization is required, the department shall notify  
23 the state budget office that expenditure under this section is  
24 required. The department shall notify the house and senate  
25 appropriations subcommittees on natural resources and the house and  
26 senate fiscal agencies of the expenditures under this section by  
27 November 1, 2013.

1       Sec. 704. The department shall continue to work cooperatively  
2 with horseback riding interests to maximize riding opportunities in  
3 this state.

4       Sec. 705. The department shall spend amounts appropriated in  
5 part 1 for forest-related activities to employ or contract for  
6 sufficient foresters to mark timber, pursuant to section 702.

7       Sec. 706. It is the intent of the legislature that forest  
8 campgrounds proposed for closure by the department will be open and  
9 accessible to the general public.

10       Sec. 707. The department shall provide a report on the  
11 management and funding of the state forest campgrounds to the house  
12 and senate appropriations subcommittees on natural resources and  
13 the house and senate fiscal agencies by December 1, 2012. The  
14 report shall include all of the following information:

15       (a) The number of state forest campgrounds open to the public  
16 during the 2011-2012 fiscal year.

17       (b) The name and location of any state forest campground the  
18 operation of which was taken over by a local unit of government  
19 during the 2011-2012 state fiscal year.

20       (c) Any campground closures planned for fiscal year 2012-2013.

21       (d) The amount of recreation passport funding allocated to the  
22 forest recreation account by statute and how much of this funding  
23 was allocated to state forest campgrounds during the 2011-2012  
24 fiscal year.

25       (e) Any plans to incorporate state forest campgrounds into  
26 state parks.

27       Sec. 710. The department shall provide a report on the



1 wildfire protection use of department aircraft to the house and  
2 senate appropriations subcommittees on natural resources and the  
3 house and senate fiscal agencies by December 1, 2012. The report  
4 shall include all of the following information for the preceding  
5 fiscal year:

6 (a) How many airplanes the department owns.

7 (b) How much the airplanes cost annually.

8 (c) Which DNR divisions used the aircraft throughout the year.

9 (d) How many wildfires occurred in which the aircraft were  
10 used to help provide detection, surveillance, or suppression  
11 support.

12 (e) How many flight hours were logged for the fleet in that  
13 year.

#### 14 LAW ENFORCEMENT

15 Sec. 801. The appropriation in part 1 for snowmobile law  
16 enforcement grants shall be used by the department to provide  
17 grants to county law enforcement agencies to enforce part 821 of  
18 the natural resources and environmental protection act, 1994 PA  
19 451, MCL 324.82101 to 324.82160, including rules promulgated under  
20 that part and ordinances enacted pursuant to that part. The  
21 department shall consider the number of enforcement hours and the  
22 number of miles of snowmobile trails in each county in allocating  
23 these grants. Any funds not distributed to counties revert back to  
24 the snowmobile registration fee subaccount created under section  
25 82111 of the natural resources and environmental protection act,  
26 1994 PA 451, MCL 324.82111. Counties shall provide semiannual

1 reports to the department on the use of grant money received under  
2 this section.

3       Sec. 802. The department shall provide a report on the marine  
4 safety grant program to the senate and house appropriations  
5 subcommittees on natural resources and the senate and house fiscal  
6 agencies by December 1, 2012. The report shall include the  
7 following information for the preceding year: the total amount of  
8 revenue received for watercraft registrations, the amount deposited  
9 into the marine safety fund, and the expenditures made from the  
10 marine safety fund, including the amounts expended for department  
11 administration, other state agencies, the law enforcement division,  
12 and grants to counties. The report shall also include the  
13 distribution methodology used by the department to distribute the  
14 marine safety grants and a list of the grants and the amounts  
15 awarded by county.

#### 16   GRANTS

17       Sec. 901. Federal pass-through funds to local institutions and  
18 governments that are received in amounts in addition to those  
19 included in part 1 for grants to communities - federal oil, gas,  
20 and timber payments and that do not require additional state  
21 matching funds are appropriated for the purposes intended. By  
22 November 30, 2012, the department shall report to the senate and  
23 house appropriations subcommittees on natural resources, the senate  
24 and house fiscal agencies, and the state budget director on all  
25 amounts appropriated under this section during the fiscal year  
26 ending September 30, 2012.

1       Sec. 902. Subject to part 811 of the natural resources and  
2 environmental protection act, 1994 PA 451, MCL 324.81101 to  
3 324.81150, from the funds appropriated in part 1 for off-road  
4 vehicle trail improvements grants, not less than \$980,000.00 shall  
5 be spent on the development of new trails in accordance with the  
6 off-road vehicle trail expansion plan submitted to the legislature  
7 pursuant to section 807 of article 14 of 2005 PA 154.

8       Sec. 903. (1) The appropriation in part 1 for the dam  
9 management grant program shall be used by the department to provide  
10 grants for the maintenance, repair, or removal of failing dams. The  
11 department shall require each grant application to include a  
12 written long-term plan for each dam that is covered by the  
13 application.

14       (2) The unexpended funds appropriated in part 1 for the dam  
15 management grant program are considered work project  
16 appropriations, and any unencumbered or unallotted funds are  
17 carried forward into the succeeding fiscal year. The following is  
18 in compliance with section 451a(1) of the management and budget  
19 act, 1984 PA 431, MCL 18.1451a:

20       (a) The purpose of the projects to be carried forward is to  
21 provide for maintenance, repair, or removal of dams.

22       (b) The projects will be accomplished by contract.

23       (c) The total estimated cost of all projects is \$2,000,000.00.

24       (d) The tentative completion date is September 30, 2017.

25       Sec. 904. It is the intent of the legislature to provide grant  
26 funding to the qualified nonprofit sustainable forestry initiative  
27 to work with public and private forestland owners to conduct site

1 visits and prepare an analysis and audit of statewide best  
2 management practices for water quality and the related forest  
3 ecosystem, including native plant and animal species and wildlife  
4 habitat. The best management practices audit shall be performed by  
5 an audit team comprised of qualified professionals, including, but  
6 not limited to, the department of natural resources, the department  
7 of environmental quality, university faculty, and conservation  
8 groups.

9 **CAPITAL OUTLAY**

10       Sec. 1001. The appropriation made in this article for the  
11 harbors and docks program is for the purpose of participating with  
12 the federal government and assisting local units of government,  
13 public colleges and universities, or other governmental entities in  
14 this state with the construction and improvement of recreational  
15 boating facilities within this state. Subject to the approval of  
16 the state administrative board, this money shall be allocated by  
17 the department to the federal government, or to the governmental  
18 entities involved in the particular projects. An allocation shall  
19 not exceed the state portion as listed with each project  
20 description. The department shall take the steps necessary to match  
21 federal money available for the construction and improvement of  
22 recreational boating facilities within the state, and to meet  
23 requirements of the federal government.

24       Sec. 1002. (1) The director of the department shall allocate  
25 lump-sum appropriations to the department made in this article  
26 consistent with statutory provisions and the purposes for which

1 funds were appropriated. Lump-sum allocations shall address  
2 priority program or facility needs and may include, but are not  
3 limited to, design, construction, remodeling and addition, special  
4 maintenance, major special maintenance, energy conservation, and  
5 demolition.

6 (2) The state budget director may authorize that funds  
7 appropriated for lump-sum appropriations shall be available for no  
8 more than 3 fiscal years following the fiscal year in which the  
9 original appropriation was made. Any remaining balance from  
10 allocations made in this section shall lapse to the fund from which  
11 it was appropriated pursuant to the lapsing of funds as provided in  
12 the management and budget act, 1984 PA 431, MCL 18.1101 to 18.1594.

13 Sec. 1003. The appropriations in part 1 for capital outlay  
14 shall be carried forward at the end of the fiscal year consistent  
15 with section 248 of the management and budget act, 1984 PA 431, MCL  
16 18.1248.

## 17 PART 2A

### 18 PROVISIONS CONCERNING ANTICIPATED APPROPRIATIONS

#### 19 FOR FISCAL YEAR 2013-2014

#### 20 GENERAL SECTIONS

21 Sec. 1201. It is the intent of the legislature to provide  
22 appropriations for fiscal year ending 2013-2014 for the line items  
23 listed in part 1. The fiscal year 2013-2014 appropriations are  
24 anticipated to be the same as those for fiscal year 2012-2013,  
25 excluding appropriations designated as 1-time appropriations and

adjusting for changes in caseload and related costs, federal fund match rates, economic factors, and available revenue. Specific anticipated adjustments are as follows, subject to adjustment after the May 2013 consensus revenue estimating conference:

Capital outlay: waterways boating program.....	\$	(3,422,200)
Economic adjustments.....		<u>5,511,200</u>
GROSS APPROPRIATION.....	\$	2,089,000
Appropriated from:		
Restricted revenues.....		1,786,500
State general fund/general purpose.....	\$	302,500

# ARTICLE XVI

## DEPARTMENT OF STATE POLICE

### PART 1

#### LINE-ITEM APPROPRIATIONS

#### FOR FISCAL YEAR 2012-2013

Sec. 101. Subject to the conditions set forth in this article, the amounts listed in this part for the department of state police are appropriated for the fiscal year ending September 30, 2013, from the funds indicated in this part. The following is a summary of the appropriations in this part:

#### DEPARTMENT OF STATE POLICE

#### APPROPRIATION SUMMARY

Full-time equated unclassified positions.....	2.0
Full-time equated classified positions.....	2,672.0
GROSS APPROPRIATION.....	\$ 570,019,500

1	Interdepartmental grant revenues:	
2	Total interdepartmental grants and intradepartmental	
3	transfers .....	25,235,000
4	ADJUSTED GROSS APPROPRIATION .....	\$ 544,784,500
5	Federal revenues:	
6	Total federal revenues .....	104,911,000
7	Special revenue funds:	
8	Total local revenues .....	6,869,400
9	Total private revenues .....	231,300
10	Total other state restricted revenues .....	119,005,700
11	State general fund/general purpose .....	\$ 313,767,100
12	<b>Sec. 102. EXECUTIVE DIRECTION</b>	
13	Full-time equated unclassified positions.....	2.0
14	Full-time equated classified positions.....	38.0
15	Unclassified positions .....	\$ 261,100
16	Executive direction--21.0 FTE positions .....	2,894,300
17	Special operations and events--17.0 FTE positions ....	<u>2,301,100</u>
18	GROSS APPROPRIATION .....	\$ 5,456,500
19	Appropriated from:	
20	Interdepartmental grant revenues:	
21	IDG-MDTR, casino gaming fees .....	24,800
22	IDG-MDTR, emergency telephone fund coordinator .....	3,400
23	IDT, truck safety fund .....	9,200
24	Special revenue funds:	
25	CJIC service fees .....	101,100
26	Forensic science reimbursement fees .....	7,300
27	Highway safety fund .....	61,900

1	Michigan justice training fund.....	95,000
2	Motor carrier fees.....	28,700
3	Narcotics investigation revenues.....	16,900
4	Nuclear plant emergency planning reimbursement .....	11,700
5	Secondary road patrol and training fund.....	47,500
6	State forensic laboratory fund.....	9,500
7	State services fee fund.....	65,300
8	Traffic law enforcement and safety fund.....	109,200
9	State general fund/general purpose.....	\$ 4,865,000
10	<b>Sec. 103. SCIENCE, TECHNOLOGY, AND TRAINING BUREAU</b>	
11	Full-time equated classified positions.....	463.0
12	Criminal justice information center division--	111.0
13	FTE positions .....	\$ 12,442,000
14	Criminal records improvement--1.0 FTE positions .....	1,268,200
15	Traffic safety--19.0 FTE positions .....	2,122,400
16	Laboratory operations--204.0 FTE positions .....	31,900,200
17	DNA analysis program--61.0 FTE positions .....	9,926,500
18	Standards and training/justice training grants--	14.0
19	FTE positions .....	9,061,000
20	Concealed weapons enforcement training.....	100,000
21	Training only to local units--4.0 FTE positions .....	631,300
22	Public safety officers benefit program.....	149,600
23	Training administration--32.0 FTE positions .....	5,409,900
24	Information technology services and projects .....	21,258,700
25	Michigan public safety communications system.....	14,099,300
26	In-service training - law enforcement distribution...	450,000
27	In-service training - competitive.....	1,000,000



1	Traffic services--17.0 FTE positions .....	5,325,500
2	Training for state and local dive teams .....	<u>100</u>
3	GROSS APPROPRIATION .....	\$ 115,144,700
4	Appropriated from:	
5	Interdepartmental grant revenues:	
6	IDG, training academy charges .....	2,446,200
7	IDG-MDOC, contract .....	55,900
8	IDG-MDOS .....	351,400
9	IDG-MDOT, state trunkline fund .....	1,618,900
10	IDG-MDTR, casino gaming fees .....	94,700
11	IDG-MDTR, emergency telephone fund coordinator .....	5,000
12	IDG-MDTR, emergency telephone fund operations .....	67,100
13	IDT, auto theft funds .....	4,200
14	IDT, Michigan justice training fund .....	1,450,000
15	IDT, truck safety fund .....	10,500
16	Federal revenues:	
17	DHS .....	416,400
18	DOJ .....	6,794,800
19	DOT .....	3,095,600
20	Special revenue funds:	
21	Local - AFIS fees .....	80,500
22	Local - LEIN fees .....	1,205,400
23	Local - MPSCS subscriber and maintenance fees .....	1,875,900
24	Local - school bus revenue .....	8,700
25	Auto theft prevention fund .....	3,900
26	Concealed weapons enforcement fee .....	100,000
27	CJIC service fees .....	15,779,100

1	Drunk driving prevention and training fund.....	1,361,100
2	Forensic science reimbursement fees.....	1,364,500
3	Hazardous materials training center fees.....	1,900
4	Highway safety fund.....	51,200
5	Licensing fees.....	9,100
6	Michigan justice training fund.....	8,150,900
7	Michigan merit award trust fund.....	4,000
8	Motor carrier fees.....	386,000
9	Narcotics investigation revenue.....	13,600
10	Nuclear plant emergency planning reimbursement.....	5,200
11	Precision driving track fees.....	300,400
12	Reimbursement services.....	163,800
13	Secondary road patrol and training fund.....	1,047,900
14	Sex offenders registration fund.....	295,800
15	State forensic laboratory fund.....	1,779,000
16	State services fee fund.....	11,038,100
17	Traffic crash revenue.....	328,300
18	Traffic law enforcement and safety fund.....	73,000
19	State general fund/general purpose.....	\$ 53,306,700
20	<b>Sec. 104. FIELD SERVICES BUREAU</b>	
21	Full-time equated classified positions.....	1,923.0
22	Narcotics investigation funds.....	\$ 265,100
23	Uniform services--366.0 FTE positions.....	47,354,100
24	Capitol security--7.0 FTE positions.....	712,200
25	At-post troopers--933.0 FTE positions.....	133,692,200
26	Reimbursed services.....	2,162,500
27	Operational support--100.0 FTE positions.....	16,049,400

1	Aviation program--7.0 FTE positions .....	1,614,700
2	Criminal investigations--184.0 FTE positions .....	27,726,800
3	Federal antidrug initiatives--65.0 FTE positions .....	11,154,200
4	Reimbursed services, materials, and equipment--1.0 FTE	
5	positions .....	3,024,400
6	Auto theft prevention--13.0 FTE positions .....	1,128,800
7	Casino gaming oversight--34.0 FTE positions .....	5,519,300
8	Fire investigations--14.0 FTE positions .....	1,899,000
9	Parole absconder sweeps .....	12,700
10	Motor carrier enforcement--101.0 FTE positions .....	12,347,400
11	Truck safety enforcement team operations--10.0 FTE	
12	positions .....	1,511,400
13	Safety inspections--63.0 FTE positions .....	6,790,400
14	School bus inspections--15.0 FTE positions .....	1,619,500
15	Safety projects--10.0 FTE positions .....	1,511,300
16	Law enforcement enhancement .....	11,848,600
17	Public safety initiative .....	2,769,900
18	Cold case teams .....	<u>27,000</u>
19	GROSS APPROPRIATION .....	\$ 290,740,900
20	Appropriated from:	
21	Interdepartmental grant revenues:	
22	IDG-MDOC, contract .....	120,900
23	IDG-MDOT, state trunkline fund .....	9,598,400
24	IDG-MDTR, casino gaming fees .....	5,519,300
25	IDT, auto theft funds .....	678,100
26	IDT, truck safety fund .....	1,511,400
27	Federal revenues:	

1	DOJ.....	7,688,900
2	DOT.....	6,943,500
3	Federal investigations-reimbursed services.....	1,043,900
4	Federal narcotics investigation revenues.....	619,400
5	Special revenue funds:	
6	Local - reimbursed services.....	1,980,500
7	Local - school bus revenue.....	1,619,500
8	Private donations.....	229,600
9	CJIC service fees.....	567,300
10	Forfeiture funds.....	89,500
11	Highway safety fund.....	11,926,100
12	Michigan merit award trust fund.....	710,100
13	Motor carrier fees.....	4,107,200
14	Narcotics investigation revenue.....	963,700
15	Rental of department aircraft.....	56,100
16	State police service fees.....	2,162,500
17	Traffic law enforcement and safety fund.....	24,406,900
18	Trooper school recruitment fund.....	1,100
19	State general fund/general purpose.....	\$ 208,197,000
20	<b>Sec. 105. SUPPORT SERVICES</b>	
21	Full-time equated classified positions..... 248.0	
22	Auto theft prevention program--4.0 FTE positions.....	\$ 6,754,400
23	Special maintenance and utilities.....	402,800
24	Rent and building occupancy charges.....	8,309,500
25	Worker's compensation.....	3,031,500
26	Fleet leasing.....	15,630,700
27	Management services--114.0 FTE positions.....	14,182,600

1	Budget and financial services--16.0 FTE positions ....	1,780,700
2	Office of justice program grants--4.0 FTE positions ..	8,537,800
3	Accounting service center.....	1,150,400
4	State program planning and administration--8.0 FTE	
5	positions .....	1,149,400
6	Secondary road patrol program--2.0 FTE positions .....	14,060,200
7	Truck safety program--1.0 FTE positions .....	3,014,000
8	Federal highway traffic safety coordination--17.0 FTE	
9	positions .....	12,836,400
10	Emergency management planning and administration--32.0	
11	FTE positions .....	6,090,300
12	Grants to local government.....	2,482,100
13	FEMA program assistance--18.0 FTE positions .....	5,341,000
14	Nuclear power plant emergency planning--7.0 FTE	
15	positions .....	2,076,800
16	Hazardous materials programs--25.0 FTE positions .....	46,253,000
17	Interdepartmental grant to legislature.....	<u>100</u>
18	GROSS APPROPRIATION.....	\$ 153,083,700
19	Appropriated from:	
20	Interdepartmental grant revenues:	
21	IDG, training academy charges.....	155,100
22	IDG-MDOS.....	2,300
23	IDG-MDOT, state trunkline fund.....	600
24	IDG-MDTR, casino gaming fees.....	53,400
25	IDG-MDTR, emergency telephone fund coordinator.....	638,500
26	IDG-MDTR, emergency telephone fund operations.....	626,200
27	IDT, auto theft funds.....	2,900

1	IDT, truck safety fund.....	17,900
2	Federal revenues:	
3	DHS.....	55,036,900
4	DOJ.....	1,052,800
5	DOJ interest bearing.....	8,139,400
6	DOT.....	13,829,700
7	Special revenue funds:	
8	Local - LEIN fees.....	4,400
9	Local - MPSCS subscriber and maintenance fees.....	48,900
10	Local - school bus revenue.....	6,700
11	Auto theft prevention fund.....	6,768,100
12	CJIC service fees.....	1,302,700
13	Drunk driving prevention and training fund.....	2,400
14	Forensic science reimbursement fees.....	73,100
15	Hazardous materials training center fees.....	1,459,100
16	Highway safety fund.....	197,300
17	Michigan justice training fund.....	44,900
18	Michigan merit award trust fund.....	2,100
19	Motor carrier fees.....	135,900
20	Narcotics investigation revenue.....	34,900
21	Nuclear plant emergency planning reimbursement.....	2,102,400
22	Precision driving track fees.....	100
23	Reimbursement services.....	780,200
24	Secondary road patrol and training fund.....	14,084,100
25	State forensic laboratory fund.....	71,700
26	State services fee fund.....	144,800
27	Traffic law enforcement and safety fund.....	308,900

1	Truck driver safety fund.....	3,015,800
2	State general fund/general purpose.....	\$ 42,939,500
3	<b>Sec. 106. ONE-TIME APPROPRIATIONS</b>	
4	State employee lump-sum payments.....	\$ 3,220,000
5	At-post troopers - replace outdated equipment.....	1,623,700
6	Rent and building occupancy charges.....	<u>750,000</u>
7	GROSS APPROPRIATION.....	\$ 5,593,700
8	Appropriated from:	
9	Interdepartmental grant revenues:	
10	Interdepartmental grant revenues.....	168,700
11	Federal revenues:	
12	Federal revenues.....	249,700
13	Special revenue funds:	
14	Local revenues.....	38,900
15	Private revenues.....	1,700
16	State restricted revenues.....	675,800
17	State general fund/general purpose.....	\$ 4,458,900

18 PART 2

19 PROVISIONS CONCERNING APPROPRIATIONS

20 FOR FISCAL YEAR 2012-2013

21 **GENERAL SECTIONS**

22 Sec. 201. Pursuant to section 30 of article IX of the state

23 constitution of 1963, total state spending from state resources

24 under part 1 for fiscal year 2012-2013 is \$432,772,800.00 and state

25 spending from state resources to be paid to local units of

government for fiscal year 2012-2013 is \$18,728,700.00. The itemized statement below identifies appropriations from which spending to local units of government will occur:

DEPARTMENT OF STATE POLICE

Justice training grants.....	\$	4,054,400
Training only to local units.....		124,000
Secondary road patrol.....		13,920,300
Management services.....		<u>630,000</u>
TOTAL.....	\$	18,728,700

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

Sec. 203. As used in this article:

(a) "AFIS" means the automated fingerprint identification system.

(b) "CJIC" means the criminal justice information center.

(c) "C.J.I.S." means the criminal justice information systems.

(d) "Department" means the department of state police.

(e) "DHS" means the United States department of homeland security.

(f) "DNA" means deoxyribonucleic acid.

(g) "DOJ" means the United States department of justice.

(h) "DOT" means the United States department of transportation.

(i) "DTMB" means the department of technology, management, and budget.

(j) "FEMA" means the federal emergency management agency.



1 (k) "FTE" means full-time equated.

2 (l) "IDG" means interdepartmental grant.

3 (m) "IDT" means intradepartmental transfer.

4 (n) "LEIN" means the law enforcement information network.

5 (o) "MCL" means Michigan Compiled Laws.

6 (p) "MCOLES" means Michigan commission on law enforcement  
7 standards.

8 (q) "MDCH" means the Michigan department of community health.

9 (r) "MDOC" means the Michigan department of corrections.

10 (s) "MDOS" means the Michigan department of state.

11 (t) "MDOT" means the Michigan department of transportation.

12 (u) "MDTR" means the Michigan department of treasury.

13 (v) "MPSCS" means Michigan public safety communications  
14 system.

15 (w) "PA" means public act.

16 (x) "Work project" means, except as used in section 211, a  
17 group of activities featuring a fixed duration, budget, and scope  
18 that is expected to cause a measurable change in the delivery,  
19 efficiency, or effectiveness of 1 or more operations.

20 Sec. 204. The following shall constitute the appropriations  
21 from part 1 for interdepartmental grant funds received by the  
22 department from sources outside the department: \$2,601,300.00 from  
23 training academy charges; \$176,800.00 from the department of  
24 corrections contract; \$353,700.00 from the department of state;  
25 \$11,217,900.00 from the department of transportation - state  
26 trunkline funds; \$5,692,200.00 from casino gaming fees; \$646,900.00  
27 from the department of treasury - emergency telephone fund

1 coordinator; and \$693,300.00 from the department of treasury -  
2 emergency telephone fund operations.

3       Sec. 205. (1) The following shall constitute the  
4 appropriations from part 1 for interdepartmental grant funds made  
5 from the department to other departments: \$1,157,100.00 to the  
6 department of environmental quality - radiological emergency  
7 preparedness; \$150,100.00 to the department of attorney general -  
8 justice training competitive grant; \$752,900.00 to the judiciary -  
9 justice training competitive grant; \$352,700.00 to the department  
10 of attorney general - operations; \$900,000.00 to the department of  
11 military and veterans affairs - homeland security grant;  
12 \$21,258,700.00 to DTMB - information technology services and  
13 projects; and \$14,099,300.00 to DTMB - Michigan public safety  
14 communications systems.

15       (2) Based on the availability of federal funding and the  
16 demonstrated need as indicated by applications submitted to the  
17 state court administrative office, the department shall provide  
18 \$1,800,000.00 in Byrne justice assistance grant program funding to  
19 the judiciary by interdepartmental grant.

20       Sec. 206. (1) In addition to the funds appropriated in part 1,  
21 there is appropriated an amount not to exceed \$10,000,000.00 for  
22 federal contingency funds. These funds are not available for  
23 expenditure until they have been transferred to another line item  
24 in this article under section 393(2) of the management and budget  
25 act, 1984 PA 431, MCL 18.1393.

26       (2) In addition to the funds appropriated in part 1, there is  
27 appropriated an amount not to exceed \$3,500,000.00 for state

1 restricted contingency funds. These funds are not available for  
2 expenditure until they have been transferred to another line item  
3 in this article under section 393(2) of the management and budget  
4 act, 1984 PA 431, MCL 18.1393.

5 (3) In addition to the funds appropriated in part 1, there is  
6 appropriated an amount not to exceed \$1,000,000.00 for local  
7 contingency funds. These funds are not available for expenditure  
8 until they have been transferred to another line item in this  
9 article under section 393(2) of the management and budget act, 1984  
10 PA 431, MCL 18.1393.

11 (4) In addition to the funds appropriated in part 1, there is  
12 appropriated an amount not to exceed \$200,000.00 for private  
13 contingency funds. These funds are not available for expenditure  
14 until they have been transferred to another line item in this  
15 article under section 393(2) of the management and budget act, 1984  
16 PA 431, MCL 18.1393.

17 Sec. 207. The department shall maintain a searchable website  
18 accessible by the public at no cost that includes, but is not  
19 limited to, all of the following:

20 (a) Fiscal year-to-date expenditures by category.

21 (b) Fiscal year-to-date expenditures by appropriation unit.

22 (c) Fiscal year-to-date payments to a selected vendor,  
23 including the vendor name, payment date, payment amount, and  
24 payment description.

25 (d) The number of active department employees by job  
26 classification.

27 (e) Job specifications and wage rates.

1       Sec. 208. Unless otherwise specified, the department shall use  
2 the Internet to fulfill the reporting requirements of this article.  
3 This requirement may include transmission of reports via electronic  
4 mail to the recipients identified for each reporting requirement,  
5 or it may include placement of reports on an Internet or Intranet  
6 site.

7       Sec. 209. Funds appropriated in part 1 shall not be used for  
8 the purchase of foreign goods or services, or both, if  
9 competitively priced and of comparable quality American goods or  
10 services, or both, are available. Preference shall be given to  
11 goods or services, or both, manufactured or provided by Michigan  
12 businesses, if they are competitively priced and of comparable  
13 quality. In addition, preference should be given to goods or  
14 services, or both, that are manufactured or provided by Michigan  
15 businesses owned and operated by veterans, if they are  
16 competitively priced and of comparable quality.

17       Sec. 210. The department shall take all reasonable steps to  
18 ensure businesses in deprived and depressed communities compete for  
19 and perform contracts to provide services or supplies, or both, for  
20 the department. The director of the department shall strongly  
21 encourage firms with which the department contracts to subcontract  
22 with certified businesses in depressed and deprived communities for  
23 services or supplies, or both.

24       Sec. 211. Amounts appropriated in part 1 for information  
25 technology may be designated as work projects and carried forward  
26 to support technology projects under the direction of the  
27 department of technology, management, and budget. Funds designated

1 in this manner are not available for expenditure until approved as  
2 work projects under section 451a of the management and budget act,  
3 1984 PA 431, MCL 18.1451a.

4 Sec. 212. The department shall receive and retain copies of  
5 all reports funded from appropriations in part 1. Federal and state  
6 guidelines for short-term and long-term retention of records shall  
7 be followed. The department may electronically retain copies of  
8 reports unless otherwise required by federal and state guidelines.

9 Sec. 214. From the funds appropriated in part 1 for  
10 information technology, the department shall pay user fees to the  
11 department of technology, management, and budget for technology-  
12 related services and projects. The user fees shall be subject to  
13 provisions of an interagency agreement between the department and  
14 the department of technology, management, and budget.

15 Sec. 215. The department shall not take disciplinary action  
16 against an employee for communicating with a member of the  
17 legislature or his or her staff.

18 Sec. 217. The department shall improve its budgetary  
19 efficiency pertaining to the delivery of core services delineated  
20 in section 222 by doing all of the following:

21 (a) Prioritizing personnel over buildings in budgetary  
22 efficiency considerations.

23 (b) Pursuing the physical or virtual consolidation of support  
24 service functions such as information technology, human resources,  
25 and accounting as a means of improving standardization and  
26 efficiency.

27 (c) Seeking expenditure reductions whenever possible through

1 the streamlining of existing service delivery activities.

2 (d) Identifying efficiencies that can be gained via the  
3 reduction or elimination of programs, policies, and practices which  
4 have outlived their usefulness.

5 Sec. 218. The department shall prepare a report on out-of-  
6 state travel expenses not later than January 1 of each year. The  
7 travel report shall be a listing of all travel by classified and  
8 unclassified employees outside this state in the immediately  
9 preceding fiscal year that was funded in whole or in part with  
10 funds appropriated in the department's budget. The report shall be  
11 submitted to the house and senate standing committees on  
12 appropriations, the house and senate fiscal agencies, and the state  
13 budget director. The report shall include the following  
14 information:

15 (a) The dates of each travel occurrence.

16 (b) The total transportation and related costs of each travel  
17 occurrence, including the proportion funded with state general  
18 fund/general purpose revenues, the proportion funded with state  
19 restricted revenues, the proportion funded with federal revenues,  
20 and the proportion funded with other revenues.

21 Sec. 219. It is the intent of the legislature that the  
22 department cooperate with the development and implementation of the  
23 department of technology, management, and budget statewide office  
24 space consolidation plan.

25 Sec. 220. (1) The department shall be available to meet by  
26 April 1 and September 30 before the appropriate senate and house  
27 appropriations subcommittees.

1           (2) The department shall provide all information necessary to  
2 validate that the requirements of this part have been achieved.

3           (3) The department shall provide a corrective action plan  
4 within 30 days of a biannual report under this section for any  
5 requirements of this part that have not been achieved. The  
6 department shall provide a monthly status of correction action  
7 plans.

8           (4) The department shall provide the following data to the  
9 appropriate senate and house appropriations subcommittees:

10          (a) A list of major work projects, including the status of  
11 each project.

12          (b) The department's financial status, featuring a report of  
13 budgeted versus actual expenditures by part 1 line item including a  
14 year-end projection of budget requirements. If projected department  
15 budget requirements exceed the allocated budget, the report shall  
16 include a plan to reduce overall expenses while still satisfying  
17 specified service level requirements.

18          (c) Forensic laboratory system staffing levels and vacancies  
19 and backlogs in all disciplines.

20          Sec. 221. The department shall provide the following data to  
21 the appropriate senate and house appropriations subcommittees on an  
22 annual basis:

23          (a) As it pertains to inspections conducted by the traffic  
24 safety division, all of the following:

25           (i) The number of buses and vehicles inspected by the  
26 department.

27           (ii) The number of buses and vehicles passing and failing

1 inspection.

2 (iii) The estimated number of buses and vehicles not inspected.

3 (b) A report on the status of assessments collected and  
4 authorized under section 629e of the Michigan vehicle code, 1949 PA  
5 300, MCL 257.629e, for the purpose of supporting the secondary road  
6 patrol grant program. The report shall contain updated information  
7 on collection levels, revised projected grant allotments to  
8 counties for the year, a comparison of projected collections and  
9 grant distribution levels with the funds appropriated in part 1 for  
10 the secondary road patrol program, and the extent collection levels  
11 have exceeded or failed to meet appropriated levels for the current  
12 fiscal year or expenditure levels from the previous fiscal year.

13 (c) A report regarding the department's activities related to  
14 casino gaming oversight. The report shall contain the following:

15 (i) The amount of money received and expended.

16 (ii) The nature and structure of the casino gaming oversight  
17 unit.

18 (iii) The positions and classifications of employees assigned.

19 (iv) The number of full-time and part-time employees and the  
20 aggregate number of FTEs.

21 (v) The duties and responsibilities of the assigned employees.

22 Sec. 222. The appropriations in part 1 are for the core  
23 services, support services, and work projects of the department,  
24 including, but not limited to, the following core services: traffic  
25 safety and enforcement, complaint and criminal investigations, fire  
26 investigation, sex offender registry and enforcement, specialty  
27 teams, regional communication centers, civil disorder response -



1 mobilization, capitol security, hazardous materials response  
2 training, intelligence gathering and dissemination, state emergency  
3 operations center, criminal history system, fingerprint and  
4 background checks, the law enforcement information network,  
5 forensics, training and recruiting, public awareness campaigns,  
6 establishing and monitoring law enforcement standards, and grants  
7 administration.

8       Sec. 223. The department shall notify the senate and house  
9 appropriations subcommittees on state police and military and  
10 veterans affairs and the senate and house fiscal agencies not less  
11 than 90 days before recommending to close or consolidate any state  
12 police posts. The notification shall include a local and state  
13 impact study of the proposed post closure or consolidation.

14       Sec. 224. At least 60 days before beginning any effort to  
15 privatize, the department shall submit a complete project plan to  
16 the appropriate senate and house fiscal agencies. The plan shall  
17 include the criteria under which the privatization initiative will  
18 be evaluated. The evaluation shall be completed and submitted to  
19 the appropriate senate and house appropriations subcommittees and  
20 the senate and house fiscal agencies within 30 months.

21       Sec. 225. Funds appropriated in part 1 shall not be used by  
22 the department to hire a person to provide legal services that are  
23 the responsibility of the attorney general. This prohibition does  
24 not apply to legal services for bonding activities and for those  
25 activities that the attorney general authorizes.

26       Sec. 226. (1) It is the intent of the legislature that the  
27 department shall not provide any subsidy for contractual services

1 it provides.

2 (2) When the department provides contractual services to a  
3 local unit of government, the department shall be reimbursed for  
4 all costs incurred in providing the services, including, but not  
5 limited to, retirement and overtime costs.

6 (3) The department shall define service cost models for those  
7 services requiring reimbursement.

8 (4) Contractual services provided to an entity other than a  
9 local unit of government may be provided by department personnel,  
10 but only on an overtime basis outside the normal work schedule of  
11 the personnel.

12 (5) This section does not apply to state agencies.

13 Sec. 228. Not later than November 15, the department shall  
14 prepare and transmit a report that provides for estimates of the  
15 total general fund/general purpose appropriations lapses at the  
16 close of the fiscal year. This report shall summarize the projected  
17 year-end general fund/general purpose appropriations lapses by  
18 major departmental program or program areas. The report shall be  
19 transmitted to the office of the state budget, the chairpersons of  
20 the senate and house standing committees on appropriations, and the  
21 senate and house fiscal agencies.

22 Sec. 229. Within 14 days after the release of the executive  
23 budget recommendation, the department shall provide the state  
24 budget director, the chairpersons of the senate and house standing  
25 committees on appropriations, the senate and house appropriations  
26 subcommittees on state police and military and veterans affairs,  
27 respectively, and the senate and house fiscal agencies with an

1 annual report on estimated state restricted fund balances, state  
2 restricted fund projected revenues, and state restricted fund  
3 expenditures for the fiscal years ending September 30, 2012 and  
4 September 30, 2013.

5 Sec. 230. The department may pursue entering into an agreement  
6 with Calhoun County to build a new facility in that county which  
7 would serve as the new state police post for region 4 of district  
8 5, as identified by the department.

9 Sec. 231. The department, in keeping with its role as the  
10 general law enforcement agency of the state and as the law  
11 enforcement agency of last resort for communities that are either  
12 without local law enforcement resources or are seriously  
13 underserved by local law enforcement resources, shall provide  
14 general law enforcement assistance to those communities until  
15 adequate law enforcement services can be provided to those  
16 communities by other means.

17 Sec. 232. The department shall serve as an active liaison  
18 between the department of technology, management, and budget and  
19 local public safety agencies to facilitate the use of the MPSCS  
20 towers by those local public safety agencies that have an interest  
21 in using the towers as a part of their communication system.

## 22 **SCIENCE, TECHNOLOGY, AND TRAINING BUREAU**

23 Sec. 301. (1) The department shall provide forensic testing  
24 services to aid in criminal investigations.

25 (2) The department shall maintain the staffing and resources  
26 necessary to provide forensic evidence with an average turnaround

1 time of 82 days assuming an annual caseload volume commensurate  
2 with that received in fiscal year 2010-2011.

3 (3) The department shall define and implement improved methods  
4 with the intent of reaching an average 55-day turnaround for  
5 forensic evidence.

6 (4) If changes are made to the department's protocol for  
7 retaining and purging DNA analysis samples and records, the  
8 department shall post a copy of the protocol changes on the  
9 department's website.

10 Sec. 302. (1) The department shall develop and deliver  
11 professional, innovative, and quality training that supports the  
12 enforcement and public safety efforts of the criminal justice  
13 community.

14 (2) The department shall maintain the staffing and resources  
15 necessary to provide educational opportunities for personal and  
16 professional growth to a minimum of 10,000 state and local law  
17 enforcement employees and other public safety partners.

18 (3) The department shall maintain the staffing and resources  
19 necessary to provide educational opportunities for personal and  
20 professional growth to a minimum of 3,000 community members.

21 (4) The department shall define and implement methods with a  
22 goal of reducing the cost of training services delivery by 20%.  
23 These methods may include the pursuit of technology to reach  
24 students throughout the state utilizing distance learning.

25 (5) The department shall place emphasis on recruiting MCOLES-  
26 certified police officers for the trooper recruit school. Emphasis  
27 shall be given in the hiring process to those officers who are on

1 layoff and possess valid MCOLES certification. Any emphasis given  
2 in the recruiting and selection process shall be consistent with  
3 the department's hiring standards and in accordance with civil  
4 service rules.

5 (6) The department shall develop and provide a service  
6 delivery cost model for its training activities.

7 (7) The department shall place emphasis on recruiting and  
8 hiring veterans. Any emphasis given in the recruiting and selection  
9 process shall be consistent with the department's hiring standards  
10 and in accordance with civil service rules.

11 Sec. 303. (1) MCOLES shall establish standards for the  
12 selection, employment, training, education, licensing, and  
13 revocation of all law enforcement officers.

14 (2) MCOLES shall maintain the staffing and resources necessary  
15 to provide the basic law enforcement training curriculum for 20  
16 academy programs statewide.

17 (3) MCOLES shall maintain a minimum 98% passing rate from the  
18 MCOLES licensing exam without lowering academic standards to  
19 achieve this rate.

20 Sec. 304. (1) The department shall maintain a criminal history  
21 system and the state accident data collection system in the support  
22 of public safety and law enforcement communities in this state.

23 (2) The department shall maintain the staffing and resources  
24 necessary to adhere to 1925 PA 289, MCL 28.241 to 28.248.

25 (3) The department shall improve the accuracy, timeliness, and  
26 completeness of criminal history information through outreach  
27 targeted to criminal justice agencies.

1           (4) The department shall maintain the state accident data  
2 collection system and make this information available to the public  
3 at a reasonable cost. For bulk access to the accident records in  
4 which the vehicle identification number has been collected and  
5 computerized, the department shall make those records available to  
6 the public at cost, provided that the name and address have been  
7 excluded.

8           Sec. 305. (1) The department shall provide fingerprint and  
9 background check services in support of public safety and law  
10 enforcement communities in this state.

11           (2) The department shall maintain the staffing and resources  
12 necessary to process fingerprint and background check services  
13 commensurate with fiscal year 2010-2011.

14           (3) The department shall maintain resources and educational  
15 outreach for the electronic submission of fingerprint information  
16 from local law enforcement agencies and maintain at least a 97%  
17 submission rate.

18           (4) The department shall define and maintain a cost model  
19 pertaining to providing fingerprint check services and provide for  
20 the following:

21           (a) Fingerprint service fees shall be commensurate with the  
22 actual costs of delivering this service.

23           (b) The department shall pursue means of reducing the expenses  
24 associated with delivering this service.

25           Sec. 306. (1) The department shall maintain the law  
26 enforcement information network in support of public safety and law  
27 enforcement communities in this state.

1           (2) The department shall maintain the staffing and resources  
2 necessary to adhere to the C.J.I.S. policy council act, 1974 PA  
3 163, MCL 28.211 to 28.215.

4           (3) The department shall audit criminal justice agencies as  
5 required by federal guidelines.

6           (4) The appropriations in part 1 do not contain any funding  
7 from LEIN user fees for services rendered in fiscal year 2012-2013.

8           (5) The department shall implement procedures by which all  
9 probation information is placed on the LEIN system and provide for  
10 the following:

11           (a) The LEIN system shall include information on each  
12 probationer, including any probation conditions placed on a  
13 probationer and the name of the probation officer assigned to the  
14 probationer. The LEIN system shall also include any nonstandard  
15 probation terms.

16           (b) If the department determines that amendments to the code  
17 of criminal procedure, 1927 PA 175, MCL 760.1 to 777.69, are  
18 required to include all probation information on the LEIN system,  
19 the department shall deliver to members of the senate and house  
20 appropriations subcommittees on state police and military and  
21 veterans affairs amendments to the code of criminal procedure, 1927  
22 PA 175, MCL 760.1 to 777.69, that, in the department's view, are  
23 necessary to accomplish this goal. These proposed amendments shall  
24 be delivered to subcommittee members not later than November 1,  
25 2012.

26   **FIELD SERVICES BUREAU**

1           Sec. 401. (1) The department shall oversee traffic safety and  
2 enforcement in this state.

3           (2) The department shall maintain the staffing and resources  
4 necessary to make traffic contacts per patrol hours commensurate  
5 with the service level and contact areas exhibited in fiscal year  
6 2010-2011. There shall be no degradation of road patrol services to  
7 any region of this state.

8           (3) The department shall maintain the staffing and resources  
9 necessary to continually work to enhance traffic safety throughout  
10 the state.

11          (4) The department shall maintain the staffing and resources  
12 necessary to annually inspect at least 53,000 commercial vehicles.

13          (5) The department shall inspect all black and yellow school  
14 buses annually.

15          (6) Department enlisted personnel who are employed to enforce  
16 traffic laws as provided in section 629e of the Michigan vehicle  
17 code, 1949 PA 300, MCL 257.629e, shall not be prohibited from  
18 responding to crimes in progress or other emergency situations and  
19 are responsible for protecting every citizen of this state from  
20 harm.

21          Sec. 402. (1) The department shall identify and apprehend  
22 criminals through criminal investigations in this state.

23          (2) The department shall maintain the staffing and resources  
24 necessary to devote a comparable number of hours investigating  
25 crimes as those performed in fiscal year 2010-2011.

26          (3) The department shall maintain the staffing and resources  
27 necessary to annually meet or exceed a case clearance rate of 56%.



1       Sec. 403. (1) The department shall provide fire investigation  
2 services to citizens of this state through investigative assistance  
3 to local law enforcement agencies.

4       (2) The department shall maintain the staffing and resources  
5 necessary to maintain readiness to respond appropriately to at  
6 least the number of requests for service which occurred in fiscal  
7 year 2010-2011.

8       (3) The fire investigation unit shall be available for call  
9 out statewide 100% of the time.

10       Sec. 404. (1) The department shall oversee the sex offender  
11 registry and its enforcement in this state.

12       (2) The department shall maintain the staff and resources  
13 necessary to enforce the provision of the sex offenders  
14 registration act, 1994 PA 295, MCL 28.721 to 28.736.

15       (3) The department shall maintain the staffing and resources  
16 necessary to perform activities to maintain a 93% compliance rate  
17 for reporting by registered sex offenders.

18       Sec. 405. (1) The department shall provide specialty services  
19 to citizens of this state in accordance with all applicable state  
20 and federal laws and regulations.

21       (2) The department shall maintain the staffing and resources  
22 necessary to provide training to maintain readiness to respond  
23 appropriately to at least the number of requests for specialty  
24 services which occurred in fiscal year 2010-2011.

25       (3) The canine unit shall be available for call out statewide  
26 100% of the time.

27       (4) The bomb squad unit shall be available for call out

1 statewide 100% of the time.

2 (5) The emergency support teams shall be available for call  
3 out statewide 100% of the time.

4 (6) The underwater recovery unit shall be available for call  
5 out statewide 100% of the time.

6 (7) Aviation services shall be available for call out  
7 statewide 100% of the time, unless prohibited by weather or  
8 unexpected mechanical breakdowns.

9 (8) Money privately donated to the department is appropriated  
10 under part 1 to be used for the purposes designated by the donor of  
11 the money. Money privately donated to the department's canine unit  
12 shall be used to purchase equipment and other items to enhance the  
13 operation of the canine unit.

14 Sec. 406. (1) The department shall operate and maintain  
15 regional communication centers.

16 (2) The department shall maintain staffing and resources  
17 necessary to provide communication to Michigan state police law  
18 enforcement through the regional communication centers.

19 Sec. 407. (1) The department shall provide security services  
20 at the state capitol building.

21 (2) The department shall maintain the staff and resources  
22 necessary to respond to emergencies at the house office building,  
23 Farnum building, capitol parking lot, Townsend parking ramp, and  
24 Roosevelt parking ramp.

25 (3) The department shall pursue federal grants to improve the  
26 security at the capitol building.

27 (4) The department may develop a phased approach for improving

1 security at the capitol building.

2 Sec. 408. (1) The department shall respond to civil disorders  
3 and natural disasters.

4 (2) The department shall, at a minimum, maintain readiness  
5 including training and equipment to respond to civil disorders and  
6 natural disasters commensurate with the capabilities of fiscal year  
7 2010-2011.

8 Sec. 410. The department shall submit a report on or before  
9 April 1 to the appropriate senate and house appropriations  
10 subcommittees regarding the cities in distress public safety  
11 initiative and any measures relative to the law enforcement  
12 enhancement line-item appropriation contained in part 1. The report  
13 shall include, but is not limited to, the following information for  
14 the prior 6 months:

15 (a) Statistics regarding relevant trooper schools, including  
16 the number of applications, the number of troopers graduated, and  
17 the cities or posts in which each of these troopers is assigned or  
18 stationed.

19 (b) Statistics regarding criminal activity, including the  
20 number of arrests made by troopers assigned to the cities in  
21 distress, the number of traffic stops made by troopers assigned to  
22 cities in distress, the number of parole or probation violators  
23 arrested by troopers assigned to cities in distress, the number of  
24 violent and assaultive crimes committed in the cities in distress,  
25 the number of illegal drug and narcotic crimes committed in the  
26 cities in distress, and the number of property crimes committed in  
27 the cities in distress.

1 (c) Where reasonably available, statistics regarding the  
2 number of local law enforcement officers employed by the cities in  
3 distress and the number of criminal prosecutions in the counties in  
4 which the cities in distress are located.

5 Sec. 411. The department shall submit a report on or before  
6 April 1 to the appropriate senate and house appropriations  
7 subcommittees regarding transition by the department to the  
8 regional policing model. The report shall include, but is not  
9 limited to, information on costs and savings associated with the  
10 termination of lease agreements, costs associated with maintenance  
11 and fuel usage resulting from increased mileage on patrol vehicles,  
12 and costs and savings associated with shifting personnel from  
13 traditional office assignments to road patrol assignments.

#### 14 **SUPPORT SERVICES**

15 Sec. 501. (1) The department shall operate the Michigan  
16 intelligence operation center as the state's federally recognized  
17 fusion center.

18 (2) The department shall ensure public safety through the  
19 emergency management and homeland security division by providing  
20 public and private sector partners with timely and accurate  
21 information and regarding critical information key resources  
22 threats as reported to or discovered by the Michigan intelligence  
23 operations center and increase public awareness on how to report  
24 suspicious activity through website or telephone communications.

25 (3) The department shall seek to increase the number of public  
26 and private sector contacts which receive vital homeland security

1 information and intelligence in order to enhance the safety and  
2 security for citizens of this state.

3 Sec. 502. (1) The department shall provide hazardous materials  
4 response training.

5 (2) The department shall maintain the staffing and resources  
6 necessary to serve approximately 110 local emergency management  
7 preparedness programs and 88 local emergency planning committees in  
8 this state.

9 (3) The department shall conduct a minimum of 3 training  
10 sessions to enhance safe response in the event of natural or  
11 manmade incidents, emergencies, or disasters.

12 (4) The department's emergency management division shall make  
13 every effort to ensure both of the following:

14 (a) That homeland security grants offered by the federal  
15 government and channeled through the department are allocated to  
16 first responder entities in the highest percentage possible.

17 (b) That homeland security grants awarded to the city of  
18 Detroit shall not be used to supplant city general funds designated  
19 to support first responder operations.

20 Sec. 503. (1) The department shall operate and maintain the  
21 state's emergency operations center and provide command and control  
22 in support of emergency response services.

23 (2) The department shall maintain readiness, including  
24 training and equipment to respond to civil disorders and natural  
25 disasters.

26 (3) The department shall relocate the state's emergency  
27 operations center from its present site at Collins Road to another

1   suitable facility by September 30, 2013.

2           (4) The state director of emergency management may expend  
3   money appropriated under this article to call upon any agency or  
4   department of the state or any resource of the state to protect  
5   life or property or to provide for the health or safety of the  
6   population in any area of the state in which the governor proclaims  
7   a state of emergency or state of disaster under 1945 PA 302, MCL  
8   10.31 to 10.33, or under the emergency management act, 1976 PA 390,  
9   MCL 30.401 to 30.421. The state director of emergency management  
10   may expend the amounts the director considers necessary to  
11   accomplish these purposes. The director shall submit to the state  
12   budget director as soon as possible a complete report of all  
13   actions taken under the authority of this section. The report shall  
14   contain, as a separate item, a statement of all money expended that  
15   is not reimbursable from federal money. The state budget director  
16   shall review the expenditures and submit recommendations to the  
17   legislature in regard to any possible need for a supplemental  
18   appropriation.

19           (5) In addition to the money appropriated in this article, the  
20   department may receive and expend money from local, private,  
21   federal, or state sources for the purpose of providing emergency  
22   management training to local or private interests and for the  
23   purpose of supporting emergency preparedness, response, recovery,  
24   and mitigation activity. If additional expenditure authorization in  
25   the Michigan administrative information network is approved by the  
26   state budget office under this section, the department and the  
27   state budget office shall notify the senate and house

appropriations subcommittees on state police and military and veterans affairs and the senate and house fiscal agencies within 10 days after the approval. The notification shall include the amount and source and the additional authorization, the date of its approval, and the projected use of funds to be expended under the authorization.

Sec. 504. (1) The department may conduct public awareness campaigns regarding various public safety issues.

(2) The department may provide resources and technical assistance to train child passenger safety technicians to promote public education and awareness to parents.

Sec. 505. (1) The department shall administer various public safety grants to state, local, and private entities within this state.

(2) The department shall comply with all federal and state guidelines pertaining to grant distributions.

(3) The department shall seek new grant funding to support public safety.

## PART 2A

## PROVISIONS CONCERNING ANTICIPATED APPROPRIATIONS

FOR FISCAL YEAR 2013-2014

## GENERAL SECTIONS

Sec. 1201. It is the intent of the legislature to provide appropriations for the fiscal year ending on September 30, 2014 for the line items listed in part 1. The fiscal year 2013-2014

appropriations are anticipated to be the same as those for fiscal year 2012-2013, excluding appropriations designated as 1-time appropriations and adjusting for changes in caseload and related costs, federal fund match rates, economic factors, and available revenue. Specific anticipated adjustments are as follows, subject to adjust after the May 2013 consensus revenue estimating conference:

Economic adjustments.....	\$	<u>11,710,500</u>
GROSS APPROPRIATION.....	\$	11,710,500

Appropriated from:

Interdepartmental grant revenues:

Interdepartmental grant revenues.....	488,900
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Federal revenues:

Federal revenues.....	1,037,000
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Special revenue funds:

Local revenues.....	31,700
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Private revenues.....	6,800
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State restricted revenues.....	1,954,400
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State general fund/general purpose.....	\$	8,191,700
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## ARTICLE XVII

### TRANSPORTATION

#### PART 1

#### LINE-ITEM APPROPRIATIONS

#### FOR FISCAL YEAR 2012-2013

Sec. 101. Subject to the conditions set forth in this article,



the amounts listed in this part are appropriated for the state transportation department and certain state purposes designated in this article for the fiscal year ending September 30, 2013, from the funds indicated in this part. The following is a summary of the appropriations in this part:

**STATE TRANSPORTATION DEPARTMENT**

APPROPRIATION SUMMARY

Full-time equated unclassified positions..... 6.0

Full-time equated classified positions..... 2,912.3

GROSS APPROPRIATION..... \$ 3,466,090,300

Total interdepartmental grants and intradepartmental

transfers ..... 3,531,900

ADJUSTED GROSS APPROPRIATION..... \$ 3,462,558,400

Federal revenues:

DOT, federal transit administration..... 62,095,000

DOT-FHWA, highway research, planning, and construction 1,074,452,000

DOT-FRA, local rail service assistance..... 100,000

DOT-FRA, rail passenger/HSGT..... 3,000,000

DOT, federal aviation administration..... 82,183,100

Total federal revenues..... 1,221,830,100

Special revenue funds:

Local revenues..... 52,080,200

Private revenues..... 100,000

Total local and private revenues..... 52,180,200

Blue Water Bridge fund..... 19,262,400

Comprehensive transportation fund..... 265,247,300

Economic development fund..... 41,590,000

1	IRS debt service rebate.....	7,523,500
2	Intercity bus equipment fund.....	140,000
3	Local bridge fund.....	30,025,400
4	Michigan transportation fund.....	979,076,200
5	Rail freight fund.....	2,000,000
6	State aeronautics fund.....	27,833,400
7	State trunkline fund.....	789,603,900
8	One-time state restricted revenues.....	3,246,000
9	Total other state restricted revenues.....	2,165,548,100
10	State general fund/general purpose.....	\$ 23,000,000
11	<b>Sec. 102. DEBT SERVICE</b>	
12	State trunkline.....	\$ 199,473,700
13	Economic development.....	9,115,900
14	Local bridge fund.....	3,261,700
15	Blue Water Bridge fund.....	5,950,200
16	Airport safety and protection plan.....	3,892,600
17	Comprehensive transportation.....	<u>18,580,400</u>
18	GROSS APPROPRIATION.....	\$ 240,274,500
19	Appropriated from:	
20	Federal revenues:	
21	DOT-FHWA, highway research, planning, and construction	45,866,700
22	Special revenue funds:	
23	Blue Water Bridge fund.....	5,950,200
24	Comprehensive transportation fund.....	18,580,400
25	Economic development fund.....	9,115,900
26	Local bridge fund.....	3,261,700
27	IRS debt service rebate.....	7,523,500

1	State aeronautics fund.....	3,892,600
2	State trunkline fund.....	146,083,500
3	State general fund/general purpose.....	\$ 0
4	<b>Sec. 103. COLLECTION, ENFORCEMENT, AND OTHER AGENCY</b>	
5	<b>SUPPORT SERVICES</b>	
6	MTF grant to department of environmental quality.....	\$ 1,231,400
7	MTF grant to department of state for collection of	
8	revenue and fees .....	20,000,000
9	MTF grant to department of treasury.....	2,500,000
10	MTF grant to legislative auditor general.....	240,700
11	STF grant to department of attorney general.....	2,387,000
12	STF grant to civil service commission.....	5,697,000
13	STF grant to department of technology, management, and	
14	budget .....	1,420,600
15	STF grant to department of state police.....	11,217,900
16	STF grant to department of treasury.....	124,300
17	STF grant to legislative auditor general.....	558,900
18	SAF grant to department of attorney general.....	174,400
19	SAF grant to civil service commission.....	150,000
20	SAF grant to department of technology, management, and	
21	budget .....	38,900
22	SAF grant to department of treasury.....	73,700
23	SAF grant to legislative auditor general.....	23,000
24	CTF grant to department of attorney general.....	200,900
25	CTF grant to civil service commission.....	200,000
26	CTF grant to department of technology, management, and	
27	budget .....	44,100

1	CTF grant to department of treasury.....	5,500
2	CTF grant to legislative auditor general.....	<u>29,600</u>
3	GROSS APPROPRIATION.....	\$ 46,317,900
4	Appropriated from:	
5	Special revenue funds:	
6	Comprehensive transportation fund.....	480,100
7	Michigan transportation fund.....	23,972,100
8	State aeronautics fund.....	460,000
9	State trunkline fund.....	21,405,700
10	State general fund/general purpose.....	\$ 0
11	<b>Sec. 104. EXECUTIVE DIRECTION</b>	
12	Full-time equated unclassified positions..... 6.0	
13	Full-time equated classified positions..... 29.3	
14	Unclassified salaries.....	\$ 602,800
15	Asset management council.....	1,626,400
16	Commission audit--29.3 FTE positions.....	<u>3,209,300</u>
17	GROSS APPROPRIATION.....	\$ 5,438,500
18	Appropriated from:	
19	Special revenue funds:	
20	Michigan transportation fund.....	1,626,400
21	State trunkline fund.....	3,812,100
22	State general fund/general purpose.....	\$ 0
23	<b>Sec. 105. BUSINESS SUPPORT</b>	
24	Full-time equated classified positions..... 77.5	
25	Business support services--67.5 FTE positions.....	\$ 9,089,900
26	Economic development and enhancement programs--10.0	
27	FTE positions .....	1,524,600

1	Property management.....	8,070,900
2	Worker's compensation.....	<u>1,922,300</u>
3	GROSS APPROPRIATION.....	\$ 20,607,700
4	Appropriated from:	
5	Special revenue funds:	
6	Comprehensive transportation fund.....	1,175,400
7	Economic development fund.....	378,700
8	Michigan transportation fund.....	343,600
9	State aeronautics fund.....	629,600
10	State trunkline fund.....	18,080,400
11	State general fund/general purpose.....	\$ 0
12	<b>Sec. 106. INFORMATION TECHNOLOGY</b>	
13	Information technology services and projects.....	\$ <u>30,128,000</u>
14	GROSS APPROPRIATION.....	\$ 30,128,000
15	Appropriated from:	
16	Federal revenues:	
17	DOT-FHWA, highway research, planning, and construction	520,500
18	Special revenue funds:	
19	Blue Water Bridge fund.....	51,400
20	Comprehensive transportation fund.....	208,600
21	Economic development fund.....	37,200
22	Michigan transportation fund.....	275,500
23	State aeronautics fund.....	162,800
24	State trunkline fund.....	28,872,000
25	State general fund/general purpose.....	\$ 0
26	<b>Sec. 107. FINANCE, CONTRACTS, AND SUPPORT SERVICES</b>	
27	Full-time equated classified positions.....	185.0

1	Finance, contracts, and support		
2	services--185.0 FTE positions.....	\$	<u>20,137,500</u>
3	GROSS APPROPRIATION.....	\$	20,137,500
4	Appropriated from:		
5	Interdepartmental grant revenues:		
6	IDG for accounting service center user charges .....		3,517,100
7	Special revenue funds:		
8	Michigan transportation fund.....		1,770,800
9	State trunkline fund.....		14,849,600
10	State general fund/general purpose.....	\$	0
11	<b>Sec. 108. TRANSPORTATION PLANNING</b>		
12	Full-time equated classified positions.....		141.0
13	Transportation planning--141.0 FTE positions .....	\$	38,262,000
14	Grants to regional planning councils.....		<u>488,800</u>
15	GROSS APPROPRIATION.....	\$	38,750,800
16	Appropriated from:		
17	Federal revenues:		
18	DOT-FHWA, highway research, planning, and construction		22,000,000
19	Special revenue funds:		
20	Comprehensive transportation fund.....		610,500
21	Michigan transportation fund.....		6,096,700
22	State aeronautics fund.....		15,000
23	State trunkline fund.....		10,028,600
24	State general fund/general purpose.....	\$	0
25	<b>Sec. 109. DESIGN AND ENGINEERING SERVICES</b>		
26	Full-time equated classified positions.....		1,498.8
27	Engineering services--701.1 FTE positions .....	\$	66,957,000

1	Program services--735.7 FTE positions .....	56,755,800
2	Intelligent transportation systems operations--12.0	
3	FTE positions .....	10,674,000
4	Welcome center operations--50.0 FTE positions .....	<u>4,285,000</u>
5	GROSS APPROPRIATION.....	\$ 138,671,800
6	Appropriated from:	
7	Federal revenues:	
8	DOT-FHWA, highway research, planning, and construction	23,529,800
9	Special revenue funds:	
10	Michigan transportation fund.....	7,843,400
11	State trunkline fund.....	107,298,600
12	State general fund/general purpose.....	\$ 0
13	<b>Sec. 110. HIGHWAY MAINTENANCE</b>	
14	Full-time equated classified positions..... 808.7	
15	State trunkline operations--808.7 FTE positions .....	\$ <u>273,395,700</u>
16	GROSS APPROPRIATION.....	\$ 273,395,700
17	Appropriated from:	
18	Special revenue funds:	
19	State trunkline fund.....	273,395,700
20	State general fund/general purpose.....	\$ 0
21	<b>Sec. 111. ROAD AND BRIDGE PROGRAMS</b>	
22	State trunkline federal aid and road and bridge	
23	construction .....	\$ 941,053,200
24	Local federal aid and road and bridge construction...	240,443,000
25	Grants to local programs.....	33,000,000
26	Rail grade crossing.....	3,000,000
27	Local bridge program.....	26,763,700

1	County road commissions.....	576,860,100
2	Cities and villages.....	<u>321,625,300</u>
3	GROSS APPROPRIATION.....	\$ 2,142,745,300
4	Appropriated from:	
5	Federal revenues:	
6	DOT-FHWA, highway research, planning, and construction	982,535,000
7	Special revenue funds:	
8	Local funds.....	30,000,000
9	Blue Water Bridge fund.....	7,107,300
10	Local bridge fund.....	26,763,700
11	Michigan transportation fund.....	934,485,400
12	State trunkline fund.....	161,853,900
13	State general fund/general purpose.....	\$ 0
14	<b>Sec. 112. BLUE WATER BRIDGE</b>	
15	Full-time equated classified positions..... 41.0	
16	Blue Water Bridge operations--41.0 FTE positions .....	\$ <u>6,153,500</u>
17	GROSS APPROPRIATION.....	\$ 6,153,500
18	Appropriated from:	
19	Special revenue funds:	
20	Blue Water Bridge fund.....	6,153,500
21	State general fund/general purpose.....	\$ 0
22	<b>Sec. 113. TRANSPORTATION ECONOMIC DEVELOPMENT</b>	
23	Forest roads.....	\$ 5,000,000
24	Rural county urban system.....	2,500,000
25	Target industries/economic redevelopment .....	8,029,000
26	Urban county congestion.....	8,264,600
27	Rural county primary.....	<u>8,264,600</u>



1	GROSS APPROPRIATION.....	\$	32,058,200
2	Appropriated from:		
3	Special revenue funds:		
4	Economic development fund.....		32,058,200
5	State general fund/general purpose.....	\$	0
6	<b>Sec. 114. AERONAUTICS SERVICES</b>		
7	Full-time equated classified positions.....		54.0
8	Aeronautics services--54.0 FTE positions.....	\$	7,568,500
9	Air service program.....		<u>700,000</u>
10	GROSS APPROPRIATION.....	\$	8,268,500
11	Appropriated from:		
12	Special revenue funds:		
13	State aeronautics fund.....		8,268,500
14	State general fund/general purpose.....	\$	0
15	<b>Sec. 115. PUBLIC TRANSPORTATION SERVICES</b>		
16	Full-time equated classified positions.....		40.5
17	Passenger transportation services--40.5 FTE positions	\$	<u>6,126,200</u>
18	GROSS APPROPRIATION.....	\$	6,126,200
19	Appropriated from:		
20	Federal revenues:		
21	DOT, federal transit administration.....		972,100
22	Special revenue funds:		
23	Comprehensive transportation fund.....		4,974,700
24	Michigan transportation fund.....		179,400
25	State general fund/general purpose.....	\$	0
26	<b>Sec. 116. BUS TRANSIT DIVISION: STATUTORY OPERATING</b>		
27	Local bus operating.....	\$	166,624,000

1	Nonurban operating/capital.....		<u>22,787,900</u>
2	GROSS APPROPRIATION.....	\$	189,411,900
3	Appropriated from:		
4	Federal revenues:		
5	DOT, federal transit administration.....		21,987,900
6	Special revenue funds:		
7	Comprehensive transportation fund.....		166,624,000
8	Local funds.....		800,000
9	State general fund/general purpose.....	\$	0
10	<b>Sec. 117. INTERCITY PASSENGER AND FREIGHT</b>		
11	Full-time equated classified positions.....	36.5	
12	Office of rail--36.5 FTE positions.....	\$	5,768,900
13	Freight property management.....		1,000,000
14	Detroit/Wayne County port authority.....		468,200
15	Intercity services.....		7,690,000
16	Rail passenger service/rail operations and		
17	infrastructure .....		24,592,000
18	Marine passenger service.....		400,000
19	Terminal development.....		<u>461,000</u>
20	GROSS APPROPRIATION.....	\$	40,380,100
21	Appropriated from:		
22	Federal revenues:		
23	DOT, federal transit administration.....		4,500,000
24	DOT-FRA, local rail service assistance.....		100,000
25	DOT-FRA, rail passenger/PRIIA.....		3,000,000
26	Special revenue funds:		
27	Local funds.....		150,000

1	Private funds.....	100,000
2	Comprehensive transportation fund.....	26,984,900
3	Intercity bus equipment fund.....	140,000
4	Rail freight fund.....	2,000,000
5	Michigan transportation fund.....	2,482,900
6	State trunkline fund.....	922,300
7	State general fund/general purpose.....	\$ 0
8	<b>Sec. 118. PUBLIC TRANSPORTATION DEVELOPMENT</b>	
9	Specialized services.....	\$ 8,913,800
10	Municipal credit program.....	2,000,000
11	Transit capital.....	66,942,900
12	Van pooling.....	807,000
13	Service initiatives.....	1,865,000
14	Transportation to work.....	<u>9,700,000</u>
15	GROSS APPROPRIATION.....	\$ 90,228,700
16	Appropriated from:	
17	Federal revenues:	
18	DOT, federal transit administration.....	34,635,000
19	Special revenue funds:	
20	Local funds.....	9,985,000
21	Comprehensive transportation fund.....	45,608,700
22	State general fund/general purpose.....	\$ 0
23	<b>Sec. 119. CAPITAL OUTLAY</b>	
24	<b>(a) BUILDINGS AND FACILITIES</b>	
25	Special maintenance, remodeling, and additions.....	\$ <u>3,001,500</u>
26	GROSS APPROPRIATION.....	\$ 3,001,500
27	Appropriated from:	

1	Special revenue funds:	
2	State trunkline fund.....	3,001,500
3	State general fund/general purpose.....	\$ 0
4	<b>(b) AIRPORT IMPROVEMENT PROGRAMS</b>	
5	Airport safety, protection and improvement program...	\$ <u>107,733,200</u>
6	GROSS APPROPRIATION.....	\$ 107,733,200
7	Appropriated from:	
8	Federal revenues:	
9	DOT, federal aviation administration.....	82,183,100
10	Special revenue funds:	
11	Local funds.....	11,145,200
12	State aeronautics fund.....	14,404,900
13	State general fund/general purpose.....	\$ 0
14	<b>Sec. 120. ONE-TIME BASIS ONLY</b>	
15	State employee lump-sum payments.....	\$ 3,260,800
16	Federal aid match for transit capital.....	12,000,000
17	Federal aid match for rail operations and	
18	infrastructure .....	<u>11,000,000</u>
19	GROSS APPROPRIATION.....	\$ 26,260,800
20	Appropriated from:	
21	One-time interdepartmental grant revenues.....	14,800
22	One-time state restricted revenues.....	3,246,000
23	State general fund/general purpose.....	\$ 23,000,000

24 PART 2

25 PROVISIONS CONCERNING APPROPRIATIONS

## FOR FISCAL YEAR 2012-2013

**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 2012-2013 is \$2,188,548,100.00 and state spending from state resources to be paid to local units of government for fiscal year 2012-2013 is \$1,233,655,900.00. The itemized statement below identifies appropriations from which spending to local units of government will occur:

## DEPARTMENT OF TRANSPORTATION

Grants to regional planning councils.....	\$	488,800
Grants to local programs.....		33,000,000
Rail grade crossing.....		3,000,000
Local bridge program.....		26,763,700
Grants to county road commissions.....		576,860,100
Grants to cities and villages.....		321,625,300
Economic development fund.....		32,058,200
Air service program.....		700,000
Local bus operating.....		166,624,000
Detroit/Wayne County port authority.....		468,200
Marine passenger service.....		400,000
Terminal development.....		461,000
Specialized services.....		3,943,800
Municipal credit program.....		2,000,000
Transit capital.....		33,642,900
Service initiatives.....		515,000
Transportation to work.....		4,700,000

1	Airport safety, protection, and improvement	
2	program.....	14,404,900
3	One-time transit capital.....	<u>12,000,000</u>
4	Total payments to local units of government.....	\$ 1,233,655,900

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

8       Sec. 203. As used in this article:

9       (a) "AASHTO" means the American association of state highway  
10 and transportation officials.

11       (b) "ASTM" means the American society for testing and  
12 materials.

13       (c) "CTF" means comprehensive transportation fund.

14       (d) "Department" means the department of transportation.

15       (e) "DOT" means the United States department of  
16 transportation.

17       (f) "DOT-FHWA" means DOT, federal highway administration.

18       (g) "DOT-FRA" means DOT, federal railroad administration.

19       (h) "DOT-FRA, rail passenger/HSGT" means DOT, federal railroad  
20 administration, high-speed ground transportation.

21       (i) "EDF" means economic development fund.

22       (j) "FTE" means full-time equated.

23       (k) "IRS" means the internal revenue service.

24       (l) "MTF" means Michigan transportation fund.

25       (m) "RIF" means recreation improvement fund.

26       (n) "SAF" means state aeronautics fund.

27       (o) "STF" means state trunkline fund.

1       Sec. 206. (1) In addition to the funds appropriated in part 1,  
2 there is appropriated an amount not to exceed \$200,000,000.00 for  
3 federal contingency funds. These funds are not available for  
4 expenditure until they have been transferred to another line item  
5 in this article under section 393(2) of the management and budget  
6 act, 1984 PA 431, MCL 18.1393.

7       (2) In addition to the funds appropriated in part 1, there is  
8 appropriated an amount not to exceed \$40,000,000.00 for state  
9 restricted contingency funds. These funds are not available for  
10 expenditure until they have been transferred to another line item  
11 in this article under section 393(2) of the management and budget  
12 act, 1984 PA 431, MCL 18.1393.

13       (3) In addition to the funds appropriated in part 1, there is  
14 appropriated an amount not to exceed \$1,000,000.00 for local  
15 contingency funds. These funds are not available for expenditure  
16 until they have been transferred to another line item in this  
17 article under section 393(2) of the management and budget act, 1984  
18 PA 431, MCL 18.1393.

19       (4) In addition to the funds appropriated in part 1, there is  
20 appropriated an amount not to exceed \$1,000,000.00 for private  
21 contingency funds. These funds are not available for expenditure  
22 until they have been transferred to another line item in this  
23 article under section 393(2) of the management and budget act, 1984  
24 PA 431, MCL 18.1393.

25       Sec. 207. The department shall maintain a searchable website  
26 accessible by the public at no cost that includes, but is not  
27 limited to, all of the following:

1 (a) Fiscal year-to-date expenditures by category.

2 (b) Fiscal year-to-date expenditures by appropriation unit.

3 (c) Fiscal year-to-date payments to a selected vendor,  
4 including the vendor name, payment date, payment amount, and  
5 payment description.

6 (d) The number of active department employees by job  
7 classification.

8 (e) Job specifications and wage rates.

9 Sec. 208. Unless otherwise specified, the departments shall  
10 use the Internet to fulfill the reporting requirements of this  
11 article. This requirement may include transmission of reports via  
12 electronic mail to the recipients identified for each reporting  
13 requirement, or it may include placement of reports on an Internet  
14 or Intranet site.

15 Sec. 209. Funds appropriated in part 1 shall not be used for  
16 the purchase of foreign goods or services, or both, if  
17 competitively priced and of comparable quality American goods or  
18 services, or both, are available. Preference shall be given to  
19 goods or services, or both, manufactured or provided by Michigan  
20 businesses, if they are competitively priced and of comparable  
21 quality. In addition, preference should be given to goods or  
22 services, or both, that are manufactured or provided by Michigan  
23 businesses owned and operated by veterans, if they are  
24 competitively priced and of comparable quality.

25 Sec. 211. Amounts appropriated in part 1 for information  
26 technology may be designated as work projects and carried forward  
27 to support technology projects under the direction of the



1 department of technology, management, and budget. Funds designated  
2 in this manner are not available for expenditure until approved as  
3 work projects under section 451a of the management and budget act,  
4 1984 PA 431, MCL 18.1451a.

5       Sec. 212. The department and agencies receiving appropriations  
6 in part 1 shall receive and retain copies of all reports funded  
7 from appropriations in part 1. Federal and state guidelines for  
8 short-term and long-term retention of records shall be followed.  
9 The department may electronically retain copies of reports unless  
10 otherwise required by federal and state guidelines.

11       Sec. 214. From the funds appropriated in part 1 for  
12 information technology, departments and agencies shall pay user  
13 fees to the department of technology, management, and budget for  
14 technology-related services and projects. The user fees shall be  
15 subject to provisions of an interagency agreement between the  
16 department and agencies and the department of technology,  
17 management, and budget.

18       Sec. 215. The department shall not take disciplinary action  
19 against an employee for communicating with a member of the  
20 legislature or his or her staff.

21       Sec. 216. When beginning any effort to privatize, the  
22 department shall submit a complete project plan to the house of  
23 representatives and senate appropriations subcommittees on  
24 transportation, the state budget office, and the house and senate  
25 fiscal agencies. The plan shall include the rationale for  
26 privatization, including a cost-benefit analysis if appropriate.  
27 The evaluation shall be completed and submitted to the appropriate

1 senate and house of representatives appropriations subcommittees  
2 and the senate and house fiscal agencies. As used in this section,  
3 "privatize" or "privatization" means the transfer of state highway  
4 maintenance or activities currently performed by department forces,  
5 or by boards of county road commissioners, county boards of  
6 commissioners, or local units of government under contract with the  
7 department, to private contractors.

8       Sec. 218. The departments and agencies receiving  
9 appropriations in part 1 shall prepare a report on out-of-state  
10 travel expenses not later than January 1 of each year. The travel  
11 report shall be a listing of all travel by classified and  
12 unclassified employees outside this state in the immediately  
13 preceding fiscal year that was funded in whole or in part with  
14 funds appropriated in the department's budget. The report shall be  
15 submitted to the house and senate standing committees on  
16 appropriations, the house and senate fiscal agencies, and the state  
17 budget director. The report shall include the following  
18 information:

19       (a) The dates of each travel occurrence.

20       (b) The total transportation and related costs of each travel  
21 occurrence, including the proportion funded with state general  
22 fund/general purpose revenues, the proportion funded with state  
23 restricted revenues, the proportion funded with federal revenues,  
24 and the proportion funded with other revenues.

25       Sec. 219. It is the intent of the legislature that all  
26 principal executive departments and agencies cooperate with the  
27 development and implementation of the department of technology,

House Bill No. 5365 (H-2) as amended April 25, 2012

management, and budget statewide office space consolidation plan.

Sec. 228. Not later than November 15, the department shall prepare and transmit a report that provides for estimates of the total general fund/general purpose appropriation lapses at the close of the fiscal year. This report shall summarize the projected year-end general fund/general purpose appropriation lapses by major departmental program or program areas. The report shall be transmitted to the office of the state budget, the chairpersons of the senate and house of representatives standing committees on appropriations, and the senate and house fiscal agencies.

Sec. 229. Within 14 days after the release of the executive budget recommendation, the department shall provide the state budget director, the senate and house appropriations chairs, the senate and house appropriations subcommittees on transportation, respectively, and the senate and house fiscal agencies with an annual report on estimated state restricted fund balances, state restricted fund projected revenues, and state restricted fund expenditures for the fiscal years ending September 30, 2012 and September 30, 2013.

[Sec. 230. By October 31, 2012, the department shall identify 10 principal measurable outcomes to be affected by expenditure of the funds appropriated in part 1 of this article and submit a report to the house and senate appropriations committees, the house and senate fiscal agencies, and the state budget director that ranks the outcomes by level of importance and contains current data on those outcomes. Beginning on April 1, 2013, the department shall provide biannual updates to the house and senate appropriations committees on changes in those measurable outcomes and departmental efforts to improve the outcomes.]

Sec. 262. Funds appropriated in part 1 shall not be used by a principal executive department, state agency, or authority to hire a person to provide legal services that are the responsibility of the attorney general. This prohibition does not apply to legal services for bonding activities and for those activities that the attorney general authorizes.

Sec. 270. In order to reduce costs and maintain quality, it is the intent of the legislature that, excluding the fleet of motor

1 vehicles for the department of state police, the department will  
2 prioritize the utilization of remanufactured parts as the primary  
3 means of maintenance and repair for the state of Michigan's fleet  
4 of motor vehicles.

#### 5 DEPARTMENTAL SECTIONS

6       Sec. 301. (1) The department may establish a fee schedule and  
7 collect fees sufficient to cover the costs to issue the permits  
8 that the department is authorized by law to issue upon request,  
9 unless otherwise stipulated by law. All permit fees are  
10 nonrefundable application fees and shall be credited to the  
11 appropriate fund to recover the direct and indirect costs of  
12 receiving, reviewing, and processing the requests.

13       (2) A bridge authority shall hold 3 public hearings on an  
14 increase in any toll charged by the authority at least 30 days  
15 before the toll change will become effective. Two of the hearings  
16 shall be held within 5 miles of the bridge over which the bridge  
17 authority has jurisdiction. One hearing shall be held in Lansing.  
18 Public hearings held under this section shall be conducted in  
19 accordance with the open meetings act, 1976 PA 267, MCL 15.261 to  
20 15.275, and shall be conducted so as to provide a reasonable  
21 opportunity for public comment, including both spoken and written  
22 comments.

23       Sec. 303. On request, the department shall provide to a  
24 legislator, in writing, a report on the amount of money to be  
25 received by each city and village and the county road commission of  
26 each county, that is included in whole or in part within the

1 legislator's legislative district.

2       Sec. 304. If, as a requirement of bidding on a highway  
3 project, the department requires a contractor to submit financial  
4 or proprietary documentation as to how the bid was calculated, that  
5 bid documentation shall be kept confidential and shall not be  
6 disclosed other than to a department representative without the  
7 contractor's written consent. The department may disclose the bid  
8 documentation if necessary to address or defend a claim by a  
9 contractor.

10       Sec. 305. The department shall permit space on public  
11 passenger transportation properties to be occupied by public or  
12 private tenants on a competitive market rate basis. The department  
13 shall require that revenue from the tenants be placed in an account  
14 to be used to pay the costs to maintain and improve the property.

15       Sec. 306. (1) The amounts appropriated in section 103 to  
16 support tax and fee collection, law enforcement, and other program  
17 services provided to the department and to transportation funds by  
18 other state departments shall be expended from transportation funds  
19 pursuant to annual contracts between the department and those other  
20 state departments. The contracts shall be executed prior to the  
21 expenditure or obligation of those funds. The contracts shall  
22 provide, but are not limited to, the following data applicable to  
23 each state department:

24       (a) Estimated costs to be recovered from transportation funds.

25       (b) Description of services provided to the department and/or  
26 transportation funds and financed with transportation funds.

27       (c) Detailed cost allocation methods appropriate to the type

1 of services being provided and the activities financed with  
2 transportation funds.

3 (2) Not later than 2 months after publication of the state of  
4 Michigan comprehensive annual financial report, each state  
5 department receiving funding pursuant to an interdepartment  
6 contract with the department shall submit a written report to the  
7 department, the state budget director, and the house and senate  
8 fiscal agencies stating by spending authorization account the  
9 amount of estimated funds contracted with the department, the  
10 amount of funds expended, the amount of funds returned to the  
11 transportation funds, and any unreimbursed transportation-related  
12 costs incurred but not billed to transportation funds. A copy of  
13 the report shall be submitted to the auditor general, and the  
14 report shall be subject to audit by the auditor general as provided  
15 in subsection (3).

16 (3) Biennially, in each even-numbered fiscal year, the auditor  
17 general shall conduct an audit of charges to transportation funds  
18 by state departments for the 2 preceding fiscal years. The audit  
19 shall include both charges governed by interdepartmental contracts  
20 as well as miscellaneous charges from other state departments not  
21 governed by contracts. The auditor general shall prepare a detailed  
22 report, with recommendations and conclusions, including a summary  
23 of charges and related services to transportation funds by  
24 department, the appropriateness of those charges, the cost  
25 allocation methodologies used in determining the level of funding,  
26 and any unreimbursed transportation-related costs, if any. The  
27 report shall be provided to the senate and house of representatives

1 committees on appropriations, the senate and house fiscal agencies,  
2 and the state budget director 9 months after publication of the  
3 state of Michigan comprehensive annual financial report.

4       Sec. 307. Before March 1 of each year, the department will  
5 provide to the legislature, the state budget office, and the house  
6 and senate fiscal agencies its rolling 5-year plan listing by  
7 county or by county road commission all highway construction  
8 projects for the fiscal year and all expected projects for the  
9 ensuing fiscal years.

10       Sec. 308. (1) The department and local road agencies that  
11 receive appropriations under this article shall pursue compliance  
12 with contract specifications for construction and maintenance of  
13 state highways and local roads and streets. Work shall not be  
14 accepted and paid for until it complies with contract requirements.  
15 Contractors with unsatisfactory performance ratings shall be  
16 restricted from future bidding through the prequalification process  
17 established by the department or a local road agency. The  
18 department, county road commissions, and cities and villages shall  
19 report to the house of representatives and senate appropriations  
20 subcommittees on transportation, the senate and house fiscal  
21 agencies, and the state budget director on their respective  
22 activities under this section.

23       (2) A contractor's prequalification rating shall not be  
24 reduced or restricted until all administrative appeals have been  
25 completed. The department can take immediate action regarding a  
26 contractor's prequalification rating for public safety reasons or  
27 to prevent fraud and malfeasance of public funds.

1       Sec. 310. The department shall provide in a timely manner  
2 copies of the agenda and approved minutes of monthly transportation  
3 commission meetings to the members of the house and senate  
4 appropriations subcommittees on transportation, the house and  
5 senate fiscal agencies, and the state budget director.

6       Sec. 312. At the close of the fiscal year, any unencumbered  
7 and unexpended balance in the state trunkline fund shall remain in  
8 the state trunkline fund and shall carry forward and is  
9 appropriated for federal aid road and bridge programs for projects  
10 contained in the annual state transportation program.

11       Sec. 313. (1) From funds appropriated in part 1, the  
12 department may increase a state infrastructure bank program and  
13 grant or loan funds in accordance with regulations of the state  
14 infrastructure bank program of the United States department of  
15 transportation. The state infrastructure bank is to be administered  
16 by the department for the purpose of providing a revolving, self-  
17 sustaining resource for financing transportation infrastructure  
18 projects.

19       (2) In addition to funds provided in subsection (1), money  
20 received by the state as federal grants, repayment of state  
21 infrastructure bank loans, or other reimbursement or revenue  
22 received by the state as a result of projects funded by the program  
23 and interest earned on that money shall be deposited in the  
24 revolving state infrastructure bank fund and shall be available for  
25 transportation infrastructure projects. At the close of the fiscal  
26 year, any unencumbered funds remaining in the state infrastructure  
27 bank fund shall remain in the fund and be carried forward into the



1 succeeding fiscal year.

2 Sec. 319. The department shall post signs at each rest area to  
3 identify the agency or contractor responsible for maintenance of  
4 the rest area. The signs shall include a department telephone  
5 number and shall indicate that unsafe or unclean conditions at the  
6 rest area may be reported to that telephone number.

7 Sec. 353. The department shall review its contractor payment  
8 process and ensure that all prime contractors are paid promptly.  
9 The department shall ensure that prime contractors are in  
10 compliance with special provision 109.10 regarding the prompt  
11 payment of subcontractors.

12 Sec. 357. When presented with complete local federal aid  
13 project submittals, the department shall complete all necessary  
14 reviews and inspections required to let local federal aid projects  
15 within 120 days of receipt. The department shall implement a system  
16 for monitoring the local federal aid project review process.

17 Sec. 375. The department is prohibited from reimbursing  
18 contractors or consultants for costs associated with groundbreaking  
19 ceremonies, receptions, open houses, or press conferences related  
20 to transportation projects funded, in whole or in part, by revenue  
21 appropriated in part 1.

22 Sec. 381. The department shall verify, using the e-verify  
23 system, that all new department employees, and new hire employees  
24 of contractors and subcontractors paid from funds appropriated in  
25 this article, are legally present in the United States. The  
26 department may verify this information directly or may require  
27 contractors and subcontractors to verify the information and submit

1 a certification to the department. The department shall submit to  
2 the house and senate appropriations committees and the house and  
3 senate fiscal agencies a report by March 1, 2013 certifying that it  
4 has verified, or has required contractors and subcontractors to  
5 verify, using the e-verify system, that all new department  
6 employees and new hire employees of contractors and subcontractors  
7 are legally present in the United States.

8       Sec. 382. It is the intent of the legislature that every 5  
9 years the department and the state budget office provide for an  
10 independent study of the state government needs for a state  
11 aircraft fleet, including a study of the costs associated with the  
12 current fleet or other arrangements for air travel.

13       Sec. 383. (1) The department shall prepare an annual report on  
14 all travel by executive branch employees, and others including  
15 local public officials, university employees, and other public  
16 employees on department-owned aircraft. The report shall include,  
17 by department, the name of the traveler, the travel origination  
18 location, the travel destination location, type of aircraft, and  
19 the total estimated costs associated with the air travel.

20       (2) The report shall be submitted to the senate and house  
21 appropriations subcommittees on transportation and the house and  
22 senate fiscal agencies no later than July 1.

23       (3) From the funds appropriated in part 1, the department is  
24 prohibited from transporting legislators or legislative staff on  
25 state-owned aircraft without prior approval from the senate  
26 majority leader or the speaker of the house of representatives and  
27 only when the aircraft is already scheduled by state employees on

1 related official state business.

2 (4) The department shall maintain a system for recovering the  
3 cost of operating department-owned aircraft through charges to  
4 aircraft users.

5 Sec. 384. (1) The department shall not expend any state  
6 transportation revenue for construction planning or construction of  
7 the Detroit River International Crossing or a renamed successor. In  
8 addition, except as provided in subsection (3), the department  
9 shall not commit the state to any new contract related to the  
10 construction planning or construction of the Detroit River  
11 International Crossing or a renamed successor unless the  
12 legislature has enacted specific enabling legislation to allow for  
13 the construction of the Detroit River International Crossing or a  
14 renamed successor, and the department has completed the Gateway  
15 project.

16 (2) On or before March 31, 2013, the department shall report  
17 to the state budget director, the house and senate appropriations  
18 subcommittees on transportation, and the house and senate fiscal  
19 agencies on department activities related to the Detroit River  
20 International Crossing or a renamed successor.

21 (3) If the legislature enacts specific enabling legislation  
22 for the construction of the Detroit River International Crossing or  
23 a renamed successor, subsection (1) does not apply once the  
24 enabling legislation goes into effect.

25 Sec. 385. (1) The department shall use all available toll  
26 credits, as provided by private toll facilities in this state and  
27 certified by the federal highway administration, to match available

1 federal aid highway funds.

2 (2) The department shall not use toll credits generated by a  
3 private tolled bridge crossing to finance, design, plan, construct,  
4 operate, or maintain any international bridge crossing within 5  
5 miles of that privately tolled bridge.

6 Sec. 393. The department shall promote best practices for  
7 public transportation services in this state, including, but not  
8 limited to, the following:

9 (a) Increasing farebox recovery.

10 (b) Transit vehicle rehabilitation to reduce life-cycle cost  
11 of public transportation through mid-life rehabilitation of transit  
12 buses.

13 (c) Cooperation between entities using transit, including  
14 school districts, cities, townships, and counties with a view to  
15 promoting cost savings through joint purchasing of fuel and other  
16 procurements.

17 (d) Coordination of transportation dollars among state  
18 departments which provide transit-related services, including the  
19 department of human services and the department of community  
20 health. Priority should be given to use of public transportation  
21 services where available.

22 (e) Promotion of intelligent transportation services for buses  
23 that incorporate computer and navigation technology to make  
24 transit systems more efficient, including stoplight coordinating,  
25 vehicle tracking, data tracking, and computerized scheduling.

26 Sec. 395. The department shall not expend any funds  
27 appropriated in part 1 for unclassified salaries until the Gateway

House Bill No. 5365 (H-2) as amended April 25, 2012

1 project is completed in accordance with the 2004 Gateway project  
2 implementation agreement, as amended.

3 Sec. 398. For the fiscal year ending September 30, 2013, the  
4 appropriation to a street railway pursuant to section 10e(22) of  
5 1951 PA 51, MCL 247.660e, is \$0.

[Sec. 399. The department shall work with the Michigan department  
of agriculture and rural development to facilitate the use of welcome  
centers and highway rest areas for farmer's markets.]

6 **FEDERAL**

7 Sec. 401. Within 30 days of receiving the applicable fiscal  
8 year authorization from the federal government to commit  
9 transportation funds, the department shall notify local agency  
10 representatives, the senate and house of representatives  
11 appropriations transportation subcommittees, the senate and house  
12 fiscal agencies, and the state budget director regarding the amount  
13 of federal aid for categorical allocations to state and local  
14 agency programs not specifically allocated in either federal or  
15 state law.

16 Sec. 402. A portion of the federal DOT-FHWA highway research,  
17 planning, and construction funds made available to the state shall  
18 be allocated to transportation programs administered by local  
19 jurisdictions in accordance with section 10o of 1951 PA 51, MCL  
20 247.660o. A local road agency, with respect to a project approved  
21 for federal aid funding in a state transportation improvement  
22 program, may enter into a voluntary buyout agreement with the  
23 department or with another local road agency to exchange the  
24 federal aid with state restricted transportation funds as agreed to  
25 by the respective parties. The state restricted transportation  
26 funds received in exchange for federal aid funds shall be used for

1 the same purpose as the federal aid funds were originally intended.

2 **MICHIGAN TRANSPORTATION FUND**

3 Sec. 501. The money received under the motor carrier act, 1933  
4 PA 254, MCL 475.1 to 479.43, and not appropriated to the department  
5 of licensing and regulatory affairs or the department of state  
6 police is deposited in the Michigan transportation fund.

7 Sec. 503. (1) The funds appropriated in part 1 for the  
8 economic development and local bridge programs shall not lapse at  
9 the end of the fiscal year but shall carry forward each fiscal year  
10 for the purposes for which appropriated in accordance with 1987 PA  
11 231, MCL 247.901 to 247.913, and section 10(5) of 1951 PA 51, MCL  
12 247.660.

13 (2) Interest earned in the department of transportation  
14 economic development fund and local bridge fund shall remain in the  
15 respective funds and shall be allocated to the respective programs  
16 based on actual interest earned at the end of each fiscal year.

17 (3) In addition to the funds appropriated in part 1, the  
18 department of transportation economic development fund and local  
19 bridge fund may receive federal, local, or private funds or  
20 restricted source funds such as interest earnings. These funds are  
21 appropriated for projects that are consistent with the purposes of  
22 the respective funds.

23 (4) None of the funds statutorily dedicated to the  
24 transportation economic development fund and local bridge fund  
25 shall be diverted to other projects.

26 Sec. 504. Funds from the Michigan transportation fund (MTF)

1 shall be distributed to the comprehensive transportation fund  
2 (CTF), the economic development fund (EDF), the recreation  
3 improvement fund (RIF), and the state trunkline fund (STF), in  
4 accordance with this article and part 711 of the natural resources  
5 and environmental protection act, 1994 PA 451, MCL 324.71101 to  
6 324.71108, and may only be used as specified in this article, 1951  
7 PA 51, MCL 247.651 to 247.675, and part 711 of the natural  
8 resources and environmental protection act, 1994 PA 451, MCL  
9 324.71101 to 324.71108.

#### 10 **STATE TRUNKLINE FUND**

11       Sec. 601. The department shall work with the road construction  
12 industry and engineering consulting community to develop  
13 performance and road construction warranties for construction  
14 contracts. The development of warranties shall include warranties  
15 on materials, workmanship, performance criteria, and design/build  
16 projects. The department will report by September 30 of each  
17 calendar year to the house of representatives and senate  
18 appropriations subcommittees on transportation, the state budget  
19 director, and the house and senate fiscal agencies on the status of  
20 efforts to develop performance and road construction warranties.

21       Sec. 612. The department shall establish guidelines governing  
22 incentives and disincentives provided under contracts for state  
23 trunkline projects. The guidelines shall include specific financial  
24 information concerning incentives and disincentives. On or before  
25 January 1 of each year, the department shall prepare a report for  
26 the immediately preceding fiscal year regarding contract incentives

1 and disincentives. This report shall include a list, by project, of  
2 the contractors that received contract incentives and/or  
3 disincentives, the amount of the incentives and/or disincentives,  
4 and the number of days that each project was completed either ahead  
5 or past the contracted completion date. This report shall be  
6 provided to the senate and house appropriations subcommittees on  
7 transportation, the senate and house standing committees on  
8 transportation, and the senate and house fiscal agencies.

9       Sec. 660. (1) The legislature encourages the department to  
10 examine the use of alternative road surface materials, including  
11 recycled materials, and to develop criteria and specifications for  
12 their use in both department-managed and contracted projects.

13       (2) The department shall evaluate the use of a bituminous mix  
14 which incorporates crumb rubber from scrap tires.

15       Sec. 661. Of the appropriation from the state trunkline fund  
16 in part 1 for state trunkline federal aid and road and bridge  
17 construction, \$100,000,000.00 represents estimated revenue from  
18 passage of Senate Bill No. 351 of the 2011-2012 legislative session  
19 and is intended to ensure that the state is able to match all  
20 available federal-aid highway funds.

#### 21    COMPREHENSIVE TRANSPORTATION FUND

22       Sec. 701. Money that is received by the state as a lease  
23 payment for state-owned intercity bus equipment is not money to be  
24 deposited in the comprehensive transportation fund under section  
25 10b of 1951 PA 51, MCL 247.660b, but is money that is deposited in  
26 an intercity bus equipment fund for appropriation for the purchase



1 and repair of intercity bus equipment. Proceeds received by the  
2 state from the sale of intercity bus equipment are deposited in an  
3 intercity bus equipment fund for appropriation for the purchase and  
4 repair of intercity bus equipment. Security deposits from the lease  
5 of state-owned intercity bus equipment not returned to the lessee  
6 of the equipment under terms of the lease agreement are deposited  
7 in an intercity bus equipment fund for appropriation for the repair  
8 of intercity bus equipment. At the close of the fiscal year, any  
9 funds remaining in the intercity bus equipment fund shall remain in  
10 the fund and be carried forward into the succeeding fiscal year.

11       Sec. 702. Money that is received by the state as repayment for  
12 loans made for rail or water freight capital projects, and as a  
13 result of the sale of property or equipment used or projected to be  
14 used for rail or water freight projects shall be deposited in the  
15 fund created by section 17 of the state transportation preservation  
16 act of 1976, 1976 PA 295, MCL 474.67. At the close of the fiscal  
17 year, any funds remaining in the rail freight fund shall remain in  
18 the fund and be carried forward into the succeeding fiscal year.

19       Sec. 703. After receiving notification from a railroad company  
20 pursuant to section 8 of the state transportation preservation act  
21 of 1976, 1976 PA 295, MCL 474.58, the department shall immediately  
22 notify the house of representatives and senate appropriations  
23 subcommittees on transportation and the state budget office that  
24 the railroad company has filed with the appropriate governmental  
25 agencies for abandonment of a line.

26       Sec. 706. The Detroit/Wayne County port authority shall issue  
27 a complete operations assessment and a financial disclosure

1 statement. The operations assessment shall include operational  
2 goals for the next 5 years and recommendations to improve land  
3 acquisition and development efficiency. The report shall be  
4 completed and submitted to the house of representatives and senate  
5 appropriations subcommittees on transportation, the state budget  
6 director, and the house and senate fiscal agencies by February 15  
7 of each fiscal year for the prior fiscal year.

8       Sec. 711. (1) From the funds appropriated in part 1 from the  
9 comprehensive transportation fund for rail passenger service, the  
10 department shall negotiate with a rail carrier to provide rail  
11 service between Grand Rapids and Chicago and between Port Huron and  
12 Chicago, consistent with the other provisions of this section.

13       (2) The rail carrier shall, as a condition to receiving a  
14 state operating subsidy, maintain a system to monitor, collect, and  
15 resolve customer complaints and shall make the information  
16 available to the department, the house and senate appropriations  
17 subcommittees on transportation, and the house and senate fiscal  
18 agencies.

19       (3) Future state support for the service between Grand Rapids  
20 and Chicago and Port Huron and Chicago is dependent on the  
21 department's ability to provide a plan and a contract for services  
22 that increase ridership and revenue, reduce operating costs, and  
23 improve on-time performance.

24       (4) No state subsidy shall be provided from the funds  
25 appropriated in part 1 if the chosen rail carrier is Amtrak and  
26 Amtrak discontinued service or any portion of the service between  
27 Port Huron and Chicago or Grand Rapids and Chicago during the

1 preceding fiscal year, unless the discontinuance of service was for  
2 track maintenance or was caused by acts of God.

3 (5) For rail passenger service supported in any part through  
4 capital or operating assistance from funds appropriated in this  
5 article, the department shall work with the rail carrier to  
6 identify ways in which reasonable transport of bicycles by  
7 passengers can be accommodated.

8 (6) The department shall report to the house and senate  
9 appropriations subcommittees on transportation, and the house and  
10 senate fiscal agencies, not later than July 1, 2013, on the status  
11 of capital grants related to rail passenger service in Michigan.  
12 The report shall identify, and describe the status of, capital  
13 improvement projects related to higher train speeds, reduced travel  
14 time, station renovations, and other service improvements. The  
15 report shall also identify actual or anticipated costs of these  
16 projects, funding sources, and anticipated costs and funding  
17 sources required to maintain the improvements.

18 Sec. 731. The department shall charge public transit agencies  
19 and intercity bus carriers equal rates per square foot for leasing  
20 space in state-owned intermodal facilities.

21 Sec. 740. The department shall report by March 1 of each year  
22 to the house of representatives and senate appropriations  
23 subcommittees on transportation, the house and senate fiscal  
24 agencies, and the state budget director the encumbered and  
25 unencumbered balances of the comprehensive transportation fund.

26 **AERONAUTICS FUND**

1       Sec. 801. Except as otherwise provided in section 903 for  
2 capital outlay, at the close of the fiscal year, any unobligated  
3 and unexpended balance in the state aeronautics fund created in the  
4 aeronautics code of the state of Michigan, 1945 PA 327, MCL 259.1  
5 to 259.208, shall lapse to the state aeronautics fund and be  
6 appropriated by the legislature in the immediately succeeding  
7 fiscal year.

8       Sec. 802. Within the fiscal year ending September 30, 2013,  
9 the department shall sell 1 of 2 Beechcraft King Air twin engine  
10 turbo prop airplanes. Proceeds from the sale shall be credited to  
11 the state aeronautics fund.

#### 12    CAPITAL OUTLAY

13       Sec. 901. (1) From federal-state-local project appropriations  
14 contained in part 1 for the purpose of assisting political entities  
15 and subdivisions of this state in the construction and improvement  
16 of publicly used airports and landing fields within this state, the  
17 state transportation department may permit the award of contracts  
18 on behalf of units of local government for the authorized locations  
19 not to exceed the indicated amounts, of which the state allocated  
20 portion shall not exceed the amount appropriated in part 1.

21       (2) Political entities and subdivisions shall provide not less  
22 than 2.5% of the cost of any project under this section, unless a  
23 total nonfederal share greater than 5% is otherwise specified in  
24 federal law. State money shall not be allocated until local money  
25 is allocated. State money for any 1 project shall not exceed 1/3 of  
26 the total appropriation in part 1 from state funds for airport

1 improvement programs.

2 (3) The Michigan aeronautics commission may take those steps  
3 necessary to match federal money available for airport construction  
4 and improvement within this state and to meet the matching  
5 requirements of the federal government. Whether acting alone or  
6 jointly with another political subdivision or public agency or with  
7 this state, a political subdivision or public agency of this state  
8 shall not submit to any agency of the federal government a project  
9 application for airport planning or development unless it is  
10 authorized in this article and the project application is approved  
11 by the governing body of each political subdivision or public  
12 agency making the application and by the Michigan aeronautics  
13 commission.

14 Sec. 902. Before the end of each fiscal year, the state  
15 transportation department shall report to the house and senate  
16 appropriations subcommittees on transportation and the house and  
17 senate fiscal agencies on the status of airport improvement  
18 projects funded in part 1 with the estimated dollars allocated for  
19 each project. If there has to be a delay in reporting, the state  
20 transportation department shall notify the house and senate  
21 appropriations subcommittees on transportation in writing of the  
22 date the report will be received.

23 Sec. 903. The appropriations in part 1 for capital outlay  
24 shall be carried forward at the end of the fiscal year consistent  
25 with the provisions of section 248 of the management and budget  
26 act, 1984 PA 431, MCL 18.1248.

27 Sec. 904. (1) The director shall allocate lump-sum

1 appropriations made in this article consistent with statutory  
2 provisions and the purposes for which funds were appropriated.  
3 Lump-sum allocations shall address priority program or facility  
4 needs and may include, but are not limited to, design,  
5 construction, remodeling and addition, special maintenance, major  
6 special maintenance, energy conservation, and demolition.

7 (2) The state budget director may authorize that funds  
8 appropriated for lump-sum appropriations and designated as work  
9 project appropriations shall be available for no more than 3 fiscal  
10 years following the fiscal year in which the original appropriation  
11 was made. Any remaining balance from allocations made in this  
12 section shall lapse to the fund from which it was appropriated  
13 pursuant to the lapsing of funds as provided in the management and  
14 budget act, 1984 PA 431, MCL 18.1101 to 18.1594.

15 Sec. 905. Of the appropriation from the state aeronautics fund  
16 in part 1 for airport safety, protection, and improvement,  
17 \$10,000,000.00 represents estimated revenue from passage of House  
18 Bill No. 4025 of the 2011-2012 legislative session and is intended  
19 to ensure that the state is able to match all available federal  
20 airport improvement program grant funds.

21 **ONE-TIME BASIS ONLY**

22 Sec. 1001. In awarding grants to local public transit agencies  
23 with service populations greater than 50,000, from the 1-time  
24 general fund/general purpose appropriation in part 1, federal aid  
25 match for transit capital, the department shall give priority to  
26 the following:

1 (a) Projects for bus rehabilitation.

2 (b) Project applications from agencies which recover not less  
3 than 20% of fixed route operating costs from farebox revenue.

4 Sec. 1002. (1) General fund/general purpose revenue  
5 appropriated in part 1 for federal aid match for transit capital,  
6 and federal aid match for rail operations and infrastructure, not  
7 expended by September 30, 2013, shall lapse to the state general  
8 fund.

9 (2) By September 30, 2013, the department shall report to the  
10 house and senate appropriations subcommittees on transportation,  
11 and the house and senate fiscal agencies, on the use of funds  
12 appropriated in part 1 for transit capital and rail operations and  
13 infrastructure. The report shall include a summary of funds  
14 expended, encumbered, and lapsed for both transit capital and rail  
15 operations and infrastructure. With regard to transit capital  
16 projects, the report shall include grantees, grant amounts, project  
17 description, and project completion dates. With regard to rail  
18 operations and infrastructure projects, the report shall include  
19 grant amounts, project description, and project completion dates.

20 PART 2A

21 PROVISIONS CONCERNING ANTICIPATED APPROPRIATIONS

22 FOR FISCAL YEAR 2013-2014

23 **GENERAL SECTIONS**

24 Sec. 1201. It is the intent of the legislature to provide

1 appropriations for the fiscal year ending on September 30, 2014 for  
 2 the line items listed in part 1. The fiscal year 2013-2014  
 3 appropriations are anticipated to be the same as those for fiscal  
 4 year 2012-2013, excluding appropriations designated as 1-time  
 5 appropriations and adjusting for changes in caseload and related  
 6 costs, federal fund match rates, economic factors, and available  
 7 revenue. Specific anticipated adjustments are as follows, subject  
 8 to adjustment after the May 2013 consensus revenue estimating  
 9 conference:

10	Economic adjustments .....	\$	9,165,100
11	GROSS APPROPRIATION.....	\$	9,165,100
12	Appropriated from:		
13	Interdepartmental grant revenues.....		41,200
14	State restricted revenues.....		9,123,900
15	State general fund/general purpose.....	\$	0